

UN to Create a Binding Treaty on Plastics



Last week, on 2 March 2022, the United Nations Environment Assembly adopted a resolution to address plastic pollution through a legally binding treaty ([Resolution](#)). The Resolution was passed unanimously by the UN membership and, hence, with the support of all major economies, including the European Union, the United States, and China. A large number of companies and other stakeholders also supported the decision.

The Resolution is a significant step in international cooperation to tackle plastic pollution. The resulting treaty could see significant regulatory changes from governments that bear upon the production and use of plastics. A treaty could also encourage innovation throughout the plastics life cycle, from the way that plastics are made to the management of plastics recycling and waste. Stakeholders in this sector are actively encouraged to contribute to the development of the new international rules, both through UNEA and the WTO.

An ambitious timeline: An Intergovernmental Negotiating Committee (INC) will be convened to draft the treaty. The INC will commence its work in the second half of 2022, with the goal of finalising a treaty by the end of 2024.

Concerted international action to tackle a global problem: The Resolution notes that, although plastics play an important role in society, the high and rapidly growing levels of plastic pollution, in marine and other environments, pose a serious global problem that adversely impacts sustainable development.

Developing an international treaty to address plastics: The Resolution provides a framework for the treaty negotiations. It clarifies that the treaty could include both binding and voluntary elements. The treaty should also take into account the principles of the Rio Declaration on Environment and Development (1992), as well as the circumstances and capabilities of each country. The Resolution also identifies specific objectives for the treaty:

- To address **the full life cycle of plastic** by promoting “sustainable production and consumption of plastic, including ... product design, and environmentally sound waste management, including through resource efficiency and circular economy approaches.”
- “To promote national and international cooperative measures to **reduce plastic pollution in the marine environment**.”
- “To develop, implement and update **national action plans** reflecting country-driven approaches” to contribute to the treaty’s objectives, and working “towards the prevention, reduction and elimination of plastic pollution.” This approach is similar to the way that countries tackle climate change under the Paris Agreement, based on each country’s own “nationally determined contribution” (NDC) to reduce emissions.
- To provide **support for developing countries** in the form of “capacity-building and technical assistance, technology transfer on mutually agreed terms, and financial assistance.” The Resolution acknowledges that, absent such support, developing countries may not be able to implement their treaty obligations effectively.

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