



INC-3 Plastic Pollution Treaty

Third session of the Intergovernmental Negotiating Committee for the development of an international legally binding instrument on plastic pollution, including in the marine environment (INC-3). 11 – 19 November 2023, Nairobi, Kenya

Key messages

- Addressing the triple planetary crisis and the threats posed by plastic pollution require strong international legal responses, ensuring coherence between commitments made by States at various international and regional Treaties.
- Despite positive efforts from countries to tackle elements of plastic pollution, Governments must ambitiously reduce plastic production, phase out harmful subsidies, eliminate products and chemicals of concern, and agree on an effective and inclusive, just treaty to end all plastic pollution by 2030.
- IUCN welcomes the Zero Draft for discussion at INC-3 as an important step in this endeavour and urges Parties to mandate the INC-Secretariat to elaborate a first draft of the Treaty, emphasizing the need for treaty convergence, coherence, and complementarity, in particular with biodiversity related policies.
- Embedding nature and people as an ally will be a critical step towards achieving the Global Biodiversity Targets, the Sustainable Development Goals, and the commitments of the High Seas Treaty.

Despite positive efforts from some countries to tackle elements of plastic pollution, such as bans on certain forms of single-use plastics, a Plastics Treaty is essential because plastic pollution is transboundary, it threatens

biodiversity and ecosystems, and impacts most heavily the vulnerable countries.

At this third session of the INC, Government representatives and observers, will discuss the [Zero Draft](#) text of an international legally binding instrument on plastic pollution, including in the marine environment.

This takes place as various other 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](#)²; and the Strategic Approach to International Chemicals Management ([SAICM](#)) Process with its outcomes, the “Global Framework for Chemicals – For a Planet Free of Harm from Chemicals and Waste” and the “Bonn Declaration – for a Planet Free of Harm from Chemicals and Waste,” adopted on the 30 September 2023 at the [Fifth session of the International Conference for Chemicals Management \(ICCM5\)](#);
- UN General Assembly “Zero Waste Initiative”³;
- The [WTO Plastics pollution and environmentally sustainable plastics trade engagement](#)⁴.

¹ BRS report (2021) on [Interlinkages between the Basel, Rotterdam and Stockholm Conventions and other Multilateral Environmental Agreements \(brsmeas.org\)](#).

² Report Minamata Secretariat (2023) on [Contribution of the Minamata Convention to the Kunming-Montreal Global Biodiversity Framework | Minamata Convention on Mercury](#)

³ 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, considering “waste pickers” and role of municipalities.

⁴ See further UNEP and TESS (2023), [Nature-Positive-Trade-for-Sustainable-Development](#): Opportunities to promote synergies between the Kunming-Montreal Global Biodiversity Framework and work on sustainable trade at the WTO” and the [BioTrade Initiative of UNCTAD](#).

Furthermore, international goals and targets, such as Target 7 of the Kunming-Montreal Global Biodiversity Framework (GBF), SDG12, on sustainable consumption and production and its associated targets, as well as the recently agreed [High Seas / Biodiversity Beyond National Jurisdiction \(BBNJ\) Treaty](#) also request for action to tackle plastic pollution while simultaneously addressing the interlinkages between biodiversity loss, chemicals and waste, climate change and pollution. 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](#) guide the work of the entire Union on this topic.

IUCN recommendations to INC-3

In line with its previous positions for INC⁵, its [submissions for INC-3](#), and based on its extensive work on plastics⁶, IUCN calls on Parties to:

- ✓ **Ensure uniformity between commitments made by States at various international and regional treaties**, emphasising the need for coherence and treaty convergence in terms to ensure that these commitments are mutually supportive rather than mutually exclusive. These efforts should include, in particular the implementation Target 7 of the GBF at the national level, and the High Seas Treaty, and be aware of the differing timelines and mandates that currently exist between many of these treaties.
- ✓ **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, addressing the circularity of production and consumption patterns (SDG 12) in line with biodiversity targets.** Importantly, States' national and local circumstances and capabilities (municipalities, cities, informal sector, and SMEs), as well as obligations under other relevant MEAs must be considered. Reducing plastic production, phase out harmful subsidies, and eliminating products and chemicals of concern will be key to achieving this outcome, as will the adoption of strong national plans, national reporting requirements, and a robust compliance mechanism.
- ✓ **Ensure an inclusive, just and gender responsive process and an effective Treaty as an outcome**, embedding nature and people as an ally in efforts to address plastic pollution. The Plastics Treaty must be designed and implemented so as to ensure 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, that is nature positive.

Thus, IUCN urges Parties to:

- ✓ **Mandate the INC-Secretariat to elaborate a first draft of the Treaty** for discussion at the INC-4 in April 2024, emphasizing the need for treaty convergence, coherence and complementarity between the future Plastics Treaty, the Convention on Biological Diversity, associated Protocols and the GBF (especially Target 7), and the [High Seas Treaty](#).

IUCN resources to support action against plastic pollution

In preparation for INC-3, together with many partner organizations, IUCN has been working to support national delegates with the best science and legal expertise, with a focus on nature conservation and convergence with biodiversity goals and targets. Through its engagement in the INC, IUCN aims also to showcase Nature-based Solutions, alongside emerging work on a nature positive approach and our well-advanced work on gender mainstreaming across MEAs.

IUCN highlights the following resources **for negotiators**:

- [Summary of the Zero Draft](#) version of the "Global Plastics Treaty" for negotiators in English, French, and Portuguese.
- [A series of ten legal briefings](#) developed by IUCN World Commission on Environmental Law (WCEL), in [English](#), [French](#), and [Portuguese](#), on Definitions, Just Transition, Circular Economy, Regime Convergence with other MEAs, links to the SDGs and the Global Biodiversity Framework, and links to Free Trade Agreements.
- A brief on [National Action and Implementation Plans - Key Elements to Consider in the Context of a Treaty to End Plastic Pollution](#) developed by CIEL, IUCN and WCEL. Also available in [French](#), and [Portuguese](#)
- IUCN and GRID-Arendal partner in a 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;

⁵ IUCN's [Position Paper](#) for INC-1 and [Policy Brief](#) for INC-2.

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

- [QUNO/IUCN Submission on Subsidies](#), providing background information and elaborating on what language could be used to discipline subsidies to plastics production in an eventual Plastics Treaty;
- 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.

The following resources support actions to tackle plastic pollution at the national level:

- 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 to enable countries to prioritize interventions to abate plastic pollution at the 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 arising from plastic pollution in the tourism, fisheries, and waste management sectors - through a gender lens⁷;
- Summaries of research on the [economic impacts of plastic pollution in the Caribbean](#).
- End Plastic Pollution International Collaborative ([EPPIC](#)) Project, a new Public Private Partnership, hosted by IUCN with partners the Aspen Institute (USA), The Ocean Foundation (USA), and Searious

Business (NL), with initial seed funding from the U.S. Department of State seeks to galvanize global action on plastic pollution by supporting projects around the world to make the full lifecycle of plastic more sustainable, starting with efforts to change the design and use of plastic products;

- The [IUCN report “Towards a circular economy that begins and ends in nature”](#) 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 legal advice, tools and knowledge products as well as through partnerships with relevant actors and stakeholders. In particular, **IUCN stands ready to support negotiators with proposed legal text**, considering the interlinkages between the chemicals and waste agenda, the proposed Zero Draft text of a future Plastics Treaty and the international biodiversity laws, goals and targets, including the High Seas Treaty.

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⁷ A [report from the IUCN Plastic Waste Free Islands project](#) answers the question, “What are key human rights issues arising from plastic pollution in the tourism, fisheries, and waste management sectors in

the PWFI islands and how do these issues impact men and women differently?”