Overview of the Chair's Text (Dec 2024)

International Legally Binding Instrument on Plastic Pollution

Dr Thomas Maes

AFRIPAC: Effective Capacity Building for Global Plastics Treaty in Africa

Funded by the Norwegian Agency for Development Cooperation (NORAD)

IUCN

GRID ARENDAL

A UNEP Partner

Dr Thomas Maes

Structure Overview

- Preamble: Global concerns, Rio principles, national sovereignty
- Articles: 32 core articles covering full lifecycle of plastics
- Annexes: Detailed phase-out lists and product criteria

IUCN

G·R·I·D ARENDAL

A UNEP Partner

Dr Thomas Maes

Article	Title	Key Content / Options
1	**Objective**	Full lifecycle approach to protect health and environment
1bis	**Principles & Approaches**	3 Options (Rio + CBDR, polluter pays, human rights, equity, trade concerns, SIDS etc.)
2	**Definitions**	“Plastic”, “plastic waste”, “plastic pollution”, etc.
3	**Plastic Products**	Obligations to reduce or ban harmful products; creation of Review Committee; multiple options
4	**Exemptions**	Registration system, 5-10 year exemptions, phase-out flexibility
5	**Product Design**	Circular economy, reuse, recyclability, safe additives
6	**Supply/Sustainable Production**	Optional; global production target option proposed
7	**Releases & Leakages**	Prevent releases of microplastics, pellets, ALDFG
8	**Plastic Waste Management**	ESM, EPR, transboundary rules (links to Basel)
9	**Existing Pollution**	Clean-up, monitoring, cooperation for legacy pollution
10	**Just Transition**	Social safeguards for informal workers, SIDS, equity
11	**Financial Mechanism**	Options: new dedicated fund, GEF, obligations for donors
12	**Capacity Building & Tech Transfer**	Focus on developing countries, SIDS, Indigenous Peoples
13	**Implementation & Compliance**	Expert-based compliance mechanism
14	**National Plans**	Optional/mandatory, periodic updates, COP guidance
15	**Reporting**	Linked to national plans, public disclosure
16	**Effectiveness Evaluation**	COP-led, first within 6 years
17	**Information Exchange**	Clearinghouse, best practices, confidentiality provisions
18	**Awareness & Research**	Education, public engagement, monitoring, traditional knowledge
19	**Health**	Option 1: integrate across text; Option 2: stand-alone
20	**Conference of the Parties (COP)**	Mandates, meetings, observer status
20bis	**Subsidiary Bodies**	Scientific/technical advisory groups
21	**Secretariat**	UNEP or other organization, coordination role
22	**Dispute Settlement**	Negotiation, ICJ or arbitration, conciliation as fallback
23	**Amendments**	Proposal/adoption process
24	**Annexes**	Automatic/opt-out for scientific annexes
25	**Right to Vote**	RIOs vote on behalf of member states
26	**Signature**	Location and timeframe TBD
27	**Ratification/Accession**	RIO competence declarations
28	**Entry Into Force**	50/60/97 ratifications; 90/120 days
29	**Reservations**	Not allowed
30	**Withdrawal**	3 years after entry into force
31	**Depositary**	UN Secretary-General
32	**Authentic Texts**	6 official UN languages

Dr Thomas Maes

Core Articles & Options

- Article 1: Objective - Full lifecycle protection
- Article 1bis: Principles (3 options: Common But Differentiated Responsibilities and Respective Capabilities (CBDR)*, Polluter Pays, Precautionary Principle)
- Article 3: Plastic Products: Product measures - bans, reviews, traceability
- Article 6: Sustainable Production
- Article 11: Financial Mechanism - new fund/GEF options
- Article 14-15: National Plans and Reporting

*** countries not equally responsible,** their **historical contributions, capacities, and development needs** must be considered

Dr Thomas Maes

Key Annexes

- Annex X: Indicative product list (e.g., EPS, cigarette filters)
- Annex Y: Products with phase-out dates (e.g., SUPs, microbeads)

IUCN

GRID ARENDAL

A UNEP Partner

Dr Thomas Maes

Institutional Arrangements

- COP: Governing body
- Review Committee: Product listing, advice
- Secretariat: Coordination, reporting
- Subsidiary Bodies: Technical/scientific input

IUCN

GRID ARENDAL

A UNEP Partner

Dr Thomas Maes

Diverging Provisions

- Principles: 3 Options
- Article 6: Optional global polymer target
- Article 19: Health - Standalone or integrated

Dr Thomas Maes

Voting, Dispute, Entry into Force

- Article 25: Voting rules (1 vote per party/RIO rules)
- Article 22: Dispute settlement – International Court of Justice, arbitration, conciliation
- Article 28: Entry into force after 50-97 ratifications

Dr Thomas Maes

Questions?

We are happy to help!

Thank you for your attention

Thomas.maes@grida.no