



Brussels, 8 September 2023  
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12649/23

LIMITE

ENV 960

#### 'I/A' ITEM NOTE

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From: General Secretariat of the Council  
To: Permanent Representatives Committee/Council

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Subject: Commission's intention to open discussions on joining, on behalf of the EU, the Joint Ministerial Statement of the High Ambition Coalition to End Plastic Pollution  
- Authorisation to negotiate a Non-Binding Instrument (NBI)

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1. On 14 November 2022, the EU joined the High Level Coalition to End Plastic Pollution (HAC), launched by Norway and Rwanda in August 2022, in support of the intergovernmental negotiations mandated by resolution 5/14 of the UN Environment Assembly (UNEA) on an international legally binding instrument to end plastic pollution. Negotiations take place in an Intergovernmental Negotiating Committee (INC), which started its work in November 2022.
2. For the third session of the Negotiating Committee, which will take place on 13-19 November 2023 in Nairobi, Kenya (INC-3), the HAC intends to issue a Joint Ministerial Statement confirming its ambition to achieve an effective and comprehensive international legally binding instrument.<sup>1</sup>

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<sup>1</sup> A similar statement was already made at the second negotiating session (INC-2, 29 May to 2 June 2023, Paris). At the time, the Commission joined the statement on behalf of the EU further to the completion of the procedure for non-binding instruments (NBI).

3. On 2 August 2023, the Commission submitted to the Council an information note setting out its intention to open discussions on joining, on behalf of the EU, the Joint Ministerial Statement of the High Ambition Coalition to End Plastic for INC-3. The note was circulated as doc. 12292/23.
4. In accordance with the Arrangements for Non-binding Instruments agreed by the Council, the Commission and the EEAS in December 2017, the Joint Ministerial Statement of the HAC for INC-3 is to be considered a non-binding instrument that contains political commitments<sup>2</sup>.
5. The Working Party on International Environment Issues (Global) agreed on the above mentioned Commission note via informal silence procedure on 1 September 2023. The Working Party on Environment examined the note on 6 September 2023 and agreed to the intention of the Commission to open discussions on joining, on behalf of the EU, the Joint Ministerial Statement of the High Ambition Coalition to End Plastic for INC-3.
6. Consequently, and subject to confirmation by the Committee of Permanent Representatives, the Council is invited to approve the intention of the Commission to open discussions on joining, on behalf of the EU, the Joint Ministerial Statement of the High Ambition Coalition to End Plastic for INC-3, as set out in doc. 12292/23.

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<sup>2</sup> Arrangements between the Commission, the Council and the EEAS on non-binding instruments, as set out in doc. 15367/17.