Statement by the EU and its 27 Member States on intersessional work, delivered at the Preparatory meeting (11 November 2023)

Intersessional Work.

The EU and its Member States consider that intersessional work is essential to better define the technical aspects of the instrument. We emphasize the need for INC members to make the most of the time between INC meetings.

As a general approach, the EU and its Member States favour a limited amount of specific intersessional technical work, focusing on a few substantive and meaningful issues.

We would like to prioritize the following areas of intersessional technical work to make progress in the negotiations towards a legally binding instrument to end plastic pollution:

A. Primary Plastic Polymers
B. Polymers and other substances of concern
C. Problematic and Avoidable Plastic Products
D. Design for circularity
E. Substitutes and alternatives for plastic products
F. Monitoring and reporting
G. Resource mobilization

The EU and its Member States are of the view that there is a need to set up a legal drafting group so that it can begin its work once a text on some provisions has been provisionally agreed.

In order to limit the number of expert groups, EU Member States will support the establishment of the following groups to develop their work between INC-3 and INC-4: Group 1 on B: "Polymers and other substances of concern" and C "Problematic and avoidable plastic products"; Group 2 on D: "Design for circularity"; and Group 3 on G: "Resource mobilization".

In the period between INC-4 and INC-5, the following expert group could be established: A Legal group to enable the drafting of the convention. And a Monitoring and reporting expert group. If possible, groups would also be established after INC-4 on A. Primary Plastic Polymers and E. Plastic Product Substitutes and Alternatives.

Depending on the area of intersessional work, it could take the form of expert groups, with open or limited participation, webinars and workshops, and further studies and analyses. We support the participation and contribution of relevant stakeholders.

The technical work to be carried out should focus on substantive issues of a technical nature and, as such, should not prejudice, but rather inform discussions on the content and structure of the instrument, which should be decided by the INC.
The EU and its Member States support the idea of establishing a specific, but broad, mandate for expert groups on intersessional work, avoiding a mandate that would turn into a debate on the negotiating text or that could prejudge the outcome of the negotiations. For that reason, we suggest leaving some flexibility to the co-facilitators.

With regard to the size of an expert group, the EU and its Member States consider that, in order to move forward, and according to the usual practice, between 3 and 5 members per region would suffice, with equal participation from all regions, striving for gender balance, and also from the various stakeholder groups.