

Heads of Delegation Meeting – INC on Plastic Pollution

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Tobacco-product plastics: concise, source-validated responses

This briefing answers the Chair’s guiding questions from the perspective of tobacco-product plastics: cigarette filters, disposable electronic nicotine-delivery systems (D-ENDS), and associated tobacco-product waste. It draws principally on WHO FCTC COP decisions on Articles 18 and 19, COP11 technical materials, WHO FCTC implementation guidelines, and relevant WHO technical recommendations.

Plastic cigarette filters are recognized by WHO FCTC COP10 as “unnecessary, avoidable and problematic, single-use plastics” that are widespread in the environment and pollute oceans. Filters also retain toxic tobacco-smoke constituents and contribute microplastics when discarded. [1]

Cluster A — National plans, reporting, implementation and information exchange

A1. Purpose of national plans

- National plans should identify tobacco-product plastics separately, including cigarette filters and disposable e-cigarette waste, rather than subsuming them under generic plastic-product categories. Cigarette butts are widely reported as the world’s most common litter item, with an estimated 4.5 trillion discarded each year. [2]
- For filters, the “highest possible ambition” standard should support elimination rather than redesign or incremental reduction. WHO’s Study Group on Tobacco Product Regulation recommended banning filters to reduce cigarette appeal, correct misconceptions about health risks, and prevent toxic tobacco waste and microplastic pollution. [3]
- National coordination should link health and environmental authorities and guard against tobacco-industry conflicts of interest. COP11(10) encourages “establishing coordination mechanisms between health, environment and other competent agencies to consider the possible classification of tobacco product waste... based on scientific evidence” and “developing or strengthening national databases and reporting mechanisms on the environmental impacts of tobacco.” [4]

A2. Reporting, compliance and effectiveness

- Reporting, implementation, compliance and effectiveness evaluation should operate as one accountability system. COP11 technical material found that “thirty-three Parties to the WHO FCTC responded to this survey” and that “Parties reported limited experience with evaluation, implementation, and enforcement of measures that address the environmental harms of tobacco use and Tobacco Product Waste.” [5]
- Tobacco-product-plastics data should be reported as a distinct category and, where possible, aligned with WHO FCTC reporting. Evaluation should rely on independent public health and environmental evidence, not producer data or voluntary industry programmes. The Article 5.3 Guidelines state that “Parties should not accept, support or endorse any voluntary code of conduct or instrument drafted by the tobacco industry that is offered as a substitute for legally enforceable tobacco control measures.” [6]

A3. Information exchange

- The treaty information platform should include a dedicated tobacco-product-waste module supported by the WHO FCTC Secretariat, WHO and relevant FCTC Knowledge Hubs. COP11(10) recognizes that “such technical support may be provided to the Parties by the Convention Secretariat, in coordination with WHO and WHO FCTC Knowledge Hubs, upon request by the Parties and subject to available resources.” [4]
- Industry-operated collection or recycling schemes should not be treated as authoritative evidence or governance mechanisms, given the conflict of interest identified in Article 5.3 implementation.

Cluster B — Products, waste, releases and remediation

B1. Products requiring global measures

- Cigarette filters warrant global control because they are avoidable single-use plastic products, are frequently littered, release microplastics, and contribute toxic tobacco waste. COP10(14) specifically recognizes plastic filters as unnecessary, avoidable and problematic. [1]
- Measures should cover filters irrespective of material. Replacing cellulose acetate with a purportedly biodegradable alternative does not address the filter’s role in making cigarettes more appealing or misleading consumers about risk. WHO’s product-regulation recommendation supports a ban on filters generally. [3]

- Disposable e-cigarettes require separate attention because their waste stream may include plastic, batteries, metals and nicotine-containing components. COP10(14) recognizes “the pollution of soil and water resources by waste from tobacco products and related electronic devices, including filters of cigarettes as well as batteries, plastic cartridges and metals.” [1]

B2. Legacy pollution and remediation

- Tobacco manufacturers should bear the costs of remediation under the polluter-pays principle, rather than shifting costs to public-cleanup budgets.
- Parties should assess whether tobacco-product waste containing nicotine, heavy metals or other toxic substances warrants classification under relevant waste-control frameworks. COP11(10) invites Parties to consider “the possible classification of tobacco product waste (such as that containing nicotine, heavy metals or other toxic substances)... based on scientific evidence.” [4]
- Remediation guidance should incorporate liability approaches consistent with WHO FCTC Article 19. COP10(13) “the devastating environmental consequences of tobacco consumption and exposure to tobacco smoke and the potential use of liability in protecting the environment from tobacco harms,” while COP10(14) invites “Parties, under Article 19 of the WHO FCTC, to hold the tobacco industry accountable for the damage it causes to the environment.” [1][7]

B3. Waste-management cooperation

- Any extended producer-responsibility arrangement for tobacco should require industry cost recovery without granting the industry an operational, branding or decision-making role. This helps prevent environmental programmes from becoming a vehicle for corporate promotion or interference.
- Cooperation should prioritize source reduction—especially eliminating filters and reducing disposable tobacco and nicotine products—over collection and recycling systems that cannot resolve toxic litter or misleading product claims.

Cluster C — Finance, capacity and technology transfer

C1. Financial resources

- Tobacco taxation is an appropriate domestic source of public revenue for implementation. The Addis Ababa Action Agenda recognizes that “price and tax measures on tobacco can be an effective

and important means to reduce tobacco consumption and health-care costs, and represent a revenue stream for financing for development in many countries.” [8]

- Treaty financing provisions should not permit tobacco-industry “voluntary” contributions as a substitute for public finance or binding cost recovery. That approach is incompatible with the Article 5.3 Guidelines’ protection against industry interference. [6]

C2. Private-sector role

- The tobacco industry and entities acting on its behalf should be excluded from private-finance, partnership, capacity-building and governance roles. The UN General Assembly has “recognize[d] [a] fundamental conflict of interest between the tobacco industry and public health.”. [9]
- Industry liability for costs should be distinguished from industry participation in designing, operating or promoting programmes.

C3. Technology transfer

- Capacity-building and technology transfer should be delivered through independent public institutions and international organizations, not industry-funded “innovation” partnerships.
- The same conflict-of-interest safeguard should apply to private-sector cooperation provisions, particularly in countries with limited regulatory capacity.

Cluster D — Principles, public information and definitions

D1. Principles and safeguards

- Retain the polluter-pays principle and the precautionary approach. COP11(10) opens by “recalling United Nations General Assembly Resolution 76/300, which recognizes access to a clean, healthy and sustainable environment as a human right.” [4][10]
- Include an explicit safeguard against commercial and vested interests of the tobacco industry. COP10(14) urges Parties, “in accordance with Article 5.3 of the WHO FCTC, to protect tobacco-related environmental policies from the commercial and vested interests of the tobacco industry and those working to further its interests.” [1]

D2. Public information, awareness and research

- Public-information measures should correct the misconception that filters make cigarettes safer. Evidence links filter ventilation with increased risks of lung adenocarcinoma by facilitating compensatory smoking and misleading exposure measurements. [11]
- Research and education partnerships should exclude tobacco-industry participation, consistent with WHO conflict-of-interest safeguards.

D3. Definitions and just transition

- Definitions should be sufficiently broad and criteria-based to cover problematic tobacco-product plastics regardless of material or product design. Product listings limited to “cigarette filters made with plastic” could leave non-plastic or purportedly biodegradable substitutes outside the scope of control.
- A just transition should protect waste workers and affected communities, including through formalization, safer working conditions and social protection. UNEP’s options paper calls for an equitable and inclusive transition and integration of the informal waste sector into the plastics value chain. [12]

Sources

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