



ECOS views on the Chair's Guiding Questions for the second informal in-person meeting of Heads of Delegation to the Intergovernmental Negotiating Committee on Plastic Pollution

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ECOS welcomes the Chair's invitation to accredited observers to reflect on his Guiding Questions ahead of the informal Heads of Delegation (HoD) meeting in Bangkok. Meaningful observer engagement is important to ensure that negotiations benefit from relevant technical and scientific expertise. We encourage the Chair, as well as Parties, to work towards ensuring observer access in future sessions as negotiations enter a critical phase.

Below, we present ECOS views on the guiding questions for Cluster B, especially around plastics products and plastic product design.

Cluster B

What considerations should guide decisions on determining which plastic products will require possible global measures, actions or cooperation?

On plastic products, ECOS endorses the proposal made by [Mexico and Switzerland](#) on behalf of 85 delegations. This proposal establishes clear criteria for Parties to reduce, and where possible phase out, plastic products that:

- Are likely to be littered or enter the environment and pose a risk to human health and the environment
- Contain chemicals of concern to human health of the environment
- Are not capable of being reused or recycled in practice and at scale
- May disrupt the circular economy at a large scale

Based on these criteria, the proposal envisages a list of plastic products to be subject to measures under the Treaty, together with a process for adding products to the list and applying for exemptions. It establishes obligations around information and traceability and provides a mandate to the Conference of Parties (COP) to adopt and update implementation guidance.

The Mexico-Switzerland is a bridging proposal that provides a viable roadmap for establishing globally applicable measures on the plastic products of greatest global concern, while allowing Parties to progressively strengthen and update those measures over time.

On plastic product design criteria, it is imperative for the Treaty to define global product design criteria since design is a critical upstream lever for ensuring that other elements of the Treaty can function effectively. Without effective design obligations, collection systems would collect the uncollectable, recycling facilities would attempt to recycle the unrecyclable, and reuse targets would apply to products never built to be reused.

The case for global design rules, rather than nationally differentiated approaches, rests on a straightforward supply chain reality. Plastic products are designed, manufactured, traded, used, and disposed of across borders. A product placed on the market in one country with weak design rules will circulate globally. Businesses operating international supply chains cannot comply with a patchwork of divergent national criteria; they need a single set of requirements that provide regulatory certainty, avoid market distortion, and create the investment signals necessary for systemic change. This is precisely why leading businesses have called for global rules in the context of the plastics Treaty¹: because regulatory fragmentation is commercially unworkable.

Global rules need not mean identical timelines for all Parties. The Treaty can set binding global design requirements while allowing differentiated implementation periods for Parties with more limited regulatory or technical capacity, supported by financial and technical assistance. This ensures the effectiveness of the Treaty while remaining realistic about the pace at which different Parties can implement it.

Moreover, while the guiding questions for Cluster B provide a useful starting point for discussions on plastic products and product design, there is an important dimension that should be further reflected in the upcoming HoD meeting: once products are identified as requiring measures, what should guide the development of those measures to ensure that they are effective?

This question is particularly important, since product-design criteria can improve a particular attribute without necessarily contributing to the overall objectives of the instrument. For example, requiring recycled content can reduce demand for virgin plastic, but recycled content alone does not address whether a product is single use, whether it can be repaired and reused, or whether it can be effectively recycled again at the end of its life. A product could therefore meet a recycled-content criteria while continuing to generate large amounts of short-lived plastic waste.

With this in mind, we suggest an **additional guiding question for Cluster B discussions**:

What principles and elements should guide the development of effective product design criteria to ensure it meets the Treaty's objectives?

In ECOS' view, an effective provision on plastic product design would contain the following core elements:

1. **Set global and binding rules.** The article on plastic product design must establish internationally agreed, legally binding measures, including product-design requirements, applicable to all Parties. Core requirements should not be left entirely to voluntary action or nationally determined measures.
2. **Ensure that measures contribute to the best overall environmental and health outcomes.** Establishing measures for the sake of having measures or with a narrow objective in mind will not necessarily deliver better environmental or health outcomes. To be effective, product design measures should be designed to achieve the best overall environmental and health outcome, and ultimately the Treaty's objective of ending plastic pollution and protecting human health and the environment.
3. **Apply a full life cycle and systems perspective.** Product design decisions affect the entire life of a product. Optimising one stage or attribute in isolation can simply shift impacts elsewhere. Design criteria should therefore consider the full product life cycle as well as the interactions between different lifecycle stages to avoid unintended consequences.
4. **Make chemical safety an explicit and cross-cutting element.** Plastic products cannot be circular if hazardous chemicals are designed into them. A product can meet technical recyclability criteria and be structurally suited to reuse while still containing chemicals of concern that contaminate recycled material streams or migrate into the environment during reuse cycles. The Treaty should ensure that product design requirements address chemicals of concern across the product life cycle.

5. **Establish a mechanism for progressive strengthening.** The Treaty must empower the COP to:
 - a. Prioritise and identify product groups where global requirements can deliver significant environmental benefits;
 - b. Develop a process and schedule of work to establish product design criteria that contribute to the Treaty's objectives; and
 - c. Review and strengthen requirements in light of scientific and technical developments and implementation experience.

Use of standards for product-design

The Chair's latest Aid to Negotiations, as well as past text proposals, call for international standards to support the implementation of different Treaty provisions, including plastic product design.

Standards have a role to play in realizing the objectives of the Treaty. They facilitate the interoperability of technology, ensure reliable measurements, and enable seamless global trade. In the realm of environmental protection, standards play an increasingly important role. They underpin international environmental agreements including the Montreal Protocol, Basel Convention, and the Paris Agreement, ensuring consistency and efficacy in implementation.

However, too often global voluntary standards are developed through processes dominated by industry interests. Key stakeholders, including environmental agencies, scientists, small businesses, trade unions, and consumers, are poorly represented in standard development. For this reason, many voluntary standards lack ambition and can have unintended health and environmental consequences.

To be effective, standards should support regulatory and environmental objectives, rather than becoming a substitute for them. Their use should reinforce the Treaty's requirements and objectives, while preserving the primacy of the Treaty and the COP in determining the level of ambition. National standards bodies should also be supported in contextualising and implementing global Treaty requirements. To harness the potential of standards in realizing the objectives of the Treaty, the Treaty should establish that any standards used or developed for this purpose must:

- **Directly support the objectives of the Treaty.** Standards should contribute to ending plastic pollution and protecting human health and the environment, and should translate the design criteria established by the COP into practical and verifiable methods. They should not be used to define weaker objectives or requirements based primarily on existing industry practice.
- **Be developed through balanced and inclusive processes.** Standardisation processes should ensure meaningful and equitable participation of affected stakeholders, including: small, medium and large businesses, formal and informal workers, consumers, communities, and environmental and public health experts.

Summary of recommendations

For the upcoming HoD meeting, ECOS recommends that:

- The Chair and Parties consider the [Mexico-Switzerland](#) proposal as a viable bridging text for identifying plastic products subject to global measures under the plastic products provision.
- Cluster B discussions be expanded to explicitly address not only which products require global measures, but which principles should govern the design of those measures to ensure their effectiveness, guided by the five core elements set out above.
- The Treaty establishes binding global design rules, paired with differentiated implementation timelines and support for Parties with more limited capacity, rather than leaving design requirements to national discretion.
- Any use of standards under the Treaty be conditioned on standards directly supporting the Treaty's objectives and being developed through balanced, inclusive processes.

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¹ [Business Coalition for a Global Plastics Treaty](#), convened by the Ellen MacArthur Foundation and WWF.