

Friends of the Earth International demands for the binding treaty on plastics



Friends of the Earth International is active in the process of developing an ambitious new global Plastics Treaty that seeks to end plastic pollution by dramatically reducing plastic production, consumption and trade, and scaling up system change solutions. The following are our demands:

Scope of the new Treaty

The new Plastics Treaty must address the whole lifecycle of all plastics and associated pollution, but addressing upstream production controls and trade-related issues in the plastic cycle is of particular importance. Friends of the Earth International notes the scope of the Treaty was already agreed upon in the UNEA Resolution 5/14, which stated that *"The intergovernmental negotiating committee is to develop an international legally binding instrument on plastic pollution, including in the marine environment, which could include both binding and voluntary approaches, based on a comprehensive approach that addresses the full life cycle of plastic."*

Binding rules – not a voluntary approach

We emphasise the strong importance of binding measures and global targets to address the plastic and interlinked climate and biodiversity crisis. Voluntary approaches to global governance and corporate regulation have failed historically, and as such should not be included within the Treaty's architecture of core obligations.

Ambitious global target to reduce plastic production

Currently, global plastic production is predicted to triple by 2050. The new legally binding Plastics Treaty must outline a mechanism to cap and phasedown global plastic production and consumption through international targets and national actions. This should include bans, restrictions, caps, the phaseout of producer petrochemical subsidies and other control measures to ensure the phase out of all harmful plastic polymers, additives, materials or products, with the option for essential use exemptions where plastics are critical for health or safety (e.g. some medical sector plastic uses).

Stop the dirty trade in waste and harmful plastic products

Millions of tonnes of low-grade, dirty and mixed plastic waste is dumped on the countries in the Global South each year, where they are often simply incinerated, landfilled or allowed to leak into the environment. The Plastics Treaty must bring an end to this waste colonialism and be complementary to existing measures under the Basel Convention on Transboundary Movement of Hazardous Waste and their Disposal which seek to regulate the plastic waste trade. The Treaty should seek to ban all plastic waste exports from the Global North to the Global South. Plastic waste exports should only be permitted when intended to ensure the safe management of plastic waste in the event that exporting countries lack corresponding infrastructure and environmental regulation. Further trade measures and coordination will be needed to guarantee that

the Treaty provisions, including bans on certain types of plastic products, chemicals and additives, can be properly enforced. Monitoring of the import and export of primary forms of plastics and midstream forms of plastics will also be crucial.

Hold transnational corporations accountable

Transnational Corporations contribute to every part of the plastic pollution life cycle; from fossil fuel extraction to petrochemical production and Fast Moving Consumer Goods corporations single use plastic packaging. Pollution from brands like Nestlé, Coca-Cola and Unilever has been repeatedly found in our environment as evidenced by brand audit campaigns undertaken by Friends of the Earth groups and others. Considering plastics are composed of 99% fossil fuels, polluting corporations are becoming increasingly reliant on plastic products and production and continue to expand production, undermining action on climate change. The Global Plastics Treaty must recognize the central role of transnational corporations in causing the plastic pollution crisis and consider direct obligations and targets to regulate their impact. It should explore synergies and learnings from the negotiations on the UN Binding Treaty on Transnational Corporations and Human Rights on this matter.

No greenwashing or false solutions

An ambitious plastics treaty must not be undermined by false solutions such as plastic credits, plastic offsets, chemical recycling, waste-to-energy, co-firing, co-processing and/or plastic-to-fuel processes that reinforce the current harmful systems and enable big businesses to profit from the problem without addressing it. We demand that this Treaty be based on strong control measures and go beyond nice words and greenwashing that leads to false impressions based on misleading information.

Stop corporate capture

There has been a visible presence of corporate actors in certain UN spaces and a growing number of partnerships between companies and lobby platforms with UN institutions. We recognise that plastic-producing and fossil fuel corporations have an evident conflict of interest with the achievement of an ambitious binding treaty on plastics. The Treaty should follow the example of the World Health Organization (WHO) and the UN Framework Convention on Tobacco Control (UNFCTC). In particular, article 5.3 of the UNFCTC, which states: *"In setting and implementing their public health policies with respect to tobacco control, Parties shall act to protect these policies from commercial and other vested interests of the tobacco industry in accordance with national law."*

Just transition and a human rights-based approach

The new Plastics Treaty should be human rights-based, with reference to the universal rights to access to information, participation in decision-making, freedom of expression, rights to a safe, clean, healthy and sustainable environment and other fundamental rights. A transition based on justice is one that upholds human rights and includes communities working in the plastics sector and those impacted by plastic pollution on the basis of Free, Prior and Informed Consent, and inclusive and participatory democracy. The Treaty should put the rights of Indigenous Peoples, local communities, workers, youth and women at the forefront. Waste pickers and workers are key actors in the elaboration of the Treaty and national plans and policies should provide them with fair and reliable compensation for their public service of waste collection and sorting. A just transition will ensure that those most affected by plastic pollution do not bear the costs of the transition. Waste pickers and other workers in the plastic industry must also be supported in shifting to other positions within the zero waste and reuse economy.

Finance for the Global South

It is important to recognise the impact of colonialism and asymmetries of development within the implementation, compliance and outcome of the Treaty. The principle of common but differentiated responsibilities should apply to finance under the global Plastics Treaty, which should establish a dedicated global implementation fund with contributions from Global North countries to support Global South countries and economies in transition to comply with Treaty obligations. New finance mechanisms should not be in the form of debt schemes, but rather grants.

Support system change solutions

System change solutions to the plastic pollution crisis acknowledge the root causes of the crisis: the fossil fuel industry, corporate globalisation, neoliberalism, capitalism and extractivism. The Treaty must therefore support solutions that aim to reduce, reuse and redesign plastic products while scaling up reusable alternatives. This can be achieved through the 'Reuse Revolution', with policies like quotas for reusable product packaging and industrial packaging, green procurement, repair and reuse of public services, co-operatives and financial and regulatory support to alternative delivery systems. Solutions should do no harm to the climate, biodiversity, human rights and ecosystem health and be affordable for people.

Zero waste hierarchy

The Treaty must be based on the Zero Waste Hierarchy, with a focus on refuse, reduction, repair, reuse and redesign of materials, enabling us to break free from single-use plastics. Recycling must be a system of last resort and the Treaty should include new control measures on material and product design, reuse and repair requirements, toxins in plastic destined for recycling and toxic emissions from the management of wastewater, gaseous emissions, and plastic residues or microplastics from the recycling process.

Transparency and the phase-out of toxic chemicals

A core element of the Plastics Treaty must be transparency and traceability. This could be achieved through a global, harmonious, transparent and binding exchange of information on the chemical and polymeric composition of materials/products, the traceability of disclosed chemical information and plastic production volumes, exports and imports. This core element must be supported by control measures, such as a transparency standard on chemical disclosure, restrictions and bans on problematic chemicals and polymers, and restrictions of certain plastic types to essential uses. Criteria for these control measures has yet to be established but could be included in the annexes to the Treaty.

Note: Some of the text for this position comes directly from the GAIA network and Health alliances from which many FoE groups are members.

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