

## Plastic Pollution INC-5.2 Highlights: Thursday, 7 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, basing 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.

### Contact Group 1

Co-chaired by Maria Angélica Ikeda (Brazil) and Axel Borchmann (Germany), the group began line-by-line negotiations on **plastic product design** (Article 5). Delegations differed on whether to: "improve" or "promote" plastic product design, establish mandatory or voluntary measures; and refer to "circularity" or "circular economy approaches." Some delegations made proposals on the aims of plastic product design measures, calling for these measures to contribute to sustainable production and consumption, resource efficiency, and reduction of primary plastic and chemicals of concern usage, which was opposed by others.

Other delegations called for language on promoting product simplicity to facilitate toxic-free recycling, as well as reuse and recycling systems. Some delegations called to delete references to: promoting safe and sustainable additives and chemicals; waste hierarchy; and microplastics. One delegation also proposed a provision to improve the availability of information on safe and sustainable use, maintenance, repair, and instructions for disposal, recycling, and waste management.

On research, innovation, development, and use of sustainable and safer alternatives, a few delegates called for the deletion of reference to human health. One delegation called to emphasize product design to enhance recyclability, technological neutrality, and "non-discrimination between raw materials."

On guidance for "priority plastic products," delegates considered: whether this guidance should be developed through a sector- or product-specific design and/or performance criteria; when the conference of the parties (COP) should establish a process and schedule of work; and whether it should be developed by the COP at all, with some supporting language urging parties to take into account international rules, standards, and/or guidelines or "guides." Delegates also discussed the information underpinning this guidance, with many delegations calling for reference to Indigenous Peoples and some preferring specifying the "knowledges, sciences, and practices of Indigenous Peoples and local knowledge systems."

One delegation proposed a set of criteria for products, incorporating elements from Article 3 on plastic products, taking into account the necessity of the product and considering the likelihood of leakage to the environment, acceptability of risk, and the availability of alternatives, among others. Another delegation proposed that plastic products and materials must meet toxic-free circularity design standards.

Several delegations stressed the importance of a provision on ensuring product design measures do not create unnecessary obstacles to international trade or are applied in a manner constituting arbitrary or unjustifiable discrimination. One delegation preferred addressing trade considerations in other parts

of the ILBI, while another called to retain it, noting there had been insufficient time to develop a standalone article on the issue. Discussions will continue in an informal on Friday, 8 August.

### Contact Group 2

Co-chaired by Peter Justice Dery (Ghana) and Tuulia Toikka (Finland), the group met in the morning and evening. Informal discussions were held on **plastic waste management** (Article 8) in the afternoon. On **existing plastic pollution** (Article 9), delegates held conflicting views on the focus of the article, with proposals to rename it to "legacy plastic pollution" or "plastic pollution remediation." Delegates also debated whether implementation of the article, including any guidance from the COP, would be mandatory or voluntary.

Other proposals included: referencing the historical responsibility of developed countries; focusing on waste; mentioning plastic pollution in the marine environment, with divergence on whether to address areas beyond national jurisdiction (ABNJ); adding new text on high-mountain plastic pollution; and mentioning effective responses to transboundary incidents, including marine incidents and illegal dumping. Delegates also tabled proposals: to take measures individually and collectively; for removal measures to be "ecologically sensitive" rather than "environmentally sound;" and to mandate reporting on implementation measures. Some delegations called to recognize the special circumstances of developing and geographically disadvantaged countries.

One regional group proposed establishing a remediation mechanism, under the authority of the COP, to address existing plastic pollution in the marine environment, particularly in ABNJ. This was opposed by others, with some suggesting a programme of work on remediation. Regarding implementation, delegations proposed taking into account: guidance by the COP; future programmes of work; the knowledges, sciences, and practices of Indigenous Peoples and local knowledge systems; and best available science and technologies. Delegates also suggested adding waste pickers and local governments to a list of stakeholders to be engaged in implementation.

One delegation, opposed by several others, proposed language requiring developed countries to report data on current and historical exports and illegal dumping of plastic waste to developing countries, as well as requiring provision of capacity building, technology transfer, and finance from developed to developing countries. Some delegations preferred addressing means of implementation in other parts of the ILBI.

In the evening, delegates heard a report back from informal group Co-Facilitators Chile and Switzerland on the informal on Article 8, noting that they would prepare streamlined text on paragraph 1 and requesting more time for discussions.

On **just transition** (Article 10), some delegations called to strengthen the provision, with language indicating that parties "shall" promote and facilitate a just transition, and ensure "fair market conditions, including for reusing and recycling systems." Other proposals included: deleting the article entirely; reflecting that just transition pathways will differ among parties; and renaming the article to "transitions for workers." Discussions continued into the night.

### Contact Group 3

This group, co-chaired by Kate Lynch (Australia) and Gwen Sisor (Palau), met in the morning and evening. On **capacity**

**building, technical assistance and technology transfer, including international cooperation** (Article 12), delegates spent some time addressing the mode of work, given the number of submissions related to this article.

They then engaged in line-by-line negotiations of paragraph 1 based on the Chair's Text. Discussions surrounded whether technology transfer should be "voluntary" and/or "on mutually agreed terms," with delegates also considering whether it should be done on "concessional and preferential terms." The group debated the merits and demerits of using these terms, with many stressing that implementation of the ILBI is only possible if technology transfer is mandatory. One delegation called to include language on the impacts of unilateral coercive measures on access to capacity building and technology transfer.

On cooperation, some delegates, opposed by many, suggested deleting the reference to developed countries, to give a broader call for all countries to cooperate, including through South-South cooperation. Others suggested deleting reference to cooperation to highlight that this article is a clear obligation, noting that developing countries need sustainable and affordable technology transfer and long-term capacity building. Some delegations highlighted that international cooperation, which is found in the title, is the "umbrella of the entire article."

One delegation proposed that the lifecycle approach to plastics should guide this article, which was rejected by others, who underlined that this is better included in other parts of the ILBI.

Suggestions to replace or add to the list of categories of recipient countries with "parties most in need" and those with "significant capacity constraints" were discussed, with many raising concerns about the ambiguity of these terms, noting this is not standard language used in other multilateral environmental agreements (MEAs). A few delegations called to reference "countries with economies in transition," and others called to highlight the special circumstances of least developed countries (LDCs) and small island developing states (SIDS).

Many delegates proposed deleting "safe" to qualify technology transfer, arguing that the term is unclear, with one delegation suggesting replacing it with "affordable and environmentally safe." Views also diverged on whether capacity building should be country- or demand-driven.

Co-Chair Sisior proposed, and delegates agreed, that the Co-Chairs present an iteration of paragraph 1 based on the group's discussions and prepare a text on the remaining paragraphs, based on the Chair's Text as well as discussions and submissions made during INC 5.1 and 5.2.

Delegates heard a report on the informals on **financial [resources and] mechanism** (Article 11) from Austria and Costa Rica, as Co-Facilitators. The informal group considered areas of convergence, based on the comparison document prepared by the Co-Chairs, with divergent elements placed in a separate section. They also addressed issues that could be discussed at the Diplomatic Conference or at COP 1.

On the way forward, delegates discussed which text to use as the basis for line-by-line negotiations, with some supporting reverting to the Chair's Text, and others proposing that the Co-Chairs revise the Chair's Text for consideration on Friday, 8 August. One delegate called on the Co-Chairs to circulate a paragraph on review of the financial mechanism. Discussions continued.

#### **Contact Group 4**

This group, co-chaired by Linroy Christian (Antigua and Barbuda) and Go Kobayashi (Japan), met in the afternoon, followed by two informals on the **conference of the parties** (Article 20) and **subsidiary bodies** (Article 20bis), respectively.

Reporting back on the informal on **principles and approaches** (Article 1bis), Saudi Arabia, as Co-Facilitator, stated that delegates had agreed to mandate the Co-Chairs to merge and streamline options 1 and 2 of the Chair's Text, with the following instructions: avoid the loss of substance from options 1 and 2; reduce redundancies; and do not reproduce or paraphrase the contents of the Rio Declaration. They also noted that the deletion of the article is still on the table.

On **health** (Article 19), Brazil introduced a draft article resulting from consultations held during the intersessional period, providing that "parties shall promote cooperation in scientific

research and in the development of evidence-based policies to identify, assess, monitor and, where appropriate, prevent or mitigate the potential adverse effects of plastic pollution on human health and wellbeing." Other delegates asked to reference, among other things: the One Health Approach; best available science; vulnerable populations such as waste pickers; the full lifecycle of plastics; national circumstances and capabilities; reporting; and public awareness and education. Others objected to a standalone article on health, with some pointing to potential overlaps with other international forums and instruments, lack of solid scientific evidence, and additional burdens on developing countries. Co-Chair Christian proposed, and delegates agreed, to continue discussion in an informal group, led by Brazil.

On **implementation and compliance** (Article 13), many delegations supported the establishment of a compliance mechanism within the treaty text. One delegation noted the links between the implementation and compliance committee (ICC) and the proposed subsidiary body on implementation. On the composition of an ICC, one delegation supported a 15-member committee, with a regional group favoring an 11-member committee, including dedicated seats for SIDS and LDCs. Some delegations preferred that the COP take decisions on the ICC's composition.

One regional group and several delegations underlined that the ICC should be focused on implementation support. Another regional group supported a "non-intrusive" ICC, operating on the basis of consensus.

Some delegations preferred that the ICC focus on general compliance issues and called for the deletion of a proposed "secretariat trigger" as an addition to party and COP triggers. They also called to link compliance with the provision of adequate financial resources. Discussions will continue.

#### **In the Corridors**

With pressure mounting from both inside and outside the Palais de Nations, delegates worked frantically in all formats to make progress on the text. On Friday evening, each of the contact groups are expected to present text reflecting areas of convergence, in order for the Secretariat to prepare an "assembled document" for consideration by the plenary on Saturday. A frenetic atmosphere thus permeated the contact group rooms all day.

In certain rooms, "ancient" questions were raised: will technology transfer be provided on mutually agreed terms, or will technology be provided on concessional and preferential terms? Developing countries have always supported the latter, and in the case of plastic pollution, there are existing technologies that assist in sorting waste and in mechanical recycling, for instance, and there is great potential for emerging technologies. "Without technology transfer, this article is dead," lamented one delegate, highlighting the importance of this issue.

Developed countries, which hold much of this technology, have argued that technology is proprietary, meaning governments do not have the legal right to share it freely. Under other MEAs, such as the recently adopted High Seas Agreement, this issue has been resolved through the establishment of a dedicated mechanism to facilitate technology transfer. Could that be a lesson learned?

Familiar lines were also drawn in discussions on plastic pollution, as several delegations pushed to focus on "legacy" rather than "existing" pollution, insisting on developed countries' historical responsibility, specifically through shipments of plastic waste to developing countries, and illegal dumping. As expected, this was strongly opposed by several developed countries' delegations. Questions of who should pay were central to these discussions, as were calls for guarantees on technology transfer.

Zooming out, the level of ambition of the treaty is still unclear, as delegates near a mid-point in this final round of talks. "We're going to need a good few days to hammer out a package which must include some elements related to plastic products, design standards, and waste management, and be underpinned by robust financing commitments," shared one delegate. But another lamented that, "if we do not include language on production, we're going to lose it forever," drawing attention to the importance of reflecting the full lifecycle of plastic in the new treaty. "It is scary that we still don't have answers at this point of the negotiations," worried one observer, "but we will hold out hope for a strong agreement."