



Intergovernmental Negotiating Committee (INC) Submissions: Quick View of Submissions on Clustering and Sequencing of Work

In March 2022, the United Nations Environment Assembly (UNEA) adopted resolution 5/14 titled “End plastic pollution: Towards an international legally binding instrument.” Resolution 5/14 convenes an Intergovernmental Negotiating Committee (INC) to develop a new global agreement on plastic pollution. The INC’s mandate calls for addressing plastic pollution in all environments through a comprehensive approach addressing the full plastics life cycle and sets out a series of provisions to be developed. Negotiators must now agree on the structure and organization of work for the INC.

Based on previous INCs for Multilateral Environmental Agreements (MEAs), structuring the program of work requires consideration of the availability of knowledge, the sensitivity or relative importance of various issues, and the complexity and interrelationship of issues to be considered. When considering the approach to negotiations, it will be important to understand which topics may need to be visited multiple times during negotiations, and those which can be addressed easily. Furthermore, some topics may require dedicated research or working groups to be established to progress the drafting of the relevant text during intersessional periods. When designing the program of work, Parties must also consider the need to create distinct technical working groups for negotiations around specific areas and topics as a basis for drafting text.

The INC is scheduled to meet five times over the next two and a half years to agree on the treaty text before the agreement opens for adoption in 2025. An organizational meeting, known as the Open-Ended Working Group (OEWG), was held in Dakar, Senegal, in May and June of 2022 to negotiate the rules of procedure and establish the program and sequencing of work. The first steps of INC-1, which begins November 28, will be to formally adopt the rules of procedure and agree on a negotiating structure. Following the OEWG, governments and other stakeholders were invited to submit comments, including proposals on how the work should be organized.

This briefing contains an overview of the submissions made to the INC.



Summary of Country Submissions

Forty-four countries and the European Union responded to the UN Environment Programme's (UNEP) call for comment submission in advance of INC-1. Three countries responded after the deadline. Thirteen of those submissions included suggestions for INC clusters. The others related to parallel calls for topical submissions and/or those on the multi-stakeholder forum. These suggestions are summarized below. (Note: the EU is counted as one entity in these bullet points.)

- Clustering on the life cycle stages
 - Ten countries suggested a cluster specifically for upstream measures, including sustainable production and consumption, or reducing plastic consumption
 - Eight countries suggested a cluster specifically for midstream measures, including product design
 - Ten countries suggested a cluster specifically for downstream measures, including waste management
 - Eight countries included a cluster for all three life cycle stages in their recommendations
- Nine countries suggested a cluster for funding/financial mechanism
- Nine countries mentioned a cluster for capacity building/technology transfer
- Seven countries mentioned a dedicated cluster for national action plans
- Seven countries mentioned scientific knowledge/assessment or knowledge building
- Five countries mentioned compliance and five mentioned reporting/monitoring/assessment
- Four countries mentioned definitions, four mentioned institutional arrangements, and four mentioned objectives
- Three countries mentioned legal issues as its own cluster
- Other suggestions included stakeholder/public relations, risk assessment, remediation, circular economy, and microplastics, which were suggested by only one country each
- Six submissions were concerned about limiting the number of negotiation tracks happening concurrently and/or considering the size of delegations
 - This was also echoed in civil society submissions

Summary of Major Groups and Stakeholders (MGS) Submissions

- Fourteen organizations from the MGS system submitted comments for the INC, and six of those included suggestions for clusters for the INC
 - The others related to parallel calls for submissions on the multi-stakeholder forum, or the general call for topical submissions
- All of the submissions suggested some version of having clusters for the different life cycle stages (upstream, midstream, and downstream)
- The two clusters that stakeholders most often mentioned were some version of objectives (all six submissions) and definitions (five of six submissions)
- Four of the submissions suggested a cluster on national action plans, institutional arrangements, a financial mechanism, and a scientific body
- Other suggestions included reporting and monitoring, compliance, and microplastics

Recommendations for Organization of Work

Based on the submissions made on organization of work and prioritization of issues, the following, non-exhaustive, issues may be considered high priority for INC-1:

Ensuring that in establishing a negotiation timeline for the meetings, there are not more than two tracks happening in parallel

Rationale: Smaller delegations are disadvantaged in the negotiations when more than two issues are being handled concurrently. To ensure access is equitable, concurrent tracks should be limited, online access made available, and support provided for delegations to bring more participants if multiple tracks are envisaged. Regular coordination time for clusters should also be factored in to avoid duplication of work.

Establishing tracks for each stage of the full life cycle of plastics

Rationale: There is a clear interest in having dedicated sessions for the stages of the plastics life cycle, but parallel submissions highlighted the need for clarity on definitions, such as improved understanding of plastics as materials and whether extraction is within the scope of the full life cycle to be covered under the agreement. INC-1 should work to establish working definitions for the stages of the plastics life cycle in order to set up technical working groups charged with developing tailored measures and approaches that will be required for each stage, while not preempting the outcome of negotiations by preferencing one of these stages over the other. All established cycle clusters should also consider the socioeconomic consequences of systemic changes to the global plastics economy and consider how best to facilitate a just transition to minimize impacts on workers and communities.

Finance and capacity building

Rationale: The topic of financing will likely be complex and has the potential to derail and delay the negotiations if not dealt with adequately. At a minimum, negotiators must specify the arrangements for providing financial assistance from donor countries to recipient countries, which can be categorized into: (i) enabling activities, such as institutional strengthening, capacity building, and training; reporting and monitoring; and policy development and implementation; (ii) incremental costs of compliance; and (iii) other forms of financial assistance. Moreover, within this track, the negotiators must specify the arrangements for delivering financial assistance, for example through a dedicated multilateral fund or other financial mechanism. Given the prioritization of the issue in the submissions and the relative complexity, importance should be placed on establishing a timeline to begin negotiations on the financial and capacity building elements as early as INC-1.

Dedicated track on national action plans — later phase

Rationale: At the heart of the global agreement will be country-level plastic pollution reduction plans — or national action plans — setting out the specific policies and measures taken or to be taken to comply with the settled international obligations and other related commitments. This was raised as an important dedicated track in seven submissions. Given that the development of national action plans must be responsive to agreed obligations at the global level, it could be defined as a separate cluster during INC-1, but with delayed commencement to INC-3 or later.

Key:

In these tables, a **blue box** indicates that the country or stakeholder suggested a separate track for this category. A **red box** indicates that the country suggested this track, if necessary.

- Under “full life cycle” we included countries or stakeholders that mentioned this term specifically, as well as countries or stakeholders that suggested tracks for all three of the life cycle stages (upstream, midstream, and downstream).
- Under “upstream” we include language such as sustainable production and consumption, manufacturing, and reduction of high-risk plastics.
- The category “midstream” includes product design, transparency, and chemicals use.
- Under “downstream,” we include waste management, end-of-life management, marine plastic pollution, and legacy waste.
- Under “scientific body / knowledge building,” language included suggestions for discussion of science and knowledge building, a scientific body, or scientific and socioeconomic assessments.
 - Some countries or stakeholders suggested stand-alone clusters for these topics, whereas others included them with other topics as well.

Country Submissions

Country	Full life cycle*	Upstream*	Midstream*	Down-stream*	Funding / financial mechanism	Capacity building / education / tech transfer	National action plans	Scientific body / knowledge building	Compliance	Reporting / monitoring / assessment	Objectives / definitions	Institutional arrangements	Legal issues	Microplastics
Australia	Blue	Blue	Blue	Blue	Blue	Blue	Blue	Blue				Blue		
Chile			Blue		Blue		Blue		Blue	Blue	Blue			
Costa Rica	Blue	Blue	Blue	Blue	Blue	Blue	Blue	Blue			Blue			



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Ecuador		█		█	█									
European Union	█	█	█	█										
Japan	█	█	█	█	█	█	█	█	█	█	█	█	█	
Norway	█	█	█	█		█		█		█		█		█
Peru	█	█		█	█	█			█				█	
Rwanda	█	█	█	█	█	█	█				█			
Saudi Arabia				█				█						

Country	Full life cycle*	Upstream*	Midstream*	Down-stream*	Funding / financial mechanism	Capacity building / education / tech transfer	National action plans	Scientific body / knowledge building	Compliance	Reporting / monitoring / assessment	Objectives / definitions	Institutional arrangements	Legal issues	Microplastics
Switzerland	1	1	1	1	1	1	0	0	1	0	0	0	1	0
United Kingdom	1	1	1	1	0	1	1	1	0	1	0	1	0	0
United States	0	1	0	0	1	1	1	1	1	1	0	0	0	0
Totals	9	10	8	10	9	9	7	7	5	5	4	4	3	1

Note: The following countries did not submit cluster submissions: Brazil, Indonesia, Korea, Morocco, Qatar, Singapore, Sri Lanka, and Thailand.

Group	Full life cycle*	Upstream*	Midstream*	Down-stream*	Funding / financial mechanism	Capacity building / education / tech transfer	National action plans	Scientific body / knowledge building	Compliance	Reporting / monitoring / assessment	Objectives / definitions	Institutional arrangements	Legal issues	Microplastics
Pew Charitable Trusts														
World Wide Fund for Nature (WWF)														
Totals	6	5	5	5	4	2	4	4	2	1	6	4	0	1

Note: The following groups did not submit cluster submissions: Earth Law Center, Entidades Unidas Reafirmando la Economía Circular en Argentina (EURECA), Food and Agriculture Organization (FAO), Global Alliance of Waste-Pickers, Workers and Trade Unions Major Group, Our Sea of East Asia Network (OSEAN), The Recycling Partnership, and World Business Council for Sustainable Development (WBCSD).



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Center for International Environmental Law (CIEL) uses the power of law to protect the environment, promote human rights, and ensure a just and sustainable society. CIEL seeks a world where the law reflects the interconnection between humans and the environment, respects the limits of the planet, protects the dignity and equality of each person, and encourages all of earth's inhabitants to live in balance with each other.



We investigate and campaign against environmental crime and abuse. Our undercover investigations expose transnational wildlife crime, with a focus on elephants and tigers, and forest crimes such as illegal logging and deforestation for cash crops like palm oil. We work to safeguard global marine ecosystems by addressing the threats posed by plastic pollution, bycatch and commercial exploitation of whales, dolphins and porpoises. Finally, we reduce the impact of climate change by campaigning to eliminate powerful refrigerant greenhouse gasses, exposing related illicit trade and improving energy efficiency in the cooling sector.



Greenpeace is a global network of independent campaigning organizations that use peaceful protest and creative communication to expose global environmental problems and promote solutions that are essential to a green and peaceful future.

If you have any questions, please contact:

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