

Plastics Treaty Negotiations Held Hostage by Small Handful of Oil-Producing Countries

Civil Society Raises Alarm about Dysfunction in the Treaty Process

Nairobi, Kenya– In the final hours closing a week of negotiations (INC-3) for a global plastics treaty, a small group of mostly oil and plastic-producing countries halted progress toward an internationally binding legal document, using shameless stalling tactics designed to ultimately weaken the treaty.

As a result, instead of passing a mandate to proceed with the development of a first draft, a critical step at this juncture in the process and the intended goal of the INC, Member States have agreed to move forward with a revision of the Zero Draft text that had formed the basis for this round of negotiations, which has become so long and unwieldy during INC-3 that it will be even more difficult to advance.

“These negotiations have so far failed to deliver on their promise laid out in the agreed upon mandate to advance a strong, binding plastics treaty that the world desperately needs. The bullies of the negotiations pushed their way through, despite the majority countries, with leadership from the African Bloc and other nations in the Global South, in support of an ambitious treaty,” says Ana Rocha, Global Plastics Policy Director of the Global Alliance for Incinerator Alternatives (GAIA).

She adds: “We have only one year and two negotiating meetings left to hammer out this treaty, and we can’t afford to indulge the interests of a select few. They have nothing to lose, and we have everything to lose. Plastic is burning our planet, destroying communities, and poisoning our bodies. This treaty can’t wait.”

Civil society also leveled sharp critiques at the UNEP Secretariat itself for leading an undisciplined and meandering negotiations process that has bucked convention from previous international negotiations and allowed a minority of countries to hold the process hostage.

UPDATE: Lack of Agreement on Intersessionals Leads to More Stalled Progress

Member States were unable to reach an agreement around intersessional work, which means that INC-3 has come to a close without a plan to discuss the most critical aspects of the treaty like phasing out chemicals of concern, plastic polymers, and microplastics, and scaling up reuse in advance of the next round of negotiations. This will further hamper Member States’ ability to advance the treaty process at INC-4.

"The participation of civil society, academia, and scientists should be ensured through dedicated working groups that are in-person and inclusive," says Dr Shahriar Hossain, Senior Technical Adviser, Environment and Social Development Organization.

Stalling and Stymying Progress—Particularly on Plastics Reduction

At the start of INC-3 the Zero Draft was a balanced document representing a range of views to provide Member States a basis for negotiating; by Sunday afternoon the draft more than tripled in size. A minority of Member States—particularly oil-producing nations in the newly formed informal "group of like-minded countries" including Iran, the Russian Federation, and Saudi Arabia—undermined the previously agreed upon mandate for a plastics treaty, seeking to include low-ambition language and trying to run out the clock.

Such interventions include inserting language on "national priorities," "national circumstances," and a "bottom-up approach," which could lead to voluntary measures overpowering legally-binding measures – a thus far failed approach to international environmental policy, as evidenced by the Paris Climate Agreement.

The same Member States, and some others, worked hard to undermine the mandate for a treaty covering the "full lifecycle of plastic, including its production, design, and disposal" ([Res. 5/14](#)), to focus solely on waste management approaches, claiming that the problem is not plastic *itself*, but its disposal.

"There is no difference between plastic and plastic pollution— plastic *is* pollution," says Rafael Eudes, Aliança Resíduo Cero, Brazil. Plastic pollutes from the moment fossil fuels are extracted from the earth, to when the waste is thrown away."

"Member States in the room have the moral obligation to prioritize planetary boundaries, human rights and just transition for fenceline communities and waste pickers," says Merrisa Naidoo, Plastics Campaigner at GAIA Africa. "A handful of countries must not hold the planet hostage and prevent an ambitious treaty addressing the full life cycle of plastics, which starts at raw material extraction."

Civil society leveled a sharp critique at the open-door policy to the industry responsible for the plastic crisis. According to a [report from the Center for International Environmental Law \(CIEL\)](#), 143 fossil fuel and chemical industry lobbyists registered to attend INC-3, a larger group than any national delegation or civil society organization, and gained extensive access to government representatives from around the world.

By contrast, frontline, fenceline, environmental justice communities, and indigenous representatives came prepared to share their knowledge, and first-hand experiences as those most impacted by all stages of the plastic lifespan, but, as with other civil society observers, they had few opportunities to intervene.

Member States claimed that the plastic waste trade and other market schemes are outside the scope of the treaty, citing WTO rules and the Basel Convention in an effort to avoid

responsibility for [waste colonialism](#), despite the various loopholes in these existing treaties that fail to protect communities.

Larisa de Orbe, Colectiva Malditos Plásticos, México, responds, “Latin America is affected by the transboundary trade of toxic plastic waste from rich countries. [This instrument should not duplicate the mandate and scope of the Basel Convention](#), but it should fill its gaps: definitively ban the export of plastic waste, and not allow pyrolysis – or other forms of incineration, co-processing, and false solutions such as chemical ‘recycling,’ and plastic credits.”

High Ambition from African Nations, Pacific Island Developing States and Other Frontline Communities in Global South

Despite the obstruction from a small group of Member States, some countries’ ambition and dedication shone through, particularly the Africa region and PSIDS.

In particular, Angola, Cook Islands, Fiji, Kenya, Maldives, Mauritius, New Zealand, Nigeria, Panama, Palau, Rwanda, Samoa, Senegal, Tuvalu, and Uruguay demonstrated their commitment to leading the world towards a strong plastics treaty that centers human rights and environmental justice.

The delegation of waste pickers under the International Alliance of Waste Pickers (IAWP) had a strong presence at INC-3, drawing significant support from Member States, particularly in the Global South, and making strong connections with Indigenous representatives. [IAWP published their key priorities for a Just Transition](#) in the treaty.

Maditlhare Koena of the South Africa Waste Pickers Association was pleased that there has been mention of waste pickers and a just transition on multiple occasions during plenary sessions. “Today on the last day of INC 3 we can boldly say that we feel recognised,” Maditlhare Koena adds.

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GAIA is a worldwide alliance of more than 1,000 grassroots groups, non-governmental organizations, and individuals in over 90 countries. With our work we aim to catalyze a global shift towards environmental justice by strengthening grassroots social movements that advance solutions to waste and pollution. We envision a just, zero waste world built on respect for ecological limits and community rights, where people are free from the burden of toxic pollution, and resources are sustainably conserved, not burned or dumped.

