National Action Plans

- National Action Plans (NAPs) would depend on the core obligations being discussed by the Contact Group 1. Therefore, a comprehensive analysis is proposed to be undertaken in this regard.
- NAPs are pivotal to fulfil the obligations under the new international legally binding instrument to end plastic pollution.
- NAPs need to be country driven - akin to NDC.
- NAPs are to be developed based on and linked to National Circumstances and Capabilities. Hence, actions/obligations should be decided by the countries.
- The review of NAPs mentioned in Paragraph 29 (b) of the options paper is should be worded as *self-review* of the NAPs.
- Common elements and minimum content for NAPs should be voluntary since the NAPs are country driven. Common elements should relate to obligations under the proposed instrument, actions can be chosen by country (Paragraph 30 (a) options paper).
- Harmonized guidance on NAPs should be voluntary, and non-binding (Paragraph 30 (b) options paper).
- Evaluation of NAPs is not considered essential. Self-review may serve the purpose. (Paragraph 30 (c) options paper). Taking a cue from the Paris Agreement’s mechanism of Global Stock-take, similar arrangement is proposed under INC.

Exchange of Information

- Paragraph 35 (b) (i) on mandatory disclosure would require coordination with WCO – hence not recommended to be included under INC.

There should be a separate science and technology panel to support the new international legally binding instrument.
Means of implementation

- Paragraph C 1 of options paper – The title should be changed from “Financial assistance” to “Financial Mechanism”
- Paragraph 4(b) of Para 5 / 14 UNEA resolution relates to Financial Mechanism including need for multilateral fund.
- Principles and provisions agreed in UNEA 5/14 need to be implemented.
- There should be a separate article on “Financial Mechanism” under the international legally binding instrument.
- The setting up of the financial mechanism should be obligatory.
- The financial mechanism should provide setting up of a dedicated multilateral fund for implementation of the international legally binding instrument in line with Multilateral Fund for the implementation of Montreal Protocol.
- The principle of CBDR is key for while setting up of the Multilateral Fund.
- Paragraph 24 (e)(i) dealing with plastic fees, taxes and levies is regressive. Any such measures in the absence of techno-economic viability with respect to substitutes will hit the weaker section of society.
- Para 24 (e) items (i) to (vii), minus (iii), are national measures and are to be taken as per national circumstances.
- International measures can be considered for creating dedicated multilateral fund.

Technology Transfer

- In line with paragraph 3 (n) of UNEA 5/14 the arrangements for technology transfer needs to be specified.
- There should be separate article for technology transfer on mutually agreed terms, in the international legally binding instrument.
- We should not restrict in adopting language of Minamata Convention for technology transfer (paragraph 28 (b) options paper).
- The technology transfer should also be accompanied with providing adequate know-how on technology transfer.
- Technology transfer should include incentivizing companies by their governments to share cutting-edge technologies across complete life cycle.
Regarding compliance, under para 32 of options for elements paper,

- India can go with Para 32 (a)

- In 32 (b), we are of the view that it should be facilitative – and we may avoid negative wordings like non-adversarial – keeping it simple

- For para 32 (c), our preferred option would be (ii) i.e. compliance with the legally binding provisions of the instrument;

- For para 32 (d), India is in favour of the option (i) i.e. self-submission – and deletion of other four options

- Regarding para 32 (e), we would propose to avoid using words punitive or non-punitive, and rather replace them with ‘enabling measures’

- These are our preliminary comments regarding ‘Compliance’.

- Further information is required with respect to obligations which are under consideration for the International legal binding instrument by CG 1. Reporting requirements and periodic assessments are linked with the obligations. Therefore, the discussion on reporting requirements and periodic assessment would best done after obligations are firmed up.

- we will request for floor for these two points at later stage.