

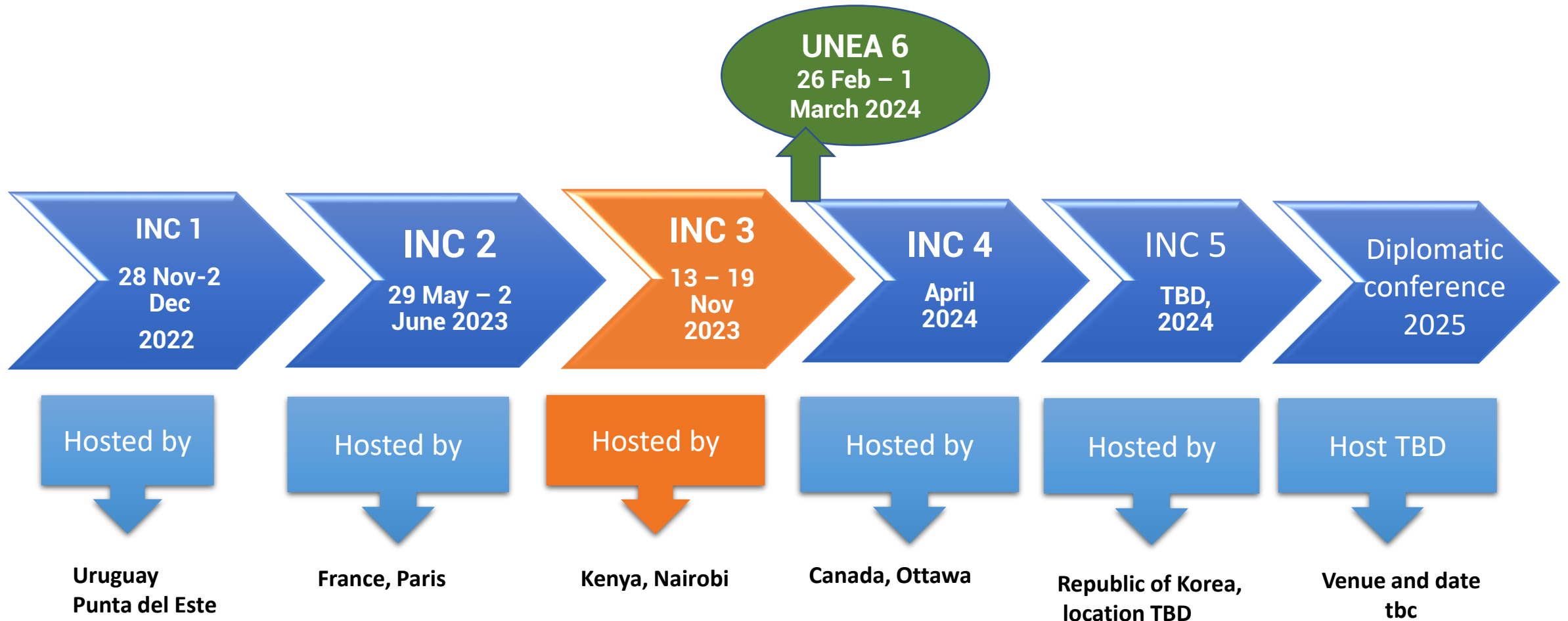
**Committee of the Permanent Representatives Subcommittee meeting
Nairobi, 5 October 2023, 10:00-13:00 EAT**



Briefing on the third sessions of the Intergovernmental Negotiating Committee to Develop an internationally legally binding instrument on plastic pollution, including in the marine environment

Jyoti Mathur-Filipp, Executive Secretary and Head of the INC Secretariat

Background: INC timeline*



*updated from the timeline agreed by the open-ended working group (OEWG) meeting, convened from 30 May to 1 June in Dakar, to prepare for the work of the INC.

Background: previous INC session

First session of the INC (INC-1):

- **28 November to 2 December 2022 in Punta del Este, Uruguay.**
- **Elected the Chair of the INC and mandated the secretariat to prepare, under the guidance of the Chair of the INC, a document with potential options for elements towards an international legally binding instrument.**

Second session of the INC (INC-2):

- **29 May to 2 June 2023 in Paris, France.**
- **At INC-2 the Committee elected its Bureau and mandated the Chair, with the Secretariat's support, to prepare a zero-draft text of the international legally binding instrument on plastic pollution.**

Third session of the Intergovernmental Negotiating Committee (INC-3)

- **INC-3 will take place from 13 to 19 November 2023 at UNON in Nairobi, Kenya.**
- **The session will be preceded by regional consultations on 12 November 2023.**
- **As decided by the Committee at its second session, a one-day preparatory meeting will take place on 11 November 2023.**
- **Deadline for registration for INC-3 is 6 October 2023.**
- **Nairobi-based delegates participating in INC-3 will need to register and be included in the national delegation list.**
- **As of 3 October, 445 delegates from 141 Members of the Committee and 655 registrants from 322 observer organizations have registered for INC-3.**
- **The application of travel support is now closed. The Secretariat is funding 2 delegates per eligible country.**

Preparatory meeting, 11 November 2023

The preparatory meeting includes two key agenda points:

1. **Consideration of a synthesis report on the submissions received from Members of the Committee on elements not discussed at INC-2, such as principles and scope of the instrument.**
2. **Intersessional work.**

The Committee requested the Secretariat to invite submissions from Members of the Committee by 15 September, and from observers by 15 August on elements not discussed at INC-2 and on any potential areas for intersessional work compiled by the cofacilitators of the two contact groups, to inform the work of INC-3.

As of 3 October, 60 submissions from Member states and 133 from observers were received for Part A. For Part B, 47 submissions from Members and 105 from observers were received.

The Nairobi spirit must be in full force at INC-3.

At INC-3, Member States will be invited to start negotiations on the basis of the zero-draft text that the Committee mandated the Chair to prepare, with the support of the INC Secretariat.

Proposed modalities for the session (ref. Chair's scenario note [UNEP/PP/INC.3/2](#)):

- **Plenary opening**
- **Establishment of 3 contact groups, on:**
 - Parts I and II of zero draft text (+ relevant annexes)
 - Parts III and IV (+ relevant annexes)
 - Document UNEP/PP/INC.3/INF/1 and summary of preparatory meeting
 - No more than two contact group meetings at the same time
- **Closing plenary to consider report, outputs from contact groups, outcomes and further work.**

The zero-draft text for consideration at INC-3

- The zero-draft text is available online in the UN languages, under the [pre-session documents tab](#) on the INC-3 webpage.
- The structure of the zero-draft text builds on the Options Paper prepared for INC-2.
- The zero-draft text is guided by views expressed by Members at the first and second sessions of the INC.
- The zero-draft text aims at facilitating and supporting the work of the INC towards the development of the international legally binding instrument.

The zero-draft text for consideration at INC-3 (cont.)

Part I

- Preamble (placeholder)
- Objective
- Definitions (placeholder)
- Principles (placeholder)
- Scope (placeholder)

Part II

- Primary plastic polymers
- Chemicals and polymers of concern
- Problematic and avoidable plastic products, including short-lived and single-use plastic products and internationally added microplastics
- Exemptions available to a Party upon request

- Product design, composition and performance
- Non-plastic substitutes
- Extended producer responsibility
- Emissions and releases of plastic throughout its life cycle
- Waste management
- Trade in listed chemicals, polymers and products, and in plastic waste
- Existing plastic pollution, including in the marine environment
- Just transition
- Transparency, tracking, monitoring and labelling

The zero-draft text for consideration at INC-3, continues

Part III

- Financing
- Capacity-building, technical assistance and technology transfer

Part IV

- National plans
- Implementation and compliance
- Reporting on progress
- Periodic assessment and monitoring of implementation of the instrument* and effectiveness evaluation
- International cooperation

- Information exchange
- Awareness-raising, education and research
- Stakeholder engagement

Part V Institutional arrangements (placeholder)

- Governing body (placeholder)
- Subsidiary bodies (placeholder)
- Secretariat (placeholder)

Part VI Final provisions (placeholder)

Example

Common provision

Several options

Additional provisions in common

1. Primary plastic polymers ← Title/Element

1. Parties shall take the necessary measures to prevent and mitigate the potential for adverse impacts on human health or the environment from the production of primary plastic polymers, including their feedstocks and precursors.

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.³

Option 2

2. Parties shall manage and reduce the global production and supply of primary plastic polymers to achieve the global target set out in part I of annex A.⁴
3. Parties shall, in order to achieve the target referred to in paragraph 2, develop nationally determined targets and take the necessary measures to achieve them.
4. Parties shall reflect the measures taken to implement this provision in their respective national plans communicated pursuant to *[part IV.1 on national plans]*, including their intended level of domestic supply of primary plastic polymers 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]*.

Option 3

2. Parties shall take the necessary measures to manage and reduce the global production and supply 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 level of domestic supply including, as relevant, domestic production, and the measures taken to manage and reduce it.

Provisions common for the Options above

[3][5][4]. Each Party should take appropriate measures to reduce the demand for and production of primary plastic polymers, including:

- a. market- and price-based measures;

The Nairobi spirit must be in full force at INC-3.

Possible outcomes of the session:

(ref. Chair's scenario note [UNEP/PP/INC.3/2](#))

- **Agree on mandate to prepare a first draft text of the instrument for consideration at the fourth session of the committee that is based on the zero-draft text of the instrument, the synthesis report and reflecting the progress that the committee has made at its third session;**
- **Define modalities and timelines for intersessional work required for the fourth and fifth sessions;**
- **Agreement to forward for adoption the provisional agenda to the fourth session**

INC-3 Documentation

Working documents

- [Provisional agenda of INC-3](#) – UNEP/UNEP/PP/INC.3/1
- [Annotated provisional agenda of INC-3](#) – UNEP/PP/INC.3/1/Add.1
- [Scenario note](#) – UNEP/PP/INC.3/2
- [Draft rules of procedure](#) – UNEP/PP/INC.3/3
- [“Zero Draft”](#) – UNEP/PP/INC.3/4

Information document

- **Synthesis of the submissions** – UNEP/PP/INC.3/INF/1

Regional consultations

In-person regional consultations will also take place prior to INC-3:

Asia Pacific Group: 2 October, in Sri Lanka, Colombo.

GRULAC: 16-17 October, in the Dominican Republic, Santo Domingo.

Africa: 16-18 October, in Uganda, Kampala.

EEG: 27-28 October, in Geneva, Switzerland.

Regional consultations are being coordinated by the INC Bureau Members, with the support of the INC secretariat and the UNEP regional offices.

The main objective of the regional consultations is to support the regions in their preparations for INC-3, by giving Member States the possibility to consult each other in advance of the third session of the INC.

The Secretariat is able to fund 1 delegate per eligible country.

****It is up to Member States to decide if regional consultations are open to observers.***

Thematic webinars in the lead-up of INC-3

A total of eight webinars will be held over consecutive weeks in the lead-up to INC-3, between the end of August and the mid-October, between 4 and 5.30 pm (Nairobi time).

- **Webinar 1: Reflections on institutional structures in existing Multilateral Environmental Agreements, including science-policy bodies (*Tuesday 22 August*)**
- **Webinar 2: First webinar for observers to share information from their written submissions (*Tuesday 29 August*)**
- **Webinar 3: Second Webinar for observers to share information from their written submissions (*Tuesday 5 September*)**
- **Webinar 4: Identifying chemicals and polymers of concern (*Tuesday 12 September 2023*)**
- **Webinar 5: Designing and producing plastic products for circularity (*Tuesday 26 September 2023*)**
- **Webinar 6: Targets, national plans and national implementation (*Tuesday 3 October 2023*)**
- **Webinar 7: Bridging the gap towards safe and sustainable management of plastic waste (*Tuesday 10 October 2023*)**
- **Webinar 8: Organization of work at INC-3 (including preparatory meeting) and presentation of the Zero-Draft text (*Tuesday 17 October 2023*)**

All recordings are made available on the INC-3 website



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Thank you!

For questions and queries, please write to:

unep-incplastic.secretariat@un.org
