

The ILBI— background and ways forward

Dr. Alexandra R. Harrington

Chair, IUCN WCEL Plastics Treaty
Task Force

Email: arharrington@gmail.com



Background on the ILBI Process

- In early 2022, the UN Environment Assembly adopted Resolution 5/14 for negotiations to create an international legally binding instrument on plastic pollution, including in the marine environment (ILBI).
- The ambition for this process was that it would be concluded by the end of 2024, and five rounds of meetings for the Intergovernmental Negotiating Committee were approved.



Background on the ILBI Process



- November 2022 – INC – 1 meeting in Punta del Este, Uruguay
- May 2023 – INC – 2 meeting in Paris, France
- November 2023 – INC – 3 meeting in Nairobi, Kenya (Using the Zero Draft negotiating text)
- April 2024 – INC– 4 meeting in Ottawa, Canada (Using the Revised Zero Draft negotiating text)
- August 2024 – Intersessional meeting of the Ad Hoc Open Ended Expert Groups in Bangkok

Background on the ILBI Process

- 25 November – 1 December 2024 - INC – 5 to be held in Busan, Republic of South Korea.
 - The negotiations will be built on the Compilation Document as the negotiating text, along with the reports of the Ad Hoc Open Ended Expert Groups' intersessional work and the Non-Paper to be delivered by the INC Chair.



Future of the Plastics Treaty

- Regardless the exact texts used as the basis for negotiations at INC-5, it is clear that the ILBI will depend on the subsequent practices of the Conferences of the Parties and contents of anticipated annexes to fully elaborate an international regulatory system for the plastic pollution.



Future of the Plastics Treaty



- As identified in the Chair’s Scenario Note, the hope is for INC – 5 to work in 4 Contact Groups and the Legal Drafting Group.
- The Contact Groups are intended to address:
 - 1) “plastic products, chemicals of concern as used in plastic products, product design, and production/supply and related aspects”;
 - 2) “plastic waste management, emissions and releases, existing plastic pollution, including in the marine environment, and just transition”;
 - 3) “finance, including the establishment of a financial mechanism, capacity building, technical assistance and technology transfer, and international cooperation”;
 - 4) “implementation and compliance, national plans, reporting, monitoring of progress and effectiveness evaluation, information exchange, and awareness, education and research.”

Future of the Plastics Treaty

- Possible outcome scenarios for INC – 5
- The Diplomatic Conference and potential intersessional work before the convening of COP 1
- How do we get to COP 1?





WCEL

WORLD COMMISSION ON ENVIRONMENTAL LAW
COMMISSION MONDIALE DE DROIT DE L'ENVIRONNEMENT
COMISIÓN MUNDIAL DE DERECHO AMBIENTAL

Conclusion

Thank you!