

A treaty placeholder for transparency, tracking, monitoring and labelling

Only if you know it, you can control it!

Background and context

We are approaching a pivotal moment in the INC process for the global Plastic Treaty. Negotiations of the draft treaty text were expected to be concluded at INC5 in Busan, 25 November – 1 December 2024.

To facilitate the discussion for the final negotiations, the Chair is in the process of preparing thoughts on key elements to achieve an effective treaty at INC-5.

Transparency is one of the key elements suggested for the chemicals used in plastic products or as part of product design criteria and criteria for reuse and recycling. However, for this provision to benefit the effectiveness of the Plastics Treaty, information about chemicals in plastics should be tracked in individual materials and products throughout their respective lifecycles and become available in a publicly accessible global database.

Globally harmonized criteria for identifying hazardous chemicals, including monomers, oligomers and polymers, and other chemicals interfering with the circular economy for plastics, are expected to be developed for the Plastic Treaty in support of Article 2, part II, of the current draft treaty text. Such criteria are critical for the effectiveness of the treaty because the scopes of the existing multilateral agreements on chemicals and waste are insufficient to cover all relevant hazardous chemicals, monomers, oligomers and polymers for plastics.

These criteria will help establish a list of hazardous chemicals in plastics. However, the process of regulating them will be slow. Not all harmful chemicals in plastics will, for various reasons, be immediately banned or even restricted. **A transparency and tracking provision should, therefore, be triggered for all listed chemicals, to enable informed decision-making at all levels, including production, use, recycling, and disposal.**

The same goes for plastic chemicals already banned by the existing chemical conventions. It is well known that the absence of global requirements to disclose and track persistent organic pollutants in stockpiles, products and articles in use, and wastes challenges the Parties' fulfilment of their obligations under the Stockholm and Basel Conventions. The draft report prepared by POPRC experts highlights that Parties frequently encounter challenges in identifying POPs within stockpiles, products, articles in use, and waste streams. Financial and technical constraints further complicate reliance on downstream analysis, while the overall lack of transparency and information sharing across the value chains exacerbates the issue. As a result, costly and time-consuming analytical methods remain the primary means of determining POPs contents in products, a solution that is often impractical for most Parties. Moreover, gaps in requirements on POPs transparency and traceability results in their recirculation in products made of recycled materials, including plastic. **A similar functional gap should not be built into the Plastic Treaty.**

Thus, including global requirements for transparency and traceability of plastic chemicals under the Plastics Treaty will not duplicate but contribute to the effective implementation of the existing chemical conventions, and ensure that the requirements for the additional chemicals listed under the Plastic Treaty can be met.

Our [INC4 information paper](#) provides more information about how transparency and traceability could work in practice for plastic.

Now is the moment to make the right decisions

We have one chance to make this right from the beginning. It is now.

Chemical transparency and traceability are relevant to nearly all provisions of the current compilation of the draft Plastics Treaty text, which demonstrates the critical value of this topic to the success of the Plastics Treaty implementation. A [summary of priority considerations in Chapters relevant to transparency and traceability of chemical information in the draft Plastics Treaty text](#) explains this linkage.

If we fail to establish conditions in the core text for designing a globally harmonized transparency and traceability system, the door will be closed for a foreseeable future. Parties will be hesitant to reopen the Treaty text for future negotiations or to introduce new additions, as clearly demonstrated by the Stockholm Convention.

The following must be secured in the Treaty text, capturing key sub-elements from Article 13, part II, of the current draft treaty text:

1. A globally harmonized and legally binding transparency requirement that comes into force once a chemical is identified with the criteria to be established in support of Article 2, part II of the current draft Treaty text. Therefore, there should be a placeholder in the Treaty text that allows us to later elaborate on the technical details of this process.
2. A globally harmonized and legally binding tracking requirement that comes into force once a chemical is identified with the criteria to be established in support of Article 2, part II of the current draft Treaty text. Therefore, there should be a placeholder in the Treaty text that allows us to later develop technical details for tracking chemicals in individual plastic items throughout their respective lifecycles. This requires a combination of physical labelling and digitally stored information, as outlined in our [INC4 information paper](#).
3. A global database for disclosed chemical information in support of the globally harmonized traceability system should be established to ensure that all stakeholders have easy access to information about the presence and identity of plastic chemicals in individual plastic items and can make informed decisions. Therefore, there should be a placeholder in the Treaty text that allows us to later develop technical details of this process.

The plastic economy operates globally, with value chains crossing multiple jurisdictions. To ensure a uniform level of transparency and product safety for everyone everywhere, it is essential to harmonize and enforce global rules on transparency and traceability. Countries advocating for nationally determined regulations are taking a narrow view, ultimately undermining their own interests. Instead, their priority should be securing financial mechanisms that provide access to resources necessary for meeting these global standards and ensuring that nobody is left behind. Additionally, they should focus on establishing systems for technology transfer and support, ensuring compliance with transparency and traceability provisions for chemicals.

In summary, we call upon your duty as decision-makers to protect human health and the environment in the best possible way. Access to information about the chemical composition of plastics is a fundamental aspect of that and will enable several of the envisioned control mechanisms in the Plastic Treaty to function efficiently. This includes securing the critical elements listed in the bullet points above.

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More Information

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