

ECOS response to ‘Non-paper’ to streamline UN Plastics Treaty negotiations

November 2024

Negotiators should welcome the non-paper of the Chair of the Intergovernmental Negotiating Committee (INC) to develop an international legally binding instrument on plastic pollution, including in the marine environment, as a foundational basis for discussions, while urging heightened ambition. Due to its complexity, the compiled text does not serve as an effective negotiating platform; the Chair’s non-paper is the most feasible route forward for reaching an agreement within a reasonable timeline. However, the document contains issues that require attention to achieve a high-impact treaty on plastic pollution. The current low-ambition language (e.g., "encourage") and omissions set a weak starting point. Our key concerns and recommendations are outlined below:

Article 6: Supply

Scientific evidence confirms we have breached planetary boundaries for chemical and plastic pollution while projections show that without intervention, [plastic production could triple by 2060](#). Without measures to limit plastic production, the Treaty’s other provisions will become costlier and less effective.

A reduction of plastic production is a non-negotiable - waste management systems are not at scale and lack capacity to deal with the current volumes of plastic waste. It is not realistic for them to catch up with the growth projections. To meet the objectives of the Paris Climate Agreement, global consumption of plastics per capita needs to be drastically reduced.

Recommendations for Article 6:

- Retitle to “Production and Supply” and turn article 6 into article 1 so that the structure of the treaty follows the lifecycle of plastics.
- **Binding, science-based global targets to reduce plastic production**, including clear timelines and/or a time-bound target-setting process.
- **Science-based national targets covering the entire lifecycle of plastics** (production, reuse, recycling) for inclusion in national plans with defined milestones.

- **Mandatory periodic review of targets.**
- **Mandatory transparency and reporting requirements**, including data on the import and export of primary and secondary plastic polymers, must be publicly available and through standardised global databases.

Article 3: Plastic Products and Chemicals of Concern as Used in Plastic Products

Plastic products and chemicals that pose a risk to human and environmental health or circularity should be banned through binding global measures. A large majority of delegations [already support these measures](#), which are essential to ending plastic pollution and protecting human and environmental health.

The approach to chemicals of concern should not be limited to their use in plastic products. Negotiators must ensure chemicals of concern are regulated through global binding control measures that address harmful chemicals throughout the full lifecycle. Regulating chemicals throughout their lifecycle, especially upstream, is particularly important for plastic product manufacturing countries that import the majority of their raw materials and thus do not have the necessary information or control over material safety. A provision that solely regulates chemicals in plastic products would be nearly impossible to implement.

Recommendations for Article 3:

- Retitle to “Harmful Plastic Products and Chemicals of Concern”
- **Global control measures to ban or phase down harmful plastics and toxic chemicals** in plastics throughout their lifecycle with specific phase-out timelines.
- **Criteria to regulate chemicals of concern** based on whether they are plastic chemicals, processing aids, or unintentionally produced chemicals; have hazard data; and have known or potential adverse effects on human/environmental health and circularity.
- **Criteria to identify problematic, unnecessary, and avoidable plastic products** including whether they have hazard data and known or potential adverse effects on human/environmental health and circularity.
- Provide **initial lists of groups of chemicals and plastic products to be banned** along with a clear mechanism to update these lists as new scientific evidence emerges. The initial lists of groups of chemicals of concern submitted during INC-4 by EU/Norway and Cook Islands/Rwanda should be used as a starting point. The list includes Phthalates, Bisphenols, Alkylphenols, Flame Retardants, Metals and Metal Compounds, UV Stabilizers, and PFAS.
- **Mandatory transparency and reporting requirements.** Information on all chemicals used in plastics production and as plastics ingredients must be publicly available and communicated across the value chain through standardised labelling and global databases.

Article 5: Plastic Product Design

Mandatory, harmonized design criteria are crucial for reducing plastic demand, eliminating toxic chemicals, supporting reuse, and improving recycling. A [large number of delegations support binding product design provisions](#), which are essential to creating a levelled playing field.

To ensure an effective transition to a safe circular economy, the treaty must also provide guidelines for setting up the necessary infrastructure, such as reuse and refill systems. Designing a product with secondary materials for reuse and recycling has little value if there is no infrastructure to support reuse and recycling. The non-paper omits this key element.

Alternative plastics and non-plastic substitutes have a specific role to play in reducing the accumulation of plastics in the environment, but they are not silver bullets. The treaty must ensure it does not cause negative trade-offs. The treaty needs to incorporate binding rules on the sustainable use of alternative plastics and non-plastic substitutes to prevent a switch from single-use plastics to single-use alternative plastics or non-plastic substitutes.

Recommendations for Article 5:

- Retitle to “Plastic Product Circularity”
- **Mandatory product design requirements** for sustainable sourcing, optimised resource (re)use, environmentally sound and safe use, prolonged product use, and recycling with specific targets and timelines, supported by strong, **robust and ambitious standards designed through a rigorous and inclusive process** – see detailed proposals [here](#).
- **Guidelines to design and implement reuse and refill systems.**
- **Rules and guidance to implement the waste hierarchy, circular economy principles, and comparative life cycle assessments** when considering alternative plastics or non-plastic substitutes.
- Mandate and clear **mechanism to develop and adopt new criteria** for product design and reuse systems horizontally and in priority sectors such as packaging, fisheries and aquaculture, textiles, and agriculture.
- **Mandatory transparency and reporting requirements.** A bill of materials used in plastic products must be publicly available and communicated across the value chain through standardised labelling and global databases.

Article 15: Reporting

Standardized, mandatory information across the plastic lifecycle is essential for achieving the treaty’s objectives. Without a robust baseline it will be impossible to monitor and assess progress against the treaty’s objectives. Without detailed data inventories, there will be no reliable information to meet treaty obligations, especially downstream obligations which rely on upstream information. Negotiators must ensure reporting requirements are binding and standardised.

Recommendations for Article 15:

- Retitle “Reporting, Transparency, and Traceability”
- **Mandatory, standardised, and regular reporting requirements** for chemicals, plastic materials, and plastic products throughout their lifecycle which match the core obligations of the Treaty.
- **Harmonised and public information system** on chemicals and plastics.

Article 24: Adoption and Amendment of Annexes

The effectiveness of the treaty will depend on efficient processes for adopting and updating annexes, which will evolve over time. A two-thirds majority voting rule for decision-making is recommended to avoid delays while ensuring broad support, as seen in other multilateral agreements like CITES and the Montreal Protocol.

Annexes will be the primary venue for establishing and updating lists and technical criteria. Negotiators must ensure annexes are developed inclusively with effective and balanced participation of all relevant societal stakeholders.

Recommendations for Article 24:

- **Two-thirds majority voting threshold** when consensus efforts are exhausted.

- **Inclusive development of annexes**, with balanced representation from all relevant societal stakeholders.