Proposal by the EU and its Member States on Part II.8 – emissions and releases

Rationale

- The EU+MS submit the text proposal below with regard to Part II.8 on emissions and releases. This proposal builds on elements contained in the streamlined document submitted by the co-chairs on 24 April 2024.

- Mentioning all environmental compartments in the first § will allow us to integrate different elements under 1a), 1b) and 1c) of the streamlined text.

- To comprehensively address the topic of microplastics (including plastic pellets), certain wordings have been included in § 2. Additionally, the EU+MS propose to address **unintentional emissions and releases of microplastics** with the same level of strictness and details as we are proposing to address plastic pellets, flakes and powders. Therefore a specific § is added on the unintentional emissions and releases of microplastics, to ensure that concerns are sufficiently and adequately captured in the instrument. By doing so, the EU+MS address microplastics in 3 provisions:
  - 3b) on intentionally added microplastics;
  - 5a) on minimizing unintentional emissions and releases of microplastics from wear and tear from products through product design;
  - and finally in this provision (8), by tackling unintentional releases and emissions from different sources.

- The EU+MS see a need for **minimum requirements** in two separate (new) parts under Annex E.
  - **Part IV**: Minimum requirements to prevent and eliminate emissions and releases of plastic pellets and other plastic particles handled by industry such as flakes, powders and microspheres from the full supply chain.
  - **Part V**: Minimum requirements to prevent and eliminate unintentional emissions and releases of microplastics from wear and tear of sources listed in Part I of Annex E to the environment, throughout the life cycle of plastic polymers, plastics and plastics products.

- The EU+MS believe that it is not necessary to keep paragraph 3 in the streamlined text, as reflecting the measures in national plans is a common feature for all obligations under the treaty (Part IV.1). Additionally, considerations regarding the cooperation mechanism under § 5 should be discussed under Part III of the Treaty.

- Regarding the topic of fishing gear, we refer to a **separate CRP**.
1. Each Party shall take effective measures to prevent and eliminate emissions and releases of **monomers**, polymers and chemicals, **with a priority for the ones listed into Annex A**, plastics and plastic products across their lifecycle, in all environmental compartments, including the terrestrial, freshwater and marine environment and air, from the sources listed in Annex E, Part I, by the dates mentioned therein.

2. Each Party shall take effective measures to prevent and eliminate emissions and releases of plastic particles handled by the industry including plastic pellets, flakes, powder and microspheres, from the full supply chain, including production, conversion, storage, handling, transport and waste management. Parties shall take into account all environmental compartments as mentioned in § 1. **These measures shall be in accordance with the minimum requirements set out in Part IV of Annex E**, and take into account, as appropriate, the relevant provisions and guidance agreed in relevant international organisations, such as the International Maritime Organisation and Regional Seas Conventions.

3. Each Party shall take effective measures to prevent and eliminate unintentional emissions and releases of microplastics from the sources listed in Part I of Annex E and in accordance with the minimum requirements set out in Part V of the same Annex. Parties shall take into account all environmental compartments as mentioned in § 1. These measures shall take into account, the relevant provisions and guidance agreed in relevant international organisations, such as the Regional Seas Conventions.

4. The **governing body***, at its first session, shall adopt

   a) **requirements** and guidelines, including where relevant, sectoral **requirements** and guidelines, to facilitate implementation of the obligations set out in this provision, including best available techniques and best environmental practices.

   b) The list of sources in Annex E, Part 1, as well as the minimum requirements mentioned in § 2 and 3.

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