Submission to UN Ahead of INC-3

The following statement was drafted with input from many partner organizations as originally written in a Letter to U.S. Government Officials involved in UN Global Plastics Treaty Negotiations.

Plastic production, use, and disposal threaten Earth’s communities, air, water, biodiversity, and soils. As a U.S.-based organization with members around the world, Plastic Pollution Coalition agrees with the U.S. State Department’s position that “national governments alone cannot solve the pollution crisis” — indeed, plastics are a global problem in need of global solutions. The mounting impact of plastic pollution in the U.S. shows us that national, state, and local efforts to address the crisis to date have not been adequate and that we cannot tackle the issue of plastic pollution at scale with existing instruments and commitment levels alone. Instead, we need global, plastics-specific, binding, trackable, and enforceable solutions that translate into major production and pollution reduction results in the U.S. and beyond.2

The problem is daunting, but solutions to plastic pollution exist3 — and the focus should be upstream4. We must begin with a serious effort to reduce and ultimately end global production of wasteful and harmful single-use plastics5 and rapidly establish systems offering reusable, refillable, regenerative, environmentally just, and nontoxic material alternatives.

To this end, we submit the following non-exhaustive recommendations to consider and incorporate in the UN International Negotiating Committee (INC) options for the Global Plastics Treaty:

1. The Treaty should include mandatory, ambitious, and enforceable control measures and obligations to ensure results and accountability — voluntary

---

approaches will not get us there. To successfully reduce production, consumption, and harmful disposal of plastics at each stage of plastics’ “lifecycle,” the Treaty must include binding global and national control measures and obligations, as opposed to voluntary approaches. Without a fundamentally mandatory “targets and measures-based structure,” this Treaty will not achieve the results we need to stem this global environmental and human health catastrophe. Along those lines, the Treaty must provide a global monitoring and reporting framework under which progress can be accurately and transparently measured.

2. **Prioritize the reduction of plastic production, with a rapid phase out the most harmful plastics and additives.** Reduction of plastic production and consumption must be front and center in this Treaty, from the preamble and objectives through all of the substantive provisions. It should not be an afterthought as it is in the U.S. submission from February 13, 2023. Plastics and the thousands of hazardous chemicals they contain, and toxic microplastic and nanoplastic particles they shed, pose a serious and unacceptable risk to individuals, communities, and ecosystems around the world. This is an urgent public health emergency that threatens all of us alive today as well as future generations.

Top scientists have linked endocrine-disrupting chemicals used to manufacture plastics to global sperm count declines, infertility, and problems with fetal development. While all plastics have an endless toxic lifecycle, some plastics, as well as products with intentionally added microplastics, and chemical additives are particularly harmful and must be phased out without delay. Overall, to protect human health and the environment, and support environmental justice, experts suggest drastic reductions in plastic production, consumption, and use, on the order of a greater than 75% reduction.

3. **Close trade loopholes.** The Treaty should include a plastics trade tracking and manifesting system across the entire plastics lifecycle. Countries should implement bans on plastics and associated chemicals after phase-out, the trade in phase-out plastics and additives (prior to and after phase-out dates) with non-Party States, and all plastic waste exports to non-OECD countries. Countries must also strictly minimize all other plastic waste trade and the export of plastic waste for thermal treatment including incineration, co-incineration in cement kilns or other boilers, pyrolysis, gasification, or plastic-to-fuel processes. Trading and treating discarded plastics perpetuate their

---

6 Submission by the United States of America (Feb. 13, 2023), at 2 (“We recognize that many of these actions, when taken together, could also drive down the demand for plastic.”)
poisoning of human health and the environment by releasing greenhouse gases, plastic particles, and byproducts of toxic plastic combustion and industrial processes—including dangerous dioxins, heavy metals, and polychlorinated bisphenols.\(^\text{12}\)

4. **Reduce plastic production by ceasing to permit new or expanded facilities and infrastructure.** The Treaty should make possible a swift transition from an economy based on fossil fuels and plastic proliferation to one based on nontoxic, non-extractive, regenerative, and just sources of energy and materials. The Treaty should support an end to permitting new or expanded petrochemical and plastics facilities and their associated infrastructure. It is both environmentally and economically unwise to continue supporting lethal, nonrenewable industries when regenerative, sustainable, equitable, and healthy systems of reduction, reuse, and refill can better safeguard the economy, our global environment, and our communities. Continued production of plastics and fossil fuels is incompatible with environmental justice and human rights and exacerbates what the UN has dubbed the triple planetary crisis of climate change, biodiversity loss, and pollution: “The common thread … that runs through this triple planetary crisis is unsustainable production and consumption.”\(^\text{13}\)

5. **Eliminate support for plastics feedstocks, precursors, materials, and products.** The Treaty should help end investment, subsidies, and other support for the fossil fuel, petrochemical, and plastics industries. Governments should instead investigate those industries’ roles in obscuring and burying the important truths about plastic’s many harms and invest in reduction and reuse alternatives. Look to the State of California Attorney General Rob Bonta, who last year launched such a critically important investigation.\(^\text{14}\) Also note that the U.S. Department of Justice (DOJ) took such a step decades ago when the tobacco industry used almost identical deceptive tactics to sell cigarettes and other deadly tobacco products, and as a result DOJ proved the tobacco industry had violated civil fraud and racketeering violations under the U.S. Racketeer Influenced and Corrupt Organizations (RICO) Act.\(^\text{15}\)

6. **Support freedom from corporate influence.** To increase transparency and scientific integrity and decrease misinformation, industries whose activities will be directly regulated by this Treaty should not be permitted to participate in the negotiations. Profit, not plastic pollution reduction, is at the heart of the petrochemical and plastics industries’ business models and this underlying conflict of interest will not help advance the negotiations needed to end plastic pollution. They have a long track record of peddling


misinformation in many forms, including but not limited to: public service announcements and other marketing materials posing as factual information that frame this crisis of their own making as a consumer behavior and waste management problem, unproven statements about technology fixes and projected revenues, biased “scientific” papers and reports, and creation of deceptive (and often deceptively named) NGOs that distract the public and decision makers from the core cause of and solution to the plastic pollution problem (which is to eliminate extraction and conversion of fossil fuels into plastics).

Treaty provisions should require manufacturers to identify plastic feedstocks, polymers, additives, residual chemicals, and products that include them, within a public global plastics chemicals information hub. In addition, companies should be mandated to have harmonized and accurate labeling for polymers and additives, and vague, inaccurate, misleading, or unverifiable claims should be prohibited.

7. **Ensure scientific integrity and reject false solutions.** Governments and other negotiating parties must rely on the best scientific information available when formulating a global treaty. The science clearly shows numerous harms throughout the entire plastics lifecycle and reveals that there is no way to safely and sustainably dispose of plastic. It is critical that the treaty promote research and development into innovative reuse, refill, traditional, and plastic-free solutions while ensuring a sufficient evidence base to avoid regrettable substitutions and make choices grounded in scientific evidence. Plastics do not benignly biodegrade and cannot be landfilled, recycled, nor burned without releasing greenhouse gasses and toxic chemicals which drive pollution, injustice, and the climate crisis.

Similarly, false solutions, including “chemical” or “advanced” recycling are not, by definition, “recycling” and should not be recognized by this global treaty. In reality, these “solutions” are a form of advanced pollution, or recirculation of toxic chemicals into our air, soil, and water. What’s more, the warehousing of plastic waste in “chemical recycling” and other waste storage facilities commonly results in dangerous fires, as plastics are a highly flammable material.

8. **Ensure solutions to plastic production, pollution, and waste management are environmentally just as well as environmentally sound.** The toxic pollution associated with every step of the plastics lifecycle primarily and unjustly harms already underserved low-income, rural, Black, Brown, and Indigenous frontline and fenceline communities. Industries and governments disproportionately choose these communities as sacrifice zones for harmful and deadly industrial activities. Such severe injustice has been recognized on a global level as a violation of human rights and failure of

---


17 Scientists’ Declaration on the Need for Governance of Plastics Throughout their Lifecycles, https://www.plasticstreaty.org/scientists-declaration/


governments to prioritize protection of its most vulnerable communities.\(^{20}\) The UN must confront these grave environmental injustices and the human rights violations they inflict.

9. **Guarantee a just transition for waste workers.** As recommended by the GAIA INC-2 submission: A just transition begins with recognizing waste pickers as the workers who are providing a public service managing waste. Waste pickers and other waste workers have self-organized into cooperatives, unions, and other representative groups that can participate in national and local planning and implementation processes, which include the development of national and international action plans. A just transition includes: fair and reliable compensation to waste workers, and other workers throughout the plastics supply chain, for their labor, the right to continue work, opportunities to transition into the zero-waste economy, the end of using hazardous materials and substances that imperil health, and the inclusion of social welfare programs. All these measures must be backed with financial resources and legally binding measures.\(^{21}\)

10. **Phase out intentionally added microplastics.** As recommended by the CIEL INC-2 submission: Prohibit the manufacture, import or export of microplastics designed for intentional addition to plastic products. Minimize intentional release of microplastics by supporting measures to minimize and gradually end the intentional release of microplastics, including to the soil (i.e. fertilizers and pesticides, and oil and gas offshore exploitation chemicals with microplastics) and to the air.\(^{22}\)

11. **Produce, collect, report, and share data on plastics feedstocks, precursors, and materials.** The Treaty should also include provisions that require parties to produce, compile, and share data annually on the location and volume of plastic production, consumption, and use of exports and imports, environmental implications of plastics production, and other pertinent information.\(^{23}\)

We expect governments to represent people in these negotiations, work on our behalf, and lead the world in taking the swift and bold action needed to address this global plastics crisis.

**About Plastic Pollution Coalition:** Plastic Pollution Coalition is a non-profit communications and advocacy organization that collaborates with an expansive global alliance of organizations, businesses, and individuals to create a more just, equitable, regenerative world free of plastic pollution and its toxic impacts. [www.plasticpollutioncoalition.org](http://www.plasticpollutioncoalition.org)

---


\(^{23}\) Id.