We are a delegation of non-governmental organizations representing communities on the frontlines of petrochemical, plastic manufacturing, and plastic waste processing facilities in the United States. We are mostly Black, Brown, Indigenous, and rural communities that are being sickened and killed by these facilities daily, in continuation of a long history of discrimination based on race and income and health disparities in our country.

We thank you for the release of the Zero Draft as a basis for continued negotiations for a legally binding instrument to end the plastic crisis. We believe the draft serves as an appropriate scientific, policy, and socioeconomic starting point for the realization of a strong and ambitious instrument that protects our communities from further harm. We believe the provisions on primary plastic polymers, chemicals of concern in plastic, and problematic and avoidable plastic products will enable the governing body to effectively control plastic pollution at the source. We believe the instrument will strengthen the mandates of complementary legally binding agreements such as the Basel and Stockholm Conventions and encourage non-Parties such as the United States to fully ratify them. We believe that the Zero Draft provides an appropriate policy and financial framework for correlating measures to reduce these polymers, chemicals, and products with overall targets for reducing production of plastic altogether.

We believe our views are shared by most of the Member States, especially members of the Global South who have a special interest in controlling the transboundary movement of all hazardous waste, including plastic. We are, however, concerned that a minority of ‘like minded’ Members may argue that the draft is not an appropriate basis to proceed with negotiations, either due to their opposition of specific provisions or an overall perception of the draft as being ‘biased’ against their interests.

We understand that it is imperative that the instrument, like any other legally binding agreement, reflects the will of the majority of Member States, and the draft will undergo many revisions before this can be achieved. However, we urge Your Excellency to reject any efforts by members, or small contingencies of members, to summarily discard the Zero Draft in favor of their own basis for negotiations. Members that suggest this are simply not negotiating in good faith, but rather attempting to stall any process that could disrupt their massive profits from the extraction of fossil fuels and petrochemical refinement that are at the root of the plastic crisis.

If these members are opposed to certain provisions of the draft, they should work with other delegates to ensure the next iteration of the instrument reflects common priorities. If they believe the draft is biased against their economic interests, we urge Your Excellency to remind them that Resolution 5/14 derives its mandate in part from the Rio Declaration of 1992, which states: “The only way to have long term economic progress is to link it with environmental protection.” There is simply no legal reason to discard the draft. Meanwhile, the skyrocketing cancer and asthma rates in our communities provide delegates with every reason to robustly debate the provisions of the text and move this process forward. We thank Your Excellency for your attention.
Sincerely,

The Descendants Project
Society of Native Nations
Center for Coalfield Justice
Carrizo Comecrudo Tribe
Plastic Free Future