

INC-2 Plastic Pollution Treaty

Second session of the Intergovernmental Negotiating Committee for the development of an international legally binding instrument on plastic pollution, including in the marine environment (INC-2). 29 May – 2 June 2023, Paris, France

Key messages

- The INC-2 is taking place as plastics waste and chemical pollution are contributing to the triple planetary crisis relating to biodiversity, climate, and pollution.
- Transformational change to humanity's current way of living – from linear to circular – is not only vital, but also of economic interest.
- A circular plastics economy has important potential benefits for nature but needs to be integrated more closely with biodiversity policies and strategies.
- A just transition requires decisive local and global action from all countries and all sectors along the plastic value chain and across society.
- IUCN calls on Parties at INC-2 to request the elaboration of a zero-draft of the Treaty for discussion at the 3rd session of the INC in November 2023.

As part of the triple planetary crisis, pollution is one of the major drivers of biodiversity loss and ecosystem degradation, and plastic pollution is detrimental to our terrestrial, freshwater and marine biodiversity and ecosystems, upon which livelihoods and economies depend. A healthy environment is not only the basis of humanity's means of support, welfare and economies, but it is also a human right. Most of the Sustainable Development Goals (SDGs) are affected by plastic pollution in some manner. The SDGs, especially in Low- or Middle-Income Countries (LMICs) or in Small Island

Developing States (SIDS), cannot be achieved if plastic pollution is not addressed.

There are increasing requests for action to tackle plastic pollution as evidenced in IUCN Resolutions ([7.019 - Stopping the global plastic pollution crisis in marine environments by 2030](#) and [7.069 - Eliminate plastic pollution in protected areas, with priority action on single-use plastic products](#)) or through international biodiversity goals and targets (Target 7 of the Kunming-Montreal Global Biodiversity Framework (GBF)), the SDGs (in particular SDG12 and associated targets), and the recently agreed [High Seas Treaty](#).

Also, various parallel processes and activities under the broader pollution agenda address plastic pollution, such as:

- UNEA resolution UNEP/EA.5/Res. 8 [to establish a Science-Policy Panel to contribute further to the sound management of chemicals and waste and to prevent pollution](#);
- Basel, Rotterdam and Stockholm Conventions on Chemicals and Waste ([BRS MEAs](#))¹ and other multilateral environmental agreements such as the [Minamata Convention on Mercury](#); and the Strategic Approach to International Chemicals Management ([SAICM](#)) – Process;
- UN General Assembly “Zero Waste Initiative”²;
- WTO engagement to address trade and plastics regulation issues, including through the WTO Dialogue on Plastics Pollution and Environmentally Sustainable Plastics Trade³.

As a major threat to biodiversity, welfare and human health, transformational change to our plastics production and consumption patterns – from a linear to a circular

¹ The Basel, Rotterdam, and Stockholm Conventions commissioned an independent [report](#), produced by the University of Wollongong, Australia, with inputs from various actors, that provides the first comprehensive mapping of the existing global governance landscape for plastics and associated chemicals.

² Resolution adopted by the General Assembly on 14 December 2022, called “Promoting zero-waste initiatives to advance the 2030 Agenda for Sustainable Development”, recommends – inter alia – the continuation of the discussion on zero-waste initiatives within the

relevant United Nations entities, on the basis of verified data on sustainable and environmentally sound waste management, among other considerations, within their work on sustainable consumption and production ([N2275633.pdf \(un.org\)](#)), considering “waste pickers” and role of municipalities.

³[WTO | Plastics pollution and environmentally sustainable plastics trade](#)

economy – is needed⁴. Circular economy has important potential benefits for nature, but needs to be integrated more closely with biodiversity policies and strategies. This will help ensure unintended negative impacts are avoided while strengthening its positive contribution to nature⁵.

The INC process provides a unique opportunity for the global community to reinforce plastic pollution governance at the interface of human rights, environment and biodiversity, trade rules, and sustainable development, including a circular economy and a just transition.

Delegates to [INC-2](#) will discuss “*Potential options for elements towards an international legally binding instrument*” ([UNEP-PP-INC.2-4](#)), under Agenda item 4 ([Programme and Agenda](#)), including options for objectives, for substantive obligations, means of implementation and implementation measures.

Potential options for objective(s) (Section II A)

Three options set out:

- End plastic pollution; protect human health and the environment from its adverse effects throughout the life cycle of plastic.
- Protect human health and the environment from the adverse effects of plastic pollution throughout the life cycle.
- Reduce the production, use and discharge of plastics across their life cycle, including through the promotion of a circular plastics economy with a view to ending plastic pollution by X year and protecting human health and the environment from its adverse effects.



Possible Core Obligations (Section II B) - Substantive Obligations -



Source: UNEP 2023. Webinar [Towards a future global plastics treaty briefing on the "Options Paper"](#)

IUCN recommendations to INC-2

Based on its extensive work on plastics⁶, and in line with IUCN's [Position Paper](#) for INC-1 and its [submission to INC-2](#), IUCN calls on Parties to:

- ✓ **Agree to measurable, ecologically sustainable objectives, targets and actions to stop all plastic pollution by 2030 and end pollution from single-use plastics by 2025.** It is essential to ensure consistency across commitments made at various international fora and coherence across all these processes, including at the national level. Reducing plastic production and eliminating products and chemicals of concern will be key to achieving this outcome.
- ✓ **Ensure an inclusive, just and gender responsive process and an effective Treaty as an outcome.** The Plastics Treaty must be carried out with the full and effective participation of Indigenous peoples and local communities. Likewise, women and girls, whose equality is a fundamental prerequisite for sustainable development, must be empowered and included to achieve our environmental, social, and economic goals of a just transition and a circular economy.
- ✓ **Negotiate an ambitious Treaty.** The Treaty must be bold, embrace science-based tools and a wide range of environmental resources, upscale and redirect finance, incentives, and trade, and consider national and local contexts (municipalities, cities, informal sector, including Waste picker⁷, and SMEs) and capacities for implementation. Particularly, the Treaty should address priorities relating to ending plastic pollution along the proposed substantive obligations, following the waste hierarchy and the full life-cycle (up-stream, mid-stream, down-stream).
- ✓ **Mandate the INC-Secretariat to elaborate a zero draft of the Treaty for discussion at the INC-3 in November 2023.**

IUCN resources to support action against plastic pollution

IUCN supports the INC and the process of developing a new plastics Treaty by shaping critical coalitions, bridging scientific knowledge and legal, economic, and technical expertise.

In preparation for INC-2, together with many partner organizations, IUCN has been working to support

⁴ [Turning off the Tap: How the world can end plastic pollution and create a circular economy | UNEP - UN Environment Programme; Trade and environment review 2023 | UNCTAD.](#)

⁵ [New IUCN report: To fulfil its promise, circular economy must take biodiversity into account - News | IUCN](#)

⁶ IUCN's body of work on plastics can be found at [IUCN.org](#)

⁷ See [wastepickers](#) position paper on EPR.

national delegates with the best science and law viewpoints.

IUCN also offers tools to guide, monitor, and measure action against plastic pollution, including the [IUCN Red List of Threatened Species™](#), the [IUCN Global Standard for Nature-based Solutions](#), the [Species Threat Abatement and Recovery \(STAR\) metric](#), alongside emerging work on a nature positive approach and our well-advanced work on gender mainstreaming across MEAs.

The following actions and products are worth highlighting:

- Co-developed by the United Nations Environment Programme (UNEP) and IUCN, the [National Guidance on Plastic Pollution Hotspotting and Shaping Action](#) contributes to filling gaps in knowledge. It provides a methodological framework and practical tools applicable at national level.
 - The [Blueprint to zero plastic waste](#), developed by IUCN, with Searious Business is a complete Do-It-Yourself guide to reducing plastic waste on any island anywhere in the world;
 - The projects [Plastic Waste Free Islands \(PWFI\)](#) in the Caribbean and Pacific, and the [Plastic Free Islands](#) in the Mediterranean are exploring key human rights issues in the tourism, fisheries, and waste management sectors;
 - IUCN with GRID-Arendal partner in a new project: "[AFRIPAC: Effective plastic treaty capacity building: Africa and African SIDS](#)". This project aims to empower five African nations' negotiating skills for a strong Global Treaty on plastic pollution;
 - A series of six [legal briefs](#) developed by IUCN World Commission on Environmental Law (WCEL), on key elements for the Treaty, a glossary of terms, the structure of the Treaty, a just transition, treaty regime interaction, and circular economy and plastic life-cycle issues.
- A new "**Policy brief on treaty negotiations**", by WCEL outlining the key elements and steps in the legal process of treaty negotiations
 - IUCN, WCEL and CIEL jointly developed a brief on "**WTO Rules and Key Elements for Consideration in the Context of a Treaty to End Plastic Pollution**", outlining that trade policies be designed inclusively to foster non-discrimination and assistance to developing countries to allow them to tackle plastic pollution in a way that meets their obligations both under trade law and MEAs, while advancing on the SDGs.
 - A recently published [IUCN report](#) makes clear that in order to fulfil its promise, **circular economy** must take biodiversity into account. The **report** acknowledges the strong potential of the circular economy to achieve the international community's environmental targets. It also points out that some theories or practices associated with the circular economy concept today need to be carefully reconsidered to ensure they do not pose a risk to biodiversity. For instance, a growing demand for bio-based materials to replace plastics can result in increased land use pressures and habitat losses.

IUCN is committed and will continue to support the advancement of this important process through its tools and knowledge products as well as through partnerships with relevant actors and stakeholders.

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