

PROPOSALS BY CIDCE

Second session of the Intergovernmental Negotiating Committee to develop an international legally binding instrument on plastic pollution, including in the marine environment

Paris, 29 May - 2 June 2023

Outline

- I. Preamble
- II. Objectives, definitions and scope
- III. Principles and core obligations
- IV. Production, use and wastes
- V. Trade, control, tracking and plastic free zones
- VI. Information, education, cooperation and implementation

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The International Centre for Comparative Environmental Law (CIDCE), an international NGO on special consultative status with the United Nations and observer status with the United Nations Environment Assembly, is committed to the promotion, development and effectivity of international legal instruments on environmental protection.

As such, CIDCE supports the development of a global convention aimed at preventing, combating and eradicating, in a quick, total and definitive manner, all forms of plastic pollution of terrestrial, atmospheric and aquatic environments, including marine ecosystems.

Thus, CIDCE submitted, after the first session of the Intergovernmental Negotiating Committee to develop an international legally binding instrument on plastic pollution, including in the marine environment (INC-1), preliminary suggestions on key elements that such a convention should embody².

CIDCE then set up a team of legal experts in environmental law, from 24 different countries, to prepare detailed proposals on the content of the future convention, in support of the efforts being made by country delegations within the Intergovernmental Negotiating Committee.

That working group, which met virtually from February to May 2023, drafted the following proposals in view of the forthcoming INC-2 in Paris.

² https://apps1.unep.org/resolutions/uploads/230109_centre_international_de_droit_compare_de_lenvironnement_cidce.pdf.

I. PREAMBLE

The preamble should articulate four clusters of elements: (i) the global dimension of plastic pollution and its growing health, environmental and socio-economic impacts; (ii) resolutions, decisions and declarations relating to plastic pollution; (iii) instruments, strategies and guidelines on plastic pollution; and (iv) initiatives and measures addressing plastic pollution.

1. Scope and impacts of plastic pollution

The preamble should especially emphasize the following features of plastic pollution:

- Pervasive throughout the world, on land, at sea and in the atmosphere, plastics are increasingly insidious, even in the most remote regions, including the Arctic. In massive and exponential growth, their production has doubled during the last two decades and could triple by 2060, the Covid-19 having also amplified the quantity of single-use plastic waste.
- Plastic pollution has harmful effects on humanity and the planet. Ingested by humans and animals, altering fragile habitats and natural processes, plastics compromise the health of living beings, if not their survival, by undermining terrestrial and aquatic biological resources as well as the ability of ecosystems to adapt to climate change.
- The alarming and persistent proliferation of plastics also has deleterious implications for the socio-economic well-being of nations. It reduces their food and fish production and their means of subsistence, especially affecting the most vulnerable populations. It therefore represents a growing multifaceted threat to sustainable development.
- The lifecycle of plastics is far from circular. Plastic waste recycling remains rudimentary: only about 9% is recycled, while 19% is incinerated and 50% ends up in controlled landfills, the remaining 22% being burned in the open, abandoned in wild landfills or released into the environment.
- Plastics have a significant carbon footprint, causing nearly 3.5% of global greenhouse gas emissions, which is likely to reach 10-13% by 2050, and contributing meaningfully to the risk of the inability to keep the global temperature increase below 1.5°C.
- Given the interdependence between humankind and the environment, plastic pollution affects both the quality of the ecosystems and the enjoyment of human rights, especially the rights to life, health, water, food and the environment.
- The planetary dimension of plastic pollution, coupled with its transboundary nature, require interstate cooperation and coordination on a global scale, through an international convention based on scientific consensus and grounded on a global approach to the lifecycle of plastics, one which secures a high standard of human, animal and environmental health underpinned by the “One Health” concept, while also contributing to the achievement of the Sustainable Development Goals for the benefit of present and future generations.

2. Resolutions, decisions and declarations relating to plastic pollution

The preamble should particularly refer to the following resolutions, decisions and declarations:

UNEA Resolutions

- UNEA resolution 5/14 (2022) - *End plastic pollution: Towards an international legally binding instrument*;
- UNEA resolution 4/6 (2019) - *Marine plastic litter and microplastics*;
- UNEA resolution 4/7 (2019) - *Environmentally sound management of waste*;
- UNEA resolution 4/9 (2019) - *Addressing single-use plastic products pollution*;
- UNEA resolution 3/7 (2017) - *Marine litter and microplastics*;
- UNEA resolution 2/11 (2016) - *Marine plastic litter and microplastics*;
- UNEA resolution 1/6 (2014) - *Marine plastic debris and microplastics*.

Other resolutions, decisions and declarations

- UNGA resolution 77/248 (2022) - *Oceans and the law of the sea*, recognizing the need for better understanding of the sources, amounts, pathways, distribution, trends, nature and impacts of marine debris, especially plastics and microplastics;
- UNGA resolution 77/161 (2022) - *Promoting zero waste initiatives to advance the 2030 Agenda for Sustainable Development*, stressing the urgency of taking immediate actions towards the long-term elimination of plastic pollution in marine environments;
- UNGA resolution 76/296 (2022) - *Our ocean, our future, our responsibility*, highlighting initiatives to prevent, reduce and eliminate marine plastic litter, including single-use plastics and microplastics;
- UNGA resolution 70/1 (2015) - *Transforming our world: the 2030 Agenda for Sustainable Development*, especially SDG 14 Indicator 14.1.1b on plastic debris density;
- UNGA resolution 66/288 (2012) - *The future we want*, particularly paragraphs 163 and 218 referring to plastic waste;
- Resolution 2022-1 (2022) of the International Whaling Commission - *Marine plastic pollution*;
- IUCN resolution 019 (2021) - *Stopping the global plastic pollution crisis in marine environments by 2030*;
- IUCN resolution 069 (2021) - *Eliminate plastic pollution in protected areas, with priority action on single-use plastic products*;
- Decision CB.3/8 (2020) - *Action to prevent plastic waste pollution and its trade in and surrounding the continent of Africa*, adopted by the Parties to the Bamako Convention on the Ban of the Import into Africa and the Control of Transboundary Movement and Management of Hazardous Wastes within Africa;
- Decision IG.24/11 (2019) - *Guidelines: Adopt-a-beach; Phase-out of single use plastic bags; Provision of reception facilities in ports and the delivery of ship-generated wastes; Application of charges at reasonable costs for the use of port reception facilities*, adopted at COP 21 of the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean;
- Decisions 13.122 to 13.125 (2020) - *Impacts of plastic pollution on aquatic, terrestrial and avian species*, adopted at COP 21 of the Convention on the Conservation of Migratory Species of Wild Animals;
- *Declaration on a resilient and healthy environment for all* (2022) of the OECD Environment Policy Committee, calling for comprehensive lifecycle approaches to tackle plastic pollution;
- *G20 Osaka Leaders' Declaration* (2019), aiming to reduce additional pollution by marine plastic litter to zero by 2050;
- *Scientists' declaration on the need for governance of plastics throughout their lifecycles* (2022), supporting a global treaty based on independently peer-reviewed scientific consensus.

3. Instruments, strategies and guidelines on plastic pollution

The preamble should particularly refer to the following instruments, strategies and guidelines:

- Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal (1989) and its amendments to Annexes II, VIII and IX dealing with plastic waste;
- Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade (1998) and inclusion of plastic additives in its Annex III;
- Stockholm Convention on Persistent Organic Pollutants (2001) and inclusion of plastic additives or by-products in its Annex A;
- United Nations Convention on the Law of the Sea (1982), including its provisions on combating pollution of the marine environment from all sources;
- Agreement on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction (2023), whose preamble refers to the impacts of plastic pollution on marine biodiversity;
- International Convention for the Prevention of Pollution from Ships (1973) and its Annex V banning the disposal into the sea of all forms of plastics;

- Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean (1976) and its additional protocols, with the Naples Ministerial Declaration (2019) asking to empower the regulatory framework for reducing single-use plastic products;
- Convention for the Protection of the Marine Environment of the North-East Atlantic (1992), with its environmental indicators relating to plastic particles;
- Convention on the Conservation of Migratory Species of Wild Animals (1979) and its decisions about the impacts of plastic pollution on aquatic, terrestrial and avian species (2021);
- IMO Strategy to address marine plastic litter from ships (2021);
- Guidelines to tackle single-use plastic products in the Mediterranean region by the Regional Activity Centre for Sustainable Development and Production (2021);
- Guidelines for corporate plastic stewardship (2021);
- GESAMP Guidelines for the monitoring and assessment of plastic litter in the ocean (2019).

4. Initiatives and measures addressing plastic pollution

The preamble should particularly refer to the following initiatives and measures:

- Global biodiversity framework (2022) - Target 7: control plastic pollution at levels not harmful to biodiversity by 2030;
- OECD global plastics outlook reports (2022) on: (i) Economic drivers, environmental impacts and policy options; and (ii) Policy scenarios to 2060;
- FAO/IMO joint report on good practices to prevent and reduce marine plastic litter from fishing activities (2022);
- WHO global analysis of health care waste in the context of Covid-19 (2022);
- Business Coalition for a Global Plastics Treaty (2022);
- G7 Ocean Deal committing to immediate ambitious actions that have environmental and socio-economic benefits along the lifecycle of plastics (2022);
- World Bank report on pathways out of plastic pollution (2022);
- UNEP global assessment of marine litter and plastic pollution (2021);
- IAEA initiative to harness nuclear technology for controlling plastic pollution (2021);
- FAO call for action on agricultural plastics, advocating solutions based on the 6R model: refuse, redesign, reduce, reuse, recycle and recover (2021);
- Report on the stages of the plastics cycle and their impacts on human rights by the Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes (2021);
- Initiative of the High Ambition Coalition to End Plastic Pollution aiming to eliminate plastic pollution by 2040 (2021);
- Global Partnership on Plastic Pollution and Marine Litter (2021);
- UNEP global chemicals and waste indicator review document for measuring SDG indicators related to wastes and their recycling rate (2021);
- SGD 14 Indicator 14.1.1b on plastic debris density (2021), monitored by UNEP;
- Global Tourism Plastics Initiative (2020);
- WTO informal dialogue on plastic pollution and environmentally sustainable plastics trade (2020);
- UNIDO report on addressing the challenge of marine plastic litter using circular economy methods (2020);
- UNEP/Allen MacArthur Foundation New plastics economy global commitment (2018);
- GESAMP global assessment on the sources, fate and effects of microplastics in the marine environment (2015);
- Regional Action Plan for Prevention and Management of Marine Litter [including plastics] in the North-East Atlantic (2014-2021).

II. OBJECTIVES, DEFINITIONS AND SCOPE

A. Objectives

1. General objective

Prevent, combat and eradicate, as quickly as possible, totally and definitively, all forms of plastic pollution from terrestrial, atmospheric and aquatic environments, including the marine environment.

In the fight against plastic pollution, the general objective of the Convention shall be as broad as possible, and shall include all forms of pollution of any ecosystem, also considering the speed, completeness and result parameters. Plastic pollution shall be prevented and eradicated according to a logic of stock and flow.

2. Quantified objectives

- a) Eradicate plastic pollution by reaching a maximum worldwide level of cumulative plastic pollution of the terrestrial, atmospheric and aquatic environments, including the marine environment, by 2040 at the latest, and the disappearance, or at least the almost complete and particularly visible elimination, of such cumulative pollution before 2100.

Considering plastic pollution as a stock, such stock shall be eliminated as quickly as possible, totally and definitively, with an intermediate deadline (maximum stock in human history to be reached by 2040), then a final deadline (end of pollution by 2100).

- b) Prevent plastic pollution by reaching a maximum worldwide level of new plastic pollution of the terrestrial, atmospheric and aquatic environments, including the marine environment, by 2040 at the latest, and the end of all new plastic pollution by 2100.

Considering plastic pollution as a flow, such flow shall be eliminated as quickly as possible, totally and definitively, with an intermediate deadline (maximum flow in human history to be reached by 2040), then a final deadline (end of the flow by 2100).

- c) Progressive and complete ban, before 2050, of the production, marketing, export, import and provision of plastics and plastic-containing products for which the producer, trader, exporter, importer or user are not able to provide evidence, on the basis of the state-of-the-art of scientific knowledge, that those plastics or plastic-containing products shall not cause pollution of the terrestrial, atmospheric or aquatic environments, including the marine environment.

The objective of the Convention cannot be achieved if there is a continuing flow of mismanaged plastic waste. This ban is based on the extended producer responsibility and aims to promote a circular economy for plastics. It paves the way for technological development and innovation for the design and marketing of non-polluting plastic substitutes.

3. International cooperation to tackle plastic waste

Create an international cooperation framework aimed at equipping, as soon as possible, all human communities and all the terrestrial, atmospheric and aquatic environments, including the marine environment, with efficient systems for the collection, reuse, repurposing, recycling, value recovery, and even, where these are not possible, for the disposal of plastic waste, by agreeing, under the principle of common but differentiated responsibilities and respective capacities, on the specific needs of developing countries, particularly the least developed countries, in terms of technical assistance, technology transfer, and financing.

Ending plastic pollution cannot be achieved without processing equipment for plastic waste (unless such waste does longer exist). Such equipment shall need to be put in place at the global level, and

international cooperation is essential to achieve this. The reference to the environments is intended to seek their clean-up even in the absence of human presence, such as on the high seas, with technological development of clean-up processes, and common but differentiated responsibilities regarding such clean-up.

4. Collective engagement against plastic pollution

Ensure the development of a human community that is perfectly informed of the dangers to health and environmental quality of plastic pollution, and within which financial flows, international trade and national authorities are fully engaged to prevent, combat and eradicate all forms of plastic pollution of the terrestrial, atmospheric and aquatic environments, including the marine environment.

The creation of such collective commitment against plastic pollution, as a worldwide scourge, is primarily aimed at individuals (information, awareness and education), and then more specifically at the financial³, commercial and public sectors to achieve this.

5. Implementation of the objectives and obligations of other international instruments

Implement the objectives and obligations relating to the right to the environment and the right to health, notably in connection with “One Health”, stemming from planetary health and closely linking human, animal, plant health and ecosystem conservation, to human rights and the rights of future generations, the Sustainable Development Goals, as well as the objectives and obligations of the Convention on Biological Diversity, the United Nations Framework Convention on Climate Change, the Paris Climate Agreement and associated Nationally Determined Contributions, and those of any other treaty or agreement relating to the protection of human health and the environment.

This provision has the effect of weaving the undeniable links that exist between the objectives of this Convention and the objectives and obligations of other international law instruments, including those relating to health and environmental protection.

B. Definitions

Defining the terms under the Convention allows to specify the content of its obligations as well as to delimit the scope of their application. The purpose of the Convention is technical (plastics and pollution) and could justify an infinite multiplicity of the terms to be defined.

The negotiating documents have already identified three main categories of terms: (i) those used in Resolution 5/14, the definitions of which have been adopted or approved through an intergovernmental process; (ii) those used in Resolution 5/14, the definitions of which have not been adopted or approved through an intergovernmental process but which could be useful in the development of the Convention; and (iii) those not used in Resolution 5/14, but which can be related to those used therein, and whose definitions have been adopted or approved through an intergovernmental process.

1. Introductory chapeau

An introductory chapeau to the article on definition of terms shall provide that the terms defined, as well as any element with a similar connotation mentioned in an annex, shall always be understood and interpreted in the most favourable way to human health and environmental protection and to the fight against plastic pollution, and in accordance with the Convention’s objectives, to ensure the greatest useful effect to its obligations.

2. Definition of terms

Define precisely, in the most favourable meaning to human health and environmental protection and to the fight against plastic pollution, and in accordance with the objectives of the Convention to ensure the

³ As provided for in the Paris Agreement (Art. 1-1-c).

greatest useful effect to its obligations, as well as to promote priority actions by the Parties and the legal certainty of their obligations under international law, particularly the following terms:

- single-use plastics;
- micro and nano-plastics;
- pollution;
- waste;
- approach based on the full lifecycle;
- circular economy for plastics;
- extended producer responsibility;
- best available techniques.

C. Scope

As with the definition of terms, the delimitation of the scope of the Convention may have the effect of limiting the extent of its obligations and the achievement of the objectives pursued. Instead, scope-related elements, in their substantive, personal, spatial or temporal dimensions, shall indeed seek to best ensure the realization of the Convention's objectives.

1. Introductory chapeau

An introductory chapeau to the provisions relating to the scope of the Convention shall state that those provisions, as well as any element with a similar connotation mentioned in an annex, shall always be understood and interpreted in the most favourable way to human health and environmental protection and to the fight against plastic pollution, and in accordance with the Convention's objectives to ensure the greatest useful effect to its obligations.

Ensuring the useful effect of the provisions of the Convention would not, through such a scope, preclude the temporary use of plastics, including potential sources of pollution, that would still prove to be essential to human health (for example, medical devices), where there would be no substitute devices offering the same advantages, including economic ones.

2. Areas and territories beyond national jurisdiction

The obligations to prevent and eliminate plastic pollution through clean-up actions shall extend to areas and territories beyond the national jurisdiction of States Parties. In accordance with the principle of common but differentiated responsibilities and respective capacities, States Parties shall develop technologies and undertake actions to clean up areas outside the sovereignty of States Parties, including the high seas, with a view to eradicating plastic pollution in these areas.

The aim here is to give real efficiency to the Convention by not depriving it of obligations to take action to prevent and eradicate plastic pollution in areas beyond the national jurisdiction of States Parties⁴. Such obligations shall be implemented in accordance with the principle of common but differentiated responsibilities and respective capacities, so as to place the primary burden of those actions on the countries mostly responsible for plastic pollution, which also possess the financial and technological capacities, by setting up to this end a contribution from the private sector companies that produce plastics, and from consumers and users.

⁴ After the Agreement on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction (2023).

III. PRINCIPLES AND CORE OBLIGATIONS

A. Principles

1. Prevention. It is important that States Parties anticipate the effects of plastic pollution by applying the principle of prevention during the manufacture and distribution of plastic products, by considering the risks associated with all aspects of the lifecycle of plastics, in accordance with: the 1992 Convention on Biological Diversity (para. 8 of the Preamble); the 1992 Helsinki Convention (para. 3 of the Preamble, Arts. 2 and 3); and the 1997 Convention on the Law of the Non-navigational Uses of International Watercourses (Art. 21).

2. Precaution. In the event of a risk of serious or irreversible damage linked to plastics, the lack of scientific certainty shall not be alleged as a reason for postponing the adoption of effective remedial measures, in pursuance of the precautionary principle or approach, as appropriate, as provided for by: the 2023 Agreement on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction (Art. 5-d); the Convention on Biological Diversity (para. 9 of the Preamble); the 2001 Stockholm Convention (Art. 1); the 1989 Basel Convention (Arts. 2, 4, 6); and the 1997 MARPOL Convention (Protocol - Annex VI).

3. Non-regression. States Parties shall take measures to prohibit setbacks and reversals in the fight against plastic pollution as in the field of the environment, as provided for in: the Paris Agreement (Art. 4-3); the Aarhus Convention (Art. 3); the Convention on Biological Diversity (para. 22 of the Preamble); the Lisbon Treaty on the European Union (Art. 3); and the Escazú Agreement (Art. 3-c).

4. One Health. States shall take measures to prevent plastic pollution in line with the “One Health” principle, which recognizes the interdependence of the health of living beings, ecosystems and ecological processes, and is based on an integrated approach, according to the joint statement of the Tripartite (FAO, OIE, WHO) and UNEP⁵.

5. Rectification at source. Each State Party’s national policy on plastic pollution control shall aim for a high level of protection, based on the principle of preventive action and rectification as priority at source, to avoid damage to biodiversity and the services it provides or, failing that, to minimize the impacts of plastic pollution, as well as to compensate for harm that could not be avoided or reduced. This principle is set out in the Treaty on the Functioning of the European Union (Art. 191-2) and in the French environmental code (Art. L.110-1, II. 2°). It is also imperative that States Parties promote the protection of biological diversity to contain damage caused to it by plastic waste, including the increasing levels of biodiversity reduction and loss, in accordance with the Convention on Biological Diversity (paras. 8 and 9 of the Preamble).

6. Common but differentiated responsibilities. States Parties shall protect the environment against plastic pollution, for the benefit of present and future generations, according to their common but differentiated responsibilities and respective capabilities, as provided for by: the Stockholm Convention (para. 13 of the Preamble); the 2015 Paris Agreement (para. 3 of the Preamble); and the 1992 United Nations Framework Convention on Climate Change (Art. 3).

7. Ecological solidarity. States Parties shall apply the principle of ecological solidarity, which calls for taking into account the interactions of ecosystems, living beings and natural or developed environments. This principle is enshrined in the 2016 French law on biodiversity recovery (Art. 2) and the 2007 Charter of Fundamental Rights of the European Union (Chapter IV - Solidarity, Art. 37).

8. Proximity and self-sufficiency. States Parties shall apply the principles of proximity and self-sufficiency in order to organize the transport of waste and limit it in distance and volume, as well as to have, at the territorial level of each State Party, an integrated and adequate network of final disposal

⁵ “Tripartite and UNEP support OHHLEP’s [One Health High Level Expert Panel] definition of ‘One Health’”, 2021.

facilities for plastic waste. These principles are grounded, for example, on the French environmental code (Art. L. 541-1, II. 4°, 6°, 8°).

9. Cooperation. States Parties shall recognize the importance of international cooperation in support of efforts to combat plastic pollution and the need to take into account the specific needs of developing countries, most notably those particularly vulnerable to the impacts of plastics on the environment, as set out in: the Paris Agreement (Art. 7-6); the Basel Convention (Art. 10); the Helsinki Convention (Art. 2); and the 1982 Montego Bay Convention (Art. 194).

10. Equity. States Parties shall apply the principle of equity to protect the environment and preserve biodiversity for the benefit of present and future generations, taking into account the differences between countries that mostly contribute to plastic pollution, that are mostly impacted by it, and that are mostly responsible for it. This principle is in line with the Agreement on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction (Art. 5-c).

11. Environmental democracy. States Parties shall guarantee environmental democracy, understood to include the principles of access to information, public participation and access to justice in addressing environmental issues, to ensure that all persons, including NGOs, are informed and able to participate in decision-making processes relating to plastic pollution, in accordance with the 1998 Aarhus Convention (Arts. 1, 4, 6, 9) and the 2018 Escazú Agreement (Arts. 4 to 8).

12. Refuse, Reduce, Reuse, Renew, Recycle. It is important to ban the movement of plastics into the environment, following the “5Rs - Refuse, Reduce, Reuse, Renew, Recycle” principle, which calls for an increase in the ratio of recyclable materials, greater reuse of raw materials and manufacturing waste, as well as an overall reduction in the resources and energy used, but above all to refuse the use of plastics that are not absolutely necessary, and to extend the lifetime of sustainable products. This principle is stated in terms of “recovery, recycling, reclamation, reuse” in the 2019 Minamata Convention (Arts. 2 and 3), but it is appropriate to add “refuse”, as found in the *G20 Report on Actions against Marine Plastic Litter*, which underlined that this is a common trend in the national legislation of several countries, including Finland and The Netherlands.

13. Extended producer responsibility (EPR). The EPR principle shall be applied to reinforce the responsibilities of the manufacturer of plastic products at the various stages of the lifecycle of plastics, including take-back, recycling and disposal. The costs of the negative environmental externalities of the products shall be transferred to the producers, as recommended by OECD (*Deposit-refund systems and the interplay with additional mandatory extended producer responsibility policies*) and the UN (*Preparation of an international legally binding instrument on plastic pollution, including in the marine environment*).

14. Polluter pays. States Parties shall apply the polluter-pays principle, whereby the costs of measures to prevent, combat and reduce plastic pollution shall be borne by the polluter, as reflected in the Stockholm Convention (para. 17 of the Preamble).

B. Core obligations

1. Obligations of prevention and source control. States Parties shall:

- a) develop, implement, update and periodically review plastic plans, programmes and/or strategies particularly aimed at the reduction at source, collection and environmentally sound management of plastic waste at land and sea levels;
- b) regulate and limit current and future microplastics through measures to minimize the risk of plastic pellet leakage during the production, handling, transport and release of unintended microplastics;

2. Obligations regarding environmentally sound management, and sustainable consumption and production, taking into account the plastics extended producer responsibility (EPR). States Parties shall:

- a) establish environmentally sound management of plastic waste throughout the lifecycle;
- b) promote circular economy and develop regulations for the actors and activity sectors involved in the lifecycle of plastics. Integrated management shall guide the collection and processing of plastic waste, taking into account the land-sea continuum, including abandoned, lost or discarded fishing gear containing plastics, as well as agricultural plastics;
- c) base sustainable consumption on consumer information and on the risks associated with the use of plastic products;
- d) establish and strengthen the extended responsibility of plastic producers in order to develop and implement EPR programmes at the national level;
- e) communicate complete, detailed and intelligible information on the risks of plastic pollution to those directly exposed to it;
- f) develop, implement and update national plans to combat plastic pollution, in collaboration with relevant stakeholders.

3. Obligations relating to the production, reduction, import and export of plastics. States Parties shall:

- a) adopt and apply legislative, administrative, technical and fiscal measures concerning the reduction of production, the regulation of distribution, the collection and sustainable management of plastic waste;
- b) reduce or ban the production of single-use and non-essential plastics;
- c) set targets for reducing or restricting the production, import, export and use of bio-based, biodegradable and compostable plastics.

4. Obligations to eliminate pollution and restore ecosystems. States Parties shall:

- a) take effective measures to ensure that plastic waste is collected, sorted and, if necessary, disposed of in an environmentally sound manner, and using methods with the lowest greenhouse gas and atmospheric emissions (taking into account for example the technical guidelines adopted under the Basel Convention);
- b) take measures to eliminate the release of plastics into water, soil and air. Such measures shall cover all human activities and economic sectors, including industrial facilities, agriculture, aquaculture and fisheries, transport and handling of plastic pellets, as well as unintentional releases of microplastics including from roads or textiles;
- c) assist by all means, including financial, the municipalities located on the coast so that they collect, especially on the report of fisherfolks, lost or abandoned fishing gear containing plastics, as well as any other plastic-containing elements, with the aim of contributing to the restoration of coastal and marine ecosystems.

5. Obligations in terms of inter-State cooperation. States Parties shall:

- a) limit or prohibit the transport, processing and disposal of plastic waste across their land and sea borders. Movements of waste shall be subject to prior informed consent from the recipient State (following the Basel Convention procedure);
- b) recognize that the global nature of plastic pollution requires, through inter-State cooperation and mutual assistance, the development of common scientific programmes for the identification of sources of pollution, the analysis of the full lifecycle of plastics, and ascertaining the state of plastic pollution at national, international and cross-border levels.

IV. PRODUCTION, USE AND WASTES

A. Binding obligations

1. General obligation

States Parties shall take all appropriate legislative, administrative, technical and policy measures to ensure that activities under their jurisdiction or control relating to the production, use and disposal of plastics are consistent with the objectives of the Convention.

From this type of general obligation, which is found in numerous international conventions⁶, arises for States a direct obligation of means, the fulfilment of which requires that each State imposes specific obligations on the operators so that damage to health or the environment is not caused, thus contributing to the realization of the right to a healthy environment.

2. Production-related obligations

- a) States Parties have an obligation to prohibit on their territory, by 2050, the production and use of all single-use plastics, except in cases of exclusion stipulated in the Annex to the Convention.

Following the model of the Minamata Convention on Mercury, States shall have to eliminate single-use plastics, except those that remain necessary, particularly in the medical field. Such phase-out will allow States to individually set milestones to achieve their complete ban on a voluntary timeline. Many States have already banned plastic bags and can then focus their efforts on other packaging.

- b) States Parties have an obligation to substantially reduce the use of toxic additives considered harmful to the environment and/or health that are listed in the Annex to the Convention, as well as to ban the use of harmful substitutable additives by 2050.

A UNEP study revealed the presence of around 20 additives on average per common plastic product⁷. Several chemical additives have been identified as persistent organic pollutants (POPs) under the Stockholm Convention. Other POPs not yet covered under the latter could be listed in the Annex to this Convention⁸.

- c) Enhance transparency by implementing a labelling system to identify all components of plastics and plastic-containing products.

Marking requirements are imposed by the 2019 Directive (EU) 2019/904 on the reduction of the impact of certain plastic products on the environment: each single-use plastic product must bear a visible, clearly legible and indelible marking, affixed to its packaging or to the product itself (Art. 7).

3. Use-related obligations

- a) States Parties shall take all measure aimed at prioritizing the reuse and repurposing of plastics and plastic-containing products.

Even before recycling, States shall have to put in place mechanisms to encourage the reuse of plastics, such as plastic deposits, to move towards the objective of banning single-use plastics.

⁶ Examples include the Convention on Biological Diversity (Art. 15-7); the Nagoya Protocol (Art. 5-2); and the Convention on the Law of the Sea (Art. 194).

⁷ UNEP, Plastics science, https://wedocs.unep.org/bitstream/handle/20.500.11822/41263/Plastic_Science_E.pdf.

⁸ Toxic Additives in Plastics: Hidden Hazards Linked to Common Plastic Products, www.cprac.org/en/news-archive/general/toxic-additives-in-plastics-hidden-hazards-linked-to-common-plastic-products.

- b) States Parties have an obligation to prevent plastic leakage into the environment.

Plastic leakage into the environment causes a dispersion and amplification of plastic pollution with the release of micro and nano-plastic particles. States shall therefore have to take measures to prevent such leakage upstream, for instance through geolocation of fishing gear.

4. Waste-related obligations

- a) States Parties have an obligation to ban, or significantly reduce in the case of microplastics, the discharge of plastics and plastic-containing products into the environment.

Regarding the marine environment, such a ban already exists in the Protocol to the 1972 London Convention on the Prevention of Marine Pollution by Dumping of Wastes, as well as in Annex V of the MARPOL Convention. This prohibition can therefore be extended to terrestrial and atmospheric environments. The Minamata Convention also puts such obligation on States (Art. 9).

- b) States Parties have an obligation to double, taking into account their national inventory of plastic products and waste, the tonnage of their recycled waste so that, on a global scale, recycled plastics represent the vast majority of the total use of plastics by 2040.

According to UNEP, global recycling rates are expected to remain low over the next decades, rising from less than 9% in 2019 to 17% in 2060. States shall therefore have to make further efforts for the recycling and value recovery of plastic waste. As drafted, this obligation takes into account the respective capabilities of States, and can be linked to technology transfer.

5. National inventory of plastic products and waste

States Parties shall establish and maintain a national inventory of plastic products and waste comprising detailed data relating in particular to:

- the stocks of plastics in their territory;
- the production of plastics in their territory;
- the import of plastics;
- the stocks of plastics at the waste stage;
- their plastic waste sorting and processing infrastructure capacities.

This inventory aims to ensure transparency and monitoring of the production, use and import of plastics and plastic-containing waste. Such inventories are found in various treaties, such as the inventory of mercury stocks under the Minamata Convention (Art. 3-5) or the inventory of emissions and removals under the Paris Agreement (Art. 13-7-a).

B. Voluntary measures

1. Traceability and diligence

- a) Take measures to strengthen the traceability of plastic-containing products and waste at each stage of the lifecycle.

The Basel Convention provides for an effective control of waste movements through traceability and information documents (Art. 4-3) and a procedure of prior agreement to the transport of waste (Art. 6), now applicable to certain plastic waste⁹. This provision aims to extend a traceability obligation to the full lifecycle of plastics, through a notification procedure and the inventory of plastic products and waste referred to above.

⁹ Decision BC-14/13 (2019) - "Additional Measures to Address Plastic Waste under the Basel Convention"; Decision BC-14-12 (2019) - "Amendments to Annexes II, VIII and IX of the Basel Convention".

b) Take measures, including legal ones, aimed at strengthening and making effective companies' due diligence at the national level, in accordance with international law, at each stage of the lifecycle of plastic-containing products and waste.

States shall have to take appropriate measures to ensure that companies effectively exercise due diligence¹⁰, and that they can be held liable for any damage they cause to the environment, in accordance with the objectives of the Convention¹¹.

2. Production-related measures

States Parties are encouraged to impose design standards for plastic products and microplastics that meet high quality criteria in terms of recyclability, durability, limitation of use of additives harmful to health or the environment, and reduction of packaging, as well as to promote eco-design among all production sectors.

The regulation of manufacturing processes for plastic products can be inspired by the Minamata Convention, which regulates the manufacture of mercury, requiring Parties to ensure that mercury is no longer used in certain manufacturing processes, and that its use is limited in other processes listed in an annex, after the final phase-out date, unless exempted (Art. 5). This provision aims to encourage producers to ensure the quality of their products according to various criteria, including recyclability and use of additives, as well as to end over-packaging. In addition, some regional and sub-regional centres under the Stockholm Convention help industries to reduce and design their packaging, and to carry out prevention and awareness-raising actions in this regard, which can be promoted here too.

3. Waste-related measures

a) States Parties shall encourage the sorting and processing of plastic waste at source.

The Basel Convention particularly provides that States shall set up adequate processing facilities to allow environmentally sound management of waste and reduce their transboundary movements to a minimum (Art. 4). The principle of rectification as priority at source is also enshrined in the Treaty on the Functioning of the European Union (Art. 191-2).

b) States Parties shall ensure that plastic waste sorting and processing mechanisms and facilities meet the needs on their territory, and modernize them to this end where necessary, possibly relying on the systems already in place.

OECD projections for 2060 foresee that recycling systems will not be able to handle the growing flows of plastics. Moreover, many plastics cannot be recycled due to technical or economic barriers, and the plastic material resulting from recycling will be of lower quality than the virgin material, which means that at some point the recycled material is too degraded to meet the quality criteria. States shall therefore have to adapt their mechanisms and facilities to ensure local processing of plastic waste and avoid as much as possible its transport to other countries for treatment.

c) States Parties shall organize effective collection of plastic waste and plastic-containing waste.

Building on existing mechanisms, such as the port reception systems set up under the International Maritime Organization, both for used plastics and plastics already found in the environment.

¹⁰ Due diligence is enshrined in the 2008 UN Global Compact, the Ruggie Principles, and the OECD Guidelines.

¹¹ The wording of this provision is based on Principles 10 and 11 of the 2022 Internal Law Commission Draft principles on the protection of the environment in relation to armed conflicts.

V. TRADE, CONTROL, TRACKING AND PLASTIC FREE ZONES

1. Ban on trade in plastic waste for disposal

Prohibit trade in all plastic waste for disposal, except with written authorization in limited and well justified cases. Countries that receive such waste shall have to demonstrate their means and capacity to dispose of it in an environmentally friendly way. The company exporting plastic waste shall be able to seek from the importer all useful information on the disposal methods and the consequences of their implementation.

2. Border control of the illegal trade in plastic waste

Strengthen border control of illegal trade in plastic waste through the use of innovative technological or engineering tools such as:

- a) geospatial information¹²: a tool currently being developed by international researchers and computer scientists, it already allows, thanks to satellites, to monitor and identify plastics floating in the ocean. The researchers seek to develop this tool in order to monitor plastic waste sites around the world. Further development of this tool is therefore be encouraged so that it can also help to geolocate, with extreme accuracy, the management and illegal sale of uncontrolled waste;
- b) use of scanners initially planned to monitor illicit drug trafficking¹³: this type of scanner would allow to ensure the identification of other products transported, in this case plastic waste. A simple customs check would make it possible to see whether the cargo is legal or not, by comparing the transport slips;
- c) use of a LiDAR (Light Detection And Ranging), a tool already used in archaeology¹⁴: this type of radar projects a laser onto a given surface; compilation of acquired data makes it possible to generate a three-dimensional map. Installing this equipment on an aircraft or a drone would allow to cover hundreds of square kilometres and thus monitor fraud intended to deceive the customs of host countries.

3. Customs controls of illegal shipments of plastic waste

Strengthen the role of the World Customs Organization so that it can carry out cross-border inspections aimed at preventing and detecting illegal shipments of plastic waste, including through the engineering techniques mentioned above.

4. International cooperation against plastic waste trafficking

Strengthen international cooperation in the detection and suppression of environmental crime linked to plastic waste, involving bodies such as Interpol, in order to put an end to the plastic waste black market and ecomafias, which are becoming increasingly difficult to control.

¹² C. Kruse et al., “Satellite monitoring of terrestrial plastic waste”, *Plos One*, 2023, <https://journals.plos.org/plosone/article?id=10.1371/journal.pone.0278997>.

¹³ *Environmentally responsible trade in waste plastics - Report 1: Investigating the links between trade and marine plastic pollution*, Institute for Sustainable Futures, University of Technology Sydney, 2020, www.dccew.gov.au/sites/default/files/documents/ert-waste-plastics-report-1.pdf.

¹⁴ V. Martínez-Vicente et al., “Measuring Marine Plastic Debris from Space: Initial Assessment of Observation Requirements”, *Remote Sensing*, 2019, www.mdpi.com/2072-4292/11/20/2443.

5. Transport-related international industrial register

Create an international industrial register in the field of river, air and land transport for civil and military use, listing: in part I, the producers of bio-based plastics; and in part II, the industries using bio-based plastics.

From dashboards to transport cabins, including seats and safety means (nets, bracelets, openings, airbags, steering wheels, gearbox, etc.), very few biosourced materials are used in their manufacture, even in the so-called “electric” means of transport, while advances in materials engineering allow their use¹⁵. The absence of such a register does not respond, in terms of traceability, to corporate social responsibility (CSR) approaches, nor to the transport decarbonisation launched by the European Commission since 2020¹⁶.

The establishment of financial incentives in this sector of activity, together with a set of accounting levers and administrative and criminal sanctions, would make it possible to launch a reasoned global industrial policy, based on eco-responsible management that is focused on the production and use of 40% bio-based plastic materials in 2035, then 80% in 2045, to reach 100% in 2050.

6. Dematerialized international registry for traceability

Establish a dematerialized international register to ensure the perfect traceability of plastic products and waste as soon as they are put on the market (transparency of their components), then during their shipment abroad (geographical tracking). The product or waste is to be tracked from its production, and the data need to be reliable, available and unforgeable. Traceability data can be collected within the dematerialized international register using blockchain technology, which can secure the data and make it accessible to all stakeholders. In practice, tracking can be done on batches of products or on individual products, according to their specifications, using QR codes.

Besides facilitating the proof of responsibility in the event of transboundary plastic pollution by or illicit transfer of plastics, the implementation of such a register will make it possible to ensure transparency, including in the plastic free zones, as cross-referencing of the data collected – on product components, date of production and commercialization, number of transfers, and moment when the product has become a waste – will make it possible to feed, via quantified data, the product sustainability reports.

7. Plastic free zones

Create plastic free zones (PFZs)¹⁷, following an innovative business system based on the ethical pillars of permaculture¹⁸ and the perma-enterprise governance method¹⁹, in which industries fully abide by human rights, environmental law and fair labour standards, while promoting the economic and social development of the regions.

¹⁵ Ch. Torterat, « La résine thermoplastique, le futur matériau de construction des bateaux de plaisance ? », *Bateaux*, 2022, www.bateaux.com/article/39405/la-resine-thermoplastique-le-futur-materiu-de-construction-des-bateaux-de-plaisance; UNEP, “A sailboat, made partially from flip-flops, takes on Africa’s biggest lake”, 2020, www.unep.org/news-and-stories/story/sailboat-made-partially-flip-flops-takes-africas-biggest-lake.

¹⁶ *Sustainable and Smart Mobility Strategy – putting European transport on track for the future*, 2020, <https://eur-lex.europa.eu/legal-content/FR/TXT/HTML/?uri=CELEX:52020DC0789&from=EN>; L. Singla, « L’expert face aux nouveaux défis de la décarbonation : l’exemple du secteur des transports aériens », *Revue Experts*, n° 166, février 2023.

¹⁷ www.wcoomd.org/en/topics/facilitation/activities-and-programmes/free-zone.aspx.

¹⁸ <https://en.wikipedia.org/wiki/Permaculture>.

¹⁹ <https://playbook2050.jeanndoulou.fr/wp-content/uploads/2021/05/20210212-Permaentreprise-présentation-générale-VF.pdf>.

PFZs shall be created and operate under the following conditions:

- a) Establish a clear strategy for the reduction of plastic pollution aimed at: (i) promoting sustainability in the plastic industry, reduction of plastic waste, processing of plastic waste, use of sustainable plastic materials; (ii) creating local employment, while providing an incentive framework for businesses, and a source of foreign currency for governments; (iii) encouraging research and development of sustainable solutions for plastic waste management; (iv) developing more advanced recycling technologies.
- b) Identify a suitable site for the PFZ: choose an area close to a water source (river, lake, sea) in order to be able to monitor and control plastic pollution. The location is to be chosen based on criteria such as land availability, access to water and energy resources, proximity to consumption centres, and environmental compatibility. Free zones are often located close to ports, airports or borders, which facilitates international trade.
- c) Tax and customs benefits for companies that set up in a PFZ: (i) tax exemptions, tax rate reductions, tax credits, tax rebates, exemptions from customs duties and/or import taxes; (ii) investment incentives, such as subsidies, financial assistance, modern infrastructure, administrative facilities, and logistical advantages.
- d) Establish partnerships with businesses and organizations: encourage the establishment of business networks and partnerships with local and international organizations, which share the same values of sustainability and environmental responsibility, to foster cooperation and collaboration, and to promote the reduction of plastic consumption in the PFZ and within local communities.
- e) Implement training programmes for companies and workers on sustainable practices.
- f) Ensure monitoring, continuous evaluation and ethics: the PFZ shall be regularly monitored and evaluated to ensure that plastic pollution reduction and socio-economic development objectives are being met. A specialised agency, appointed through a call for tenders, may be tasked to carry out such measures. Relevant indicators for this include reduction in plastic consumption, rate of recycling or composting of waste, amount of plastic waste collected, reduction in greenhouse gas emissions, creation of sustainable jobs. In addition, financial indicators are to be used to support the technical data collected on the proper use of allocated funds.

VI. INFORMATION, EDUCATION, COOPERATION AND IMPLEMENTATION

A. Education, awareness and information

1. Education and awareness

- a) States Parties have a clear, real and effective obligation to educate, train and raise public awareness in the fight against plastic pollution. This obligation translates into a subjective right to education, training and awareness about plastic pollution.
- b) This obligation to provide education, training and awareness shall be borne by the central government. When it is incumbent on federated states, is delegated to local authorities or is carried out by associations, the central government shall provide them with adequate financial and technical support to enable them to fulfil it in the best way possible.
- c) Education in the fight against plastic pollution shall be integrated into civic and educational programmes at all levels – primary, secondary, higher and technological education –, in partnership with all competent structures in this field, in particular local authorities and associations.
- d) Awareness-raising on the fight against plastic pollution, provided through the most appropriate communication channels to reach out citizens, consumers, businesses and the tourism sector, shall be adapted to local circumstances. Awareness shall be raised through labelling or certification to provide buyers with accurate information on the toxicity of plastics, their environmental impacts and their recycling. Consideration of local conditions, particularly in developing countries, shall help to overcome the low awareness of the negative externalities of plastic pollution.

2. Information

- a) States Parties have an obligation to provide information on plastic pollution in a transparent manner, both domestically and internationally. This information obligation shall be set out in the law of States Parties and cover the environmental and health threats of plastic pollution, its socio-economic impacts, as well as the volumes and flows of plastics, and associated infrastructure and equipment. This information shall be communicated by the States Parties to each other and to the Secretariat, including through the national action plans referred to below.
- b) Establish a structure for the exchange of information and practices to fill gaps and harmonize knowledge on plastic pollution, taking into account the respective capabilities of States²⁰. The “good practices” that are disseminated shall reflect the multifaceted practices successfully tested by all States, regardless of their development level, to prevent, reduce and eradicate plastic pollution.
- c) States Parties shall create a national institution dedicated to information on the fight against plastic pollution. This institution shall be an independent entity or a unit under a relevant ministry.
- d) Promote local practices and knowledge of the populations, including indigenous peoples, in their ability to avoid using plastics and to find alternatives to their use, by encouraging the use of virtuous practices and local resources, such as the use of jars or banana leaves, which promote short supply chains and circular economy.

B. International cooperation

1. Right to receive and obligation to provide assistance

- a) States Parties have an obligation to cooperate for the provision of mutual assistance in addressing plastic pollution, taking into account their common but differentiated responsibilities and respective capabilities.

²⁰ A structure similar to the Clearing-House Mechanism under the Convention on Biological Diversity, www.cbd.int/chm/.

- b) Correspondingly, States Parties which do not have sufficient technical or financial means to effectively combat plastic pollution have a right to assistance aimed at helping them to deal with it quickly, including through the Plastics Fund referred to below.
- c) To this end, operational, technical, technological and financial means shall be deployed in designated priority sites, for example to clean up terrestrial or marine areas polluted by plastics.

2. Scientific and institutional cooperation

- a) Set up a Scientific and Technical Committee, as a subsidiary body to the Conference of the Parties, mandated to provide scientific, technical and technological advice to assist it in the implementation of the Convention. To this end, the Committee shall prepare scientific reports to inform States Parties and civil society on the state of plastic pollution and to underpin the decisions to be taken in addressing it. Rapporteurs shall be allowed to visit States Parties requesting assistance to help them assess, define and cost the assistance required.
- b) States Parties shall designate one or more focal points to deal with cooperation in combating plastic pollution at the appropriate levels, whether global, regional or subregional, as necessary. These focal points shall help facilitate dialogue, coordinate actions and harmonize rules at the appropriate levels.
- c) States Parties shall foster synergy between this Convention and other international instruments applicable to plastic pollution to ensure that their mandates and actions in this field are coordinated and complementary, and to avoid the risks of inconsistency or conflicts that may arise therefrom. To this end, the Secretariat of this Convention shall cooperate with those of other relevant international instruments in the development of guidelines and conformity assessment procedures aimed at furthering such synergy.

C. Implementation

1. Direct effect

States Parties recognize that this Convention has direct effect and that its provisions may be invoked before a national judge.

2. Plastics Fund

- a) Establish a Plastics Pollution Fund, supported by financial contributions from States Parties, based on the principle of common but differentiated responsibilities and respective capabilities. States Parties shall further encourage the mobilization of additional funding through other channels, particularly from the World Bank and other development banks and agencies.
- b) This Fund shall especially finance research and innovation for the prevention and eradication of plastic pollution, management of plastic waste through the development of alternative and sustainable solutions, assistance in the fight against plastic pollution, involvement and protection of informal plastic workers, civil society participation, and circular economy, including in areas and territories beyond national jurisdiction.
- c) The Fund shall be managed, under the aegis of the States Parties, by a body representing equally developed and developing countries, which lays down the conditions for granting funding, including in terms of compliance with environmental standards and human rights.

3. National action plans

- a) States Parties have an obligation to develop, communicate, carry out and update national action plans, on their land and sea territory, with a specific timetable for their implementation, for the purpose of achieving the objectives of the Convention.

- b) Being incorporated into the law of States Parties, such national action plans shall be drafted in an easily understandable manner, publicly accessible online, and updated at regular intervals.
- c) National action plans shall prescribe, inter alia, the adoption and implementation of:
 - appropriate policies, legal instruments and institutional arrangements relating to the fight against plastic pollution;
 - programmes to monitor and assess plastic pollution and its impacts on the terrestrial, coastal and marine – surface and deep-sea – environments, as well as on human rights, including the rights to the environment, to safety, to health and to dignity;
 - a precise assessment of the country’s domestic plastic waste processing capacity and, possibly, its ability to receive waste from other countries for processing, in accordance with the obligations set out in the Convention;
 - programmes aimed at preventing, reducing and eliminating plastic pollution, including through the promotion of global, regional and sub-regional cooperation in this field;
 - measures to reduce the production of plastics, and to ban the production of plastics or components that are harmful to health and the environment, as well as control mechanisms to ensure compliance with such measures;
 - awareness and education programmes on the fight against plastic pollution.

4. Legal indicators

- a) Recognize the usefulness of legal indicators to accurately measure the effectivity of this Convention.
- b) Provide that legal indicators shall especially serve to facilitate the design of templates for the national reports to be compiled by States Parties pursuant to the Convention, drawing inspiration from the criteria developed by CIDCE²¹. These allow to question States Parties about the existence of domestic norms, their applicability and enforceability, the institutions and resources available, the possible controls by the administration, the courts and the public, and the economic, social and cultural conditions for the implementation of the Convention, for example regarding the recognition and protection of informal plastic workers.

5. Implementation and Compliance Committee

- a) Establish, as a subsidiary body of the Conference of the Parties, an Implementation and Compliance Committee to help promote and facilitate the application of the obligations set out in the Convention, in a consistent and coordinated manner, and to support States Parties in the implementation of the Convention.
- b) The Committee shall particularly deliver opinions on the interpretation of the provisions of the Convention, by self-referral and upon referral by State Parties or civil society structures.
- c) The Committee shall be empowered to receive any relevant information relating to the issues referred to it, from either governments, local authorities, civil society structures or other concerned entities.
- d) The opinions provided by the Committee may cover any areas located, in whole or in part, beyond the national jurisdiction of States Parties – such as the high seas and the international seabed area –, including areas adjacent to national jurisdictions that trigger greater mobilization of States Parties.

²¹ *Measuring the effectivity of environmental law - Legal indicators for sustainable development*, Peter Lang, 2021, www.peterlang.com/document/1114411.