



a toxics-free future

IPEN submission on the work of the Intergovernmental Negotiating Committee (INC) on plastic pollution

About IPEN

IPEN (the International Pollutants Elimination Network) is a global network forging a healthier world where people and the environment are no longer harmed by the production, use, and disposal of toxic chemicals. Over 600 public interest NGOs in more than 120 countries, largely low- and middle-income nations, comprise IPEN and work to strengthen global and national chemicals and waste policies, contribute to ground-breaking research, and build a global movement for a toxics-free future.

Introduction

In November 2022, the Intergovernmental Negotiating Committee (INC) launched by UNEA Resolution 5/14 entitled “End plastic pollution: Towards an international legally binding instrument” will be held in Uruguay. The scope of the Plastics Treaty is intended to include all impacts from plastics throughout their lifecycle, including effects from the toxic chemicals in plastics on human health and the environment. The future legally binding agreement will be, like many other international environmental treaties, a global health tool moving the world towards a toxic free future. To make this INC a success, the organization of work and the substantial elements of the discussion will be essential.

IPEN would like to suggest the following recommendations on the work of the INC:

Clustering options and substantive issues:

- IPEN believes that in order to ensure that issue identified in this note are adequately addressed, the work of the INC should be organized in the following way:
 - A preliminary cluster could consider scope, definitions, and objectives of the future instrument. The work structure of the negotiations should also be addressed as follows;

- A separate cluster could include negotiations on institutional arrangements;
- Separate clusters could be created for separate phases of the plastics lifecycle, considering the interaction with other instruments such as the Basel Convention.

In particular, IPEN suggests to:

- **Broadly define the scope of the Plastics Treaty to include health impacts and toxic chemicals:** The resolution recognizes that plastic pollution includes microplastics. This means that it is acknowledged that the issue of plastic pollution is broader than its physical impacts i.e., plastic litter and the issue of microplastics must be tackled, including the chemicals dimension of it.
- **Define the lifecycle of plastics:** The resolution recognizes that plastic pollution needs to be tackled through a full lifecycle approach, and the operative part of the resolution specifically requires that the legally binding instrument to be developed should have a comprehensive approach that addresses the full lifecycle of plastics. This means that the use and release of harmful substances will be addressed at all phases of the lifecycle of plastics. As a minimum, the toxic impacts of plastics during production, design, consumption, and waste management will need to be addressed in the treaty negotiations.
- **Consider the interaction with other instruments:** Resolution 5/14 acknowledges the importance of preventing plastic pollution and its related risks to human health and adverse effects on human well-being and the environment. The resolution underlines that these objectives need to be achieved through cooperation and coordination with other instruments including the Basel, Rotterdam and Stockholm Conventions and the Strategic Approach to International Chemicals Management (SAICM). This means that future work needs to address the health impacts of plastics, including the impacts due to exposure to hazardous chemicals and toxic emissions throughout the lifecycle. IPEN would like to highlight that the potential creation of a specific working group on waste(s) management could risk overlapping with the scope of the Basel Convention. Therefore, excluding areas of work on the Plastics Treaty that should be adequately dealt by other instruments will help to define the scope.
- **Address the dynamic Science-to-policy relations:** The resolution refers to the need for a science-to-policy mechanism to better understand the impacts of plastic pollution, which will be a tool to include the yet unrecognized chemical impacts of plastics and microplastics as well as assessment data on new

synthetic alternative materials to fossil fuel-based plastics, including bio-based alternatives. A science mechanism in the treaty could allow for updates of the list of chemicals to eliminate or allow into plastics as well as listing polymers for phase-out or phase-down.

- **Address Finances for the implementation of the future Plastics Treaty from the start:** The discussion on financing should start from INC1, to allow delegations enough time to address this point. The chemical cluster is severely underfunded. The recent GEF replenishment was the biggest ever, but it is a drop in the ocean of the funding needed to implement the BRS Conventions, SAICM and Minamata. A new treaty must generate new and additional sustainable financial resources for its implementation and appropriate international cooperation dispositions for a country-needs assessment approach to technical support, capacity building and technology transfer to support developing countries and economies in transition. The possibility for considering a new multilateral fund should be discussed from the outset to ensure that any ambition for the treaty is maintained.

Organizational issues:

- **Parallel clusters of work:** The organization of more than two working groups in parallel would be challenging for small delegations. Unless delegations from developing countries are given funding to bring broader delegations to the INC, this practice should be avoided.
- The organization of any parallel working/contact groups should allow for regular exchanges on the progress of work between the groups, to maximize coordination among connected clusters.
- **Online participation:** The INC should allow for online participation, considering the challenges of different time zones.

General Considerations on Stakeholders participation and the preparation of the Multi-stakeholders Forum:

- The OEWG in preparation for the INC committed to a broad participation of all stakeholders. The Bureau of the INC and all Governments should ensure that such participation is also meaningful. On the one hand, it is necessary to involve all interested parties in the plastics and chemicals value chain, including those that suffer most from the consequences of plastic pollution. On the other hand, support should be foreseen to ensure that civil society, Governmental and Non-

Governmental Organizations from under-resourced and underrepresented regions are supported in their participation in the INC. This should include Indigenous communities, farmers, formal and informal workers and the scientific community, and communities that are affected or impacted by plastics pollution.

- The Multi-Stakeholders forum should be directly relevant to the work of the INC and its outputs should be discussed in the negotiations. This can allow new forms of participation to the negotiation of the agreement that go beyond governments and industry influence.