

INC-5.2 KEY ISSUES:

Towards a health-protective plastics treaty

Fixing the broken INC process:

- The INC must clarify uncertainties about the interpretation of the rules of procedure and should implement voting on substantial issues to prevent a few countries from obstructing progress.
- The chair of the INC should keep negotiations open to civil society groups, including discussions about text options. Any proposed restrictions on participation should be thoroughly discussed and justified in plenary.

A meaningful health protective treaty text must:

- Protect human health through ambitious, legally binding global controls throughout the life cycle of plastics (production, consumption, recycling, and waste)
- Enhance measures to guarantee the elimination of toxic chemicals from plastic products and materials, including banning the recycling of plastics containing toxic chemicals.
- Be equipped with an effective decision-making process by the Conference of the Parties allowing substantial issues to be determined by a majority vote when necessary.
- Establish an independent financial mechanism that provides new, additional, sustainable, and predictable financial and technical support, sourced from plastic-producing states that export primary plastic polymers. Priority funding should be allocated for upstream control measures.
- Ensures public participation, access to information, and access to justice.

Article 3 on plastic products is crucial for health protection. To guarantee that these provisions successfully safeguard human health, the INC must ensure that:

- The title of the article includes the word “chemicals” to reflect the scope of the provision (New title: “Plastic Products and Chemicals”).
- There is a mechanism to avoid harmful (so-called “regrettable”) substitutions by adopting a grouping approach to chemical identification, assessment, and controls, including eliminating groups of chemicals.
- There is transparency and traceability of known hazardous chemicals, if they are not prohibited from plastic products and materials.
- There is an initial list of chemical groups to be banned from plastic materials, with a special focus on those that are not addressed by the Stockholm Convention (such as phthalates, bisphenols, lead and cadmium compounds)
- There is a science review committee that can update the list of chemicals over time.

QUESTIONS FOR PLASTICS TREATY DELEGATES TO CONSIDER:

What chemicals should be included on an initial list of chemicals of concern in the Treaty?

Background: Currently, Article 3 of the chair’s non-paper includes some chemicals and chemical groups for an initial list, including phthalates, bisphenols, lead, and cadmium compounds.

The proposed chemicals provide a good starting point, as these chemicals are not restricted under other chemical and waste conventions, including under the Stockholm Convention. Other plastic chemicals to consider in the treaty are: alkylphenols, flame retardants, UV stabilizers, and PFAS. The INC should also consider eliminating entire groups of chemicals to avoid substituting hazardous chemicals with related or similar substances with similar hazards.

What is the role of civil society in the development of the Treaty?

Background: Civil society participation is essential to uphold the human right to a clean, healthy, and sustainable environment. Public interest organizations, especially from low- and middle-income countries, contribute evidence, scientific assessments, and solutions from communities most impacted by plastics. They often represent those who are most impacted by the hazards of plastics and toxic plastic chemicals, thus their voices are critical for addressing these problems.

What process should the INC consider when decisions cannot be reached through consensus?

Background: If consensus cannot be reached, voting by majority should be an option. Without it, the process may default to the least ambitious approach, allowing a small group to block action—similar to failures in other multilateral environmental agreements.

RESOURCES

[Our Health, Our Voices: The Case for Public Participation in Multilateral Environmental Governance Forums](#), IPEN, 2025

[Plastics Treaty Scorecard](#), IPEN, 2025

[The Plastics Treaty in 2025: IPEN’s Views on the Chair’s Text](#), IPEN, 2025