Submission by Samoa, on behalf of the small island developing states at the Fourth Session of the Intergovernmental Negotiating Committee (INC) to develop an international legally binding instrument on plastic pollution, including in the marine environment

26 April, 2024

Part IV

3. Reporting on progress [of implementation]

Explanatory text:

SIDS reiterate our views that streamlining is critical in this section, especially in consideration of Part IV: Section 4. Periodic assessment., Part IV: Section 1: National Action Plans, and Part II: Section 13: Transparency, tracking monitoring and labelling sections contained in Part II.

There is a level of overlap and possible creation of multiple obligations for reporting, monitoring and tracking which might be governed differently that will be difficult to implement, particularly by SIDS.

While we support some of the items proposed in the section, we are unable to agree to a specific option until we streamline these areas. We continue to consider both options, recognizing we agree with elements from both as set out below.

However, at minimum, there must be a comprehensive reporting mechanism that could relate to some form of review process that could help inform higher ambition as needed and the review process for substances and products to be regulated by the instrument.

Mechanism(s) under this section must include flexibility for SIDS.

It is also important to build on existing reporting mechanisms and processes as appropriate to avoid duplication.

We encourage more comprehensive streamlining taking into account the context of the sections and the information being requested, but also the purpose for which the information may be used.

Proposed text:

Option 1

1. Each [developed country] Party shall report to the governing body* on the measures taken to implement the provisions of this instrument* and on the effectiveness of such measures according to the timeline to be agreed by the governing body* at its first session.

OP1bis Each developing country Party may voluntarily report to the governing body* on the measures taken to implement the provisions of this instrument* and on the effectiveness of such measures and the possible challenges upon availability of and its accessibility to financial and technical support for this purpose.
2. Each Party shall submit its report referred to in paragraph 1 of this article to the secretariat\(^1\) on the measures it has taken to implement the provisions of this instrument\(^*\) [and] on the effectiveness of such measures [and] the possible challenges in meeting the objective of the instrument\(^*\). [The secretariat shall make national reports submitted by the Parties under this article publicly available.]

**SIDS Bracketed para** \(^3\) Each Party shall include, in its reporting, information provided in accordance with [Part II.14 on transparency, tracking, monitoring and labelling, paragraphs 2 and 3], including statistical data on types and volumes of its production, imports and exports of plastic polymers and products.\(^2\) [Ensuring transparent assessment of progress by Parties, visualization of implementations should be realized by using objective data and its evidence on measures in national action plan and reporting.] Such data and its evidence include numerical information on production and consumption, leakage along the value chain, waste generation, collection of waste, recycling (quantity/rates), collection of discharged plastics into the marine and other environments, policy targets and goals reflecting the global goal, detailed roadmap towards the realization of the targets and goals, and their achievements.]

**OP3 Alt** No text.

4. The governing body\(^*\) shall, at its first session, adopt the [reporting intervals] modalities and format for [the reporting][national reporting] [referred to in paragraph 1 of this article, which shall take into consideration the full life cycle of plastics and plastic products.] [While ensuring complementarity with relevant international instruments and organizations, as appropriate.][\(^\) In this regard, consideration could be given to the submission of short/brief reports on key issues within a specified period and a more comprehensive report at a longer period.] [The governing body\(^*\) of the future instrument will develop a common framework for reporting, including ways and means to ensure that reporting is specific, measurable, achievable, relevant and timebound.]

**OP4bis** On an ad hoc basis, the governing body\(^*\) of the instrument\(^*\) should encourage reports on relevant subjects from chemicals-related conventions, conventions related to climate change, biodiversity, and the law of the sea as well as contributions from multilateral organizations, particularly the World Trade Organization (WTO), World Customs Organization (WCO), World Health Organization (WHO), and the International Labour Organization (ILO).

5. The governing body\(^*\) shall, at its first session, adopt the modalities and procedures for review of information communicated in accordance with this article. [A scientific body should be entrusted with the evaluation, harmonization and centralization of scientific and technical data reported by Parties in national reports.] The secretariat shall keep under review and regularly communicate to the governing body\(^*\) the status of submissions by Parties of information [in accordance with paragraphs 1, 2 and 3 of this article.]

6. [Each Party shall take measures to ensure mandatory][\(^\) The governing body\(^*\) shall adopt the guidelines related to] disclosures from businesses, including the financial sector, on their activities and financial flows from all sources related to plastic pollution and related sustainable finance practices [provided that there are safeguards to protect confidential information.]

**OP5 Alt** No text.

**OP6 bis** Exchange of information on [Indigenous knowledge][traditional knowledge, knowledge of Indigenous Peoples, and local knowledge systems, subject to free, prior and informed consent], even if available, shall be subject to free, prior and informed consent.

**Option 2**

1. Each Party shall report to the governing body\(^*\), through the secretariat, [its national action plans] on the measures it has taken to implement the [provisions][obligations] of this instrument\(^*\) and on the effectiveness of such measures and the possible challenges in meeting the objective of the instrument\(^*\). [Differentiated reporting timelines for developed and developing country Parties shall be established according to a decision made by the governing body\(^*\).]

**OP1 Alt** No text.

---

1 Note: The secretariat could be mandated to maintain a registry, i.e., a central data exchange where information reported by the Parties could be made available.

2 Note: Adapted from the Minamata Convention, Article 21.2.
2. Each Party shall include in its [reporting][report, to be made publicly available by the secretariat,] the information called for in articles [X, X] of this *instrument*[ and should take into account information provided by relevant partners and stakeholders, in particular waste pickers].

**OP2 Alt** The *governing body* shall, at its first session, decide upon the timing and format of the reporting to be followed by the Parties, while providing flexibility to developing country Parties.

**OP2 Alt 2** No text.

3. The *governing body* shall, at its first session, decide upon the timing and format of the reporting to be followed by the Parties[, taking into account the desirability of coordinating reporting with relevant international instruments and organizations, as appropriate].

**OP3 Alt** The reporting framework shall provide flexibility in the implementation to developing country Parties in light of their capacities and must not create new burdens for developing country Parties.

**OP3 bis** The Secretariat shall make national reports submitted by the Parties under this article publicly available.

**OP3 ter** Support shall be provided to developing country Parties for the implementation of this article, recognizing that enhanced support for developing country Parties will effectively facilitate their efforts to prepare and update their national reports in accordance with this article.

---

1 **Note:** The list of relevant articles to be defined.