Contact Group 1 - Co-facilitators’ full compilation of mergers for Members’ proposals

This document captures the co-facilitators’ compilation of mergers for Members’ proposals for the following sections of the zero draft:

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Part II Bis. Additional provision related to II.1 (Primary plastic polymers)

Appendix: Possible annexes to the instrument¹

Part I

2. Objective

1. The objective of this instrument is to end plastic pollution, including in the marine environment [and other aquatic as well as terrestrial ecosystems], [based on a comprehensive approach that addresses the full life cycle of plastic] [through the prevention, progressive reduction and elimination of plastic pollution] [by 2040] [and enhanced efforts thereafter], [in order] to protect human health and the environment [from its adverse effects] [and to achieve sustainable development].

2. The objective of this instrument is to protect human health and the environment from [the adverse effects of] plastic pollution, including in the marine environment [and other aquatic as well as terrestrial ecosystems], [by ending plastic pollution based on a comprehensive approach that addresses the full life cycle of plastic] [through the prevention, progressive reduction and remediation of plastic pollution] [management] [and utilization of plastic and plastic waste] [according to national priorities] [by 2040] [and enhanced efforts thereafter], [and to achieve

¹ Note: Annexes have not been discussed in contact group 1 for Parts I. Objective and II. Submissions on this matter have not been included in this compilation.
sustainable development][, poverty eradication and just transition[,] [considering the principle of common but differentiated responsibilities and respective capabilities] [as well as financial and technical support].

Part II

1. **Primary plastic polymers**

   **Alt title:** Plastic polymers

   **Option 0**
   No text in this provision

   **Option 1**
   1. Parties, [taking into consideration their respective capabilities and national circumstances,] shall take the necessary measures to prevent and mitigate the potential for adverse impacts on human health [and][or] the environment from the production of primary plastic polymers [and secondary plastics], including their feedstocks and precursors [to manage production and consumption of plastics through product design and environmentally sound waste management, including through resource efficiency and circular economy approaches].

   **OP1 Alt.** [Null]

   **Sup-option 1**
   2. Each Party shall not allow its level of production and supply of primary plastic polymers to exceed the reduction target specified in part I of annex A.

   **OP2 Alt 1.** Parties shall, to achieve the global target set out in part I of annex A, cooperate to manage and reduce, where feasible and appropriate, or optimize the global production and supply of primary plastic polymers.

   **Sub-Option 2**
   2. Parties shall [based on scientific evidence] [manage and] [take measures to] reduce the [demand for] [global production and supply of] primary plastic polymers [of [concern] [risk] to human health and environment] [in an agreed sustainable level] to achieve the global target set out in part I of annex A[.4].

   3. [Each Party][Parties] shall, in order to achieve the target referred to in paragraph 2, develop nationally determined targets [to reduce its level of production] and take the necessary measures to achieve them.

   **OP3 Bis.** Parties are encouraged to restrict applications of each plastic polymer type as recommended in Annex [..] unless plastic wastes arisen from such applications are able to be managed in an environmentally sound manner within their current existence and capacity of waste management options or alternatives.
**OP3 Ter.** Parties are also encouraged to take any necessary measures to increase the production, supply, utilization, and demand of secondary plastics [and circular polymers]

4. [Each Party][Parties] shall reflect the measures taken to implement [this] its provision in their [respective] national plans communicated pursuant to [part IV.1 on national plans], including [their] its intended level of domestic supply of primary plastic polymers [and secondary plastics] including, as relevant, domestic production, expressed in percentage terms in relation to the baseline set out in part I of annex A, for each reporting period specified in [part IV.3 on reporting on progress].

**Sub-Option 3**

2. Parties shall [according to national circumstances and capacities and based on the principles of circular economy] [determine] [take] the necessary measures to manage [and reduce] [and optimize] [the global production and supply] [the use] of primary plastic polymers referred to in paragraph 1.

3. The measures taken to implement this provision shall be reflected in the national plans communicated pursuant to [part IV.1 on national plans] and shall include the intended [the policy] [level] of domestic supply including, as relevant, domestic production, and the measures taken to manage and reduce it.

**Provisions common for the Sub-Options above**

[3][5][4]. Each Party [should][shall] take [any] [appropriate][effective] measures to reduce the demand for and production of primary plastic polymers [while promoting an increase of the demand for and production of secondary plastics.] [including][Such measures may include]:

   a. market- and price-based measures;
   b. removal of subsidies and other fiscal incentives to the production of primary plastic polymers;
      and [increasing of subsidies and any other incentives to the production of secondary plastics;
      and]
   c. the establishment, as applicable, of regulatory requirements for primary plastic polymer [and secondary] producers.

[which shall be reflected in the national plan communicated pursuant to [part IV.1 on national plans]]

[4][6][5]. Parties shall conduct a technical assessment that incorporates the needs of each country, considering the availability of alternative materials in each country and their impact on economic, environmental, and social aspects. The measures shall not apply if it is scientifically proven that there are no viable substitutes that could endanger people's health.

[5][7][6]. Each Party shall establish science- and risk-based public procurement policies or guidelines to reduce waste and adverse environmental impacts related to procured plastic products, including requirements related to the procurement of items produced with recovered materials.

2. **Chemicals and polymers of concern**

**Alt title:** Hazardous chemicals of concern

**Option 0**

No text under this provision
### Option 1

1. Each Party shall take the necessary measures [to prohibit or to regulate, as appropriate,] [to not allow and [progressively] to eliminate,] [at the latest by the dates provided in part II of annex A,] the use [or presence] of the chemicals, groups of chemicals and polymers listed in part II of annex A [in the production of plastic polymers, plastics and plastic products, except as provided in that annex.] [The measures taken to implement this provision shall be reflected in the national plan communicated pursuant to [part IV.1 on national plans]

2. Each Party shall take the necessary measures to not allow and to [progressively] eliminate, at the latest by the dates provided in part II of annex A, the production, sale, distribution, import or export of plastic polymers, plastics and plastic products containing a chemical, group of chemicals, or polymer listed in part II of annex A, except as provided in that annex.

### Option 2

1. Parties shall take the necessary measures, including those referred to in paragraph 2, to minimize, and as appropriate eliminate [at the latest by the dates provided in part II of annex A,] [the use and presence in] [the production, sale, distribution, import and/or export of] [plastic polymers], plastics and plastic products of [hazardous] chemicals, groups of [hazardous] chemicals [and polymers] [plastic application] with the potential for adverse impacts on human health or the environment at any stage of the plastic life cycle, or with properties that may hinder their safe and environmentally sound management, including their reusability, repairability, recyclability and disposal.

2. [Each Party shall take the necessary measures to not allow, or to regulate, as appropriate, [at the latest by the dates provided in part II of annex A] the use and presence in plastic polymers, plastics and plastic [including plastic] products of [hazardous] chemicals, groups of [hazardous] chemicals [and polymers] identified in part II [and any POPs listed] [of annex A][in Annex A, B and C of the Stockholm Convention on Persistent Organic Pollutants]. The measures taken to implement this provision shall be reflected in the national plan communicated pursuant to [part IV.1 on national plans].]

### Option 3

1. Each Party[ in accordance to its national circumstances and capabilities and subject to their national action plan,] shall take the necessary measures [to manage] [[to not allow, or] to regulate], the presence and use, in plastics and plastic products, [the risk] of chemicals[, groups of chemicals][ and polymers] with the potential for adverse impacts on human health or the environment [based on agreed scientific criteria, following a transparent and inclusive process decided Governing Body] [in the production of plastic products] [throughout] at any stage of the product life cycle[,] or with properties that may hinder their safe and environmentally sound management[, including their reusability, repairability, recyclability and disposal, based on the criteria contained in annex A][ provided alternatives or substitutes are available, accessible, affordable and environmental-friendly]. The measures taken to implement this provision shall be reflected in the national plan communicated pursuant to [part IV.1 on national plans].

**OP1 Alt** Each Party shall, consistent with its regulatory frameworks and processes, and based on scientific evidence, take appropriate measures to identify and control chemicals, groups of chemicals and polymers that present a demonstrated risk of concern to human health or the environment at any
stage of the product life cycle, including consideration of risks relevant to their environmentally sound management, reusability, and recyclability.

**OP1 Bis Alt** Each Party shall take measures, consistent with its regulatory frameworks and processes and based on scientific evidence, to prioritize and evaluate, as appropriate, polymers and chemicals used in plastic production that may present a risk of concern to human health or the environment; and

**OP1 Ter Alt** Each Party shall take measures, consistent with its regulatory frameworks and processes, and based on scientific evidence, to test chemicals used or intended to be used in plastic production that may present a risk of concern to human health or the environment.

**OP1 Bis** Any new chemicals of concern identified under para 1 above shall be prohibited under relevant chemical convention.

**OP1 Ter** The cost of compliance of control measure shall be assessed for each country and funding shall be made available through the dedicated fund as per procedure decided by the Governing Body to enable compliance of control measure.

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**Provisions common for the options above**

[[3][2] Where production or use of a regulated [hazardous] chemical, group of [hazardous] chemicals [or polymer] listed in part II of annex A is permitted, each Party[, taking into consideration its socioeconomic context and national circumstances,] with such production or use shall:

**OP[3][2] (a)** Take appropriate measures to ensure that any such [production] or use is carried out in a manner that prevents and minimizes human exposure or release into the environment [throughout the life cycle of the [concerned hazardous] chemical, [[plastic] polymer] or [plastics including plastic] product [concerned]] and fosters the safe and environmentally sound management, including the recyclability and disposal, of the polymers, plastics, and plastic products containing them;

**OP[3][2] (b)** Take appropriate measures to ensure that all such [hazardous] chemicals, groups of [hazardous] chemicals [[and] [as well as the plastic] polymers[,] and [plastics including plastic] products containing them, are used in a manner consistent with part II of annex A and managed in a safe and environmentally sound manner throughout their life cycle, including for their [including for their reusability, repairability, recyclability and] final disposal;

**OP[3][2] (c)** Require producers and importers of such [hazardous] chemicals, groups of [hazardous] chemicals [[as well as plastic] polymers] and [plastics including plastic] products containing them to provide to government authorities, [in addition to the information required under] [part II.14 on transparency, tracking, monitoring and labelling], complete information about the hazards to human health or the environment associated with the relevant chemical[, [plastic] polymer] or [plastics including plastic] product, and related implications for their safe use, recyclability and disposal[, based on the harmonized requirements contained in part II of annex A]; and

**OP[3][2] (d)** Require producers and importers of the relevant chemicals[, [plastic] polymers] or [plastics including plastic] products to appropriately mark and label them [based on the harmonized requirements contained in part II of annex A], to allow their safe and environmentally sound use and handling [throughout their life cycle], including their [reusability, repairability, recyclability and] final disposal.
Option 4 - Replace Part II, Section 2 and 3 with the following

Control of Hazardous, Problematic and Avoidable Chemicals, Polymers, and Plastic Products, including single-use plastics and intentionally added microplastics

1. Each Party shall eliminate or not allow the production, sale, use, distribution, import or export of chemicals or polymers used in plastic production or plastic products that are hazardous to human health or the environment at any stage of the plastic lifecycle, as defined and listed in [Annex], not later than the respective dates in the Annex.

2. Each Party shall take measures, as appropriate, to not allow, to phase down or to otherwise regulate the production, sale, use, distribution, import or export of chemicals or polymers used in plastic production or plastic products that are problematic because they disproportionately contribute to plastic pollution, especially in the marine environment, or they have properties that may hinder their safe and environmentally sound management, including their reusability, repairability, recyclability and disposal, as defined and listed in [Annex], except where the Party has a registered exemption for the relevant product(s) under [Annex].

3. Each Party shall take measures, as appropriate, to not allow, to phase down or to otherwise regulate the production, sale, use, distribution, import or export of chemicals or polymers used in plastic production or plastic products that are avoidable because they can be easily substituted for more sustainable alternatives, as defined and listed in [Annex], except where the Party has a registered exemption for the relevant product(s) under [Annex].

4. Each Party shall eliminate or not allow the production, sale, use, distribution, import or export of plastics products containing intentionally added microplastics, as defined in [Annex], except where an exception is specified in part IV of annex B.

5. The Science, Technology and Economics Panels (STEPs) shall recommend to the Conference of the Parties by its first meeting, a list of the characteristics of hazardous, problematic, and avoidable chemicals, polymers or plastic products referred to in paragraphs 1-4 above. In preparing these recommendations, the STEP shall consider sound scientific, socioeconomic, and sociocultural assessments and the availability of safe, accessible, efficient, economically feasible, environmentally friendly and sustainable substitutes, including those based on the knowledge and practices of Indigenous Peoples and local communities.

6. The STEP shall recommend to the Conference of the Parties at each session, chemicals, polymers, or plastic products, their associated targets and timelines on the Annexes listed in paragraphs 1-4 above.

Option 5 - Replace II.2 and II.3 with the following text

1. Parties shall decide at the Conference of the Parties on chemicals of concern used in the plastics industry, based on criteria defined in annex A, that should be regulated by Stockholm or
Rotterdam Conventions, according to their objectives. This making-decision process can be repeated in any moment when it would be necessary and decided by the Conference of the Parties.

2. Parties are encouraged to take measures to regulate polymers with potential adverse impacts on human health or the environment, based on criteria contained in annex A, which shall include the uses of the best scientific evidences.

3. Parties are encouraged to take measures to gradually reduce the use of problematic and avoidable plastic products, identified on the basis of relevant parameters, and based on the availability, accessibility and affordability of sustainable alternatives, in particular to developing countries, taking into account their national circumstances and capability.

4. Each Party shall take the necessary measures to regulate the use of plastic products containing intentionally added microplastics, except where an exception is specified in part IV of annex B.

3. **Problematic and avoidable plastic products, including short-lived and single-use plastic products and intentionally added microplastics**

   **Alt title:** Problematic plastic products and avoidable plastic products and groups of such products, [including short-lived and single-use plastic products] and [products containing] intentionally added microplastics.

   a. **Problematic [plastic products] and avoidable plastic products [and groups of such products], including short-lived and single-use plastic products**

   **Option 0**

   No provision on this matter

   **Option 1**

   1. Each Party shall [not allow] [reduce] the production, sale, distribution, import or export of [the] plastic products[, including short-lived and single-use plastic products,] listed in part II[I] of annex B [after the dates specified for those products, and] identified based on criteria [and within the timeframe set out in the same] [provided alternatives or substitutes are available, accessible, affordable, and environmental-friendly] [set out in part I of] annex B, except where the Party has a registered exemption for the relevant product(s) under part II of annex B pursuant to [part II.4 on exemptions available to a Party upon request]. [This provision does not limit Parties’ abilities to enact bans or adopt more ambitious criteria in addition to the criteria in part I of annex B.]

   **OP1 Alt 1.** [Null]

   **OP1 Alt 2.** Each Party must take the necessary measures to regulate and reduce and not allow the production, sale, distribution, import or export of the plastic products, including short-lived and single-use plastic products, listed in part II of annex B after the dates specified for those products, and identified based on criteria set out in part I of annex B, except where the Party has a registered exemption for the relevant product(s) under part II of annex B pursuant to [part II.4 on exemptions available to a Party upon request].
2. Each Party shall [reduce] [restrict] the production, sale, distribution, import or export of [the] plastic products listed in part III of annex B identified based on the criteria and within the timeframe set out in the same annex.

**Option 2**

1. Each Party [should] [shall] take [the necessary] measures [, consistent with national laws, ] [to regulate] [and] [to] [reduce and] [, as appropriate,] [the use of problematic and avoidable plastic products, including short-lived and single-use plastic products in its territory.] [not allow the production, sale, distribution, [import or export] of problematic and avoidable plastic products, including [short-lived] and single-use plastic products [with high risk of environmental leakage], identified based on [[national criteria guided by] the criteria contained in part I of annex B] [by the governing body after enforcement of the Instrument] [taking into consideration technical feasibility and accessibility of alternative plastics and plastic products, and socio-economic impacts]. The measures taken to implement this provision, including the appropriate nationally determined timeframes for reduction and [as appropriate] phase-out, shall be reflected in the national plan communicated pursuant to [part IV.1 on national plans]. [This provision does not limit Parties’ abilities to enact bans or adopt more ambitious criteria in addition to the criteria in part I of annex B.]

**OP1 Bis.** Each Party should identify at the national level a list of problematic and avoidable plastic products.

**OP1 Alt 1.** No text

**OP1 Alt 2.** Subject to their national action plan and based upon national circumstances and capabilities, every Party should take the measures to regulate the production, sale, distribution, of problematic and avoidable plastic products, including short-lived and single-used plastic products, identified based on the science based criteria [with an application-based approach]. The measures taken to implement this provision shall be reflected in the national plan communicated pursuant to [part IV.1 on national plans].

**OP1 Bis Alt 2.** The Governing Body shall develop guidance on the regulation of problematic and avoidable plastics based on scientific criteria and take into account the availability, accessibility and affordability of sustainable alternatives.

**OP1 Ter Alt 2.** For implementation the Parties must promote the development of safe and cost effective alternatives and such knowledge and technologies must be shared freely among all the Parties.

**OP1 Qater Alt 2.** The cost of compliance of control measures shall be assessed for each country and funding shall be made available through the dedicated fund as per procedure decided by the Governing Body to enable compliance of control measure.

**Option 3**

Parties are encouraged to take measures to gradually reduce the use of problematic and avoidable plastic products, identified on the basis of relevant parameters, and based on the availability, accessibility and affordability of sustainable alternatives, in particular to developing countries, taking into account their national circumstances and capability.
b. **[Products containing] Intentionally added microplastics**

**Option 0.**

No provision on this matter.

**Option 1**

1. Each Party shall [not allow the production, use in manufacturing, sale, distribution, import or export of plastics and] [take the necessary measures to regulate the use of plastic products] products containing intentionally added microplastics, except where an exception is specified in part IV of annex B. [Each Party shall be encouraged to take any necessary measures to prevent the leak of unintentionally released microplastics into the environment.]

**OP1 Alt.** No text

**Option 2**

1. Each Party shall identify [plastics and] products containing intentionally added microplastics in [accordance with the criteria] [based on the elements] contained in part V of annex B, and take the necessary measures to manage, [where applicable] restrict and, where appropriate, not allow, their production, use in manufacturing, sale, distribution, [import or export]. [, taking into consideration technical feasibility, availability and accessibility of alternative plastics and plastic products, and socio-economic impacts] [with an application-based approach.]

**OP1 Alt.** Each Party shall take measures, as appropriate and consistent with its national laws, to control the use or manufacture of products containing intentionally added microplastics. Such measures could include a Party taking actions to address their production, use in manufacturing, sale, distribution, import or export

**OP1 Bis** The measures taken to implement this provision shall be reflected in the national plan communicated pursuant to [Part IV.1 on national plans]

2. Each Party [within its respective regulations] shall share information on the measures taken pursuant to paragraph 1 through the online registry established under [part IV.6 on information exchange] with the aim of promoting transparency.

**OP2 Alt 1.** No text

**OP2 Alt 2.** Subject to their national action plan, each Party shall identify plastics and products containing intentionally added microplastics in accordance with the scientifically developed criteria, and take the necessary measures to regulate their production, sale and use.

**OP2 Bis Alt 2.** Each Party shall share information on the measures taken pursuant to paragraph [1] through the online registry established under [part IV.6 on information exchange] with the aim of promoting transparency.

**OP2 Ter Alt 2.** The cost of compliance of control measure shall be assessed for each country and funding shall be made available through the dedicated fund as per procedure decided by the Governing Body to enable compliance of control measure.
Option 3

1. Parties should take effective measures to identify goods and products that contain intentionally added microplastics, to establish the risks of their ingestion and their pollution of the environment and adverse effects on the human body, followed by a phased reduction in their use when the risks have not been eliminated and safer and more affordable alternatives are available, as well as to facilitate the transition to these alternatives and accessibility of these alternatives.

Option 4

1. Each Party shall take the necessary measures to regulate the use of plastic products containing intentionally added microplastics, except where an exception is specified in part IV of annex B.

Option 5

Merge with part 8 on unintentional releases of microplastics.

3 Bis. Micro- and Nanoplastics

Option 1

Placeholder until further text.

4. Exemptions available to a Party upon request

Option 1

No provision on this matter

Option 2

1. Any Party may register, in accordance with the provisions of [Part II.1, Part II.2] and [part II.3 on problematic and avoidable plastic products, including short-lived and single-use plastic products and intentionally added microplastics, Option 1] an exemption\(^2\) from the phase-out dates listed in part II in annex B for specific products, hereafter referred to as an “exemption”, in accordance with the procedure [set out in …]

OPI Bis The register of any exemptions and any extensions to exemption shall include the name of the Party to which the exemption applies and the period of the exemption. The register shall be kept updated by [the governing body] and shall be publicly available.

\(^2\) Note: This proposed text is based on the experience of other MEAs. Members may wish to consider other alternatives as deemed necessary. Adapted from the Minamata Convention, as a possible complement to the control measures on problematic and avoidable plastic products. The specific conditions, timeframes and other details required for the registration of exemptions would need to be elaborated on by Members.
2. [All exemptions referred to in paragraph 1 shall expire [5] years after the relevant phase-out dates listed in part II of annex [A and] B, unless a Party, when registering an exemption, indicated a shorter expiration period, in which case the expiration date indicated by the Party shall apply.]

3. [With the proper the justification and necessary action plan for exempted period from the parties, the] [The] governing body* may decide to extend an exemption for a period requested by the Party but not exceeding [X] years, in accordance with the procedure [set out in …]. [The country that would apply for the exemption may need to submit its justification along with the action plan for that specific period.] An exemption may only be extended [2] times per entry per phase-out date. [In the case of non-compliance by any Party after the [second] exemption, the concerned Party shall be subjected to an assessment in accordance with the procedure set out in […]]. – non-compliance mechanism to be further developed.

4. [No Party may have an exemption in effect at any time after [3] years after the phase-out date for a plastic product listed in part II of annex B.]

**OP4 Bis 1** Small Island developing states, and other states that are dependent on imported polymers or plastic products, may register extensions to exemptions without approval of the Conference of the Parties, until such a time as there are sufficient polymer and plastic product supplies available to the Party at costs equal to then current levels.

**OP4 Bis 2.** Clear procedures on granting of exemptions and the implications on non-compliance must be further discussed and clearly outlined under this provision. The exemption may be granted by the governing body. The procedures as well as decision made by the governing body through a verification and validation body (VVB) must be transparent, unbiased, and backed by scientific evidence, taking into account country’s unique circumstances.

### 4. Bis. Dedicated programmes of work

**Option 1**

1. Dedicated programmes of work are hereby established to support the implementation of the instrument* for the following sectors and/or product groups:
   a. Packaging;
   b. Fisheries and aquaculture;
   c. Agriculture;
   d. Textiles

2. The governing body* shall, at its first session, adopt the arrangements and terms of reference for the operation of the dedicated programmes of work, and review them periodically thereafter. The dedicated programmes of work shall:
   a. Prepare recommendations to the governing body* for its consideration, on inter alia targets, criteria, measures & guidelines, to support implementation and to further develop the relevant provisions in the instrument*;
   b. Cooperate and coordinate with intergovernmental organisations and entities, as appropriate, and engage with relevant stakeholders through a multistakeholder action agenda;
   c. Report regularly to the governing body* on all aspects of its work.

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3 **Note:** The committee may wish to define where and how such procedure would be set out.
3. The *governing body* shall review on a regular basis the implementation and effectiveness of dedicated programmes of work and, based on such review, take relevant action.

4. The *governing body* shall initiate additional dedicated programmes of work, as appropriate, to support implementation of the *instrument*.

5. **Product design, composition and performance**

   a. **[Product [design and] performance]**

   **Option 0**

   No text in sub-provision

   **Option 1**

   [Subject to their national plan and based upon national circumstances and capabilities] [and available scientific results,] each Party [shall][are encouraged to] take measures [as appropriate, and in accordance to national priorities,][, including those referred to in paragraphs 2 and 3,] to [promote product performance to] enhance the [design] [circularity] of plastic products, including packaging, and improve the composition [of plastics and] plastic products, [according to national capacity of developing countries and available resources] with a view to:

   a. [Reducing demand for [and use] of primary plastic polymers, plastics and plastic products [and associated chemicals][ and should always be followed by the availability of alternative material for plastic and/or non-plastic substitutes that are affordable]] [Improve the circular economy of plastic products and minimize releases of plastic waste, including microplastic];

   b. [Increasing the [safety,] durability, reusability, refillability, repairability [in practice] and refurbishability of plastics and plastic products, as relevant[, and their capacity to be repurposed, recycled [at scale and in practice] and disposed of in a safe and environmentally sound manner upon becoming waste;]

   c. [Minimizing releases and [emissions][leakages] from [and environmental and safety impacts from] plastics and plastic products, including [intentionally] microplastics [considering technical feasibility and accessibility of potential microplastic alternatives and socio-economic impacts]]

   c alt. Minimizing environmental and safety impacts of plastics and plastic products, including intentionally added microplastics.]

   c-bis Improving the capacity of plastics and plastic products to be repurposed, recycled and disposed of in an environmentally sound manner upon becoming waste;]

   c-ter Taking into account the relevant international standards and guidelines, including any relevant sector- or product-specific standards and guidelines, and assure compliance with sector requirements. The measures adopted pursuant to this provision may be reflected in the national plan communicated]]
2. Each Party shall require plastics and plastic products produced within its territory and those available on its market to comply with the minimum design and performance criteria [and other related elements contained in part I of annex C], including, where relevant, sector- or product-specific criteria and elements, within the timeframe defined in that annex. [The criteria should be harmonized distinguishing between design for reduction, reuse, recycling of plastic products and packaging.]

3. [Each Party][The COP] shall establish and maintain certification procedures and labelling requirements for plastics and plastic products [produced within its territory and those available on its market,] based on [recommendations from the STEPs, and] the design and performance criteria and other related elements contained in part I of annex C, including, where relevant, sector- or product-specific criteria and elements, and shall require plastics and plastic products to be appropriately labelled in accordance with these criteria and elements.

**OP3 Bis.** For II.5 d. The criteria that will be established should also take into consideration avoidance of undesirable substitution and problem shifting.

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**Option 2**

2. Each Party [should][shall] adopt design and performance criteria and [regulatory schemes][take the necessary measures] to:
   a. Reduce the use of plastics across the value chain, including in product packaging; and
   b. Increase the safety, durability, reusability,[recyclability], refillability, repairability and refurbishability of plastics and plastic products, as relevant, and their capacity to be [reused] repurposed, recycled and disposed of in a safe and environmentally sound manner upon becoming waste;

   [in accordance with the elements contained in part I of annex C,] and taking into account relevant international standards and guidelines, including any relevant sector- or product-specific standards and guidelines. The measures adopted pursuant to this provision shall be reflected in the national plan communicated pursuant to [part IV.1 on national plans][ The criteria should be harmonized distinguishing between [sustainable products] design [and performance] for reduction, reuse, recycling of plastic products and packaging].

**OP2 Alt.** Each Party shall consider including the following actions as part of its measures laid out in paragraph 1:

   a. Adopting public procurement policies or guidelines for plastic products to enhance circularity of plastic products,
   b. Promoting the use of environmental performance standards for plastic products,
   c. Supporting efforts to establish or augment voluntary certification schemes for environmentally preferable products or packaging to encourage sustainable choices,
   d. Parties should take into account relevant international standards and guidelines, including any relevant sector- or product-specific standards and guidelines.

3. Each Party should establish, in accordance with the elements contained in part I of annex C, [to the extent possible], transparency, labelling and certification procedures and requirements for plastics and plastic products that conform to the design and performance criteria established pursuant to paragraph 1, [, taking into account CBI (Confidential Business Information)].
OP3. Alt 1. No text

Provision common for Options above

4. Parties [are encouraged to][shall] work with relevant [national, and] international organizations towards the development of standards and guidelines [at the multilateral level], including on a sectoral basis as relevant, to [reduce the use of plastics in products across the value chain, including in product packaging, and][optimize and] improve the design of plastic products to increase their [safety,] durability, reusability, [refillability,] and repairability [recyclability in practice] [and refurbishability,] and [and] their capacity to be [reused], repurposed, recycled and disposed of in a safe and environmentally sound manner upon becoming waste; and minimize the environmental and safety impacts of plastics and plastic products], and assure compliance with sector requirements.

Option 4

1. Subject to their national plan and based upon national circumstances and capabilities, each party shall take measures, including those referred to in paragraphs 2 and 3, to enhance the design of plastic products, including packaging, and improve the composition of plastics and plastic products

2. Subject to their national plan and based upon national circumstances and capabilities, each party should take measures to: increase the safety, durability, reusability, refillability, repairability and refurbishability and recyclability of plastics and plastic products, as relevant, taking into account relevant international standards, including any relevant sector- or product-specific standards and guidelines. The measures adopted pursuant to this provision shall be reflected in the national action plan communicated pursuant to [part IV.1 on national plans].

3. Subject to their national plan and based upon national circumstances and capabilities, each party should take measures for plastics and plastic products that conform to the paragraph 1.

4. There shall be an assessment of the need as well as mobilization of financial resources and technology transfer for each country in order to nationally driven commitments under this provision.

Option 5

2. Each Party are encouraged to take measures as appropriate, and in accordance to national priorities, to enhance the design of plastic products, including packaging, and improve the composition of plastic products, with a view to:
   a. Increasing the safety, repurposability durability, reusability, and repairability of plastic products, as relevant, and their capacity to be repurposed, recycled and disposed of in a safe and environmentally sound manner upon becoming waste; and
   b. Minimizing releases and leakage from plastic products, including microplastics.

Taking into account the relevant international standards and guidelines, including any relevant sector- or product-specific standards and guidelines, and assure compliance with sector requirements. The measures adopted pursuant to this provision may be reflected in the national plan communicated.
b. [Reduce, [reuse], [recycling,] refill and repair of plastics and][Circularity approaches for plastic products] plastic products

**Option 1**

1. Each Party shall, based on guidance to be adopted by the governing body* at its first session, take effective measures to promote [the reduction,] reuse, [recycling,] refill, repair, repurposing and refurbishment, as relevant, of plastics and plastic products produced within its territory and those available on its market, in particular through the implementation of reuse, [recycling,] refill and repair systems. [The Governing body shall issue harmonized standards for product reuse, recycling, repair and refurbishment.]

2. Each Party shall take the necessary measures[, covering at the distribution, sales, and consumption stages,] to achieve the minimum [recycling targets, and, as appropriate,] [reduction,] reuse, refill and repair targets contained in part II of annex C within the timeframe identified in that annex, for plastics and plastic products produced within its territory and those available on its market.

**Option 2**

1. Each Party shall[, based on guidance to be provided by the governing body* at the latest by its [second][first] session,] take [effective] measures[, covering at the distribution, sales, and consumption stages] to [promote][enable] the [reduction,] reuse, [recycling,] refill, repair, repurposing and refurbishment, as relevant, of [plastics and] plastic products [produced within its territory and those available on its market, in particular through the implementation of reuse, [recycling,] refill and repair systems][, according to national circumstances and capacities; as well as access to technologies and availability of financial resources from developing countries].

2. Each Party [should][shall][, as appropriate,] adopt [nationally determined] [timebound] targets in [the implementation] [support] of this [objective][Article][, reflecting national circumstances and capabilities.]

**Option 3**

1. Each Party shall, based on guidance to be provided by the governing body* at the latest by its third session, take effective measures to promote the Circularity approaches as relevant and taking into account national circumstances and capabilities, plastic products produced within its territory and those introduced to its market, in particular through the implementation of Circularity approaches

2. Parties are encouraged to adopt timebound targets in support of this objective.
Provision common for Options above

[3. The measures taken to implement the provisions of this Article [may include the use of regulatory and economic instruments, public procurement, or incentivizing changes in the supply chain by investing in reuse, recycling, refill and repair system and infrastructure, and in consumer behaviour through raising consumer awareness on sustainable consumption] [shall][may] be reflected in the national plan communicated [pursuant to [part IV.1 on national action plans]].]

**Option 4**

Subject to their national plan and based upon national circumstances and capabilities each party subject to shall, take effective measures to promote the reuse, refill, repair, repurposing and refurbishment, as relevant, of plastics and plastic products produced within its territory and those available on its market, in particular through the implementation of reuse, refill and repair systems.

Subject to their national plan and based upon national circumstances and capabilities, each party should take measures as deemed appropriate to support this objective.

There shall be an assessment of the need as well as mobilization of financial resources and technology transfer for each country in order to nationally driven commitments under this provision.

**Option 5**

1. Each Party shall take effective and environmentally beneficial measures to ensure the reduction in the use of plastics and plastic products through, as relevant, reuse, refill, repair, repurposing and refurbishment of those products produced or used within its territory and those available on its market, in particular through the implementation of reuse, refill and repair systems.

2. Each Party shall by taking the necessary measures including those referred to in paragraph 1, to achieve the minimum reduction, reuse, refill and repair targets contained in part II of annex C within the timeframe identified in that annex, for plastics and plastic products produced or used within its territory and those available on its market. This should be based, where relevant, on a sectorial approach.

3. Parties are encouraged to work with relevant international organizations at the multilateral level towards the development of standards and guidelines for reuse and refill systems.

4. The measures taken to implement this provision may include the use of regulatory and economic instruments, public procurements, the establishment of EPR schemes, as set out in part VII or incentivizing changes in the supply chain and in consumer behaviour and shall be reflected in the national plan communicated pursuant to [part IV.1 on national plans].

c. Use of recycled plastic contents

**Option 1**

1. Each Party shall require plastics and plastic products produced within its territory and those available on its market to contain minimum percentages of safe and environmentally sound post-
consumer recycled plastic, as set out in [part III of annex C], within the timeframe specified in that annex.

Option 2
1. [Subject to their national plan and based upon national circumstances and capabilities,][E][e]ach Party [as per national action plan][should][shall] [take [nationally determined] [the necessary] measures [for [appropriate] plastics and][promote that] plastic products produced within its territory and those available on its market][ to increase the share of secondary plastic that is used in plastic products][to] achieve minimum percentages][and to adopt time-bound targets][and to adopt time-bound targets on the use] of safe and [environmentally sound] post-consumer recycled plastic contents, [when it is technologically feasible and] based on the elements contained in [part III of annex C]. [The measures taken to implement this provision shall be reflected in the national plan communicated pursuant to [part IV.1 on national plans]][consistent with national laws of post-consumer recycled plastic contents].

[Note: The targets for minimum recycled plastic content in specific applications and product categories, to create the right enabling conditions for the sectors to meet this target, especially for food-related applications. Bearing in mind that all [elements contained in part III of annex C] should assist each Party to be able to setup its own requirements or targets of recyclable plastic contents in its certain prioritized products. ]

[OP1 Bis - There shall be an assessment of the need as well as mobilization of financial resources and technology transfer for each country in order to nationally driven commitments under this provision.]

Option 3
1. ‘The governing body shall provide a timeframe in the annex towards transitioning all plastics in the market to be recyclable and this may entail gradual, incremental minimum percentage of safe and environmentally sound post-consumer recycled’. [Standards for recycled plastics should be harmonized globally.]

Option 4
1. Each Party should take the necessary measures for plastic products produced within its territory and those introduced to its market to achieve minimum percentages of safe and environmentally sound post- consumer recycled plastic contents, as appropriate taking into account national circumstances and capabilities. The measures taken to implement this provision may be reflected in the national plan communicated pursuant to [part IV.1 on national plans].

Provision common for Options above
2. Each Party [shall][should][based on national circumstances is encouraged to] take measures [to ensure that, where [needed][possible], [primary plastic][plastics used] in products is [replaced][complemented] by safe and environmentally sound recycled plastic content[, as applicable][, depending on the availability of technological solutions and means of implementation for developing countries][, as appropriate to promote design, composition and performance of]
products that enable maximum recycled plastic content in the broadest number of applications possible in order to replace primary plastic in products, while addressing any safety concerns related to the recycled plastic content. The measures taken to implement [this][the] provision[s of this Article] may include the use of [regulatory [and economic] instruments][, public procurement, [the establishment of EPR schemes, as set out in part VII] or incentivizing changes in the supply chain [by investing in recycling system and infrastructure,]] and in consumer behaviour[[], among other measures,][ through raising consumer awareness on sustainable consumption. The measures taken to implement this provision] [and shall][ may be reflected in the national plan communicated ][pursuant to [part IV.1 on national plans][, according to national circumstances].]

d. Alternative plastics and plastic products

Option 0

No text in sub-provision.

Option 1

1. [Parties shall ensure that [‘]alternative plastics and plastic products[’] are safe[r], environmentally sound and sustainable, [, in accordance with standards to be decided by the COP, based on recommendations from the STEPs] [compared to the plastic product] taking into account their [negative] potential for [waste reduction and reuse, as well as any] environmental, [climate,] economic, social[,cultural] and human health impacts[, including food security][ in accordance with criteria set out in part IV of Annex C] [as well as the national circumstances and capacities].

Bis. Parties, in implementing the above provision, shall ensure that alternative plastics and plastic products are safe, environmentally sound and sustainable, taking into account their potential for environmental, economic, social and human health impacts, including food security.
Option 2

[1. [Subject to their national plan and based upon national circumstances and capabilities,] Parties should encourage the development and use of safe [, environmentally sound] and sustainable alternative plastics and plastic products [], including through[]. The measures taken to implement this provision may include the use of[] regulatory [measures] and economic instrument[s][, as per the national regulation].]

OP1 Bis. We propose an additional provision, calling for the governing body to adopt a comprehensive set of criteria that encompasses safety, environmental soundness, and sustainability for these alternative plastics and plastic products.

[2. Parties, in implementing the above provision, [shall][should endeavor to] ensure that alternative plastics and plastic products are safe[, environmentally sound] and sustainable, [based on life cycle assessments], [taking into account][including] their potential for environmental, economic, social and human health impacts[, including food security].]

[3. The measures taken to implement this provision shall be reflected in the national plan communicated pursuant to [part IV.1 on national plans]

OP2 Bis. There shall be an assessment of the need as well as mobilization of financial resources and technology transfer for each country in order to nationally driven commitments under this provision.

OP2 Ter. Refer to capacity building and technology transfer, for innovation and alternative products.

Option 3

1. This treaty shall apply to alternative plastics and plastic products which include bio-based, biodegradable and compostable plastics.

2. Parties shall be guided by the waste hierarchy and ensure that reduction in the use of all plastics and prevention of plastic waste, including from non-fossil feedstocks, will prevail when considering the development and use of alternative plastics and plastic products.

3. Each party shall ensure that alternative plastics and plastic products are safe, environmentally sound and sustainable, based on the minimum design and performance criteria and other related elements contained in Part I of Annex C, including distinct sustainability criteria for (i) bio-based plastics, (ii) biodegradable plastics and (iii) compostable plastics. The criteria shall build on a full lifecycle analysis and take into account their potential for environmental, economic, social and human health impacts, including food security.

4. Parties may consider economic instruments to incentivize alternative plastics and plastic products.

5. Each Party shall take the necessary measures to ensure that environmental claims on (i) bio-based, (ii) biodegradable and (iii) compostable plastics are substantiated. Those measures may include labelling requirements, as set out in Part II.13, to comply with.

6. Parties are encouraged to work with relevant international organizations towards the development of standards and guidelines at the multilateral level to ensure that (i) bio-based, (ii) biodegradable and (iii) compostable plastics are safe, environmentally sound and sustainable.
Option 4
Merge with II.6.

6. Non-plastic substitutes

Option 1
No provision on this matter

Option 2

1. [Subject to national plan and based upon national circumstances and capabilities, each] [Each] Party shall take measures to foster innovation[, including through the cooperation mechanism referred to in [part III, …..]] and incentivize and promote [the research,] the development and use at scale of safe, environmentally sound, and sustainable non-plastic substitutes, including products, technologies and services, taking into account their potential for [waste reduction and reuse, as well as] environmental, economic, social[, cultural] and human health impacts[, based on life cycle assessments] [as well as the developing countries’ access to the transfer of necessary technologies and financial resources].

2. Parties [are encouraged] [shall ensure] to use regulatory and economic instruments, public procurement and incentives to promote the development and use of safe, environmentally sound and sustainable non-plastic substitutes[, taking into account national circumstances and capacities].

OP2 Bis 1. The financial mechanism established by the Governing Body shall ensure technology transfer to developing country parties, in order to facilitate adoption and use of at scale safe, environmentally sound, and sustainable non plastic polymers.

OP2 Bis 2. This provision would entail the adoption of a holistic set of criteria encompassing safety, environmental viability, and sustainability for non-plastic substitutes. Such criteria would incorporate a comprehensive life cycle assessment, ensuring a thorough evaluation of the environmental impact across the entire product life cycle.

OP2 Bis 3. The measures taken to implement this provision shall be reflected in the national plan communicated pursuant to [part IV.1 on national plans].

OP2 Bis 3. Parties are encouraged to use the best available science, traditional knowledge, knowledge of indigenous peoples and local knowledge systems [in the development of safe, environmentally sound, and sustainable non-plastic substitutes].

OP2 Ter. Parties are encouraged to establish a process for the assessment of the safety and sustainability of potential substitutes to plastics and their suitability as substitutes, considering their potential impacts on human health and the environment, the waste hierarchy, and “reduce, reuse and recycle” approaches.

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4 Such instruments could include, for example, fees, reduced tariffs, taxes or subsidies, including repurposed subsidies, as appropriate.
### Option 3

1. Parties shall seek to ensure that non-plastic substitutes, products, technologies and services are safe, environmentally sound and sustainable, taking into account their potential for environmental, economic, social and human health impacts, including food security, across their lifecycle.

2. Each Party shall take measures to foster innovation and incentivize and promote the development and use at scale of safe, environmentally sound, and sustainable non-plastic substitutes, including products, technologies and services, taking into account their potential for environmental, economic, social and human health impacts, across their lifecycle.

3. Parties are encouraged to use regulatory and economic instruments, public procurement and incentives to promote the development and use of safe, environmentally sound and sustainable non-plastic substitutes, products, technologies and services.

### Option 4

1. Each Party shall take measures to foster innovation and research, and incentivize and promote the development and use at scale of safe and sustainable non-plastic substitutes, taking into account their potential impact on environmental, economic, and social systems and human health, and considering possible unintended consequences and tradeoffs.

2. Each Party shall take measures to assess the development and use of safe and sustainable non-plastic substitutes, taking into account the considerations described in paragraph 1.

3. Each Party shall promote efforts to establish or augment voluntary certification schemes for sustainable products or packaging to encourage sustainable substitutes, with better overall impacts in areas listed in paragraph 1.

4. Parties are encouraged to use regulatory and economic instruments, public procurement and incentives to promote the development and use of safe, environmentally sound and sustainable non-plastic substitutes, taking into account the considerations described in paragraph 1 above.

### Option 5

1. Parties should foster research and innovation on safe, environmentally sound, and sustainable non-plastic substitutes and shall ensure that the application of the waste hierarchy and comparative life cycle analysis prevail over the use and promotion of non-plastics substitutes.

### Option 6

1. Parties shall ensure that non-plastic substitutes are safe, environmentally sound and sustainable, taking into account their potential for environmental, economic, social and human health impacts, including food and water security, and land loss. Based on full life cycle analysis.

### Option 7
7. Extended producer responsibility

**Option 0**

No provision on this matter

**Option 1**

1. [Each Party shall establish] [and regulate] [and operate] [mandatory] [national] Extended Producer Responsibility (EPR) [system] [scheme], [including based on the modalities [covering the products] contained in annex D], [with flexibility in the scope of the application of the] [national] EPR [system] [scheme],] [and taking into account national circumstances and capabilities] [including, where relevant, on a sectoral [or product] basis,] to incentivize [plastic reduction, reuse,] increased recyclability, [high quality recycling and] promote [high quality recycling and] higher recycling rates, and enhance the accountability of producers and importers for safe and environmentally sound management, of plastics [and for littering,] and plastic products throughout their life cycle [and across international supply chains].

2. [Parties shall, in implementing this provision, take into account how the measures taken would contribute to a just transition.] [The governing body* shall, at its first session, adopt modalities to inform the establishment of national EPR [systems] [schemes] and define their essential features, and to support their harmonization, taking into account how the measures taken would contribute to a just transition.] These measures shall be reflected in the national plan communicated pursuant to [part IV.1 on national plans].

**Option 2**

1. [Parties who do not yet have their] [Each Party [according to its specific conditions] is encouraged to establish and [operate] [implement] [national] Extended Producer Responsibility [(EPR) [systems] [schemes], or any systems or mechanisms that serve the same purpose of EPR [systems][schemes],] [that are the most appropriate to a specific region or country, taking into consideration market condition, national capabilities and circumstances,] [are encouraged to consider establishing and operating fiscal and/or non-fiscal [national] EPR [systems] [schemes] as appropriate and based on their national circumstances and capability,] [as per their national plans and based upon national circumstances and capabilities,] [within its jurisdiction] including [where relevant, on a sectoral basis,] [systems, in accordance with national legislation and taking into account, as appropriate, the modalities contained in annex D,] to incentivize [just transition with special consideration of waste pickers] increased [reuse] recyclability, promote higher recycling rates, and enhance the accountability of producers [and importers] for [safe and] environmentally sound management, of plastics and plastic products throughout their life cycle and across international supply chains] [and increase public awareness].

2. The governing body* shall [, at its first session,] [adopt] [develop] [implementable] modalities] [guidance] [guidelines] [as outlined in Annex D] [to inform the establishment] [for design and implementation] [of [national] EPR [systems] [schemes] [or any systems or mechanisms that serve the same purpose of EPR systems,] and [identify] [define] their essential features, and to
[encourage] [support] their [alignment] [harmonization],] taking into account [the objective of] [how EPR systems can support] [ensuring] a just transition.

**OP2 Bis.** [Parties shall, in implementing this provision, take into account how the measures taken would contribute to a just transition.] The measures adopted pursuant to this provision shall be reflected in the national plan communicated pursuant to [part IV.1 on national plans]

### Option 3

1. Parties shall ensure that all plastic producers operating in their jurisdiction are part of mandatory EPR schemes and multinational corporations who introduce plastic products especially in developing countries through franchise, subsidiaries’, agents or any other arrangements’, shall minimize their plastic pollution footprint through EPR schemes.

2. Parties shall ensure that EPR schemes have efficient and effective traceability and accountability mechanisms.

3. Parties may consider to co-operate at regional and global level, in the implementation of EPR schemes.

### Option 4

1. Parties are encouraged to consider establish and operate fiscal and/or non-fiscal Extended Producer Responsibility (EPR) systems as appropriate and based on national circumstances and capability, including, where relevant, to incentivize increased recyclability, support higher recycling rates, and enhance the accountability of producers and importers for safe and environmentally sound management, of plastic products and increase public awareness.

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

**Alt title:** [Emissions and] [Leakage and] releases of plastic [products and products waste] [waste and microplastics] [throughout [the entire] [its] life cycle [of plastics]]

### Option 1

1. Each Party [, based on studies of initial studies, vulnerability studies and assessment of levels of contamination of ecosystems,] shall [take measures to] [prevent and [where feasible] eliminate the emissions and] [to protect human health and the environment] [take measures to control] releases of [plastic polymers,] [chemical pollutants plastics, including microplastics, and plastic products [across their life cycle, [including from extraction and production,] to the environment from [the] [from various] sources [that should be nationally determined] [identified in annex E] [, with assessment of trends of the emissions and releases, taking into consideration technical feasibility and accessibility of alternative plastics and plastic products, and socio-economic impacts] [according to the national circumstances and capacities of developing countries] [by the dates identified therein]. The emissions and releases covered under this provision should include:
a. [Emissions] [Releases] [of any plastic pollution] [of hazardous substances], including microplastics, to air [and in workplaces throughout the value chain of plastics];

[b. Releases to soil and water from the production, transportation and use of chemicals [and polymers] of concern, plastics and plastic products [listed in part II of Annex A]; and]

[c. Releases of [chemicals and [monomers and] polymers of concern,] [of any plastic pollution] [plastics and plastic products] [listed in part II of Annex A], including microplastics, to air, soil, and water, [including the marine environment] and ecosystems.]

b. Alt. [merge b and c]

b. Bis. Spills of chemicals and other toxic exposures during extraction and production of plastics, as well as during production of chemicals used in plastics;

b. Ter. Minimization of microplastics generation and the generation of hazardous chemicals during the use and waste phases.

OP1 Alt 1. Each Party shall take measures to prevent or reduce, with a view toward elimination, the release of plastic polymers, plastics and plastic products across their life cycle, to the environment.

OP1 Bis. Parties are encouraged to organize appropriate systems of environmental regulation and to establish systems of control over permissible environmental impact where they do not exist.

OP1 Ter. Each Party should endeavor to adopt, as appropriate, and maintain national laws, regulations, or policies to address, within its national jurisdiction, adverse impacts on the environment or potential risks to human health linked to or caused by plastic pollution, taking into consideration any disproportionate impacts on persons in vulnerable situations. Each Party should endeavor to implement and enforce the national laws, regulations, or policies it adopts or maintains in accordance with this provision.

2. Each Party [shall [take [effective] [any necessary] measures to]] [is encouraged to] prevent [or reduce, with a view toward elimination] [and where [possible] [feasible],] [and eliminate] [emissions and] releases of [plastic pellets, flakes and powder] [plastic pollution] from production, storage, handling and transport, taking into account, as appropriate, [the] relevant [provisions and guidance agreed in] [efforts undertaken within] the framework of international organizations such as the International Maritime Organization.

OP2 Alt 1. No text.

OP 2 Alt 2. Move text to Annex B.

2 Bis. In relation to 8.2 and the reference to the International Maritime Organisation and hence reference to the MARPOL Convention, due consideration should be given to provisions as set out within other agreements such as the Cartagena, London, and OSPAR Conventions.

2 Ter. Each Party shall take actions to prevent fishing gear composed of plastic from becoming abandoned, lost, or otherwise discarded in the marine environment, taking into account, as appropriate, internationally agreed rules, standards and recommended practices and procedures.

3. The measures taken to implement the provisions of this Article [are encouraged to] [shall] be reflected in the national plan [communicated pursuant to [part IV.1 on national plans], with necessary means of implementation taking into account the special circumstances of SIDS].

OP3 Alt 1 [no text]
4. The governing body*, at its first session, shall [may] adopt [guidelines] [guidance], including where relevant, sectoral guidelines, to facilitate implementation of [the obligations set out in paragraph 1 and 2] [this Article], including [emission and effluent standards,] [on] sector-specific best available techniques and best environmental practices on preventing emissions and releases [of plastic into the environment], and best available techniques and best environmental practices to capture and remove plastic pollution, including microplastics from freshwater bodies, the marine environment and [any other] ecosystems. [The guidelines shall be coordinated with other relevant bodies.]

5. 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 [the] [any] releases of [plastics and] plastic products [and their alternatives] [plastic pollution], including microplastics, into the [marine] [and other] environment [including in the marine] [particular, 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.

**OP5 Alt 1.** Each Party shall promote scientific and technical innovation to prevent the release of plastic into waterways and the marine environment. to developing countries.]

### Option 2

1. Each Party shall prevent and eliminate the emissions and releases of plastic polymers, plastics, including microplastics, and plastic products across their life cycle, to the environment from the sources identified in annex E by the dates identified therein. The emissions and releases covered under this provision should include:

   a. Emissions of hazardous substances, including microplastics, to air;

   b. Releases to soil and water from the production, transportation and use of chemicals and polymers of concern, plastics and plastic products; and

   c. Releases of chemicals and polymers of concern, plastics and plastic products, including microplastics, to air, soil, and water,[including the marine enviroment] and ecosystems.

2. Each Party shall prevent and eliminate emissions and releases of plastic pellets, flakes and powder from the full supply chain, including production, storage, handling and transport, taking into account, as appropriate, the relevant provisions and guidance agreed in the framework of international organizations such as the International Maritime Organization.

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 circularity, 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 increasing durability, reusability, repairability and refurbishability and their capacity to be repurposed, recycled, and disposed of in a safe and environmentally sound manner at end-of-life, and minimising releases and emissions of or from fishing and aquaculture gears, including microplastics, to the environment;

   b. implement effective marking of gears and require reporting of lost gears, taking into account other relevant regional and international regulations, including MARPOL Annex V;
c. facilitate the collection and environmentally sound waste management of gear, including the reuse, repair and recycling of gear, and  
d. promote and facilitate training, education and awareness raising.

4. 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] [with necessary Means of implementation taking into account the special circumstances of SIDS].

5. The governing body*, at its first session, shall adopt guidelines, including where relevant, sectoral guidelines, to facilitate implementation of the obligations set out in paragraphs 1, 2 and 3 including emission and effluent standards, sector-specific best available techniques and best environmental practices on preventing emissions and releases [and best available techniques and best environmental practices to capture and remove plastic pollution, including microplastics from freshwater, the marine environment and ecosystems].

6. Parties are encouraged to promote scientific and technical innovation to prevent and capture the releases of plastics and plastic products, including microplastics, into the [marine] environment.

Option 3

1. Each party, subject to their national plan and based upon national circumstances and capabilities and relevant national environmental regulations, should take necessary measures to regulate the emissions and releases of plastics, including microplastics, across their life cycle, to the environment.

2. Each Party subject to their national plan and in accordance to its national circumstances and capabilities and relevant national environmental regulations should take necessary measures to regulate and reduce emissions and releases of plastic pellets, flakes and powder from production, storage, handling and transport, taking into account, as appropriate, the relevant provisions and guidance agreed in the framework of relevant international organizations.

3. 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].

4. The governing body*, at its first session, shall adopt guidelines, to facilitate implementation of the obligations set out in paragraph 1 based on best available techniques and best environmental practices to capture and remove plastic pollution, including microplastics from freshwater bodies, the marine environment and ecosystems.

5. Parties are encouraged to promote scientific and technical innovation to prevent and capture the releases of plastics and plastic products, including microplastics, into the marine environment.

6. There shall be an assessment of the need as well as mobilization of financial resources and technology transfer for each country in order to nationally driven commitments under this provision.

Option 4

1. Each Party shall prevent and control the emissions and releases of plastic waste, and microplastics to the environment from the sources identified in annex E. The emissions and releases covered under this provision should include:
a. Emissions and releases of microplastics during production of plastics and recycling of plastic waste to air and water; 
b. Leakages of waste plastic products to land and waterbody; and
c. Releases of microplastics during use of products containing intentionally added microplastics to water.

2. Each Party shall prevent and control the emissions and releases of plastic pellets, flakes and powder from production, storage, handling and transport.

3. 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].

4. The governing body*, at its first session, shall adopt guidelines, including where relevant, sectoral guidelines, to facilitate implementation of the obligations set out in paragraph 1, including emission and effluent standards, sector-specific best available techniques and best environmental practices on preventing and controlling emissions and releases, and best available techniques and best environmental practices to capture and remove plastic waste, including microplastics from freshwater bodies, the marine environment and ecosystems.

5. Parties are encouraged to promote scientific and technical innovation to prevent the releases of plastics waste and microplastics, into environment including marine environment.

9. Waste management

   a. [[Plastic] Waste management]

Option 1

1. Each Party shall take effective measures to ensure that [producers manage] plastic waste [is managed] in a [safe and] environmentally sound manner [throughout its [different stages][life-cycle], [including] handling, [collection,] [sorting,] transportation, storage, recycling[treatment][, other recovery including energy recovery] and final disposal[,] taking into account [recognizing that] the waste hierarchy] [establishes that greater environmental and social benefit occurs when actions at the top of the hierarchy are prioritised][[,] and the special circumstances of SIDS][ Each Party shall take effective measures on safe and environmentally sound waste management at its different stages, including handling, collection, transportation, storage, recycling and final disposal of plastic waste. The measures taken to implement this provision shall be reflected in the national plan communicated pursuant to [part IV.1 on national plans], with an aim to achieving nationally determined targets and [minimum requirements developed based on the harmonized indicators set out in [part II of annex F]][].

2. Each Party shall meet the requirements, [including] where relevant through a sectoral approach, for [minimum] [safe and] environmentally sound [management of plastic waste, including through] [collection,] recycling and disposal rates[, set out in part I of annex F[,] [taking into account][[the waste hierarchy and other relevant provisions[,][taking into account][[ and taking into account guidance and guidelines in [accordance with relevant arrangements under] other international agreements, [including those developed under][inter alia] the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal[, as appropriate][, the London Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter and its Protocol on the International Convention for the Prevention of Pollution from Ships][the International Convention for the Prevention of Pollution from Ships (MARPOL Annex V) of the International Maritime Organisation and the Bamako Convention on Hazardous Wastes].
3. The governing body* [shall][may][, where necessary,] adopt requirements, [best practice] guidance and guidelines for the implementation of the provisions in paragraph 2, additional or complementary to the relevant guidance and guidelines developed under other international agreements mentioned above.

Option 2

1. Each Party shall take [effective] measures [on safe and][to ensure] environmentally sound [waste] management [of plastic waste,] [at its different stages,] including handling, [sorting], collection, transportation, storage, recycling, [recovery], and final disposal of plastic waste. The measures taken to implement this provision [shall][are encouraged to] be reflected in the national plan communicated pursuant to [part IV.1 on national plans], [with an aim to achieving][to achieve] nationally determined targets [and minimum requirements developed][,] [based on the harmonized [indicators] [elements] set out in part II of annex F.]

OP1 Bis. To implement the obligation pursuant to paragraph 1, each Party shall give priority/due consideration to establishing a basic effective social system at local level for handing, sorting, collection, transportation, storage, recycling and treatment of plastic wastes, which is indispensable to a safe and environmentally sound waste management and just transition.

2. The governing body* [shall][may] [, where necessary] adopt [at its first session,] [requirements, best practice guidance and guidelines] [and subsequently update as needed,] guidelines on [safe and] environmentally sound management of plastic waste, taking into account the waste hierarchy and other relevant international guidelines and guidance[,][developed under the Basel Convention and other international agreements.][, as appropriate, as well as the need for a just transition, including for waste pickers.]

Provisions common for Options above

[4][3] Each Party shall [not allow waste management practices [listed in part III of annex F] that may lead to the emissions and releases of hazardous substances, [based on strong scientific evidence,] and shall regulate the other allowed waste management practices that may lead to the emissions and releases of the hazardous substances [listed in part IV of annex F.][take measures to prevent open dumping and open burning of plastic waste.]

[5][4] Each Party shall take [the necessary] measures to prevent [open dumping, ocean dumping,] littering [and open burning][of plastic waste].

[6][5] [It is recommended to] [Each][Parties][Party] [shall][are][is] encouraged [to] [take additional measures], according to their national capacities, [to] related to waste management, with developing countries being supported by international cooperation and, in particular, the cooperation mechanism referred to in [part iii, article number yet to be defined], which could include, inter alia:][to adopt comprehensive economic-driven approaches such as establishing and operating Extended Producer Responsibility (EPR) scheme, including, where relevant, on as sectoral basis, to incentivize increased recyclability, promote higher recycling rates, and enhance the accountability of producers and importers for environmentally sound management, of plastics and plastic products throughout their life cycle.][a. [invest in]] Promote investment and mobilization of resources from all sources for] waste management systems and infrastructure, including through financial and technical support to
subnational governments, that enable[s] environmentally sound management of plastic waste[and enhances waste management capacity];]

[b. promote investment and mobilize resources from all sources to cover financing gaps for waste management systems and infrastructure that enable environmentally sound management of plastic waste and enhance waste management capacity, in light of current and expected waste generation levels; and]

[c. incentivize behavioural changes throughout the value chain[;] and [raise [consumer][public] awareness [on sustainable consumption] about plastic waste prevention and minimization ][and production, as well as the critical roles of all stakeholders in reducing plastic litter[waste] and supporting recycling][ , taking into account the waste hierarchy].]

**OP [6][5] subparagraph c bis.** Develop, identify, and/or strengthen markets for secondary plastics.

[7][6] 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][.][Where appropriate, Parties are encouraged to cooperate internationally or regionally to implement the provisions of this article.]

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**Option 3**

1. Each Party should take effective measures to meet best available practices, for minimum safe and environmentally sound collection, recycling and disposal taking into account relevant guidelines, available waste management infrastructure, and national priorities.

2. The governing body* shall, where necessary, utilize the Technical guidelines on the environmentally sound management of plastic wastes which has been recently updated and adopted by parties in COP16 of Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, avoiding duplications of works and efforts.

**Provisions common for Option 3**

1. Each Party is encouraged to adopt environmentally sound waste management practices

2. Each Party shall take the necessary measures to prevent open dumping, ocean dumping, littering and open burning.

3. Parties are encouraged to take additional measures to:

   a. Promote investment in waste management systems and infrastructure that enable environmentally sound management of plastic waste;
   b. Encourage behavioural changes and raise consumer awareness.

4. The measures taken to implement the provisions of this Article may be reflected in the national plan communicated.

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**Option 4**

1. Each Party, as per their national plans and based upon national circumstances and capabilities and relevant national regulations, shall take measures on safe and environmentally sound waste
management. The measures taken to implement this provision shall be reflected in the national plan communicated pursuant to [part IV.1 on national plans].

2. The governing body* shall adopt at its first session, and subsequently update as needed, guidelines on safe and environmentally sound management of plastic waste, taking into account the other relevant international guidelines and guidance. A mechanism needs to be established to assess the infrastructural requirements and financial resources required for safe and environmentally sound management of plastic waste.

3. Parties may, as per their national plan and based upon national circumstances and capabilities, take additional measures to:

   a. invest in waste management systems and infrastructure that enable environmentally sound management of plastic waste;

   b. promote investment and mobilize resources from all sources to cover financing gaps for waste management systems and infrastructure that enable environmentally sound management of plastic waste and enhance waste management capacity, in light of current and expected waste generation levels; and

   c. incentivize behavioural changes throughout the value chain and raise consumer awareness on sustainable consumption.

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].

b. [Fishing gear]

Option 0

No provision on this matter

Option 1

1. Each Party [ , subject to their national plan and based upon national circumstances and capabilities,][shall [cooperate][are encouraged to] [ , including through the cooperation mechanism referred to in [part iii, article number yet to be defined].] [and] take [any][effective] [measures][actions], including [appropriate][ on design,] marking, [tracing][tracking] [, retrieval] [and][,] reporting [and recovery] requirements[,] to [prevent, reduce and eliminate, abandoned, lost or otherwise discarded fishing gear [containing plastic], taking into account internationally agreed rules, standards and recommended practices and procedures.][ promote the collection and environmentally sound disposal or recycling of end-of-life fishing gear, including any recovered gear.][ The measures taken to implement this provision shall be reflected in the national plan [communicated pursuant to [part IV.1 on national plans]].]

OP1 Bis 1. Each party shall take effective measures towards collection and environmentally sound waste management of fishing gear.

OP1 Bis 2. Parties should take actions to promote investment, mobilize resources and facilitate knowledge exchange to enhance the recyclability and recycling rates of end-of-life and recovered fishing gear.
**OPI Ter.** Each Party should take actions to:

a. promote education and raise awareness with fishing industries and practitioners on best practices and methods to reduce the risk of losing fishing gear and other plastics during fishing operations, and for the environmentally sound disposal of end-of-life gear; and

b. promote collaboration between Parties and relevant industry sectors and stakeholders, including fisheries, port reception facilities, waste management, and recycling.

2. Parties [shall][are encouraged to] promote [synergy and complementarity with relevant initiatives and organizations in their respective actions towards [safe disposal of][ the prevention of plastic pollution from] fishing gear][ cooperation, coordination, and exchange of information, including the sharing of best practices, as appropriate, on enhancing the environmentally sound collection, disposal, and recycling of fishing gear, including with relevant initiatives and organizations].

**OP2 Bis 1.** 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].

**OP2 Bis 2.** There shall be an assessment of the need as well as mobilization of financial resources and technology transfer for each country in order to meet the commitments under this provision.

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**Option 2. Alternative placement suggested as Section 8 Bis instead of 9b**

This obligation should have sub-paragraphs/provisions that require parties to take measures to:

1. Enhance the design of fishing and aquaculture gears, with a view to increasing durability, reusability, repairability and refurbishability and their capacity to be repurposed, recycled and disposed of in a safe and environmentally sound manner at end-of-life, and minimising releases and emissions of or from fishing and aquaculture gears, including microplastics, to the environment.

2. Implement effective marking of gears and require reporting of lost gears, in accordance with other relevant regional and international regulations, including MARPOL Annex V.

3. Improve the management of gear at the end of its usable life, including the reuse, repair and recycling of gear, and

4. Promote and facilitate training, education and awareness raising.

5. The measures taken to implement this provision shall be reflected in the national plan communicated pursuant to [part IV.1 on national plans].

6. Monaco supports inclusion of an obligation for parties to promote synergy and complementarity with relevant initiatives, organizations, and regional and international authorities in their respective actions towards the prevention of plastic pollution from fisheries safe disposal of fishing and aquaculture gear.

Furthermore remediation of abandoned, lost and discarded fishing gear is important to protect the marine environment, but that Provision 11 on existing plastic pollution, including in the marine environment should provide the obligation on parties to take measures to remediate Abandoned, Lost and Discarded Fishing Gear, in an environmentally sound manner and in accordance with scientific and evidence-based social, economic and environmental impact assessments, using the best available techniques and environmental practices to avoid exacerbating environmental harm.
**Option 3**
Alternative placement suggested as new element 4bis instead of 9b

**Option 4**
Alternative placement suggested under element 11 instead of 9b

**Option 5**
1. Each party on the basis of its national circumstances and capabilities should cooperate in taking effective measures, as appropriate, to tackle fishing gear.
2. Parties shall promote synergy and complementarity with relevant initiatives and organizations in their respective actions towards safe disposal of fishing gear.

10. Trade [in listed chemicals[, polymers] and products, and in plastic waste][related measures]

**Option 0.**
No provision on this matter

**Option 1**

   a. Trade in listed chemicals, polymers and products

**Sub-Option 0**
No text in sub-provision

**Sub-Option 1**

1. Each Party shall not export:
   a. [a chemical, group of chemicals or polymer referred to in [part II.2 on chemicals and polymers of concern], for use in plastic production or incorporation into a plastic product;
   b. a plastic product containing any such chemical or polymer [as outlined in a) above]; or
   c. a microplastic [or][,] product [addressed in [part II.3 on problematic][or problematic] and avoidable plastic products, including short-lived and single-use product, and intentionally added microplastics];

except where the [production and] use of such chemical, [polymer] or product is permitted under this instrument° and with the prior informed consent of the importing State.
2. [Each Party exporting a chemical, polymer or product referred to in paragraph 1 pursuant to this provision shall establish an export permit requirement for such exports[and track the types, volumes and destinations of all its exports], and obtain the prior informed consent of the importing State in writing, together with its assurances that the chemical, polymer, microplastic or product, once imported, will be used in a manner consistent with the conditions contained in part II of annex A or in Annex B, as relevant, and managed in a safe and environmentally sound manner throughout its life cycle, including for final disposal.]

3. Each Party exporting pursuant to this provision a chemical or [polymer listed in part II of annex A,] a product containing any of these, or a microplastic [or product listed in annex B,] shall require the exporter to:

   a. provide to the importing State and the importer complete harmonized information about the composition of the exported [polymer,] chemical or product and the associated hazards to human health or the environment, based on the harmonized disclosure requirements [contained in annex A], including safety data sheets, as relevant;

   b. mark and label the exported chemical, [polymer or] product in accordance with relevant harmonized labelling requirements [contained in annex A], as relevant; and

   c. comply with the relevant generally accepted and recognized international rules, standards and practices for packaging, labelling and transport.

   c. bis. products not meeting standards established in Article V [on product design]

4. Where a customs code under the Harmonized Commodity Description and Coding System is available for a chemical, [polymer,] microplastic or product [listed in annex A or B,] each Party shall require its shipping document to bear that code when exported.

5. Each Party shall not import:

   a. a chemical, group of chemicals [or polymer referred to in [part II.2 on chemicals and polymers] of concern];

   b. a plastic product containing any such chemical [or polymer]; or

   c. a microplastic or [product addressed in [part II.3 on] problematic and avoidable plastic products, including short-lived and single-use product, and intentionally added microplastics];

   c. Bis. products not meeting standards established in Article V [on product design]

except for the purposes of use permitted under this instrument*, or for the purpose of their safe and environmentally sound disposal [in accordance with the requirements of [part II.9 on waste management]].

*OP5 Bis. In case of export to, or import from a non-Party to this instrument, each Party shall apply the provisions of this article, on a non-discriminatory basis.

**Sub-Option 2**

1. Each Party should cooperate to promote a supportive and open international economic system that would lead to sustainable economic growth and development in all Parties, particularly developing country Parties, thus enabling them better to address the problems of plastic pollution. [Measures taken to deal with plastic under this agreement, including unilateral ones, should not constitute a means of arbitrary or unjustifiable discrimination or a disguised restriction on international trade specially developing countries’ exports].
**Sub-Option 3**

1. Each Party shall regulate trade in listed chemicals, polymers and products as per relevant national regulations and in accordance with the principles of the internationally binding multilateral trading system enshrined in the WTO law.

   **b. Transboundary movement of [non-hazardous] plastic waste**

**Sub-Option 0**

No text in sub-section

**Sub-Option 1**

1. [Each Party shall not allow transboundary movement of plastic waste, except for the purpose of its safe and environmentally sound management, with the prior informed consent of the importing State, and in a manner consistent with obligations under this instrument[, and relevant arrangements under other multilateral environmental agreements, inter alia, the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, as appropriate].]

2. [Where transboundary movement of plastic waste is permitted pursuant to paragraph 1,] Each Party exporting plastic waste [pursuant to this provision] shall establish and implement an export permit requirement for such exports and track the types, volumes and destination of all its exports of plastic waste.]

3. [Where transboundary movement of plastic waste is permitted pursuant to paragraph 1, each exporting Party shall:

   a. not allow the transboundary movement to commence until it has received the written consent of the importing State, which shall include that State’s assurances that the exported plastic waste will be managed in an environmentally sound manner;

   b. require the exporter to:

   i. provide to the importing State and the importer complete information about the composition of the exported waste, including its contents in polymers, chemicals and plastics, and any associated hazards to human health or the environment, based on the relevant harmonized disclosure requirements contained in annex A, including safety data sheets, as relevant;

   ii. mark and label the exported waste in accordance with the relevant harmonized labelling requirements contained in annex A, as relevant; and

   iii. comply with generally accepted and recognized international rules, standards and practices for packaging, labelling and transport.]

4. [The governing body* shall, at its first session, adopt guidance for the [implementation of the][purpose of this] provision [set out in paragraph 3], taking into account as appropriate relevant arrangements under other multilateral environmental agreements [inter alia, the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal].]
5. [Each Party shall [take effective measures to] prevent and eliminate illegal trade [and dumping of] plastic waste.]

6. [Parties shall promote synergy and complementarity with relevant organizations and intergovernmental bodies and cooperate towards the adoption and implementation of effective measures to prevent and eliminate illegal trade and dumping of plastic waste [pursuant to paragraph 5].]

Sub-Option 2

1. Each Party shall take appropriate measures to ensure that transboundary movements of plastic waste, as defined by the Basel Convention, is only allowed for the purpose of environmentally sound disposal. Parties to the Basel Convention shall take appropriate measures to ensure that transboundary movements of plastic waste is done in accordance with the obligations of that Convention. In circumstances where the Basel Convention does not apply, a Party shall ensure that transboundary movements of plastic waste is allowed only after taking into account relevant domestic and international rules, standards, and guidelines.

Sub-Option 3

1. Each Party shall prevent and eliminate illegal trade, traffic and dumping of plastic waste as sets in Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, recognizing its respective mandates, avoiding duplication of efforts and works and promoting cooperation and coordination with relevant regional and international conventions.

Sub-Option 4

1. Parties shall cooperate towards the adoption and implementation of effective measures to prevent and eliminate illegal exports and dumping of plastic waste.

Option 2 Trade related measures

1. This instrument* applies insofar as its provisions do not contradict the provisions of the Marrakesh Agreement Establishing the World Trade Organization, and its Annexes.

2. Any measures established by the Parties for the implementation of this instrument* shall be in full conformity with the Marrakesh Agreement Establishing the World Trade Organization.

11. Existing plastic pollution, including in the marine environment

1. Parties [shall] [are encouraged] [will take actions and shall] [cooperate] [in accordance with the Common but Differentiated Responsibility to respective capabilities] [to] [mobilize resources from multistakeholders, including, intergovernmental organizations, non-governmental organizations, academic and scientific and research institutes, international financial institutions and multilateral development banks, non-profit organizations and other relevant organizations or associations] [, including through the cooperation mechanism* referred to in [part III, article number yet to be defined]], to:
a. [cooperate to] [assess] [evaluation, identification and prioritization of][, identify and prioritize] accumulation zones, [and] [hotspots] [critical points] [and sectors]:

i. most affected by existing plastic pollution, [including] in the [terrestrial, freshwater and the] marine environment [and areas beyond national jurisdiction]; and

ii. [where] [that evaluations identify accumulation areas with] quantities and types of [litter] [plastic pollution] [garbage that represent] [pose] a threat to [human health,] species or habitats [taking into account the [full][complete] life cycle of plastics].

b. Take [adopt] [effective] mitigation and [remediation measures][removal actions], including clean-up activities [for the] [in identified] accumulation zones, [and] hotspots [and [critical] sectors] identified, [taking into account the provisions [in existing international agreements] [of international agreements in force,] including those [relevant][relating] to the conservation and sustainable use of [terrestrial, freshwater and] marine [environment and] biological diversity, [including in areas [beyond][located outside] national jurisdiction;] [and manage and dispose of removed plastic pollution in an environmentally sound manner] [taking into account special circumstances of SIDS,] [and the disproportionate impacts on SIDS; and

OP 1.b. bis. collect data and information on existing plastic pollution to support monitoring in accordance with [Part IV.4 on Periodic assessment and monitoring of the progress of implementation of the instrument* and effectiveness evaluation]

c. [promote engagement of [all stakeholders, including,] [the] local [communities] [population] [civil society,] and citizens] [. non-governmental organization as well as the private sector,] in [safe and] environmentally sound [remediation] [ activities].

OP 1.c. Alt. Promote safe and environmentally sound remediation activities, including through engagement with local population, communities, and citizens.

OP 1.c. Bis. Conducting investigations and distribution research on the current state of plastic pollution, including the marine environment, as well as developing technologies and establishing international standards for impact assessments, pollution removal and restoration.

2. Each Party [Developing countries] [should][encourage] make publicly available information [collected] on common plastic pollution types and [trends, as well as on the] practices and behaviours that lead to plastic pollution [, to raise awareness and prevent further plastic pollution, including littering in [floodplains,] coastal and freshwater areas].

OP2 Bis. Each party exporting chemicals, polymers and products shall establish and implement an export permit requirement for such exports and track the types, volumes and destinations of all its exports.

3. The measures taken to implement the provisions of this Article [Part II. 11] [shall][could] be reflected in the national plan communicated pursuant to [part IV.1 on national plans.]

OP3 Alt 1. No text.

4. The governing body* shall, at its first session, adopt:

   a. indicators to identify accumulation zones, hotspots and sectors; and

   b. guidance on best available techniques and best environmental practices, developed on the basis of best available science, [[including the] traditional knowledge,
knowledge of Indigenous Peoples [* accessed with their free, prior and informed consent,*] and local knowledge systems, to address existing plastic pollution, with a view to ensuring the [effective mitigation and remediation measures, including] clean-up activities do not have potential for [negative] impacts on the environment, biodiversity and human health.

**OP 4 Alt 1.** The governing body* should adopt guidance, as appropriate, to facilitate implementation of this Article.

**OP 4 Alt 2.** The Governing Body shall get an assessment of the existing plastic pollution in respect of each country from an appropriate subsidiary body, the financial resources required to mitigate and remediate the existing plastic pollution due to legacy plastic waste.

**OP 4 Bis.** Developed country parties as the largest historical beneficiaries of plastic goods shall take the lead in tackling legacy and existing plastic pollution in the marine environment including beyond national jurisdiction.

12. *Just transition*

**Option 1**

1. [Leaving no one behind,*] Each Party shall promote and facilitate [*, as per national circumstances and capabilities and relevant national regulation,*] a fair, equitable and inclusive transition for affected populations, with special consideration for [for [Indigenous Peoples] and [local communities],] [waste pickers and other workers in [plastic] [waste] value chains] women [and vulnerable groups, including] [impacted communities] children and youth, in the implementation of this instrument* [in line with the ILO Just Transition guidelines] [according to national social policies and circumstances ] [, in the implementation of this instrument] [, provided that means of implementation are available for developing countries]. This may include[*, according to national circumstances]:

**OP 1 Alt.** In the implementation of this instrument*, each Party shall promote an equitable and inclusive transition for affected populations, with particular consideration for workers and [persons] [people] in vulnerable situations, within [its national jurisdiction; This may include:]

   a. Designating a national coordinating [body] [mechanism] for engagement [and collaboration] with relevant stakeholders, including public authorities, [trade unions,] [workers association] [waste pickers,] non-governmental organizations [, Indigenous Peoples] and [local communities] [and affected populations] [according to national regulations] [with the aim of data collection, monitoring, evaluation and national reporting on progress of just transition];

   b. Enabling policies [and conditions] [that integrate] [to [ensure and]] improve [as appropriate] income, opportunities and livelihoods for] [waste pickers and other workers in plastic value chains and] [impacted] [affected workers and] communities, including workforce training, [development and social programmes, enhancement of occupational health and safety measures] [according] [considering] to their needs and priorities;

   c. Incentivizing the development of skills and job opportunities across the plastic value chain, including for the development of reuse, repair, waste collection and sorting;

   d. Promoting a [clean, healthy and sustainable] [safe working] environment [and a strong social safety net] [for communities and workers] across [the value chain, including [workers] in the waste management sector] [the full lifecycle in respect of the promotion of fundamental human rights];
e. Improving working conditions [[, occupational safety and health, and social protection] for [waste pickers and] workers] in the waste management sector [[, including by providing legal recognition and protection to [waste pickers and other] [workers] [and waste pickers]] in informal and cooperative settings and facilitating the formalization [of their associations or cooperatives [integrating them into local waste management systems]] [of their activities through appropriate socioeconomic integration measures]]; and

f. Integrating [waste pickers and other] workers in informal and cooperative settings into [a safe] plastics value chain, [including by requiring plastic product producers, recycling and waste management companies to integrate plastics collected and sorted by them into their operation schemes]]; and

g. [Requiring] [Encouraging] a portion of the fees collected through EPR schemes to be used to improve infrastructure [and improve the] [,] livelihoods [, a strong social safety net.] and opportunities for, and develop the skills of, workers in the waste sector, including waste [pickers and other] [workers] in informal and cooperative settings.]

2. [The measures taken to implement this provision shall be reflected in the national plan [communicated pursuant to [part IV.1 on national plans]].]

**OP2 Bis** Each Party should support policies to improve income, opportunities, and livelihoods for affected workers and communities in the transition to more circular economies for plastics, considering the needs and priorities of affected workers and communities.

**OP2 Ter** Within its jurisdiction, each Party shall encourage the consideration of socio-economic factors in determining the location, design, and construction of solid waste management facilities that manage plastic waste, with an aim of avoiding disproportionate and adverse impacts on [persons] [people] in vulnerable situations.

**OP2 Quater** Each Party shall, in accordance with its domestic procedures, provide opportunities for members of the public to provide input on government plastic waste management decisions or measures.

**Option 2**

1. Each Party shall cooperate to promote and facilitate a fair, equitable and inclusive transitions/pathways for affected Parties in the context of sustainable development, with special consideration to social and economic impacts for affected developing country Parties, in the implementation of this instrument. Developed country Parties shall provide sufficient finance, technology transfer and capacity building support to affected developing country Parties, with the view to promote and facilitate the just transition of developing country Parties.

2. Each Party shall promote and facilitate a fair, equitable and inclusive transitions/pathways for affected populations, with special consideration for women and vulnerable groups, including children and youth, in the implementation of this instrument*. including by, inter alia, enhancing institutional arrangements, enabling policies and conditions to improve the opportunities, capabilities and livelihoods of affected communities.

**Option 3**

1. Each Party shall cooperate to promote and facilitate a fair, equitable and inclusive transition towards sustainable development for developing country Parties, in the implementation of this
instrument. Developed country Parties shall provide sufficient finance, technology transfer and capacity building support with the view to promote and facilitate the just transition of developing country Parties.

2. Each Party could promote and facilitate a fair, equitable and inclusive transition with special consideration for women, children and youth in the implementation of this instrument, including by, inter alia, enhancing institutional arrangement, enabling policies and conditions to improve the opportunities, capabilities and livelihoods of affected communities.

3. The measures taken to implement this provision might be reflected in the national plan.

13. Transparency, tracking, monitoring and labelling

Option 0: No text on this matter.
Option 1

1. Each Party[, in order to end plastic pollution, [as per their national plan and based upon][according to their] national circumstances and capabilities [including relevant national policies and regulations][and the means of implementation required in the case of developing countries]]shall[, according to their national circumstances and capacities and the means of implementation required in the case of developing countries]:

   a. [require][engage][, where feasible,] [producers [of primary and secondary plastics] and importers [and exporters]][business throughout supply chains] to [disclose][communicate][provide][globally] harmonized information on the [[hazardous][chemical composition of][all] plastics and plastic [products] [producers], [based on guidelines adopted by the Governing Body consistent with WTO regulations and avoiding duplication with other MEAs], [throughout their [entire] life cycle][[type and quantities of polymers produced, the type and quantities of chemicals used in production] and make such information available in a publicly accessible database]:

   b. take appropriate measures to [ensure][improve] the traceability of chemicals, polymers and the plastic contents of [feedstocks and] products [throughout the life cycle of plastics] and plastic products[, [including] based on [globally harmonized] guidelines to be adopted by the governing body* [at its first session] [[consistent with WTO regulations and avoiding duplication with other MEAs], [in particular] for the purposes of their [safe and] environmentally sound use, recycling, recovery and disposal][, taking into account][as appropriate, any guidance adopted by the governing body*][ CBI (Confidential Business Information) and human health and environmental impacts ][and in accordance with measures that may be specified in an annex to the instrument, for the purpose of protecting public health and the environment throughout the plastics life cycle;] [; and][ upon availability and accessibility of the required technologies for the developing countries ;]

   c. establish [digital tracking, traceability,] marking and [eco-]labelling requirements [including [, consistent with provisions of WTO’s Agreement on Technical Barriers to Trade,] based on guidance [to be adopted] by the governing body* [at its first session], [in particular][and in accordance with measures that may be specified in an annex to the instrument] for the purpose[s] of [the safe and environmentally sound use, recycling and disposal of plastics and plastic products][ protecting human health and the environment throughout the plastics life cycle].

   I(c) Alt 1. Move to Part II, Section 5.

   I(c) Alt 2. Encourage marking and labelling practices for plastic products to promote the circularity of plastics, enable informed decision-making, and facilitate reuse, repair, refurbishment and recycling of plastics.

2. Each Party [shall][is mandated to] [monitor][and][establish a national monitoring system to] [,] [track] [and publish and update, in a transparent manner relevant and readily available information on] , to the possible extent[,] the types and [volumes][quantities] of its production, imports and exports of chemicals [and polymers] [used][employed] in the [production][manufacturing] of [plastic polymers,] [plastics][and] plastic products[, [and][including] regulated plastic [products][items] [across][throughout] their life cycle][consistent with its national laws[, considering the implementation for those with limited capacity, such as small and medium enterprises][ as well as any subsidies and fiscal incentives related to [these activities][the production, imports and exports of primary plastic polymers]].

OP2 Bis: Each Party shall take legal, administrative or policy measures to ensure mandatory disclosures from large and transnational businesses, including the financial sector on their activities,
risks, opportunities, dependencies and impacts and financial flows from all sources related to plastic pollution, including along their supply, value chain and portfolios.

3. Each Party [shall][is encouraged to] report the information collected pursuant to paragraph 2[, together with information on the recycling facilities functioning within its territory,] in a standardized format [where possible] to the governing body*.

**OP3 Bis 1.** Parties will implement the above provisions in accordance with national circumstances and capabilities, and supported by international cooperation, including through the cooperation mechanism referred to in [Part III]

**OP3 Bis 2.** Each Party shall develop and promote the databases needed to administer and implement the requirements of this Article, and cooperate in the development and maintenance of any global database that may be established by the governing body*.

**OP3 Bis 3.** Developing country parties shall be provided necessary technical and financial assistance based upon an assessment of the technical and financial resources required for complying with obligations given in paragraph 1 in respect of each country.

**OP3 Ter.** The governing body* shall conduct, commencing [X] years after entry into force and at least every [X] years thereafter, a review of the guidelines and any annexes developed under this Article with a view to assessing the need for revised guidelines, or new or additional annex measures, to protect public health and the environment, or to otherwise improve the effectiveness of this instrument.

**13 Bis. Overarching provision related to Part II.**

**Overarching provision**

1. Parties shall establish an effective mechanism in society to promote plastic circularity and prevent the leakage of plastics into the environment through a whole-of-society approach by adopting integrated and holistic national policies.

2. Parties shall take the necessary measures at all stages of plastic lifecycle, such as the production, distribution, sale, consumption, waste management and disposal, to promote plastic circularity and prevent the leakage of plastics into the environment and strengthen the measures over time towards achieving the objective of this instrument.

3. In relation to the previous paragraph, Parties shall take the effective measures at each stage of plastic lifecycle listed in the Annex X. The mandatory and voluntary measures listed in the Annex X shall be reflected accordingly in the national action plan. The governing body can review the Annex as necessary.”

**Annex X**

Effective measures at each stage of plastic lifecycle

4. Entire stage
   a. Establish an effective mechanism in society to promote plastic circularity and prevent leakage of plastics to the environment, including marine environment through a whole-of-society approach by adopting integrated and holistic national policies(*)

5. Production stage
a. Reduce plastic use out of the loop of plastic circularity, including but not limited to the following elements:
   i. Promote plastic circularity through whole-of-society approach(*)
   ii. Proper treatment of chemicals and polymers of concern, and problematic avoidable plastic products, including intentionally added microplastics(*)
   iii. Reduce single-use plastics(*)
   iv. Adopt and enhance sustainable product design and performance criteria, by production improvement such as volume reduction, simplification of packaging, ensure long life of plastics, reuse of parts, use of mono materials, making it easier to break apart, sort out, and transport for ease of recycling(*)
   v. Develop and encourage use of sustainable non-plastic substitutes(*)
   vi. Establish and operate Extended Producer Responsibility (EPR) systems
   vii. Prevent the emissions and releases of plastics throughout its life cycle (*)

b. Collect and recycle used plastics by production sectors(promotion of reuse and recycling, improvement of reuse and recycling rate of plastics) (*)

c. Promote evaluation of plastic product footprints on the environment, sharing information on product materials, cooperation between stakeholders, and standardization of product design and development of relevant guidelines.

6. Distribution/sale/consumption stage
   a. Reduce single-use plastics(*)
   b. Collect and recycle used plastics by distribution/sale/consumption sectors(promotion of reuse and recycling, improvement of reuse and recycling rate of plastics) (*)
   c. Introduction of product take-back and right-to-repair requirement
   d. Introduction of product and service delivery systems
   e. Introduction of Deposit refund scheme
   f. Supporting the development of skills and infrastructure for reuse, recycling, repair, repurposing and refurbishment of plastic products
   g. Economic instruments such as fees, tax incentives, subsidies, and subsidy reform, as appropriate
   h. Leveraging public procurement
   i. Raising-awareness of the problem of global plastic pollution and the importance of consumers’ and venders’ behavioral changes in plastic use (*)

7. Waste management and disposal stage
   a. Develop national sound waste management policies based on the appropriate priorities of waste management including waste prevention
   b. Ensure safe and environmentally sound waste management at its different stages, including handling, sorting, collection, transportation, storage, recycling, and final disposal of plastic waste(*)
   c. Enhance recycling and treatment capacity in light of current consumption level and future projections to ensure environmentally sound waste management(*)
   d. Prevent open dumping, ocean dumping, littering and open burning(*)
   e. Invest in waste management systems and infrastructure(*)
   f. Incentivize behavioural changes throughout the value chain and raise consumer awareness on sustainable consumption(*)

8. Cross-cutting elements
   a. Existing plastic pollution, including in the marine environment
      i. cooperate to assess, identify and prioritize accumulation zones, hotspots and sectors (*)
      ii. take effective mitigation and remediation measures, including clean-up activities(*)
      iii. promote engagement for the local population and citizens in safe and environmentally sound remediation activities(*)
   b. Just transition
c. International and, as appropriate, regional cooperation (*)
d. Information exchange(*)
e. Awareness-raising, education and research(*)
f. Stakeholder engagement(*)
g. other effective measures that can be adopted by the Conference of Parties taking into account technological development, and scientific and socioeconomic assessments(*)

(*) mandatory measures