

United States Country Dialogues

High Level Takeaways | Session 1: January 27, 2022

OVERVIEW

On January 27, 2022, the Ocean Plastics Leadership Network convened 165+ stakeholders, drawn from a wide range of perspectives on the plastics crisis, for the first session of the Global Plastics Treaty: US Country Dialogues. Participants heard from speakers about the US' role in driving a Treaty forward and opportunities for ambitious implementation. Participants also discussed possible Treaty provisions and approaches to national implementation plans in small groups. This document summarizes the key takeaways that emerged from both plenary presentations and breakout groups.

This summary document identifies considerations, approaches, and provisions shared by participants across the range of stakeholders. However, it is important to note that the session was intended to solicit perspectives but was 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.

PLENARY SESSION TAKEAWAYS

In the plenary sessions, participants received an overview of the U.S. executive landscape, an update on the U.S. legislative landscape, and a synopsis of current Global Treaty resolutions and pathway forward. Participants also heard from two panels – an industry panel focused on the business case for a strong Global Plastics Treaty and an activist panel centered on the US' role in eliminating plastic pollution. There was also a briefing on technologies that can help address ocean plastic pollution. Key points of discussion from the plenary sessions include:

- The problem is clear and 2022 is ripe for action. Since the US is a major contributor to the plastics crisis, we must hold ourselves accountable and aim to meet a higher standard than other countries. We must actively participate in finding solutions.
- The US is supportive of an ambitious global Treaty, but we cannot commit to anything abroad that we are not able to accomplish at home. One approach to addressing this could be creating goals and targets for all countries to meet but leaving specific execution to countries through strong national action plans.
 - “Action at home” involves both determining what we can already do within the existing policy structure and building support for additional national policies.
- Plastic pollution extends far beyond just marine debris – it is in all waters, soil, air, and human bodies and it has severe impacts on human health. In addition to the harm of consuming

microplastics already present in our ecosystems, the production of new plastics also negatively affects human health, particularly through air and water pollution from chemical refineries.

- While not all industry members have the same perspective, there has been a huge shift in the way many businesses are thinking about the Treaty. 70+ major companies have signed onto the EMF-WWF Business Call which calls for a globally binding Treaty that includes source reduction.
- Harmonization of global standards will be critical to addressing the issue and should be considered as a Treaty provision. There is also a need for high level policies that can shift the entire supply chain, business models, and consumer behavior to change the current economic paradigm.

BREAKOUT TAKEAWAYS

Participants were divided into twelve breakout groups to discuss desired outcomes from a Global Treaty, including implications for the US, specific issues that should be addressed through national implementation plans, and steps that stakeholders can take to catalyze progress in advance of a Treaty. The points shared below summarize the views of multiple, but not all participants. The takeaways are sorted into a range of buckets including important considerations for a Global Treaty, important considerations for US involvement, and possible Treaty goals and opportunities.

IMPORTANT CONSIDERATIONS FOR A GLOBAL TREATY

- Key opportunities for the Treaty
 - Connect with larger climate goals and enable countries to align with and surpass Paris Agreement goals and targets from other agreements.
 - Set ambition while providing some flexibility; mitigate risks and learn from experiences of past attempts at international agreements.
 - Clearly communicate the intricacies and challenges of plastic policy to support stakeholders in making informed choices.
 - Enable a just transition with businesses, finance infrastructure, job opportunities, and our current economy.
 - Ensure that the creation, negotiation, and implementation process is more accessible to all stakeholders – inclusivity could be promoted through funding mechanisms to get all stakeholders to the table.
 - Provide clear international guidelines (including utilizing and building off of existing frameworks) and give countries flexibility to determine how they will contribute to implementing the framework.
- Possible provisions and considerations
 - Both upstream and downstream management will be essential to addressing the plastics crisis. The Treaty needs to both prevent plastic from entering the environment and clean up what has already been leaked.
 - The Treaty should address the import and export of waste material in a way that provides incentives but does not become overly burdensome.

- Harmonization of standards and definitions of key terms (i.e. plastic) will be essential to enable industry to move things forward across issues, including advanced recycling, credible recycled content, and safety standards.
- EPR can be an important tool, but should not be the only tool. All countries will need to consider what infrastructure they have to support EPR and any global commitments will need to have country-by-country flexibility to define EPR and achieve their goals. National EPR in the US would promote efficiency and reliability (as opposed to a state-by-state approach).
- A Treaty must acknowledge that the problem extends beyond marine plastics and litter -- the scope cannot be limited to ocean plastic pollution.
- Plastic pollution must be approached as a diversity and inclusion issue which takes environmental justice into consideration. A whole lifecycle analysis would enable stakeholders across the system to decrease local impacts and avoid unintended negative consequences.
- Further education is needed for all stakeholders and practitioners, not just consumers.

IMPORTANT CONSIDERATIONS FOR US INVOLVEMENT

- The US should have an outsized role in both cleaning up what is already in the environment and stemming the flow of new plastic, since we have been a leading contributor. The US has a great opportunity to be global environmental leaders and to positively influence policy. A strong national framework ahead of the Treaty could help position the US as a global leader with the ability to actually act on what we are committing to.
- The US needs to drive toward outcomes without getting caught up in prescriptive mechanisms. There is an opportunity (and need) for the US to state its intentions and positions clearly as soon as possible so that other countries, US stakeholders, and global companies can begin implementing concrete actions.
- If there is a set of core issues that most stakeholders agree should be addressed, it may make sense to focus on implementing solutions to these core issues rather than spend time debating the areas of difference.
- While the US government should take stakeholder positions into consideration while negotiating, the role of the government is to make the responsible choices with regards to limiting impacts on health and environment (even if not all stakeholders are behind this).
- Government and stakeholders can draw on existing legislation and/or legislation currently in consideration (i.e Break Free From Plastic Pollution Act and California legislation) for pointers on how to address value chain and social and environmental externalities. That being said, lack of policy should not stand in the way of setting ambition to achieve circularity.
- The US can focus on achievable solutions while also preparing for a future in which even more ambitious action will be possible. As perspectives and political will may shift in a few years when a Treaty would need to be ratified, opening the door to more ambitious opportunities, we can strive to think beyond the limits of what is politically and logistically feasible today.
- Greater inter-state organization and coordination could enable the US to scale-up state-level key learnings to achieve goals at the national level.

- There are concerns about potential barriers, including the cost of solutions (where does the funding for innovations and infrastructure come from?), the possibility that some industries and stakeholders can hold back the ambition of the majority who are aligned, and overemphasis on future innovation that may or may not materialize. Possible barriers should be considered and addressed in a US implementation plan.

POSSIBLE TREATY GOALS AND OPPORTUNITIES

- Possible goals of a Treaty could include:
 - Enable developed countries to simultaneously shoulder their fair share of the burden and proactively support adequate infrastructure in emerging markets so they can avoid the same pitfalls as the US has faced.
 - Incentivize a race to the top and drive innovation
 - Reduce quantities of plastic in the environment, in part by capping, reducing, or phasing out upstream sources and virgin plastic production
 - Limit transboundary shipments of plastic materials
 - Promote and/or fund adequate infrastructure for all Treaty targets
 - Set standards and definitions that outline clear expectations
- Possible opportunities for what could be included in a US implementation plan could include:
 - Re-evaluation of subsidies to the oil and gas industry to repair the incentives that pollute the planet and rebalance where profits can be derived (C-G)
 - Promotion of dignity and opportunity for those involved in reclaiming plastics and other materials (“waste reclaimers” “plastic pickers” “canners”) etc.
 - Improvements in recycling, composting, and reuse infrastructure, including increasing access to this infrastructure and improving consumer behavior while shifting away from landfills.
 - Implementation of deposit return systems
 - Inclusion of levers that incentivize recycled content, higher rates of recycling, and reuse systems
 - Incentivization for companies and industries to work together to advance clean streams of alternative and/or reusable materials
 - Inclusion of market instruments that can decrease risk associated with companies sourcing recycled content and new materials and incentivize reuse/refill
 - Harmonization of standards and metrics; increased use of data to measure progress and success
 - Standardization of what can be collected across state and what “recyclable plastic” is (needed at both domestic and international levels)
 - Simplification of the numbers and types of products and packaging to increase efficiency
 - Establishment of reuse/refill systems, including through creating attractive designs that increase consumer uptake, pushing for reuse infrastructure, and demonstrating the value of reuse and return systems. Reuse and return can be integrated with existing waste management systems to decrease the need for new infrastructure.

CONCLUSION

There is a clear opportunity to act on the global plastic pollution crisis, and the US must be a global leader on this issue. In addition to negotiating a strong Treaty, US stakeholders should also consider opportunities to make progress independent of a Treaty. If all parties are committed to decreasing plastics, mitigating their impacts, and striving to reduce carbon emissions, immediate changes are also possible. These include conducting life cycle assessments to understand materials used and their impacts across companies, building infrastructure and support for reuse/refill systems, increasing education and research funding, and/or passing legislation that addresses aspects of the crisis. There is a need to examine what can be moved forward in the US, even when legislation is hard to pass. Significant progress can be made before a Treaty is in place if all parties are truly committed to decreasing plastics, mitigating the impacts of plastics, and striving to reduce carbon emissions.