

Comparison Table on the Potential Resolutions on Plastic Pollution to be Adopted at UNEA 5.2

This document provides a textual comparison of the two draft resolutions on marine litter and plastic pollution currently tabled for discussion at the Committee of Permanent Representatives sessions in advance of UNEA 5.2 in 2022. It shows the evolution of the working document from Japan into the draft resolution, which was formally submitted on December 6th, 2021, alongside the Rwanda-Peru resolution, initially presented at the Ministerial Conference on Marine Litter and Plastic Pollution in September 2021. The intention of this document is to provide a comparison to support discussions on the potential merging of the draft resolutions ahead of UNEA 5.2. This document was prepared by the Center for International Environmental Law and the Environmental Investigation Agency.

Key areas of convergence (non-exhaustive):

- Both call for quick negotiation in the lead-up to UNEA-6.
- Both are specific on the need for a global legally binding instrument and convening an intergovernmental negotiating committee (INC) to negotiate one.
- Common elements across both resolutions on things like national action plans, cooperation, and technical support, research and innovation, etc.

Key differences:

- **Open Mandate vs. Closed Mandate (mandate).** The Rwanda-Peru draft resolution (RP) contains more specific guidance on the elements and design of a treaty, while also containing an open mandate, whereby the INC may “consider any other aspects that the intergovernmental negotiating committee may consider relevant.” The Japan draft resolution (JP) contains different aspects on elements and design, while also containing a closed mandate whereby the INC is not allowed to consider other relevant aspects.

- **Plastic Pollution vs. Marine Plastic Pollution (scope).** The RP seeks to address plastic pollution in all environments. The JP focuses on “marine plastic pollution.”
- **Lifecycle Approach vs. Downstream Focus (scope).** The RP resolution promotes a full lifecycle approach with interventions envisioned on production (upstream), product design (midstream), and waste management (downstream). The JP refers to the plastics “lifecycle” but includes more emphasis on downstream interventions, e.g., monitoring discharge in the marine environment, the goal of reducing *additional* marine plastic pollution by 2050, and national action plans that by their nature will predominantly contain measures on waste management. The JP does not include OP2(b) on sustainable production and OP2(c) on product design from the Rwanda-Peru resolution.
- **Strong Institutional Framework vs. Weak Institutional Framework (structure).** The RP resolution requests consideration of key aspects related to the institutional framework, including a financial mechanism and scientific and socio-economic body to support the implementation of the treaty. This is not included in the JP.

Text color:

Bold in the drafts: New wording added in the JP that is not in the RP.

~~Strikethrough:~~ Deleted wording in the JP from the RP.

Bold Redberry: Added wording included in the JP that was not in the Japan Working Document.

Redberry: Added wording included in the JP that is already within the RP.

Rwanda/Peru <u>Draft Resolution (RP)</u> V. October 2021	Japan <u>Working Document</u> V. 23.10.2021	Japan <u>Draft Resolution (JP)</u> V. 06.12.2021	Summary of differences
<p>PP1 <i>Notes</i> with concern that the high and rapidly increasing levels of plastic pollution, including microplastics, represent a serious environmental problem at a global scale, negatively impacting all three dimensions of sustainable development,</p>	<p>PP1 <i>Noting</i> with concern that the high and rapidly increasing levels of marine plastic pollution, including microplastics, which is of a transboundary-nature, represent a serious environmental problem at a global scale, negatively impacting all the environmental, social and economic dimensions of sustainable development,</p>	<p>PP1 <i>Noting</i> with concern that the high and rapidly increasing levels of marine plastic pollution, including microplastics, which is of a transboundary-nature, represent a serious environmental problem at a global scale, negatively impacting all the environmental, social and economic dimensions of sustainable development,</p>	<ul style="list-style-type: none"> • RP references 'plastic pollution, including microplastics', JP uses 'marine plastic pollution.' • JP highlights the transboundary nature of the concern. RP does it too but under PP4. • JP specifies the three dimensions of sustainable development.

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<p>PP2 <i>Reaffirming</i> United Nations General Assembly resolution 70/1 of 25 September 2015, by which the United Nations General Assembly adopted the 2030 Agenda for Sustainable Development, and recalling Sustainable Development Goal 14 and its target 14.1, and all interrelated goals,</p>	<p>PP2 <i>Reaffirming</i> United Nations General Assembly resolution 70/1 of 25 September 2015, by which the United Nations General Assembly adopted the 2030 Agenda for Sustainable Development, and recalling Sustainable Development Goal 14 and its target 14.1, and all interrelated goals,</p> <p>PP2 <i>Stressing</i> the urgent need to strengthen the science-policy interface at all levels, improve understanding of the global impact of marine plastic pollution on the environment, and promote effective and progressive actions at the local, regional and global level to prevent, reduce and eventually eliminate the discharge of plastic litter and microplastics into the marine environment while recognizing the important role of plastics for society,</p>	<p>PP2 <i>Reaffirming</i> United Nations General Assembly resolution 70/1 of 25 September 2015, by which the United Nations General Assembly adopted the 2030 Agenda for Sustainable Development, and recalling Sustainable Development Goal 14 and its target 14.1, and all interrelated goals,</p> <p>PP2 <i>Stressing</i> the urgent need to strengthen the science-policy interface at all levels, improve understanding of the global impact of marine plastic pollution on the environment, and promote effective and progressive actions at the local, regional and global level to prevent, reduce and eventually eliminate the discharge of plastic litter and microplastics from both land-based and sea-based sources into the marine environment while recognizing the important role of plastics for society,</p>	<ul style="list-style-type: none"> ● RP makes the link with Sustainable Developments Goals Agenda (SDG) and anticipated targets of 14.1, this is not included in JP. ● JP highlights the urgency to strengthen: <ul style="list-style-type: none"> ○ science -policy interface; ○ understanding of the impacts. ● RP does not mention the science-policy interface. ● JP promotes multi level and progressive actions to prevent, reduce and <u>eventually</u> eliminate the discharge from land-based and sea-based sources. ● JP makes reference to the positive role of plastics for society. ● RP uses the terminology of SDG 12 sustainable production and consumption within the text,¹ JP includes terminology aligned to SDG 14.1.

¹ https://unstats.un.org/sdgs/indicators/Global%20Indicator%20Framework%20after%202021%20refinement_Eng.pdf

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<p>PP3 <i>Recalling</i> United Nations Environment Assembly resolutions 1/6, 2/11, 3/7, 4/6, 4/7 and 4/9, and reaffirms the importance of the long-term elimination of discharge of plastics, including microplastics, into marine, terrestrial and freshwater environments and of avoiding detriment from plastic pollution to ecosystems and the human activities dependent on them,</p>	<p>PP3 <i>Recalling</i> United Nations Environment Assembly resolutions 1/6, 2/11, 3/7, 4/6, 4/7 and 4/9 and reaffirms the urgent need to strengthen global coordination, cooperation and governance to take immediate actions towards the long-term elimination of discharge of marine plastic pollution.; including microplastics through a life-cycle approach. including microplastics, into marine, terrestrial and freshwater environments and of avoiding detriment from plastic pollution to ecosystems and the human activities dependent on them;</p>	<p>PP3 <i>Recalling</i> United Nations Environment Assembly resolutions 1/6, 2/11, 3/7, 4/6, 4/7 and 4/9 and reaffirms the urgent need to strengthen global coordination, cooperation and governance to take immediate actions towards the long-term elimination of discharge of marine plastic pollution.; including microplastics through a life-cycle approach. including microplastics, into marine, terrestrial and freshwater environments and of avoiding detriment from plastic pollution to ecosystems and the human activities dependent on them;</p>	<ul style="list-style-type: none"> ● JP does not include UNEA resolutions 4/7 on “<i>Environmentally sound management of waste</i>” and 4/9 on “<i>Addressing single-use plastic products pollution</i>” which are included in RP. ● JP reaffirms the urgent call for immediate action to long-term elimination. ● JP includes elimination to marine plastic pollution and makes reference to life cycle. Removal of reference to discharge into marine, terrestrial and freshwater environments. ● JP excludes microplastics in this PP but includes it on JP/OP8c. JP/PP2 also includes microplastics, calling for prevention, reduction and eventual elimination.

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<p>PP4 <i>Recognizing</i> the inherent transboundary nature of the issue of plastic pollution and the need to tackle it at its sources</p>	<p>{Erased (PP4 RP) but included on PP1} “PP1 Recognizing the inherent <i>Noting</i> with concern that the high and rapidly increasing levels of marine plastic pollution, including microplastics, which is of a transboundary-nature (...)”and the need to tackle it at its sources</p>	<p>{Erased (PP4 RP) but included on PP1} “PP1 Recognizing the inherent <i>Noting</i> with concern that the high and rapidly increasing levels of marine plastic pollution, including microplastics, which is of a transboundary-nature (...)”and the need to tackle it at its sources</p>	<ul style="list-style-type: none"> • JP does not include the RP/PP1 which recognizes the nature and the need of upstream measures. • JP Includes on JP/PP1 the transboundary nature, by noting it and rather than recognizing it.
<p>PP5 <i>Underlining</i> that a more circular economy, one of the current sustainable economic models, in which products and materials are designed so that they can be reused, remanufactured or recycled and therefore maintained in the economy for as long as possible along with the resources they are made of, and the generation of waste, especially hazardous waste, is avoided or minimised, and greenhouse gas emissions are prevented and reduced, can significantly contribute to sustainable consumption and production,</p>	<p>PP5 <i>Underlining</i> that a more circular economy, one of the current sustainable economic models, in which products and materials are designed so that they can be reused, remanufactured or recycled and therefore maintained in the economy for as long as possible along with the resources they are made of, and the generation of waste, especially hazardous waste, is avoided or minimised, and greenhouse gas emissions are prevented and reduced, can significantly contribute to sustainable consumption and production,</p>	<p>PP5 <i>Underlining</i> that a more circular economy, one of the current sustainable economic models, in which products and materials are designed so that they can be reused, remanufactured or recycled and therefore maintained in the economy for as long as possible along with the resources they are made of, and the generation of waste, especially hazardous waste, is avoided or minimised, and greenhouse gas emissions are prevented and reduced, can significantly contribute to sustainable consumption and production,</p>	<ul style="list-style-type: none"> • JP does not include RP/PP5. It highlights Circular Economy in Paragraph PP7 and OP2. RP also includes circular economy and a definition of what this would involve.

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<p>PP6 <i>Noting with appreciation</i> the significant body of work conducted by United Nations Environment Programme, scientific and legal advisory bodies, the Environment Management Group and other actors since the adoption of resolution 1/6 in 2014, and the intergovernmental work and the Chair summary of the Ad Hoc Open-Ended Expert Group on Marine Litter and Microplastics, which reflects all views expressed in its meetings, presents options and sets out, as a basis for actions, the elements and design of potential response options to address plastic pollution.</p>	<p>PP5 <i>Noting with appreciation</i> the significant body of leading work scientific and legal advisory bodies, the Environment Management Group and other actors since the adoption of resolution 1/6 in 2014 of the Global Partnership on Marine Litter and actions to address tackle marine plastic pollution supported and implemented by United Nations Environment Programme, and taking into account and the intergovernmental work the chair's summary of the open-ended ad hoc expert group on marine litter and microplastics, which reflects all views expressed in its meetings presents potential options and sets out, as a basis for actions, the elements and design of potential response options to address plastic pollution, for continued work for consideration by UNEA 5.</p>	<p>PP5 <i>Noting with appreciation</i> the significant body of leading work scientific and legal advisory bodies, the Environment Management Group and other actors since the adoption of resolution 1/6 in 2014 of the Global Partnership on Marine Litter and actions to address tackle marine plastic pollution supported and implemented by United Nations Environment Programme, and taking into account and the intergovernmental work the chair's summary of the open-ended ad hoc expert group on marine litter and microplastics, which reflects all views expressed in its meetings presents potential options and sets out, as a basis for actions, the elements and design of potential response options to address plastic pollution, for continued work for consideration by UNEA 5.</p>	<ul style="list-style-type: none"> ● JP makes specific reference to the GPML and gives it a role under JP/OP7. ● JP makes reference to the AHEG chair's summary. ● RP notes the work of UNEP and AHEG, in addition to the contribution of scientific and legal bodies.

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<p>PP7 <i>Welcoming</i> efforts made by governments and international organizations to minimize the negative impact of plastic waste on the environment, in particular through national and regional action plans and other initiatives, such as G7 and G20 initiatives like the action plans of 2015 and 2017 addressing marine litter, Osaka Blue Ocean Vision, Ocean Plastics Charter, the ASEAN Framework of Action on Marine Debris and the Bangkok Declaration on Combating Marine Debris, APEC Roadmap on Marine Debris and to reduce plastic and microplastic pollution, recognizing that they are complementary to a coherent and coordinated global response.</p>	<p>PP4 <i>Welcoming</i> efforts made by governments and international organizations to minimize the negative impact of plastic waste on the marine environment and to reduce marine plastic pollution, in particular through national and regional action plans and other initiatives, such as G7 and G20 initiatives like including the action plans of 2015 and 2017 addressing marine litter, Osaka Blue Ocean Vision, G20 Implementation Framework, Ocean Plastics Charter, the ASEAN Framework of Action on Marine Debris and the Bangkok Declaration on Combating Marine Debris, APEC Roadmap on Marine Debris and to reduce plastic and micro plastic pollution and the outcome of the Ministerial Conference on Marine Litter and Plastic Pollution in 2021, recognizing that they are complementary to a coherent and coordinated global response.</p>	<p>PP4 <i>Welcoming</i> efforts made by governments and international organizations to minimize the negative impact of plastic waste on the marine environment and to reduce marine plastic pollution, in particular through national and regional action plans and other initiatives, such as G7 and G20 initiatives like including the action plans of 2015 and 2017 addressing marine litter, Osaka Blue Ocean Vision, G20 Implementation Framework, Ocean Plastics Charter, the ASEAN Framework of Action on Marine Debris and the Bangkok Declaration on Combating Marine Debris, APEC Roadmap on Marine Debris and to reduce plastic and micro plastic pollution, Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal and the outcome of the Ministerial Conference on Marine Litter and Plastic Pollution in 2021, recognizing that they are complementary to a coherent and coordinated global response.</p>	<ul style="list-style-type: none"> • JP and RP have similar listings, but JP includes the Ministerial Statement from the Ministerial Conference on Marine Litter and Plastic Pollution, which was adopted at the same time as the RP resolution was presented in September. • JP mentions Basel Convention here, and not in the recalling listing of legal framework relevant for the action of RP/PP8 as this section was removed. • Neither resolution includes the IMO Action Plan to Address Marine Plastic Litter from Ships or related regulations for sea-based sources of plastic pollution, e.g MARPOL Annex V.²

² www.imo.org/en/MediaCentre/HotTopics/Pages/marinelitter-default.aspx

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<p>PP8: <i>Reaffirming</i> the importance of close cooperation and coherence as well as synergy among international conventions and instruments to prevent plastic pollution and avoid its adverse effects on human health and wellbeing and the environment, including the International Convention for the Prevention of Pollution from Ships, Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, Stockholm Convention on Persistent Organic Pollutants, Rotterdam Convention on the Prior Informed Consent Procedure for certain Hazardous Chemicals and Pesticides in International Trade, United Nations Convention on the Law of the Sea, London Convention and Protocol, Strategic Approach to International Chemicals Management, United Nations Framework Convention on Climate Change, Convention on Biological Diversity as well as among international organizations, regional instruments and programs,</p>	<p>Erased PP8 but partially included on PP3 and OP2.f</p> <p>“PP3 <i>Recalling</i> United Nations Environment Assembly resolutions 1/6, 2/11, 3/7, 4/6, 4/7 and 4/9 and reaffirms the importance of close the urgent need to strengthen global coordination, cooperation and coherence governance as well as synergy to take immediate actions towards the long-term elimination of discharge of marine plastic pollution.; among international conventions and instruments to prevent plastic pollution and avoid its adverse effects on human health and wellbeing and the environment, including the International Convention for the Prevention of Pollution from Ships, Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, Stockholm Convention on Persistent Organic Pollutants, Rotterdam Convention on the Prior Informed Consent Procedure for certain</p>	<p>Erased PP8 (RP)but partially included on PP3, PP4 and OP2.f</p> <p>“PP3 <i>Recalling</i> United Nations Environment Assembly resolutions 1/6, 2/11, 3/7, 4/6, 4/7 and 4/9 and reaffirms the importance of close the urgent need to strengthen global coordination, cooperation and coherence governance as well as synergy to take immediate actions towards the long-term elimination of discharge of marine plastic pollution.; among international conventions and instruments to prevent plastic pollution and avoid its adverse effects on human health and wellbeing and the environment, including the International Convention for the Prevention of Pollution from Ships, (PP4)(...)Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal,(...)” Stockholm Convention on Persistent Organic Pollutants, Rotterdam Convention on the Prior Informed Consent Procedure for certain Hazardous Chemicals and Pesticides in International Trade,</p>	<ul style="list-style-type: none"> • JP did not include the RP/PP8 listing but partially included on JP/PP3, JP/PP4 and JP/OP2.f.

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[continue PP8] non-governmental organizations and the private sector.	<p>Hazardous Chemicals and Pesticides in International Trade, United Nations Convention on the Law of the Sea, London Convention and Protocol, Strategic Approach to International Chemicals Management, United Nations Framework Convention on Climate Change, Convention on Biological Diversity as well as</p> <p>“OP2.(f) To encourage action by all stakeholders including among international organizations, non-governmental organizations the private sector and to promote cooperation at the global, regional instruments and programs, national and local levels;”</p>	<p>United Nations Convention on the Law of the Sea, London Convention and Protocol, Strategic Approach to International Chemicals Management, United Nations Framework Convention on Climate Change, Convention on Biological Diversity as well as</p> <p>“OP2.(f) To encourage action by all stakeholders including among international organizations, non-governmental organizations the private sector and to promote cooperation at the global, regional instruments and programs, national and local levels;”</p>	

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<p>PP9 <i>Underlining</i> that further international action is needed by developing an international legally binding instrument on plastic pollution, taking a comprehensive approach to prevent and reduce plastic pollution in the environment, including microplastics, by promoting a circular economy and addressing the full lifecycle of plastics,</p>	<p>PP7 <i>Underlining</i> that in order to reduce additional marine plastic pollution to zero by 2050, further international action is needed by developing an international legally binding instrument on marine plastic pollution, taking a comprehensive life-cycle approach by and the promotion of resource efficiency and circular economy, and addressing the full lifecycle of plastics;</p>	<p>PP7 <i>Underlining</i> that in order to reduce additional marine plastic pollution to zero by 2050, further international action is needed by developing an international legally binding instrument on marine plastic pollution, taking a comprehensive life-cycle approach by and the promotion of resource efficiency and circular economy, and addressing the full lifecycle of plastics;</p>	<ul style="list-style-type: none"> • JP includes as primary goal the “reduction of additional marine plastic pollution to zero by 2050” which is aligned with the terminology agreed within the Osaka Blue Vision.³ • The 2021 IRP report on Policy options to eliminate additional marine plastic litter suggest that the potential legally binding agreement “<i>present significant opportunities to build upon the growing consensus for action developed through the agreement and subsequent international uptake of the Osaka Blue Ocean Vision.</i>”

³ g20mpl.org

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			<ul style="list-style-type: none"> JP includes 'resource efficiency'. 2021 IRP report defines it as: "In general terms, resource efficiency describes the overarching goals of decoupling – increasing human well-being and economic growth while lowering the amount of resources required and negative environmental impacts associated with resource use. In other words, this means doing better with less. In technical terms, resource efficiency means achieving higher outputs with lower inputs and can be reflected by indicators such as resource productivity (including GDP/resource consumption). Ambitions to achieve a resource-efficient economy therefore refer to systems of production and consumption that have been optimized with regard to resource use. This includes strategies of dematerialization (savings, reduction of material and energy use) and re-materialization (reuse, remanufacturing and recycling) in a systems-wide approach to a circular economy, as well as infrastructure transitions within sustainable urbanization."

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<p>PP10 Recognizing that member states provide, within their capabilities, resources in respect of those national activities that are intended to implement a new international legally binding instrument in accordance with their national policies, plans and programmes,</p>	<p>PP6 Further recognizing that member states provide within their capabilities, each country is best positioned to understand its own national circumstances, resources in respect of those national activities that are intended to implement a new international legally binding instrument in accordance with their national policies, plans and programmes, including its stakeholder activities, related to addressing marine plastic pollution,</p>	<p>PP6 Further recognizing that member states provide within their capabilities, each country is best positioned to understand its own national circumstances, resources in respect of those national activities that are intended to implement a new international legally binding instrument in accordance with their national policies, plans and programmes, including its stakeholder activities, related to addressing marine plastic pollution,</p>	<ul style="list-style-type: none"> ● RP includes reference to respective capabilities, (resource provision) to support at the national level implementation of the new international legally binding instrument. ● JP provides detail on national circumstance, specifically stakeholder activities in the context of marine plastic pollution.

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<p>PP11 <i>Acknowledging</i> that some legal obligations arising out of a new international legally binding instrument will require financial and technical assistance and include technology transfer to developing countries and countries with economies in transition,</p>	<p>{Erased (R/P PP11 but partially included on OP2g and OP8}</p> <p>Acknowledging that some legal obligations arising out of a new international legally binding instrument will require To specify financial and technical assistance arrangements including capacity building to support implementation;</p> <p>OP8: Requests the Executive Director of the United Nations Environment Programme to continue to support and advance the work of the Global Partnership on Marine Litter and its multi-stakeholder platform, while strengthening scientific and technological knowledge with regard to marine plastic pollution through the following activities: (...) (b) Matching of technology transfer financial/technological seeds and needs to support developing countries with economies in transition, in need;</p>	<p>{Erased (R/P PP11 but partially included on OP2g and OP7}</p> <p>OP2(g) Acknowledging that some legal obligations arising out of a new international legally binding To specify financial and technical arrangements for capacity as well as technology transfer assistance, building and technical and financial assistance, to developing countries most in need;</p> <p>OP7: Requests the Executive Director to continue to support and advance the ongoing work of the Global Partnership on Marine Litter and its multi-stakeholder platform, while strengthening scientific and technological knowledge with regard to marine plastic pollution, inter alia, on methodologies for monitoring, and sharing available scientific and other relevant data and information; 8(b) Matching of financial/technological seeds and needs to support countries in need;</p>	<ul style="list-style-type: none"> ● JP does not include: <ul style="list-style-type: none"> ○ Acknowledgement of future obligations as consequences of the new legal agreement in this section, though it is partly addressed in JP/OP2g; ○ Mention of technology transfer. ○ Countries with economies in transitions as potential targets of the financial and technical arrangements. ● RP includes developing and economies in transition countries (EIT). EIT are according to the World Bank “Countries moving from centrally-planned to market-oriented economies. These countries - which include China, Mongolia, Vietnam, former republics of the Soviet Union, and the countries of Central and Eastern Europe - contain about one-third of the world's population.”

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<p>OP1 Requests the Executive Director to convene an intergovernmental negotiating committee under the auspices of the United Nations Environment Assembly with the mandate to prepare an international legally binding instrument to address plastic pollution, commencing its work in 2022 with the goal of completing by the sixth session of the Environment Assembly;</p>	<p>OP1 Requests the Executive Director to convene an intergovernmental negotiating committee under the auspices of the United Nations Environment Assembly with the mandate to prepare an international legally binding instrument to address marine plastic pollution, commencing its work in 2022 with the goal of completing by the sixth session of the Environment Assembly;</p>	<p>OP1 Requests the Executive Director to convene an intergovernmental negotiating committee under the auspices of the United Nations Environment Assembly with the mandate to prepare an international legally binding instrument to address marine plastic pollution, commencing its work in 2022 with the goal of completing by the sixth session of the Environment Assembly;</p>	<ul style="list-style-type: none"> • Same intention and goal appears in both resolutions, namely a quick timeframe to negotiate by UNEA-6. RP makes reference to 'plastic pollution', JP includes 'marine plastic pollution.'

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<p>OP2. <i>Agrees</i> that the intergovernmental negotiating committee is to develop an international legally binding agreement based on a comprehensive approach to prevent and reduce plastic pollution in the environment, including microplastics, by promoting a circular economy and addressing the full lifecycle of plastics from production, consumption and design to waste prevention, management and treatment, including provisions:</p>	<p>OP2. Agrees Decides that the intergovernmental negotiating committee is to develop an international legally binding instrument based on comprehensive approach to prevent and reduce address marine plastic pollution in the environment, including microplastics, covering addressing the full whole life cycle from production, consumption and design to waste prevention, management and treatment, and promoting resource efficiency and circular economy, including provisions:</p>	<p>OP2. Agrees Decides that the intergovernmental negotiating committee is to develop an international legally binding instrument based on comprehensive approach to prevent and reduce address marine plastic pollution in the environment, including microplastics, covering addressing the full whole life cycle from production, consumption and design to waste prevention, management and treatment, and promoting resource efficiency and circular economy, including provisions:</p>	<ul style="list-style-type: none"> • RP uses “plastic pollution”, JP uses “marine plastic pollution”. RP includes reference to ‘microplastics.’ • RP includes specifics on methods to achieve prevention, e.g. with approaches across a full lifecycle. • JP uses different words such as “address” instead of “prevent and reduce.” • JP includes less information on life cycle stages but mentions “whole life cycle.” • JP includes mention of the promotion of resource efficiency along with the circular economy.
<p>2(a) To specify the objectives of the instrument and establish as necessary targets, definitions, methodologies, formats, and obligations;</p>	<p>2(a) To specify set the a common objectives of the instrument and establish as necessary targets, definitions, methodologies, formats, and obligations to reduce marine plastic pollution;</p>	<p>2(a) To specify set the a common objectives of the instrument and establish as necessary targets, definitions, methodologies, formats, and obligations to reduce marine plastic pollution;</p>	

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2(b) To achieve sustainable production and consumption of plastics, including the uptake of secondary and alternative raw materials	2(b) To achieve sustainable production and consumption of plastics, including the uptake of secondary and alternative raw materials	2(b) To achieve sustainable production and consumption of plastics, including the uptake of secondary and alternative raw materials	<ul style="list-style-type: none"> • JP mentions lifecycle but does not include RP/OP2b that mention sustainable production and consumption and address product design. • RP mentions alternative materials but does not refer to substitutes.
2(c) To address product design and use, including compounds, additives and harmful substances as well as intentionally added microplastics;	2(c) To address product design and use, including compounds, additives and harmful substances as well as intentionally added microplastics;	2(c) To address product design and use, including compounds, additives and harmful substances as well as intentionally added microplastics;	<ul style="list-style-type: none"> • JP does not include RP/OP2c that makes reference to product design, additives, compounds and other substances, as well as primary microplastics.
2(d) To promote national action plans to prevent, reduce and remediate plastic pollution, tailored to local and national circumstances and the characteristics of specific sectors, and to support regional and international cooperation and coordination;	2(b) To promote develop and report national action plans to prevent, reduce and remediate plastic pollution, contribute to the common objective, tailored to taking into account the respective local and national circumstances; and the characteristics of specific sectors and to support regional and international cooperation and coordination	2(b) To promote develop and report national action plans to prevent, reduce and remediate plastic pollution, contribute to the common objective, tailored to taking into account the respective local and national circumstances; and the characteristics of specific sectors and to support regional and international cooperation and coordination	<ul style="list-style-type: none"> • JP focuses on national action plans aligned with the overarching objective of the OBV. • RP includes further detail on national action plans and what they could entail. • RP does not specify whether the plans would be mandatory.

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2(e) To increase knowledge through awareness-raising and information exchange on best practices to prevent plastic pollution and promote behavioral change;	2(d) To increase knowledge through awareness-raising and scientific information exchange; on best practices to prevent plastic pollution and promote behavioral change;	2(d) To increase knowledge through awareness-raising and scientific information exchange; on best practices to prevent plastic pollution and promote behavioral change;	<ul style="list-style-type: none"> ● JP does not include reference to prevention. ● JP focusses on exchange of scientific information to the scientific one, RP makes reference to best practices, prevention and behaviour change.
2(f) To monitor and report on national and international progress on implementation of the agreement;	2(c) To monitor and report periodically review on national and international global progress on reducing marine plastic pollution towards the common objective;	2(c) To monitor and report periodically review on national and international global progress on reducing marine plastic pollution towards the common objective;	<ul style="list-style-type: none"> ● JP includes the periodicity concept to the review on reduction of marine plastic pollution under the legally binding instrument and voluntary commitments. ● RP mentions monitoring and reporting on progress nationally and internationally. ● JP concentrates more on international reviewing global progress.
2(g) To provide scientific and socio-economic assessments and to monitor and report on plastic pollution in the environment;	2(c) To provide scientific and socio-economic assessments and monitor and report periodically review global progress on reducing marine plastic pollution in the environment towards the common objective;	2(c) To provide scientific and socio-economic assessments and monitor and report periodically review global progress on reducing marine plastic pollution in the environment towards the common objective;	<ul style="list-style-type: none"> ● JP does not include the scientific and socio-economic assessments.

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2(h) To cooperate and coordinate with relevant regional and international conventions, instruments and organizations;	2(e) To promote cooperat <i>ei</i> on and coordinat <i>ei</i> on with relevant regional and international conventions, instruments and organizations, while recognizing their respective mandates and avoiding duplication ;	2(e) To promote cooperat <i>ei</i> on and coordinat <i>ei</i> on with relevant regional and international conventions, instruments and organizations, while recognizing their respective mandates and avoiding duplication ;	<ul style="list-style-type: none"> ● JP merge RP/OP2h with RP/OP3c.
2(i) To specify financial and technical arrangements, as well as technology transfer assistance, to support implementation of the convention	2(g) To specify financial and technical arrangements including capacity as well as technology transfer assistance , building to support implementation;	2(g) To specify financial and technical arrangements for capacity as well as technology transfer assistance , building and technical and financial assistance, to developing countries most in need ;	<ul style="list-style-type: none"> ● JP/OP2g does not include mention of technology transfer or countries with economies in transitions as potential targets of the financial and technical arrangements. ● For reference, the countries most in need according to OECD-ODA are: <ul style="list-style-type: none"> ○ Least Developed Countries (LDCs), Landlocked Developing Countries (LLDCs), Small Island Developing States (SIDS), and Fragile Countries (FCs).
2(j) To address implementation and compliance issues;	2(i) To address implementation and compliance issues;	2(i) To address implementation and compliance issues;	

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2(k) To promote research and development into innovative solutions	2(h) To promote research and development into innovative solutions	2(h) To promote research and development into innovative solutions	
OP3. <i>Also agrees</i> that the intergovernmental negotiating committee, in its deliberations on the instrument that it develops, should:	OP3. Also agrees that the intergovernmental negotiating committee, in its deliberations on the instrument that it develops, should:	OP3. <i>Also agrees</i> that the intergovernmental negotiating committee, in its deliberations on the instrument that it develops, should:	<ul style="list-style-type: none"> • RP has additional OP which provides direction to guide the discussions of the legal instrument, in particular providing specificity about the financial mechanism, a mechanism for scientific and socio-economic advice, cooperation and coordination and then also leaving open for additional aspects which could be included in discussions. • JP merge RP/OP2h with RP/OP3c. • JP does not include this specific direction.
3(a) consider the need for a financial mechanism to support the implementation of the priorities and objectives of the agreement, including the option of a dedicated multilateral fund;	3(a) consider the need for a financial mechanism to support the implementation of the priorities and objectives of the agreement, including the option of a dedicated multilateral fund;	3(a) consider the need for a financial mechanism to support the implementation of the priorities and objectives of the agreement, including the option of a dedicated multilateral fund;	
3(b) consider the need for a mechanism to provide scientific and socio-economic advice and guidance, including the option of a dedicated body;	3(b) consider the need for a mechanism to provide scientific and socio-economic advice and guidance, including the option of a dedicated body;	3(b) consider the need for a mechanism to provide scientific and socio-economic advice and guidance, including the option of a dedicated body;	
3(c) promote cooperation and coordination with relevant regional and international instruments and existing technical and scientific bodies to ensure synergies and avoid duplication;	2(e) To promote cooperation and coordination with relevant regional and international conventions , instruments and existing technical and scientific bodies organizations , while recognizing their respective mandates and avoiding duplication;	2(e) To promote cooperation and coordination with relevant regional and international conventions , instruments and existing technical and scientific bodies organizations , while recognizing their respective mandates and avoiding duplication;	

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3(d) consider any other aspects that the intergovernmental negotiating committee may consider relevant;	3(d) consider any other aspects that the intergovernmental negotiating committee may consider relevant;	3(d) consider any other aspects that the intergovernmental negotiating committee may consider relevant;	<ul style="list-style-type: none"> RP/OP3d contains language relating to the mandate by inviting the INC to “consider any other aspects that the intergovernmental negotiating committee may consider relevant.” JP does not include this paragraph.
OP4. Recognizes that the mandate of the intergovernmental negotiating committee may be supplemented by further decisions of the Environment Assembly	OP3. Recognizes that the mandate of the intergovernmental negotiating committee may be supplemented and updated by further decisions of the Environment Assembly;	OP3. Recognizes that the mandate of the intergovernmental negotiating committee may be supplemented and updated by further decisions of the Environment Assembly;	<ul style="list-style-type: none"> JP includes the possibility for UNEA to update the mandate. RP has different phrasing for this paragraph, choosing ‘supplemented’ rather than ‘and updated.’
OP5. Decides that participation in the intergovernmental negotiating committee should be open to all Member States of the United Nations and its specialized agencies, to regional economic integration organizations, as well as relevant stakeholders, consistent with applicable United Nations rules;	OP4. Decides that participation in the intergovernmental negotiating committee should be open to all Member States of the United Nations and its specialized agencies, to regional economic integration organizations, as well as relevant stakeholders, consistent with applicable United Nations rules;	OP4. Decides that participation in the intergovernmental negotiating committee should be open to all Member States of the United Nations and its specialized agencies, to regional economic integration organizations, as well as relevant stakeholders, consistent with applicable United Nations rules;	

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<p>OP6. Requests the Executive Director, as a priority action, to provide the necessary support to the intergovernmental negotiating committee as well as to developing countries and countries with economies in transition to allow for effective participation in the work of the intergovernmental negotiating committee;</p>	<p>OP5. Requests the Executive Director, as a priority action, to provide the necessary support to the intergovernmental negotiating committee as well as developing countries and countries with economies in transition to allow for effective participation in the work of the intergovernmental negotiating committee;</p>	<p>OP5. Requests the Executive Director, as a priority action, to provide the necessary support to the intergovernmental negotiating committee as well as developing countries and countries with economies in transition to allow for effective participation in the work of the intergovernmental negotiating committee;</p>	
<p>OP7. Requests the Executive Director to convene as soon as possible the first meeting of the intergovernmental negotiating committee, in particular to discuss the timetable and organization of its work;</p>	<p>OP6. Requests the Executive Director to convene as soon as possible the first meeting of the intergovernmental negotiating committee, in particular to discuss timetable and organization of its work;</p>	<p>OP6. Requests the Executive Director to convene as soon as possible the first meeting of the intergovernmental negotiating committee, in particular to discuss timetable and organization of its work;</p>	

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<p>OP8. Urges all relevant actors to continue and enhance national and regional actions to reduce plastic pollution during the preparation of the international legally binding instrument;</p>	<p>OP7. Urges all relevant actors Calls upon all Member States to continue and enhance national and regional actions the following activities during the preparation of the international legal instrument, with a view to reducing additional marine plastic pollution to zero by 2050, taking into account their respective national circumstances;</p>	<p>OP8. Urges all relevant actors Calls upon all Member States to continue and enhance national and regional actions the following activities during the preparation of the international legally binding instrument, with a view to reducing additional marine plastic pollution to zero by 2050, taking into account their respective national circumstances;</p>	<ul style="list-style-type: none"> • JP includes the primary goal of the JP/PP7: the “reduction of additional marine plastic pollution to zero by 2050,” which is aligned with the terminology agreed within the Osaka Blue Vision.
	<p>7(a) Developing, implementing, and updating their national action plans;</p>	<p>8(a) Developing, implementing, and updating their national action plans;</p>	
	<p>7(b) Sharing and updating information on relevant policies, plans and measures including measurable indicators where applicable through the multi-stakeholder platform and other relevant frameworks;</p>	<p>8(b) Sharing and updating information on relevant policies, plans and measures including measurable indicators where applicable through the multi-stakeholder platform and other relevant frameworks;</p>	
	<p>7(c) Reducing the discharge of plastic litter and microplastics into the marine environment, through prioritizing a whole-life-cycle approach and fostering innovation, in close collaboration with the private sector;</p>	<p>8(c) Reducing the discharge of plastic litter and microplastics into the marine environment, through prioritizing a whole-life-cycle approach and fostering innovation, in close collaboration with the private sector;</p>	<ul style="list-style-type: none"> • JP calls for immediate activity from States to coordinate actions for reduction of the discharge, in close collaboration with the private sector.

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<p>OP9. Invites governments and other stakeholders in a position to do so to provide extra budgetary resources to help to support the implementation of the present resolution;</p>	<p>OP9. Invites governments and other stakeholders in a position to do so to provide extra budgetary resources to help to support the implementation of the present resolution;</p>	<p>OP9. Invites governments and other stakeholders in a position to do so to provide extra budgetary resources to help to support the implementation of the present resolution;</p>	<ul style="list-style-type: none"> • JP does not include the RP/OP9 which calls for extrabudgetary contributions to support the implementation of the potential resolution. • According to a UNEP Technical Note on the PR, there is a need for extra budgetary resources estimated at USD 13,4 M.
<p>OP10. Requests the Executive Director to facilitate the participation of and close cooperation and coordination with relevant regional and international instruments and initiatives and all relevant stakeholders in the context of the mandate of the intergovernmental negotiating committee.</p>	<p>OP10. Requests the Executive Director to facilitate the participation of and close cooperation and coordination with relevant regional and international instruments and initiatives and all relevant stakeholders in the context of the mandate of the intergovernmental negotiating committee.</p>	<p>OP10. Requests the Executive Director to facilitate the participation of and close cooperation and coordination with relevant regional and international instruments and initiatives and all relevant stakeholders in the context of the mandate of the intergovernmental negotiating committee.</p>	<ul style="list-style-type: none"> • JP does not include RP/OP10 which requests the UNEP Executive Director to facilitate broader participation of relevant stakeholders.

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	<p>OP8. Requests the Executive Director of the United Nations Environment Programme to continue to support and advance the work of the Global Partnership on Marine Litter and its multi-stakeholder platform, while strengthening scientific and technological knowledge with regard to marine plastic pollution, through the following activities:</p>	<p>OP7. Requests the Executive Director to continue to support and advance the ongoing work of the Global Partnership on Marine Litter and its multi-stakeholder platform, while strengthening scientific and technological knowledge with regard to marine plastic pollution, inter alia, on methodologies for monitoring, and sharing available scientific and other relevant data and information;</p>	<ul style="list-style-type: none"> • JP includes a request to the UNEP Executive Director to support the work of GPML and its multi-stakeholder platform.
	<p>8 (a) Serving as a forum for developing guidance materials and facilitating various stakeholders to share and update their information for peer learning;</p>	<p>8 (a) Serving as a forum for developing guidance materials and facilitating various stakeholders to share and update their information for peer learning;</p>	
	<p>8 (b) Matching of financial/technological seeds and needs to support countries in need;</p>	<p>8 (b) Matching of financial/technological seeds and needs to support countries in need;</p>	
	<p>8 (c) Compiling and sharing available scientific and other relevant data and information on the state of marine plastic pollution including methodologies and possible indicators for monitoring, reporting and assessment;</p>	<p>8 (c) Compiling and sharing available scientific and other relevant data and information on the state of marine plastic pollution including methodologies and possible indicators for monitoring, reporting and assessment;</p>	



COMPARISON TABLE ON THE POTENTIAL RESOLUTIONS ON
PLASTIC POLLUTION TO BE ADOPTED AT UNEA 5.2

Geneva, December 10th, 2021

If you have any questions, please contact Andres Del Castillo (adelcastillo@ciel.org), CIEL Senior Attorney, and Christina Dixon (christinadixon@eia-international.org), EIA Deputy Ocean Campaign Lead.



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.