

Guidance for the preparatory day and proposed contact groups to be established at INC-3

Introduction:

As presented in the Chair's scenario note for INC-3¹, the Chair will propose that three contact groups are established to advance the substantive and organizational discussions at INC-3. Additionally, and as mandated at INC-2, a preparatory meeting will be held on 11 November to discuss the issues not addressed at INC-2, including preambular considerations, principles, definitions, scope, institutional arrangements, and final provisions. The preparatory day will also have an initial discussion on intersessional work. The preparatory meeting will be guided by two Co-facilitators, who are proposed to also co-facilitate contact group 3 at INC-3.

This document has been developed to support the Co-facilitators of the preparatory day, as well as those of the contact groups proposed to be established at INC-3 to structure the discussions. This note may also help delegations in their preparations for INC-3.

Contact groups are expected to be established during the first day of INC-3 and to begin their work on that same day or on Tuesday, 14 November, and complete their work at the latest by noon on Saturday, 18 November. Meetings of contact groups will be in-person only and open-ended and expected to be open to participation by observers.

All discussions in contact group meetings will be conducted in English only and all documentation developed in the course of a contact group will be circulated in English only. The work of contact groups will not be supported by interpretation.

The [Code of Conduct to Prevent Harassment, including Sexual Harassment at UN System Events](#) is applicable to the meetings of contact groups and in the course of the preparatory day.

No more than two contact groups will be held at the same time. It is expected that the mandate of the contact groups will allow them to set up informal consultations, should the need arise, taking into consideration the capacity of smaller delegations when scheduling such consultations.

A number of three-hour slots will be distributed between the three contact groups during INC-3. To assist delegates in their preparations, a tentative programme sets out a possible schedule for contact group slots until Wednesday morning is available online and will be updated regularly, without prejudice to any decision of the INC on the establishment of such groups.

Daily meetings will be organised between the Chair and the Co-facilitators of the three contact groups to ensure coordinated and parallel progress in the discussions in each of the groups.

¹ UNEP/PP/INC.3/2/.

It is also expected that a brief plenary meeting will be held on Thursday, 16 November, where the Co-facilitators of contact groups will be invited to report back on the progress of their work.

Contact groups are not decision-making bodies. Any substantive outcome of their work ultimately serves as input to the work of the plenary. Any outcomes of a contact group's work being forwarded to the plenary are usually expected to be agreed by all Members at the level of the contact group. If an agreement cannot be reached on some matters, any outstanding issues should be clearly indicated when forwarding to the plenary for consideration.

Preparatory meeting: Elements not covered during INC-2 and intersessional work.

I. Guide:

The preparatory meeting is expected to be dedicated to the discussion and exchange of views on the issues covered in the Synthesis report prepared by the Secretariat on the basis of the submissions on the elements not addressed at INC-2.² The Synthesis report itself is not a document for negotiation but rather an information document that serves as an aid to assist Members in their review of the submissions made. Members will also be invited to have an initial discussion on the priorities and possible modalities of intersessional work ahead of INC-4 and, where relevant, INC-5. The discussion of the issues covered in the Synthesis report prepared by the Secretariat are intended to facilitate further deliberations on these matters at INC-3.

At the end of the preparatory meeting, the Co-facilitators are expected to verbally summarize the discussions. To connect the discussions at the preparatory meeting with INC-3, the Chair will invite the Co-facilitators to prepare a written summary which will be made available online in time for the opening plenary of INC-3 as a non-paper. The Co-facilitators will also be invited to present their summary during the plenary discussions under agenda item 4 at INC-3

² UNEP/PP/INC.3/INF/1

Contact group 1: Part I (Objective) and Part II of the zero draft

I. Guide:

The contact group is expected to consider issues addressed in part I (text on the objective) and part II of the annex to document UNEP/PP/INC.3/4, including any relevant Annexes.

The contact group is expected to discuss these issues with the help of the zero draft and complete two readings of the text. During the first reading, Members may wish to express their preferences with respect to the different options and signal initial areas for improvements, mergers, or identify gaps. During this first reading, the contact group is expected to identify any necessary intersessional work ahead of INC-4 and where relevant ahead of INC-5, building on the Co-facilitators' report from INC-2,³ the submissions by Members on intersessional work ahead of INC-3⁴ and the summary of the preparatory meeting. The outcomes of the discussions on intersessional work would be presented as part of the brief progress report from the Co-facilitators of the contact group on Thursday, 16 November at the Plenary meeting and will inform subsequent consideration of any necessary intersessional work by contact group 3.

Following that initial reading, the Co-facilitators are expected to develop an initial summary of the discussions. This summary would be the starting point for the second round of discussions, where Members will be able to make further proposals on improvement, which would be considered for the next iteration of the draft of the instrument.

Should the need arise, the Co-facilitators may invite Members or groups of Members to streamline or improve some of the elements and present them back to the contact group. No discussions are expected to take place with negotiations of text amendments on screen at INC-3.

During the last meeting of the contact group, the Co-facilitators will make an oral summary capturing the discussions of the contact group that week. The Co-facilitators will then present their summary to the INC plenary. The summary of the Co-facilitators could address the following, based on the discussions in the group:

- i) Potential improvements to the options presented in the zero draft;
- ii) Options that could be amended, added, removed or merged in the next iteration of the draft of the instrument;
- iii) Brief summary on the possible relevant intersessional work, if any (as reported to the plenary on Thursday and communicated to Contact Group 3 for further elaboration).

II. Suggested order of discussion and timeline

³ UNEP/PP/INC.2/5, Annexes I and II

⁴ Available at <https://www.unep.org/inc-plastic-pollution/session-3/submissions>

a. Suggested order of discussion

Contact groups are encouraged to address all issues presented in document UNEP/PP/INC.3/4. Co-facilitators will determine the order of discussion, and the time required for each issue, in consultation with their contact group.

b. Suggested timeline

- Conclusion by noon on Saturday, 18 November
- Report back to the Plenary on the progress of the work during the Plenary on Thursday, 16 November as relevant.
- Final report back to Plenary on Saturday, 18 November.

Contact group 2: Part III and Part IV of the zero draft.

I. Guide:

The contact group is expected to consider issues addressed in part III and part IV of the annex to document UNEP/PP/INC.3/4, including any relevant annexes.

The contact group is expected to discuss these issues with the help of the zero draft and complete two readings of the text. During the first reading, Members may wish to express their preferences with respect to the different options and signal initial areas for improvements, mergers, or identify gaps. During this first reading, the contact group is expected to identify any necessary intersessional work ahead of INC-4 and where relevant ahead of INC-5, building on the Co-facilitators report from INC-2,⁵ the submissions by Members on intersessional work ahead of INC-3 and the summary of the preparatory meeting. The outcomes of the discussions on intersessional work would be presented as part of the brief progress report from the Co-facilitators of the contact group on Thursday, 16 November at the Plenary meeting and will inform subsequent consideration of any necessary intersessional work by contact group 3.

Following that initial reading, the Co-facilitators are expected to develop an initial summary of the discussions. This summary would be the starting point for the second round of discussions, where Members will be able to make further proposals on improvement, which would be considered for the next iteration of the draft of the instrument.

Should the need arise, the Co-facilitators may invite Members or groups of Members to streamline and improve some of the elements and present them back to the contact group. No discussions are expected to take place with negotiations of text amendments on screen at INC-3.

During the last meeting of the contact group, the Co-facilitators will make an oral summary capturing the discussions of the contact group that week. The Co-facilitators will then present their summary to the INC plenary. The summary of the Co-facilitators could address the following, based on the discussions in the group:

- i) Potential improvements to the options presented in the zero draft;
- ii) Options that could be amended, added, removed or merged in the next iteration of the draft of the instrument;
- iii) Brief summary on the possible relevant intersessional work, if any (as reported to the plenary on Thursday and communicated to Contact Group 3 for further elaboration).

II. Suggested order of discussion and timeline

a. Suggested order of discussion

⁵ UNEP/PP/INC.2/5, Annexes I and II

Contact groups are encouraged to address all issues presented in document UNEP/PP/INC.3/4. The Co-facilitators will determine the order of discussion, and the time required for each issue, in consultation with their contact group.

b. Suggested Timeline

- Conclusion by noon on Saturday, 18 November
- Report back to the Plenary on the progress of the work during the Plenary on Thursday, 16 November as relevant.
- Final report back to Plenary on Saturday, 18 November.

Contact group 3: Elements not discussed at INC-2 to be included in Part I, V and VI of the next iteration of the draft of the instrument, and intersessional work.

I. Guide:

The contact group is expected to consider the elements not discussed at INC-2, currently presented as placeholders in Part I, Part V and Part VI of the annex to document UNEP/PP/INC.3/4 (the elements reflected in the Synthesis Report), as well as intersessional work.

The contact group is expected to consider the elements reflected in the Synthesis report and the discussions reflected in the summary of the preparatory meeting, as well as any member proposal, with a view to identifying possible elements not discussed at INC-2 that could be included in the next iteration of the draft of the instrument and on the way and place to do so and making a proposal in this respect.

Should the need arise, the Co-facilitators may invite Members or groups of Members to streamline and improve some of the elements and present back to the contact group. No discussions are expected to take place with negotiations of text amendments on screen at INC-3.

Additionally, contact group 3 is expected to consider the input from contact groups 1 and 2 on the possible needs for intersessional work as well as any such needs identified in the course of its discussion on the issues contained within its mandate, with a view to developing a recommendation to the plenary of the INC for intersessional work and its modalities, for all elements pertaining to elements considered under all three contact groups.

During the last meeting of the contact group, the Co-facilitators will make an oral summary capturing the discussions of the contact group that week. The Co-facilitators will then present their summary to the INC plenary. The summary of the Co-facilitators could address the following, based on the discussions in the group:

- i) Proposal on the inclusion of the elements not discussed at the second session of the committee in the next iteration of the draft of the instrument;
- ii) Needs and timelines identified for relevant intersessional work, if any, on the substantive matters discussed by contact group 3;
- iii) Recommendations with respect to possible intersessional work and its modalities for all the issues addressed in contact groups 1, 2 and 3.

II. Suggested order of discussion and timeline

a. Suggested order of discussion

Contact groups are encouraged to address all issues presented in document UNEP/PP/INC.3/4. Co-facilitators will determine the order of discussion, and the time required for each issue, in consultation with their contact group.

b. Suggested Timeline

- Conclusion on Saturday, 18 November

- Report back to the Plenary on the progress of the work during the morning plenary on Thursday, 16 November as relevant.
- Final report back to plenary on Saturday, 18 November.