Part III

1. FINANCIAL MECHANISM

1. Parties shall provide WITHIN ITS CAPABILITIES, the necessary resources for national activities intended to implement this instrument*, TAKING INTO ACCOUNT THEIR NATIONAL POLICIES, PRIORITIES, PLANS AND PROGRAMMES. Such resources may include domestic and international funding, as well as facilitation of private sector financing, including voluntary contributions.¹

2. Parties should, and multilateral organizations, agencies and funds are encouraged to, increase their support, including through finance, capacity-building, TECHNICAL ASSISTANCE and technology transfer, for the implementation of this instrument* by developing country Parties.

3. Parties shall, and other stakeholders are encouraged to, in implementing paragraph 2 of this Article, take into account of the specific needs and special circumstances of DEVELOPING COUNTRY Parties, IN PARTICULAR Small Island Developing States (SIDS) or least developed countries.

4. A Mechanism for the provision of NEW AND ADDITIONAL, predictable, sustainable, adequate, accessible and timely financial resources is hereby established to support the implementation of this instrument* by developing country Parties. The Mechanism shall include financial resources FROM DEVELOPED COUNTRIES AND OTHERS IN A POSITION TO DO SO.

5. The Mechanism shall operate under the guidance of and be accountable to the governing body*.²

6. IN RECOGNITION OF THE URGENCY TO ADDRESS PLASTIC POLLUTION, THE GOVERNING BODY* SHALL DETERMINE NO LATER THAN AT ITS SECOND MEETING AN INITIAL RESOURCE MOBILIZATION GOAL FOR THE FINANCIAL MECHANISM.

7. Option 1

6. The Mechanism shall consist of newly established dedicated Fund(s)*³

7. The governing body* shall, at its first session, adopt the arrangements for the operation of the newly established dedicated fund(s).

Provisions common for Options above

6. The governing body* shall review on a regular basis the level of funding, the guidance provided by the governing body* to operationalize the Mechanism established under this Article and its effectiveness, as well as its ability to address the changing needs of developing country Parties. It shall, based on such review, take relevant action to improve the effectiveness of the Mechanism.⁴

7. Each Party shall establish a plastic pollution fee, to be paid by plastic polymer producers within its jurisdiction, and adopt the necessary legislative, regulatory and administrative measures for its collection. The governing body*, at its first session, shall adopt modalities and procedures for the implementation of the global plastic pollution fee, including on the contribution of the fee to the financial Mechanism established in paragraph 4.⁵

¹ Note: For a list of possible sources of financing beyond traditional sources, see paragraph 24(e) of document UNEP/PP/INC.2/4.
² Note: The two options below paragraph 5 could be considered individually or together.
³ Note: The fund(s) could be dedicated to specific purposes, such as addressing legacy plastic waste or innovation.
⁴ Note: Adapted from Minamata Convention, Article 13.11.
⁵ Note: Modalities for the Global Plastic Pollution Fee could be established by the governing body. This Fee could hold polymer producers accountable for the pollution costs of all of their plastics, irrespective of the country in which the plastics end their useful life, and of whether the plastics are ultimately destined for recycling or disposal. It could generate revenue to finance environmentally sound waste management and clean-up initiatives.
8. Each Party shall take measures to:
   a. decrease financial flows from all domestic and international, public, and private sources, towards projects that result in emissions and releases to the environment from plastics and plastic products across the life cycle, including microplastics; and
   b. increase financial flows from all domestic and international, public, and private sources, towards projects that prevent or reduce emissions and releases to the environment of plastics and plastic products across the life cycle, including microplastics, including for the development of adequate waste management infrastructure.

2. Capacity-building, technical assistance and technology transfer

1. Parties shall cooperate to enable, within their respective capabilities, the provision of NEW AND ADDITIONAL, timely, sustainable, comprehensive and adequate capacity-building and technical assistance to ALL developing countries, in particular, to least developed countries and SIDS, to assist them in implementing their obligations under this instrument* and to retain such capacity once built.

2. The governing body* shall keep under review capacity-building and technical assistance to support the implementation of this instrument* and promote cooperation and coordination with other multilateral environmental agreements and other relevant initiatives to increase the effectiveness of capacity-building and technical assistance.

3. Parties shall promote and facilitate the development, transfer on terms FAVORABLE TO DEVELOPING COUNTRIES, INCLUDING IN CONCESSIONAL AND PREFERENTIAL TERMS, diffusion of and access to up-to-date environmentally sound technologies to address plastic pollution, including through safe and sustainable alternatives and non-plastic substitutes. In implementing this provision, Parties shall promote and facilitate innovation and investment in pursuit of new technologies and innovative solutions, and shall facilitate access to essential technologies, including with respect to financial resources and proprietary rights.

Part IV

1. National plans

1. Each Party shall develop and implement a national plan9 to fulfil its obligations under this instrument* and to achieve its objective(s). IN ACCORDANCE WITH ITS CAPACITIES AND AS APPROPRIATE. The national plans shall be based on the format in annex G and SHOULD include at least relevant elements related to10:
   a. Primary plastic polymers;
   b. Chemicals and polymers of concern;
   c. Problematic and avoidable plastic products;
   d. Product design and performance;

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7 Note: Members may wish to include a definition of “technology transfer on mutually agreed terms” either in the provision on ‘definitions’ or in the provision on ‘technology transfer on mutually agreed terms’. The glossary of terms prepared for the committee’s first session, UNEP/PP/INC.1/6, refers to the following definition: “Technology transfer means the transmission of know-how, equipment and products to governments, organizations or other stakeholders. It usually also implies adaptation for use in a specific cultural, social, economic and environmental context”. (UNEP, Glossary of Terms for Negotiators of Multilateral Environmental Agreements (Nairobi, 2007), p. 91.)
8 Note: Particular focus areas for capacity-building, technical assistance or technology transfer may need to be further defined and elaborated when there is a better understanding of the substantive obligations under this instrument*.
9 Note: The term ‘national plans’ is used without prejudging how Members may ultimately choose to refer to the plans. Other options include ‘national action plans’ or ‘national implementation plans’.
10 Note: This potential list of actions to be included in national plans reflects references to such plans in the options presented. It is presented for ease of reference and without prejudice to how Members may choose to address this item in the instrument*. The exact contents of any national plans will depend on the contents and structure of commitments and obligations under the instrument*.
e. Reduce, reuse, refill and repair of plastics and plastic products;

f. Use of recycled plastic contents;

g. Extended Producer Responsibility;

h. Emissions and releases of plastic through its life cycle;

i. Waste management, INCLUDING BY THE INFORMAL RECYCLING SECTOR

j. Fishing gear;

k. Existing plastic pollution, including in the marine environment; and

l. Just transition.

2. Each Party shall communicate its initial national plan to the governing body within [X] year[s] of the date on which this instrument enters into force for it through the secretariat.

3. Each Party shall be guided by the modalities referred to in paragraph 1 when preparing and submitting their national plans, AS APPROPRIATE.

4. A Party may at any time adjust its national plan with a view to enhancing its level of ambition, in accordance with guidance adopted by the governing body.

5. Parties are encouraged to coordinate on the establishment and implementation of regional plans to facilitate implementation of this instrument, as appropriate.

6. Parties shall review, update and communicate to the governing body their national plans every [X] year[s], and in a manner to be specified by a decision of the governing body, [with each update representing a progression compared to the Party’s previous national plan.]

7. Each Party shall include information on the implementation of its national plan towards achieving the objective of this instrument in its national reports pursuant to [part IV.3 on reporting on progress].

2. Implementation and compliance

1. A mechanism to facilitate implementation of, and promote compliance with, the provisions of this instrument, including a committee, is hereby established.

2. The mechanism referred to in paragraph 1 shall be facilitative in nature, FUNCTION IN A MANNER THAT IS TRANSPARENT, NON-ADVERSARIAL AND NON-PUNITIVE, and shall pay particular attention to the respective national capabilities and circumstances of Parties, IN PARTICULAR THOSE THAT ARE DEVELOPING COUNTRIES.11

3. The mechanism shall operate under the modalities and procedures adopted by the governing body at its first session and shall report to the governing body.

4. The committee referred to in paragraph 1 shall examine both individual and systemic implementation and compliance issues and make recommendations to the governing body, as appropriate.12 The committee shall consist of 17 members with recognized competence in fields relevant to this instrument to be elected by the governing body striving to reflect a balance of expertise and on the basis of equitable geographical representation, with three members each from the five regional groups of the United Nations and two members from the SIDS, taking into account the goal of gender balance.

11 Note: Adapted from the Minamata Convention, Article 15.
12 Note: Adapted from the Minamata Convention, Article 15.
5. Members shall be elected to the committee to serve for a period of [X] years and for a maximum of two consecutive terms. The governing body*, at its first session, shall elect nine members to the committee for an initial term of [X] years and eight members for a term of [half of X] years. Thereafter, the governing body* shall elect at its relevant regular sessions nine members for a term of [X] years. The members and alternate members shall remain in office until their successors are elected.

6. The committee may consider issues on the basis of:

a. Written submissions from any Party with respect to its own compliance;

7. The committee referred to in this Article shall elaborate its rules of procedure, which shall be subject to endorsement by the governing body* at its second session. The governing body* may adopt further terms of reference for the committee.

3. Reporting on progress

**Option 1**

**Option 2**

1. Each Party shall report to the governing body*, through the secretariat, 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*.

2. Each Party shall include in its reporting the information called for in Articles [X,X] of this instrument*, and should take into account information provided by relevant stakeholders, in particular waste pickers.

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.

4. Periodic assessment and monitoring of the progress of implementation of the instrument* and effectiveness evaluation

**a. Effectiveness evaluation**

1. The governing body* shall periodically evaluate the effectiveness of this instrument* and determine any measures required to advance in achieving the objective. The governing body* shall undertake its first evaluation of effectiveness of the instrument* no later than [X] years after the date of entry into force of the instrument* and thereafter at least every [X] years.

2. The governing body* shall, at its first session, adopt the modalities for the evaluation of effectiveness of the instrument* in accordance with the provisions of this Article.

3. The evaluation shall be conducted on the basis of BEST available scientific, environmental, technical, financial and economic information, including:

a. National reporting pursuant to [part IV.3 on reporting on progress];

b. National plans submitted by Parties pursuant to [part IV.1 on national plans];

c. Scientific and socioeconomic assessments pursuant to [part V.2 on subsidiary body];

d. Other information the governing body* deems relevant.

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13 **Note:** The rules of procedure may include provisions for non-compliance.

16 **Note:** The list of relevant Articles to be defined.

17 **Note:** This language assumes that a scientific and/or technical body or review mechanism would be mandated to carry out scientific and socioeconomic assessments.
4. The governing body* MAY take into account the outcomes of the evaluation of effectiveness of the instrument* when determining measures required to enhance the effectiveness of the instrument*.

b. Review of chemicals and polymers of concern, microplastics and problematic and avoidable products

1. The governing body* shall conduct, commencing [X] years after entry into force and at least every [X] years thereafter, a review of chemicals and polymers of concern used in plastic production, intentionally added microplastics and avoidable plastic products\(^{18}\), with a view to assessing the state of knowledge with respect to their identification, production and use by Parties, and their impact on human health and the environment.

2. The review referred to in paragraph 1 shall be based on a report by [the expert review body or panel].\(^{19}\) This report may contain recommendations to the governing body*, including with respect to possible amendments to annexes A and B.

3. In the conduct of its work under this provision, the [the expert review body or panel]\(^{20}\) may prioritize substances, products or sectors with high volumes or the greatest likelihood of giving rise to plastic pollution.

4. The governing body* shall consider, in light of the report provided by [the expert review body or panel]\(^{21}\) pursuant to paragraph 2, whether amendments to annexes A and B are warranted.

5. International cooperation

1. Parties shall cooperate 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, 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 shall promote the objective of this instrument* when participating in decision-making under other relevant legal instruments, frameworks or global, regional, subregional or sectoral bodies.\(^{22}\)

3. Parties shall promote international cooperation in support of the objective of this instrument*, AS APPROPRIATE, through:

   a. The development, transfer, diffusion of and access to technology terms and technical innovation, consistent with [part III.2 on capacity-building, technical assistance and technology transfer];

   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;

\(^{18}\) Note: This proposed text assumes the adoption of annexes A and B as set out in some of the options under part II.2 (chemicals and polymers of concern) and part II.3 (avoidable plastic products, including short-lived and single-use products, and intentionally added microplastics).

\(^{19}\) Note: This language assumes that a scientific and/or technical body or review mechanism would be mandated to carry out this function and any related functions.

\(^{20}\) Note: This language assumes that a scientific and/or technical body or review mechanism would be mandated to carry out this function.

\(^{21}\) Note: This language assumes that a scientific and/or technical body or review mechanism would be mandated to carry out this function.

\(^{22}\) 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.
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

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, and other relevant bodies on matters relevant to the fulfilment of its mandate. The governing body* may also consider relevant outcomes from the work of the above mentioned scientific and technical bodies.

5. 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.

6. Information exchange

1. Each Party shall facilitate and undertake exchange of information relevant to the implementation of the *instrument*, including on:
   
   a. Best practices and policies on sustainable consumption and production;
   
   b. Research and technologies;
   
   c. Knowledge, including Indigenous knowledge WITH THEIR FREE, PRIOR AND INFORMED CONSENT AND THE KNOWLEDGE OF WASTEPICKERS, *inter alia*, on environmentally sound waste management, sources of plastic pollution, human and fauna and flora exposure to plastic pollution and the associated risk management and reduction options.

2. Parties may exchange the information referred to in paragraph 1 directly, through an online registry to be maintained by the secretariat or in cooperation with other relevant international instruments and organizations, as appropriate.

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].

4. Parties are encouraged to learn from and build on existing ongoing processes, initiatives and networks to share knowledge, highlight successes, replicate and scale sustainable solutions.

5. Parties exchanging information pursuant to this *instrument* shall protect any confidential information as mutually agreed.

23 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.

7. **Awareness-raising, education and research**

1. Parties, individually, jointly or through relevant regional or international bodies or networks, should cooperate to promote awareness on plastic pollution and the objective of this *instrument* and to incentivize behavioural change, capacity-building and the sharing of information, including on Indigenous, traditional and local knowledge systems.

2. Each Party shall take relevant measures to raise awareness on plastic pollution and the objective of this *instrument*. This may include measures such as:
   a. Developing a communication and education strategy on the objective of the *instrument*, involving all stakeholders, including educational and awareness-raising programmes and citizen campaigns;
   b. Promoting public participation and public access to information;
   c. Providing training at the national, regional and international levels, including exchange visits and specific dedicated training;
   d. Including issues related to plastic pollution across curricula and practices in educational institutions at all levels and in all forms of education; and
   e. Developing communication materials regarding the health risks of plastic pollution, potential alternatives and the importance of behavioural change AND ON JUST TRANSITIONS.

3. Parties shall, within their capabilities, at the national, regional and international levels, cooperate in promoting and/or undertake relevant research, development, exchange of information and cooperation to improve understanding of the impacts of plastic pollution and advance scientific knowledge and promote technological innovation to reduce plastic pollution, including in the marine environment.

8. **Stakeholder engagement**

1. A multi-stakeholder action agenda that promotes inclusive, representative and transparent actions and leverages efforts through existing bodies, partnerships and other initiatives is hereby established. The *governing body*, at its first session, shall adopt the modalities for the action agenda.

2. The purpose of the multi-stakeholder action agenda is to, among other things:
   a. Promote active and meaningful participation of all relevant stakeholders in the development and implementation of the *instrument* and to accelerate ambitious action;
   b. Provide a space for relevant stakeholders who wish to do so to report on action taken in support of the achievement of the objective of this *instrument*;
   c. Promote ambitious action and cooperation at the local, national, regional and global levels;
   d. In coordination with Parties in their implementation of the *instrument*, mobilize financial and technical resources from stakeholders, including public and private finance stakeholders;
   e. Share knowledge and highlight successes to replicate and scale sustainable solutions, including in high-impact sectors and key thematic areas.

3. Each Party shall incentivize an all-of-society approach to report through the multi-stakeholder action agenda on measures taken towards the objective and targets of the *instrument*.

4. THE MULTISTAKEHOLDER ACTION AGENDA SHALL INCLUDE, INTER ALIA, THE INFORMAL RECYCLING SECTOR AND WASTE PICKERS, LOCAL GOVERNMENTS AND ALL SECTORS OF THE PLASTIC INDUSTRY.

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25 **Note:** The multi-stakeholder agenda could alternatively be launched through a decision of the committee as early as the committee’s third session outside of this *instrument*.

26 **Note:** Modalities of the agenda could be established by the governing body at its first session or alternatively be included in an annex to this *instrument*. 
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