

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

Monday, 25 November - Sunday, 01 December 2024

Bureau Room, BEXCO, Busan, Republic of Korea

INC-5 IN-SESSION BUREAU MEETING SUMMARIES

Note by the Secretariat

INC-5 DAY 1: MONDAY, 25 NOVEMBER 2024

- The INC Bureau discussed contact group and regional meeting rooms, highlighting the importance of adequate meeting facilities.
- Bureau members discussed the delineation of Conference Room Papers (CRPs) and in-session textual submissions and requested both to be clearly distinguished.
- The importance of clarity of contact group mandates, to be established in plenary, was discussed. The Bureau emphasized the importance of clearly indicating how text would move between the contact groups, plenary, and the legal drafting group.
- The Chair encouraged the submission of regional textual proposals. A Bureau member provided information about a regional textual submission, which would be uploaded shortly.
- The Chair outlined his approach to the first plenary session, scheduled to commence after the Bureau meeting at 10:00.

INC-5 DAY 2: TUESDAY, 26 NOVEMBER 2024

- The INC Bureau discussed progress made by the contact groups, logistical aspects of the conference, and an outlook to the day ahead.
- After a short update provided by the co-chairs of contact groups 1-4, the Chair reminded the co-chairs of the time restrictions this week and the resulting need to focus on crafting bridging proposals and adding value to the text.
- Bureau members thanked the Chair and the co-chairs for the progress achieved so far and discussed different strategies to support the groups in arriving at good outcomes. Proposals included the value of providing clear guidance to the groups on next steps while recognizing that a common approach for all groups is not required, given the different tasks and stages of the groups' work.
- Bureau members noted that elements relating to means of implementation are discussed in different groups and under different articles, and the efficiency gains of centralizing this discussion in contact group 3 were noted.
- Bureau members encouraged the co-chairs to explore different settings of informal consultations, ranging from informal consultations chaired by the co-chairs to bilateral exchanges between proponents of diverging proposals to elaborate compromise text.
- The Chair urged the co-chairs to shift gears on the negotiations to get some text to plenary and the legal drafting group ideally by Wednesday's stocktake plenary.
- Regarding the logistical aspects, the secretariat reported that the issue of limited room capacity had been addressed by moving to larger rooms and introducing a limit for observer access where needed; DSA distribution, which had faced logistical challenges on day 1 of the session, had been

expedited. Temperature variations in the conference centre posed a challenge, and the secretariat was informed that the limited amount of thermostat settings (on/off only) were the reason.

- The Chair updated the Bureau on the plan for the following day:
 - 10:00-13:00 and 15:00-17:00: Meetings of contact groups 1 and 3
 - 17:00-18:00: Stocktake plenary
 - 19:00: Extended Bureau meeting
 - 19:00: Meetings of contact groups 3 and 4
- The stocktake plenary will invite updates from the co-chairs on progress made and ideally see the first provisions sent to the legal drafting group for its consideration.

INC-5 DAY 3: WEDNESDAY, 27 NOVEMBER 2024

- The Bureau considered views exchanged during the Stocktake Plenary preceding the Bureau meeting, and the next steps towards reaching a successful outcome of INC-5.
- The Executive Director of UNEP attended and noted that initial texts being put forward provides buoyancy in going forward. While being very well aware of the divergencies, she encouraged moving forward by focusing on topics with higher convergence.
- Reflecting on proposals voiced during the stocktake plenary to accelerate progress towards agreement on a legally binding instrument, and the encouragement given to the Chair to catalyse this outcome, the Chair presented a proposed way forward for Bureau members' consideration.
- The Bureau welcomed the proposal and, upon clarification of pending questions, agreed on the following guidance to be communicated to the co-chairs, who were then invited to the meeting:

Deadline for contact groups:

- Contact groups must finalize their work by 21:00 on Thursday, 28 November 2024.
- The INC Secretariat online in-session documents portal will remain open until the contact groups' work concludes.

Preparation of Draft Texts by co-chairs:

Following the completion of the contact groups' work, the co-chairs will prepare and submit the following to the Chair:

- Draft text for provisions where agreement has been reached within the contact group.
- Draft text based on discussions in the contact groups for provisions where convergence has emerged.
- Text proposals by the co-chairs in their personal capacity for provisions where divergence remains.

If a co-chair considers that a text with alternatives better captures the situation, they should send it to the Chair, ideally accompanied by suggested landing zones.

Consolidation by the Chair:

- The Chair will integrate contributions from the co-chairs and present a consolidated Chair's non-paper to Members by noon on Friday, 29 November 2024.

Plenary Session and Informal Consultations:

- The plenary will convene on Friday afternoon or Saturday morning to consider the Chair's non-paper.
- The plenary will consider texts and send them to the legal drafting group for legal review, where there is agreement.

- While the plenary continues working on texts with a higher level of convergence, informal consultations or Friends of the Chair meetings may also be convened to consider how to proceed regarding persistent divergencies in the text.

Thursday Schedule Publication:

- The Bureau has emphasized the need for flexibility in scheduling on this day to maximize progress.
- Bureau members will share information about this approach with members of their regional groups and constituencies.

INC-5 DAY 4: THURSDAY, 28 NOVEMBER 2024

- The INC Bureau conducted two meetings on 28 November.
- **During the first meeting, convened at 13:15**, the Bureau discussed the Chair's proposed way forward and reflected in his note communicated to the Bureau members on 27 November 2024.
- Bureau members reported that in regional consultations both the support to the proposed way forward and some concerns on the clarity of the proposal were noted. Members highlighted the need for further clarity and details on the process for the consideration of any draft text, and the importance of an inclusive and transparent process. References were made to the Chair's scenario note which indicated that the text from the contact groups would come to the plenary and then to the legal drafting group for review. The Chair assured Bureau members that the process would remain consultative and inclusive, noting that decision-making is exclusively in the hands of Members.
- Bureau members noted that the three contact groups are running and making progress, while some delegations expressed concerns about three groups meeting in parallel. Some concerns were raised about ending the work of contact groups early.
- Members agreed that the next meeting of the Bureau would take place at 21:00 on the same day. The co-chairs would be invited to join part of the meeting to report back on progress made in their groups and the Chair would present his plan for the coming days.
- **During the second Bureau meeting held at 21:00**, the Chair notified the Bureau that the work of the contact groups has now been concluded and introduced the plan for the final three days. The Bureau discussed the proposal and members sought a number of clarifications and provided comments, including on allowing time until end of Thursday for text proposals to be submitted, the need to clearly delineate timing for regional consultations and informals on Friday morning and to allow time to consult with the regions, as well as who would facilitate the informals. The Chair's proposal to prepare a new text iteration following the informals of Friday was discussed, including whether the iteration would address the complete text and how to deal with numerous brackets. The setting of the Heads of Delegations was overall seen as appropriate to discuss the new iteration on Friday afternoon, while some considered that a plenary setting could be used.
- The Chair's proposal for the organization of work for the remaining days of the session was therefore finalized with some clarifications and adjustments as follows:
 - Chair's consultations with Members will continue on both Friday and Saturday.
 - Two informals will be convened on Friday morning.
 - On the basis of the work of the contact groups so far and any inputs from the consultations and informals, the Chair will release a revised non-Paper by noon on Friday.
 - An informal Heads of Delegations meeting will be convened on Friday afternoon.

- On Saturday, informals will continue with the focus on issues where there is greater divergence of positions.
 - Saturday evening plenary will be convened to hear the outcomes of consultations and assess progress.
 - The Chair will then consolidate all the outcomes of consultations in a single text for discussions in the plenary on Sunday.
- The co-chairs of contact groups were then invited to join the meeting to report on progress made.
 - The Bureau recognized the good work undertaken by the co-chairs. The Bureau members and the co-chairs noted the difficulty of the task ahead.
 - The co-chairs were requested to submit to the Chair text reflecting discussions in their contact groups by 8:30am on Friday, 29 November 2024.

INC-5 DAY 5: FRIDAY, 29 NOVEMBER 2024

The Bureau did not meet on 29 November 2024.

INC-5 DAY 6: SATURDAY, 30 NOVEMBER 2024

- The INC Bureau held two meetings on 30 November 2024.
- **During the first meeting, convened at 13:00**, the INC Bureau discussed progress made and the next steps to reach the outcome of the INC.
- The Chair highlighted the support he received for the iteration of the non-paper issued on 29 November 2024. He also stressed that he would work on some recommendations made by a group of countries during the Heads of Delegation meeting.
- He informed the Bureau that two parallel informal consultations would be conducted throughout the day on Saturday, for which the allocation of topics was shared with Members at 9:00am.
- The Chair would continue to conduct consultations with Members and groups of Members. The goal of all consultations was to agree on a text to be sent to the legal drafting group, ideally as a whole, or, if needed, in several parts, if so agreed by Members during the plenary scheduled for Sunday 10:00am.
- Bureau members sought clarification on where and when article 11 (Finance, including the establishment of a financial mechanism) would be discussed, on the timeline and strategy to arrive at a consolidated text, the timing of the next plenary meeting, and which document would be discussed at that plenary meeting.
- Bureau members encouraged the Chair to conduct more meetings of the Bureau to inform, consult, and coordinate with the Vice-Chairs. Bureau members also encouraged the Chair to make use of a Friends of the Chair setting to conduct his consultations and to convene a plenary meeting in the evening on 30 November 2024. The Chair was also encouraged to consider holding a plenary session in the evening of 30 November, taking into account the progress in informals.
- The Executive Director of UNEP recalled that the current version of the draft text is still a non-paper requiring submission for plenary consultation to be recognized as an official document. She recommended that the Chair invites the co-chairs, with the support of the secretariat, to submit a summary of their work so far for that purpose. She also encouraged a plenary meeting to be held in the evening of 30 November 2024.
- The Chair clarified that Article 11 would be addressed in Chair's consultations in the afternoon.
- After 18:00, the Chair, together with the facilitators, would assess progress made in the informal consultations to determine the nature and timing of the next steps.
- The next Bureau meeting was scheduled for 19:00 on 30 November 2024.

- **During the second Bureau meeting held at 19:30**, the Bureau agreed on the informal consultations to be continued for the remainder of 30 November, and the way forward for the first half of Sunday 1 December as follows:
 - 09:00: Chair’s text reflective of Members’ views based on the contribution of the facilitators of the informal consultations;
 - 11:00: Regional meetings;
 - 13:00: Bureau meeting.

INC-5 DAY 7: SUNDAY, 01 DECEMBER 2024

- The Bureau held two meetings on 1 December.
- **During the first meeting, convened at 15:00**, the Bureau discussed the status of the current draft text and ways forward during the plenary to be held later that evening.
- Several options on the way forward were deliberated, including opening the current draft text up for negotiations in plenary, as well as suspending the session to be resumed at a later date.
- The Bureau noted that, should it be identified that the plenary would not conclude with a final agreed text, the best option might be to propose, in plenary, a resumed INC-5 session, with the latest iteration of the Chair’s non-paper serving as the starting point and basis for textual negotiations without prejudice to the right of any member to propose modifications to the text during the resumed session.
- The Executive Director of UNEP noted that attaching this draft text to the report of the session would provide clarity regarding negotiations reopening on the same text during any resumed session.
- The Bureau discussed that it was important not to jeopardize the progress made on the text at the current session. It was also noted that the mode of work at a subsequent resumed session would need to be optimized and improved.
- The Chair thanked the Bureau for their inputs, taking note of all that had been discussed and suggested another Bureau meeting to take place before the plenary session, at 19:00.
- **During the second Bureau meeting convened at 19:00**, the Chair and Bureau emphasized the importance of a clear path forward, to ensure a smooth, constructive and short plenary session ahead.
- In proposing the closing of the session, to be resumed at a later date, the wording “starting point” or “basis” and “starting point and basis” of the current draft text was discussed, to ensure its acceptability for the Committee during the final closing plenary session.
- The INC Chair expressed appreciation and gratitude to the Bureau for their continued guidance and efforts. Bureau members also expressed their appreciation to the Chair and the co-chairs and facilitators for all their efforts made during the session in advancing progress towards a final treaty text.