

Intergovernmental Negotiating Committee to develop an international legally binding instrument on plastic pollution, including in the marine environment

29 November 2024

NON-PAPER CONTAINING DRAFT TEXT OF THE CHAIR OF THE COMMITTEE¹

[PREAMBLE

The Parties to this Convention,

Noting with concern that the high and rapidly increasing levels of plastic pollution, including in the marine environment, represent a serious environmental and human health problem, negatively impacting the environmental, social and economic dimensions of sustainable development,

Acknowledging the important role played by plastics in human society, and stressing the importance of establishing effective mechanisms throughout the plastic lifecycle to promote plastic circularity and prevent leakage of plastics in the environment,

Option 1

Recognizing the significant contribution made by all workers in the plastics sector, especially those that are in informal and cooperative settings and small and medium-sized enterprises, to the collection, sorting and recycling of plastics in many countries,

Recognizing the special circumstances of developing countries, small island developing States and of least developed countries and the disproportionate impacts of plastic pollution on small island developing states and other lower riparian developing countries,

Underlining the importance of science-based decision-making and the contributions of scientific, economic, social, and technical information, including traditional knowledge and indigenous knowledge systems, for the implementation of measures to reduce plastic pollution and to improve the understanding of the full life cycle of plastics and of the global impact of plastic pollution and measures to address them,

Reaffirming the principles of the Rio Declaration on Environment and Development, adopted in Rio de Janeiro, Brazil, in 1992, including, inter alia, the principle of common but differentiated responsibility and respective capabilities, sustainable development and the sovereign right of states to exploit their own resources pursuant to their own environmental and developmental policies,

Recognizing that this Convention and other international agreements in the field of the environment are mutually supportive,

Emphasizing that nothing in this Convention is intended to affect the rights and obligations of any Party deriving from any existing international agreement,

Understanding that the above recital is not intended to create a hierarchy between this Convention and other international instruments,

Noting that nothing in this Convention prevents a Party from taking additional domestic measures consistent with the provisions of this Convention in an effort to address plastic pollution in accordance with that Party's other obligations under applicable international law,

Have agreed as follows:

Option 2

¹ The draft was elaborated building on the contributions from the Co-Chairs of the Contact Groups.

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[Recognizing the special circumstances of developing countries, small island developing States and of least developed countries and the disproportionate impacts of plastic pollution on small island developing states and other lower riparian developing countries,

Underlining the importance of science-based decision-making and the contributions of scientific, economic, social, and technical information, including traditional knowledge and indigenous knowledge systems, for the implementation of measures to reduce plastic pollution and to improve the understanding of the full life cycle of plastics and of the global impact of plastic pollution and measures to address them,

Recognizing the significant contribution made by all workers in the plastics sector, especially those that are in informal and cooperative settings and small and medium-sized enterprises, to the collection, sorting and recycling of plastics in many countries,

Affirming that nothing in this Convention shall be construed as diminishing or extinguishing the existing rights of Indigenous Peoples, including as set out in the United Nations Declaration on the Rights of Indigenous Peoples,

Recognizing that this Convention and other international agreements in the field of the environment are mutually supportive,

Understanding that the above recital is not intended to create a hierarchy between this Convention and other international instruments,

Have agreed as follows:

**ARTICLE 1
OBJECTIVE**

The objective of this Convention is to end plastic pollution, including in the marine environment, [based on a comprehensive approach that address the full life cycle of plastics,] in order to protect human health and the environment.

**ARTICLE 1bis
SCOPE**

Option 1
No Article

Option 2

1. The Convention shall apply to end plastic pollution, including in the marine environment, through the full life cycle of plastics to protect the environment, human health and livelihoods from the impacts of plastic pollution.
2. The scope of this Convention excludes²:
 - (a) Feedstock such as hydrocarbons and their derivatives, which have to be further processed for serving end uses, and any dual-use items, including among others, monomers and polymers in primary forms made thereof;
 - (b) Plastics use in healthcare;
 - (c) Plastics use in scientific research;
 - (d) Plastics use in experimental research;

² Subparagraphs (b) to (f) can be alternatively addressed as exclusions or exceptions under article 3, where relevant.

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- (e) Plastics use in emergency response to public health incidents and natural disasters;
- (f) Security applications, including national security.

**ARTICLE 1ter
PRINCIPLES**

Option 1

1. In their actions to achieve the objective of this Convention and to implement its provisions, the Parties shall be guided, *inter alia*, by the following:

- (a) Rio Declaration on Environment and Development, adopted in Rio de Janeiro, Brazil, in 1992, including, *inter alia*, the principle of common but differentiated responsibility and respective capabilities, sustainable development and the sovereign right of states to exploit their own resources pursuant to their own environmental and developmental policies,
- (b) Right of development is inherent to human right, all peoples have an equal right to matters relating to safe living means. Economic development is the prerequisite for adopting measures to address plastic pollution. Developing countries have a right to grow sustainable consumption to meet social and economic development needs.
- (c) Principle of sovereignty of States in international cooperation to address the issue of plastics pollution in a facilitative, non-intrusive and non-punitive manner, and avoiding any undue burden being placed on Parties.
- (d) In accordance with the Charter of the United Nations and the principles of international law, the sovereign right to exploit their own resources pursuant to their own environmental and developmental policies, and the responsibility to ensure that activities within their jurisdiction or control do not cause damage to the environment of other States or of areas beyond the limits of national jurisdiction.
- (e) Protect the environmental system for the benefit of present and future generations of humankind, on the basis of historical responsibility, equity and in accordance with their common but differentiated responsibilities between developed and developing countries, taking into account developed countries' historical contribution to plastic pollution due to high production and consumption levels, industrial activities, and waste management practices.
- (f) Ensure that measures taken to combat plastic pollution, including unilateral ones, do not introduce trade distortions and constitute a means of arbitrary or unjustifiable discrimination or a disguised restriction on international trade.
- (g) Just and equitable transitions should respect nationally defined development priorities and ensure social and economic protections. This approach aims to mitigate impacts of such transitions, recognizing the diverse pathways needed to address plastic pollution and the differing financial, technical and technological burdens between developed and developing countries.
- (h) Precautionary approach must be in a cost-effective manner and aligned with national circumstances, capabilities and different socioeconomic context.
- (i) In the implementation of the commitments in this Convention, the Parties shall give full consideration of necessary actions under the Instrument, including actions related to funding, insurance and the transfer of technology, to meet the specific needs and concerns of developing country Parties arising from the adverse effects of plastic pollution and the impact of the implementation of response measures.

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Option 2

1. In order to achieve the objectives of this Convention, Parties shall be guided by the following principles:
 - (a) The polluter-pays principle;
 - (b) The precautionary principle, as appropriate;
 - (c) The principles of international law embodied in the Charter of the United Nations, such as the principles of equal rights and self-determination of peoples, of sovereign equality and independence of all States, of non-interference in the domestic affairs of States, and of universal respect for, and observance of, human rights and fundamental freedoms for all;
 - (d) The special circumstances of small island developing States (SIDS) and of least developed countries, and the disproportionate impacts of plastic pollution on small island developing States.
 - (e) The use of the best available science and scientific information.
 - (f) The use of relevant traditional knowledge, knowledge of Indigenous Peoples, and local knowledge systems, where available.

Option 3

In their actions to achieve the objective of the Convention and to implement its articles, the Parties shall be guided, inter alia, by the principles of international law embodied in the Charter of the United Nations and the principles of the Rio Declaration on Environment and Development, including the sovereign right of States to exploit their own resources pursuant to their own environmental and developmental policies as set out in Principle 2, the right to development as set out in Principle 3, the principle of common but differentiated responsibilities as set out in Principle 7, the precautionary approach as set out in Principle 15, and the polluter pays principle as set out in Principle 16 thereof.

**ARTICLE 2
DEFINITIONS³³**

For the purposes of this Convention:

- (a) "Life cycle" means the consecutive and interlinked stages of a product system, from raw material acquisition or generation from natural resources to final disposal;
- (b) "microplastics" means [...];
 - Option 1.* plastic particles that are [less than [5 millimeter] in diameter, including nano-sized particles] [less than [5 millimetres] in their largest dimension or plastic fibers shorter than [5 millimeters]];
 - Option 2.* any solid plastic fragment, particle or fibre insoluble in water with a diameter between [1 micrometer and 500 micrometers] totally in three dimensions, which was formed as a result of fragmentation of waste from plastic products that have already entered the environment;
 - Option 3.* small plastic particles or fragments or pieces that are less than [5 millimeters] in diameter, easily released to the environment.
- (c) "nanoplastics" means [...];
 - Option 1.* plastic particles that are less than [1 micrometer] in diameter and produced unintentionally from the degradation of microscale plastic objects or wastes or litter.
 - Option 2.* small plastic particles that are typically less than [100 nanometer] in size and that have already entered the environment.

³³ To be revised as negotiations on Article 3 progress.

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(d) “Party” means a State or regional economic integration organization that has consented to be bound by this Convention and for which the Convention is in force;

(e) “plastic(s)” means [...];

Option 1. synthetic material, which contains as an essential ingredient a high polymer, insoluble and non-swellable in water, and which, at some stage in its processing into finished products, can be shaped by flow; elastomeric materials, which are also shaped by flow, are not considered to be plastics

Option 2. materials made of synthetic or semi-synthetic polymers which may contain additives or other chemicals;

Option 3. materials made wholly or in part of synthetic and semi-synthetic polymers, including additives, non-intentionally added substances and other chemicals, that are used to create plastic products in any form and includes all thermoplastics, thermosets, elastomers, and composites made from both bio-based and fossil-based feedstocks;

Option 4. semi-synthetic or synthetic material which contains as an essential ingredient a high polymer, and which, at some stage in its processing into finished products, can be shaped by flow; elastomeric materials, which are shaped by flow, are not considered to be plastics;

Option 5. a synthetic material made from a wide range of organic polymers such as polyethylene, PVC, or nylon, that can be moulded into shape while soft and then set into a rigid or slightly elastic form. Any organic synthetic or processed materials that are mostly thermoplastic or thermosetting polymers of high molecular weight and that can be made into objects, films, or filaments, an object made of plastic.

Option 6. material consisting of a plastic polymer to which additives or other substances may have been added, and which can function as a main structural component of final products, with the exception of natural polymers that have not been chemically modified;

Option 7. materials made of synthetic or semisynthetic polymers which may contain additives or other chemicals.

Option 8. a material that consists of one or more polymers combined with additives to give the material specific properties.

(f) “plastic pollution” means [...];

Option 1. pollution caused by plastic waste;

Option 2. pollution caused by or released throughout the life cycle of plastics;

Option 3. the accumulation of plastic objects and particles in the Earth's environment, which adversely affects humans, wildlife, and their habitat. Plastics that are considered pollutants are classified by size into micro-, meso-, or macro debris throughout their entire lifecycle.

Option 4. all emissions and releases resulting from plastics production, use, waste management and leakage from different sources and pathways, coming both from legal and illegal activities.

Option 5. all emissions and risks resulting from plastic production, use, mismanagement and leakage.

(g) “plastic product” means [...];

Option 1. any finished article made of plastics;

Option 2. a product made wholly or partly of plastic;

Option 3. all physical goods which contain or are partly or entirely made of any form of plastic;

Option 4. synthetic material produced from plastics, or recycled plastic;

(h) “plastic waste” means [...];

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- Option 1.* waste consisting wholly or partly of plastic
- Option 2.* any plastic material or product that is discarded, lost or abandoned, intended to be discarded, or required to be discarded
- Option 3.* materials of substance consisting of plastic which are disposed of, intended to be disposed, or required to be disposed of by the provisions of international law
- Option 4.* waste deriving from plastic products at end of life
- Option 5.* discarded plastic materials that are no longer in use or have fulfilled their intended purpose

- (i) "Primary Plastic Polymer" means a plastic material made of synthetic and semi-synthetic polymers that are used for the first time to create plastic products in any form. This necessarily includes all thermoplastic, thermoset, elastomer, and composite resins made from both bio-based and fossil-based feedstocks;
- (j) "Recycled plastic" means [...]
- (k) "Recycling" means the action or process of converting plastic waste into reusable materials while adhering to the principles of the waste hierarchy;
- (l) "Regional economic integration organization" means an organization constituted by sovereign States of a given region to which its member States have transferred competence in respect of matters governed by this Convention and which has been duly authorized, in accordance with its internal procedures, to sign, ratify, accept, approve or accede to this Convention;
- (m) "Secondary plastic" means [...]

ARTICLE 3

PLASTIC PRODUCTS [AND CHEMICALS OF CONCERN AS USED IN PLASTIC PRODUCTS]⁴

[1. Each Party shall, in accordance with its national circumstances, capacities, and socio-economic considerations, take appropriate legislative, administrative, or market-driven measures to [prohibit the manufacture, export or import] [address], manage, reduce, or prohibit, as appropriate, plastic products that meet any of the following criteria:

- a. are highly likely to be littered or to enter the environment;
- b. contain chemicals that pose risks of concern to human health or the environment;
- c. are not capable of being reused, recycled, or composted in practice and at scale;
- d. may disrupt the circular economy on a large scale; or
- e. contain intentionally-added microplastics.

2. Each Party shall, in accordance with the provisions of Article [X on Reporting], provide the Secretariat with a report detailing the measures adopted in implementing paragraph 1, the outcomes achieved, and any challenges encountered. The Secretariat shall make such reports publicly available.

3. The Conference of the Parties (COP) shall, at its first meeting, establish a subsidiary body to be called the Scientific-Technical-Economic-Social Review Committee (the "Review Committee").

4. The Review Committee shall, as appropriate, develop guidance and provide relevant information, advice, and recommendations to assist Parties in the implementation of the measures taken to implement paragraph 1. Such guidance, advice, or recommendations shall be submitted to the COP for adoption.

⁴ Informals ongoing, several proposals have not reached convergence.

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5. Any Party may submit a proposal to the Secretariat for the inclusion of a plastic product on a global list. Such a proposal shall include a detailed justification demonstrating how the product meets the criteria set out in paragraph 1. The Review Committee shall evaluate the proposal in a transparent and scientifically sound manner. If the Review Committee determines that the criteria are met, it shall recommend to the COP whether the product should be added to the global list.

6. The Review Committee may develop recommendations on possible actions to be taken with respect to a plastic product included in the global list. Such recommendations shall take into account at least the following factors:

- a. The necessity of the plastic product and its intended use;
- b. The performance, safety, environmental impact, technical feasibility, affordability, availability, and accessibility of alternative products or methods;
- c. The risk posed by chemicals of concern contained in the plastic product;
- d. The socio-economic impacts of any proposed control measures;
- e. Where relevant, the incorporation of traditional knowledge, indigenous knowledge systems, local practices, and scientific and technological advances

7. The recommendations of the Review Committee shall be submitted to the COP for adoption.

8. Any measures taken by a Party in the implementation of this Article shall not be applied in a manner that constitutes arbitrary or unjustifiable discrimination between Parties where similar conditions prevail, nor shall they serve as a disguised restriction on international trade.]

**ARTICLE 4⁵
EXEMPTIONS**

1. Any State or regional economic integration organization may register for one or more exemptions from the phase-out dates listed in Annex A-1 and Annex B-1, hereafter referred to as an “exemption”, by notifying the Secretariat in writing:

- (a) On becoming a Party to this Convention; or
- (b) In the case of any chemical that is added by an amendment to Annex [A] or any product that is added by an amendment to Annex [B] on plastic products, no later than the date upon which the applicable amendment enters into force for the Party.

Any such registration shall be accompanied by a statement explaining the Party’s need for the exemption.

2. The Secretariat shall establish and maintain a publicly available register of exemptions which shall include:

- (a) A list of the Parties that have registered one or more exemptions in accordance with paragraph 1;
- (b) The exemption or exemptions registered for each Party; and
- (c) The expiration date of each exemption.

3. Unless a shorter period is indicated by a Party, all exemptions pursuant to paragraph 1 shall expire five years after the relevant phase-out date listed in Annex A-1 or B-1.

4. The Conference of the Parties may, at the request of a Party, decide to extend an exemption for five years unless the Party requests a shorter period. In making its decision, the Conference of the Parties shall take due account of:

⁵ Pending negotiations on relevant Articles

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- (a) A report from the Party justifying the need to extend the exemption and outlining activities undertaken and planned to eliminate the need for the exemption as soon as feasible; and
- (b) Available information, including in respect of the availability of alternative chemicals and products.

An exemption may only be extended once per chemical or product per phase-out date.

5. A Party may at any time withdraw an exemption upon written notification to the Secretariat. The withdrawal of an exemption shall take effect on the date specified in the notification.

6. Notwithstanding paragraph 1, no State or regional economic integration organization may register for an exemption after five years after the phase-out date for the relevant product listed in Annex A-1 or chemical listed in Annex B-1, unless one or more Parties remain registered for an exemption for that chemical or product, having received an extension pursuant to paragraph 5. In that case, a State or regional economic integration organization may, at the times set out in paragraphs 1 (a) and (b), register for an exemption for that product or process, which shall expire ten years after the relevant phase-out date.

7. No Party may have an exemption in effect at any time after ten years after the phase-out date for a product listed in Annex A-1 or a chemical listed in Annex B-1.

**ARTICLE 5
PLASTIC PRODUCT DESIGN**

[1. Each Party [is encouraged to][shall, taking into account its national circumstances and capabilities and allowing for sufficient transitional periods,] take appropriate measures to:

- (a) improve design as well as transparency, including with respect to product composition, [in accordance with minimum [criteria-based] [global] requirements in accordance with the [requirements] [guidelines] as per paragraph 4] in pursuit of circular economy approaches in order to:
 - i. contribute to sustainable production and consumption of [virgin] plastics by increasing reuse and recycling of plastics [,including as appropriate through reuse and recycled content targets];
 - ii. improve the durability, reusability, refillability, refurbishability, repairability and recyclability of plastic products, and promote the use of safe and sustainable additives,
 - iii. ensure disposal of plastic products in environmentally sound manner in accordance with the waste hierarchy,
 - iv. minimize releases of plastic, including microplastics, during the product life.
- (b) foster research, innovation, development and use of sustainable and safer alternatives [and non-plastic substitutes], including products, technologies and services, based on life cycle assessments, taking into account environmental, economic, social and human health aspects and their potential for waste reduction and reuse as well as availability, accessibility and affordability based on life cycle assessments and best available science, where relevant, traditional knowledge, knowledge of Indigenous Peoples and local knowledge.

3. In implementing paragraph 1 of this Article, Parties should take into account relevant international rules, standards and guidelines, as appropriate. Parties are encouraged to cooperate with relevant international organizations towards the development of standards and guidelines at the multilateral level to support the implementation of this Article.

4. The Conference of the Parties shall [, at the latest by its second meeting,] establish a process and schedule of work by a relevant subsidiary body for the development of specific design and minimum [criteria-

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based] [global] performance [requirements] [guidelines] for priority products, through a sectorial approach, to be listed in Annex [X].

5. The Conference of the Parties shall adopt and review, and update, as appropriate, guidelines within a reasonable timeframe to assist Parties in their implementation of this Article, taking into account national circumstances and capabilities.

[6. Each Party shall require plastic products produced within its territory and/or those available on its market, to comply with the design and performance requirements specified in Annex [X], and provide relevant information.]

7. In implementing this Article, each Party shall refrain from taking any measure that creates unnecessary obstacles to international trade and constitutes a means of arbitrary or unjustifiable discrimination or a disguised restriction on international trade.

7 alt. Each Party shall refrain from any measure that creates unnecessary obstacles to international trade and constitutes a means of arbitrary or unjustifiable discrimination or a disguised restriction on international trade. The measures taken by parties should be based on international standards to prevent creation of unnecessary administrative and financial burdens. Parties are encouraged to cooperate with international organizations towards the development of standards and guidelines at the multilateral level to support the implementation of this article.^{6]}

ARTICLE 6
[SUPPLY][SUSTAINABLE PRODUCTION]⁷

Option 1

No Article

Option 2

1. The Conference of the Parties shall, at its first session, adopt as an annex to this Convention a global target to reduce the production of primary plastic polymers to sustainable levels.

2. Each Party shall take measures across the full lifecycle of plastics to achieve the global target referred to in paragraph 1.

3. Each Party shall report statistical data on its production, imports and exports of primary plastic polymers and the measures taken to achieve the global target referred to in paragraph 1.

4. The Conference of the Parties shall, at its first session, adopt the reporting format, timing, methodologies and guidance for the implementation of this Article.

5. The Conference of the Parties shall, every five years, based on a scientific, technical and economic assessment by the subsidiary body referred to in Article 20bis, review progress in the implementation of this Article and, as appropriate, update the global target referred to in paragraph 1.

⁶ 7 and 7 bis are reflected under principles and preamble

⁷ Informals ongoing, proposals hasn't reached convergence.

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**ARTICLE 7
RELEASES AND LEAKAGES**

1. Each Party [shall][should], taking into account their national circumstances and capabilities, take measures to assess, prevent, reduce, and, where possible, eliminate releases and leakages of plastics, including microplastics and nanoplastics from all sources across the life cycle of [plastics] [plastic waste], to the environment.
2. Each Party [shall][should], taking into account national circumstances and capabilities, take measures to prevent and reduce, and, where possible, eliminate releases and leakages of plastic pellets, flakes and powders to the environment.
3. Each Party [shall][should]take measures to prevent and reduce and, where possible, eliminate plastic pollution from fishing and aquaculture activities throughout its life cycle including, but not limited to abandoned, lost, or otherwise discarded fishing and aquaculture gear composed of plastic in the marine environment.
4. The Parties [shall][should], taking into account their national circumstances and capabilities, undertake research, and cooperation on leakages and releases pertaining to:
 - (a) Sources of releases and leakages into the environment;
 - (b) Levels of releases and leakages in the environment; and
 - (c) Available, affordable and accessible technologies and measures for preventing emissions and releases into the environment.
5. In implementing paragraph 1 to 4, each Party [shall] [is encouraged to] promote the use of best available technologies and best environmental practices on preventing releases and leakages of plastic waste and unintentional leakages and releases of plastics into the environment, taking into account the guidance referred to in paragraph 6, and, as appropriate, relevant to international and regional rules, standards and guidelines.
6. The Conference of the Parties [shall][may] establish programmes of work and may adopt guidance to support implementation of this article.

**ARTICLE 8
PLASTIC WASTE MANAGEMENT**

1. Each Party [shall] [should] take measures to ensure that plastic waste is managed in an environmentally sound manner, taking into account the waste hierarchy and relevant guidelines developed under the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal or other relevant agreements and organizations.
2. In implementing paragraph 1, each Party shall, taking into account national circumstances, take measures, *inter alia*, to:
 - (a) Establish appropriate systems and infrastructure at the national and subnational level for handling, sorting, collection, transportation storage and recycling and [other recovery including energy recovery] [treatment] of plastic waste;
 - (b) Promote a circular economy approach based on best practices
 - (c) Set objectives or targets at the national level to increase collection and recycling rates of plastic waste;
 - (d) Prevent littering, and prohibit open dumping, open burning and ocean dumping of plastic waste, taking into account internationally agreed rules;
 - (e) Take appropriate measures to strengthen markets for secondary plastics;
 - (f) Prevent abandoned, lost, or otherwise discarded fishing gear composed of plastics;

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- (g) Promote a just transition for plastic waste management workers, especially waste pickers and other informal workers, including women, youth and small and artisanal fishers; and
- (h) Promote behavioral changes to prevent and minimize plastic waste, including by raising public awareness.

3. Each Party shall take appropriate measures to ensure that transboundary movement of plastic waste is only allowed for the purpose of environmentally sound disposal. Parties that are also parties to the Basel Convention shall take appropriate measures to ensure that transboundary movement of plastic waste is done in accordance with the obligations of the Basel Convention. In circumstances where the Basel Convention does not apply, a Party shall take appropriate measures to ensure that transboundary movement of plastic waste is allowed only after taking into account relevant domestic and international rules, standards, and guidelines

4. Each Party [shall][is encouraged to] take measures to establish or promote the development of Extended Producer Responsibility systems and, as appropriate other economic instruments within its jurisdiction, taking into account the shared responsibilities of relevant stakeholders to ensure the environmentally sound management of plastic products throughout their life cycle.

5. Parties recognize the importance of means of implementation relating to financial resources, transfer of technology and capacity building, as referred to in Article 11 of this Convention, and are encouraged to cooperate with each other and with relevant intergovernmental organizations and other entities, as appropriate, to build regional and national capacity for the management of plastic waste in an environmentally sound manner.

6. The Conference of the Parties shall develop guidance and cooperate closely with the Conference of the Basel convention on the control of transboundary movement of hazardous waste and their disposal and other relevant agreements and organizations to assist Parties in the implementation of this article.

ARTICLE 9
[EXISTING][LEGACY] PLASTIC POLLUTION

1. Each Party [should][shall], taking into account national circumstances and capabilities:

- (a) Identify, evaluate, and monitor locations or accumulation zones most affected by [existing][legacy] plastic pollution within its national jurisdiction, and cooperate with other Parties, relevant international or regional organizations or other stakeholders with respect to areas beyond national jurisdiction as and where appropriate; and
- (b) Take appropriate mitigation, removal and remediation measures in an environmentally sound manner, including clean-up activities in such identified affected locations or accumulation zones within areas of national jurisdiction and, as appropriate, cooperate to do so in areas beyond national jurisdiction.

2. When implementing any activities under paragraph 1, each Party [should][shall]:

- (a) take into account any relevant guidance adopted by the Conference of the Parties, and as appropriate, relevant provisions of other international agreements;
- (b) take into account the best available science and relevant technologies for environmentally sound remediation, Indigenous Peoples' knowledge, sciences, and practices, as appropriate; and
- (c) promote the engagement of Indigenous Peoples, of local communities, civil society, scientists, and the private sector, as appropriate.

3. Parties recognize the importance of means of implementation relating to the provision of financial resources, transfer of technology, public awareness, and capacity building for the implementation of this Article and are encouraged to cooperate with each other and with relevant intergovernmental organizations and other entities, as appropriate, to build regional and national capacity.

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4. The Conference of the Parties may adopt guidance to facilitate the implementation of this Article.

**ARTICLE 10
JUST TRANSITION**

1. Each Party shall facilitate a just transition towards sustainable and safer production and consumption of plastics, taking into account national circumstances and in a manner that does not intensify poverty.
2. In this transitioning, each Party should take into account the situation of workers in the formal and informal sector, including in the plastic industry, waste pickers, artisanal and small-scale fisherfolk, as well as Indigenous Peoples, local communities and populations affected by the adverse effects of plastic pollution on human health and the environment with a view to mitigating the adverse effects on their economies and promoting economic and industrial diversification and transformation in the context of sustainable development.
3. Each Party should engage communities and groups disproportionately affected in the implementation of measures set out in this Convention.
4. Each Party should report, monitor and evaluate measures taken to implement this Article in its national report pursuant to Article 15.
5. Parties recognize the importance of means of implementation relating to the provision of financial resources, transfer of technology, public awareness, and capacity building, as referred to in Article 11 of this Convention, and are encouraged to cooperate with each other and with relevant intergovernmental organizations and other entities, as appropriate, to build regional and national capacity for the implementation of this Article.
6. The Conference of the Parties may adopt guidance to assist Parties in the implementation of this Article, taking into account relevant guidelines developed by international organizations, including the International Labour Organization.

**ARTICLE 11
FINANCIAL [RESOURCES AND] MECHANISM⁸**

1. Each Party [shall] [undertakes to] provide, within its capabilities, resources for activities intended to achieve the objectives of this Convention, taking into account national policies, priorities, plans, and programmes. Such resources may include domestic funding through relevant policies and fiscal measures [such as primary plastic polymer fees, extended producer responsibility schemes, development strategies, and national budgets,] as well as bilateral and multilateral funding and private sector investment and voluntary contributions.
2. The extent to which Parties will effectively implement their commitments under this instrument will depend on the availability of resources and the fulfilment of commitments under this instrument related to the provision of financial resources, capacity-building, technology assistance, technology transfer, and international cooperation.
3. In allocating appropriate funds and technical and technological assistance, Parties shall take into account the specific needs and special requirements of developing country Parties, in particular the least developed countries, small island developing States (SIDS), [as well as countries with special conditions or characteristics that are considered vulnerable to plastic pollution.]
4. Parties with capacity to do so shall take the lead in providing financial resources to support [developing country Parties] [Parties most in need] in fulfilling their obligations under this Convention. Contributions from

⁸ *Informals ongoing, in particular with regards to the establishment of a financial mechanism*

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other sources, including multilateral organizations, agencies and funds, are encouraged to support implementation of this Convention.

5. Parties shall aim to align financial flows with the Convention's objectives and take measures to increase the mobilization of finance from bilateral, regional, and multilateral entities, as well as the private sector.

6. A mechanism for the provision of adequate, accessible, new and additional financial resources under this Convention is hereby established. The mechanism shall ensure efficient access and support for [developing country Parties] [Parties most in need] in fulfilling their obligations under this Convention.

7. The mechanism shall include [a new dedicated independent multilateral fund**][an existing fund] [and any other funds or entities] operating under the authority of the Conference of the Parties. The Conference of the Parties shall provide guidance on policies, programme priorities and eligibility criteria for access to and utilization of financial resources.

8. [Donor countries shall replenish the multilateral fund as agreed by the Conference of Parties, based on recipient countries' needs assessments.

8 Alt Parties, in particular those with the financial capacity to do so and high levels of mismanaged plastic waste, plastic production, or polymer production, are expected to contribute to the Mechanism, on a voluntary basis from their public funding.]

9. The Mechanism shall seek to catalyze additional resources from all sources for the activities it supports, including through blended and innovative financing.

10. [For support of early action and implementation, the Mechanism shall also consist of an interim dedicated fund within an existing a financial arrangement.]

11. The Mechanism shall provide financial resources on a grant or concessional basis in support of implementation of this Convention, including for:

- (a) Enabling activities and agreed incremental costs; and
- (b) Clearinghouse functions.

12. Mechanism funds should be allocated to activities in furtherance of the Convention's objectives, taking into account their additionality and complementarity within the broader landscape of financial flows.

13. The Mechanism will also be utilized to support relevant programming for populations most vulnerable to the adverse effects of plastic pollution.

14. Recognizing that the Mechanism will exist within a broader landscape of financial flows including from domestic finance, bilateral, regional, and multilateral entities, and the private sector, 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 Convention's objectives.

ARTICLE 12

CAPACITY BUILDING, TECHNOLOGY ASSISTANCE AND TECHNOLOGY TRANSFER, INCLUDING INTERNATIONAL COOPERATION

1. Parties shall cooperate to provide, within their respective capabilities, timely and appropriate capacity-building, technical assistance and technology transfer [on voluntary and mutually agreed terms] to [developing country] Parties [most in need], to assist them in implementing their obligations under this Convention. Capacity-building should be country-driven, based on, and responsive to, needs and priorities.

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2. Capacity building, technical assistance and technology transfer pursuant to paragraph 1 may be delivered through regional, subregional and national arrangements, including existing regional and subregional centres, through other multilateral and bilateral means, and through partnerships, including those involving the private sector or other stakeholders as well as Indigenous Peoples and local communities, and through collaboration with local and subnational governments, as appropriate.

3. Parties, within their respective capabilities, shall cooperate to promote and facilitate the development, transfer, diffusion of and access to technologies [on favorable terms including on concessional and preferential terms to developing countries] [on voluntary and mutually agreed terms] addressing plastic pollution in an environmentally sound manner, as well as those related to safe and sustainable alternatives and non-plastic substitutes. In implementing this provision, Parties shall promote and facilitate research, innovation, technical and scientific cooperation and investment in pursuit of new and innovative environmentally sound technologies and solutions, and shall facilitate access to essential technologies.

4. Parties shall promote cooperation with relevant intergovernmental organizations and other entities, including relevant scientific organisations and bodies, as appropriate, to support the effective implementation of the Convention and the achievement of its objective, while avoiding any duplication of efforts.

[5. In order to implement paragraphs 1, 2, 3 and 4 above, a Cooperation Mechanism is hereby established.]

6. The Conference of the Parties, at its first meeting, shall make recommendations on how capacity building, technical assistance and technology transfer could be further enhanced under this Article, [including the terms of reference and modalities of the Cooperation Mechanism].

7. In implementing this Article, Parties shall give full recognition to the special requirements of developing country Parties, in particular the least developed countries, landlocked developing countries, geographically disadvantaged States, small island developing States, coastal African States, archipelagic States and developing middle-income countries.

**ARTICLE 13
IMPLEMENTATION AND COMPLIANCE**

1. A mechanism, including a Committee, is hereby established to facilitate the implementation of, and promote compliance with, the provisions of this Convention. The Committee shall function in a manner that is transparent, non-intrusive, facilitative, non-punitive, non-adversarial and expert-based, recognizing respective national capabilities, capacities and circumstances of Parties.

2. The Committee referred to in paragraph 1 of this Article shall examine both individual and systemic implementation and compliance issues. The Committee shall report periodically to the Conference of the Parties and make recommendations, as appropriate.

3. The Committee shall consist of 17 members nominated by Parties and elected by the Conference of the Parties with due consideration for equitable geographical representation and gender balance, with three members from each of the five regional groups of the United Nations and with two members from the small island developing States. The first members shall be elected at the first meeting of the Conference of the Parties. The members shall be free from conflicts of interest.

4. The Committee shall elaborate its rules of procedure, which shall be subject to approval by the Conference of the Parties at its second session. The Conference of the Parties may adopt further terms of reference for the Committee as appropriate.

5. The Committee may consider issues on the basis of:

- (a) Written submissions from any Party with respect to its own compliance;

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- (b) Requests from the Conference of the Parties;
- (c) Information provided by the secretariat with respect to the status of submission of information under Article 15;
- (d) Information available to the Committee, inter alia, from national reports.

6. The Committee shall make every effort to adopt its recommendations by consensus. If all efforts at consensus have been exhausted and no consensus is reached, such recommendations shall as a last resort be adopted by a three fourths majority vote of the members present and voting.

**ARTICLE 14
NATIONAL ACTION PLANS**

1. Each Party [shall][may] develop a national action plan, based upon its national needs, circumstances and capabilities, of the measures it intends to take to implement its obligations under this Convention. The plan shall be transmitted to the Conference of the Parties through the Secretariat within three years after the entry into force of the Convention for that Party.
2. Each Party [shall][may] review and update its national action plan based on the guidance to be adopted by the Conference of the Parties. A Party may at any time update its national action plan to enhance its level of ambition based on its national circumstances and capabilities.
3. Each Party shall, in undertaking work pursuant to paragraphs 1 and 2 above, consult national stakeholders to facilitate the development, implementation, review and updating of their national action plans.
4. The secretariat shall make national action plans submitted by Parties pursuant to this Article publicly available while protecting any confidential information identified by the respective Parties.
5. The Conference of the Parties shall, at its first session, adopt the modalities and guidelines for national action plans and other guidance regarding implementation of this Article.
6. [Support shall be provided to developing country Parties for the implementation of this Article, recognizing that enhanced support for developing country Parties will effectively facilitate their efforts to prepare and update their national action plans in accordance with this Article and in implementing this Convention at large.]

**ARTICLE 15
REPORTING**

1. Each Party shall report to the Conference of the Parties on the measures taken to implement this Convention, including their effectiveness and any challenges encountered in achieving its objectives. [The implementation of this Article shall provide flexibility to developing country Parties, taking into account their capacities and national circumstances.]
2. Each Party [shall include in its reporting the information specified in Articles [3, 10 and ...] of this Convention, as applicable.
3. Each Party shall submit the report referred to in paragraph 1 of this Article within three years of the date on which the Convention enters into force for it. The Secretariat shall keep under review and regularly communicate to the Conference of the Parties the status of submission by Parties of this information.
4. The Conference of the Parties shall, at its first meeting, adopt the format for national reporting referred to in paragraph 1 of this Article.

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5. The Secretariat shall make national reports submitted by the Parties under this Article publicly available.

**ARTICLE 16
EFFECTIVENESS EVALUATION [AND MONITORING]**

1. The Conference of the Parties shall periodically evaluate the effectiveness of implementation of the Convention. The first evaluation of effectiveness of implementation of the Convention shall be undertaken no later than six years after the date of entry into force of the Convention and thereafter at intervals to be decided by the Conference of the Parties.

2. The evaluation shall be conducted on the basis of available scientific, environmental, technical, financial and socio-economic information, including:

- (a) National reporting pursuant to Article 15;
- (b) Information and recommendations provided by the Implementation and Compliance Committee referred to in Article 13;
- (c) Other information the Conference of the Parties deems relevant.

3. The Conference of the Parties shall take into account the outcomes of the evaluation of effectiveness of the Convention and shall, based upon this evaluation, determine measures required to enhance the effectiveness of the Convention, [including measures to support developing countries in overcoming challenges related to the effectiveness of the implementation of the Convention].

4. The Conference of the Parties shall, at its first meeting, adopt the modalities for the evaluation of effectiveness of the implementation of the Convention.

**ARTICLE 17
INFORMATION EXCHANGE**

1. Each Party shall facilitate the exchange of information relevant to achieving the objective of the Convention and the implementation of its provisions, including on:

- (a) Best practices and policies on sustainable consumption and production of plastic products, including plastic waste management and regulation of the use of problematic plastic products;
- (b) Research, technologies, innovation and collection of data;
- (c) Scientific and technical knowledge, traditional knowledge, and knowledge of Indigenous Peoples and local knowledge systems, *inter alia*, on environmentally sound waste management, sources of plastic pollution, human and ecological exposure to plastic pollution, health and environmental impacts and the associated risk management and pollution reduction options.

2. Each Party shall designate a national focal point for the exchange and communication of information under this Convention.

3. Parties may exchange the information referred to in paragraph 1 directly, or through an online clearinghouse to be maintained by the secretariat, or in cooperation with other relevant international instruments and organizations, as appropriate.

4. Parties are encouraged to learn from and build on existing processes, initiatives and networks to share knowledge and highlight successes, including examples of replicating and scaling up sustainable solutions.

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5. Parties exchanging information in accordance with this Convention shall protect any confidential information as mutually agreed and handle indigenous knowledge in accordance with relevant national legislation and in a manner consistent with relevant international practices.

**ARTICLE 18
PUBLIC INFORMATION, AWARENESS, EDUCATION AND RESEARCH**

1. Parties shall promote and facilitate public awareness, education, and research related to plastic pollution and its effects relevant to the implementation of this Convention and shall promote, as appropriate, such efforts at the national, regional and international levels and cooperate, as appropriate, with relevant intergovernmental and nongovernmental organizations.

2. Each Party shall promote and facilitate measures to raise awareness, improve understanding, and share information, on plastic flows and effects of plastic pollution such as:

- (a) Developing a communication and education strategy on the objective of the Convention, involving all relevant stakeholders;
- (b) Promoting public participation and public access to information;
- (c) Providing training at the local, national, regional and international levels; and
- (d) Promoting the inclusion of plastic pollution issues across curricula and practices in educational institutions.

3. Parties shall endeavour to advance scientific and technological research, development, innovation and cooperation, to address plastic pollution including by:

- (a) Developing and implementing sustainable production and consumption and circular plastics approaches and systems-wide solutions;
- (b) Enhancing understanding of environmental and human health, as well as socio-economic impacts of plastic pollution, as well as alternative solutions across the full life cycle of plastic, including in the marine environment;
- (c) Promoting and improving methods for the monitoring and modelling of plastic pollution, including its distribution and abundance in the environment, including in the marine environment, and impacts on human health;
- (d) Promoting the collaborative development and use of standardized methods and approaches for environmental data collection and analyses, to improve its reliability and comparability; and
- (e) Incorporating traditional knowledge, knowledge of Indigenous Peoples and local knowledge systems and other cultural and socio-economic factors, as appropriate.

**ARTICLE 19
HEALTH**

Option 1

No Article

Option 2

1. Parties shall promote the development and implementation of strategies and programmes to identify the risks of and protect against adverse health impacts associated with plastic pollution, based on the best available science. To this end, Parties are encouraged to:

- (a) Placeholder to capture element(s) related to education;
- (b) Placeholder to capture element(s) related to prevention;
- (c) Placeholder to capture element(s) related to information exchange;

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- (d) ...
- 2. The Conference of the Parties, in considering issues or activities related to this Article, may:
 - (a) Placeholder to capture element(s) related to collaboration and cooperation;
 - (b) ...

**ARTICLE 20
CONFERENCE OF THE PARTIES**

1. A Conference of the Parties is hereby established.
2. The first meeting of the Conference of the Parties shall be convened by the interim secretariat no later than one year after the date of entry into force of this Convention. Thereafter, ordinary meetings of the Conference of the Parties shall be held every two years unless otherwise decided by the Conference of the Parties.
3. Extraordinary meetings of the Conference of the Parties shall be held at such other times as may be deemed necessary by the Conference, or at the written request of any Party, provided that, within six months of the request being communicated to the Parties by the Secretariat, it is supported by at least one third of the Parties.
4. The Conference of the Parties shall by consensus agree upon and adopt at its first meeting rules of procedure and financial rules for itself and any of its subsidiary bodies, as well as financial provisions governing the functioning of the Secretariat.
5. The Conference of the Parties shall keep under continuous review the implementation of the Convention. It shall perform the functions assigned to it by this Convention and, to that end, shall:
 - (a) Establish such subsidiary bodies as it considers necessary for the implementation of the Convention;
 - (b) Cooperate, where appropriate, with competent international organizations and intergovernmental and non-governmental bodies;
 - (c) Take decisions on convening meetings;
 - (d) Review and adopt decisions and recommendations related to the implementation of the Convention;
 - (e) Consider matters related to compliance;
 - (f) Request and consider scientific and technical assessments or reviews from the subsidiary bodies to the Convention or any independent body linked to the Convention;
 - (g) Oversee the work of subsidiary bodies;
 - (h) Review information made available to it, including through national reporting and subsidiary bodies;
 - (i) With the help of the subsidiary bodies, provide guidance on financial needs for the implementation of measures;
 - (j) Consider amendments to the Convention proposed by the Parties; and
 - (k) Consider and take any action necessary to achieve the objectives of the Convention including adopting procedures or requirements in additional annexes
6. The United Nations, its specialized agencies and the International Atomic Energy Agency, as well as any State not a Party to this Convention, may be represented at meetings of the Conference of the Parties as observers. Any body or agency, whether national or international, governmental or nongovernmental, that is qualified in matters covered by this Convention and has informed the Secretariat of its wish to be represented at a meeting of the Conference of the Parties as an observer may be admitted unless at least one third of the Parties present object. The admission and participation of observers shall be subject to the rules of procedure adopted by the Conference of the Parties.

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**ARTICLE 20 *bis*
SUBSIDIARY BODIES**

1. The Conference of the Parties, at its first meeting, shall establish a subsidiary body or bodies to provide scientific and technical information and assessments to support informed decision-making by the Conference of the Parties of the Convention.
2. Any subsidiary body established pursuant to paragraph 1 shall consist of independent experts from relevant fields of expertise nominated by Parties and elected by the Conference of Parties.
3. Each subsidiary body may establish committees, panels and sub-groups, as deemed necessary, to support its work.
4. The Conference of the Parties shall decide on the terms of reference, composition, organization and operation of each subsidiary body established pursuant to paragraph 1.

**ARTICLE 21
SECRETARIAT**

1. A secretariat is hereby established.
2. The functions of the secretariat shall be to:
 - (a) Prepare and arrange for meetings of the Conference of the Parties, and subsidiary bodies, and to provide them with services as required;
 - (b) Facilitate assistance to Parties, particularly developing country Parties and parties with economies in transition upon request in the implementation of this Convention;
 - (c) Prepare and make available to the Parties periodic reports based on Article X on reporting and Article Y on implementation and compliance;
 - (d) Coordinate, as appropriate, with the Secretariats of other relevant international bodies and instruments;
 - (e) Enter, under the overall guidance of the Conference of the Parties, into such administrative and contractual arrangements as may be required for the effective discharge of its functions; and
 - (f) Perform the other secretariat functions specified in this Convention and such other functions as may be determined by the Conference of the Parties.
3. The secretariat functions for this instrument shall be performed by the Executive Director of the United Nations Environment Programme unless the Conference of the Parties decides, by a three fourths majority of the Parties present and voting, to entrust the secretariat functions to one or more other international organizations.

**ARTICLE 22
SETTLEMENT OF DISPUTES**

1. Parties shall cooperate in order to prevent disputes and shall seek to settle any dispute between them concerning the interpretation or application of this Convention through negotiation or other peaceful means of their own choice.
2. When ratifying, accepting, approving or acceding to this Convention, or at any time thereafter, a Party that is not a regional economic integration organization may declare in a written instrument submitted to the Depositary that, with regard to any dispute concerning the interpretation or application of this Convention, it recognizes one or both of the following means of dispute settlement as compulsory in relation to any Party accepting the same obligation:

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- (a) Arbitration in accordance with procedures to be adopted by the Conference of the Parties;
 - (b) Submission of the dispute to the International Court of Justice.
3. A Party that is a regional economic integration organization may make a declaration with like effect in relation to arbitration in accordance with the procedure referred to in paragraph 2(a).
4. A declaration made pursuant to paragraph 2 or 3 shall remain in force until it expires in accordance with its terms or until three months after written notice of its revocation has been deposited with the Depositary.
5. The expiry of a declaration, a notice of revocation or a new declaration shall in no way affect proceedings pending before an arbitral tribunal or the International Court of Justice, unless the parties to the dispute otherwise agree.
6. If the parties to a dispute have not accepted the same means of dispute settlement pursuant to paragraph 2 or 3, and if they have not been able to settle their dispute through the means mentioned in paragraph 1 within twelve months following notification by one party to another that a dispute exists between them, the dispute shall be submitted to a conciliation commission at the request of any party to the dispute. The conciliation commission shall render a report with recommendations. Additional procedures relating to the conciliation commission shall be included in an annex to be adopted by the Conference of the Parties no later than at its second meeting.

**ARTICLE 23
AMENDMENTS TO THE CONVENTION**

1. Amendments to this Convention may be proposed by any Party.
2. Amendments to this Convention shall be adopted at a meeting of the Conference of the Parties. The text of any proposed amendment shall be communicated to the Parties by the Secretariat at least six months before the meeting at which it is proposed for adoption. The Secretariat shall also communicate the proposed amendment to the signatories to this Convention and, for information, to the Depositary.
3. The Parties shall make every effort to reach agreement on any proposed amendment to this Convention by consensus. If all efforts at consensus have been exhausted, and no agreement reached, the amendment shall as a last resort be adopted by a three-fourths majority vote of the Parties present and voting at the meeting.
4. An adopted amendment shall be communicated by the Depositary to all Parties for ratification, acceptance or approval.
5. Ratification, acceptance or approval of an amendment shall be notified to the Depositary in writing. An amendment adopted in accordance with paragraph 3 shall enter into force for the Parties having consented to be bound by it on the ninetieth day after the date of deposit of instruments of ratification, acceptance or approval by at least three-fourths of the Parties that were Parties at the time at which the amendment was adopted. Thereafter, the amendment shall enter into force for any other Party on the ninetieth day after the date on which that Party deposits its instrument of ratification, acceptance or approval of the amendment.

**ARTICLE 24
ADOPTION AND AMENDMENT OF ANNEXES**

1. Annexes to this Convention shall form an integral part thereof and, unless expressly provided otherwise, a reference to this Convention constitutes at the same time a reference to any annexes thereto.

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2. Any additional annexes adopted after the entry into force of this Convention shall be restricted to procedural, scientific, technical or administrative matters.

3. The following procedure shall apply to the proposal, adoption and entry into force of additional annexes to this Convention:

(a) Additional annexes shall be proposed and adopted according to the procedure laid down in paragraphs 1 to 3 of Article 23;

(b) Any Party that is unable to accept an additional annex, except for Parties that have made declarations with regard to any additional annex in accordance with paragraph 5 of Article 27 shall so notify the Depositary, in writing, within one year from the date of communication by the Depositary of the adoption of such annex. The Depositary shall without delay notify all Parties of any such notification received. A Party may at any time notify the Depositary, in writing, that it withdraws a previous notification of non-acceptance in respect of an additional annex, and the annex shall thereupon enter into force for that Party subject to subparagraph (c); and

(c) On the expiry of one year from the date of the communication by the Depositary of the adoption of an additional annex, the annex shall enter into force for all Parties that have not submitted a notification of non-acceptance in accordance with the provisions of subparagraph (b).

4. The proposal, adoption and entry into force of amendments to annexes to this Convention shall be subject to the same procedures as for the proposal, adoption and entry into force of additional annexes to the Convention except that an amendment to an annex shall not enter into force with regard to any Party that has made a declaration with regard to amendment of annexes in accordance with paragraph 5 of Article 27 in which case any such amendment shall enter into force for such a Party on the ninetieth day after the date it has deposited with the Depositary its instrument of ratification, acceptance, approval or accession with respect to such amendment. If an additional annex or an amendment to an annex is related to an amendment to this Convention the additional annex or amendment shall not enter into force until such time as the amendment to the Convention enters into force.

**ARTICLE 25
RIGHT TO VOTE**

1. Each Party to this Convention shall have one vote [, except as provided for in paragraph 2].

2. A regional economic integration organization, on matters within its competence, shall exercise its right to vote with a number of votes equal to the number of its member States [accredited and present at the time of the vote] that are Parties to this Convention. Such an organization shall not exercise its right to vote if any of its member States exercises its right to vote, and vice versa.

**ARTICLE 26
SIGNATURE**

This Convention shall be opened for signature at [city], [country], by all States and regional economic integration organizations on [--], and thereafter at the United Nations Headquarters in New York [from [--] to [--].

**ARTICLE 27
RATIFICATION, ACCEPTANCE, APPROVAL OR ACCESSION**

1. This Convention shall be subject to ratification, acceptance or approval by States and by regional economic integration organizations. It shall be open for accession by States and by regional economic integration

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organizations from the day after the date on which the Convention is closed for signature. Instruments of ratification, acceptance, approval or accession shall be deposited with the Depositary.

2. Any regional economic integration organization that becomes a Party to this Convention without any of its member States being a Party shall be bound by all the obligations under the Convention. In the case of such organizations, one or more of whose member States is a Party to this Convention, the organization and its member States shall decide on their respective responsibilities for the performance of their obligations under the Convention. In such cases, the organization and the member States shall not be entitled to exercise rights under the Convention concurrently.

3. In its instrument of ratification, acceptance, approval or accession, a regional economic integration organization shall declare the extent of its competence in respect of the matters governed by this Convention. Any such organization shall also inform the Depositary, who shall in turn inform the Parties, of any relevant modification of the extent of its competence.

4. In its instrument of ratification, acceptance, approval or accession, any Party may declare that, with regard to it, any additional annex and amendment to an annex shall enter into force only upon the deposit of its instrument of ratification, acceptance, approval or accession with respect thereto.

**ARTICLE 28
ENTRY INTO FORCE**

1. This Convention shall enter into force on the [ninetieth] [120th] day after the date of deposit of the [fiftieth][60th][97th] instrument of ratification, acceptance, approval or accession.

2. For each State or regional economic integration organization that ratifies, accepts or approves this Convention or accedes thereto after the deposit of the [fiftieth][60th][97th] instrument of ratification, acceptance, approval or accession, the Convention shall enter into force on the [ninetieth] [120th] day after the date of deposit by such State or regional economic integration organizations of its instrument of ratification, acceptance, approval or accession.

3. For the purposes of paragraphs 1 and 2, any instrument deposited by a regional economic integration organizations shall not be counted as additional to those deposited by member States of that organization.

**ARTICLE 29
RESERVATIONS**

No reservations may be made to this Convention.

**ARTICLE 30
WITHDRAWAL**

1. At any time after three years from the date on which this Convention has entered into force for a Party, that Party may withdraw from the Convention by giving written notification to the Depositary.

2. Any such withdrawal shall take effect upon expiry of one year from the date of receipt by the Depositary of the notification of withdrawal, or on such later date as may be specified in the notification of withdrawal.

**ARTICLE 31
DEPOSITARY**

The Secretary-General of the United Nations shall be the Depositary of this Convention.

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**ARTICLE 32
AUTHENTIC TEXTS**

The original of this Convention, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Depositary.

IN WITNESS WHEREOF the undersigned, being duly authorized to that effect, have signed this Convention.

Done at [--] on this day of [--].]

Annexes as needed.
