Intersessional Work Proposal INC-4-5 by Samoa, on behalf of the Small Island Developing States (SIDS) at the Fourth Session of the Intergovernmental Negotiating Committee (INC) to develop a legally binding instrument on plastic pollution, including in the marine environment

26 April, 2024 [Version 2]

Cover note.

An effective intersessional work programme is likely essential to meet the ambitious goal of completing the work of the Intergovernmental Negotiating Committee (INC) by the end of 2024. However, the design and organisation of this work must take into account the support needed for the effective participation of SIDS; the key deliverables and outcomes needed to advance the negotiation process; and appropriate modalities to ensure the most efficient use of resources and the representation of developing countries, particularly SIDS.

Recognising that the organisation of intersessional work can be most effective after the INC arrives at a clearer idea regarding the types of obligations, and the elements and structure of the instrument, this proposal has been designed to invite discussions on potential areas and modalities of intersessional work, so as to further ensure that such work could be pursued in preparation for INC-5, and is without prejudice to any developments which may occur at INC-4.

Proposal

The INC could develop a number of expert working groups, chaired by one developed country, one developing country and one small island developing state, and supported by the INC Secretariat for the preparation of relevant resource documents, to discuss workstreams, including on:

1. **Hazardous, problematic, and avoidable chemicals and polymers used in plastic production, and plastic products**
   
   The objective of this workstream would be to further develop the categories/groups of plastic products, and chemicals and polymers used in plastic production that could be regulated under the instrument, and support the development of appropriate definitions and characteristics. It would also seek to facilitate discussions on potential institutional process(es) under the instrument that would support the development of technical standards and criteria to establish and periodically update lists or annexes of substances, materials and products to be regulated over time by the instrument. This work would also take into account cooperation and coordination with existing relevant frameworks, processes and conventions, as may be applicable.

2. **Comprehensive Waste Management Actions**
   
   The objective of this workstream would be to facilitate further discussions on the scope of waste management obligations, including the interrelationship with programmes and activities under the revised draft text: reuse, repair, refill and recycling; extended producer responsibility; transboundary movement of plastic waste; abandoned, lost or otherwise discarded fishing gear; and remediation of plastic pollution, including in the marine environment. The working group shall also take into account cooperation and coordination with existing relevant frameworks, processes and conventions.

3. **Financing**

   The objective of this workstream would be to assess options for financing to address plastic pollution, and
facilitate discussions on governance, operationalisation, functioning and resource mobilisation from a wide variety of sources, including public and private, to support implementation of the instrument.

**Modality and Outputs:**

With at least one (1) in-person open ended meeting for the work of the working groups during the intersessional period, contingent on sufficient support for participants from developing countries, particularly SIDS, to be convened no later than XX weeks after the conclusion of INC-4, and supplemented by virtual informal dialogues, as necessary, the Chairs of working groups, with support from the Secretariat, could be tasked with producing a summary of discussions at least XX weeks ahead of INC-5, including any potential proposals agreed by states of each working group, for consideration at INC-5. At minimum, intersessional work must produce outcome(s) that members could formally incorporate into discussions at INC-5 with the aim to support the advancement of negotiations.

There must also be consideration for ensuring the full participation of developing countries and financing two representatives per country.

[END]