

November Global Plastics Treaty Dialogues

High Level Summary | November 10, 2021

OVERVIEW

On November 10, 2021, the Ocean Plastics Leadership Network convened 150+ stakeholders, drawn from a wide range of perspectives on the plastics crisis, in the third session of the Global Plastics Treaty Dialogues. Participants heard from speakers about the lack of emphasis on plastics at the Climate COP; the impacts that plastics production, use, and disposal has on climate change; the important role industry has in taking action on plastics and climate; and the opportunities to take action at the country level. The objective of these discussions was to share ideas about possible provisions in a Treaty along with important considerations that should be taken into account in the Treaty's development.

Following each set of presentations, participants were divided into a round of breakout groups. The first round of breakouts focused on the impact of plastics on the climate crisis and the opportunity for a Treaty to address both issues simultaneously. The second set of breakouts discussed the role of national governments in a Treaty and considered which provisions should be mandated for all countries versus those that should be determined in national action plans. The breakout descriptions, questions, and pre-read are provided in Appendix 1 and a full participant list is available in Appendix 2.

The takeaways shared in this summary document identify considerations, approaches, and provisions shared by participants across the range of stakeholders. However, it is important to note that the breakouts were intended to solicit perspectives but were not intended to arrive at consensus or agreement. Each of the bullets in this document represents the views of multiple participants but should not be considered to represent the perspective of all stakeholders in the conversation or of the OPLN. This document should be utilized as a summary resource but should not be taken as a consensus document.

IMPORTANT CONSIDERATIONS

Throughout the breakout discussions, participants outlined a number of important considerations that should be taken into account as a potential Treaty is being negotiated. These summaries represent the views of multiple, but not all, participants. Considerations include:

- **Stakeholders understand that the current systems are not working and need to change, and a Treaty is needed to understand how this change should happen.** Stakeholders on all sides of the issue agree that current consumption patterns and waste of plastics is harming people, the planet, and the climate. Change is necessary, but there is not a clear understanding of the tradeoffs, hierarchies of action, and recommended paths forward. A Treaty could bridge this gap.
- **It is imperative that the Treaty goes into place as quickly as possible, even if it is not “perfect” in the eyes of all stakeholders.** The perfect cannot be the enemy of the good on such an urgent issue, so it is important to act immediately and continue refining over time. The Treaty can be an amenable, living document that has the capacity to adopt changes and scientific breakthroughs over time.

- **Companies, countries, and organizations can and must start working on addressing plastics (and the plastics-climate nexus) before a Treaty is negotiated.** Stakeholders cannot afford to wait for a Treaty to start taking action. It is essential that affected groups accelerate action now and implement solutions while working toward setting meaningful targets in a treaty. Local and state or provincial governments can enact waste management strategies and reduce plastic at the source, while companies can drive progressive and innovative policies that decrease the use of plastic and increase demand for and use of reusables.
- **The Treaty must build off and harmonize with existing treaties and agreements, such as the Paris Agreement and the Basel Convention.** Given the intersection between plastics and climate, a Treaty on plastics is necessary to enable countries to fully execute on commitments made in the Paris Agreement and the Basel Convention.
- **Treaty negotiation should consider potential unintended consequences and work to avoid them.** For example, it should consider possible tradeoffs of replacement/secondary materials and opportunities to set high standards, while ensuring there is support for countries with less capacity to achieve Treaty goals.
- **All stakeholders have a responsibility to contribute to positive change.** A Treaty will need buy-in and commitment from all sides of the issue in order to be successful.
- **The private sector needs to be held accountable and can play an essential role in driving positive change.** Industry can uniquely incentivize and facilitate transition along with helping build infrastructure to tackle the issue. Provisions should be designed to not unintentionally penalize industry frontrunners who have already taken progressive actions.
- **The entire supply chain must be taken into consideration when assessing the impacts of plastic on climate, health, and other issues.** The effects of the entire supply chain are sometimes overlooked in assessments, but are necessary to consider when holding brands and other actors accountable.
- **There needs to be a balance between mandates and flexibility.** The Treaty must be set up with enough specificity, targets, and a strong framework that it can lead to meaningful change and hold countries accountable for executing on commitments. However, it must be adaptable to future technological developments and have different implementation opportunities in countries with varying levels of capacity. There is no one-size-fits-all solution.

POTENTIAL PROVISIONS

In both rounds of breakouts, participants articulated potential provisions that could be included in a Treaty. While the first breakout was centered on the intersection between plastics and climate, the provisions suggested included other important areas such as health, standardization of metrics, reuse infrastructure, the lifecycle of plastics, and more. The suggested provisions represent the views of multiple, but not all, participants. Proposed provisions include the following actions:

PROVIDE RESOURCES FOR IMPLEMENTATION AND ACCOUNTABILITY

- **Outline specific tradeoffs, hierarchies of action, and frameworks of action with recommended pathways forward.** Addressing plastic waste will require making some tradeoffs and many countries are unclear about the decision making processes and information that they will need

to be able to take these tradeoffs into consideration. Hierarchies of action (such as the waste hierarchy), which demonstrate the recommended order of different actions that could be taken, could increase the likelihood of success for countries that are unsure where to start. Recommended frameworks of action could also be useful tools for implementation.

- **Require clear labelling of products and establish a standardization of language, metrics, and methodology for assessing plastics across countries.** Clearly defining terms (including what is considered plastic) could offer a baseline that provides countries with standardized terms, while standard measurements can ensure clear comparison of progress. The Treaty could encourage deployment of appropriate policy instruments at national and subnational levels and guidelines for standardization of measures relating to the impact of production, collection, and waste management.
- **Include provisions for how the Treaty will be enforced and pathways of accountability for countries.** Accountability will be necessary for the Treaty to succeed, so approaches to enforcement and accountability should be clearly outlined in the Treaty for it to succeed.
- **Include both incentives and consequences for failure to act.** Incentives could include rewards for investing in circular economies and shifting away from hydrocarbons or for businesses and consumers to do proper recycling. A Treaty should encourage federal regulations on corporations (e.g., procurement limitations).
- **Create a framework for how countries can build upon their existing climate commitments to address the plastics crisis.** For example, the Treaty could spell out that plastics commitments will help countries achieve X amount of their climate commitments.

DRIVE RESEARCH AND ACKNOWLEDGEMENT OF PLASTICS, HEALTH, AND CLIMATE

- **Recommend or require funding/support for research on the impacts of the plastic-climate linkage.** It is clear that plastics at every stage release harmful greenhouse gases and chemicals, but there remains a need for improved scientific understanding on plastic's contributions and linkages to greenhouse gas emissions.
 - **Address microplastics.** In particular, the consequences of microplastics on health and the environment needs additional research.
 - **Support the creation of a system that measures health, climate, and ecological impacts across the full life cycle of plastics.** A life cycle analysis could increase understanding of the impacts of plastic waste across the board and identify key leverage points.
 - **Increase understanding of tradeoffs** between the use of different materials for packaging, incorporating the best available science regarding **health, climate, and ecological impacts**.
- **Acknowledge that plastic is both a human health and an environmental health issue.** Plastics issues have historically been framed most often in the context of climate and environmental impacts, but their negative impacts on human health should also be acknowledged and incorporated in the Treaty. The Treaty could also consider regulating chemical additives (i.e. pigments, flame retardants, plasticizers, stabilizers, etc.) and working toward a better understanding of plastic contaminants to expand the amount of material available for recycling.

The Treaty could consider creating a dedicated scientific body to investigate the impact of toxins and plastics more generally on human health.

- **Ensure the informal sector is recognized in the Treaty and is included in its development.** The inclusion of and focus on the livelihood of the informal sector will be key to successful solutions. The health and safety of waste reclaimers should be prioritized in the Treaty.

DECREASE SINGLE USE PLASTICS AND ENABLE INNOVATIVE SYSTEMS

- **Limit the production of new plastics and reduce the use cases for single-use plastics.** Recommend that countries decrease production and consider banning or significantly decreasing single-use disposable plastics. Consider a tax on plastic to incentivize alternatives and signal to the market the value of using recycled plastics and decreasing production of virgin plastics.
- **Contribute to building both infrastructure and demand to further the circular economy, to ensure that the Treaty goes beyond just improving recycling.** In addition to ensuring all plastics have a proper end of life that reduces their environmental impact, changes in production and consumption patterns are necessary.
- **Incentivize ambitious reuse goals and support the necessary infrastructure changes and bolstering of in-market demand so that businesses can readily adapt to new models.**
- **Include mechanisms to fund new solutions, increase capacity, and attract financing from the private sector.** Centralize finance or develop a credit exchange model and ensure that funds are available for waste management infrastructure, research on innovative solutions, etc.

APPROACHES TO COUNTRY CAPACITY

Different countries have varying levels of capacity to deal with the plastics crisis, along with varying levels of contributions to the problem. Participants were asked to propose approaches to building a Treaty that retains flexibility in implementation to account for different contexts across countries while still maintaining urgency of action and accountability. The outlined approaches below represent the views of some participants but do not represent universal agreement.

- **Identify binding elements and provide additional guidance on how to execute these elements.** The Treaty could outline similar requirements for all countries, but offer different pathways to reaching these targets. For example, it could detail pathways to pursue producer responsibility, reuse, refill, and repair infrastructure, and sustainable financing that would meet these goals. The Treaty could outline high-level targets for all countries and empower countries to create their own implementation plans that both address individual country needs and ensure that high-income and higher-contributor countries are held accountable.
- **Require greater responsibility for production countries and/or implement a tiered system to divide levels of commitment.** The Treaty could outline common but differentiated responsibilities that all countries must meet with different levels of contribution depending on their capacity, economic status, and other factors. As one example, this could be based on a system of tiers, where countries in Tier 1 (the most developed countries) are held to higher standards and greater commitments than those in Tier 5 (the least developed countries). Countries in similar situations would have the same baseline of improvement.

- **Enable implementation of regional solutions in addition to national approaches.** Coalitions among island nations, agreements between countries that have robust waste management infrastructure and those that do not, and other approaches could be paired with country-level action plans to make greater progress in areas where capacity is limited at the national level.
- **Require/enable countries to take responsibility for processing their own waste, rather than outsourcing the problem to developing countries.** This could even be the playing field for developing countries that do not have the infrastructure or capacity to manage waste exported from other countries.

RECOMMENDED PROVISIONS FOR COUNTRY PLANS

In addition to the approaches that could be used to make the Treaty accessible and implementable in countries with a range of capacities, participants were asked about provisions that should be included in country plans. Countries should analyze the various options for decreasing plastic waste and outline the combinations that will be most effective in each country. These could include:

- **Utilizing various national tools to build off existing agreements and drive important policies.**
- **Establishing a remediation fund, with dispersal criteria guided by the waste hierarchy.**
- **Piloting solutions within brands and companies to work with waste management companies and the informal sector on innovative plastics waste management and reuse.**
- **Sharing data between countries on best practices for reducing plastic pollution.**
- **Incorporating the true environmental costs of plastic production in the price of plastics.**
- **Educating waste reclaimers on the highest-value of plastics and creating a market for these items.**
- **Building infrastructure for sending recyclables to recyclers and for end-of-life destinations for non-recyclable plastics.**
- **Participating in coalitions and agreements with other countries or regions to achieve similar goals.**
- **Specifying what kinds of materials can be imported to the country.**
- **Implementing Extended Producer Responsibility policies (EPR).**
- **Offering incentives and/or penalties to producers based on their pollution and contamination levels.**
- **Committing to internal country targets with regards to reducing the creation of single-use plastics, decreasing the amount of plastic that leaks out of the system, and improving the capacity of reuse and refill systems.**

CONCLUSION

There is growing support for a Global Treaty on Plastics Waste on a national and international level. Stakeholders on all sides of the plastics crisis -- plastic producers, brands, NGOs, governments, trade associations, academics, and more -- agree that the current system needs to change and that a Global Treaty can drive this needed change. However, even if UNEA 5.2 votes to begin negotiations for a Treaty in March 2022, it will be several years before a Treaty is negotiated and implemented. In the meantime, stakeholders and countries can move forward to implement the types of recommendations included in this summary. Countries, companies, and other stakeholders can -- and should-- also take action to decrease plastic waste and limit its impact on human health, climate change, and ocean pollution before a Treaty is put into place. While the exact methods of addressing this issue do not have universal agreement, the outlined approaches in this summary aim to provide a starting place for negotiators and implementers alike.

The Global Plastics Treaty Dialogues will continue with sessions in 2022 to educate and engage participants in the lead up to UNEA 5.2 and lay the groundwork for expedited implementation of a global Treaty following the vote. These sessions will work with associated national and international actions.

APPENDIX 1: BREAKOUT QUESTIONS

The following descriptions and questions were shared with participants in advance of the session and were used to guide the breakout discussions. Participants also had access to the [Plastics and Climate Fact Sheet](#) as a pre-read, which summarizes key findings from recent reports.

BREAKOUT 1: PLASTICS AND CLIMATE

Plastics are significant contributors to global carbon emissions, both directly and indirectly emitting greenhouse gasses well before their manufacturing until long after disposal. In this breakout session, participants will discuss the key climate-related opportunities, challenges, and relevant provisions that could be included in a Global Treaty on Plastics.

1. How might a global treaty on plastics directly or indirectly enable countries to deliver on their climate targets?
2. What are the potential risks and pitfalls that the global community should seek to avoid in utilizing a Global Treaty to address plastic waste and contamination?
3. What are the three highest priority provisions that are most important for the Global Treaty to include to decrease the impact that plastics have on climate?

BREAKOUT 2: GOVERNMENTAL ROLE IN THE TREATY

National government actions will be central to the implementation of a Global Treaty on Plastics. In this breakout session, participants will discuss the provisions that a Global Treaty could include to support countries in addressing plastic-related contamination and emissions.

1. What kinds of provisions should be included within a Global Treaty, and which aspects should be left to individual countries to determine? What should a Global Treaty require countries to incorporate in individual national plastics-related action plans?
2. What key capacity barriers do countries face in ending plastic-related impacts, and what provisions in a Global Treaty would help overcome these obstacles?
3. How should a Global Treaty guide national government behavior with respect to the private sector?
 - a. What role should countries play in rewarding and/or restricting private sector action?
 - b. How could a Global Treaty on plastics encourage influential private companies to hold governments and fellow private sector actors accountable?

APPENDIX 2: PARTICIPANT LIST

Brand, producer, and trade association

American Chemistry Council
Avery Dennison
Ball Beverage Packaging
Beauty Kitchen
ByFusion Global Inc
Charter Next Generation
Colgate-Palmolive
Danone
Dow, Inc.
Eastman Chemical Company
Grove Collaborative
Hasbro
IKEA
INDITEX
Kimberly-Clark Corporation
M Holland
Mars
McDonald's
Milliken & Company
Nestle
Nestlé SA
Ocean Bottle
Printpack
Procter & Gamble
Smart Waste Portugal
Sodexo
Sodexo Canada
The Clorox Company
The Coca-Cola Company
Unilever
Yum! Brands

NGO

5 Gyres Institute
A Plastic Planet
Alianza México SIN Plástico
EIA
Ellen MacArthur Foundation
Environmental Investigation Agency
Fauna & Flora International
First Mile
Greenpeace México
Greenpeace
Hasiru Dala
Howell Conservation Fund

IUCN
Lonely Whale
Massey University Political Ecology Research Centre
Ocean Conservancy
Ocean Recovery Alliance
Oceanic Global
OPLN
Pew Charitable Trusts
Plastic Oceans Chile
Plastic Soup Foundation
Recycle Up! Ghana
SUPER®
Surfrider Foundation
Tearfund
The 5 Gyres Institute
The Ocean Foundation
The Recycling Partnership
Thread International
Upstream
Verra
WIEGO
WWF International

Government

European Commission
Ministry Of Environment, Science, Technology and Innovation (MESTI)
U.S. Department of State
U.S. Department of Agriculture, Foreign Agricultural Service
Vietnam Administration of Seas and Islands

Waste management and waste reclaimers

A Plastic Planet
Beauty Kitchen
Community Action Against Plastic Waste (CAPWs)
First Mile
Green Worms
Howell Conservation Fund
MNCR Movimento Nacional dos Catadores Brasil
MNCR/CATAUNIDOS
Ocean Bottle
Plastics For Change
Recycle Up! Ghana
TerraCycle
TOMRA

Academia, Finance, Consultants, and Other

Algramo

Duke University
Forbes
GreenBiz Group
Higginson Strategy
IDEO
International Space Station U.S. National Laboratory
iWrc
Meridian Institute
Monash University
Norwegian Institute of Water Research
OceanCycle
Quantis
State University of Campinas - UNICAMP
Stina Inc
Tesco
The Microfibre Consortium
U.S. Plastics Pact
University of Georgia
University of Portsmouth
University of Portsmouth
Voice of the Oceans
WBCSD
World Bank
WRAP

Countries Represented

Austria
Belgium
Brazil
Canada
Chile
Germany
Ghana
Haiti
Hong Kong SAR China
India
Mexico
Netherlands
New Zealand
Nigeria
Norway
Portugal
Spain
Sweden
Switzerland

Thailand
United Kingdom
United States
Vietnam