

Thank you Mr. Co-facilitator

The Global Alliance for Incinerator Alternatives, GAIA, is a network representing more than 1000 organizations from 92 countries building a future that protects nature instead of turning it into waste.

[UNEA Resolution 5/14](#) already defines treaty scope as:

- Covering **all plastics and associated pollution**, with **NO** exceptions. Any omissions now, will prevent the instrument from fully achieving its objective.
- And covering the **whole lifecycle** of plastics from the extraction of raw materials until end of life and associated pollution.
- **Downstream measures on recycled content, EPR, waste management, emissions and existing pollution will be unsuccessful without upstream regulation:** the plastic crisis cannot be solved by waste management alone, it must be combined with production measures. The viability of reuse and recycling depends on guaranteeing safe inputs through bans on toxic and hazardous chemicals and polymers of concern, and controls on primary production to enable reuse and recycling to compete in a market currently saturated by single-use products.
- The feasibility of waste management relies on having measures that can deliver a phasedown of plastic production to sustainable levels through clearly set-out targets by a specific point in time, compatible with the just and safe planetary boundaries, and the protection of human health.
- Similarly, controlling emissions and addressing existing waste and pollution can only be effective if combined with supply-side controls on quantities as well as types of plastics produced, with special attention to primary microplastics and sources of secondary microplastics.

Treaty controls and implementation should be informed by principles of international human rights and environmental law, which could be referenced in the preamble. There is no need for a dedicated article on principles.

[UNEA Resolution 5/14](#) reaffirms the principles of the [Rio Declaration](#) including **public participation; access to information; liability and compensation; transboundary environmental justice;** non-regression, and the **precautionary and polluter pays principles.**

Human rights must be central, including: the **rights to life and health;** the **right to a safe, clean, healthy and sustainable environment** and the **prohibition on discrimination** regarding this right (also known as **environmental justice**); the **rights to freedom of expression, association and peaceful assembly**, including as they pertain to **environmental defenders;** the **rights to education, information, participation and effective remedies;** the **rights of Indigenous Peoples and Traditional Communities particularly the right to prior informed consent and of redress and restitution for past harms, as guaranteed by the Declaration of the Rights of Indigenous Peoples¹.**

A **just transition must be guaranteed** for workers including waste pickers and all communities including Indigenous Peoples affected by the lifecycle of plastics.

¹ Article 10 and Article 28

Protecting future generations' right to a healthy environment requires respecting just levels for our planetary boundaries. Plastics contribute to weakening all planetary boundaries.²

Finally, the **prevention principle** is fundamental in environmental law. Unlike the traditional waste hierarchy, the **zero waste hierarchy** applies to materials across their lifecycle and emphasizes reduction and design and highlights the importance of reuse and repair as well as environmentally-sound waste management. The treaty must exclude dangerous plastic burning practices such as [open burn](#), [incineration](#) (even with partial energy recovery), plastic-to-fuel, [chemical recycling](#), [co-incineration in cement kilns](#) and other boilers, given their harms to the environment, health and the climate.

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). <https://doi.org/10.2139/ssrn.4254033>