

Introduction

U.N. member states, international organizations, business and NGOs are negotiating an international legally binding instrument ("agreement") to reduce plastic pollution. The negotiations should be finalized by the end of 2024. After briefly explaining the negotiation process, this paper will outline what the global chemical distribution industry believes are the key elements for the agreement.

2. Process

The U.N. Intergovernmental Negotiating Committee on Plastic Pollution is charged with developing the first international, legally binding treaty on plastic pollution on land and at sea. The fourth negotiating round (of a planned five sessions) will take place in April in Ottawa, Canada.

The earlier sessions have resulted in a so-called zero draft – a first iteration of ideas and goals that emerged. So far, nations have failed to narrow down the proposals in the draft treaty, or even to give the secretariat a mandate to prepare a first draft text. After the last negotiation round, a "new zero-draft" was produced. It has been expanded with new options that make further negotiations more complex and the risk of deadlock greater.

At the start of the negotiation process, it was tacitly agreed, after lengthy discussions, to proceed by consensus and implicitly to avoid resorting to a majority voting procedure. Add to this the complexity of the topic and the variance in the positions of countries, and it becomes clear that it is unlikely that the stated deadline of end-2024 will be met. However, it should be noted that a majority voting procedure has been provided for in the rules of procedure.

3. Zero-draft

The zero-draft has an ambitious structure, listing the various proposals put forward by the countries at previous meetings for addressing each major challenge. The zero-draft's spectrum of options contain various variations of approaches that can be more or less prescriptive or concrete. It includes proposals for reducing plastics production, stimulating use of recycled materials, phasing out single-use plastics, promoting alternative materials and limiting the use of chemicals of concern.

4. ICTA positions

ICTA supports the overarching objective of protecting human health and the environment from the adverse effects of plastic pollution. At the same time, we should retain the societal benefits of plastics. We must accelerate the transition to a circular economy in which plastics and plastic products are sustainably produced, designed, used, reused, and recycled instead of discarded. This would allow plastics to continue to contribute to the UN Sustainable Development Goals.

Therefore, ICTA calls for an ambitious agreement that contains mandatory elements for the entire plastic value chain, both upstream (responsible polymer production) and downstream (sound waste management). It should unlock innovation and investment in plastics circularity. While the agreement may cover all plastics, countries should consider a phased approach, initially focusing on high risk additives and high leakage items.

The agreement should require national action plans, supplemented with enabling policies and global targets for reducing plastic waste and increasing the use of recycled content. It should also secure that sufficient recycled feedstock becomes available. Such demand signals for the transition to a circular economy would promote innovations throughout supply chain.

4.1 Towards a clean and healthy environment

The agreement must promote the transition towards a circular economy.

During manufacturing, this can be achieved by stimulating:

- Recycled and non-fossil feedstocks inputs based on the waste hierarchy (e.g. don't promote biofuels over bio-feedstocks for the chemical industry) ;
- Regulation or elimination of polymers and chemical additives with very high environmental or human health hazards, based on a globally harmonized list;

- Mass balancing that allows recycled content to be monitored reliably through complex manufacturing and distribution supply chains;
- Creating well-designed plastic products that enable waste minimization, because they are durable, easy to reuse and recyclable.

During trade and distribution, this can be achieved by stimulating:

- Banning exports and imports of polymers and chemical additives with very high environmental or human health hazards, based on a globally harmonized list, except where
 - o production or use of such chemical is permitted under this instrument;
 - o prior informed consent of the importing State is present;
 - o an export permit has been issued by the exporting State;
- Full implementation of the harmonized packaging, labelling (GHS) and transport (TDG) requirements;
- Full implementation of the harmonized customs code (HS);
- A supportive and open international economic system that would lead to sustainable economic growth and development in all States, thus enabling them better to address plastic pollution; and
- Allowing transboundary movements of plastic waste, as defined by the Basel Convention, only for the purpose of environmentally sound disposal.

During consumption, this can be achieved by stimulating:

- Policies to limit use of single-use plastics;
- Policies to limit use of plastics products with a high risk of leakage into the environment (e.g. plastic bags);
- Using plastics only in applications when they are the best option based on a broad and scientific cost-benefit analysis; and
- Consumer awareness and behavioural changes.

During waste collection and recycling, this can be achieved by stimulating:

- Universal access to waste collection and environmentally sound waste management;
- Chemical and mechanical recycling of plastics. Both recycling methods reduce the need for burning waste and should be treated the same under the waste hierarchy;
- Recyclability and recycled content targets at State level; and
- Sustainable financing, e.g. in the form of Extended Producer Responsibility

4.2 Social impacts

The agreement must maximize positive social impacts, by stimulating:

- A fair, equitable and inclusive transition with special consideration for women, children and youth.
- Recognition of the benefits of plastics to society and the need to consider the social and economic impacts of measures;
- Participation and social advancement of the informal sector waste/recycling workers. Marginalized and vulnerable communities are disproportionately affected by plastic pollution. The transition to a circular economy must be equitable and safe for them;
- A fair, equitable and inclusive transition with special consideration for women, children and youth.

4.3 Effective implementation

The agreement must support effective implementation, by:

- Establishing clear definitions;
- Using the supply chain and value chain perspective consistently and throughout;
- Holding States accountable through national action plans;
- Promoting transparency and data collection to work towards one-substance-one-assessment everywhere;
- Utilizing a science-based approach and relying on best available science, including the use of a risk-based approach;
- Maximizing the participation of UN member states and fostering multistakeholder participation;

- Increasing transparency;
- Unlocking public-private investments;
- Coordinating across existing multilateral agreements on chemicals management to prevent duplication of efforts and increase information sharing.

5. Conclusion

ICTA advocates a global agreement to achieve the goal of eliminating plastic pollution while retaining the societal benefits of plastics. Our positions reflect this ambition and are grounded in our unique knowledge of materials and supply chains. We see a clear need for working collaboratively and globally to accelerate progress toward eliminating plastic pollution.

ICTA

The International Chemical Trade Association represents the chemical distribution industry and promotes the safe and sustainable use of chemicals. The chemical distribution industry has an important role in enabling chemistry to make a positive impact, while managing the associated risks. Aside from taking responsibility for the safety of their own operations, chemical distributors interact with their customers and suppliers to maximize risk management measures and safe use. For more information visit www.icta-chem.org.