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**Intergovernmental negotiating committee to develop  
an international legally binding instrument on plastic  
pollution, including in the marine environment  
Fifth session**

Busan, Republic of Korea, 25 November–1 December 2024

**Draft report of the intergovernmental negotiating committee to  
develop an international legally binding instrument on plastic  
pollution, including in the marine environment, on the work of  
its fifth session**

**I. Introduction**

1. In resolution 5/14 of 2 March 2022 entitled “End plastic pollution: towards an international legally binding instrument”, the United Nations Environment Assembly of the United Nations Environment Programme requested the Executive Director of the United Nations Environment Programme (UNEP) to convene an intergovernmental negotiating committee to begin its work during the second half of 2022, with the ambition of completing that work by the end of 2024. The Environment Assembly also decided that the intergovernmental negotiating committee was to develop an international legally binding instrument on plastic pollution, including in the marine environment, which could include both binding and voluntary approaches, based on a comprehensive approach that addressed the full life cycle of plastic, taking into account, among other things, the principles of the Rio Declaration on Environment and Development, as well as national circumstances and capabilities, and including provisions described in the resolution.
2. Accordingly, the first session of the intergovernmental negotiating committee to develop an international legally binding instrument on plastic pollution, including in the marine environment, was held at the Punta del Este Convention and Exhibition Centre, Punta del Este, Uruguay, from 28 November to 2 December 2022. The second session of the intergovernmental negotiating committee was held at the headquarters of the United Nations Educational, Scientific and Cultural Organization (UNESCO) in Paris from 29 May to 2 June 2023. The third session of the intergovernmental negotiating committee was held at the headquarters of UNEP in Nairobi from 13 to 19 November 2023. The fourth session of the intergovernmental negotiating committee was held at the Shaw Centre in Ottawa from 23 to 29 April 2024. The fifth session of the intergovernmental negotiating committee was held at the Busan Convention Centre, Busan, Republic of Korea, from 25 November to 1 December 2024.

**II. Opening of the session**

3. The fifth session of the intergovernmental negotiating committee was declared open by Luis Vayas Valdivieso (Ecuador), Chair of the intergovernmental negotiating committee, at 10.15 a.m. on Monday, 25 November 2024.
4. Opening statements were delivered by Mr. Vayas Valdivieso, Chair of the intergovernmental negotiating committee; Inger Andersen, Executive Director of UNEP; Yoon Suk Yeol, President of the Republic of Korea, via video message; Cho Tae-yul, Minister for Foreign Affairs, Republic of Korea,

via video message; Kim Wansup, Minister of Environment, Republic of Korea; and Jyoti Mathur-Filipp, Executive Secretary of the intergovernmental negotiating committee.

5. In his opening remarks, Mr. Vayas Valdivieso said that plastic pollution constituted an urgent and insidious threat to ecosystems, economies and human health. The magnitude of the crisis was evident; without significant intervention, the amount of plastic entering the environment annually by 2040 was expected to nearly double compared to 2022. The decisions made by the committee during the current session would shape history and its work must therefore be conducted with precision, diligence and urgency, while striving for unity. The expertise and advocacy of observers, international agencies, the scientific community, academia, the private sector, civil society and Indigenous Peoples would contribute significantly to the process, with the negotiations representing a collective effort that transcended borders, sectors and generations.

6. The success of the current session was contingent on concerted action, unwavering commitment and bold political will, together with a sustained focus on the mandate provided in United Nations Environment Assembly resolution 5/14. Despite divergent viewpoints on several of the issues to be considered, the importance of addressing plastic pollution through proactive collaboration was universally acknowledged. He urged participants to harness all the tools of multilateralism to overcome their differences and to craft an ambitious treaty, thereby leaving a legacy of hope for the planet and for future generations.

7. In her statement, Ms. Andersen, thanking the Republic of Korea and the city of Busan for hosting the fifth session, acknowledged that 25 November marked 1,000 days since the adoption of the historic resolution of the United Nations Environment Assembly – resolution 5/14, in which the Assembly had mandated the negotiations of the intergovernmental negotiating committee. Plastic pollution was harming the natural systems and species on which humankind depended, damaging ecosystem resilience and very likely also harming human health. The growth in plastic production had also increased greenhouse gas emissions. Accordingly, public and political pressure for action on plastic pollution had intensified since the adoption of resolution 5/14, including among civil society organizations, businesses, Indigenous Peoples and scientists, with increased action being taken in the finance sector and across diverse multilateral forums.

8. The agreement negotiated at the current session would be foundational in combating plastic pollution and should represent an ambitious starting point. While not everything in the agreement would be as detailed as some might wish, the broad contours and strokes of the treaty should be in place. Some of the treaty provisions would be informed by strong precedents in other environmental agreements; slight differences of opinion should not impede rapid progress in those areas and on provisions where there was already convergence of opinion, leaving sufficient time to address the critical issues. Some of the draft provisions would require significant work and attention during the current session, including issues related to plastic products and chemicals, supply, and finance. Ms. Andersen urged parties to provide full support to the Chair, to negotiate in good faith and to focus on the most important and urgent issues, while not lowering the bar.

9. In closing, referring to the request in resolution 5/14 for the Executive Director to convene a diplomatic conference of plenipotentiaries for the purpose of adopting the instrument and opening it for signature, Ms. Andersen said that she had encouraged the four Governments that had offered to host the conference to reach consensus on this matter.

10. Welcoming participants to Busan, Mr. Yoon said that an excessive reliance on plastics had led to an exponential increase in plastic waste, jeopardizing the lives of future generations. As a common, global challenge, plastic pollution required immediate action through collective political will in order to reach an agreement. The Republic of Korea had spared no effort in responding proactively to plastic pollution and other environmental challenges, including through measures to reduce plastic waste, to increase recycling and to promote the transition to a circular economy and society. His Government was also committed to sharing its policy experience and resource circulation with the international community and to expanding its green official development assistance. Reaching an agreement at the current session would send a powerful message of hope to the world that any challenge could be overcome through the unification of efforts. To that end, all members should demonstrate solidarity and responsibility for future generations through the finalization of the treaty.

11. Mr. Cho said that, over the previous two years, significant efforts had been made to establish a shared understanding of the measures needed to tackle plastic pollution, including by phasing out problematic plastic products, enhancing product design for recyclability and establishing effective waste management systems. While divergent views remained, challenges could be overcome through political will, by taking the necessary steps for the health and well-being of future generations. His Government firmly supported a legally binding agreement on plastic pollution that addressed the full

life cycle of plastics from production and consumption to waste management, and was prepared to work with all delegations to establish an actionable treaty that was both grounded in scientific evidence and adaptable according to different national contexts. He urged participants to make the current session a milestone in the journey towards ending plastic pollution.

12. In his statement, Mr. Kim said that the current session represented a defining moment that would determine the trajectory of global plastics policy for decades to come. Participants were responsible for channelling their focus and determination in order to safeguard their shared environment and reach agreement on the instrument under negotiation, on which the health of the planet and future generations depended. Member States must build on the significant efforts made thus far, demonstrate flexibility and compromise, and find common ground. Environment Assembly resolution 5/14 represented a landmark accomplishment in environmental multilateralism, and demonstrated the potential of working together. The momentum should be harnessed and the opportunity seized to make the fifth session a lasting success and a milestone in combating plastic pollution.

13. Ms. Mathur-Filipp began by welcoming participants to the fifth session of the committee and thanking the Government of the Republic of Korea for hosting the session. She expressed deep gratitude to all those who had contributed to making the session possible, including the Governments of Australia, Austria, Belgium, Canada, Denmark, Finland, France, Germany, Ireland, Japan, Monaco, the Kingdom of the Netherlands, New Zealand, Norway, Portugal, the Republic of Korea, Spain, Sweden, Switzerland, the United Kingdom of Great Britain and Northern Ireland and the United States of America, as well as the European Commission, for their financial support, and members of the committee, observer organizations and the Chair, in addition to colleagues from UNEP and the secretariats of other multilateral environmental agreements for their support. Successful negotiations at the current session would have a direct impact on the world, as the words of the treaty would be followed by action and implementation. She expressed the commitment of her team to providing full support to ensure that the negotiations were focused, productive and inclusive.

### **III. Election of officers**

14. Introducing the item, the Chair informed the committee that Mohammed Khashashneh (Jordan) had resigned as Vice-Chair. The Chair, thanking Mr. Khashashneh for his service as Vice-Chair of the Committee, said that the Asia-Pacific States had nominated Mohammed Albarrak (Saudi Arabia) to serve as Vice-Chair to replace Mr. Khashashneh for the remainder of his term.

15. In accordance with rules 13 and 45 of the draft rules of procedure that applied to the work of the committee on a provisional basis, the committee elected the following Vice-Chair by acclamation:

Mohammed Albarrak (Saudi Arabia)

### **IV. Organizational matters**

#### **A. Adoption of the rules of procedure**

16. Introducing the sub-item, the Chair recalled that, in accordance with the decision of the intergovernmental negotiating committee at its first session, the draft rules of procedure, as set out in document UNEP/PP/INC.5/3, would apply to its work on a provisional basis until their adoption, with the exception of the bracketed text in rule 37.

17. He also recalled that, at its second session, the committee had decided to adopt an interpretive statement relating to rule 38, paragraph 1, of the draft rules of procedure, which had been included in the note by the secretariat that accompanied the draft rules.

18. Noting his belief that the committee would continue to work in a spirit of cooperation and consensus, he recalled that the draft rules of procedure would continue to apply to the work of the committee on a provisional basis, as decided at its first session, and that the committee would continue to bear in mind the interpretive statement adopted at its second session.

19. One representative requested the Chair's assurance that decision-making on substantive matters would be taken by consensus and that rule 38, paragraph 1, would not be invoked until the committee had adopted its rules of procedure. He underscored that consensus-based decision-making was indispensable for ensuring fairness, equity, inclusiveness, shared responsibility and collective commitments and actions in all multilateral processes, and that consensus-based decisions would foster a shared sense of ownership of the negotiated outcomes, leading to sustainable and effective solutions and ensuring an end to plastic pollution. His statement was subsequently echoed by a number

of other representatives, including one speaking on behalf of a group of countries, who requested that their statements be reflected in the current report. In addition to stressing the importance of consensus, several representatives said that if any representative were to invoke rule 38, paragraph 1, they would insist on resuming the discussion on the rules of procedure where it was left at the second session of the committee, in Paris.

20. Responding to the request for reassurance, the Chair reiterated his commitment to discussions being held in the spirit of cooperation and consensus, noting that he counted on all members to demonstrate that spirit by participating in the session without the need to resort to paragraph 1 of rule 38.

## **B. Adoption of the agenda**

21. The committee adopted the following agenda on the basis of the provisional agenda (UNEP/PP/INC.5/1):

1. Opening of the session.
2. Election of officers.
3. Organizational matters:
  - (a) Adoption of the rules of procedure;
  - (b) Adoption of the agenda;
  - (c) Organization of work;
4. Preparation of an international legally binding instrument on plastic pollution, including in the marine environment.
5. Other matters.
6. Adoption of the report of the session.
7. Closure of the session.

## **C. Organization of work**

22. Introducing the sub-item, the Chair drew attention to the scenario note for the meeting (UNEP/PP/INC.5/2), as well as a supplementary note providing further details relevant to the organization of work (UNEP/PP/INC.5/7), and presented the proposed organization of work, including the proposed co-chairs and mandates of the proposed contact groups.

23. A lengthy discussion ensued, during which many representatives expressed support for the proposed way forward while many others voiced dissatisfaction with various aspects of the proposal, with most of the comments relating to the use of the Chair's non-paper as a starting point for the negotiations.

24. Many representatives, including several speaking on behalf of groups of countries, indicated their desire to use the non-paper as the basis for discussions in the contact groups, saying that it would enable Member States to make the best use of the limited negotiating time remaining to them, even though, as several mentioned, they did not necessarily agree with every word or, as one speaking on behalf of a group of countries said, some of the text was even disappointing. Many noted that the non-paper contained articles for which text still had to be formulated, with several indicating that they intended to submit text proposals. Many recalled that the compilation text agreed at the committee's fourth session also remained available to draw on, and many also stressed that they had come to the session prepared to work in a spirit of compromise and were anxious to begin the negotiations.

25. One representative indicated that his delegation would be willing to use the non-paper as a starting point for discussion only under certain conditions. He stipulated that the compilation text agreed on at the committee's fourth session should have the same status as the Chair's non-paper, that all the provisions of the non-paper, including the titles, should be bracketed, that once in the contact groups, all proposals should be reflected in the text and placed on the screen for members to consider, rather than simply uploaded to the in-session documentation platform, and that the work in the contact groups should cease immediately and plenary resume, should the business in the contact group be carried out in a non-objective manner or in violation of the agreed modalities.

26. Another representative, speaking on behalf of a group of countries, opposed using the non-paper in its present form as a basis for further discussion, saying that it did not reflect all

positions. He suggested that Member States be given time to consider the non-paper and submit their missing positions, and that the Chair then prepare a more balanced version and present it to members for their consideration and feedback. That view was echoed by several other representatives, while another representative said that the compilation text, being the negotiated text agreed on by the committee, should be used as the basis for the resumed discussions.

27. Several representatives made suggestions with regard to the content of the non-paper. One proposed that the scope and principles text from the compilation text be inserted into the non-paper and used as a basis for discussion on that section, while several objected to the inclusion of certain elements, with individual representatives citing supply, chemicals of concern and health, saying that they had no place in the treaty.

28. While many representatives, including several speaking on behalf of groups of countries, agreed with the mandates and schedules proposed for the contact groups and indicated their desire to begin work in the contact groups as quickly as possible, several others asked for changes. Some representatives asked for the contact group mandates to be projected on the screen for approval before proceeding. A number of representatives, including one speaking on behalf of a group of countries, said that objective, scope and principles would form the cornerstone of the treaty and should be given priority, and asked that they be moved up in the contact group discussion schedule.

29. Some representatives commented on the modalities regarding the legal drafting group and intersessional work that would precede the first meeting of the Conference of the Parties, cautioning that text should not be sent to the legal drafting group until it was agreed, and one saying that only procedural issues should be left for discussion after the diplomatic conference.

30. In response to comments from members, the Chair clarified that his non-paper should serve as a starting point to facilitate negotiations in the contact groups, with the compilation text remaining a valid and authoritative reference document, on the understanding that the entire text of the non-paper was bracketed and should not prejudice the positions of members. Regarding specific proposals made by members, he took note of the request for zero-text options for certain articles and also proposed that the order of work for the proposed contact group 4 be modified so that the discussion of objective, scope and principles would be exchanged with the discussion of articles 17, 18 and 19. He confirmed that all the issues to be considered by the contact groups would receive equal attention and that the principle that nothing was agreed until everything was agreed would be maintained throughout the negotiations.

31. A number of representatives, thanking the Chair for the flexibility shown in his proposals, said that they were also willing to show flexibility and agree to the Chair's proposed organization of work on the understanding that the Co-Chairs of the contact groups would ensure that the views of all members were considered in a balanced and fair manner and that the work of the contact groups was transparent. They expressed concern that the workload for the proposed contact group 4 would be heavier than that for the other three contact groups, and requested that sufficient time be allocated to the group for its discussions. One representative noted his appreciation for the clarification that the compilation of draft text would serve as a reference text for discussions.

32. The intergovernmental negotiating committee agreed to organize its work as described in the scenario note for the session (UNEP/PP/INC.5/2), the proposed programme available on the website for the session, as outlined in the Chair's note providing further detail relevant to the organization of work (UNEP/PP/INC.5/7) and subject to the additional clarifications provided during the discussion. Accordingly, the intergovernmental negotiating committee established four contact groups to finalize the text of the instrument using as a starting point to facilitate discussions the revised draft text set out in the third iteration of the non-paper of the Chair of the Committee, which was based on the compilation of draft text contained in document UNEP/PP/INC.5/4 and the views expressed by members. Contact group 1 would be co-chaired by Maria Angelica Ikeda (Brazil) and Axel Borchmann (Germany), contact group 2 would be co-chaired by Tuulia Toikka (Finland) and Oliver Boachie (Ghana), contact group 3 would be co-chaired by Kate Lynch (Australia) and Gwen Sisior (Palau), and contact group 4 would be co-chaired by Linroy Christian (Antigua and Barbuda) and Han Minyoung (Republic of Korea).

33. Responding to a question from one representative, the Chair clarified that members could make text proposals, including from the compilation of draft text, and that definitions would be discussed by contact group 1.

34. The Co-Chairs of contact group 1 proposed holding informal consultations before the first meeting of the group on any text proposals made by members on the two issues that the group has been mandated to consider for which the Chair's non-paper did not contain any proposed text, namely

plastic products and chemicals of concern as used in plastic products, and supply. Those consultations should not be considered a replacement for contact group negotiations on the issues, and members would have every opportunity during meetings of the contact group to fully consider any such text proposals.

35. At its fourth session, the committee had decided to establish an open-ended legal drafting group to conduct a legal review of any elements of the draft text forwarded to it by the committee with a view to ensuring that the text was drafted in a legally sound manner and make recommendations on the wording to the committee for its consideration. The open-ended legal drafting group, which would be composed of legal experts nominated by members of the committee, was due to commence work at the fifth session. Following the proposal of the Chair, the committee appointed Jean Kenfack (Cameroon), Anik Beaudoin (Canada) and Eyad Aljubran (Saudi Arabia) to serve as Co-Chairs of the open-ended legal drafting group.

#### **D. Attendance**

36. Representatives of the following States attended the session: [to be completed]

37. Representatives of [--] also attended the session: [to be completed]

38. The following intergovernmental and other entities were represented as observers: [to be completed]

39. The following United Nations bodies, secretariat units and convention secretariats were represented as observers: [to be completed]

40. A total of [--] non-governmental organizations were also represented as observers. The list of participants is set out in document UNEP/PP/INC.5/INF/[--].

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

41. Introducing the item, the Chair drew attention to the compilation of draft text of the international legally binding instrument on plastic pollution, including in the marine environment, which was set out in document UNEP/PP/INC.5/4. He also drew attention to the third iteration of his non-paper, which had been made available on the website for the session.

42. Oliver Boachie (Ghana), Co-Chair of the ad hoc intersessional open-ended expert group to develop an analysis of potential sources, and means that could be mobilized, for implementation of the objectives of the international legally binding instrument on plastic pollution, including in the marine environment, including options for the establishment of a financial mechanism, alignment of financial flows, and catalysing finance, speaking also on behalf of his Co-Chair, Kate Lynch (Australia), reported on the group's work. The report of the Co-Chairs on the work of the open-ended expert group was set out in document UNEP/PP/INC.5/5.

43. Luay Almkhtar (Iraq), Co-Chair of the ad hoc intersessional open-ended expert group to identify and analyse criteria and non-criteria-based approaches with regard to plastic products and chemicals of concern in plastic products, and product design focusing on recyclability and reusability of plastic products, their uses and applications, speaking also on behalf of his Co-Chairs, Axel Borchmann (Germany) and Gwen Sisor (Palau), reported on the group's work. The report of the Co-Chairs on the work of the open-ended expert group was set out in document UNEP/PP/INC.5/6.

44. Thanking the Co-Chairs for their presentations, the Chair said that the work of the open-ended expert groups had helped to increase trust in the negotiation process and had aided preparations for the fifth session.

45. The committee took note of the reports.

#### **A. Statements**

46. At the 3rd plenary meeting, the intergovernmental negotiating committee heard a statement by a representative of a regional group. The Chair requested that, in the interests of dedicating the remaining time at the session to the negotiation of the text of the proposed instrument, members and observers upload their statements to the online portal for the meeting.<sup>1</sup>

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<sup>1</sup> The statements are available at [www.\[-\]](http://www.[-]).

47. The representative speaking on behalf of the Coordinating Body on the Seas of East Asia said that the Chair's non-paper should serve as a basis for negotiations at the current session, as it reflected the progress made at previous sessions and was aimed at establishing common ground among members. The member countries of the Body remained committed to promoting collaborative efforts to develop a robust, ambitious, pragmatic and inclusive instrument that addressed the transboundary challenges for preventing and reducing plastic pollution, as well as controlling legacy plastic and microplastic pollution, including in the marine environment. It was important that the future instrument allowed for a just transition, addressed the full life cycle of plastics and promoted circularity, and that it was based on the principles of the Rio Declaration on Environment and Development, also taking into account national circumstances and capabilities. He emphasized the importance of a strong partnership with the scientific community to allow for the establishment of clear environmental and human health criteria in relation to plastic pollution and identifying suitable sustainable alternatives and the need for a robust financial mechanism, with existing multilateral environmental agreements leveraged to improve capacity-building and facilitate technical assistance and technology transfer. The member countries of the Body looked forward to strengthening regional coordination and collaboration to support the implementation of the future instrument.

48. [to be completed]

## **B. Work of the contact groups**

49. At the 3rd plenary meeting, on Wednesday, 27 November, the committee heard reports from the Co-Chairs of the four contact groups on the progress achieved in those groups.

50. The Co-Chair of contact group 1 said that the group had initially held informal discussions, during which proponents of proposals on plastic products and chemicals of concern as used in plastic products and on supply had introduced their proposals and responded to questions from other members. The contact group had then met three times, beginning their work with a focus on plastic product design. There was broad agreement that design should be a key element of the future instrument and there had been support for using the Chair's text from non-paper 3 as a basis and starting point for negotiation. A range of opinions had been expressed, with some representatives calling for more stringent measures and legally binding obligations for countries when taking such measures, and some other representatives calling for the deletion of the reference to primary plastic polymers and chemicals of concern. A number of representatives had also referred to the need for sectoral approaches. The group had entrusted the Co-Chairs with preparing a text proposal, with options where necessary, taking into consideration the views expressed during the discussion, as well as those submitted in writing. On plastic products and chemicals of concern as used in plastic products, proponents had been invited to introduce their proposals and highlight ongoing efforts with other members to identify commonalities and areas of convergence, as well as to bridge gaps. Opinions on the need for dedicated provisions on the matter, as well as the nature of any such provisions, had been divergent and the proponents had therefore been invited to engage in informal discussions on the way forward regarding their proposals. The discussion relating to supply had also begun with consideration of submissions from various proponents, with divergent views being expressed on the matter. Some representatives had expressed the view that the issue of supply was not part of the mandate provided in resolution 5/14 and that no provision on the issue should be included, whereas others had highlighted the importance of including such provision to achieve the overall goal of addressing plastic pollution. Some representatives had identified elements of convergence in the proposals on the matter and expressed an interest in working further on the provision. The Co-Chair emphasized the limited time left to finalize the group's mandates and called for continued flexibility and a spirit of compromise from all members.

51. The Co-Chair of contact group 2 said that the group had met three times and had completed a first round of discussions on the four articles under its mandate, and a second round on plastic waste management. Following a rich exchange of views on proposals for amending the text on the matter set out in the Chair's non-paper 3, the group had entrusted to the Co-Chairs the task of preparing revised text for a proposed article on plastic waste management that reflected the views expressed by members during the discussion in a balanced way and also took into account textual proposals made during the meeting and those submitted through the online portal.

52. The Co-Chair of contact group 3 said that substantive discussions had taken place on the article on finance. Following the submission of proposed text by groups of members and individual countries, the Co-Chairs had been mandated to prepare a synthesis document reflecting the two key text proposals submitted by groups of countries, to serve as the basis for line-by-line negotiations in subsequent meetings. The contact group had also discussed the article on capacity-building, technology assistance and technology transfer, including international cooperation. Line-by-line

negotiations had begun, but the additions made to the Chair's draft text had increased the complexity of the article and made it challenging to finalize it within the established timeframe. She urged members to demonstrate flexibility and a willingness to compromise, given the limited time remaining to finalize the text.

53. The Co-Chairs of contact group 4 reported that the group had met three times, with an exchange of views taking place on the preamble, scope, principles, implementation and compliance, and national plans. A first round of editing of the text on objectives, reporting, and effectiveness evaluation and monitoring had also taken place, as well as a round of submissions. In order to support the group's work going forward, in future meetings of the contact group the Co-Chairs would make text proposals for the preamble, objective, scope and principles as well as implementation and compliance; national plans; reporting; effectiveness evaluation and monitoring, which would be accompanied by a compilation of submissions on the relevant items. The Co-Chairs planned to adopt the same modality for the rest of the elements within the group's mandate

54. The Co-Chair of the legal drafting group said that, as no text had yet been submitted to the group for review, the group had not yet met but a meeting would be held for all legal experts to provide an overview of the organization of work and working modalities of the group.

55. In the ensuing discussion, many representatives expressed concern and disappointment at the limited progress made in the discussions, with many representatives, including some speaking on behalf of groups of countries, urging representatives to accelerate work on the text of the proposed instrument. People around the world were watching the current proceedings, several representatives said, while one emphasized that neither the time nor the resources were available to arrange a further round of negotiations after the fifth session.

56. Representatives identified a number of reasons for the lack of progress to date. Several representatives said that the committee had spent too long debating issues that did not advance the negotiations, with some representatives referring to the excessive discussion of procedural matters. Several representatives said that, in some instances, discussions had returned to matters that had already been addressed at previous sessions, including areas on which convergence should have been simple to achieve, such as waste management. Some representatives said that, notwithstanding the need to advance the negotiations, accelerating work should not be achieved at the expense of inclusion and transparency.

57. Many representatives said that progress had been hindered by the approaches of other members to the negotiations, with several representatives saying that some members appeared to be prioritizing interests other than the negotiation of a successful instrument. Several representatives urged committee members to negotiate in good faith, which, said some representatives, had not been the case to date. Several representatives, including one speaking on behalf of a group of countries, emphasized the importance of members showing flexibility in their approaches, while some others, including one speaking on behalf of a group of countries, underlined the importance of constructive engagement as a way to find common ground. Several representatives urged members not to blame others for blocking the negotiations.

58. Many representatives, including some speaking on behalf of groups of countries, suggested ways of improving the working methods of the committee. With regard to the contact groups, several representatives, including one speaking on behalf of a group of countries, said that the role of the Co-Chairs should be strengthened, while some representatives said that a discriminatory approach had been applied to the inclusion of proposals in the discussions of the contact groups. One representative, speaking on behalf of a group of countries, suggested that a deadline should be set for the submission of new text; that, when all avenues had been explored, the Co-Chairs should be given a mandate to combine text from submissions based on discussions in the contact groups, and to produce draft text for negotiation; and that contact groups should be given larger rooms in which to conduct their discussions, in order to adequately accommodate the representatives of members and observers.

59. Negotiations should be based on consensus, said one representative, while others emphasized that they should be member-driven. One representative said that the committee's work should concentrate on agreeing provisions that were acceptable to all delegations. Some representatives urged members to exercise caution when introducing new or underdeveloped issues for consideration at such a late stage in negotiations.

60. Several representatives highlighted the vital importance of delivering on the mandate of Environment Assembly resolution 5/14, noting that the committee was currently failing in that regard. The requirement, in resolution 5/14, that the future instrument should address the full life cycle of plastics made it essential to address plastic production, said some representatives, including one



speaking on behalf of a group of countries, while one stressed that supply-side considerations lay outside the mandate granted by the resolution and should therefore not be included in the future instrument. Several representatives underlined the importance of addressing the scope of the future instrument and the principles on which it should be based.

61. Several representatives discussed the process by which the provisions of the future instrument would reach the legal drafting group. A number of representatives supported the proposal of one representative that contact group 4 immediately focus on sending final provisions to the legal drafting group so that it could begin its work. Several representatives however said that they opposed such an approach, as provisions should be agreed upon by the committee in a plenary meeting before being forwarded to the legal drafting group. One representative said that the forwarding of articles to the legal drafting group should not be taken as a signal that those articles had been adopted by the committee in plenary.

62. Representatives of two observers also delivered statements. The full text of statements, when submitted, can be found on the website for the session.

63. [to be completed]

## **VI. Other matters**

64. [to be completed]

## **VII. Adoption of the report of the session**

65. [to be completed]

## **VIII. Closure of the session**

66. [to be completed]

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