Note that this proposed text includes elements that could be taken up in Annexes: as the text currently stands, however, one can’t be confident that the matters included below will be addressed (because there is no proposed Annex text). Also, fishing gear (currently 9b in the revised draft) has been moved here, as has been suggested by some at INC-3.

8. **Emissions and releases of plastic throughout its life cycle**

1. Each Party shall take measures to prevent and, wherever feasible, eliminate the emissions and releases of plastic polymers, plastics (including microplastics) and plastic products wherever they occur in circumstances amenable to influence by the Party, whether to air, water or land. This includes through taking actions to implement other Multilateral Environmental Agreements. The emissions and releases covered under this provision include emissions and releases of chemicals of concern and hazardous substances as [listed in part II of Annex A], associated with the manufacture of plastics and plastic products, whether in primary or secondary (i.e. recycled) form.

**Production / waste management**

2. In line with para 1, each Party shall take measures to address, through appropriate regulatory measures, including licensing / permitting conditions of processes which are designed to reflect best practice, emissions and releases covered under Para 1 from production, manufacturing, storage, handling, transport, and end-of-life management, including in the context of re-use, collection of waste materials, sorting, recycling, and treatment and disposal of waste, taking into account, as appropriate, the relevant activities of the International Maritime Organization and the MARPOL Convention as well as other agreements such as the Cartagena, London, and OSPAR Conventions.

**Fishing gear**

3. Each Party shall cooperate and take effective measures across the whole lifecycle of fishing and aquaculture gear to prevent, reduce and eliminate, abandoned, lost or otherwise discarded fishing and aquaculture gear and promote design for repair and for recycling, taking into account internationally agreed rules, standards and recommended practices and procedures. In particular, Parties shall take measures to:

   a. Enhance the design of fishing and aquaculture gear, with a view to:

      i. increasing durability, reusability, repairability and refurbishability and their capacity to be, in order of preference, repaired, repurposed, recycled, and only as a last resort, disposed of in a safe and environmentally sound manner at end-of-life; and

      ii. minimising releases and emissions of or from fishing and aquaculture gears, including
microplastics, to the environment;

b. Implement effective marking of gear and require reporting of lost gear, taking into account other relevant regional and international regulations, including MARPOL Annex V;

c. Facilitate and incentivise the collection and management of gear, including through use of economic instruments such as use of deposit refunds or other financial support for gear retrieval, so as to facilitate the reuse, repair and recycling of gear in that order of preference, with disposal being a last resort; and

d. Promote and facilitate training, education and awareness-raising

4. Parties are encouraged to cooperation, coordination, and exchange of information, including the sharing of best practices, as appropriate, on enhancing the environmentally sound collection, and management of fishing gear in line with the preference ordering [as per sub-para 3 a (iii) above].

Wastes Generated at sea / on rivers

5. Each Party shall take measures to ensure that wastes generated by human activity during all forms of water-borne transport are not discarded directly into the environment. Strategies shall include:

- Regulatory measures (for example, regarding restriction on the sale of products whilst on-board; on-board provision for sustainable management of waste; sanctions where deliberate emissions to the environment occur);

- Requirement for proper provision of waste management facilities at ports and other places where vessels are berthed, or where they temporarily land or stop;

6. Each Party shall promote collaboration between Parties and relevant industry sectors and stakeholders, including fisheries, port reception facilities, waste management, and recycling.

Secondary microplastics

7. Parties will take measures to reduce the emissions and releases of secondary microplastics resulting from the use of plastics, and products containing plastics or / and microplastics. Sectors of focus should include those listed in Annex E Part I.

8. Parties shall cooperate in the promulgation of standards for relevant products, processes and working practices with a view to, in this order of priority:

   i. Eliminating the sources of the emissions (product bans as appropriate / necessary, taking into account available alternatives)

   ii. Reducing, and where feasible, eliminating, the quantity of microplastics emitted (designing products or regulating practices to reduce emissions);
iii. Reducing, and where feasible, eliminating, the flow into the environment of those microplastics which are emitted (trapping, filtering, separating, etc. those emissions that do occur);

iv. As a last resort, using techniques to clean-up, if possible, those releases into the environment, including those that have occurred in the past (so-called legacy microplastics).

9. Part II of Annex E includes measures to be taken and standards to be implemented in the sectors outlined in Part I of Annex E. Particular attention shall be given to ensuring simultaneous implementation across Parties of the standards alluded to above so as to prevent ‘dumping’ of products in less developed countries which may lead to greater emissions and releases of microplastics. The governing body*, at its first session, shall adopt sectoral guidelines, to facilitate implementation of Part II of Annex E.

Littering

10. Parties shall take measures to minimise the extent to which plastic products are discarded directly into the environment. Parties are encouraged to:

i. Provide quality waste collection and management services as per Measure 9 and Measure 7;

ii. Set standards for cleanliness for different areas of their territory, including urban areas and beaches, based on either, or both, of visual appearance and the frequency with which cleaning is undertaken;

iii. Implement, in line with Measure 3a, measures to address those single-use plastic items most often found discarded into the environment (including implementing taxes on single-use non-plastic alternatives with a view to encouraging reuse / refillable alternatives, consistent with Measure 5b);

iv. Implement requirements for quick-service food outlets to provide facilities and clean-up activities to ensure the cleanliness of zones around their premises: implementation of Measure 5b(2) should consider phasing out single-use items at such outlets;

v. Implement measures such as on-the-spot-fines designed to discourage citizens from discarding into the environment;

11. Services designed to achieve the objectives set out in sub-para 10 a and 10 b shall be financed by producers through extended producer responsibility in proportion to their contribution to the costs of clean-up in the (see Measure 7).

12. Parties are encouraged to promote scientific and technical innovation, including through the cooperation mechanism* referred to in [Part III, article number yet to be defined], to prevent and capture any releases of plastics and plastic products, including microplastics, into the
environment, particularly through strengthening cooperation among members, a commitment of sharing knowledge and transfer of technology, based on good faith and common understanding, from developed to developing countries.

13. 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].

Annex E: Emissions and releases of plastic through its life cycle

Part I:

Sectors releasing secondary microplastics

Part II:

Measures / standards related to sectoral releases of microplastics.