**Contact Group 1 Co-Chairs In-Session Non-Paper on Article 5**

**27 November 2024**

**Article 5. Plastic Product [Design] [Performance]**

[1. Each Party **[**is encouraged to**] [shall]** take measures to:

1. **[**promote**] [improve the] [require] [**enhanced**] [eco-]**design **[**and performance**] [standards]** of plastic products, **[where relevant,] [[**as well as transparency, including with respect to their chemical composition,**]** **[in] accordance with minimum criteria-based global requirements while]**  **[**taking into account**] [making use of]** relevant **[**international**]**  standards and guidelines, **[**including sector- or product-specific standards and guidelines,**]]**  **[in pursuit of circular economy approaches, as applicable on the basis of equity]**  **[taking into account national infrastructure and design performance standards]** **[**in order to**] [based on national circumstances and capabilities with a life cycle approach to enhance circularity through]** 
   1. **[**reduce the **[**use of**] [demand for] [**primary**]**  **[virgin]**  **[plastics and increase] [the use of reused and recycled plastics, including through reuse and recycled content targets,] [reuse and the use of recycled plastics, including through design standards and targets] [[**plastic polymers**]**  **[plastic products]**  and **[decrease or eliminate]** associated chemicals of concern in plastic products;**] ]**

**Alt i. [to significantly contribute to sustainable production and consumption of primary plastic products]**

* 1. **[improve the safety and durability of plastic products, and promote the use of safe and sustainable chemicals,]**
  2. **[[**increase the **[**safety**]** **[**and**] [sustainability]**  **[**durability**] [, reusability, repairability and recyclability]** of plastics products, and the**] [improve their]** ability to **[be] [avoid generation of waste, to promote] [**reuse**[d**, **refurbished, refilled,]** repair**ed** , **[[safely] [**recycle**[d] ] [recycling, including through the adoption of minimum recycled content requirements]** **[**them**]]** and **[**to**]** dispose**d** of **[**them**]** in a**[n]** **[**safe and**]** environmentally sound manner **[**upon their becoming waste**] [, including through [implementation and] scaling of solutions and systems,] [and in accordance with the waste hierarchy,]]**
  3. **[minimize emissions and releases of plastic pollution, including through littering and releases of microplastics,]**

1. foster research, innovation, development and use of sustainable **[economic, and safer]**  alternatives **[**and non-plastic substitutes**]**, including products, technologies and services, **[based on life cycle assessments, taking into account their potential for environmental, economic, social and human health impacts]** taking into account **[availability, accessible and affordable]**  [and] the best available science, **[knowledge of Indigenous Peoples] [and, where relevant,]**  **[**traditional **[**knowledge,**]** **[**knowledge of Indigenous Peoples**]** and**]** local knowledge **[**systems**]**  and their potential for waste reduction and reuse, as well as their environmental, socio - economic, and human health impacts **[**across their life cycle**]**

**[1bis. In consideration of national capabilities and circumstances, developing country Parties shall be allowed time-bound exemptions in the implementation of paragraph 1 of this Article and provided financial assistance, technology access, and capacity building to assist them in the implementation of paragraph 1 of this Article pursuant to Articles 11 and 12. ]**

**[1 alt bis. The measures should be reported in a timely manner to the Secretariat and should provide a sufficient transition period allowing adequate time for adjustments. ]**

2. **[**The Conference of the Parties **[**shall**] [may]** adopt **[**, at its first meeting,**] [**guidance**] [a guideline within a reasonable timeframe]** to assist Parties in their implementation of **[**paragraph 1 of**]** this Article**[, taking into account different national circumstances and capabilities] [including standardization of certification and labelling schemes] [including targets and minimum design and performance criteria for specified sectors. This guideline shall be codeveloped with the involvement of all stakeholders, and where necessary, by conducting impact assessment.]**. **[**The Conference of the Parties shall **[also adopt at the earliest the minimum criteria-based global requirements in paragraph 1, upon recommendation of the relevant subsidiary body. The Conference of the Parties shall]** keep under review, and update as appropriate, the guidance developed pursuant to this paragraph.**]]**

**2 Alt.**  **[The Conference of the Parties shall establish a process and schedule of work for the development of specific design and performance requirements for priority products, through a sectorial approach, to be listed in Annex [X].] [to support the implementation of this article and make recommendations to the Conference of the Parties.] [Each Party shall comply with the requirements, if any, set out in the annex.]**

**3.**  **[Each Party shall require plastic products produced within its territory and/or those available on its market, to comply with the design and performance requirements specified in Annex [X], within the timeframe defined in that Annex, and provide relevant information.]**

**4.**  **[To support implementation of paragraphs 1 and 3 of this Article, Parties should take into account relevant international standards, and may include, inter alia, public procurement policies, environmental performance standards, Extended Producer Responsibility schemes, guidelines for corresponding systems for reuse, recycling and waste management, and labelling and certification procedures as relevant.]**

**5.** **[Each Party shall refrain from any measure that creates unnecessary obstacles to international trade and constitutes a means of arbitrary or unjustifiable discrimination or a disguised restriction on international trade. The measures taken by parties should be based on international standards to prevent creation of unnecessary administrative and financial burdens. Parties are encouraged to cooperate with international organizations towards the development of standards and guidelines at the multilateral level to support the implementation of this article.]**

**6.** **[A subsidiary body shall be established to support the implementation of the article.]]**

**[Criteria :**

**Requirements:**

1. **Reduction in volume of plastic use**
2. **Simplified packaging**
3. **Longer use and longer service life**
4. **Use of easily reusable parts or reuse of parts**
5. **Use of Single materials or reduction of material types**
6. **Easier disassembly and separation**
7. **Easier collection and transportation**
8. **Easier crushing and incineration**
9. **Marking**

**Materials of products:**

1. **Use of easily-recyclable materials**
2. **Use of recycled plastics]**