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**Intergovernmental negotiating committee to develop
an international legally binding instrument on plastic
pollution, including in the marine environment
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Item 4 of the provisional agenda

**Preparation of an international legally binding instrument on
plastic pollution, including in the marine environment**

**Information submitted by the secretariat of the Convention on
Access to Information, Public Participation in Decision-making
and Access to Justice in Environmental Matters¹**

Note by the secretariat

1. The Secretariat of the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention) has submitted the following information that could be of relevance to the intergovernmental negotiating committee (see Annex).
2. The annex to the present note sets out a summary and key findings of the publication, the information is presented as received and has not been formally edited.

¹ This document was not formally edited.

Annex

Information that could be of relevance to the intergovernmental negotiating committee submitted by the secretariat of the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters

I. Introduction

1. This submission, by the Secretariat of the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention), is aimed to assist interested Member States and stakeholders to promote application of Principle 10 of the Rio Declaration on Environment and Development in the development and implementation of the international legally binding instrument on plastic pollution, including in the marine environment, under UNEA Resolution 5/14.
2. The submission is based on the experience gained under the [Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters](#) (Aarhus Convention) and its [Protocol on Pollutant Release and Transfer Registers](#) (Protocol on PRTRs). These treaties, open for accession by any UN Member State, proved to be the world's leading lights for furthering effective and inclusive access to information, public participation in decision-making and access to justice. This submission is in particular important for preparation of a possible multi-stakeholder action agenda for the legally binding instrument.
3. The Aarhus Convention is highly relevant in this regard as it provides a legally binding framework on how to implement procedural rights (access to information, public participation in decision-making and access to justice), enshrined in Principle 10 of the Rio Declaration, in different contexts, including plastic pollution. After more than two decades in force, a readily available set of user-friendly practical guidance material on these procedural rights has been also developed under its auspices. The Protocol on PRTRs, in its turn, sets requirements for developing PRTRs that can be adapted and used for collection and reporting on plastic pollution. Such approach, for example, is already used for the implementation of the Stockholm² and Minamata³ Conventions and can be replicated for the legally binding instrument on plastic pollution.
4. The submission includes the following sections: (I) Introduction; (II) Relevance of the Aarhus Convention and its Protocol on PRTRs for the international legally binding instrument on plastic pollution; (III) Outline of a possible Multi-stakeholder Action Agenda; (IV) Summary of the key points of the possible Multi-stakeholder Action Agenda.

II. Relevance of the Aarhus Convention and its Protocol on PRTRs for the international legally binding instrument on plastic pollution

- It is **critical to ensure effective and inclusive access to information, public participation in decision-making and access to justice in the context of the development and implementation of the future legally binding instrument on plastic pollution at all levels: domestic, regional, transboundary and global, and in international processes.**
- Rich experience accumulated under other legally binding instruments and processes needs to be fully employed for this purpose.
- The UNEA Resolution 5/14 explicitly provides this mandate by deciding to develop an international legally binding instrument on plastic pollution, including in the marine environment,

² <https://www.pops.int/>

³ <https://minamataconvention.org/en>

taking into account the principles of the Rio Declaration on Environment and Development (including its Principle 10), and calling, e.g.:

- To promote cooperation and coordination with relevant regional and international conventions, instruments and organizations, while recognizing their respective mandates, avoiding duplication and promoting complementarity of action (para 3(k)).
- To encourage action by all stakeholders, including the private sector, and to promote cooperation at the local, national, regional and global levels; (para 3 (l)).
- To initiate a multi-stakeholder action agenda (para 3(m)).

The Resolution also:

- Stresses the need to ensure the widest and most effective participation possible in the work of the ad hoc open-ended working group and of the intergovernmental negotiating committee (para 6).
- Requests the Executive Director to facilitate the participation of, and close cooperation and coordination with, relevant regional and international instruments and initiatives and all relevant stakeholders in the context of the mandate of the intergovernmental negotiating committee (para 11).

- In addition, the current draft compilation of inputs for the legally binding instrument includes section 8 on stakeholder engagement that foresees the establishment of a multi-stakeholder action agenda that promotes inclusive, representative and transparent actions and leverages efforts through existing bodies, partnerships and other initiatives. The purpose of the agenda embraces e.g., promotion of active and meaningful participation of stakeholders in the development and implementation of the instrument and the promotion of ambitious action and cooperation at the local, national, regional and global levels.

- The Aarhus Convention is highly relevant in this regard as it provides a legally binding framework on how to implement procedural rights (access to information, public participation in decision-making and access to justice) enshrined in Principle 10 of the Rio Declaration effectively in practice. After more than two decades in force, a readily available set of user-friendly guidance material on these procedural rights has been also developed under its auspices.

- The Aarhus Convention's objective is that: "In order to contribute to the protection of **the right of every person of present and future generations to live in an environment adequate to his or her health and well-being**, each Party shall guarantee the rights of access to information, public participation in decision-making, and access to justice in environmental matters in accordance with the provisions of this Convention" (art. 1).

- In line with this objective, access to information, public participation in decision-making and access to justice are promoted as follows:

- The Convention (art. 4, 5) and its Protocol on PRTRs, **set out standards for access to environmental information, including those related to plastic pollution**. The Protocol in its turn focuses on collecting and sharing data on pollutant releases through an easily accessible online portal and its scope includes the production of plastics and associated pollutant releases, together with releases of pollutants during the use of products (leaking) and transfers of waste for recovery or disposal activities. *See also [Recommendations on electronic information tools](#); [Simplified Guide to the Protocol and Note on possible linkages between pollutant release and transfer registers and plastic pollution](#).*

- The Convention provides requirements with regard to **public participation in decision-making on projects and other activities, plans, programmes, policies and legislation** (art 6, 7, 8), **including those relating to plastics** (e.g. extraction permits, chemical installations permits for the production of basic organic chemicals, including basic plastic materials, or any activity for which an environmental impact assessment is required, plastic waste management programmes, plastics pollution reduction laws, circular economy laws). *See also [Maastricht Recommendations on Ensuring Effective Public Participation in Environmental Matters](#).*

- The Convention provides **requirements for effective access to justice** (art. 9) regarding the review of environmental information requests; decisions subject to public participation; and breaches of national law relating to environment, **including plastics-related matters**.
- Furthermore, the Aarhus Convention imposes an **obligation to ensure environmental defenders are not penalized, persecuted or harassed** for their involvement (art 3.8). This is highly relevant in the present context as serious cases of persecution and harassment of environmental defenders may occur throughout the whole life cycle of plastics including, for example, in the phase of extraction of raw materials for its production. In June 2022, [Aarhus Parties elected the world's first Special Rapporteur on Environmental Defenders](#) as a rapid response mechanism to protect environmental defenders and to promote capacity building and awareness-raising on this topic.
- Since environmental impacts, including plastics pollution, may extend beyond States' borders, the rights under the Aarhus Convention apply **without discrimination as to citizenship, nationality, domicile, registered seat or effective centre of activities** (art. 3.9). Given the potential impact of activities linked to plastic pollution, this obligation is also relevant for the UNEA 5/14 process.
- Finally, the Aarhus Convention requires its Parties to promote the principles of the Convention in **international environmental decision-making** and **within the framework of international organizations in matters relating to the environment** (art 3.7). This means that, for example, Aarhus Parties engaged in the UN Environmental Assembly or when negotiating a legally binding instrument on plastic pollution, are under an obligation to promote the Convention's principles **both in the procedures of those processes and in their substantive outcomes**. *See also [Almaty Guidelines](#), [Snapshot on the Almaty Guidelines](#) and [Checklist of measures](#).*
- The Aarhus Convention was adopted in 1998, in the city of Aarhus, Denmark, and entered into force on 30 October 2001. The Convention currently has 47 Parties from across the Eurasian region (which includes countries Europe, Central Asia and Caucasus), one country from Africa (Guinea Bissau), and the European Union. Parties to the Convention include countries with a wide range of economic, social and political backgrounds. **The Convention and its Protocol on PRTRs are global treaties open to accession by any UN Member State.**
- The Aarhus Convention has already driven numerous positive changes in legislation and practice not only in its Parties but also in other Member States and processes. It has **served as a model for instruments in other regions**, such as the Escazú Agreement⁴ in the Latin American and Caribbean region and **has a vast potential to assist other interested Member States and processes such as UNEA 5/14 Process**.
- It will be therefore beneficial to replicate, as needed, the Aarhus Convention's requirements in the procedures and relevant documents to be developed under the auspices of the UNEA 5/14 process, **in particular in the legally binding instrument itself and in the multi-stakeholder agenda foreseen by the Resolution 5/14**. Since many countries already implement national PRTRs and their number is growing, **PRTRs can be adapted and used for collection and reporting on plastic pollution under the legally binding instrument**. Such approach is already used for the implementation of the Stockholm⁵ and Minamata⁶ Conventions and can be replicated for the new legally binding instrument.

III. Outline of a possible Multi-Stakeholder Action Agenda

1. Overarching principles

- **Public rights enshrined in Principle 10 of the Rio Declaration**, namely, effective and inclusive access to information, public participation and access to justice, **should be promoted and**

⁴ <https://www.cepal.org/en/escazuagreement>

⁵ <https://www.pops.int/>

⁶ <https://minamataconvention.org/en>

ensured in the context of the negotiation and implementation of a legally binding instrument on plastic pollution both with regard to procedural rules and substantive outcomes.

- Effective stakeholder engagement requires establishing a **clear, transparent and consistent framework for stakeholder engagement** ensuring compatibility between the provisions related to access to information, public participation and access to justice.
- A **broad definition of “stakeholders” should be used which includes one or more natural or legal persons, and, in accordance with national legislation or practice, their associations, organizations or groups**; the definition should also cover, but not be limited to vulnerable groups, such as children, the elderly, women, persons with disabilities, persons with low literacy or language barriers, ethnic or religious minorities, economically disadvantaged groups, and communities living in remote areas.
- **Stakeholders exercising their rights in the context of plastics-related processes shall not be penalized, persecuted or harassed** in any way for their involvement. In other words, stakeholders who engage in these processes should not be subject to any kind of retribution. For example, stakeholders participating in processes related to plastic matters shall not be, inter alia, physically or verbally attacked, threatened and intimidated, subjected to smear campaigns or abusive lawsuits (SLAPPs), arrested, detained or imprisoned.
- **Stakeholders should have access to information, the possibility to participate in decision-making and have access to justice in plastics-related matters without discrimination as to citizenship, nationality, domicile, registered seat or effective center of its activities.** This is particularly true in the case of plastic pollution which by its very nature has impacts beyond States’ borders. For example, a community living in a country and impacted by plastic pollution originating from another country has the right to file a complaint in that country’s courts seeking compensation or redress for the damage incurred.
- **Effective and inclusive access to information, public participation in decision-making and access to justice should be ensured in stakeholder engagement at the domestic, transboundary, regional and global level, and in international processes.**

2. Three pillars: access to information, public participation in decision-making and access to justice

2.1 Access to information

At the international level (regional and global level, and in international processes)

- **Policies, procedures and tools on access to information should be developed and made available** to ensure sharing of information at all stages of the decision-making including during the negotiations and implementation of the instrument on plastic pollution.
- Information contained in **all documents relevant for decision-making developed and produced** during the negotiations and implementation of the instrument on plastic pollution **should be made available to stakeholders through the internet or other appropriate means, in a timely manner.** Information should be provided proactively in a meaningful and accessible form.
- Stakeholders should have access to information developed and held, upon request, without having to state an interest. Information requested should be provided as soon as possible following the request, and subject to an appropriate time limit.
- **Access to plastics-related information may be refused only on the basis of specific grounds for refusal**, which should be interpreted restrictively, taking into account the public interest in disclosure. Information on emissions and releases of plastic throughout its life cycle relevant for the protection of the environment should be disclosed.

- **A refusal of a request for plastic-related information**, in whole or in part, **should** be in writing, **state the reasons for the refusal** and give information on the procedures for challenging the decision.

At the domestic (national, local) level and in a transboundary context

- Public authorities **should proactively collect, update and disseminate plastics-related information and make it available to stakeholders** in a transparent and accessible manner, including through electronic databases/tools.
- **Stakeholders should have access to plastics-related information, upon request, and without an interest having to be stated, as soon as possible and at the latest within one month.** Such requests may concern for example the level of plastic pollution affecting drinking water sources or the chemical composition of certain plastic products.
- In the event of an imminent threat to human health or the environment caused, inter alia, by plastic pollution, **all information which could enable stakeholders to take measures to prevent or mitigate harm arising from the threat should be disseminated immediately and without delay.**
- **Operators** whose plastics-related activities have a significant impact on the environment, **should regularly inform stakeholders about the environmental impact of their activities and products, where appropriate within the framework of voluntary eco-labelling or eco-auditing schemes or by other means.**
- Plastics-related information **may be disseminated using various electronic information tools**, including for example websites of public authorities, single one-stop web access point (environmental portal); open data portals; general government or e-government portal; portals of other key providers of information; mobile applications; social media and online media, email alerts.
- **Nation-wide PRTRs**, user-friendly online database, covering data on the release and transfers of pollutants related to plastics should be established or adapted as needed, in order to provide stakeholders with such information in an effective way. Specifically, PRTRs could be used for the plastic pollution-related reporting by companies, such as on the quantity and types of plastic they produce and transfer, as well as on the quantity of plastic waste generated, recovered (including reused, repaired, recycled) or disposed of (including incinerated or disposed in landfills). PRTRs thereby will facilitate provision of public information, awareness raising and education, research, and monitoring and reporting commitments.
- Mechanisms should be developed to **ensure that sufficient information related to plastics and plastic products throughout their lifecycle is made available to stakeholders** in a manner which enables consumers to make informed choices. Examples include initiatives such as **digital product passports** for collecting, aggregating and providing data on the plastic product along its life cycle.
- **Access to plastic-related information may be refused only on the basis of specific grounds for refusal**, which should be interpreted restrictively, taking into account the public interest served by the disclosure. Information on emissions and releases of plastic throughout its life cycle relevant for the protection of the environment should be disclosed. If information exempted by the disclosure can be separated out from the rest without compromising confidentiality, the remaining information should be made available. **A refusal should** be made in writing, **state the reasons for the refusal** and provide information on the procedure for challenging the decision.

2.2 Public participation in decision-making

At the international level (regional and global level, and in international processes)

- Stakeholders should be given effective opportunity to **participate in international processes under the legally binding instrument on plastic pollution**, including in the work of its governing and subsidiary bodies.

- **Meetings regarding the negotiations and implementation of a legally binding instrument on plastic pollution should be open to the participation of stakeholders.** The number of stakeholders participating in the meetings may be restricted if this is necessary and unavoidable for practical reasons. Where they are applied, **accreditation or selection procedures should be based on clear and objective criteria, and stakeholders should be informed accordingly.** Such procedures should be **transparent, fair, timely, accountable and accessible, and aimed at securing meaningful and equitable participation,** while avoiding excessive formalization.
- Stakeholders should **have access to all documents and information relevant to the decision-making** process produced for the meetings.
- **Effective participation of stakeholders** in the process of negotiation and implementation of an instrument on plastic pollution **may be ensured through a variety of forms** which include observer status, advisory committees open to stakeholders, forums and dialogues open to stakeholders and webcasting of events, as well as general calls for comments. For example, a representative of civil society could be granted an observer status in the Bureau/Executive Committee under the legally binding instrument. Stakeholders, in particular, representatives of environmental NGOs, shall be provided **effective opportunity to participate in meetings of the instrument's bodies, circulate written statements, make oral statements and submit comments.**
- Effective participation of stakeholders in the negotiation and implementation of an instrument on plastic pollution should meet the following requirements:
 - **Reasonable time frames** for the different stages of stakeholders' participation in decision-making, allowing sufficient time for stakeholders to be informed, to prepare and participate effectively during the decision-making process;
 - Stakeholders should be involved **at an early stage** of the process **when options are still open and effective public influence can be exerted;**
 - Stakeholders should be **informed in due time of the opportunities, procedures and criteria for participating in the decision-making and of the availability of information for the public,** such as drafts for comments, final documents, decisions and reports;
 - **Due account should be taken of the stakeholders' input in the decisions.**

At the domestic (national, local) level and in a transboundary context

- Stakeholders should have the right **to participate in an inclusive and effective manner in decision-making on projects and other activities related to plastics.** This includes but is not limited to the extraction of raw materials for the production of plastics; chemical installations for the production of basic organic chemicals such as basic plastic materials including polymers, synthetic fibres, and cellulose-based fibres; and installations for the disposal of plastic-related waste.
- Stakeholders should also have the right to **participate in the preparation of plans, programmes and policies related to plastics** such as national action plans for the reduction of plastic pollution; **and of laws and regulations,** for example regulations on single-use plastic products.
- Stakeholder engagement in plastics-related matters should meet the following requirements:
 - Provide **adequate, timely and effective notice** of the decision-making procedures;
 - Ensure **reasonable timeframes for the different stages,** that allow stakeholders sufficient time to be informed, to prepare and to participate effectively in the procedure, **taking into account the nature, complexity, size and potential effects of the proposed activity/project/plans/programmes/policies/laws and regulations,** as well as the amount of documentation involved;
 - Ensure that the stakeholders are involved **at an early stage when all options are open and effective participation can take place;**
 - Ensure **access to all relevant information;**
 - Guarantee the **right of stakeholders to comment** during the process (in writing and/or orally);
 - Take **due account of the stakeholders' input** in the decision;

- Provide **prompt notice of the final decision and reasons on which it is based**;
- **Involve stakeholders again**, where appropriate, **if operating conditions** of a permitted project/activity **are updated or reconsidered**.

2.3 Access to justice

At the international level (regional and global level, and in international processes)

- **Review procedures should be established to allow stakeholders to challenge the application of the rules and standards regarding access to information and public participation** in the process of negotiation and implementation of an instrument on plastic pollution.

At the domestic (national, local) level and in a transboundary context

- **Stakeholders should have effective access to information on access to administrative and judicial review procedures taking into account the needs of persons in vulnerable situations.**
- Stakeholders should have **the right to seek redress before a court or other independent and impartial body on plastics-related matters**. This includes:
 - Any ignored, wrongfully refused, inadequately answered request for information related to plastics;
 - The substantive and procedural legality of any decision, act or omission related to plastics, which is subject to stakeholder participation;
 - Any acts or omissions related to plastics by private persons or public authorities which contravene provisions of national laws relating to the environment, including in plastic-related matters.
- **Access to justice in plastics-related matters should** meet the following requirements:
 - Be **adequate and effective** and include injunctive relief;
 - Be **fair, equitable, timely and not prohibitively expensive**;
 - **Decisions** should be given **in writing, publicly accessible and effectively enforced**.

3. Financial and organizational matters

To ensure inclusive and effective stakeholders' engagement in domestic, transboundary and international contexts, **sufficient human, financial and technical resources should be mobilized and allocated**.

3.1 Access to information

- To ensure that stakeholders have wide and effective access to plastics-related information, **sufficient resources should be mobilized and allocated to design, develop, continuously maintain and upgrade electronic information tools** using best available state-of-the-art digital technologies; use the gains from a reduction in the administrative burden of public authorities, especially from processing information requests, and the associated cost savings from improved efficiency to contribute to resource mobilization. This includes the establishment or upgrade, as needed, of PRTR systems.
- To support stakeholders seeking access to information **points of contact should be appointed** in relevant public authorities and international organizations.
- **Measures to reduce and remove financial barriers that restrict public access to plastics-related information** through telecommunications networks, such as high connection costs, should be implemented.

- While it is permitted to apply a **charge for supplying plastics-related information upon request**, such charge **shall not exceed a reasonable amount**. In the event a charge for supplying plastics-related information is applied, a schedule of charges which may be levied should be made available indicating the circumstances in which they may be levied or waived and when the supply of information is conditional on the advance payment of such a charge. Costs should be limited to the material costs of producing information.

3.2 Public participation in decision-making

- Special measures should be taken to **ensure a balanced and equitable stakeholder engagement process where stakeholders have differentiated capacity, resources, socio-cultural circumstances or economic or political influence**. In particular, stakeholder engagement processes should **facilitate the participation of those constituencies that are most directly affected or representing public interest, such as environmental NGOs**, and might not have the means for participation without encouragement and support. For example, schemes may be established to support, financially or otherwise, the public to participate in stakeholder engagement processes regarding plastic matters (e.g., to assist with travel costs or arrangements for the public to prepare for and attend meetings or public hearings).

- Since financial support for travel and subsistence costs **to facilitate stakeholder engagement in plastics-related processes** can be quite costly and thus constrain the number of people who can participate **efforts should be made to apply cost-efficient and practical approaches** which are consistent with good accounting practices **with a view to maximizing participation**.

- In relation to stakeholder engagement **in the transboundary context, adequate financial resources should be secured to ensure effective stakeholder engagement** (e.g. translation of documents).

- To support stakeholders' participation **points of contact should be appointed** in relevant public authorities and international organizations.

3.3 Access to justice

- To **facilitate effective access of stakeholders to judicial and review procedures, several measures should be taken** (i) to promote e-justice initiatives and tools to provide access to information on access to judicial and administrative review procedures and access to court decisions, (ii) to strengthen specialization of judiciary, other independent review bodies, prosecutors and trial lawyers in environmental matters and (iii) ensure access to independent environmental expertise on plastic-related matters during judicial and administrative review procedures.

- To ensure equitable access to review procedures in plastics-related matters, **appropriate assistance mechanisms should be established to remove or reduce financial and other barriers to access to justice**. For example, a system of legal aid can be established to ensure access to justice to stakeholders that may not afford legal representation or bear the costs to access to a court system. This should take into account the needs of groups in vulnerable situations.

III. Summary of the key points of the possible Multi-Stakeholder Action Agenda

1. Overarching principles	
<ul style="list-style-type: none"> ✓ Promote public rights enshrined in Principle 10 of the Rio Declaration – effective and inclusive access to information, public participation and access to justice - in the negotiation and implementation of a legally binding instrument on plastic pollution both with regard to procedural rules and substantive outcomes. ✓ Establish a clear, transparent and consistent framework for stakeholder engagement ensuring compatibility between the provisions related to access to information, public participation and access to justice. ✓ Use a broad definition of “stakeholders” which includes one or more natural or legal persons, their associations, organizations or groups; vulnerable groups, i.e. children, elderly, women, persons with disabilities, persons with low literacy or language barriers, ethnic or religious minorities, economically disadvantaged groups, remote communities. ✓ Ensure that stakeholders exercising their rights in the context of plastics-related processes are not penalized, persecuted or harassed for their involvement. ✓ Guarantee access to information, participation in decision-making and access to justice in plastics-related matters without discrimination based on stakeholders’ citizenship, nationality, domicile, registered seat or effective center of activities. ✓ Ensure effective and inclusive access to information, public participation in decision-making and access to justice for stakeholder engagement at the domestic, transboundary, regional and global level, and in international processes. 	
2. Three pillars: Access to Information, Public Participation in Decision-making and Access to Justice	
2.1 Access to information	
At the international level (regional, global level; and international processes i.e. negotiations and implementation of instrument on plastic pollution)	At the domestic (national, local) level and in transboundary context
<ul style="list-style-type: none"> ✓ Develop policies, procedures and tools for information sharing. ✓ Share documents and information relevant for decision-making promptly through internet or other means, in a timely manner, proactively in a meaningful and accessible form. ✓ Provide information requested by stakeholders promptly without requiring an interest to be stated. ✓ Access to plastics-related information may only be refused on specific grounds, to be interpreted restrictively taking into account the public interest in disclosure. Information on emissions and releases of plastic 	<ul style="list-style-type: none"> ✓ Proactively collect, update and disseminate plastics-related information through electronic databases/tools in a transparent and accessible manner. ✓ Establish or update nation-wide PRTRs including data on pollutants related to plastic. ✓ Provide plastics-related information upon request promptly, at the latest within one month, without requiring an interest to be stated. ✓ Immediately disseminate information enabling stakeholders to prevent or mitigate harm (e.g. harm caused by plastic pollution) in the event of an imminent threat to human health or the environment.

<p>throughout its life cycle relevant for the protection of the environment should be disclosed.</p> <ul style="list-style-type: none"> ✓ A refusal to disclose plastics-related information should be in writing, provide reasons and information on procedures for challenging decision. 	<ul style="list-style-type: none"> ✓ Require operators whose plastics-related activities have a significant impact on the environment to regularly inform stakeholders about environmental impacts of their activities and products. ✓ Develop mechanisms to inform consumers about plastics and plastic products throughout their lifecycle. ✓ Access to plastics-related information may only be refused on specific grounds, to be interpreted restrictively taking into account the public interest in disclosure. Information on emissions and releases of plastic throughout its life cycle relevant for the protection of the environment should be disclosed. ✓ If part of the information can be separated out from the one subject to confidentiality, this should be disclosed. ✓ A refusal to disclose plastics-related information should be in writing, provide reasons and information on procedures for challenging decision.
<p>2.2 Public participation in decision-making</p>	
<p>At the international level (regional, global level; and international processes i.e. negotiations and implementation of instrument on plastic pollution)</p>	<p>At the domestic (national, local) level and in transboundary context</p>
<ul style="list-style-type: none"> ✓ Ensure effective stakeholder participation in international processes under the legally binding instrument on plastic pollution, including in the work of governing and subsidiary bodies. ✓ Ensure meetings are open to stakeholders. ✓ Apply clear and objective criteria for accreditation or selection procedures. ✓ Maintain transparent, fair, timely, accountable and accessible accreditation and selection procedures aimed at securing meaningful and equitable participation. ✓ Ensure participation of stakeholders in various forms (e.g. observer status, advisory committees, open dialogues). ✓ Provide access to all documents and information relevant to the decision-making. ✓ Ensure the stakeholders' right to circulate written statements, submit comments and speak at meetings. ✓ Set reasonable time frames for different stages of stakeholder engagement. ✓ Engage stakeholders at an early stage, when all options are open. ✓ Timely inform stakeholders of participation opportunities, procedures, criteria, available information. ✓ Take due account of stakeholders' inputs in the decision. 	<ul style="list-style-type: none"> ✓ Ensure inclusive and effective participation of stakeholders in decision-making on plastics-related: <ul style="list-style-type: none"> - projects/activities - plans, programmes, policies - laws and regulations ✓ Provide adequate, timely and effective notice of the decision-making procedure. ✓ Set reasonable time frames for different stages of stakeholder engagement. ✓ Engage stakeholders at an early stage, when all options are open. ✓ Ensure stakeholders' right to comment in the decision-making process (in writing and/or orally). ✓ Ensure access to all documents and information relevant to the decision-making. ✓ Take due account of stakeholders' inputs in the decision. ✓ Notify stakeholders promptly of final decision and provide reasons on which it is based. ✓ Engage stakeholders again, if operating conditions of a project or activity are updated or reconsidered.

2.3 Access to justice	
At the international level (regional, global level; and international processes i.e. negotiations of instrument on plastic pollution)	At the domestic (national, local) level and in transboundary context
<ul style="list-style-type: none"> ✓ Establish review procedures for stakeholders to challenge the application of rules and standards regarding access to information and public participation. 	<ul style="list-style-type: none"> ✓ Provide stakeholders with access to information on access to administrative and judicial review procedures. ✓ Guarantee the right to seek redress on plastic-related matters before a court or other independent and impartial body. ✓ Ensure access to justice is: <ul style="list-style-type: none"> – adequate and effective, including providing injunctive relief – fair, equitable, timely – not prohibitively expensive ✓ Ensure decisions are given in writing, publicly accessible and effectively enforced.
3. Financial and organizational matters	
Mobilize and allocate sufficient human, financial and technical resources to ensure inclusive and effective stakeholders engagement in domestic, transboundary and international contexts	
3.1 Access to information	
<ul style="list-style-type: none"> ✓ Mobilize and allocate sufficient resources to design, develop, continuously maintain and upgrade electronic information tools, including the establishment or upgrade of PRTRs. ✓ Appoint points of contact in relevant public authorities and international organizations to support stakeholders seeking access to information. ✓ Reduce and remove financial barriers to accessing plastics-related information. ✓ Ensure charges for supplying plastics-related information upon request are reasonable. 	
3.2 Public participation in decision-making	
<ul style="list-style-type: none"> ✓ Take special measures to ensure balanced and equitable stakeholder engagement in plastics-related processes considering the differentiated capacities, resources, socio-cultural circumstances or economic or political influence of stakeholders (e.g. assist with travel costs). ✓ Facilitate the participation of those constituencies that are most directly affected or representing public interest, such as environmental NGOs. ✓ Apply cost-efficient and practical approaches to maximize stakeholder engagement in plastics-related processes. ✓ Secure adequate financial resources for effective stakeholder engagement in the transboundary context (e.g. translation of documents). ✓ Appoint points of contact in relevant public authorities and international organizations to support stakeholders' participation. 	

3.3 Access to justice

- ✓ Promote e-justice initiatives and tools to provide access to information on access to judicial and administrative review procedures and access to court decisions.
 - ✓ Strengthen specialization of judiciary, other independent review bodies, prosecutors and trial lawyers in environmental matters.
 - ✓ Ensure access to independent environmental expertise on plastic-related matters during judicial and administrative review procedures.
 - ✓ Establish assistance mechanisms to remove or reduce financial and other barriers to access to justice (e.g. legal aid), taking into account the needs of groups in vulnerable situations.
-