

Plastic Pollution INC-5.2 Highlights: Wednesday, 6 August 2025

Delegates reconvened for the resumed fifth session of the Intergovernmental Negotiating Committee (INC-5.2) to develop an international legally binding instrument (ILBI) on plastic pollution, including in the marine environment. They met in contact and informal groups throughout the day and into the evening. They based their discussions on the [Chair's Text](#) circulated on 1 December 2024, and on proposals prepared by contact group Co-Chairs and delegations' submissions, where available.

During contact group discussions in the afternoon, delegates held a moment of silence to mark the passing of Ghana's ministers of defense and environment in a military helicopter crash.

Contact Group 1

Co-chaired by Maria Angélica Ikeda (Brazil) and Axel Borchmann (Germany), the contact group met in the morning and in the evening.

Regarding **plastic products** (Article 3), a joint proposal, supported by 78 countries, among other things: a) mandates national measures to identify, reduce, and where feasible phase out plastic products that meet certain criteria, including that they are likely to enter the environment or pose a risk to human health or the environment, contain a chemical of concern, are not capable of being reused or recycled, or might disrupt the circular economy; b) establishes a global list of plastic products (as an annex, along with a process for updating it) to be banned following a phase-out period, as well as options for exceptions, extended phase-out periods as per Article 4 (**exemptions**), and opt-outs; and c) requires traceability and reporting.

Some delegations stressed that a one-size-fits-all approach is disproportionate and unjustified, highlighting differing national capabilities and circumstances. Other delegations opposed, stressing that plastic pollution is a transboundary problem that needs global, not national solutions.

Another delegation proposed focusing on unnecessary single-use plastic products that meet certain criteria, including posing a threat to the environment and containing a concentration of hazardous chemicals above scientifically established limits. One delegation proposed mandatory reporting of national import bans.

Several other delegations urged proceeding on the basis of common ground rather than a "maximalist approach," with a number of delegations noting agreement on the inclusion of certain provisions: national measures; national reporting obligations; high-level criteria to determine plastic products requiring attention; and establishing institutional arrangements, including any role for the future governing body and subsidiary body/committee. Some delegates preferred establishing a scientific subsidiary body to review an annex of the regulated plastic products and chemicals of concern contained in plastic products. Others opined that technical work should be left to scientific panels such as the Intergovernmental Science-Policy Panel on Chemicals, Waste and Pollution, to avoid overlaps and duplication of work.

One delegate pointed out that global criteria can be considered by the Conference of the Parties (COP), noted different options

for global measures, and suggested a timeline for a global or initial list. Discussions on this continued in informals in the afternoon. In the evening, the informal group reported back. Noting convergence on some issues and a need for a more streamlined text to remove "obsolete" language in the Chair's Text, the informal group Co-Facilitators offered to prepare an iteration of Article 3 for consideration by the contact group, which was rejected by some delegations. Co-Chair Ikeda asked the Co-Facilitators to continue work in the informals, stressing that this will help the group to discuss and work more collectively.

On **plastic product design** (Article 5), Co-Chair Borchmann noted that significant work has been done and the Chair's Text on the article contained no brackets. After presenting the Chair's Text on screen, delegates who submitted proposals on this article were invited to present them and explain their rationale. Discussions continued into the night.

Contact Group 2

Co-chaired by Peter Justice Dery (Ghana) and Tuulia Toikka (Finland), the group met in the afternoon.

On **releases and leakages** (Article 7), Co-Chair Dery asked the UK to report back on the "informal informal" established the previous day. The UK clarified it would not be able to propose a way forward until Thursday, 7 August.

The group then discussed **plastic waste management** (Article 8). Delegates disagreed on whether parties "should" or "shall" take measures to ensure that plastic waste is managed in an environmentally sound manner, with some countries worrying about different national means of implementation. Many delegations asked for a mention of waste hierarchy, others insisted on human health, and still others emphasized that the environmentally sound management of waste and related measures should be nationally determined. One delegate, opposed by several others, proposed to delete references to guidelines on plastic waste management developed under the Basel Convention and other relevant agreements and organizations.

Deliberations turned to a list of measures, including on: plastic waste systems and infrastructures; circular economy; fishing gear; and a just transition for plastic waste management workers, especially waste pickers and informal workers. Views diverged on whether these measures should be: mandatory or voluntary; exhaustive or illustrative; and refer to the principle of common but differentiated responsibilities. Proposals were made, among others, to specify that circular economy approaches are toxic-free, inclusive of local and informal reuse and recycling systems and Indigenous knowledge systems, and protective of human health and the environment. Additional proposals included: adding to the list of measures on traceability systems for plastic waste and post-consumer recovery programs; deleting a reference to "energy recovery"; and strengthening the role of waste pickers as key actors in the recycling chain. One delegation suggested deleting the list of measures.

On the transboundary movement of plastic waste, delegates shared diverging views on the relationship between the ILBI and the Basel Convention, noting that their respective membership may differ. Several delegates supported deleting the paragraph, while another suggested relying on the Basel Convention's definition of plastic waste.

Views differed on whether a provision to establish or promote extended producer responsibility approaches would be mandatory or voluntary. One delegation proposed to include a new paragraph on reporting on measures taken in implementing Article 8 and the outcomes achieved. Others proposed language clarifying that the implementation of the article by developing countries will depend on developed countries providing financial resources and technology transfer. Discussions will continue in an informal on Thursday, 7 August.

Contact Group 3

Co-Chaired by Kate Lynch (Australia) and Gwen Sisor (Palau), this group met in the afternoon. On **financial [resources and] mechanism** (Article 11), a number of delegations reiterated the call to use the African Group's submission from INC-5.1 as the basis of negotiations, noting that it represented the views of a majority of states. A few delegations supported the Chair's Text as a good basis for negotiations, with some calling for the deletion of references to primary plastic polymer fees.

One regional group presented a joint proposal, which, among other things: calls for developed countries to provide grant-based and concessional financial resources to developing countries; and establishes a new dedicated fund to be operationalized by COP 2, with the Global Environment Fund (GEF) designated as the interim financial mechanism.

Another regional group introduced their proposal for a hybrid approach, which contains: the provision of new, additional, and accessible finance from developed to developing countries; contributions from all sources, including multilateral, regional, and bilateral channels, and the private sector; the establishment of a financial mechanism served by a number of entities, including a new dedicated multilateral fund for the implementation of the ILBI, the GEF, and COP-designated entities, and a sub-fund for remediation; procedures for aligning financial flows of developed and developing countries; and a robust periodic review of the financial mechanism by the COP, among others.

One delegation proposed a compensation fund for losses incurred in the implementation of the instrument. Another group underlined the importance of the GEF as the financial mechanism. One delegation suggested the establishment of a "supplementary entity" under the financial mechanism.

On the way forward, delegates conducted a lengthy discussion on whether to mandate the Co-Chairs to circulate a new text reflecting areas of convergence and divergence, whether to request the Co-Chairs to circulate a comparison document with a table taking into account all the proposals as well as the Chair's Text, or whether to continue discussions on all the proposals in an informal group. Many strongly supported the development of a Co-Chairs' Text, with a number of others supporting a comparison document. Co-Chair Lynch noted that the proposed comparison document would inform the scheduled informal discussions. Delegates eventually supported this proposed way forward.

The contact group will open discussions on capacity building, technical assistance, and technology transfer, including international cooperation (Article 12) on Thursday, 7 August.

Contact Group 4

This group, co-chaired by Linroy Christian (Antigua and Barbuda) and Go Kobayashi (Japan), met in the morning and evening. On **right to vote** (Article 25), some requested clarification on the voting rights of regional economic integration organizations (REIOs), with several supporting keeping bracketed text which notes that, during voting procedures, each state party to the REIO should be "accredited and present at the time to vote." One REIO underscored that this is non-standard language and not reflected under other multilateral environmental agreements (MEAs). The group will discuss the article again at a later stage.

On **adoption and amendment of annexes** (Article 24), which is entirely bracketed in the Chair's Text, Co-Chair Kobayashi suggested, and delegates agreed, to revisit the provision once an agreement is reached in discussions on annexes under Contact Group 1.

On **secretariat** (Article 21), two regional groups expressed reservations on the secretariat functions being performed by the Executive Director of the UN Environment Programme (UNEP),

noting that this could be agreed at the first meeting of the COP and excluded from the treaty text. Two regional groups and some delegations preferred that the secretariat functions be performed solely by UNEP, calling to delete text setting out the parameters of a three-fourths majority vote to decide on secretariat arrangements outside of UNEP. Other delegations proposed language edits, including the deletion of language calling for specific implementation assistance by the secretariat to developing country parties and parties with economies in transition. This was opposed by many, who recalled that this is standard language under other MEAs.

Delegates agreed to consider a Co-Chairs' text on this article at their next meeting.

On **settlement of disputes** (Article 22), delegates debated, among other issues, whether to delete a paragraph on dispute settlement procedures, including all references to the role and recommendations of a conciliation commission. Delegates will return to these discussions at a later date.

On **amendments** (Article 23), one delegation suggested amendments be adopted subject to the conclusion of the periodic review of the effectiveness of the financial mechanism and proposed new language providing that the implementation of the ILBI "shall be without prejudice to their rights and obligations under other international agreements, including international trade agreements." Several countries stressed the need for decision making on amendments to be based on consensus, while others called for the possibility to amend the ILBI when all efforts to reach agreement are exhausted. Co-Chairs proposed to reflect delegates' divergent views in the status of work document.

Regarding the **conference of the parties** (Article 20), a large group of countries introduced a proposal resulting from the Heads of Delegation informal discussions held in Nairobi, to the effect that if all efforts to reach consensus have been exhausted, decisions on questions of procedure shall be adopted by a majority of the parties present and voting, and decisions on questions of substance shall be adopted by a two-thirds majority of the parties present and voting. Discussions continued into the night.

In the Corridors

On Wednesday, it was clear that, as one observer phrased it, "we are in end-game negotiations." Positions on core issues were aired for the first time, and in some cases, battle lines were drawn.

For instance, in one exchange on plastic products, one delegation seemed to join a group of those who have voiced vociferous opposition to the inclusion of any text on this issue. For many, limiting certain plastic products is the very "heart of the new treaty." But others disagree, prioritizing plastic design, which is seen as being "much further down in plastic supply chain." One optimistic observer noted that there may yet be a way to feed two birds with one cake. "If we can rewrite the article on design to include specifics that will sooner rather than later phase out the manufacture of certain plastic products." Whether this needs to be done at this meeting is still an open question.

Regarding another elephant in the room, finance, a bridging proposal suggesting a lasting role for the GEF as well as for a new multilateral fund was welcomed by many. However, it raised a question on whether certain developing countries would be expected to pay into the financial mechanism, particularly those that have benefitted from the production and manufacture of plastic and plastic products, respectively.

Substantive provisions were not the only issues haunting contact groups as delegates struggled to move forward, diverging on how to negotiate and what text informal discussions should tackle. "We need to use the Chair's Text," said some, while others insisted "We are already passed that stage, we should proceed with new proposals." One seasoned observer wondered, "Are they just trying to delay the negotiations by going around in procedural circles?" As Co-Chairs were put in a difficult spot, one delegation pleaded, "We need to trust each other, we need to be brave."

At the end of what was, undoubtedly, a long day with the mushrooming of informal and informal-informal discussions beginning to weigh delegations down, one whispered conversation seemed to offer the right amount of encouragement, "Don't give up now...not when you're so close. Keep pushing. You can still change the world."