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

Inputs on Contact Group 2 – Co-chairs’ technical streamline

26 April 2024

Part IV

5. International cooperation

Explanatory text:

AOSIS supports this provision as we do see value in complementarity, coordination and cooperation, including in the following areas:

- Development of standards for product design, labelling and coding and the work of the ISO;
- Abandoned, lost or otherwise discarded fishing gear (ALDFG) and the work of the IMO and FAO; and
- Plastic waste trade, and other reporting requirements under BRS conventions; among others.

International cooperation will be required as a means of promoting resource-efficiency and avoiding the duplication of actions.

However, in designing the Instrument we must also consider means of responding to areas which have proven challenging for other instruments and conventions to effectively address, and where there might be gaps that the new regime can fill.

Further clarity will also be required on the extent of the term ‘monitoring’ as it relates to the actions and activities required of Parties, and whether they are reconcilable with the actions and activities required of Parties under other conventions in seeking complementarity and coordination.

Textual proposal:

1. Parties [are encouraged to] [shall] [cooperate] [promote cooperation] with [each other [on a global basis and,] as appropriate, on a regional basis] [through North-South, South-South and triangular cooperation], and with] relevant intergovernmental organizations [and other entities], including relevant scientific organizations and bodies, to support the effective implementation of this instrument* and the achievement of its objective, [while avoiding any duplication of efforts] [including through strengthening and enhancing cooperation [with and among relevant legal instruments and frameworks, as well as global, regional, subregional and sectoral bodies]].

2. Parties [are encouraged to] [shall] promote [as appropriate] the objective of this instrument* when participating in decision-making [in accordance with unique national priorities] [under other relevant legal instruments, frameworks or global, regional, subregional or sectoral bodies.1]

3. Parties [shall] [are encouraged to] promote international cooperation in support of the objective of this instrument* [as appropriate] through:

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1 Note: Adapted from the Agreement under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction, Article 8.
a. [The development, transfer, diffusion of and access to technology [on mutually agreed terms] [and technical innovation [on mutually agreed terms]], consistent with [Part III.2 on capacity-building, technical assistance and technology transfer], focusing on North south and triangular cooperation;]

b. The development of research and exchange of information to improve the understanding of plastic pollution and advance technological innovation, consistent with [Part IV.6 on information exchange and Part IV.7 on awareness-raising, education and research];

c. The promotion of technical and scientific cooperation, including regional platforms or databases, technical-scientific cooperation projects, and networks of technical centres;

d. [The implementation of the monitoring obligations [taking into account the needs and capacities of developing country parties [particularly of small island developing States]] [including the monitoring of plastics in the environment and the identification of sources of their leakage];]

e. The use of existing information exchange mechanisms to promote knowledge, best environmental practices and alternative technologies that are environmentally, technically, socially and economically viable.

f. [Any other kind of cooperation that may be relevant to the objective of the instrument*.

**OP3 Alt. No text.**

4. The governing body* will invite, as appropriate, input from relevant scientific and technical bodies [including the Science Policy Panel to be established in accordance with UNEA resolution 5/8, the Intergovernmental Panel on Climate Change or the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services [or the Intergovernmental Oceanographic Commission], and other relevant bodies] on matters relevant to the fulfilment of its mandate.2 [The governing body* may also consider relevant outcomes from the work of the above mentioned scientific and technical bodies.]

**OP4 Alt No text.**

5. [The secretariat of the instrument* under the guidance of the governing body*][The governing body*] shall cooperate and collaborate with relevant international instruments and organizations, as appropriate, including with a view to ensuring the greatest level of consistency among relevant international instruments and organizations.3

**OP5 Alt.** The secretariat shall facilitate cooperation in the exchange of information referred to in this article, as well as with relevant organizations, including the secretariats of relevant international instruments and other international initiatives, as appropriate, with a view to avoiding duplication among relevant international instruments and organizations.

**OP5 Alt2. No text.**

**OP5 bis.** Activities mentioned in the paragraphs above under international cooperation may be conducted, as appropriate, through the cooperation mechanism* to be established under the instrument*.

6. Information exchange

**Alt title: Transparency**

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2 **Note:** Pursuant to UNEA resolution 5/8, the Science Policy Panel (SPP) could support “relevant multilateral agreements, other international instruments and intergovernmental bodies, the private sector and other relevant stakeholders in their work”. The exact wording of the proposed language would need to be finalized considering the outcomes of the work of the OEWG established by resolution 5/8 towards the establishment of the future SPP.

3 **Note:** Adapted from United Nations General Assembly resolution 73/333. The relevant international instruments and organizations would include, among others, the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade, the Stockholm Convention on Persistent Organic Pollutants, the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter London Convention and its 1996 Protocol, the International Convention for the Prevention of Pollution from Ships, the World Customs Organization, the Food and Agriculture Organization of the United Nations, and the International Labour Organization.
1. Each Party [shall] [is encouraged to] facilitate [and undertake] exchange of information relevant to the implementation of the instrument* [in a transparent manner] [on best practices and research and technologies], including on:
   a. Best practices and policies on sustainable consumption and production;
   b. Research and technologies [innovation, and green chemistry on voluntary and mutually agreed terms related to plastic];
   c. Knowledge, including [the traditional] [Indigenous] knowledge [of Indigenous Peoples obtained with their free, prior and informed consent] [traditional knowledge, knowledge of Indigenous Peoples, and local knowledge systems, in line with free prior and informed consent] [and the knowledge of workers in the informal plastic sector [including waste-pickers]], *inter alia, on environmentally sound waste management [of plastic waste], sources of plastic pollution, human and fauna and flora exposure to plastic pollution and the associated risk management and [pollution] reduction [policies, actions and other] options;
   d. Studies and experiences on circular economy and zero waste initiatives; and
   e. [Other innovative solutions.]

*OP1 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.

2. Parties may exchange the information [referred to in paragraph 1] [directly, through an online registry, [a clearinghouse] to be maintained by the secretariat or in cooperation with other relevant international instruments and organizations, as appropriate.] [through the cooperation mechanism* to be established under this instrument, particularly through its clearing-house platform.]

3. Each Party shall designate a national focal point for the exchange of information under this instrument*, including with regard to the prior informed consent of importing States under [Part II.11 on trade in plastics and plastic products].

*OP3 Alt.* No text.

4. Parties are encouraged to learn from and build on existing ongoing processes, initiatives and networks to share knowledge, [and] highlight successes, [including examples of] [replicate][replicating] and [scale][scaling] sustainable solutions [in addressing plastic pollution].

5. Parties exchanging information pursuant to this instrument* shall protect any confidential information as mutually agreed [and handle Indigenous Knowledge consistent with relevant international norms or standards].

*OP5 bis.* The Secretariat shall serve as a clearinghouse mechanism for information provided by Parties, intergovernmental organizations, partners and other stakeholders related to the implementation of the instrument*.