



SECOND SESSION OF THE INTERGOVERNMENTAL NEGOTIATING COMMITTEE (INC-2)  
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# TOWARDS AN EFFECTIVE TREATY TO END PLASTIC POLLUTION

## A QUICK GUIDE TO NAVIGATE THROUGH THE NEGOTIATIONS FOR A PLASTIC POLLUTION TREATY

In March 2022, UN Member States made the historic decision to develop an international legally binding instrument to end plastic pollution. Read our [high level brief](#) and [technical paper](#) for INC-2, on how to develop the specific and binding global measures needed to end plastic pollution.

### A GLOBAL PROBLEM

Plastic pollution is an **escalating environmental, social, economic & health crisis** at the global level:

- ▶ Since 1950, 75% of all plastic produced has become waste, with a significant portion ending up in the environment and the ocean.<sup>1</sup>
- ▶ Over 90% of wildlife species are found to be affected by plastic marine debris, through entanglement and/or ingestion.<sup>2</sup>
- ▶ The accumulation of plastic waste into the ocean limits oceans' carbon absorption capacity, potentially amplifying climate change.<sup>3</sup>
- ▶ The plastics produced in 2019 costs the society at least ~US\$3.7 trillion, which includes, inter alia, the loss of essential marine ecosystem services.<sup>4</sup>

### THE GLOBAL COMMITMENT

The United Nations Environment Assembly, through [Resolution 5/14](#), seeks to **end plastic pollution** with the development of **an international legally binding instrument** on plastic pollution, including in the marine environment, based on a comprehensive approach that addresses the full life cycle of plastic.

It recalled past UNEA resolutions and affirmed the urgent need to strengthen global coordination, cooperation and governance to take action towards long-term elimination of plastic pollution in marine and other environments. ([UNEA Res. 1/6](#), June 2014); ([UNEA Res. 2/11](#), May 2016), ([UNEA Res. 3/7, paragraph 10](#), December 2017), ([UNEA Res. 4/6](#), para 7, March 2019)

The historic decision provides **an opportunity to protect the environment and human health by establishing comprehensive global measures and mobilise the necessary resources** to unlock systemic change across the global plastics value chain.

### A GLOBAL SOLUTION

If no action is taken, **the annual flow of plastic into the ocean is expected to triple by 2040.**<sup>5</sup> During the two years the negotiations are scheduled to last, the total amount of plastic pollution in the ocean is estimated to increase by 15%.

A global treaty has a unique potential — that policy instruments at other governance scales do not possess: **To hold all State signatories to a common standard of action.**

Successful multilateral environmental agreements have demonstrated the effectiveness of this power (e.g. the Montreal Protocol on Substances That Deplete the Ozone Layer).

To effectively end plastic pollution—a global crisis with transboundary causes and effects—**countries must deliver timely, harmonised and binding global rules.**

The global scope and urgency of the problem requires decisive global actions to address the multitude of system failures across country boundaries and the global value chain



## CALL TO ACTION

At INC-2, WWF urges all States to actively engage in discussions, statements, submissions, voting and decision making, and:

- ▶ Propose binding global measures to eliminate, reduce, safely circulate and manage specific high-risk plastics;
- ▶ Prioritise plastics with high pollution risks, including product groups, applications, chemicals and polymers of concern;
- ▶ Specify high-risk plastics suitable for immediate global bans and phase-outs; for example,

the group of single-use, short-lived plastic products that can be eliminated without negative environmental and socioeconomic consequences, i.e. single-use cutlery, plates, cups, cotton bud sticks, cigarette filters, etc.

- ▶ Match strong binding measures with ambitious mechanisms to enable effective implementation, including technical and financial assistance, technology transfers and capacity strengthening; paying special attention to the needs of LDCs and SIDS;
- ▶ Mandate the preparation of the treaty's zero draft, that includes these specific proposals, in the intersessional period before INC-3.

<sup>1</sup> World Bank Group (2018)

<sup>2</sup> WWF (2021)

<sup>3</sup> GSjollema et.al. (2016)

<sup>4</sup> WWF (2021)

<sup>5</sup> PEW and Systemiq (2020)



## WHAT WAS DIRECTED BY UNEA RES.5/14?

[Resolution 5/14](#) adopted by UNEA in March 2022:

- ▶ requests the Executive Director to convene an [Intergovernmental Negotiating Committee \(INC\)](#)
- ▶ decides that the INC is to develop an international legally binding instrument on plastic pollution, including in the marine environment
  - based on a comprehensive approach that addresses the full life cycle of plastic
  - which could include both binding and voluntary approaches
  - taking into account principles of [Rio Declaration](#) as well as national circumstances and capabilities
  - including provisions on: (paragraph 3)
    - *objectives;*
    - *sustainable consumption and production of plastics;*
    - *national and international cooperative measures;*
    - *national action plans;*
    - *national reporting as appropriate;*
    - *periodic assessment of implementation progress and instrument's effectiveness;*
    - *knowledge development;*
    - *promoting cooperation and coordination among instruments and organisations;*
    - *encouraging stakeholder action;*
    - *arrangements for capacity-building, technical assistance, technology transfer and financial assistance;*
    - *compliance*
  - considering, in its deliberations: (paragraph 4)
    - *obligations, measures and voluntary approaches;*
    - *need for financial mechanism;*
    - *flexibility in some provisions;*
    - *best available science, traditional knowledge and knowledge of indigenous peoples and local knowledge systems;*
    - *lessons learned and best practices;*
    - *possibility of mechanisms for scientific and socio-economic information;*
    - *efficient organisation and streamlined secretariat arrangements, among others.*



## WHAT HAS HAPPENED SINCE THEN?

- ▶ UNEP Executive Director convened an **Ad Hoc Open Ended Working Group** (OEWG, May 2022) to prepare for the work of the INC ([Outcome Summary](#)) including the [Draft rules of procedure](#) for INC, May-June 2022
- ▶ **Various coalitions & services were launched such as:**
  - Like-Minded Countries' [High Ambition Coalition to End Plastic Pollution](#)
  - [Business Coalition for a Global Plastics Treaty](#)
  - [Scientists Coalition for an Effective Treaty](#)
  - [Civil Society Coalition](#)
  - **Legal Advisory Services** available to LDC. and SIDS (contact Kate Noble, [knoble@wwf.org.au](mailto:knoble@wwf.org.au), for more info)
  - [Just Transition Initiative](#) led by Kenya and SA
- ▶ The first session of the INC was held on 28 Nov-2 Dec in Uruguay, with more than 1200 delegates, both from Member States and Stakeholders.



## WHAT WERE THE HIGHLIGHTS OF INC-1?

### Preparation of the treaty:

Individual and joint statements representing a total of more than 145 countries showed strong preference for a treaty with specific, binding global rules.

Member States and Stakeholders were invited to submit their proposals for potential elements and [the submissions](#) illustrated an increasing alignment around specific and binding global measures to end plastic pollution.

Three types of binding global control measures already received support from [two thirds of the states](#) (at least 132 countries)

- Bans and phase-outs;
- Requirements towards non-toxic plastic circularity;
- Requirements of environmentally sound waste management.

Submissions also reflect growing recognition for measures that lead to a reduction in production and consumption of plastics. Further, they show support for means of implementation, including technical and financial assistance, technology transfers and capacity strengthening.

Based on Member States and Stakeholder Submissions, the Secretariat produced an [Options Paper](#) ahead of the INC-2.

### [Bureau & Election of Chair and Officers:](#)

INC1 elected Gustavo Meza-Cuadra Velázquez (Peru) to serve as its Chair. Peru and Ecuador - will alternately chair the Bureau at INC1-3 and at INC4-5, respectively. The election of 10 vice-chairs and the designation of a rapporteur was deferred until INC2.

### [INC Rules of Procedure:](#)

The draft rules developed at the OEWG were provisionally applied by the INC, with adoption deferred for further consultation on Rule 37, manner of voting rights of regional economic integration organisations.

# WHY MUST THE PLASTIC POLLUTION TREATY INCLUDE COMMON GLOBAL RULES?

Over the past three decades, it has been demonstrated that we cannot rely on voluntary, country-driven action alone to end plastic pollution. There is a fundamental mismatch between uncoordinated, voluntary actions and the systemic changes that are required to end plastic pollution.

Common global rules are key to unlocking systemic change at speed and scale, levelling the playing field for both public and private sectors and accelerating innovation. Global rules across the plastic life cycle would provide governments, especially in low-income countries, more predictability and control over the production and design of plastic items that arrive on their markets, effectively holding businesses outside their jurisdiction responsible for up- and mid-stream solutions, reducing their domestic waste management burden.




Breaking down the plastic pollution problem into specific categories for regulation is key to answering such questions, and charting the course for developing an effective treaty. Methodically dividing, prioritising and tackling specific plastic categories with global regulations is how states may overcome the complex challenge of ending plastic pollution.

Common global rules can be designed to ease national implementation, harmonize actions globally, scale the needed transition, avoid a regulatory race-to-the-bottom, and create an enabling framework for more focused and ambitious national action in accordance with national context.

This means that governments **cannot afford delay in action, or weak treaty texts that focus on voluntary approaches and national actions alone.** The negotiations must not negate the essence of binding global control measures as foundational elements of the treaty's success.

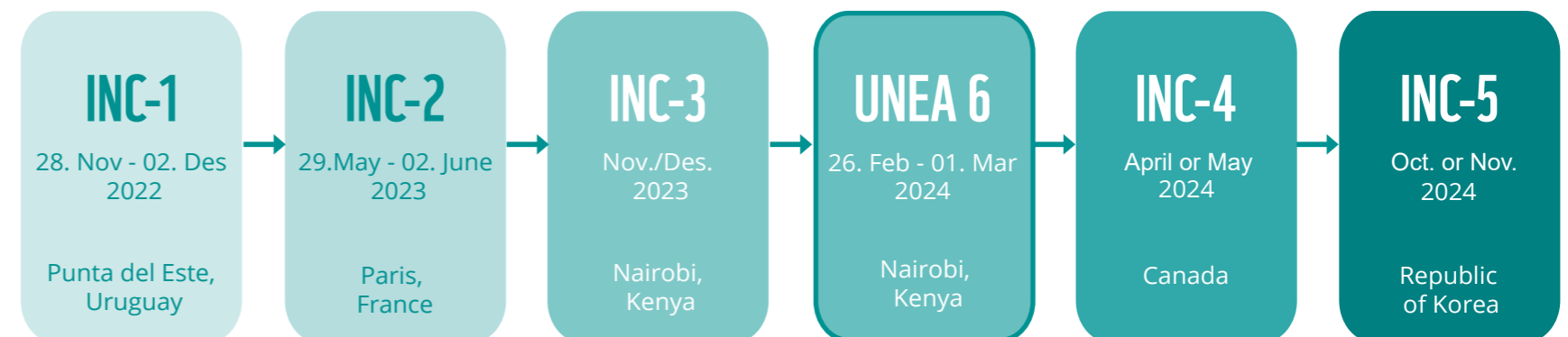
## WHAT TO EXPECT AT INC-2?

At the second session of the INC, governments will have the opportunity to discuss potential elements of the treaty in terms of scope, objectives, core obligations and control measures, means of implementation, and other provisions. Agenda of the meeting includes:

-  **1 Election of officers**  
(if not by consensus then by voting)
-  **2 Organisational matters:**  
(a) Adoption of the rules of procedure  
(b) Adoption of the agenda  
(c) Organisation of work
-  **3 Preparation of an international legally binding instrument on plastic pollution, including in the marine environment**



## TIMELINE TOWARDS AN AMBITIOUS AND EFFECTIVE GLOBAL PLASTIC TREATY



TO FIND OUT MORE, PLEASE CONTACT:

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