

Written views in advance of the second informal in-person meeting of Heads of Delegation
to the INC on Plastic Pollution

*Submitted by **the Ellen MacArthur Foundation**
based on its work with **the Business Coalition for a Global Plastics Treaty***

This document is submitted by the Ellen MacArthur Foundation based on our work with the Business Coalition for a Global Plastics Treaty (the “Business Coalition”), co-convened with WWF. **The Business Coalition gives voice to more than 330 businesses from across the plastics value chain, financial institutions and NGO partners asking for an ambitious UN treaty that transitions plastics into a circular economy, stopping them from becoming waste or pollution.**

We appreciate the opportunity to respond to the Guiding Questions from 9 September 2026, and we lay out our input on a few of the questions in the comments that follow. We welcome any questions or conversations regarding our comments, and we remain committed to constructively participating in this process.

Building on the progress made to date, we are keen to explore how the instrument can be designed to be further developed.

More specifically, greater regulatory harmonisation and alignment across Parties can help reduce fragmentation (and related compliance costs and complexities), provide long-term investment certainty, and enable the scaling of solutions across jurisdictions.

The text of the instrument should therefore lay the foundation and create a mechanism to strengthen implementation over time. A system transformation that works towards solving plastic waste and pollution, will depend on a durable framework that provides sufficient predictability for businesses, governments and investors to make long-term decisions while. This includes establishing:

- **Strong anchors in the text for key priority topics**, including problematic plastic products and chemicals of concern, product design, and waste management including extended producer responsibility (EPR). This should include common obligations on these topics for Parties to all work in the same direction.
- **Clear mandates and processes for future work by the COP**, with a focus on the key priorities outlined above.
- **Clear pathways for the instrument to evolve and strengthen over time** as experience, evidence, and implementation capacity develop. This should include a clear and effective mechanism for COP decision-making to enable effective implementation.

Together with the Business Coalition, the Ellen MacArthur Foundation will continue to evolve our thinking on these topics. For additional information on the positions the Business Coalition has taken to date, please see the following resources: [2026 policy priorities](#) and [treaty on a page](#).

Cluster A:

1. What purposes are National Plans expected to serve as a contribution to the achievement of the objectives of the instrument?

The National Plans will support Parties' collaboration and accountability through transparency and information sharing. They should also provide a useful reference point for reporting, including through the inclusion of minimum common elements and plans for how Parties will implement common obligations on topics such as restrictions and phase-outs, product design and waste management including EPR. A clear articulation of the Party's strategic vision and political priorities, including planned activities and key milestones, will provide clarity on what capital and finance will be needed, and where the private sector can mobilise investments with certainty.

2. How could provisions on reporting, implementation and compliance, information exchange, and effectiveness evaluation support the overall implementation of the instrument, and what is the relationship between these articles?

These articles are critical to ensuring that the instrument has the impact it is designed to have, addressing plastic pollution and waste across the full lifecycle. They should help to generate comparable and reliable data to inform future decisions under the instrument, and to support transparency and accountability. The information collected can also inform the national actions that individual Parties take, as they can learn from the successes and challenges others face.

Robust data is a precondition for effective implementation. Without a strong evidence base, action tends to stay reactive rather than building toward the systems transformation the instrument should deliver. In many geographies, there is currently limited visibility on material and waste flows, and the resulting data gaps make it difficult for governments, businesses and other stakeholders to align on priorities or plan investment strategically.

With this in mind, we would note the importance of thinking through the connection between these articles and the substantive articles in the instrument, considering, for example, what content is needed in reporting to ensure progress and strengthening of the articles over time. Reporting obligations should be clearly scoped to the stakeholders and economic operators best placed to provide the relevant data, as opposed to undifferentiated reporting obligations for actors across the value chain.

3. What will be the role of information exchange in the overall implementation of the instrument and how can it contribute to its effectiveness?

Information exchange can help avoid duplication of efforts and accelerate implementation by making existing work accessible across Parties and stakeholders. A structured mechanism for exchange would also support harmonisation of how Parties implement common obligations, as opposed to each developing approaches to the same problem in isolation. This includes harmonising common definitions, methodologies and reporting approaches, and developing shared guidance, all of which can reduce complexity and support more effective implementation.

Cluster B:

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

In order to accelerate the transition towards a circular economy, the global instrument should be able to address plastics in different product categories and sectors, and across the full life cycle. Of course, different types or categories of plastic products will be suited to different types of interventions based on a variety of considerations such as volume, potential for circularity, leakage rate, presence in existing waste management systems, and presence in the environment, etc. For instance, waste management will likely be relevant to all categories, while restrictions and phaseouts, and product design requirements may be more targeted towards specific product categories.

Businesses design products, packaging and systems, and plan for infrastructure investments for multiple markets at once. Harmonised regulatory approaches across jurisdictions allow these solutions to scale more quickly and reduce the complexity of compliance. At the same time, for [small and medium enterprises](#) (MSMEs), harmonised regulatory approaches on products will result in easier compliance and greater opportunities to access the international market. New market opportunities will be created in some sectors where MSMEs are key actors, such as the operation of product delivery models, production of alternative materials, and waste management operations.

On the specific topic of phaseouts and bans, it is important to continue considering the criteria for identifying products under Article 4 of the Aid to Negotiations as the negotiations progress. The criteria could build on the work carried out by the Ellen MacArthur Foundation and UNEP on elimination criteria in the context of the Global Commitment for example as follows:

1. The product contains, or its manufacturing requires, hazardous chemicals that pose a significant risk to human health or the environment.
2. It has a high likelihood of being littered or ending up in the natural environment.
3. It can be avoided or replaced while maintaining its utility.
4. It cannot be reused, recycled or composted in practice and at scale.
5. Its material combination or product design technically or economically hampers the recyclability or compostability of specific waste streams.

The Business Coalition published [additional thinking](#) on this topic in advance of INC 4.

In order to make rapid progress, implementation should initially focus efforts on a set of priority sectors which are known to generate the majority of polluting plastic products, prioritising short-lived single-use, and/or high-leakage rate applications such as specific types of plastic packaging or textiles/apparel. At the same time, the instrument should be designed to be strengthened over time, including with regard to identifying additional plastic products for global measures, actions, or cooperation.

3. How can Parties cooperate in the implementation of effective waste management policies, taking into account the different national circumstances and needs?

Harmonisation of waste management policies will be key to tackling plastic waste and pollution, particularly considering the transboundary nature of the plastics value chain and management systems. While the effectiveness of the instrument will depend on the extent to which Parties are able to coordinate their efforts to address challenges, harmonisation does not require “copy-and-paste” policies, nor setting weak rules as the common standard. Instead, businesses have called for an instrument that gets all Parties moving in the same direction, toward the same outcome, while taking into account national circumstances and needs. For instance, when it comes to EPR, Parties will indeed have different existing infrastructure, policy landscapes, and legal authorities that will necessarily shape implementation. However, the instrument (including via mandate for future guidance on EPR) can help Parties cooperate and align on the key definitions, key principles, minimum requirements, and best practices for well-designed EPR to apply in their domestic context.

Harmonisation of waste management policies requires harmonisation across the other topics being negotiated as well. For instance, and with due consideration to the topic of product design, harmonised product design principles, criteria and/or requirements will enable Parties to cooperate toward ensuring that products are designed for the infrastructure and the waste management systems that handle them.

Cluster C:

2. What role should the private sector have in facilitating the mobilization of financial resources, capacity building and technical assistance, and what elements could be considered under the financial mechanism to promote such a role?

The private sector plays a critical role in mobilising financial resources, as well as supporting the instrument's delivery through innovation, technical expertise, technical assistance, implementation, and knowledge-sharing. Private capital follows a clear economic case and policy certainty. Harmonised, ambitious rules can unlock private financial flows by, for example, giving businesses confidence with where to prioritise investments in infrastructure and scaling innovation. This regulatory certainty can drive down the cost of capital as well by 3-7% in key sectors to address plastic waste and pollution.

Via voluntary initiatives, the private sector has already been taking action and investing resources to address plastic pollution through packaging innovation, infrastructure partnerships, collection and recycling systems, and EPR compliance obligations. However, evidence from the Global Commitment shows that voluntary and fragmented action is not enough to reach the scale needed, at the pace required. Future investment flows will depend not only on the availability of capital, but also on confidence in the long-term policy environment. Greater regulatory harmonisation, clear roles and responsibilities between public and private actors, and predictable implementation pathways can help reduce investment risk and unlock additional private capital at scale.

Additionally, well-designed EPR is a policy instrument that can help align private financial resources toward addressing plastic waste and pollution. The [best available evidence](#) shows that an instrument underpinned by harmonised regulation could generate USD 576 billion in EPR revenues to fund much-needed infrastructure around the globe.

Cluster D:**1. Which principles and approaches could be useful in guiding the effective implementation of the instrument, and how could these be best reflected in the instrument?**

Plastic value chains are not made up of products and infrastructure alone, but of people whose jobs, livelihoods and economic activities also depend on how products are designed. The instrument can and should consider how waste pickers and other workers can participate in and benefit from this transition. The instrument should recognise the social dimensions across the plastics value chain, including implications for these groups, and seek to ensure that measures under the instrument support safer work, quality jobs, and inclusive participation in circular value chains.

3. Considering the progress achieved so far in the discussions related to issues such as the Secretariat and definitions, does the current formulation in the Aid to Negotiations reflect the level of detail required?

We are pleased to see that the Aid to Negotiations includes measures on several priority issues, including standalone articles on problematic plastic products, restrictions and phaseouts, and plastic product design, global obligations around EPR, the need for robust financing mechanisms, and the role of informal waste workers in advancing a circular economy. We recognise that further progress is needed to advance the inclusion of common obligations that would support a globally harmonised regulatory environment that avoids fragmentation, reduces unnecessary compliance complexity, and provides long-term policy and investment certainty. These obligations should be clear from the outset, with a defined pathway for the COP to strengthen and build them over time as evidence, experience and implementation capacity develop.