Part II

9. Waste management

b. [Fishing gear]

Option 0

No provision on this matter.

Option 1

1. Each Party [shall] [should] [cooperate] [is encouraged to] [and] take [any][effective] [measures][actions][, as appropriate][, including [appropriate][on:]

a. [to enhance the] [on design] of fishing and aquaculture gears, with a view to increasing durability, reusability, repairability and refurbishability and their capacity to be repurposed, recycled and disposed of in a safe and environmentally sound manner at end-of-life, and minimizing releases and emissions of or from fishing and aquaculture gears, including microplastics, to the environment;

b. [to implement effective] [on] marking, [tracing][tracking] [retrieval] [and][,] [and require] reporting [of lost gears, in accordance with other relevant regional and international regulations, including MARPOL Annex VI] [and recovery] requirements[,] to [prevent, reduce and eliminate, abandoned, lost or otherwise discarded] [tackle] fishing gear [containing plastic], taking into account internationally agreed rules, standards and recommended practices and procedures.

c. [promote the collection and environmentally sound] [disposal or recycling of end-of-life] [waste management of] fishing gear, including any recovered gear.

OP1 bis1. Each Party shall take effective measures towards collection and environmentally sound waste management of fishing gear.

OP1 bis2. Parties should take actions to promote investment, mobilize resources and facilitate knowledge exchange to enhance the recyclability and recycling rates of end-of-life and recovered fishing gear.

OP1 ter 2. Each Party [Parties] should take actions to:

a. promote education and raise awareness [and facilitate training, education and awareness raising] with fishing industries and practitioners on best practices and methods to reduce the risk of losing fishing gear and other plastics during fishing operations, and for the environmentally sound disposal of end-of-life gear; and

b. promote collaboration between Parties and relevant industry sectors and stakeholders, including fisheries, port reception facilities, waste management, and recycling.

c. promote investment, mobilize resources and facilitate knowledge exchange to enhance the recyclability and recycling rates of end-of-life and recovered fishing gear.
2.3. Parties [shall] promote synergy and complementarity with relevant initiatives and organizations, and regional and international authorities in their respective actions towards [safe disposal of] the prevention of plastic pollution from fishing gear, cooperation, coordination, and exchange of information, including the sharing of best practices, as appropriate, on enhancing the environmentally sound collection, disposal, and recycling of fishing gear, including with relevant initiatives and organizations.

OP2 bis 1. The measures taken to implement the provisions of this article shall be reflected in the national plan communicated pursuant to [Part IV.1 on national plans].

OP2 bis 2. There shall be an assessment of the need as well as mobilization of financial resources and technology transfer for each country in order to meet the commitments under this provision.

**Option 2. Alternative placement suggested as Section 8bis instead of 9b**

1. This obligation should have sub-paragraphs/provisions that require parties to take measures to:
   
   a. Enhance the design of fishing and aquaculture gears, with a view to increasing durability, reusability, repairability, and refurbishability and their capacity to be repurposed, recycled, and disposed of in a safe and environmentally sound manner at the end of their usable life, and minimizing releases and emissions of or from fishing and aquaculture gears, including microplastics, to the environment;

   d. Implement effective marking of gears and require reporting of lost gears, in accordance with other relevant regional and international regulations, including MARPOL Annex VI;

   e. Improve the management of gear at the end of its usable life, including the reuse, repair, and recycling of gear; and

f. Promote and facilitate training, education, and awareness raising.

2. The measures taken to implement this provision shall be reflected in the national plan communicated pursuant to [Part IV.1 on national plans].

Inclusion of an obligation for parties to promote synergy and complementarity with relevant initiatives, organizations, and regional and international authorities in their respective actions towards safe disposal of fishing gear.

Furthermore remediation of abandoned, lost and discarded fishing gear is important to protect the marine environment, the provision [in Part II.11] on existing plastic pollution, including in the marine environment, should provide the obligation on parties to take measures to remediate Abandoned, Lost and Discarded Fishing Gear, in an environmentally sound manner and in accordance with scientific and evidence-based social, economic and environmental impact assessments, using the best available techniques and environmental practices to avoid exacerbating environmental harm.

**Option 3**

Alternative placement suggested: as a new element 4bis instead of 9b.

**Option 4**

Alternative placement suggested: under element 11 instead of 9b.

**Option 5**

1. Each Party, on the basis of its national circumstances and capabilities, should cooperate in taking effective measures, as appropriate, to tackle fishing gear.

2. Parties shall promote synergy and complementarity with relevant initiatives and organizations in their respective actions towards safe disposal of fishing gear.

**10. Trade** [in listed chemicals, polymers] and products, and in plastic waste[related measures]

No technical streamlining has been done to option 0, section a of option 1 and option 2.
13. Transparency, tracking, monitoring and labelling

Option 0

No text on this matter.

Option 1

1. Each Party, in order to end plastic pollution, [as per its national plan and based upon][according to its] national circumstances and capabilities [including relevant national policies and regulations] and the means of implementation required in the case of developing countries] shall, [according to their national circumstances and capacities and the means of implementation required in the case of developing countries]:

   a. require[engage][, where feasible,] [producers [of primary and secondary plastics] and importers [and exporters]][business throughout supply chains] to [disclose][provide][globally] harmonized information on the [[hazardous] chemical composition of [all] plastics and plastic [products][producers][, based on guidelines adopted by the governing body* consistent with WTO regulations and avoiding duplication with other multilateral environmental agreements,] [throughout their [entire] life cycle][type and quantities of polymers produced, the type and quantities of chemicals used in production] and make such information available in a publicly accessible database:

   b. take appropriate measures to [ensure][improve] the traceability of chemicals, polymers and the plastic contents of [feedstocks and] products [throughout the life cycle of plastics] and plastic products[, including based on [globally harmonized] guidelines to be adopted by the governing body* at its first session,] [consistent with WTO regulations and avoiding duplication with other multilateral environmental agreements,] [in particular for the purposes of their [safe and] environmentally sound use, recycling, recovery and disposal[, taking into account, as appropriate, any guidance adopted by the governing body*]] Confidential Business Information (CBI) and human health and environmental impacts] [and in accordance with measures that may be specified in an annex to the instrument*, for the purpose of protecting public health and the environment throughout the plastics life cycle;] [; and] [upon availability and accessibility of the required technologies for the developing countries; ]

   c. [establish][digital tracking, traceability,] [encourage] marking and [eco-labelling][requirements][practices for plastic products][, consistent with provisions of the World Trade Organization’s Agreement on Technical Barriers to Trade,] based on guidance [to be adopted] by the governing body* at its first session, [in particular][and in accordance with measures that may be specified in an annex to the instrument* for the purpose(s) of the safe and environmentally sound use, recycling and disposal of plastics and plastic products][, protecting human health and the environment throughout the plastics life cycle][, to promote the circularity of plastics, enable informed decision-making, and facilitate reuse, repair, refurbishment and recycling of plastics].

   OP1.c. Alt 1. Move to Part II, Section 5.

   OP1.c. Alt 2. Encourage marking and labelling practices for plastic products to promote the circularity of plastics, enable informed decision-making, and facilitate reuse, repair, refurbishment and recycling of plastics.

2. Each Party [shall][is mandated to] [monitor] [and][establish a national monitoring system to] [track][and publish and update, in a transparent manner relevant and readily available information on][, to the possible extent,] the types and volumes[quantities] of its production, imports and exports of chemicals [and polymers] used in the production[manufacturing] of plastic polymers, plastics] [and] plastic products, and [including] regulated plastic [products][items][across][throughout] their life cycle[consistent with its national laws], considering the implementation for those with limited capacity, such as small and medium enterprises[, as well as any subsidies and fiscal incentives related to these activities][the production, imports and exports of primary plastic polymers] [and (shall][is encouraged to) report the information collected together with

Commented [MI11]: Incorporated into OP1 “c” of Option 1 (similar subject)

Commented [MI12]: OP3 bis of Option 1 was incorporated here
information on the recycling facilities functioning within its territory, in a standardized format (where possible) to the governing body*.]

**OP2 bis.** Each Party shall take legal, administrative or policy measures to ensure mandatory disclosures from large and transnational businesses, including the financial sector on their activities, risks, opportunities, dependencies and impacts and financial flows from all sources related to plastic pollution, including along their supply, value chain and portfolios.

Each Party shall report the information collected pursuant to paragraph 2, together with information on the recycling facilities functioning within its territory, in a standardized format (where possible) to the governing body*.

**OP3 bis 1.** Parties will implement the above provisions in accordance with national circumstances and capabilities, and supported by international cooperation, including through the cooperation mechanism referred to in [Part III].

**OP3 bis 2.** Each Party shall develop and promote the databases needed to administer and implement the requirements of this article, and cooperate in the development and maintenance of any global database that may be established by the governing body*.

**OP3 bis 3.** Developing country Parties shall be provided necessary technical and financial assistance based upon an assessment of the technical and financial resources required for complying with obligations given in paragraph 1 in respect of each country.

**OP3 ter.** The governing body* shall conduct, commencing [X] years after entry into force and at least every [X] years thereafter, a review of the guidelines and any annexes developed under this article with a view to assessing the need for revised guidelines, or new or additional annex measures, to protect public health and the environment, or to otherwise improve the effectiveness of this instrument*. 

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