



Plastics treaty zero draft highlights

9 October 2023

The plastics treaty zero draft is a balanced document that includes the full range of views expressed by governments during INCs 1 and 2 and should be the **basis for negotiations at INC-3**. This full range includes both strong and weak options for all control measures and means of implementation, from reducing plastic production to a financing mechanism.

A specific convention to end plastic pollution

Many of the draft's provisions are overly-broad, suggesting a framework convention (e.g. UN Framework Convention on Climate Change) with key control measures in separate protocols negotiated *after* the convention is adopted. This would **delay urgent action to end plastic pollution and make it uncertain**. Instead, the draft should feature **detailed control measures** typical of a specific convention, with add-ons in annexes to enable a **start-and-strengthen** approach. These should include targets, criteria and schedules hinging on science-based benchmarks bound to evolve, such as quantities of plastic production consistent with safe and just levels for planetary boundaries, as well as human health impacts.

Key principles and plastics phasedown to protect planetary boundaries

References to key principles and concepts missing in the current draft could be addressed in the future preamble and annexes, or added to control measures text; a dedicated article on principles may not be needed. These include references to:

- **Human rights, environmental justice** and **Indigenous rights** for current and future generations.
- Safe and just levels for all nine **planetary boundaries** as a benchmark to quantify sustainable levels of plastic production, reduce the harm from the use of plastics and their management as waste, and assess the sustainability of alternative systems and materials. Currently data on the **climate boundary** can serve to set derive an initial target for a **plastic production phasedown of at least 70% from 2019 levels by 2050 to stay within 1.5 of global warming**,¹ to be strengthened as new data is collected on other boundaries. The eight remaining planetary boundaries are **biodiversity, ocean acidification, ozone depletion, freshwater change, land system change, altered biogeochemical flows, atmospheric aerosol loading, and novel entities**. Of these, only climate and biodiversity are mentioned in the current draft, indirectly and not as benchmarks to assess harm to the environment and determine sustainable production levels. Recent findings show that plastics impact all nine planetary boundaries.²
- The sourcing of **raw materials** as the first step in the plastics lifecycle, in line [UNEA resolution 5/14](#) that mandates “a comprehensive approach that addresses the full life cycle of plastics”, setting the scope for the future treaty.

¹ Eunomia & Zero Waste Europe (2022) [Is Net Zero Enough for the Materials Production Sector?](#) ; CIEL (2023). [Reducing Plastic Production to Achieve Climate Goals](#).

² Villarrubia-Gómez, P., Almroth, B. C., Ryberg, M. W., Eriksen, M., & Cornell, S. (2022). [Plastics Pollution and the Planetary Boundaries framework](#) (SSRN Scholarly Paper 4254033).

- The **prevention principle** that was foundational in the establishment of UNEP, operationalized through the **zero waste hierarchy**, since its emphasis on redesign and reduction make it best-suited to deliver a full-lifecycle approach mandated by UNEA resolution 5/14, while its notion of unacceptable operations takes planetary boundaries into account.³

The fiction of “alternative plastics”

In contrast, the draft includes three problematic concepts and approaches that need amending. The first is the notion of “**alternative plastics**” to refer to biobased, biodegradable, compostable plastics and plastics with high recycled content. The draft currently suggests their production should be increased, without consideration of how they might harm planetary boundaries or human health. In contrast, there is mounting evidence that these plastics may cause multiple harms, from deforestation, increased use of agrochemicals, and food insecurity (biobased plastics)⁴ to disruption of soil health (biodegradable and compostable plastics)⁵ to microplastic emissions⁶ and concentration of toxics (recycling). Instead of spreading the fiction of harm-free plastics, the treaty should minimize the harm from plastics that may still be needed to perform essential functions in our societies, and ensure that the total production of plastics, including biobased, biodegradable, compostable and recycled plastics, remains within sustainable levels.

Criteria on environmentally-sound waste management

The second problematic notion is blanket support for “**technological innovation**” without any assessment of sustainability. The draft should steer clear from suggesting blind faith in techno-fixes and instead propose a science-based assessment of technologies based on their impacts on planetary boundaries, health and rights, with an emphasis on environmental justice. Specifically, its provisions on waste management should require the development of clear **criteria defining what is “adequate” and “environmentally-sound” waste management and what is not** in an annex that could be amended in light of new evidence and developments. Only clear criteria will prevent infrastructure lock-ins into polluting technologies like plastic-to-fuel and (co)incineration that will only shift the burden of plastic pollution instead of resolving it at the source. The Basel Convention has failed to produce such criteria in its latest plastic waste management guidelines, and the plastics treaty with its scientific and technical subsidiary bodies will be best-placed fill this gap.

³ GAIA (2023). [Part A: Scope and Principles](#).

⁴ Gerassimidou, S., Martin, O. V., Chapman, S. P., Hahladakis, J. N., & Iacovidou, E. (2021). [Development of an integrated sustainability matrix to depict challenges and trade-offs of introducing bio-based plastics in the food packaging value chain](#). *Journal of Cleaner Production*, 286, 125378.

⁵ Accinelli, C., Abbas, H. K., Bruno, V., Nissen, L., Vicari, A., Bellaloui, N., Little, N. S., & Thomas Shier, W. (2020). [Persistence in soil of microplastic films from ultra-thin compostable plastic bags and implications on soil *Aspergillus flavus* population](#). *Waste Management*, 113, 312–318.

⁶ Stapleton, M. J., Ansari, A. J., Ahmed, A., & Hai, F. I. (2023). [Evaluating the generation of microplastics from an unlikely source: The unintentional consequence of the current plastic recycling process](#). *Science of The Total Environment*, 902, 166090.

Material-agnostic reuse systems

The third problematic notion is that of **reuse** being confined to plastic materials. Dogmatic confinement of reuse systems to a single material type is a design and engineering non-starter: reuse must be **material-agnostic** to be effective, safe and environmentally-sound, with material choice guided by the specific practical, health and environmental parameters for every application.⁷ In addition, reuse must be given the priority over recycling consistently with the zero waste hierarchy, including in provisions on Extended Producer Responsibility (EPR). Furthermore, the section on EPR needs specific mention of **waste pickers**, who are often the most vulnerable and overlooked workers in the informal waste sector, as well as the pillars of waste collection and segregation in many countries.

National plans for strong implementation, SIDS and LDCs prioritized for means of implementation

The draft reconciles characteristics of national implementation plans and national action plans in its proposed **national plans**,⁸ offering a solution for effective translation of global treaty obligations at the national level, with added flexibility to also include additional voluntary interventions. It also proposes differentiated access to financing, capacity-building, technical assistance, technology transfer and places a welcome **emphasis on Small Island Developing States (SIDS) and Least Developed Countries (LDCs)**.

In sum, the plastics treaty zero draft provides an adequate basis for INC-3 negotiations, with potential for improvement as well as valuable contributions to meaningfully protect health, human rights and our environment from the range of harms triggered by plastics across their full lifecycle.



GAIA is a global network of grassroots groups and national and regional alliances representing more than 1000 organizations from 92 countries. We envision a just, zero waste world built on respect for ecological limits and community rights, where people are free from the burden of toxic pollution, and resources are sustainably conserved, not burned or dumped. We work to catalyze a global shift towards environmental justice by strengthening grassroots social movements that advance solutions to waste and pollution.

⁷ Global Plastics Policy Centre (2023). [Making Reuse a Reality: A systems approach to tackling single-use plastic pollution](#).

⁸ CIEL, IUCN & WCEL (2023) [National Implementation Plans and National Action Plans](#).