Submission

Second informal in-person meeting of Heads of Delegation to the Intergovernmental Negotiating Committee on Plastic Pollution

27 – 30 September 2026, Bangkok

Cluster A – National plans, reporting, implementation/compliance, information exchange, effectiveness evaluation

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

National Plans should serve as additional implementation instruments, not substitutes for global obligations. Their purpose should be to explain how each Party will implement the treaty's globally agreed obligations and measures through concrete actions, responsibilities, timelines, and indicators. They cannot compensate for vague or non-prescriptive obligations.

This distinction is particularly important for problematic plastic products and chemicals of concern. Plastic products, materials, and chemicals move through global supply chains. If Parties independently determine which products and chemicals to address and which measures should apply, this risks creating fragmented requirements, uneven protection, and major information and compliance gaps. This would be very difficult and costly for industry, especially small and medium-sized companies, and governments.

The treaty should establish a high level of protection with global binding requirements, while national plans should set out how Parties will achieve it and, where appropriate, exceed it.

Plans should therefore include road maps, milestones and reporting of implementation of measures on global, regional and national levels, on chemicals of concern, problematic plastic products, product design, transparency and traceability, reuse and safe waste management, alongside timelines, responsible actors and progress indicators, based on binding global obligations

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 provisions should constitute an integrated implementation framework, rather than operate as separate treaty components. These four elements are connected; however, they serve different purposes:

Reporting provides information on implementation and progress. It helps track the progress of the measures laid out in the treaty. The Parties to the treaty must conduct reporting and submit it to the Secretariat. The information has to be available to the public.

Information exchange enables Parties and relevant actors to access and use the information generated. All information should be publicly and easily accessible.

Implementation and compliance are two different things and should not be mixed. What they have in common is that the implementation and compliance mechanism should, inter alia, identify reasons for non-compliance, challenges, and implementation gaps, and help Parties address them. Implementation measures require sustainable funding, especially for developing countries.

Effectiveness evaluation should then assess whether the collective measures reduce plastic pollution and protect human health and the environment. The evaluation should be conducted by an independent third party. Importantly, effectiveness evaluation should not focus solely on the quantities of plastic produced, consumed, or discarded. It should also assess progress in eliminating chemicals of concern, increasing chemical transparency and traceability, improving product safety, and preventing hazardous chemicals from circulating through reuse and recycling.

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 should be understood as enabling infrastructure for substantive treaty obligations, including those concerning problematic products, chemicals, product design, recycling, waste management and enforcement.

Therefore, information exchange should not be treated primarily as a sharing of national experiences. It should provide part of the infrastructure needed to implement the treaty.

For chemicals, this means ensuring that information is generated, disclosed, communicated and traceable, rather than simply made “available.”

A particularly useful option could be a treaty obligation that establishes the principle of globally harmonized disclosure and traceability and mandates the COP to develop detailed standards, formats and technical arrangements.[1]

Cluster B – Releases and leakages, Existing and legacy plastic pollution, Plastic waste management, Plastic products design, Plastic products

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

Global measures should be considered where materials and plastic products along the life cycle or chemicals contained in them:

- pose significant risks to human health or the environment;
- contain chemicals of concern;
- are likely to contribute significantly to plastic pollution or releases;
- impede safe reuse, recycling or toxic-free circularity;
- are widely traded across borders;
- create transboundary impacts or global information gaps; or
- would benefit from harmonized requirements to avoid fragmented national approaches.

Globally agreed scientific criteria should form the basis for identifying problematic plastic products and chemicals of concern related to plastics. When a product, material, or chemical meets those criteria, the treaty should provide a pathway for applying globally agreed measures, including restrictions, phase-outs, elimination, safe substitution, disclosure, or other appropriate controls.

We believe that global criteria without the possibility of triggering global measures are insufficient.

[1] The earlier Article 3 paragraph 8bis in the previous draft treaty text is highly relevant here because it required producers, importers and exporters to ensure adequate and reliable chemical information and traceability based on globally harmonized guidelines.

Countries would retain the ability to introduce stronger national measures, while a science-based mechanism under the treaty would establish common globally agreed measures for priority products and chemicals.

The question refers to “plastic products,” but because product design is in the same cluster, we suggest connecting the two.

Global product measures should not be limited to bans and restrictions. They can also establish common design requirements, particularly where harmonization is necessary for global supply chains, as well as disclosure and traceability provisions.

Chemical safety should be an explicit component of material and product design. A material or product should not be considered recyclable if it contains hazardous chemicals, if information about them is not traceable across the life cycle to support informed decisions, and if they are subsequently recirculated into secondary materials.

Therefore, design for circularity must equal design for toxic-free circularity. Durability, reuse, and recyclability should be accompanied by requirements to eliminate and safely substitute chemicals of concern, disclose relevant chemical information, and track substances along the value chain. The information must be publicly and easily available to all stakeholders.

Transparency could provide a particularly promising option

The current reference to “improving the availability” of information on materials and additives is way too weak. Availability should therefore be distinguished from an obligation to generate, disclose and communicate information across material and product value chains.

A potential first step could cover the following governance levels:

Treaty: obligation to disclose specified chemical information according to globally harmonized minimum requirements.

COP: development/update of the chemical information requirements, data fields, formats, accessibility arrangements and technical guidelines.

Implementation: interoperable Digital Product Passports or other Digital Product Information Systems can carry that information through value chains.

2. What type of enabling factors should be considered to address existing and legacy plastic pollution, including the process to identify and evaluate the locations or accumulation zones and subsequent remediation efforts?

Chemical safety should not be forgotten simply because the discussion concerns legacy pollution.

Identification and remediation of accumulation zones should consider not only the volume of plastic waste but also chemical composition, potential exposure and risks to human health and ecosystems.

Enabling factors should include adequate financing; monitoring and scientific capacity; public access to chemical information; environmentally sound technologies; protection of workers, vulnerable groups, and affected communities; involvement of local communities and Indigenous Peoples; and mechanisms to identify responsibility and mobilize resources.

Importantly, remediation should not result in hazardous plastics being indiscriminately recycled into new products.

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

Waste management cooperation should follow the waste hierarchy and should not become the treaty's primary response to plastic pollution.

Therefore, waste management must complement—not replace—upstream prevention, elimination of chemicals of concern, safer product design, reduction and reuse.

Chemical transparency and traceability are also essential here. Waste operators and recyclers need to know what chemicals are present in materials to determine whether they can be safely reused or recycled. Disclosure, traceability, and effective separation by material and chemical content are therefore prerequisites for safe circularity.

Cluster C – Capacity-building, technical assistance, technology transfer, including international cooperation, Financial resources and mechanism

1. What elements must be considered to ensure that all available financial sources, including public finance, are effectively mobilized for the implementation of the instrument?

Financing should be adequate, predictable, accessible and sustainable, with particular attention to developing countries and SIDS.

However, financing should support implementation across the full life cycle, not disproportionately finance downstream waste infrastructure.

This means financing should also support substitution of chemicals of concern, safer product design, reuse systems, monitoring, laboratory and surveillance capacity, transparency and traceability systems, enforcement and customs capacity, and implementation of global product measures.

2. What elements must be considered to ensure that all available financial sources, including public finance, are effectively mobilized for the implementation of the instrument?

The private sector should contribute resources, but its role should extend beyond voluntary financial contributions.

A particularly important principle from a transparency perspective is that the cost of generating chemical information should not be shifted to governments, recyclers, or consumers, consistent with the polluter-pays principle.

Producers possess or should generate the information about the chemicals used in their products.

Therefore, private-sector participation should be based on producer responsibility and the polluter-pays principle. Producers should contribute financially to implementation and bear responsibility for generating and communicating reliable, third-party-verified information on the chemicals, materials, and products they place on the market.

This matters because regulators and recyclers should not have to compensate for missing value-chain information through expensive laboratory testing.

3. What provisions related to technology transfer could foster international cooperation, considering the capacity differences between countries?

Technology transfer should include technologies and capacity for chemical identification and monitoring, safer substitution, reuse, environmentally sound waste management, and interoperable product-information systems.

The fundamental requirement is agreement on what information must be generated and disclosed, by whom and to whom; technological systems are tools for fulfilling that obligation.

Cluster D – Preamble, Objective, Principles and approaches, Definitions, Just transition, Public information, awareness, education and research, Secretariat, Final provisions

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?

For our priorities:

precautionary approach; prevention; polluter pays; right to know; protection of human health and the environment; intergenerational equity; environmental justice; just transition; full-life-cycle approach; and toxic-free circularity; human rights; gender equality.

Under the **right to know** principle, workers, consumers, and communities should not be exposed to hazardous chemicals in products without access to information about which substances may affect their health or the environment.

We would also argue that a full life-cycle approach means that plastic, plastic materials, and chemicals used in plastic cannot be treated merely as a waste issue. Chemicals are introduced upstream and influence whether plastic products can be safely used, reused, and recycled, as well as how terminal waste shall be treated.

2. How can actions related to public information, awareness, education, and research support implementation?

Here we would distinguish public information from information exchange between Parties.

Information provided for the public should implement the **right to know**. Health- and environment-relevant information about chemicals in plastic products should be accessible to workers, consumers, communities, researchers and civil society—not confined to regulators or industry.

Consumers cannot be expected to make informed choices about plastic products and chemicals for which no information has been generated or disclosed. Public awareness therefore depends on upstream transparency obligations.

Research should support the identification of chemicals of concern, the assessment of hazards and exposures, the development of safer alternatives, the monitoring of releases, and the assessment of whether recycling and circularity strategies are reducing rather than recirculating chemical hazards.

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?

On definitions, we would be cautious about saying the current text is sufficient.

Definitions must be sufficiently clear to support the implementation of substantive obligations, particularly for concepts such as plastic product, chemicals of concern, problematic plastic products and materials, plastic pollution, life cycle, circularity/recycling, and relevant economic actors, as these terms determine the scope of obligations. At the same time, definitions should not become a mechanism to narrow the treaty's scope or to exclude chemicals and emissions at particular stages of the plastics life cycle.

An overarching message to take to Bangkok

The Chair says these questions aim to identify “bridging proposals and potential solutions” rather than simply reiterating previous positions. Our proposal suggests:

The treaty itself should set out the essential global obligations, criteria and mechanisms needed to ensure legal certainty and a common maximum level of protection. The COP can then operationalize and progressively update technical details, lists, standards and guidelines. National implementation should then determine how Parties meet and implement—and where appropriate exceed—those globally agreed requirements.

For chemicals, transparency and traceability, that architecture could mean: the treaty establishes an obligation to address chemicals of concern and to disclose and trace relevant chemical information; the treaty establishes a science-based mechanism to identify products and chemicals for global action; the DPP provides the conceptual basis for a globally minimum level of disclosure; and the COP develops and updates lists, information requirements, technical guidelines and interoperability arrangements.

National circumstances should shape implementation but should not determine the level of hazard and risk considered acceptable. Binding treaty obligations must establish a universal minimum level of protection.

Additionally, the Cluster structure risks separating issues that actually depend on each other. Chemicals of concern → product design → transparency → traceability → information exchange → waste management → effectiveness evaluation are not seven separate issues. They form an **implementation chain**. Identifying, eliminating, and safely substituting chemicals of concern, product design, transparency, and traceability need to be treated as interconnected elements of one solution.

More Information

https://www.globalchemicaltransparency.org/

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