UN Treaty to End Plastic Pollution

Why in news?

Recently Intergovernmental Negotiating Committee (INC), under the United Nations Environment Programme (UNEP), met in Nairobi for its third round of negotiations to develop an international legally binding instrument to end plastic pollution worldwide.

What is Intergovernmental Negotiating Committee (INC)?

- The committee is formed to develop the instrument on plastic pollution.
- **Comprehensive approach**- It addresses the full life cycle of plastics, including its production, design, and disposal.

Session	Year	Location
INC-1	2022	Punta del Este Convention and Exhibition Centre
INC-2	2023 (May-June)	Paris, France
INC-3	2023 (November)	Nairobi

- **Zero draft text-** INC-3 was a make-or-break opportunity as countries came together to negotiate the 'zero draft' text developed by the Committee's Secretariat, with various options for core obligations and control measures.
- **UNEA Resolution 5/14**- UNEA adopted a resolution to develop an international legally binding instrument on plastic pollution, including in the marine environment.
- **Aim**-The resolution has the ambition to complete the negotiations to frame the instrument by end of 2024.
- The INC is responsible for delivering a global plastics treaty by 2025.

What is zero draft text?

> *It is a preliminary version of a document that contains various options for potential provisions or elements of the document.*

- **First draft-** The text is 1st draft of the *global plastics treaty* that could support progress on reducing, circulating, and preventing plastic pollution.
- **Developed by-** INC chair and the Secretariat
- **Guidelines-** The draft is based on the mandate given by the INC-2 in Paris.
- **Negotiation process-** The text was a good starting point for the negotiations because it catered to ambitions at all levels
  - Strong and binding
  - Moderate and flexible

    - Weak and voluntary

- **Role of civil society-** INC-3 saw a high participation of civil society organisations especially from the *Global South* that advocated for a strong and binding treaty to end plastic pollution.
- **Reduce plastic production**- Countries affected by plastic pollution like Kenya, Norway, and the European Union, argue that the life cycle starts at production, in order to include production in the treaty.
- **Penalty**- The draft contains options such as imposing a plastic-pollution fee, to be paid by plastic polymer producers.
- **Fund**- The draft contains the provisions like reducing the financial flow into projects with a high carbon footprint.
- **Environment health**- Countries will have to cut, if not eliminate, *fossil-fuel subsidies* and investments in *environmentally disfavourable technologies* such as incineration and waste-to-energy plants.
- **Strong binding provisions**- African group of countries and Small-Island Developing States (SIDS) played an important role for the high-impact elements in the treaty.
- **Voice for human rights**-They championed the voices of waste-pickers and Indigenous peoples, and approached the treaty from human-rights and public-health perspectives.

What are the challenges faced during the negotiations?

- **Opposition-** The negotiations was opposed by group of like-minded countries that opposed many of the upstream and ambitious measures in the text.
- **Flexible measures**- Opposed countries also argued to include a clause on sustainable development to protect their economic interests and investments.
- **Bulk size-** INC-3 did not adopt the mandate to proceed with developing the first draft of the treaty, as the draft text had tripled in size with many additions and deletions by the member states.
- **Influence of industry-** Fossil fuels and chemicals industry had a high presence of lobbyists at the negotiations. They object to eliminating compounds and polymers of concern and problematic and avoidable plastics, which are key in ending plastic pollution.
- **Exclusion of production-** Some countries argued that the life cycle starts at product design, in order to exclude production from the scope of the treaty, this would undermine the effectiveness of the treaty in tackling the root causes of plastic pollution.
- **Financial provisions-** The same like-minded group demanded that provisions like plastic pollution fee and financial control to be deleted altogether from the draft.
- **Plastic trade-** The plastics treaty is expected to plug the holes left open by the Basel Convention, any restrictions on trade is considered to be impinging on the freedom and sovereignty of nations.
- **Rules of procedure**- In INC-2 there was no concrete outcome in it, even as a handful of countries, including India, continued to demand consensus-based decision-making instead of a two-thirds vote majority.
- **Vagueness**- There is no clear cut definition for "*environmentally sound management*", instead terms such as best available science and best available technology continue to

be used.

What lies ahead?

- The negotiations failed to adopt a mandate for developing the first draft of the treaty, and that no intersessional work will take place before the next meeting in 2024.
- INC-3 exposed the considerable influence of industry and revealed those member states that are opposed to a strong binding treaty to end plastic pollution.
- The need of the hour is more pressure and action from civil society and other stakeholders to push for a robust and effective treaty.

Quick facts

Basel Convention
• It is an international treaty that was designed to reduce the movements of hazardous waste between nations and specifically to prevent transfer of hazardous waste from developed to less developed countries. • **Aim-** To protect the human environment from the adverse effects of hazardous waste that is generated, managed and disposed of in the world community • **Adopted-** In 1989 by the Conference of Plenipotentiaries in Basel, Switzerland. • **Coverage-** It covers a wide range of wastes, such as industrial, medical, household, and plastic wastes, that are defined as hazardous based on their origin, composition, characteristics, or potential harm

References

1. The Hindu- UN treaty status to end plastic pollution
2. IUCN- Plastic pollution treaty

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