

Draft Resolution on an international legally binding instrument on marine plastic pollution

Proposed by: JAPAN

Cover Note

Background:

- Plastics are versatile with wide-ranging applications, and they play a significant role in human livelihoods. However, the amount of plastic in the world's oceans has been rapidly growing year by year, posing a threat to the environment and to our way of life.
- The transboundary nature of marine plastic pollution calls for a global response. In recent years countries have been proactively stepping up their actions to reduce marine plastic pollution, be it upstream such as product design or downstream such as improving collection and recycling. Now is the right time to build on these existing efforts, and advance together to develop an international legally binding instrument that sets a common objective while allowing each country to take its own path to reach the objective.
- The key to its effectiveness is to have the widest possible participation to an Intergovernmental Negotiation Committee (INC) to be established based on a resolution at the UNEA5.2, including large emitting and consuming countries of plastics. In doing so, it is important to note that effective measures vary according to national circumstances of each country, and that a one-size-fits-all approach would not necessarily be effective nor appropriate at the global scale.
- In order to prevent, reduce and eventually eliminate the discharge of plastics leading to marine plastic pollution, the instrument should cover the whole life cycle of plastics in a manner that promotes resource efficiency and circular economy.
- Furthermore, fostering innovation, encouraging actions by all stakeholders including the private sector, and promoting cooperation at the global, regional, national and local levels are key to strengthening the global response.

The aims of the draft resolution at UNEA5.2 and beyond

- This draft resolution aims to establish an INC at the UNEA5.2 to discuss the development of an international legally binding instrument on marine plastic pollution.
- This draft resolution identifies the necessary items to be included as provisions in the instrument, providing a general structure that countries could concur with, without prioritizing a specific stage in the value chain of plastics over other stages, nor prejudging substantial outcomes of the upcoming negotiation at the INC.
- In particular, it includes provisions to set a common objective and to develop and report national action plans, to review progress, to address increasing of knowledge and raising awareness, to cooperate and coordinate with other frameworks, to promote stakeholders' actions, to specify arrangements for capacity building and technical and financial assistance, and to promote research and development.
- Noting that land-based sources are the major causes of marine plastic pollution, every country including land-

locked countries are expected to play their part under this instrument that would be addressing both land-based and sea-based sources. It would cover the whole life cycle of plastics in a manner that promotes resource efficiency and circular economy, while respecting the different national circumstances.

- The draft resolution also calls upon the UNEP, the multi-stakeholder platform and each country to continue and enhance their actions in parallel to the negotiations.
- The preambular part of the draft resolution recognizes the importance of ongoing action including at the regional and international level and calls for the international legally binding instrument to reduce additional marine plastic pollution to zero by 2050.

Organizational matters

- This draft resolution aims to commence the work of the INC in 2022, with a view to completing its work by UNEA6.
- The appropriate stage to discuss the substantial contents of the instrument is after the INC is established, rather than before.

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**Draft Resolution on an international legally binding instrument on marine plastic pollution
to be adopted by the fifth session of the United Nations Environment Assembly
As of 6 December**

Proposed by: JAPAN

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The United Nations Environment Assembly,

Noting with concern that the high and rapidly increasing levels of marine plastic pollution, which is of a transboundary nature, represent a serious environmental problem at a global scale, negatively impacting the environmental, social and economic dimensions of sustainable development,

Stressing the urgent need to strengthen the science-policy interface at all levels, improve understanding of the global impact of marine plastic pollution on the environment, and promote effective and progressive actions at the local, regional and global level to prevent, reduce and eventually eliminate the discharge of plastic litter and microplastics from both land-based and sea-based sources into the marine environment while recognizing the important role of plastics for society,

Recalling United Nations Environment Assembly resolutions 1/6, 2/11, 3/7, 4/6, and reaffirms the urgent need to strengthen global coordination, cooperation and governance to take immediate actions towards the long-term elimination of marine plastic pollution through a life-cycle approach.

Welcoming efforts made by governments and international organizations to minimize the negative impact of plastic waste on the marine environment and to reduce marine plastic pollution, in particular through national and regional action plans and other initiatives, such as G7 and G20 initiatives including the action plans of 2015 and 2017 addressing marine litter, Osaka Blue Ocean Vision, G20 Implementation Framework, Ocean Plastics Charter, the ASEAN Framework of Action on Marine Debris and the Bangkok Declaration on Combating Marine Debris, APEC Roadmap on Marine Debris and to reduce plastic and micro plastic pollution, Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal and the outcome of the Ministerial Conference on Marine Litter and Plastic Pollution in 2021, recognizing that they are complementary to a coherent and coordinated global response,

Noting with appreciation the leading work of the Global Partnership on Marine Litter and actions to tackle marine plastic pollution supported and implemented by United Nations Environment Programme, and taking into account the chair's summary of the open-ended ad hoc expert group on marine litter and microplastics, which presents potential options for continued work for consideration by UNEA 5.

Further recognizing that each country is best positioned to understand its own national circumstances, including its stakeholder activities, related to addressing marine plastic pollution,

Underlining that in order to reduce additional marine plastic pollution to zero by 2050, further international action is needed by developing an international legally binding instrument on marine plastic pollution, taking a comprehensive life-cycle approach and the promotion of resource efficiency and circular economy,

1. Requests the Executive Director to convene an intergovernmental negotiating committee with the mandate to prepare an international legally binding instrument to address marine plastic pollution, commencing its work in 2022 with the goal of completing by the sixth session of the Environment Assembly;
2. Decides that the intergovernmental negotiating committee is to develop an international legally binding instrument based on comprehensive approach to address marine plastic pollution covering the whole life cycle and promoting resource efficiency and circular economy, including provisions:
 - (a) To set a common objective to reduce marine plastic pollution;
 - (b) To develop and report national action plans to contribute to the common objective, taking into account the respective national circumstances;
 - (c) To periodically review global progress on reducing marine plastic pollution towards the common objective;
 - (d) To increase knowledge through awareness-raising and scientific information exchange;
 - (e) To promote cooperation and coordination with relevant regional and international conventions, instruments and organizations, while recognizing their respective mandates and avoiding duplication;
 - (f) To encourage action by all stakeholders including the private sector and to promote cooperation at the global, regional, national and local levels;
 - (g) To specify arrangements for capacity building and technical and financial assistance, to developing countries most in need;
 - (h) To promote research and development into innovative solution
 - (i) To address implementation and compliance issues;
3. Recognizes that the mandate of the intergovernmental negotiating committee may be supplemented and updated by further decisions of the Environment Assembly;
4. Decides that participation in the intergovernmental negotiating committee should be open to all Member States of the United Nations and its specialized agencies, to regional economic integration organizations, as well as relevant stakeholders, consistent with applicable United Nations rules;
5. Requests the Executive Director, as a priority action, to provide the necessary support to developing countries and countries with economies in transition to allow for effective participation in the work of the intergovernmental negotiating committee;

6. Requests the Executive Director to convene as soon as possible the first meeting of the intergovernmental negotiating committee, in particular to discuss timetable and organization of its work;
7. Requests the Executive Director to continue to support and advance the ongoing work of the Global Partnership on Marine Litter and its multi-stakeholder platform, while strengthening scientific and technological knowledge with regard to marine plastic pollution, inter alia, on methodologies for monitoring, and sharing available scientific and other relevant data and information;
8. Calls upon all Member States to continue and enhance the following activities during the preparation of the international legally binding instrument, with a view to reducing additional marine plastic pollution to zero by 2050, taking into account their respective national circumstances;
 - (a) Developing, implementing, and updating their national action plans;
 - (b) Sharing and updating information on relevant policies, plans and measures including measurable indicators where applicable through the multi-stakeholder platform and other relevant frameworks;
 - (c) Reducing the discharge of plastic litter and microplastics into the marine environment, through prioritizing a whole-life-cycle approach and fostering innovation, in close collaboration with the private sector.