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# An Opportunity to End Plastic Pollution: An International Legally Binding Instrument

In March 2022, the international community under the United Nations Environmental Assembly (UNEA) agreed to a resolution, "End plastic pollution: Toward an internationally legally binding instrument," which represents the first major global effort to address the plastic pollution crisis.

The resolution called for countries to draft this internationally legally binding instrument (ILBI) on plastics by the end of 2024. In November 2022, negotiators and interested entities, including Ocean Conservancy, met in Uruguay for the first round of negotiations organized by the Intergovernmental Negotiating Committee (INC). The INC is comprised of delegates from countries that are part of this multilateral process, and a Bureau that provides guidance to the secretariat of the process. The second INC is meeting in Paris in May 2023 and there will be at least three more INC meetings in various countries through 2024.

## What is an International Legally Binding Instrument (ILBI)?

ILBI's are the result of international regulatory cooperation within a multilateral setting, following specific decision-making processes agreed upon by members, and designed to support countries in addressing their policy challenges.

### Why is an International Legally Binding Instrument on Plastics Needed?

- Global plastic production and consumption has grown exponentially since the 1950s, with global plastics production projected to reach roughly 450 million tons by 2025. An estimated 11 million metric tons of plastics enter the ocean every year from land-based sources.
- In the absence of drastic intervention, scientists predict a nearly three-fold increase of ocean plastic inputs totaling 29 million metric tons annually by 2040[1].
- Abandoned, lost, or otherwise discarded fishing gear (also known as ALDFG or "ghost gear") is primarily made of plastics and is four times more likely to harm marine life through entanglement than all other forms of marine debris combined, making it the deadliest form of plastic pollution.[2] Ghost gear has caused a 5-30% decline in some fish stocks[3], with one study estimating that 90% of species caught in lost gear were of commercial value[4]. Furthermore, ghost gear threatens global food security, fisheries sustainability and ultimately, those whose lives and livelihoods depend on it.
- Microplastics (tiny particles of plastics) have also been detected in human organs including the lungs, colon, and placenta[567]. Adults take in an estimated 800 microplastic particles per day through air, food, and beverages. Questions remain about the physical and chemical impacts of microplastics that enter the human body, though numerous plastic additives are associated with well-established human health risks[910].
- To date, over 1,500 species across environments – including approximately 1,300 marine species – are known to ingest plastics. In fact, 60% of all fish studied globally, including those consumed by humans, contain microplastics[12]. Ingestion of microplastics by animals has been associated with negative health outcomes including reduced food consumption, impaired growth and behavior, decreased reproductive output, reduced energy for growth, altered gene expression, and damage to cells and DNA[1314].
- The plastics sector is a major and growing driver of fossil-fuel demand and greenhouse-gas (GHG) emissions. Made from and powered by fossil fuels, the plastics sector uses as much oil as global aviation, producing 3-4% of global greenhouse gas emissions.
- According to recent studies, between 15 and 56 million people work in informal solid waste (trash and recycling) collection globally and are **responsible for nearly 60% of all plastics collected and recycled.**
- Nearly 40% of annual plastics production consists of single-use packaging and products. These same single-use plastics are among the most commonly collected items in the environmentduring Ocean Conservancy's International Coastal Cleanup®. If not cleaned up, these items caneventually break up into microplastics and invade every level of the marine food web[15].
- Plastic production is associated with the use of chemical additives, including some listed as hazardous under the Stockholm Convention shown to be detrimental to human and environmental health.

# Ocean Conservancy's Vision for a Strong International Agreement on Plastics

Ocean Conservancy, as a leader on international efforts to combat ocean plastics, looks forward to working with governments and other key stakeholders to promote an agreement that addresses the full lifecycle of plastics.

Ocean Conservancy believes that an effective agreement should consider and include:

## Meaningful Source Reduction of Plastics

The science is clear: to address our plastic pollution crisis we must **reduce the amount of plastics we produce and use.** Eliminating certain problematic single-use plastics – particularly focusing on those most commonly polluting beaches and waterways around the world – would result in a significant reduction in plastic production (packaging represents 40% of plastic production annually), decrease contamination in the waste stream, and improve the health of our ocean.

## Provisions around Ghost Gear

It is important that the ILBI include specific reference to plastic pollution from **abandoned, lost, or discarded fishing gear (ALDFG, also known as "ghost gear").** Ghost gear has direct and crucial implications for global food security, fisheries sustainability, biodiversity preservation, coastal economies, and human health and livelihoods. Negotiators are encouraged to review the **Global Ghost Gear Initiative's Best Practice Framework for the Management of Fishing Gear.**

## Provisions around Microplastics

Addressing **microplastics** (plastics 100nm-5mm in size) should also be a priority in the ILBI. It is the most pervasive, mobile, and easily distributed type of plastic pollution. Negotiators should prioritize elimination of primary microplastics—plastics intentionally produced at a small size fraction, such as cosmetic beads and glitter – and enhanced regulatory frameworks and interventions for known sources of secondary microplastics – those microplastics that are a result of degradation or shredding of larger plastic items such as synthetic fibers, fragments, tire wear particles, and paint flakes.

## Design for Circularity

It is important that we **ensure plastic products are designed to be circular.** Ocean Conservancy data show that nearly 70% of the most common plastic debris collected every year in the International Coastal Cleanup® are not recyclable. Upstream design is critical to facilitate collection, sorting, and reuse. The current chemical or advanced recycling technologies are not a circular approach to plastics recycling because it is not plastics-to-plastics, and creates environmental and social harms.

## Inclusion of Informal Sector Waste Collectors

As negotiators and implementers discuss systemic changes to meet the goals of the ILBI, **informal sector waste collectors** or "waste pickers" must be included and their expertise incorporated, to ensure national-level actions are just, inclusive, and effective.

# The Time to Act is Now

The ILBI is a once-in-a-generation opportunity to address the global plastic pollution crisis; therefore, it should be comprehensive and designed to adapt to future circumstances.

To reach a healthy ocean and climate, the transition to a circular economy is necessary, but not sufficient. The science is clear – we must reduce the amount of plastic produced and used in the first place in addition to transitioning to a more circular economy.

After decades of increasing plastic production, and subsequent pollution, it is critically important that producers of plastics are held responsible for their contribution to this crisis through both financial mechanisms and through requirements to change their upstream design to comply with a transition to a circular economy.

An ambitious and well-crafted ILBI could have a positive impact on the interlinked global environmental crises (climate, biodiversity loss, and plastic pollution) the world currently faces—all of which are also public health and environmental justice priorities.

At the same time, the ILBI should be supplemented by strong regulatory and implementation frameworks at the local, national, and regional level to ensure continued and sustained impact.

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## ABOUT OCEAN CONSERVANCY

**Ocean Conservancy is a 50-year-old NGO focused solely on creating evidence-based solutions for a healthy ocean and the wildlife and communities that depend on it. We envision a healthier ocean, protected by a more just world.**

**To learn more about Ocean Conservancy: https://oceanconservancy.org.**

## CONTACT INFORMATION:


**Felipe Victoria**

Senior Manager, Policy, International Plastics

**fvictoria@oceanconservancy.org**