



Council of the European Union
General Secretariat

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LIMITE

**ENV
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INFORMATION

From:	General Secretariat of the Council
To:	Working Party on International Environment Issues (Global)

Subject:	WPIEI (Global): ANUE-5.2 - Projet de position UE+EM sur la proposition des co-facilitateurs de fusion des projets de résolution sur la pollution plastique - FIN DE LA PROCEDURE DE SILENCE INFORMELLE / END OF INFORMAL SILENCE PROCEDURE
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La procédure informelle de silence sur le projet de position UE+EM sur la proposition des co-facilitateurs de fusion des projets de résolution sur la pollution plastique a expiré hier à 18h00 (heure de Bruxelles), sans être rompue. En conséquence, le document ci-joint est considéré comme approuvé.

EU+MS LTT

On the merger draft as proposed by the co-facilitators for the resolution on an INC for a global agreement on plastic pollution

Supporting document:

[English](#), (Co-facilitators text, submitted on 15 February 2022 on the Papersmart Portal)

- The EU and its MS welcome the attempt by co-facilitators to bring discussions forward with this merger draft.
- The EU and its MS would like to reiterate that our priority is to secure the adoption of a UNEA resolution requesting the Executive Director to convene an intergovernmental negotiating committee (INC) with a mandate to prepare an international **“legally binding”** instrument/agreement under the auspices of UNEA to **“address plastic pollution”** through the **full lifecycle of plastics, including microplastics**. In addition, keeping an **open mandate** to the INC is crucial for the EU and its Member States to allow the INC to consider other aspects that may be relevant to achieve sustainable production and consumption and circular economy.
- It should be corrected which paras are to be considered as preambular and which operational, and in addition which to be seen as alternative or which as additional
- Considering these priorities, we are quite concerned with the brackets added on some of the provisions, which should, in our view, be removed for these provisions to be considered as integral part of the draft and as basis for the negotiations. This concerns especially those parts which layout of the scope of the mandate which is considered far more comprehensive in the PE/RW draft. [This include:
 - References to “full/whole lifecycle of plastics” in several PPs.
 - OP3d: *“consider any other aspects that the intergovernmental negotiating committee may consider relevant”* as it is imperative to keep the mandate as open and flexible as possible.
 - OP2a (bis): *“To achieve sustainable production and consumption of plastics, including the uptake of secondary and alternative raw materials”*
 - OP2a (ter): *“To address product design and use, including compounds, additives and harmful substances as well as intentionally added microplastics”*]
- The EU and its MS would also like to reiterate that the scope of the global agreement should be plastic pollution and not marine plastic pollution only. Addressing plastic pollution should remain the key objective of the resolution as the main issue is to reduce plastic litter and microplastics in all environmental compartments. A large bulk of plastic pollution originates from land-based sources and may end up in the marine environment but also compromises terrestrial ecosystems. Therefore, it is not enough to address plastic pollution in the marine environment only but plastic pollution in other environmental compartments also needs to be addressed.

- The EU and its MS would like to recall that the draft from Rwanda and Peru has now seen a growing support from more than 60 Member states, representing close to a third of the UNEA Membership. This assessment should be taken into account by the co-facilitators when picking the references between the two initial draft. We therefore point out that the extensive use of brackets in the text is in our view not reflecting the views of the majority of supporting countries
- The EU and its MS are looking forward to further discussing on this proposal from the co-facilitators.
- EU and its MS welcome that the Indian resolution is not reflected in this merger at this point.