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## **Intergovernmental Negotiating Committee (INC-4) Summary Report**

**24<sup>th</sup> April 2024**

The fourth session of the Intergovernmental Negotiating Committee (INC-4) convened to develop an international legally binding instrument (ILBI) aimed at addressing plastic pollution, with a specific focus on marine environments. Delegates worked diligently to refine and streamline the Revised Draft Text of the ILBI (UNEP/PP/INC.4/3) throughout the day and into the evening.

### **Key Discussions and Outcomes:**

#### **Contact Group 1:**

- Co-Chaired by representatives from Palau and Germany, discussions revolved around streamlining the text within Parts I and II of the Revised Draft Text.
- Delegates emphasized the importance of clear and concise language regarding the scope of the ILBI, including waste management and emissions.
- Some contentious issues included the inclusion of principles, objectives, and scope, with differing opinions on the necessity of stand-alone articles.

#### **Contact Group 2:**

- Divided into subgroups, discussions focused on implementation measures related to financing, capacity building, and technical assistance.
- Delegates explored restructuring provisions on financing to define the scope of the financial mechanism more clearly.
- There were discussions on different funding sources and recipient categories, with a focus on supporting developing countries vulnerable to plastic pollution.

### **Next Steps:**

Delegates agreed to continue refining and streamlining the ILBI text to pave the way for a comprehensive first reading. Key areas of focus include establishing objectives, defining scope, and outlining implementation measures.

### **Conclusion:**

The INC-4 session highlighted significant progress in shaping an international agreement to combat plastic pollution in marine environments. Delegates remain committed to finalizing the ILBI text,

ensuring it addresses critical issues related to plastic waste management and environmental protection. The ongoing discussions underscore the importance of international cooperation in addressing this global challenge effectively.

## **25<sup>th</sup> April 2024**

On 25<sup>th</sup> April, delegates gathered again for the fourth session of the Intergovernmental Negotiating Committee (INC-4) to develop a binding international agreement on plastic pollution, with a specific focus on marine environments. Throughout the day, discussions centered on refining the Revised Draft Text of the agreement and exploring technical details and implementation measures.

### **Contact Group 1:**

Subgroup discussions addressed various provisions related to plastic product design, composition, and substitutes:

- Delegates emphasized measures to enhance product design, including legally binding criteria.
- Views differed on setting targets for reducing plastic waste and establishing reuse systems.
- Delegates stressed the importance of safe, sustainable substitutes and lifecycle assessments.

### **Contact Group 2:**

Subgroup discussions focused on financial mechanisms and governance:

- Delegates debated the nature and function of the financial mechanism, with differing views on the Global Environment Facility (GEF) as a potential model.
- Discussions highlighted the need for voluntary contributions and additional financing from developed countries.

### **In the Corridors:**

Delegates grappled with complex issues like Extended Producer Responsibility (EPR), which aims to hold producers accountable for plastic waste. While EPR is viewed as critical, concerns arose about its potential economic impacts on developing countries. Additionally, discussions around non-plastic substitutes highlighted the importance of safe and sustainable alternatives.

Observers noted the presence of industry interests in the negotiations, sparking debates about accountability and the role of lobbyists. Questions emerged about the absence of discussions on investor-state dispute settlement (ISDS), a mechanism that allows private sectors to challenge government actions.

Overall, INC-4 discussions reflect ongoing efforts to address plastic pollution comprehensively, balancing technical considerations with equitable solutions and international cooperation.

## 26<sup>th</sup> April 2024

On 26<sup>th</sup> April 2024, at the fourth session of the Intergovernmental Negotiating Committee (INC-4) on plastic pollution, delegates reconvened to develop a new international agreement aimed at addressing plastic pollution, particularly in marine environments. They based their discussions on a Revised Draft Text of the agreement, focusing on various aspects such as waste management, fishing gear pollution, and regulation of problematic plastic products like microplastics.

Delegates worked in smaller groups called subgroups, each focusing on specific issues. For example, **Subgroup 1.1** discussed measures to enhance circularity and holistic national policies for plastic lifecycle management. They debated whether measures should be mandatory or voluntary and how to define "problematic" and "avoidable" plastic products.

**Subgroup 1.2** focused on fishing gear pollution, considering whether measures should be mandatory or voluntary and how to ensure cooperation with relevant international bodies like the Food and Agriculture Organization (FAO) and International Maritime Organization (IMO).

**Subgroup 1.3** addressed waste management issues, including measures to control dumping and transboundary movement of plastic waste. They discussed the importance of financing and technology transfer for developing countries to improve waste management infrastructure.

Delegates also debated funding mechanisms, with some advocating for a dedicated, independent fund modeled after the Montreal Protocol's Multilateral Fund, while others preferred a hybrid approach using existing funds like the Global Environment Facility (GEF).

Throughout the meeting, delegates faced logistical challenges such as managing multiple concurrent meetings and concerns about the streamlining process of the text. They discussed the need for intersessional work to address remaining issues and ensure progress towards finalizing the agreement by the end of 2024.

Overall, the INC-4 meeting involved detailed negotiations aimed at creating a comprehensive and effective international agreement to combat plastic pollution, requiring collaboration and consensus among participating countries.

## **27<sup>th</sup> April 2024**

On April 27, 2024, of the Intergovernmental Negotiating Committee (INC-4) delegates used a streamlined version of the Revised Draft Text to guide their discussions throughout the day and into the evening.

### **Contact Group 1 Highlights:**

**Subgroup 1.1:** Discussed the objective, scope, and just transition. They focused on setting the objective of the instrument to end plastic pollution, including in the marine environment, and to protect human health and the environment.

**Subgroup 1.2:** Addressed provisions on micro- and nanoplastics, exemptions for parties upon request, and trade regulations. There were discussions about effective measures for micro- and nanoplastics research, exemptions criteria, and rules for the trade of controlled chemicals, polymers, and microplastics.

**Subgroup 1.3:** Examined provisions related to fishing gear, considering various placement and scope options. Discussions included addressing lost or damaged fishing gear and tackling pollution caused by discarded fishing gear.

### **Contact Group 2 Highlights:**

**Subgroup 2.1:** Focused on financing and capacity building. There were discussions on implementing a plastic pollution fee, extended producer responsibility schemes, and financial flows towards emission reduction measures.

**Subgroup 2.2:** Finalized discussions on subsidiary bodies and final provisions. Topics included the establishment of a clearing house mechanism, the role of the secretariat, and standard provisions like signature, ratification, and dispute settlement.

Throughout the day, delegates grappled with challenging issues such as financing responsibilities, technical aspects of provisions, and the structure of the final treaty. The discussion highlighted the need for comprehensive measures to combat plastic pollution while addressing concerns related to economic impacts and global cooperation.

**In the corridors**, there was a sense of urgency about the volume of work remaining and the complexity of intersessional tasks ahead. Delegates were keen on effective streamlining of the draft text to focus on substantive negotiations. Overall, the meeting demonstrated a dedicated effort to craft a robust international agreement to combat plastic pollution.

## **28<sup>th</sup> April 2024**

During 28<sup>th</sup> April 2024 day of the Intergovernmental Negotiating Committee (INC-4) session, delegates engaged in extensive discussions aimed at refining a draft international treaty to combat plastic pollution, particularly in marine environments. These discussions were based on a streamlined version of the Revised Draft Text of the treaty.

In the plenary session, INC Chair Luis Vayas Valdivieso proposed the creation of two ad hoc intersessional expert groups to address crucial aspects of the treaty's implementation. The first group would focus on analyzing potential resources for treaty implementation, while the second would propose criteria for regulating problematic products and chemicals. This proposal received widespread support from many delegations, highlighting the importance of addressing sustainable production and consumption, financial mechanisms, and criteria for identifying harmful plastics.

Within various contact groups and subgroups, delegates worked on validating and streamlining text related to financing, extended producer responsibility (EPR), and national action plans. There were concerns expressed by some delegations regarding the removal of specific language from the text and the need for clarity on its status to facilitate further negotiations.

In subgroup meetings, delegates discussed provisions concerning primary plastic polymers, chemicals of concern, and the management of fishing gear. Key points of contention included whether certain measures should be mandatory or voluntary, such as reporting annual production data or implementing EPR schemes.

Overall, delegates faced the challenge of reconciling diverse perspectives and finalizing text on critical issues before the conclusion of INC-4. The complex and voluminous nature of the discussions highlighted the significant work ahead. Despite these challenges, intersessional activities were proposed to advance discussions and prepare for the next session (INC-5). The outcome of INC-4 remains uncertain, but delegates remain hopeful for progress towards a comprehensive treaty on plastic pollution.

## **Concluding Day: 29th April**

The fourth session of the Intergovernmental Negotiating Committee (INC-4) concluded after more than seven days of intense negotiations focused on developing an international treaty to address plastic pollution, especially in marine environments.

During the closing plenary, INC Chair Luis Vayas Valdivieso from Ecuador proposed the formation of a legal drafting group to ensure that the future treaty's text is legally precise and clear. Additionally, two expert groups were established to work between sessions:

1. The first expert group will analyze potential sources and means to implement the treaty's objectives. This includes exploring options for financial mechanisms, aligning financial flows, and catalyzing finance for plastic pollution reduction efforts.
2. The second expert group will identify and analyze criteria and approaches related to plastic pollution and harmful chemicals in plastic products. They will focus on improving recyclability, reusability, and sustainable design of plastic products.

During the day's discussions, delegates modified parts of the Revised Draft Text, including sections on just transition, preamble, objectives, scope, and governing principles for the future treaty. They also discussed technical issues that the treaty will address.

In the meetings, delegates had different opinions about how to deal with problematic and avoidable plastic products. They debated whether to establish global criteria for identifying these products or to leave this determination to national levels. There were also discussions on the specific measures that should be taken to address these products, such as phasing out, regulating, or restricting their manufacture and use.

In a final session on financing, the Subgroup members agreed not to reopen the Co-Facilitators' streamlined text for further negotiations. This text included provisions for establishing a financial mechanism and mobilizing resources, which are crucial for implementing the treaty.

Overall, the Contact Groups concluded their work by forwarding progress reports to the plenary. The outcomes from these discussions will be the basis for further negotiations at the next session (INC-5) of the Intergovernmental Negotiating Committee.