

## PREAMBLE

[“The Parties to this Convention,

*Noting with concern* that the high and rapidly increasing levels of plastic pollution, including in the marine environment, represent a serious environmental and human health problem at a global scale, negatively impacting the environmental, social and economic dimensions of sustainable development,

*Recognizing* the special circumstances and needs of developing countries, and the disproportionate impact of such plastic pollution on small island developing States,

XXX

~~*Recognizing* that this Convention and other international agreements in the field of the environment and trade are mutually supportive,~~

~~*Emphasizing* that nothing in this Convention is intended to affect the rights and obligations of any Party deriving from any existing international agreement,~~

XXX

### Article 2bis

#### Relationship between this Convention/Instrument and relevant legal instruments and frameworks

- 1. This Convention/Instrument shall be interpreted and applied in a manner that does not undermine relevant legal instruments and frameworks, including on environment and trade, and that promotes coherence and coordination with those instruments and frameworks.**
- 2. Nothing in this Convention/Instrument is intended to affect the rights and obligations of any Party deriving from any existing international agreement.**

#### EXPLANATORY NOTE:

*The preambular paragraphs (with strikethrough) are proposed to be deleted. A stand-alone Article is proposed.*

*The proposed standalone Article aims to clarify the relationship between this instrument and other relevant legal instruments and frameworks, which may prove critical in its interpretation or application in actual cases as they arise.*

*We note, for example, the mandate to address plastics pollution, including in the marine environment. While plastics pollution extends beyond the ocean, it is inherently an ocean problem, with over 55% of the world's total plastic waste finding its way into the marine environment.*

*To ensure the success of a future global plastics treaty, it is vital to include a standalone provision that explicitly clarifies its relationship with existing agreements. Frameworks such as the London Convention, MARPOL, UNCLOS, and the Basel Convention, alongside initiatives like the G20 Action Plan on Marine Litter and the Osaka Blue Ocean Vision, have made significant contributions. Yet, these efforts remain fragmented, leaving gaps in addressing the full life cycle of plastics and aligning enforcement mechanisms, which has led us to the present exercise.*

*A standalone provision would harmonize these efforts, promoting coherence and coordination. It would also ensure a comprehensive approach, linking upstream and downstream measures, reinforcing legally binding commitments, and establishing clear responsibilities for monitoring and accountability. We believe this is essential to closing existing gaps and achieving an effective, unified strategy to address the plastics crisis globally.*

*For this purpose, the standalone article is proposed, inspired by the BBNJ agreement and relevant preambular paragraphs from the Chair's non-paper.*

*We are flexible regarding its placement within the treaty and suggest it might follow the section on scope, though we welcome alternative suggestions.*