



Scientists' Coalition Submission: Part A - Scope and Principles

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1. Scope

Proposed scope:

UNEA Resolution 5/14 expressly recognises the need to take a 'comprehensive approach that addresses the full life cycle of plastic', in pursuit of 'sustainable production and consumption of plastics', 'including' in the marine environment, meaning all environmental compartments. There is scientific consensus that the **'full life cycle' of plastics begins at the feedstock sourcing stage.**

As such, the Scientists' Coalition recommends that discussions move beyond these areas that were agreed 18 months ago and instead prioritize **discussions on critical control measures and means of implementation, following the zero-waste hierarchy¹ and prioritizing progressive and substantial reduction in the production of plastics and hazardous chemicals.**

Below we provide an outline of our vision for a new, restorative, safe and just global economy where the functions and services for which plastics are used are revisited and plastics are only used subsequently in applications where they have the potential to cause the lowest impact on human and environmental health.

Explanatory Text:

The Scientists' Coalition envisions a comprehensive global plastics treaty that acknowledges the intricate, interconnected relationships within the entire lifecycle of plastics, starting from the extraction of feedstocks for their production, passing through the synthetic production, formulation with additives, product development, manufacture, consumption, function and service modalities, and ending with ensuring that unavoidable waste materials and additive chemicals are not released to the environment in unsafe and unsustainable ways. This should apply to any plastics irrespective of the

¹ Zero Waste International Alliance (2022). "Zero Waste Hierarchy of Highest and Best Use 8.0." <https://zwia.org/zwh/>

carbon source, i.e. including 'biobased plastics'. The treaty must be firmly grounded in human rights, notably the established human right to health and the human right to a clean, healthy, and sustainable environment recently recognized at the UNHRC and UNGA, encompassing the rights of non-human beings and recognizing the mutual interdependence between humans and nature for their well-being and survival.

To address the pressing issue of plastic waste, the instrument needs to ensure minimization of global virgin plastics production, focusing on reducing, substituting and eliminating toxic, unsustainable, and hazardous plastics while promoting durable, reusable, repairable, recyclable and safe alternatives. It should regulate the presence of harmful substances in plastics, including polymers, monomers, additives and non-intentionally added substances (NIAS). Additionally, the treaty should cover the assessment of any form of bio-based or biodegradable plastics, including their chemical properties, impacts, and fate in various ecosystems. The treaty should also cover leakage from diffuse sources such as abrasion of plastics products (e.g. polymer-based coatings, tires, roads, agricultural mulching, and fishing gears).

Safety, sustainability and essentiality criteria should be developed for polymers, chemicals, and plastic products, as well as for the management of plastic wastes. These criteria should be formulated by independent scientists and experts advising the process, including those from social, economic, and environmental sciences, as well as Indigenous, and community backgrounds. These criteria and accompanying guidance should support the evaluation and introduction of alternative ways to provide the functions for which plastics are currently used. The treaty should also regulate the design of demonstrably essential plastic products to ensure their durability, reusability, and sustainability while minimizing hazards to all related ecosystems and human and non-human beings.

Transparency and traceability must be emphasized, requiring clear labeling and accessible information along the supply chain, including for consumers. To support low-income and less developed countries, a dedicated multilateral fund should be established for adequate technical and financial assistance.

Environmental justice and inter/intragenerational collaboration underpin the design of alternative systems and sustainable material and non-material alternatives (e.g. services, leasing instead of owning refillable or other reusable articles) to decision-making dominated by unilateral, unsustainable commercial interests. The treaty must rely on independent scientific expertise, Indigenous knowledge, and community-based input to achieve these goals.

The treaty's obligations must be legally binding, time bound and enforceable, supported by strong sectoral programs and regional plans and strategies, with a focus on the meaningful involvement of those most impacted by plastic pollution over the full lifecycle of all plastics. Polluters across the value chain are to be held accountable and required to invest in environmentally sound practices and to compensate affected communities for loss and damage.

Fundamentally, the treaty should explicitly incentivize zero-waste and plastics-free solutions while incorporating precautionary and preventive principles. It should avoid duplication with other agreements but ensure comprehensive coverage to address all aspects of the problems associated with the full lifecycle of plastics. By adopting this treaty, the global community aims to collaboratively combat plastic pollution and secure a safer, healthier, and more sustainable future for our planet.

2. Principles

The Scientists' Coalition believes that INC-3 should prioritize negotiations on substantive control measures, emphasizing new actions on upstream (feedstock sourcing and production) and midstream (manufacturing and product design) life cycle stages. These temporally verifiable control measures should form the backbone of the new instrument and facilitate the vision of UNEA Resolution 5/14 to 'end plastic pollution'. With this in mind, we hereby recommend they are situated firmly within the following principles:

Core Principles

- **Prevention:** Prioritizes prevention of pollution caused by plastics across their life cycles over measures low on the zero-waste hierarchy including waste management, removal, and remediation.
- **Precautionary:** Where there are risks of serious or irreversible harm to people and the biosphere, scientific uncertainty is no excuse to not take precautionary measures.
- **Polluter pays:** In accordance with Principle 16 of the Rio Declaration², polluters are responsible and accountable for internalizing the full costs of their activities including pollution prevention, mitigation, safe removal, remediation, and compensation for loss and damage.
- **Non-regression:** "prohibiting states from weakening their national levels of environment protection" and/or "prohibiting regression in the level of protection provided by an instrument," making sure that all Conference of the Parties (COP) decisions move in the directions of being more protective of the objectives of the treaty and without backtracking.
- **Meaningful participation:** Affected communities have the right to be involved in the decision-making processes on plastics policies —this should serve as a founding principle of the operations of the treaty³.

Global Governance and Policy

- **Global Compliance:** The Scientists' Coalition supports the [Ghanaian proposal to INC-2](#) calling for a Global Plastic Pollution Fee (GPPF) and the wider analysis outlined by the [Center for International Environmental Law \(CIEL\)](#) as an important means of realizing the treaty mandate.

Cooperation and Integration

- **Equality and Reciprocity:** It is critical that countries cooperate on the basis of equality and reciprocity to *inter alia* collect, compile and evaluate data in order to identify pollution sources likely to cause transboundary impact; and develop harmonized policies aimed at reducing, preventing and controlling the transboundary impact of plastics.

² "National authorities should endeavor to promote the internalization of environmental costs and the use of economic instruments, taking into account the approach that the polluter should, in principle, bear the cost of pollution, with due regard to the public interest and without distorting international trade and investment."

³ Marcos Orellana, United Nations Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes: The stages of the plastics cycle and their impacts on human rights, 33 and 110.b (2021), <https://bit.ly/3LgIWAt>.

- **Compliance, monitoring, and enforcement (CME):** CME is essential for effective policy, assuring the public that policies are being upheld, informing plans and policies, deterring polluting practices and ensuring environmental and social outcomes.
- **Cooperation and information sharing:** Encourages the free, transparent, and open exchange of scientific knowledge, technical expertise, and best practice toward effective environmental policy and in the spirit of the human right to science.
- **Integration, coordination and coherence:** As a systemic, global, and transboundary issue, plastic pollution requires integrated and coordinated policies across multiple scales of governance. Common approaches on global scales should help eliminate opportunities for loopholes in implementation and should be more commercially efficient.
- **Independent evidence and experience-based:** Consideration of the experiences of those most impacted by plastics while drawing on all available independent⁴ scientific evidence. This includes local knowledge holders such as waste pickers as well as Indigenous science and knowledge and the unique contributions they offer in ending plastics pollution, including circular systems, material, relational, ecological, conservation, economic, and intergenerational knowledge.

Sustainable Practices and Health

- **Circular economy:** [‘The most recognised definition of the circular economy is that it is a restorative and regenerative economy’](#). Therefore, a circular economy should also be a toxics-free economy.
- **One Health:** ‘an integrated, unifying approach to balance and optimize the health of people, organisms and the environment’ ([WHO 2017](#)).
- **Zero-waste hierarchy:** Guides policies, strategies and actions designed to support a zero-waste system.

Equity and Justice

- **Human rights:** The plastics lifecycle affects a broad spectrum of human rights, with disproportionate impacts on the vulnerable.⁵ The framing and substance of the Plastics Treaty should reflect a human rights-based approach, with a particular emphasis on obligations protecting the human right to health and the human right to a clean, healthy and sustainable environment.⁶
- **Intergenerational Equity:** Fairness, equitable, and just access and the right to a safe and healthy environment between generations.
- **Intragenerational Equity:** Fairness and justice within and across communities within present generations, including between genders.

⁴ Entities acting autonomously, free from undue influence, control, or interference from other states or parties.

⁵ On rights impacts for vulnerable communities, see Marcos Orellana, above (n3), section 3.

⁶ N O’Meara ‘Human Rights for the Global Plastics Treaty to Protect Health, Ocean Ecosystems and Our Climate’ (2023) 38(3) *The International Journal of Marine and Coastal Law* (forthcoming). UNGA Res 217 A(III) (10 December 1948), Universal Declaration of Human Rights, Article 25; International Covenant on Economic, Social and Cultural Rights (New York, 16 December 1966, in force 3 January 1976), Article 12 [ICESCR]. UNGA Res 76/300 (28 July 2022), The Human Right to a Clean, Healthy and Sustainable Environment, UN Doc A/RES/76/300; UN Human Rights Council (UNHRC) Res 48/13 (8 October 2021), The Human Right to a Clean, Healthy and Sustainable Environment, UN Doc A/HRC/RES/48/13.

- **Socio-political justice:** Reparations, justice, and full participation in treaty negotiations must be ensured for those most disproportionately impacted across the lifecycle of plastics, including children, young people, and future generations, waste pickers, Indigenous Peoples, coastal communities, island nations, and those living near sites of extraction, manufacturing, and waste management, among others.
- **Indigenous Peoples' sovereignty:** In alignment with the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), Indigenous Peoples' right to protect their spaces, science and knowledge systems must be clearly recognised and stipulated throughout the treaty design, negotiations, and implementation processes.

Safety, Essentiality and Sustainability

We recommend that **safety, essentiality, and sustainability** should guide decision-making on all possible core obligations.⁷ Additionally, the Scientists' Coalition believes that the principles of safe circularity - minimization (including the minimization of toxic chemicals), durability, reusability, recyclability and transparency - should be applied to products that cannot be eliminated, and guide discussions on substantive life cycle control measures under the global instrument^{8, 9}. A crucial aspect of work under these sustainability principles is to regulate toxic chemicals in plastics.

3. Additional considerations

The Scientists' Coalition believes that work on establishing verifiable time-bound global reduction targets, control measures and means of implementation (including financing) to progressively and substantially reduce plastics and hazardous chemicals production is of utmost importance. This should be guided by and operationalize the principles of the zero-waste hierarchy.

As a democratic, independent body with global membership and broad disciplinary expertise, we would like to remind delegates that the [Scientists' Coalition](#) is available for the provision of quantitative and qualitative information and data for designing policy measures. Due to lack of time, we do not believe that a formal, Member State and UNEP-authorized scientific INC advisory body is required and believe time should be instead prioritized on developing concrete control measures that will form the basis of the incoming agreement.

While the state-of-the-art is evolving and a certain degree of uncertainty is inherent in scientific understanding, this must not delay action. The precautionary principle should be comprehensively applied to design legally binding control measures based on what we already know, and ensure the Governing Body of the treaty is capable of making amendments based on new scientific information in a 'start-and-strengthen' based approach.

⁷ Options for Elements <https://wedocs.unep.org/xmlui/bitstream/handle/20.500.11822/42190/UNEP-PP-INC.2-4%20English.pdf>

⁸ United Nations Environment Programme and Secretariat of the Basel, Rotterdam and Stockholm Conventions (2023). Chemicals in plastics: a technical report. Geneva.

⁹ Rognerud, I., *et al.* (2022). International sustainability criteria for plastic products in a global agreement on plastic pollution. Nordic Council of Ministers.