

## Contact Group 2 - Co-facilitators proposal to streamline compilation of revised zero draft text<sup>1</sup>

This document captures the co-facilitators' suggestions to streamline the compilation of the contact group's revised zero draft text, following discussions of contact group 2 during INC3.<sup>2</sup>

### Part III

#### 1. Financing [[mechanism [and resources]

*Heading AMD.* Financial resources [(and mechanism)]

*OPI* The overall effectiveness of implementation of this Convention by developing country Parties will be related to the effectiveness of this Article. |

*OPI* [Parties][Each Party] [shall][should][undertakes to] provide the necessary resources [within their capabilities] for national activities intended to implement this *instrument*\* [as appropriate.][[in accordance with its national policies, priorities, plans and programmes]. Such resources may include domestic [funding through relevant policies, development strategies and national budgets] and [bilateral and multilateral] [international] funding, as well as facilitation of private sector [investment and contributions] [financing][, including voluntary contributions]].<sup>3</sup>

*OPI Alt.* Parties shall provide the necessary resources for national activities intended to implement this *instrument*\*. The mobilisation of resources for tackling plastic pollution should include all sources, domestic and international, public and private, in line with AAAA and PPP. The parties shall make efforts to increase mobilization of the private funding including the alignment of public and private investment and finance with the objective and provisions of the instrument. International financial institutions and multilateral development banks, in particular the World Bank Group and the IMF, are invited to consider supporting implementation of the instrument, including by partnering with the Global Environmental Facility.<sup>69</sup>

*OPI Alt 2* [No text]

**Commented [A1]:** *Co-Fac comment* – we note that the substance of this provision appears in article 3bis.

We suggest that we might move this provision there / consider it incorporated here

We note that as a result, it may be necessary to revisit numbering in this document, but have proposed no change at this time

<sup>1</sup> Note: Due to the significant number of submissions received, there may be some missing submissions in this version.

<sup>2</sup> Note: The proposals are not listed in any order of priority.

<sup>3</sup> Note: For a list of possible sources of financing beyond traditional sources, see paragraph 24(e) of document UNEP/PP/INC.2/4.

**OP2** [Developed countries][Parties [in a position to do so]][should][shall], and [multilateral organizations, agencies and funds][ multilateral, regional and bilateral entities] [should] [are encouraged to], [provide within their capacities] [provide adequate][increase their] support [on a voluntary basis] [on grant or concessional terms], including through finance, capacity-building [, technical assistance] and technology transfer [on voluntary and mutually agreed terms] [by prioritizing the support to most effective and cost-efficient measures taken to prevent emissions and releases of plastics], for the implementation of this *instrument*\* by [[developing country Parties][most in need][[, particularly SIDS] and least developed countries][and countries with economies in transition][ Parties with limited domestic resources and significant capacity challenges].

**OP2 Alt.** The developed country Parties shall provide new and additional financial resources to enable developing country Parties and Parties with economies in transition to meet the agreed full incremental costs of implementing measures which fulfill their obligations under this instrument. Contributions from other sources, including multilateral organizations, agencies and funds are encouraged to, increase their support, including through finance, capacity-building and technology transfer, for the implementation of this *instrument*\* by developing country Parties. Other Parties may also on a voluntary basis and in accordance with their capabilities provide such financial resources. The implementation of these commitments shall take into account the need for adequacy, predictability, the timely flow of funds and the importance of burden sharing among the contributing Parties.

**OP3** Parties shall, and other stakeholders are encouraged to, in implementing paragraph 2 [and 3] of this Article, take into account of the specific needs and special circumstances of Parties that are [developing country Parties, particularly][downstream, underdeveloped countries,] Small Island Developing States (SIDS) [or least developed countries][or environmentally or ecologically vulnerable developing countries] [or countries with economies in transition] [and countries whose economies are highly dependent on income generated from the production, processing and export and /or consumption of fossil fuels and associated energy intensive products].

**OP3 Alt** [No text]

**OP3 BIS.** [The extent to which the developing country Parties will effectively implement their commitments under this instrument will depend on the effective implementation by developed country Parties of their commitments under this instrument relating to financial resources, technical assistance and technology transfer. The fact that sustainable economic and social development and eradication of poverty are the first and overriding priorities of the developing country Parties will be taken fully into account, giving due consideration to the need for the protection of human health and the environment.

**Commented [A2]:** *Co-fac comment* – as noted above, it has been suggested that the intention of this provision is adequately captured by the text at *OP0 BIS*

**OP4 4.** A Mechanism for the provision of [new and additional,] predictable, [sustainable,] adequate, [accessible] and timely financial resources is hereby established to [prioritize] support the implementation of this *instrument*\* [to most effective and cost-efficient measures taken to control leakage of plastics] by [countries with limited domestic resources and significant capacity challenges] [[developing country Parties][most in need]], particularly SIDS and least developed countries][countries with economies in transition][particularly downstream underdeveloped countries][ and environmentally or ecologically vulnerable developing countries][ developing country Parties, particularly prioritizing Parties that have the largest capacity and governance gaps, especially SIDS and least developed countries]. The Mechanism shall include financial resources from [all sources[, domestic and international, public, and private] [including the establishment of a global plastic pollution fee to be paid by international plastic polymer producers and to adopt the necessary legislative, regulatory and administrative measures for its collection][ with priority from the public, and private, with developed country parties taking in the lead in the mobilization of resources]][developed countries and others in a position to do so].

**OP4 Alt.** To support the implementation of the obligations under this instrument by developing country Parties, particularly prioritising parties that have the largest capacity and governance gaps, especially SIDS and least developed countries, there shall be a mechanism for the provision of predictable, sustainable, adequate, accessible and timely financial resources. The Mechanism shall include financial resources from all sources, domestic and international, public, and private.

**OP4 Alt2.** The Parties establish a Mechanism for the purposes of providing financial and technical assistance, including technology transfer [and development and capacity-building and training,] in support of developing country Parties in the implementation of this *instrument*\*.

**OP4 BIS.** All Parties are expected to contribute to the Mechanism. The Mechanism shall encourage the provision of resources from other sources, including the private sector, and shall seek to leverage such resources for the activities it supports.

**OP4 TER.** The support provided in Paragraph 2 and 4 shall be targeted to most effective and cost-efficient measures, which are well-planned in advance within local communities and coordinated with regional, subregional or national arrangement to maximize positive effects for preventing emissions and releases of plastics. A Priority of the support shall be given to establish an effective social system at local level for handling, sorting, collection, transportation, storage, recycling and treatment of plastic wastes, which is indispensable to safe and environmentally sound waste management.

**OP5** [For the purposes of this instrument] The Mechanism shall operate under the guidance of and be accountable to the *governing body*\* [. The *governing body*\* shall provide guidance on [overall] policies, program priorities, and eligibility criteria related to this instrument\* .][which shall provide guidance on overall strategies, policies, programme priorities and eligibility for access to and utilization of financial resources. In addition, the *Governing Body* shall provide guidance on an indicative list of categories of activities that could receive support from the Mechanism].<sup>4</sup>

**OP5 Alt.** For purposes of the Multilateral Fund, the *governing body*\* shall establish an Executive Committee, operating under the authority of the *governing body*\*, to develop and monitor the implementation of operational policies, guidelines and administrative arrangements, including the disbursement of resources. The Executive Committee shall discharge its tasks and responsibilities, specified in its terms of reference as agreed by the *governing body*\*. The members of the Executive Committee, which shall be selected on the basis of a balanced representation of the Parties, shall be endorsed by the *governing body*\*. Decisions under this paragraph shall be taken by consensus whenever possible. If reasonable efforts at consensus have been exhausted and no agreement reached, decisions shall be adopted by a two-thirds majority vote of the members of the Executive Committee present and voting.

<sup>4</sup> **Note:** The two options below paragraph 5 could be considered individually or together.

**OP5 BIS.** In recognition of the urgency to address plastic pollution, the *governing body*\* shall determine no later than at its [ ] meeting an initial resource mobilization goal for the financial mechanism.

**OP5 TER.** The *governing body*\* shall periodically report and make recommendations on the Identification and mobilization of funds under the mechanism. In addition to the considerations provided in this Article, the *governing body*\* shall consider, inter alia:

- (a) The assessment of the needs of developing country parties;
- (b) The availability and timely disbursement of funds;
- (c) The transparency of decision-making and management processes concerning fundraising and allocations.

**OP5 QUATER.** The conference of the parties shall, in addition, undertake a periodic review of the financial mechanism to assess the adequacy, effectiveness and accessibility of financial resources, including for the delivery of capacity building, technical assistance and the transfer of technology for developing States parties.

**OP5 QUINQUIES.** The *governing body*\* shall agree upon arrangements to give effect to the above paragraphs at its first meeting.

#### **Option 1**

**OP6** The Mechanism shall consist of *newly established dedicated Fund(s)*\*<sup>5</sup>

**OP6 Alt.** A dedicated Multilateral Fund is hereby established to provide financial resources to eligible developing countries in need to meet their commitments under the instrument.

**OP6 Alt2.** The Mechanism shall include:

- (a) [A newly established dedicated [and independent] [multilateral] fund [as the main vehicle] for providing support to developing country parties] to [comply with any agreed control measures][implement the instrument];
- (b) [A time bound international financing programme to support enabling activities, capacity-building and technical assistance, [to support developing country parties, particularly SIDS and LDCs, in their implementation of the substantive provisions of the instrument. Funding must be commensurate with the scope of these provisions];]
- (c) [A Multilateral Fund, financed by contributions from non-developing country Parties on the basis of [a][ the UN] scale of assessment, to provide new, predictable, stable, adequate and timely financial resources on a grant basis in support of the implementation of this *instrument*\* for:
  - i. Enabling activities;
  - ii. Agreed incremental and other costs of compliance;
  - iii. Technical assistance and capacity-building and training;
  - iv. Technology transfer and development on mutually agreed terms;
  - v. Secretarial services of the Multilateral Fund and related support costs.]

[Part of the financial resources of the Financial Mechanism shall be utilized to mobilize financial flows from the private sector which shall be used to support projects and programmes in developing countries, including SIDS and LDCs.]

**Commented [A3]:** *Co-fac comment* – though originally submitted as an alternative to OP9, it was highlighted during CG2 discussions that this could appear in para 6.

<sup>5</sup> **Note:** The fund(s) could be dedicated to specific purposes, such as addressing legacy plastic waste or innovation.

[The Financial Mechanism should seek to ensure that the duplication is avoided, and complementarity and coherence promoted, among utilization of the funds within the Mechanism.]

**OP6 Alt FOOTNOTE 71.** Elements to be funded should be decided by the *Governing Body* of the instrument.

**OP6 BIS.** For support of early action and implementation, the Mechanism shall also consist of dedicated Fund(s) within an existing financial arrangement to be accessed by developing country parties, particularly SIDS, LDCs and environmentally or ecologically vulnerable developing countries.

**OP6 TER.** The contributions from the dedicated fund to the developing country parties shall be additional and distinct from other financial transfers received by such parties.

**OP6 QUATER** The dedicated fund shall be periodically replenished, from various sources, including by parties following the principle of Common but Differentiated Responsibility.

**OP7** The *governing body*\* shall, at its first session, [agree upon][adopt] the arrangements for the operation of the newly established dedicated fund(s)[ with the necessary consideration to the paragraph 3 and 4][ including an indicative list of enabling activities and agreed incremental and other costs that could receive support].]

**OP7 Alt.** The *Governing Body* shall establish a permanent body to govern the financial mechanism. The permanent body shall undertake assessment on the technology and financial needs, including technology transfer, for each of the developing country parties to comply with each of the agreed control measures, as well as mobilization of financial resources for the same.

**OP7 Alt2.** The *Governing Body* of the instrument shall decide on activities to be funded in developing country parties through the dedicated fund and the modalities for providing such funds, on order to enable the developing country parties comply with agreed control measures.

**OP7 BIS.** In providing resources for an activity, the Mechanism should take into account the additionality and complementarity of support for that activity with respect to all financial flows in furtherance of the instrument's\* objectives, including from domestic finance, bilateral, regional, and multilateral entities, and the private sector.

**OP7 TER.** A Platform for the provision of transparent information on all financial flows in furtherance of the instrument's\* objectives is hereby established. This Platform shall provide information pursuant to paragraph 7bis.

**OP7 QUATER.** Parties, bilateral, regional and multilateral entities and the private sector are encouraged to take actions to make financial flows consistent with a pathway towards achieving the objective of the instrument\*.

**OP7 QUINQUIES.** In providing resources for an activity, the Mechanism should take into account the potential for the proposed activity to reduce releases of plastic to the environment, relative to its costs, and the need to prioritize limited financial assistance towards Parties with limited domestic resources and significant capacity challenges.

**Option 2**

**OP6** The Mechanism shall consist of a [*dedicated Fund within*] [*an existing financial arrangement*][the Global Environment Facility Trust Fund][*an existing financial arrangement*] [in the view of fostering synergies with other environmental issues]\*<sup>6</sup>

**OP6 Alt.** A dedicated Multilateral Fund is hereby established to provide financial resources to eligible developing countries in need to meet their commitments under the instrument.

**OP6 Alt2.** The Financial Mechanism shall include:

- a. [an existing fund e.g. the Global Environment Facility Trust Fund];
- b. A Plastics Implementation Fund to support the implementation of national action plans and other activities to be defined by the Parties (access to technology, royalties, capacity building etc.); and
- c. Remediation Fund to support remediation of legacy plastics in the marine environment, including areas beyond national jurisdiction.

**Commented [A4]:** *Co-fac comment* – though originally submitted as an alternative to OP9, it was highlighted during CG2 discussions that this could appear in para 6.

**OP7** The *governing body*\* shall, at the latest at its first session, conclude arrangements with the *governing body*\* of the [*existing financial arrangement*]\*[Global Environment Facility] for the operation of the Mechanism.]

**OP7 BIS.** In providing resources for an activity, the Mechanism should take into account the additionality and complementarity of support for that activity with respect to all financial flows in furtherance of the instrument's\* objectives, including from domestic finance, bilateral, regional, and multilateral entities, and the private sector.

**OP7 TER.** A Platform for the provision of transparent information on all financial flows in furtherance of the instrument's\* objectives is hereby established. This Platform shall provide information pursuant to paragraph 7bis.

**OP7 QUATER.** Parties, bilateral, regional and multilateral entities and the private sector are encouraged to take actions to make financial flows consistent with a pathway towards achieving the objective of the instrument\*.

**OP7 QUINQUIES.** In providing resources for an activity, the Mechanism should take into account the potential for the proposed activity to reduce releases of plastic to the environment, relative to its costs, and the need to prioritize limited financial assistance towards Parties with limited domestic resources and significant capacity challenges.

**Provisions common for Options above**

**OP8** The *governing body*\* shall review [shall review no later than at its [third][fourth] meeting, and thereafter] on a regular basis the level of funding [from all sources], [the additionality and complementarity of funding with respect to all financial flows in furtherance of the instrument's\* objectives,] the guidance provided by the *governing body*\* [to the entities entrusted] to operationalize the Mechanism established under this Article and its effectiveness, as well as its ability to address the changing needs of [developing country Parties][most in need][and countries with economies in transition][ Parties with limited domestic resources and significant capacity challenges]. It shall, based on such review, [take relevant action] [give recommendations to be agreed by all parties, that aim] to improve the effectiveness of the Mechanism.<sup>7</sup>

<sup>6</sup> Note: The fund could be established within an 'existing fund', such as the Global Environment Facility (GEF) (<https://www.thegef.org/who-we-are/organization>).

<sup>7</sup> Note: Adapted from Minamata Convention, Article 13.11.

**OP9** Each Party [shall][is encouraged to] establish [where appropriate] a plastic pollution fee, to be paid by plastic polymer producers within its jurisdiction, and adopt the necessary legislative, regulatory and administrative measures for its collection. [The *governing body*\*, at its first session, shall adopt modalities and procedures for the implementation of the global plastic pollution fee, including on the contribution of the fee to the financial Mechanism established in paragraph 4.<sup>8</sup>]

**OP9 BIS.** The Global Plastic Pollution fee will provide ample funding to meet the unique costs of ending plastic pollution, including:

- a. the high capital costs of investing in infrastructure essential for managing plastic waste in a safe and environmentally sound manner;
- b. the remediation of legacy plastic pollution that bears heavily on the developing world;
- c. other aspects of implementation of the future treaty including, technology transfer, capacity building research, innovation, education and development;
- d. aid the establishment, operationalisation and scaling up of national EPR schemes, by making available consistent and predictable revenue flows to cover capital costs of establishing waste management systems (typically not covered by EPR schemes) and, if necessary, their operational costs;
- e. ensure sufficient funding for a just transition for vulnerable groups who could be disadvantaged by the future instrument including women, children, youth and waste pickers, among others.

**OP9 TER** Each party shall compel EPR schemes to provide technology for processing and recovery of plastic products.

**Commented [A5]:** *Co-fac comment* – originally submitted in relation to capacity building, we suggest that it may be relevant in this paragraph.

**OP10** Each Party shall [aim to] take measures to [make finance flows consistent with [[the goals of this instrument]a pathway towards ending plastic pollution, and related risks to human health and the environment by]:

- a. [[decrease][phasing out] financial flows from all domestic and international, public, and private sources, towards [projects][activities] that result in emissions and releases to the environment from plastics and plastic products across the life cycle, including microplastics; and]
- b. [increase financial flows from all domestic and international, public, and private sources, towards [projects][activities] that prevent or reduce emissions and releases to the environment of plastics and plastic products across the life cycle, including microplastics, including for the development of [effective reuse and recycling system, and] adequate waste management infrastructure.]

**OP10 ALT.** Each Party is encouraged to increase financial flows from all domestic and international, public, and private sources, towards projects that prevent or reduce emissions and releases to the environment of plastics and plastic products across the life cycle, including microplastics, including for the development of adequate waste management infrastructure.

**OP10 BIS.** The financial mechanism set out in this Article is without prejudice to any future arrangements that may be developed with respect to other environmental issues.

<sup>8</sup> **Note:** Modalities for the Global Plastic Pollution Fee could be established by the governing body. This Fee could hold polymer producers accountable for the pollution costs of all of their plastics, irrespective of the country in which the plastics end their useful life, and of whether the plastics are ultimately destined for recycling or disposal. It could generate revenue to finance environmentally sound waste management and clean-up initiatives.

## Appendix 1

### Contact Group 2 - Co-facilitators proposal to streamline compilation of revised zero draft text<sup>9</sup> - with changes tracked

To aid transparency, this appendix shows the co-facilitators' suggestions to streamline the compilation of the contact group's revised zero draft text. Suggestions are shown as tracked changes, against the most recent compilation text published on the INC3 webpage on 18 November 2023.

#### Part III

##### 2. Financing ~~[[mechanism [and resources]~~

~~Heading AMD. Financial mechanism and resources~~

~~Heading AMD2. Financial mechanism~~

~~Heading AMD3. Financial resources and mechanism~~

~~Heading AMD4. Financial resources [(and mechanism)]~~

**OP0 BIS.** The overall effectiveness of implementation of this Convention by developing country Parties will be related to the effectiveness of this Article.

**Commented [A6]:** *Cofac comment* – we note that the substance of this provision appears in article 3bis.

We suggest that we might move this provision there / consider it incorporated here

<sup>9</sup> Note: Due to the significant number of submissions received, there may be some missing submissions in this version.



1. [Parties][Each Party] [shall][should][undertakes to] provide the necessary resources [within their capabilities] for national activities intended to implement this *instrument*\* [as appropriate][in accordance with its national policies, priorities, plans and programmes]. Such resources may include domestic [funding through relevant policies, development strategies and national budgets] and [bilateral and multilateral] [international] funding, as well as facilitation of private sector [investment and contributions] [financing], including voluntary contributions<sup>10</sup>.

*OPI ALT*. Parties shall provide the necessary resources for national activities intended to implement this *instrument*\*. The mobilisation of resources for tackling plastic pollution should include all sources, domestic and international, public and private, in line with AAAA and PPP. The parties shall make efforts to increase mobilization of the private funding including the alignment of public and private investment and finance with the objective and provisions of the instrument. International financial institutions and multilateral development banks, in particular the World Bank Group and the IMF, are invited to consider supporting implementation of the instrument, including by partnering with the Global Environmental Facility. <sup>69</sup>Such resources may include domestic and international funding, as well as facilitation of private sector financing, including voluntary contributions.<sup>69</sup>

~~*OPI ALT2*. Parties shall provide the necessary resources within its capabilities, for national activities intended to implement this *instrument*\*. Such resources may include domestic and international funding, as well as facilitation of private sector financing, including voluntary contributions.<sup>4</sup>~~

~~*OPI ALT3*. Each Party undertakes to provide, within its capabilities, resources in respect of those national activities that are intended to implement this *instrument*\*, in accordance with its national policies, priorities, plans and programmes. Such resources may include domestic funding through relevant policies, development strategies and national budgets, and bilateral and multilateral funding, as well as private sector investment and contributions.~~

~~*OPI ALT4*. Parties shall provide the necessary resources for national activities intended to implement this *instrument*\*. Such resources may include domestic and international funding, as well as facilitation of private sector financing, including voluntary contributions.<sup>11</sup>~~

~~*OPI ALT5*. Parties should provide the necessary resources for national activities intended to implement this *instrument*, as appropriate.~~

~~*OPI ALT6*. Parties shall provide within its capabilities, the necessary resources for national activities intended to implement this *instrument*\*, taking into account their national policies, priorities, plans and programmes. Such resources may include domestic and international funding, as well as facilitation of private sector financing, including voluntary contributions.<sup>12</sup>~~

<sup>10</sup> Note: For a list of possible sources of financing beyond traditional sources, see paragraph 24(e) of document UNEP/PP/INC.2/4.

<sup>11</sup> Note: For a list of possible sources of financing beyond traditional sources, see paragraph 24(e) of document UNEP/PP/INC.2/4.

<sup>12</sup> Note: For a list of possible sources of financing beyond traditional sources, see paragraph 24(e) of document UNEP/PP/INC.2/4.

2. ~~[Developed countries][Parties [in a position to do so]]should [shall], and [multilateral organizations, agencies and funds][ multilateral, regional and bilateral entities] [should] [are encouraged to][on a voluntary basis], [provide within their capacities] [provide adequate][increase their] support [on a voluntary basis] [on grant or concessional terms], including through finance, capacity-building [, technical assistance] and technology transfer [on voluntary and mutually agreed terms] [by prioritizing the support to most effective and cost-efficient measures taken to prevent emissions and releases of plastics], for the implementation of this *instrument*\* by [[developing country Parties][most in need][[, particularly SIDS] and least developed countries][and countries with economies in transition][ Parties with limited domestic resources and significant capacity challenges].~~

~~*OP2-ALT*. Parties should, and multilateral organizations, agencies and funds are encouraged to provide adequate, increase their support, including through finance, capacity-building and technology transfer, for the implementation of this *instrument*\* by developing country Parties.~~

~~*OP2-ALT2*. The developed country Parties shall provide new and additional financial resources to enable developing country Parties and Parties with economies in transition to meet the agreed full incremental costs of implementing measures which fulfill their obligations under this instrument. Parties should, and Contributions from other sources, including multilateral organizations, agencies and funds are encouraged to, increase their support, including through finance, capacity-building and technology transfer, for the implementation of this *instrument*\* by developing country Parties. Other Parties may also on a voluntary basis and in accordance with their capabilities provide such financial resources. The implementation of these commitments shall take into account the need for adequacy, predictability, the timely flow of funds and the importance of burden sharing among the contributing Parties.~~

~~*OP2-ALT3*. Parties should, and multilateral organizations, agencies and funds are encouraged to, increase their support, including through finance, capacity-building, technical assistance and technology transfer, for the implementation of this *instrument*\* by developing country Parties.~~

~~*OP2-ALT4*. Parties should shall, and Parties in a position to do so, multilateral organizations, agencies and funds are encouraged to, increase their support on grant or concessional terms, including through finance, capacity-building and technology transfer, for the implementation of this *instrument*\* by developing country Parties.~~

~~*OP2-ALT5*. Parties should, and multilateral, regional and bilateral entities are encouraged to, provide support through capacity-building, technical assistance and technology transfer on voluntary and mutually agreed terms, for the implementation of this *instrument*\* by Parties with limited domestic resources and significant capacity challenges.~~

~~*OP2-ALT6*. Developed country Parties should shall, and multilateral organizations, agencies and funds are encouraged to should, increase their support, including through finance, capacity-building and technology transfer, for the implementation of this *instrument*\* by developing country Parties.~~

~~Developed countries shall, and multilateral organizations, agencies and funds are encouraged to, on a voluntary basis, increase their support, including through finance, capacity-building and technology transfer, for the implementation of this *instrument*\* by developing country parties, particularly SIDS and least developed countries.~~

~~*OP2-ALT8*. Parties should, and multilateral organizations, agencies and funds are encouraged to, increase provide, within their capacities, their support, including through finance, capacity-building and technology transfer, by prioritizing the support to most effective and cost-efficient measures taken to prevent emissions and releases of plastics for the implementation of this *instrument*\* by developing country Parties most in need.~~

~~*OP2-ALT9*. Parties should, and multilateral organizations, agencies and funds are encouraged to, increase their support, including through finance, capacity-building and technology transfer, for the implementation of this *instrument*\* by developing country Parties, particularly SIDS.~~

~~*OP2-ALT10*. Parties should, and multilateral organizations, agencies and funds are encouraged to, increase their support, including through finance, capacity-building and technology transfer, for the implementation of this *instrument*\* by developing country Parties and countries with economies in transition.~~

3. Parties shall, and other stakeholders are encouraged to, in implementing paragraph 2 ~~[and 3]~~ of this Article, take into account of the specific needs and special circumstances of Parties that are ~~[developing country Parties, particularly][downstream, underdeveloped countries,]~~ Small Island Developing States (SIDS) ~~[or least developed countries][least developed countries, or environmentally or ecologically vulnerable developing countries] [or countries with economies in transition] [or least developed countries and countries whose economies are highly dependent on income generated from the production, processing and export and /or consumption of fossil fuels and associated energy intensive products].~~

~~*OP3-ALT1.* Parties shall, and other stakeholders are encouraged to, in implementing paragraph 2 and 3 of this Article, take into account of the specific needs and special circumstances of Parties that are Small Island Developing States (SIDS) or least developed countries.~~

~~*OP3-ALT2.* Parties shall, and other stakeholders are encouraged to, in implementing paragraph 2 of this Article, take into account of the specific needs and special circumstances of Parties that are Small Island Developing States (SIDS), least developed countries, or environmentally or ecologically vulnerable developing countries.~~

~~*OP3-ALT3.* 3. Parties shall, and other stakeholders are encouraged to, in implementing paragraph 2 of this Article, take into account of the specific needs and special circumstances of Parties that are Small Island Developing States (SIDS) or least developed countries. *OP3-ALT4.* Parties shall, and other stakeholders are encouraged to, in implementing paragraph 2 of this Article, take into account of the specific needs and special circumstances of Parties that are Small Island Developing States (SIDS) or least developed countries and countries whose economies are highly dependent on income generated from the production, processing and export and /or consumption of fossil fuels and associated energy intensive products.~~

~~*OP3-ALT5.* Parties shall, and other stakeholders are encouraged to, in implementing paragraph 2 of this Article, take into account of the specific needs and special circumstances of Parties, particularly downstream, underdeveloped countries, that are Small Island Developing States (SIDS) or and least developed countries.~~

~~*OP3-ALT6.* Parties shall, and other stakeholders are encouraged to, in implementing paragraph 2 of this Article, take into account of the specific needs and special circumstances of developing country Parties, in particular, that are Small Island Developing States (SIDS) or least developed countries.~~

~~*OP3-ALT7.* Parties shall, and other stakeholders are encouraged to, in implementing paragraph 2 of this Article, take into account of the specific needs and special circumstances of Parties that are Small Island Developing States (SIDS), or least developed countries or countries with economies in transition.~~

*OP3-BIS.* The extent to which the developing country Parties will effectively implement their commitments under this instrument will depend on the effective implementation by developed country Parties of their commitments under this instrument relating to financial resources, technical assistance and technology transfer. The fact that sustainable economic and social development and eradication of poverty are the first and overriding priorities of the developing country Parties will be taken fully into account, giving due consideration to the need for the protection of human health and the environment.

~~*OP0-BIS.* The overall effectiveness of implementation of this Convention by developing country Parties will be related to the effectiveness of this Article.~~

**Commented [A7]:** *Co-fac comment* – as noted above, it has been suggested that the intention of this provision is adequately captured by the text at *OPO BIS*

4. A Mechanism for the provision of [new and additional,] predictable, [sustainable,] adequate, [accessible] and timely financial resources is hereby established to [prioritize] support the implementation of this instrument\* [to most effective and cost-efficient measures taken to control leakage of plastics] by [countries with limited domestic resources and significant capacity challenges] [[developing country Parties][most in need]], particularly SIDS and least developed countries[[countries with economies in transition][particularly downstream underdeveloped countries]] and environmentally or ecologically vulnerable developing countries]] [developing country Parties, particularly prioritizing Parties that have the largest capacity and governance gaps, especially SIDS and least developed countries]. The Mechanism shall include financial resources from [all sources[, domestic and international, public, and private] [including the establishment of a global plastic pollution fee to be paid by international plastic polymer producers and to adopt the necessary legislative, regulatory and administrative measures for its collection]] with priority from the public, and private, with developed country parties taking in the lead in the mobilization of resources]] [developed countries and others in a position to do so].

~~*OP4 ALT.* There shall be a A Mechanism for the provision of predictable, sustainable, adequate, accessible and timely financial resources is hereby established to support the implementation of this instrument\* by developing country Parties, particularly prioritising Parties that have the largest capacity and governance gaps, especially SIDS and least developed countries. The Mechanism shall include financial resources from all sources, domestic and international, public, and private.~~

~~*OP4 ALT2.* To support the implementation of the obligations under this instrument by developing country Parties, particularly prioritising parties that have the largest capacity and governance gaps, especially SIDS and least developed countries, there shall be a mechanism for the provision of predictable, sustainable, adequate, accessible and timely financial resources. is hereby established to support the implementation of this instrument\* by developing country Parties, particularly SIDS and least developed countries. The Mechanism shall include financial resources from all sources, domestic and international, public, and private.~~

~~*OP4 ALT3.* A Mechanism for the provision of predictable, sustainable, adequate, accessible and timely financial resources is hereby established to support the implementation of this instrument\* by developing country Parties, particularly SIDS and least developed countries and environmentally or ecologically vulnerable developing countries. The Mechanism shall include financial resources from all sources, domestic and international, public, and private.~~

~~*OP4 ALT4.* A Mechanism for the provision of predictable, sustainable, accessible and timely financial resources is hereby established to support the implementation of this instrument\* by countries with limited domestic resources and significant capacity challenges. The Mechanism shall include financial resources from all sources.~~

~~*OP4 ALT5.* A Mechanism for the provision of predictable, sustainable, adequate, accessible and timely financial resources is hereby established to support the implementation of this instrument\* by developing country Parties, particularly SIDS and least developed countries. The Mechanism shall include financial resources from all sources, domestic and international, public, and private.~~

~~A Mechanism for the provision of predictable, sustainable, adequate, accessible and timely financial resources is hereby established to support developing country Parties in the implementation of this instrument\*, in particular least developed countries (LDCs) and Small Island Developing States (SIDS).~~

~~*OP4 ALT7.* A Mechanism for the provision of predictable, sustainable, adequate, accessible and timely financial resources is hereby established to prioritize the support to most effective and cost efficient measures taken to control leakage of plastics for the implementation of this instrument\* by developing country Parties most in need, particularly SIDS and least developed countries. The Mechanism shall include financial resources from all sources, domestic and international, public, and private.~~

~~*OP4 ALT8.* A Mechanism for the provision of predictable, sustainable, adequate, accessible and timely financial resources is hereby established to support the implementation of this instrument\* by developing country Parties, particularly SIDS and least developed countries. The Mechanism shall include financial resources from all sources, domestic and international, public, and private, including the establishment of a global plastic pollution fee to be paid by international plastic polymer producers and to adopt the necessary legislative, regulatory and administrative measures for its collection.~~

~~*OP4 ALT9.* A Mechanism for the provision of predictable, sustainable, adequate, accessible and timely financial resources is hereby established to support the implementation of this instrument\* by developing country Parties, particularly downstream underdeveloped countries, SIDS and least developed countries. The Mechanism shall include financial resources from all sources, domestic and international, public, and private.~~

~~*OP4 ALT10.* A Mechanism for the provision of new and additional, predictable, sustainable, adequate, accessible and timely financial resources is hereby established to support the implementation of this instrument\* by developing country Parties, particularly SIDS and least developed countries. The Mechanism shall include financial resources from all sources, domestic and international, public, and private developed countries and others in a position to do so.~~

~~*OP4 ALT11.* A Mechanism for the provision of predictable, sustainable, adequate, accessible and timely financial resources is hereby established to support the implementation of this instrument\* by developing country Parties, countries with economies in transition, particularly SIDS and least developed countries. The Mechanism shall include financial resources from all sources, domestic and international, public, and private.~~

~~*OP4 ALT12.* A Mechanism for the provision of new, additional, predictable, sustainable, adequate, accessible and timely financial resources is hereby established. The mechanism shall assist developing State parties in implementing this instrument. The Mechanism shall include financial resources from all sources, with priority from the public, and private, with developed country parties taking in the lead in the mobilization of resources.~~

~~*OP4 ALT13.* The Parties establish a Mechanism for the purposes of providing financial and technical assistance, including technology transfer [and development and capacity-building and training,] in support of developing country Parties in the implementation of this instrument\*.~~

~~*OP4 ALT14.* The Parties shall establish a mechanism for the purposes of providing financial and technical assistance, including the transfer of technologies, to developing country parties to enable them to comply with the agreed control measures.~~

*OP4 BIS.* All Parties are expected to contribute to the Mechanism. The Mechanism shall encourage the provision of resources from other sources, including the private sector, and shall seek to leverage such resources for the activities it supports.

*OP4 TER.* The support provided in Paragraph 2 and 4 shall be targeted to most effective and cost-efficient measures, which are well-planned in advance within local communities and coordinated with regional, subregional or national arrangement to maximize positive effects for preventing emissions and releases of plastics. A Priority of the support shall be given to establish an effective social system at local level for handling, sorting, collection, transportation, storage, recycling and treatment of plastic wastes, which is indispensable to safe and environmentally sound waste management.

5. [For the purposes of this instrument] The Mechanism shall operate under the guidance of and be accountable to the governing body\* [ . The governing body\* shall provide guidance on [overall] policies, program priorities, and eligibility criteria related to this instrument\*.] [which shall provide guidance on overall strategies, policies, programme priorities and eligibility for access to and utilization of financial resources. In addition, the Governing Body shall provide guidance on an indicative list of categories of activities that could receive support from the Mechanism].<sup>13</sup>

~~*OP5-ALT.* The Mechanism shall operate under the guidance of and be accountable to the governing body\*<sup>70</sup> which shall provide guidance on overall strategies, policies, programme priorities and eligibility for access to and utilization of financial resources. In addition, the Governing Body shall provide guidance on an indicative list of categories of activities that could receive support from the Mechanism.~~

~~*OP5-ALT2.* For the purposes of this instrument\* the Mechanism shall operate under the guidance of the governing body\*. The governing body\* shall provide guidance on policies, program priorities, and eligibility criteria related to this instrument\*.~~

~~*OP5-ALT3.* The Mechanism shall operate under the guidance of and be accountable to the governing body\*. The governing body\* shall provide guidance on overall strategies, policies, programme priorities and eligibility for access to and utilization of the financial mechanism.~~

*OP5-ALT4.* For purposes of the Multilateral Fund, the *governing body\** shall establish an Executive Committee, operating under the authority of the *governing body\**, to develop and monitor the implementation of operational policies, guidelines and administrative arrangements, including the disbursement of resources. The Executive Committee shall discharge its tasks and responsibilities, specified in its terms of reference as agreed by the *governing body\**. The members of the Executive Committee, which shall be selected on the basis of a balanced representation of the Parties, shall be endorsed by the *governing body\**. Decisions under this paragraph shall be taken by consensus whenever possible. If reasonable efforts at consensus have been exhausted and no agreement reached, decisions shall be adopted by a two-thirds majority vote of the members of the Executive Committee present and voting.

*OP5-BIS.* In recognition of the urgency to address plastic pollution, the governing body\* shall determine no later than at its [ ] meeting an initial resource mobilization goal for the financial mechanism.

*OP5-TER.* The governing body\* shall periodically report and make recommendations on the Identification and mobilization of funds under the mechanism. In addition to the considerations provided in this Article, the governing body\* shall consider, inter alia: op5 ter

- (d) The assessment of the needs of developing country parties;
- (e) The availability and timely disbursement of funds;
- (f) The transparency of decision-making and management processes concerning fundraising and allocations.

*OP5-QUATER.* The conference of the parties shall, in addition, undertake a periodic review of the financial mechanism to assess the adequacy, effectiveness and accessibility of financial resources, including for the delivery of capacity building, technical assistance and the transfer of technology for developing States parties.

*OP5-QUINQUIES.* The governing body\* shall agree upon arrangements to give effect to the above paragraphs at its first meeting.

<sup>13</sup> Note: The two options below paragraph 5 could be considered individually or together.

**Option 1**

6. The Mechanism shall consist of *newly established dedicated Fund(s)*\*<sup>14</sup>

~~*OP6-ALT.* The Mechanism shall consist of *newly established dedicated Fund(s)*\*<sup>14,15</sup>~~

~~*OP6-ALT2.* The Mechanism shall include:~~

~~a) A dedicated Fund (a standalone fund and/or The GEF Trust Fund);~~

~~b) A time bound international financing programme to support enabling activities, capacity building and technical assistance;~~

~~The Independent Fund should support developing country parties, particularly SIDS and LDCs, in their implementation of the substantive provisions of the instrument. Funding must be commensurate with the scope of these provisions.~~

~~*OP6 ALT13.* The Mechanism shall include:~~

~~(d) [A newly established dedicated] and independent] [multilateral] fund [as the main vehicle] for providing support to developing country parties] to [comply with any agreed control measures][implement the instrument];~~

~~(e) [A time bound international financing programme to support enabling activities, capacity-building and technical assistance, to support developing country parties, particularly SIDS and LDCs, in their implementation of the substantive provisions of the instrument. Funding must be commensurate with the scope of these provisions;]~~

~~(d)(f) [A Multilateral Fund, financed by contributions from non-developing country Parties on the basis of [a] [the UN] scale of assessment, to provide new, predictable, stable, adequate and timely financial resources on a grant basis in support of the implementation of this *instrument*\* for:~~

- ~~vi. Enabling activities;~~
- ~~vii. Agreed incremental and other costs of compliance;~~
- ~~viii. Technical assistance and capacity-building and training;~~
- ~~ix. Technology transfer and development on mutually agreed terms;~~
- ~~x. Secretarial services of the Multilateral Fund and related support costs.]~~

~~[Part of the financial resources of the Financial Mechanism shall be utilized to mobilize financial flows from the private sector which shall be used to support projects and programmes in developing countries, including SIDS and LDCs.]~~

~~[The Financial Mechanism should seek to ensure that the duplication is avoided, and complementarity and coherence promoted, among utilization of the funds within the Mechanism.-]~~

~~*OP6-ALT4.* The Mechanism shall consist of newly established dedicated fund to enable and support compliance by developing country parties with any agreed control measures.~~

~~*OP6-ALT5.* The mechanism shall include a dedicated multilateral fund as the main vehicle for providing support for developing country parties in order to implement the instrument.~~

~~*OP6 ALT FOOTNOTE 71.* Elements to be funded should be decided by the Governing Body of the instrument.~~

~~*OP6 BIS.* For support of early action and implementation, the Mechanism shall also consist of dedicated Fund(s) within an existing financial arrangement to be accessed by developing country parties, particularly SIDS, LDCs~~

<sup>14</sup> ~~Note:~~ The fund(s) could be dedicated to specific purposes, such as addressing legacy plastic waste or innovation.

<sup>15</sup> ~~Note:~~ The fund(s) could be dedicated to specific purposes, such as addressing legacy plastic waste or innovation.

and environmentally or ecologically vulnerable developing countries.

**OP6 TER.** The contributions from the dedicated fund to the developing country parties shall be additional and distinct from other financial transfers received by such parties.

**OP6 QUATER** The dedicated fund shall be periodically replenished, from various sources, including by parties following the principle of Common but Differentiated Responsibility.



[7. The *governing body*\* shall, at its first session, ~~[agree upon][adopt]~~ the arrangements for the operation of the newly established dedicated fund(s) ~~[with the necessary consideration to the paragraph 3 and 4][including an indicative list of enabling activities and agreed incremental and other costs that could receive support].]~~

~~**OP7-ALT.** The governing body\* shall, at its first session, adopt the arrangements for the operation of the newly established dedicated fund(s).~~

~~**OP7-ALT2.** The governing body\* shall, at its first session, adopt the arrangements for the operation of the newly established dedicated fund(s) with the necessary consideration to the paragraph 3 and 4.~~

~~**OP7-ALT3.** The governing body\* shall agree upon, at its first meeting, arrangements to give effect to the above paragraphs, including an indicative list of enabling activities and agreed incremental and other costs that could receive support.~~

**OP7-ALT4.** The Governing Body shall establish a permanent body to govern the financial mechanism. The permanent body shall undertake assessment on the technology and financial needs, including technology transfer, for each of the developing country parties to comply with each of the agreed control measures, as well as mobilization of financial resources for the same.

**OP7-ALT5.** The Governing Body of the instrument shall decide on activities to be funded in developing country parties through the dedicated fund and the modalities for providing such funds, on order to enable the developing country parties comply with agreed control measures.

**OP7-BIS.** In providing resources for an activity, the Mechanism should take into account the additionality and complementarity of support for that activity with respect to all financial flows in furtherance of the instrument's\* objectives, including from domestic finance, bilateral, regional, and multilateral entities, and the private sector.

**OP7-TER.** A Platform for the provision of transparent information on all financial flows in furtherance of the instrument's\* objectives is hereby established. This Platform shall provide information pursuant to paragraph 7bis.

**OP7-QUATER.** Parties, bilateral, regional and multilateral entities and the private sector are encouraged to take actions to make financial flows consistent with a pathway towards achieving the objective of the instrument\*.

**OP7-QUINQUIES.** In providing resources for an activity, the Mechanism should take into account the potential for the proposed activity to reduce releases of plastic to the environment, relative to its costs, and the need to prioritize limited financial assistance towards Parties with limited domestic resources and significant capacity challenges.

**Option 2**

[6. The Mechanism shall consist of ~~a [dedicated Fund within] [an existing financial arrangement]/[the Global Environment Facility Trust Fund]~~~~[ an existing financial arrangement] [in the view of fostering synergies with other environmental issues]~~<sup>\*16]</sup>

~~**OP6 ALT.** The Mechanism shall be the Global Environment Facility Trust Fund, in the view of fostering synergies with other environmental issues.~~

~~**OP6 ALT2.** The Mechanism shall consist of dedicated Fund within an existing financial arrangement<sup>\*12</sup>~~

**OP6 ALT3.** The Financial Mechanism shall include:

- a. [an existing fund e.g. the Global Environment Facility Trust Fund];
- b. A Plastics Implementation Fund to support the implementation of national action plans and other activities to be defined by the Parties (access to technology, royalties, capacity building etc.); and
- c. Remediation Fund to support remediation of legacy plastics in the marine environment, including areas beyond national jurisdiction.

~~**OP6 ALT4.** The Mechanism shall consist of dedicated Fund within [Global Environment Facility] an existing financial arrangement<sup>\*</sup>.~~

~~**OP6 ALT5.** The Mechanism shall consist of an existing financial arrangement.~~

[7. The governing body\* shall, at the latest at its first session, conclude arrangements with the governing body\* of the ~~[existing financial arrangement]~~<sup>\*</sup>~~[Global Environment Facility]~~ for the operation of the Mechanism.]

~~**ALT6** The governing body\* shall, at the latest at its first session, conclude arrangements with the governing body\* of the existing financial arrangement<sup>\*</sup> for the operation of the Mechanism.~~

~~**OP7 ALT.** The governing body\* shall, at the latest at its first session, conclude arrangements with the governing body\* of the Global Environment Facility existing financial arrangement<sup>\*</sup> for the operation of the Mechanism.~~

~~**OP7 ALT2.** The governing body\* shall, at the latest at its first session, conclude arrangements with the governing body\* of the existing financial arrangement<sup>\*</sup> for the operation of the Mechanism.~~

**OP7 BIS.** In providing resources for an activity, the Mechanism should take into account the additionality and complementarity of support for that activity with respect to all financial flows in furtherance of the instrument's\* objectives, including from domestic finance, bilateral, regional, and multilateral entities, and the private sector.

**OP7 TER.** A Platform for the provision of transparent information on all financial flows in furtherance of the instrument's\* objectives is hereby established. This Platform shall provide information pursuant to paragraph 7bis.

**OP7 QUATER.** Parties, bilateral, regional and multilateral entities and the private sector are encouraged to take actions to make financial flows consistent with a pathway towards achieving the objective of the instrument\*.

**OP7 QUINTES.** In providing resources for an activity, the Mechanism should take into account the potential for the proposed activity to reduce releases of plastic to the environment, relative to its costs, and the need to

<sup>16</sup> Note: The fund could be established within an 'existing fund', such as the Global Environment Facility (GEF) (<https://www.thegef.org/who-we-are/organization>).

<sup>12</sup> Note: The fund could be established within an 'existing fund', such as the Global Environment Facility (GEF) (<https://www.thegef.org/who-we-are/organization>).

prioritize limited financial assistance towards Parties with limited domestic resources and significant capacity challenges.

*Option 3BIS*

~~6. The Mechanism shall consist of dedicated Fund within an existing financial arrangement<sup>\*18</sup>~~

~~7. The governing body<sup>3</sup> shall, at the latest at its first session, conclude arrangements with the governing body<sup>3</sup> of the existing financial arrangement<sup>3</sup> for the operation of the Mechanism.~~

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<sup>\*18</sup> Note: The fund could be established within an 'existing fund', such as the Global Environment Facility (GEF) (<https://www.thegef.org/who-we-are/organization>).

**Provisions common for Options above**

8. The governing body\* shall review [shall review no later than at its [third][fourth] meeting, and thereafter] on a regular basis the level of funding [from all sources], [the additionality and complementarity of funding with respect to all financial flows in furtherance of the instrument's\* objectives,] the guidance provided by the governing body\* [to the entities entrusted] to operationalize the Mechanism established under this Article and its effectiveness, as well as its ability to address the changing needs of [developing country Parties][most in need][and countries with economies in transition][ Parties with limited domestic resources and significant capacity challenges]. It shall, based on such review, [take relevant action] [give recommendations to be agreed by all parties, that aim] to improve the effectiveness of the Mechanism.<sup>19</sup>

~~*OPS ALT.* The governing body\* shall review no later than at its fourth meeting, and thereafter on a regular basis the level of funding, the additionality and complementarity of funding with respect to all financial flows in furtherance of the instrument's\* objectives, the guidance provided by the governing body\* to the entities entrusted to operationalize the Mechanism established under this Article and their effectiveness, as well as their ability to address the changing needs of Parties with limited domestic resources and significant capacity challenges. It shall, based on such review, take relevant action to improve the effectiveness of the Mechanism.~~

~~*OPS ALT2.* The governing body\* shall review on a regular basis the level of funding from all sources, the guidance provided by the governing body\* to operationalize the Mechanism established under this Article and its effectiveness, as well as its ability to address the changing needs of developing country Parties. It shall, based on such review, take relevant action to improve the effectiveness of the Mechanism.<sup>20</sup>~~

~~The governing body\* shall review on a regular basis the level of funding, the guidance provided by the governing body\* to operationalize the Mechanism established under this Article and its effectiveness, as well as its ability to address the needs of developing country Parties. It shall, based on such review, give recommendations to be agreed by all parties, that aim to improve the effectiveness of the Mechanism.~~

~~*OPS ALT4.* The governing body\* shall review on a regular basis the level of funding, the guidance provided by the governing body\* to operationalize the Mechanism established under this Article and its effectiveness, as well as its ability to address the changing needs of developing country Parties most in need. It shall, based on such review, take relevant action to improve the effectiveness of the Mechanism.<sup>21</sup>~~

~~*OPS ALT5.* The governing body\* shall review on a regular basis the level of funding, the guidance provided by the governing body\* to operationalize the Mechanism established under this Article and its effectiveness, as well as its ability to address the changing needs of developing country Parties and countries with economies in transition. It shall, based on such review, take relevant action to improve the effectiveness of the Mechanism.<sup>22</sup>~~

~~*OPS ALT6.* The governing body\* shall review, no later than at its third session, and thereafter on a regular basis, the level of funding, the guidance provided by the governing body\* to the entities entrusted to operationalize the Mechanism established under this Article and its effectiveness, and its ability to address the changing needs of developing country Parties. It shall, based on such review, take appropriate action to improve the effectiveness of the Mechanism.~~

<sup>19</sup> Note: Adapted from Minamata Convention, Article 13.11.

<sup>20</sup> Note: Adapted from Minamata Convention, Article 13.11.

<sup>21</sup> Note: Adapted from Minamata Convention, Article 13.11.

<sup>22</sup> Note: Adapted from Minamata Convention, Article 13.11.

[9. Each Party [shall][is encouraged to] establish [where appropriate] a plastic pollution fee, to be paid by plastic polymer producers within its jurisdiction, and adopt the necessary legislative, regulatory and administrative measures for its collection. [The governing body\*, at its first session, shall adopt modalities and procedures for the implementation of the global plastic pollution fee, including on the contribution of the fee to the financial Mechanism established in paragraph 4.<sup>23</sup>]]

~~OP9 ALT1. Each Party shall establish a plastic pollution fee, to be paid by plastic polymer producers within its jurisdiction, and adopt the necessary legislative, regulatory and administrative measures for its collection. The governing body\*, at its first session, shall adopt modalities and procedures for the implementation of the global plastic pollution fee, including on the contribution of the fee to the financial Mechanism established in paragraph 4.<sup>24</sup>~~

~~OP9 ALT2. A dedicated Multilateral Fund is hereby established to provide financial resources to eligible developing countries in need to meet their commitments under the instrument.~~

~~OP9 ALT3. Each Party shall establish a plastic pollution fee, to be paid by plastic polymer producers within its jurisdiction, and adopt the necessary legislative, regulatory and administrative measures for its collection. The governing body\*, at its first session, shall adopt modalities and procedures for the implementation of the global plastic pollution fee, including on the contribution of the fee to the financial Mechanism established in paragraph 4.<sup>24</sup>~~

~~OP9 ALT4. Each Party shall is encouraged to establish where appropriate a plastic pollution fee, to be paid by plastic polymer producers within its jurisdiction, and adopt the necessary legislative, regulatory and administrative measures for its collection. The governing body\*, at its first session, shall adopt modalities and procedures for the implementation of the global plastic pollution fee, including on the contribution of the fee to the financial Mechanism established in paragraph 4.<sup>24</sup>~~  
**OP9 BIS.** The Global Plastic Pollution fee will provide ample funding to meet the unique costs of ending plastic pollution, including:

- a. the high capital costs of investing in infrastructure essential for managing plastic waste in a safe and environmentally sound manner;
- b. the remediation of legacy plastic pollution that bears heavily on the developing world;
- c. other aspects of implementation of the future treaty including, technology transfer, capacity building research, innovation, education and development;
- d. aid the establishment, operationalisation and scaling up of national EPR schemes, by making available consistent and predictable revenue flows to cover capital costs of establishing waste management systems (typically not covered by EPR schemes) and, if necessary, their operational costs;
- e. ensure sufficient funding for a just transition for vulnerable groups who could be disadvantaged by the future instrument including women, children, youth and waste pickers, among others.

~~OP9 TER. Each party shall compel EPR schemes to provide technology for processing and recovery of plastic products.~~

**Commented [A8]:** *Co-fac comment* – we suggest that this alternative be moved to be incorporated into the alternatives outlined in relation to paras 6 and 7

**Commented [A9]:** *Co-fac comment* – we have replicated this provision in the section relating to financing

<sup>23</sup> Note: Modalities for the Global Plastic Pollution Fee could be established by the governing body. This Fee could hold polymer producers accountable for the pollution costs of all of their plastics, irrespective of the country in which the plastics end their useful life, and of whether the plastics are ultimately destined for recycling or disposal. It could generate revenue to finance environmentally sound waste management and clean-up initiatives.

<sup>24</sup> Note: Modalities for the Global Plastic Pollution Fee could be established by the governing body. This Fee could hold polymer producers accountable for the pollution costs of all of their plastics, irrespective of the country in which the plastics end their useful life, and of whether the plastics are ultimately destined for recycling or disposal. It could generate revenue to finance environmentally sound waste management and clean-up initiatives.

10. Each Party shall ~~[aim to]~~ take measures to ~~[make finance flows consistent with [[the goals of this instrument]]a pathway towards ending plastic pollution, and related risks to human health and the environment by]:~~

- c. ~~[[decrease[[phasing out] financial flows from all domestic and international, public, and private sources, towards [projects][activities] that result in emissions and releases to the environment from plastics and plastic products across the life cycle, including microplastics; and]~~
- d. ~~[increase financial flows from all domestic and international, public, and private sources, towards [projects][activities] that prevent or reduce emissions and releases to the environment of plastics and plastic products across the life cycle, including microplastics, including for the development of [effective reuse and recycling system, and] adequate waste management infrastructure.]~~

~~*OP10 ALT.* Each Party shall take measures to make finance flows consistent with a pathway towards ending plastic pollution, and related risks to human health and the environment by:~~

- a. ~~decrease phasing out financial flows from all domestic and international, public, and private sources, towards projects activities that result in emissions and releases to the environment from plastics and plastic products across the life cycle, including microplastics; and~~
- b. ~~increase increasing financial flows from all domestic and international, public, and private sources, towards projects activities that prevent or reduce emissions and releases to the environment of plastics and plastic products across the life cycle, including microplastics, including for the development of adequate waste management infrastructure.~~

~~*OP10 ALT2.* Each Party shall take measures to:~~

- a. ~~decrease financial flows from all domestic and international, public, and private sources, towards projects that result in emissions and releases to the environment from plastics and plastic products across the life cycle, including microplastics; and~~
- b. ~~increase financial flows from all domestic and international, public, and private sources, towards projects that prevent or reduce emissions and releases to the environment of plastics and plastic products across the life cycle, including microplastics, including for the development of adequate waste management infrastructure.~~

~~*OP10 ALT34.* Each Party is encouraged to increase financial flows from all domestic and international, public, and private sources, towards projects that prevent or reduce emissions and releases to the environment of plastics and plastic products across the life cycle, including microplastics, including for the development of adequate waste management infrastructure. *OP10 ALT5.* Each Party shall take measures to aim to make finance flows consistent with the goals of this instrument.~~

~~decrease financial flows from all domestic and international, public, and private sources, towards projects that result in emissions and releases to the environment from plastics and plastic products across the life cycle, including microplastics; and~~

~~increase financial flows from all domestic and international, public, and private sources, towards projects that prevent or reduce emissions and releases to the environment of plastics and plastic products across the life cycle, including microplastics, including for the development of adequate waste management infrastructure.~~

~~*OP10 ALT6.* Each Party shall take measures to:~~

~~decrease financial flows from all domestic and international, public, and private sources, towards projects that result in emissions and releases to the environment from plastics and plastic products across the life cycle, including microplastics; and~~

~~increase financial flows from all domestic and international, public, and private sources, towards projects that prevent or reduce emissions and releases to the environment of plastics and plastic products across the life cycle, including microplastics, including for the development of adequate waste management infrastructure.~~

~~*OP10 ALT6.* Each Party shall take measures to:~~

- ~~a. decrease financial flows from all domestic and international, public, and private sources, towards projects that result in emissions and releases to the environment from plastics and plastic products across the life cycle, including microplastics; and~~
- ~~b. increase financial flows from all domestic and international, public, and private sources, towards projects that prevent or reduce emissions and releases to the environment of plastics and plastic products across the life cycle, including microplastics, including for the development of effective reuse and recycling system, and adequate waste management infrastructure.~~

***OPII BIS.*** The financial mechanism set out in this Article is without prejudice to any future arrangements that may be developed with respect to other environmental issues.

- ~~a.~~

**The following section presents proposals received which the co-facilitators have assumed should be presented as a package**

**III.1 ALT1. Financial Resources and Mechanism**

1. Parties shall provide the necessary resources for national activities intended to implement this instrument\*. Such resources may include domestic and international funding, as well as facilitation of private sector financing, including voluntary contributions. *(SAME AS ORIGINAL PARA.1)*
2. Parties should, and multilateral organizations, agencies and funds are encouraged to, increase their support, including through finance, capacity-building and technology transfer, for the implementation of this instrument\* by developing country Parties. *(SAME AS ORIGINAL PARA.2)*
3. Parties shall, and other stakeholders are encouraged to, in implementing paragraph 2 of this Article, take into account of the specific needs and special circumstances of Parties that are Small Island Developing States (SIDS) or least developed countries. *(SAME AS ORIGINAL PARA.3)*
4. The overall effectiveness of implementation of this instrument\* by developing country Parties will be related to the effective implementation of this Article. *(REFLECTED IN OP0 BIS)*
5. The Parties establish a Mechanism for the purposes of providing financial and technical assistance, including technology transfer and development and capacity-building and training, in support of developing country Parties in the implementation of this instrument\*. *(REFLECTED IN OP4 ALT13)*
6. The Mechanism shall include:
  - (a) A Multilateral Fund, financed by contributions from non-developing country Parties on the basis of a scale of assessment, to provide new, predictable, stable, adequate and timely financial resources on a grant basis in support of the implementation of this instrument\* for:
    - i. Enabling activities;
    - ii. Agreed incremental and other costs of compliance;
    - iii. Technical assistance and capacity-building and training;
    - iv. Technology transfer and development on mutually agreed terms;
    - v. Secretarial services of the Multilateral Fund and related support costs. *(REFLECTED IN OP6 ALT3)*
7. For purposes of the Multilateral Fund, the governing body\* shall establish an Executive Committee, operating under the authority of the governing body\*, to develop and monitor the implementation of operational policies, guidelines and administrative arrangements, including the disbursement of resources. The Executive Committee shall discharge its tasks and responsibilities, specified in its terms of reference as agreed by the governing body\*. The members of the Executive Committee, which shall be selected on the basis of a balanced representation of the Parties, shall be endorsed by the governing body\*. Decisions under this paragraph shall be taken by consensus whenever possible. If reasonable efforts at consensus have been exhausted and no agreement reached, decisions shall be adopted by a two-thirds majority vote of the members of the Executive Committee present and voting. *(REFLECTED IN OP5 ALT4)*
8. The governing body\* shall agree upon, at its first meeting, arrangements to give effect to the above paragraphs, including an indicative list of enabling activities and agreed incremental and other costs that could receive support. *(REFLECTED IN OP7 ALT3)*
9. The governing body\* shall review, no later than at its third session, and thereafter on a regular basis, the level of funding, the guidance provided by the governing body\* to the entities entrusted to operationalize the Mechanism established under this Article and its effectiveness, and its ability to address the changing needs of developing country Parties. It shall, based on such review, take appropriate action to improve the effectiveness of the Mechanism. *(REFLECTED IN OP8 ALT6)*



10. The financial mechanism set out in this Article is without prejudice to any future arrangements that may be developed with respect to other environmental issues. *(REFLECTED IN OP11 BIS)*

### **III.1 ALT2. Financing mechanism**

1. The Parties shall establish a mechanism for the purposes of providing financial and technical assistance, including the transfer of technologies, to developing country parties to enable them to comply with the agreed control measures. *(REFLECTED IN OP4 ALT14)*

2. The Governing Body shall establish a permanent body to govern the financial mechanism. The permanent shall undertake assessment on the technology and financial needs, including technology transfer, for each of the developing country parties to comply with each of the agreed control measures, as well as mobilization of financial resources for the same. *(REFLECTED IN OP7 ALT4)*

3. The Mechanism shall consist of newly established dedicated fund to enable and support compliance by developing country parties with the any agreed control measures. *(REFLECTED IN OP6 ALT4)*

4. The contributions from the dedicated fund to the developing country parties shall be additional and distinct from other financial transfers received by such parties. *(REFLECTED IN OP6 TER)*

5. The Governing Body of the instrument shall decide on activities to be funded in developing country parties through the dedicated fund and the modalities for providing such funds, on order to enable the developing country parties comply with agreed control measures. *(REFLECTED IN OP7 ALT5)*

6. The dedicated fund shall be periodically replenished, from various sources, including by parties following the principle of Common but Differentiated Responsibility. *(REFLECTED IN OP6 QUATER)*