



By: *Gordon Feller*

# Plastics Pollution Crisis - What Prospects for UN Negotiations?



The UN negotiations now under way on a future global plastics treaty face an uphill climb. A growing list of science-focused organisations are **calling** for a strong and ambitious global plastics treaty that addresses the full lifecycle of plastic, from production to disposal.

They urge negotiators to reach a deal that includes binding targets on plastic production, reduction, and recycling; measures to prevent plastic pollution from entering the environment; and support for countries to implement the treaty.

Some of the key demands of environmental organisations include a binding target on plastic production, which would help to reduce the amount of plastic that is produced and ultimately ends up in the environment.

They are asking for a reduction target for single-use plastics to reduce the number of single-use plastics that are used and discarded, such as straws, bags, and bottles.

Environmental activists are also asking for an agreement on a greater volume of plastic recycling and measures to prevent plastic pollution from entering the environment, such as bans on plastic microbeads and improved waste management systems.

They additionally seek financial and technical assistance to help countries implement the treaty's provisions more efficiently.

What to expect during the next phase of the global plastics treaty talks?

## End the plastic crisis

One key expert on these negotiations. Julie Teel Simmonds, told me that The Global Plastics Treaty process must focus like a laser on curbing plastic production, which is the single most important way to end the plastics crisis.

“If we make fewer plastic products, air and water pollution across the plastics lifecycle

will decrease and less plastic will ultimately end up in the ocean, wildlife and our bodies. A treaty won't be successful unless it starts with that phase-down objective”, said Julie Teel Simmonds, an attorney with the non-profit US-based Center for Biological Diversity.

As a representative of an organisation from the US, a large producer and consumer of plastic, Ms. Simmonds asked the US government to take a much stronger stance in negotiations than it has to date. “We want the United States to align with other countries pushing for mandatory, ambitious and enforceable measures to curb plastic production, consumption and pollution”.

**Delegates at the UN are mindful that environmental and social harm caused by plastic waste and pollution have led to a surge in new national government laws and policies**

Right now, the U.S. is still in a 'low ambition' posture and seems poised to try to water down the treaty by proposing weak provisions in lieu of strong global mandates.

That said, I choose to remain cautiously optimistic that the U.S. delegation will change its mind in response to the overwhelming science, the unacceptable risks, and the reasoning of other countries that are willing to do what it takes with the speed required to protect health, climate and biodiversity.

Delegates at the UN are mindful that environmental and social harm caused by plastic waste and pollution have led to a surge in new national government laws and policies.

Many of these **new rules are designed** to control the production and use of single-use plastic products. The legislation which is currently being developed by countries and cities is not, however, always comprehensive or effective. Often, there is a lack of clear guidance on what should be included.

## Focus on single-use plastic products

Plastic products designed to be used only once before they are disposed of, termed “single-use plastic products”, are increasingly regulated by governments concerned about the environmental, social, health, or other impacts of plastic waste and pollution.

Now, at UN negotiations, some of the most used national and regional regulatory approaches are being vigorously debated.

The focus is on addressing the environmental impacts of marine plastic litter and pollution from single-use plastic products.

New global rules are being debated which would regulate plastic production and consumption in ways that reduce the harmful impacts of single-use plastic products.

Other approaches focus on promoting alternatives, and/or improving the management, recycling, and final disposal of single-use plastic waste.

For example, bans and restrictions directly prohibit the production, importation or exportation, distribution, sale, or use of one or more single-use plastic products.

**Product standards, certification, and labeling requirements can be designed to target sustainable alternatives to single-use plastics or to mitigate the harm caused by single-use plastics**

Also, economic instruments impose taxes to deter production or use of single-use plastics or offer tax breaks, subsidies, or other fiscal incentives to encourage the production and use of alternatives to single-use plastic products.

Product standards, certification, and labeling requirements can be designed to target sustainable alternatives to single-use plastics

or to mitigate the harm caused by single-use plastics.

Among the principal regulatory approaches are Extended Producer Responsibility (EPR) schemes, which use a combination of regulatory approaches to extend manufacturers' responsibility for single-use plastic products throughout their life cycle, including to the end-of-life stage.

Other regulatory approaches that have been legislated to effect a change in consumer and producer behavior include consumer education programs, funds or prizes; public procurement requirements; reuse incentives; and public-private partnerships.

## Significant funds are at stake

A wave of global initiatives is now building momentum, all of them aiming to tighten regulations in ways which will reduce waste-streams. Looking at these initiatives, what is likely to transpire during the coming months and years?

Each of these multilateral agencies now have major initiatives underway, plus some others (such as EBRD, based in London). Significant funds are at stake -- tens of billions of pounds, in fact.

The US State Department's Bureau of Oceans and International Environmental and Scientific Affairs (OES), leads the negotiation process for the US. During the first negotiations meeting in Uruguay for a global plastics treaty, the US put forward some ideas which aimed towards a treaty which is “ambitious, effective, and enforceable”.

The US government says that it believes the treaty should set ambitious targets to reduce plastic pollution, including a phase-down of the most harmful single-use plastics.

They also advocate establishing binding obligations on countries to meet their targets and providing for strong enforcement mechanisms to ensure that countries comply



with their obligations.

According to the US government, the treaty should promote innovation and technology transfer to help countries reduce plastic pollution and support developing countries in their efforts to reduce plastic pollution.



*The US government is likely to face pressure from environmental NGOs to adopt a more ambitious position, but it is also likely to face resistance from industry groups*

The US negotiators say that they are also open to the idea of a treaty that includes a mix of voluntary and mandatory measures, as long as the treaty is ambitious and effective.

However, the US government has been criticised by environmental advocacy NGOs for not being ambitious enough in its approach to the plastics treaty.

Environmental NGOs want the US government to support a treaty that includes a binding cap on plastic production, a phase-down of all single-use plastics, and strong enforcement mechanisms. They argue that the current US government position is not sufficient to address the global plastic pollution crisis.

The US government has defended its position, arguing that it is the most realistic and achievable approach to a plastics treaty.

The US government believes that a treaty that is too ambitious will be difficult to negotiate and implement, and that it will ultimately be ineffective. US negotiators are also concerned about the economic impact of a binding cap on plastic production.

The US government is likely to face pressure from environmental NGOs to adopt a more ambitious position, but it is also likely to face resistance from industry groups.

The US government's representatives have said that they will need to balance these competing interests in order to reach an agreement that is both effective and achievable.