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The Center for Oceanic Awareness, Research, & Education

Proposed response template on the potential options for elements towards an international legally binding instrument by The Center for Oceanic Awareness, Research, and Education (COARE)

Name of country (for Members of the committee)	N/A
Name of organization (for stakeholders to the committee)	The Center for Oceanic Awareness, Research, and Education (COARE)
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I. Substantive elements

1. Objective(s)

a) What objective(s) could be set out in the instrument?

Proposed Objective(s):

To protect human health and the environment from all impacts, hazards, and risks associated with plastics, including microplastics, throughout their full lifecycle, based on the precautionary principle and following a rights-based approach.

To protect all human rights, including the rights to health and to a healthy environment, from impacts, hazards, and risks associated with or caused by plastic production and pollution.

To set global commitments, timelines, and targets to end plastic pollution in all environments.

To promote re-use and systems of refilling, and to avoid and condemn false solutions such as incineration, chemical recycling, and so-called "advanced recycling".

To protect the rights of vulnerable populations and those disproportionately affected by the lifecycle of plastic, including Indigenous Peoples, Women, Children, and local communities affected by petrochemical production facilities, and workers at heightened risk of occupational exposure like waste-pickers.

To eliminate problematic and avoidable plastics, to STOP producing toxic materials, and to STOP using toxicants in the production of plastics.

To ensure transparency and traceability across the value-chain of plastics, plastic trade, and supply chains so that hazardous substances and additives can be identified and avoided, not only in the production and use of materials and products, but also in their reuse, disposal, and end of life.

Explanatory Text:

All people everywhere have the right to a clean, healthy, and sustainable environment as recognized by the Human Rights Council in its [resolution 48/13](#) and the General Assembly in its [resolution A/76/L.75](#).

[As detailed by the Special Rapporteur on toxics and human rights](#), the entire lifecycle of plastics, throughout its various stages, has become a significant threat to human rights. Plastics are accumulating in food chains, contaminating water, soil, and air, and are releasing hazardous substances such as persistent organic pollutants into the environment. The true cost of plastic production and use is foisted upon everyone, and disproportionately impacts individuals, groups, and peoples in vulnerable situations.

The UNEP report, [Neglected: Environmental Justice Impacts of Marine Litter and Plastic Pollution](#), published last year highlights the disproportionate impacts of the every part of the full lifecycle of plastic upon vulnerable populations. That report further found that the lifecycle of plastics can pose obstacles to the full and timely achievement of the Sustainable Development Goals. In fact, the lifecycle of plastic impedes every single one of the 17 SDGs.

The [UN Human Rights submission to INC-1](#) further notes that the lifecycle of plastics has become a global threat to ALL human rights – not just the right to a healthy environment, but also the rights to life, health, food, water and sanitation, equality and non-discrimination, and housing.

2. Core obligations, control measures and voluntary approaches

a) What core obligations, control measures and voluntary approaches would provide a comprehensive approach to addressing plastic pollution, including in the marine environment, throughout the full life cycle in line with the future objective(s) of the instrument?

Core Obligations:

Identification, transparency, and labeling:

- Identify all plastic feedstocks, polymers, and additives, and products that include such, and house that information within a publicly accessible global plastics chemicals database;
- Require standardized and accurate labeling, including composition, potential hazards, and waste management and disposal restrictions and information;
- Prohibit vague, inaccurate, misleading, or unverifiable claims or labeling on plastic materials, products, and processes;

Acknowledgement and protection of rights-holders

- A clean, healthy, and sustainable environment is a recognized human right – and a right for all, not just a privilege for some.

Control measures:

Strict controls must be enumerated and employed to prevent further pollution, environmental degradation, and human harm, and to hold plastics and chemical producers accountable, including mandatory remediation in both financial and non-financial forms.

The new instrument should include control measures for each stage along the full lifecycle of plastics, and should include, inter alia:

- Global reduction of and caps on plastic production;
- Global elimination of chemicals and polymers of concern across the full lifecycle of plastics;
- Global elimination of problematic and avoidable plastics across the full lifecycle of plastics;
- Global phase-out and elimination of single-use plastics;
- A moratorium on new facilities or expansion of petrochemical facilities;
- Phase-out on subsidies for plastic and petrochemical production;
- Sustainable product design and careful consideration of proposed alternatives.

Voluntary Approaches:

Voluntary approaches represent the status quo and "business as usual", and have proven to be largely ineffective, necessitating these proceedings. Precious negotiating time should therefore be focused on binding measures. Later additional voluntary measures above and beyond treaty obligations may be adopted and implemented under respective national action plans.

II. Implementation elements

1. Implementation measures

- a) How to ensure implementation of the instrument at the national level (eg. role national action plans contribute to meeting the objectives and obligations of the instrument?)*
- b) How to ensure effectiveness of the instrument and have efficient national reporting?*
- c) Please provide any other relevant proposals or priorities here on implementation measures (for example for scientific and technical cooperation and coordination as well as compliance).*

Innovation will most certainly be necessary as we pursue a future free of plastic pollution. However, innovation should include scalable systems of re-use and refilling, for example.

So-called advanced recycling and chemical recycling are false solutions and have no place in this process.

III. Additional input

Please provide any other relevant proposals or priorities here (for example introductory elements; awareness-raising, education and exchange of information; research; stakeholder engagement; institutional arrangements and final provisions).

Introductory elements:

The Plastics Treaty preambular statements should establish and recognize the clear and irrefutable link between plastics and the triple planetary crisis.

The following should also be noted clearly:

- That plastic pollution is caused by humans and human industry, and is directly linked to climate change and biodiversity loss;
- That the rapidly increasing volume of plastic pollution and plastic-related greenhouse gas emissions each pose a grave threat to human health and wellbeing, as well as to biodiversity and ecosystem integrity;
- The full lifecycle of plastic has become a global threat to ALL human rights – not just the right to a healthy environment, but also the rights to life, health, food, water and sanitation, equality and non-discrimination, and housing.
- The lifecycle of plastic impacts vulnerable populations disproportionately;
- The lifecycle of plastic impedes the full and timely achievement of each of the Sustainable Development Goals.

Corporate and Industry engagement:

The Office of the High Commissioner for Human Rights – the leading UN entity on human rights – calls attention to the [UN Guiding Principles on Business and Human Rights](#) – and notes that [there is a fundamental and irreconcilable conflict of interests](#) between industry and those profiting from the production and proliferation of plastic – and the health and human rights of those affected. With the very industry creating plastic and plastic pollution weighing in so strongly regarding the discussion of possible solutions, industry's self-serving interest should be noted and obviated. Care must be taken to limit the ability of industry representatives, individuals, front groups, and affiliated organizations to act, openly or covertly, on behalf of or to take action to further petrochemical or plastic producing interests.