

To the kind attention of:
Ministers
INC focal points

30/05/25

Dear Minister O'Brien and Minister of State Dillon

Subject: Civil society calling for ambition to ensure the adoption of an effective Plastics Treaty in 2025

In view of the upcoming round of negotiations on an international legally binding instrument (ILBI) on plastic pollution (INC-5.2), VOICE, a member of the global movement Break Free From Plastic would like to reiterate the importance of an ambitious position from Ireland and the EU in these negotiations, to secure the adoption of a fit for purpose plastics treaty this year.

During INC-5 in Busan, a majority of countries, including the EU and its Member States, expressed their support for clear red lines essential to an effective plastics treaty, including reducing plastic production, banning chemicals of concern and problematic or avoidable plastic products, and providing effective means of implementation and decision-making processes. This powerful signal and commitment to end plastic pollution along the life-cycle from over 100 countries can- and should - serve as a solid foundation to build further alignment on an ambitious treaty towards INC 5-2, despite the obstructionism of a handful of predominantly oil and plastic producing countries since the beginning of the negotiations.

Therefore, we call on Ireland, together with EU Member States and allies globally, to work towards gathering even more support for a treaty that includes control measures on production, chemicals of concern, products, and design, as well as effective means of implementation and decision-making processes to ensure the treaty's success. Failure to advance these measures would risk the continued escalation of plastic pollution and the exacerbation of the climate crisis.

Primary Plastic Production (Article 6 in the Chair's draft¹)

In Busan, over 100 countries endorsed two text proposals for a dedicated provision to control and eventually reduce plastic production (Article 6). The proposals ask the future Conference of Parties (COP) to adopt a global reduction target and provide guidance on actions each country must take to achieve it, requires countries to report on their production levels, imports and exports and sets periodic revisions of the target.

We urge Ireland to be vocal advocates for the proposed provision, as establishing legally binding provisions that facilitate a future freeze and phase-down of production at both global and national levels to sustainable levels is a priority in addressing the plastic and climate crises.

The past ten years have been the warmest years on record — with devastating environmental, economic, and social impacts worldwide. If plastic production continues to grow at the current rate, it could consume up to a third of the remaining carbon budget needed to meet the 1.5°C goal of the Paris Agreement, exceeding the

1 https://wedocs.unep.org/bitstream/handle/20.500.11822/46710/Chairs_Text.pdf

expected contributions of the energy and transportation sectors². Therefore, it is imperative that the Treaty includes legally binding production reduction measures. Otherwise, our best-case scenario is merely a stabilisation of emissions at their current levels.

Europe and the rest of the world are already facing overcapacity for the production of plastics, which significantly impacts profit margins. Reducing plastic production, therefore, also makes economic sense.

A phase-down in production to sustainable levels will be an enabler for comprehensive and effective measures in the rest of the life-cycle of plastic, notably to support circular products and systems and relieve the pressure on overwhelmed management systems, which cannot be solely relied on to resolve the plastic crisis.

Chemicals and polymers of concern (article 3 of the Chair's draft)

Beyond the need to reduce overall primary plastic production to sustainable levels, the Treaty must include harmonised measures to protect human health and the environment from chemicals, monomers and polymers of concern.

Studies have identified over 16,000 chemicals used or present in plastics, of which 4,200 are identified as chemicals of potential concern based on existing hazard types, and 10,000 lack hazard data, many of which could be chemicals of potential concern³. Only 128 chemicals of concern are regulated under the Stockholm Convention, Minamata Convention and Montreal Protocol, which target only very specific groups of chemicals. This represents only around 4% of all identified chemicals of potential concern and less than 1% of all chemicals in plastics.

The precautionary principle must be applied, including to the use of chemicals in plastics. We urge you to support requirements (including elimination) for certain groups of chemicals, monomers and polymers in the Treaty. Chemicals of concern should be regulated independently, building on an initial list of chemicals of concern to phase out, rather than being regulated solely for their use in some selected plastic products. This will be the most effective way to protect human and environmental health and boost the development of safer alternatives.

The Treaty must also include provisions for a globally harmonized system to ensure transparency and traceability of chemicals of concern in plastic materials and products throughout the whole value chain of plastics. Knowing what chemicals are in plastic materials and products is essential for any control measures. Therefore, it is key to retain sub-article 8 bis.

Plastic product restrictions (article 3 of the Chair's draft)

Most plastic products put on the market are short-lived and/or single-use. This leads to resource inefficiency, massive generation of (largely unrecyclable) waste, and an overwhelming burden on waste management infrastructure. Such products must be restricted under the Treaty, especially as alternative products or systems, such as reuse systems, exist for most of them; this would support system redesign and reduce waste generation and emissions associated with these products.

We urge you to support global legally binding product restrictions in the Treaty, starting with an initial list of single-use plastics to be phased-out. The Treaty should allow for the list of products to be effectively amended by the

2 <https://energyanalysis.lbl.gov/publications/climate-impact-primary-plastic>

3 <https://zenodo.org/records/10701706>

COP as new information becomes available, product restrictions occur at national level and further alternatives develop, and ensure that countries can adopt further restrictions.

System and product design (Article 5 of the Chair's draft)

In the absence of common design principles, waste management systems globally are overwhelmed, with only 9% of plastics recycled⁴, in part due to poor product design impacting the economic and technical viability of recycling. Waste management infrastructure cannot be effectively scaled without significant improvements and transparency in product design to provide confidence in investment. Global regulations can promote a circular economy, where products are designed for reduction, optimisation, longevity, reuse, repair, chemical safety, and recyclability while minimising waste generation, microplastic emissions and the need for virgin materials.

In addition to a strong obligation on parties to ensure products comply with design and performance criteria, the negotiations should prioritise exploring and emphasising reduction and prevention solutions, including a transition to safe and accessible reuse and refill systems.

We call on Ireland to strongly support a treaty text that clearly recognizes the role of reuse and refill within the landscape of product and system redesign and provide a solid foundation to develop clear and enforceable definitions, set overall and sector-specific targets and indicators on reuse, and establish harmonised approaches for regular reporting obligations and guidelines for implementing reuse systems.

Ireland's national efforts to promote reuse and circular economy models—such as those outlined in the *Climate Action Plan 2025: Waste & Circular Economy*, which highlights the importance of global plastic pollution negotiations (p.138) and emphasizes continued engagement following UNEA-5 and UNEA-6, as well as the outcomes of INC-5 in Busan—must be matched by equivalent ambition at the global level. Aligning domestic and international ambition is essential to ensure a harmonized approach that prevents waste leakage, levels the playing field for businesses, and accelerates the global shift away from single-use plastics.

Measures to support the development of a reuse sector, together with provisions to reduce plastic production, bans on single use plastics, and restrictions on plastic polymers and chemicals of concern, would work together to enshrine the waste hierarchy in the treaty and protect human and environmental health.

Financial Mechanism (Article 11 of the Chair's draft)

To successfully achieve its objectives, the treaty must tie together legally-binding control measures and adequate means of implementation, including financial support. We urge you to support the establishment of a financial mechanism that is fit for purpose to deliver on an ambitious treaty, including establishing a new dedicated fund to support parties in implementing and complying with the agreement. In addition, we believe the treaty should ensure mobilisation of funds from a range of sources, including the private sector based on a robust application of the polluter pays principle.

4 OECD (2022) *Global Plastics Outlook*. [Available here](#).

We encourage Ireland and the EU to work with other countries between now and INC-5.2 to develop further what such a financial mechanism could look like and fund, in relation to control measures. This will be critical to conclude the negotiations in Geneva.

Decision making processes (Articles 20 of the Chair's draft)

What decisions the Conference of the Parties can take, and how it can adopt them, will be critical to the effective implementation of the Treaty and eventually its success.

In Busan, 85 countries, including the EU and its Member States, stated that "the treaty must enable future development, including by adopting new annexes or amending existing annexes, through regular UN procedures for decision making if all efforts at consensus have been exhausted"⁵. We urge you to bring your full continuous support to having a clear provision ensuring that the Conference of the Parties (COP) can take majority based decisions; this is critical to overcome obstruction by a few, and is the approach taken the Convention on the Law of the Sea on the Conservation and Sustainable Use of Marine Biological Diversity of Areas beyond National Jurisdiction (BBNJ). This should also apply to the adoption of the rules of procedure of the COP, and to the admission and participation of observers to the COP, to prevent one country alone from blocking such participation.

It is normal in international law to allow countries to formally reject a future obligation. However, the current draft includes a clause (Article 27(4)) that would allow Parties to pre-emptively refuse the automatic application of any future annex amendments at the time of ratification. Given that the annexes are still underdeveloped at this stage of negotiations, this approach feels premature and risks weakening the treaty's ability to adapt and respond effectively. Although boilerplate language from other instruments may suffice in some provisions, the institutional arrangements must be carefully reviewed to ensure they are fit for purpose and make both the treaty and any future application effective.

We would welcome further discussions on these topics and look forward to your leadership in ensuring the treaty becomes a powerful tool to combat the global plastic crisis.

Yours Sincerely,

Tad Kirakowski,
CEO, VOICE Ireland



#break
free
from
plastic

⁵ <https://www.bridgetobusan.com/sufa>