

2. The AHEG has met four times (three in-person and one on-line meeting) to deliver on its mandate. This summary describes how the AHEG has delivered on its mandate and provides UNEA-5 with an overview on potential response options for its considerations of next steps for marine plastic litter and microplastics. It will be annexed to the AHEG-4 meeting report, as well as the report of the Executive Director to UNEA-5.

**Commented [AB1]:** There still seems to be divergence in the given mandate (UNEA 3/7) and interpretation of the mandate to the view of EU and its MS.

While UNEA mandate asks to "identify options" for further consideration, here only "the range of views" is given for UNEAs consideration.

9. [...] include actions on bans affecting single-use plastics, waste management, Extend Producers Responsibility (EPR), circular economy approach, incentives/disincentives, capacity-building, clean-ups, monitoring actions, the use of biodegradable plastics, and knowledge acquisition. Most activities reported are taking place predominantly at the national to subnational level and are mainly targeting outreach-related work. Legislative actions continue to focus on the downstream part and not on prevention

**Commented [AB2]:** This add actual information derived from the analysis and discussion and paves ground for the following conclusions.

It was the sense of the stocktaking to provide a basis for gap analysis. This should feed in existing activities to be updated accordingly, but is not to become another reporting exercise.

16. The development of a potential legally binding global agreement was proposed by a large majority of experts (while some of other options were also proposed) for enhanced coordination and governance. These options are not mutually exclusive and could be explored in parallel:

**Commented [AB3]:** This approach would represent an objective and factual reflection of the majority intervention and what was submitted in writing. The EU and its MS do not see a valid reason for excluding it. Clear convergence could be seen in the calls on a new legal agreement by various MS

- Consider strengthening coordination at the global level
- Improve coordination at the regional level
- Encourage new, and enhance existing, forms of financing and technical support to developing countries and small island developing States
- Build on existing efforts to give a forum enabling governments, industry, academia, civil society and other stakeholders to share experiences and coordinate action on a regular or ad hoc basis.

18. [...] the success of an archetype related to the specific conditions under which it was employed, such as context, situation, region, and timing/stage and there was not enough data and information available to assess the degree to which the different response options will take effect and to better formulate indicators and apply them to all international, regional and national aspects.

**Commented [AB5]:** The lack of some information was a limitation of the study and we would like it to be expressed like this. Not a conclusion was made in relation to the need to continue the work. We see mandate as fulfilled.

20. The AHEG recommends that UNEA continues work on developing the functions such as those mentioned a – e below. These potential options are not mutually exclusive.

a.-e.[...]

**Commented [AB6]:** These changes perform the necessary separation of functions to be achieved by the instruments below

21. To accelerate above-mentioned functions by

- i. Strengthening existing instruments, frameworks, partnerships, and actions that address marine plastic litter and microplastics including efforts to develop and improve the capacity of countries to undertake environmentally sound waste management, such as the Global Partnership on Marine Litter (GPML), G20 implementation framework and Ocean Plastics Charter.
- ii. Developing a potential global legally binding instrument to provide a legal framework to that could contain either legally binding and/or non-binding elements, such as global and national reduction targets, phasing out avoidable plastic products, facilitation of national and regional action plans, and sharing of scientific knowledge through scientific panel

**Commented [AB7]:** These changes perform the necessary separation of functions to be achieved by the instruments below

Either way intends to cover all stages of plastics life-cycle and promote a circular economy.

22. The AHEG thereby identified a possible vision for future work to guide future actions. It considered the necessary modalities to deliberate feasible global targets, actions and indicators to achieve this vision.

23. The AHEG therefore recommends that one option for UNEA-5 establishes an Intergovernmental Negotiating Committee to focus on this task with a view to develop a global agreement.

**Commented [AB8]:** Para 22 is reintroducing formulation a passage from a previous draft. There was broad consensus to give an outlook and focus on the next steps.

UNEA 3/7 10.d(v) is mandating AHEG to do this and identify potential options for continued work for consideration by the United Nations Environment Assembly;

Finally, the EU and its MS would once again recall our common obligation to end the work of the AHEG with recommendation as per UNEA Rules of procedure in para 23. We regard giving recommendations by jointly identifying a vision for future work using the findings of the AHEG as mandated by UNEA Res. 3/7 and 4/6 as the most central point of the document and the work of the AHEG as a whole, and we remain concerned that the issue of recommendations continues to be unaddressed.

It is the main purpose be to derive convergence of positions of Member States and show the level of support for different options and its elements without pre-empting the discussions and negotiations at UNEA5 while providing a suitable and adequate basis for those negotiations. We therefore regard it as adequate to call for the establishment of an INC address our findings.