



Azul at INC-5:

Compiled Policy Briefs and Analyses

ANALYSES, LANGUAGE SUGGESTIONS, BRIEFS, AND STATEMENTS



UN
environment
programme

Fifth session of the Intergovernmental
Negotiating Committee to develop an
international legally binding instrument on plastic
pollution, including in the marine environment

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Introduction – July 29, 2025

Azul at INC-5: Compiled Policy Briefs and Analyses

During the first part of the fifth session of the Intergovernmental Negotiating Committee to develop an international legally binding instrument on plastic pollution, including in the marine environment (INC-5 or INC-5.1), held in Busan, South Korea from November 25 to December 2, 2024, Azul – an ocean justice organization working with Latino communities – attended and participated the negotiations as observers.

Throughout the session, Azul published several resources, ranging from treaty language suggestions and analysis on drafts to a policy brief with a leading Latin American expert and factsheets on Latino voter attitudes towards plastics.

This compilation brings together Azul’s diverse contributions throughout the session:

- **Analyses and regular updates**, chronicling key developments in real time.
- **Policy briefs and language suggestions**, including suggestions on financing mechanisms to secure binding financial commitments to direct the flow of resources from developed countries to those most in need.
- **Public statements** on the negotiations proceedings and examining procedural justice, particularly concerning Azul’s concerns about restricted observer participation.

This compilation aims to showcase the comprehensive role of Azul at INC-5. It highlights our legal and policy interventions as well as our advocacy for the right to information and public participation, to summarize our contributions toward achieving a bold, ambitious, and just Global Plastics Treaty.

In addition to formal submissions and published analyses, Azul also regularly published updates across social media platforms to connect audiences back home with real-time insights and amplify key moments during the proceedings in Busan, allowing us to reach a broader audience and ensure that communities most impacted by plastic pollution could stay informed and engaged throughout the negotiations at INC-5.1.



Access Files Online:





Press Release – November 25, 2024

U.S. Ocean Justice Organization, Azul, at INC-5 for Global Plastics Treaty Negotiations

Busan, Republic of Korea (November 25, 2024) – Azul, a U.S.-based ocean justice organization working with Latinos in the U.S. and across the Americas to protect the ocean and coasts, will be in Busan to advocate for an ambitious, legally-binding global plastics treaty beginning Monday.

As the Biden-Harris Administration’s final weeks in governance near, Azul will continue to advocate to U.S. officials and global representatives for strong and ambitious action to end plastic pollution. Azul previously petitioned the U.S. Department of State to take a powerful stance against plastic pollution at home and abroad.

Azul’s grassroots delegation, inclusive of the organization’s founder and executive director, Marce Gutiérrez-Graudiņš, and senior policy associate, Roland González Pizarro, will join observers from more than 175 countries at the fifth session of the Intergovernmental Negotiating Committee (INC-5), which kicks off November 25 through December 1. This fifth negotiating session aims for an ambitious, legally binding agreement to end plastic pollution, with the goal of establishing a treaty by the end of this year. Inclusive of INC-5, Azul – the grassroots powerhouse behind the iconic Deja el Plástico advocacy campaign, which first launched in 2012 in California – has participated in each of the previous global talks since they began in 2022.

At INC-5, leaders from across the world will work to reach a streamlined agreement that will propel us forward to solutions and mitigation of the plastic pollution, production, and waste management crisis.

“We call on U.S. leadership to meet this historic moment by taking action as a global leader and leading the charge towards a world free from plastics that place our communities and our future in the danger zone,” said **Azul’s Founder and Executive Director Marce Gutiérrez-Graudiņš**. “For over a decade, Azul has worked tirelessly with ocean advocates and community leaders across the country for sensible plastic pollution solutions. According to the 2024 National Azul Poll, 75 percent of Latino voters across the country support creating a legally binding international treaty that aims to end plastic pollution, even if it means the U.S. may have to follow difficult and expensive rules. The health of our communities and the planet is at stake; it’s crucial that we get it right.”

“Plastic-bottled water allows governments to abdicate their responsibility to provide us with access to safe drinking water,” said **Dr. Raul Pacheco-Vega**, a leading expert in environmental policy and public policy on water management and solid waste management and professor at the Laboratory of Methodology of the Latin American School of Social Sciences, or FLACSO, in Mexico. “The fact that there is consumption of bottled water in plastic is fundamentally the result of governments abdicating their obligation to provide sufficient quantities of water to society. We, as citizens, have to demand an active



participation of governments in negotiations such as INC-5 and to hold them fully accountable, both in the governance of bottled water and in the governance of plastics.”

Azul partnered with Dr. Pacheco-Vega on *Addressing Plastics from Bottled Water: Towards a Global Governance Framework*, a policy brief released this week. Focused on the critical importance of the governance of bottled water to reduce plastic pollution and guarantee access to clean water as a basic human right, the brief highlights how the commodification of plastic bottled water has allowed governments to abdicate their responsibility of providing access to safe, clean drinking water. The brief also offers Azul’s essential plastic pollution policy recommendations, including the reduction of plastic production globally, as well as transparency standards for identifying and eliminating chemicals of concern across the plastics lifecycle. (For a full list of Azul’s proposed policy recommendations, see the brief, [here](#).)

“We call on U.S. and world leaders to stand up for the ocean and the health of all our communities – especially those disproportionately affected – by committing to an ambitious agenda that disrupts the lifecycle of plastics and pollution that hurts communities of color the most,” said **Azul’s Senior Policy Associate Roland González Pizarro**.

González Pizarro continued, “The U.S. is the world’s top producer of plastic waste – it must support a legally-binding agreement to end plastic pollution that includes a list of families of the chemicals of concern to be phased out, repudiation of plastic credit as an adequate financial mechanism, a waste management regulation system that prevents waste hierarchy, non-voluntary enforcement of national action plans, the preservation of the fishing gear sector, and accurate legal citation of prior environmental agreements on trade and waste management.”

Notably, in March 2021, just one year prior to UNEP adopting Resolution 5/14, which mandated the development of a global treaty to end plastic pollution, Azul and the United Nations Environment Programme released the report *Neglected: Environmental Justice Impacts of Marine Litter and Plastics Pollution*. The 66-page report, available in English and Spanish, has been a leading resource at plastic treaty talks as it details how plastic pollution disproportionately affects marginalized communities around the world – hindering the achievement of all 17 of the UN’s Sustainable Development Goals (SDGs) across the entire plastic lifecycle, from production to waste disposal.

U.S. Latino voters strongly support the U.S. government doing more to prevent plastic pollution. In 2022, Azul’s first-ever U.S. Latinos and the Ocean Poll showed 86 percent of Latino voters believe plastic pollution will only worsen unless the U.S. government intervenes to curb – and earlier this year, the second such poll found that 88 percent of U.S. Latino voters would support doing more to prevent plastic pollution, with 86 percent believing that plastic pollution poses a health risk to their community.

Commissioned by Azul, Barreto Segura Partners (BSP) Research surveyed 2,500 registered Latino voters across the nation in 2024 and 1,900 in 2022, finding that Latino voters are willing to take action to protect the environment against plastic pollution, even at a personal cost.

GRULAC Observer Statement – November 25, 2024

U.S. Ocean Justice Organization, Azul, at INC-5 for Global Plastics Treaty Negotiations

Thank you, Chair, and thank you distinguished delegates,

As we conclude these negotiations, I want to highlight a critical issue regarding the language of the Global Plastics Treaty, specifically how it disproportionately impacts communities in the Global South. While the Treaty sets ambitious global goals for eliminating plastic pollution, the current language is often ambiguous and non-binding. This presents a significant challenge for countries in the Global South – countries that already face severe economic, social, and environmental challenges.

For example, the lack of binding obligations in the Treaty may overlook the unique circumstances of small island developing states (SIDS) and countries reliant on industries that are heavily dependent on plastics. According to the UN Environment Programme, SIDS are especially vulnerable to the impacts of plastic pollution, with limited resources for waste management and recycling infrastructure, making it difficult for them to meet the global standards set by the Treaty. Without clear, enforceable mechanisms for financial support, technology transfer, and capacity-building, these nations may be unable to comply with the same obligations as their counterparts in the Global North. As a result, this could exacerbate existing inequalities – particularly when it comes to participation in financing mechanisms, access to technology, and the creation of national action plans.¹

Moreover, while the global focus on ocean solutions is critical, the current negotiations do not sufficiently address the specific needs of the Global South. Oceans in your region, home to fragile ecosystems and vulnerable communities, are disproportionately affected by plastic pollution. The International Union for Conservation of Nature (IUCN) estimates that nearly 80% of marine debris originates from land-based sources, with developing nations often bearing the brunt of this pollution. Yet the proposed solutions in the Treaty fail to provide tailored support or the necessary resources to make real progress.²

It is crucial to acknowledge that the Global North cannot be relied upon to shoulder the burden of solving these challenges for the Global South. As the UN's Global Environment Outlook warns, external aid is often inconsistent and insufficient to address the scale of the crisis.³

Therefore, we must prioritize sustainable, context-specific solutions that empower countries in your region to take

1 UN Environment Programme, "The Role of Small Island Developing States in the Plastics Crisis", 2021.
2 IUCN, "Plastic Pollution and Its Impact on Marine Biodiversity", 2020.
3 UN Environment Programme, "Global Environment Outlook", 2019.

ownership of their environmental futures, rather than depending on external support that may not materialize. The Treaty must ensure that the Global South has the resources, capacity, and flexibility needed to tackle plastic pollution independently and effectively.

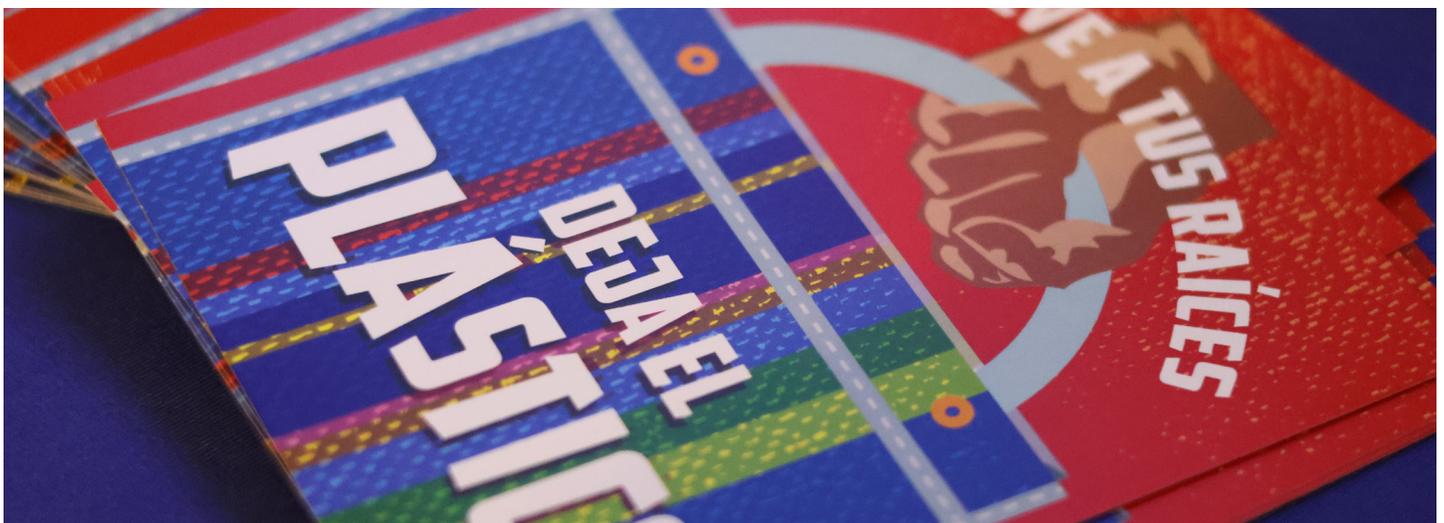
Azul strongly encourages GRULAC to continue advocating for a Treaty framework that recognizes the capacity constraints of developing countries and provides the tools necessary to address the urgent challenges of plastic pollution. Specifically, Azul urges GRULAC to support the introduction of production reduction caps. Relying on broad, ocean-centric solutions, trade-focused legal language, or the uncertain commitments of external actors will not create the comprehensive framework required to achieve the Sustainable Development Goals (SDGs). According to the UN, without clear regulatory action on production reduction, the global plastic waste crisis will continue to worsen, and SDG 14 (Life Below Water) will remain out of reach.⁴

The Treaty must prioritize stronger financial and technical support mechanisms, alongside the flexibility to ensure that responsibilities are shared equitably. For the Treaty to be truly effective and just, it must align global objectives with the specific needs and realities of the Global South, ensuring that no country is left behind in the fight against plastic pollution.

Thank you,

Marcela Gutiérrez-Graudiņš
Founder and Executive Director of Azul

4 United Nations, "Transforming Our World: The 2030 Agenda for Sustainable Development", 2015



Language Suggestions – November 25, 2024

INC-5 Language Suggestions Submitted by Azul

Policy Analysis and Legal Analysis

A) Article 4- Exemptions available to a Party upon request.

In this section, the Parties propose several options which incur in exemptions or relief from possible regulatory controls that the instrument would provide. Within the language of this obligation, we have four subsections under a single option, which provides a length of 5 year terms per exemption registration, including short-lived and single-use plastic products and intentionally added microplastics on phase out dates that would differ per Party, and Parties must justify the reason for said exemption. Under the OP bis (subsection to the subsection under treaty work) the negotiating Parties justify the need for exemptions on developing states, small developing islands, and states that are dependent on polymer and plastic transatlantic trade. However, it is important to note that none of these delegations have expressed the need for exemptions under the objective of this instrument.

B) PPP (added to Article 5: Product Design and Article 6: Supply)

(a) Each Party shall take effective measures to regulate and reduce the use of primary plastic polymers in products, with a focus on minimizing the inclusion of chemicals of concern. These measures shall promote the enhancement of plastic product design and performance, ensuring that products are more durable, reusable, repairable, and recyclable. Parties shall ensure that the chemical composition of plastic products is transparent and aligned with relevant international standards and guidelines, including sector-specific regulations, to reduce the environmental impact of plastic products and promote their safe disposal upon becoming waste.

(b) Each Party shall foster research, innovation, and development of sustainable alternatives to plastic products, including non-plastic substitutes, products, technologies, and services. This shall be done in accordance with the best available science, incorporating traditional knowledge, knowledge of Indigenous Peoples, and local knowledge systems. The Parties are obliged to assess the potential of these alternatives to reduce waste, enhance reuse, and minimize environmental, socio-economic, and human health impacts across their life cycle.



Guidance by the Conference of the Parties

The Conference of the Parties (COP) shall adopt, at its first meeting, binding guidance to assist Parties in the implementation of the obligations set out in paragraph 1 of this Article. The COP shall regularly review and update this guidance as necessary, ensuring that it remains aligned with new scientific developments and emerging best practices. This guidance shall include sector-specific recommendations, where appropriate, to assist Parties in targeting priority areas for action.

C) Article 7- Emissions and releases of plastics through its life cycle.

Objective and Obligations of Parties

Each Party to this Treaty shall base their efforts to eliminate plastic pollution and emissions on comprehensive vulnerability studies and assessments of contamination systems. These studies shall specifically assess the potential risks and impacts of plastic pollution on human health and the environment. Based on these findings, each Party is required to take proactive measures to prevent and eliminate all emissions that pose a threat to human health, including the release of plastics into the environment. The elimination of such emissions must be achieved through binding and enforceable regulatory actions at the national and international levels.

Regulatory Language and International Cooperation

The Parties shall refrain from using ambiguous or non-binding language in their national plans or regulations that could undermine the objective of eliminating emissions globally. Specifically, the reference to national plans, regulations, or legislation, as seen in Options 3 and 4, shall not serve as an excuse for failing to adopt enforceable measures at the international level. Instead, Parties must implement concrete, binding obligations under this Treaty that directly address emissions and plastic pollution. National plans and legislation should serve as tools to complement, but not replace, international regulations. The focus must be on coordinated, effective, and legally binding global action, rather than relying on individual national discretion.

Commitment to Global, Binding Regulation

The Treaty's objectives must not be undermined by language that avoids the adoption of direct regulatory measures applicable to all Parties. While acknowledging that countries may have different capacities and circumstances, the Treaty must bind all Parties to actively seek the elimination of emissions on an international scale. The Department of State has indicated that a "cookie-cutter" approach is not feasible, but this should not be interpreted as an excuse to avoid binding international commitments. Each Party is obligated to align its actions with the global goal of emission elimination and plastic pollution reduction.

Support for Option 1 Without OP Bis

Azul supports Option 1 without any additional sub-options (OP Bis), as it offers a clear, enforceable framework for Parties to proactively eliminate emissions and plastic pollution in a manner that is consistent with the

Treaty's overarching goals. This approach ensures that each Party contributes to the global effort while respecting the collective responsibility to protect human health and the environment.

D) (Standalone provision) Trade [in listed chemicals[, polymers] and products, and in plastic waste][related measures]

Each Party to this Treaty shall adopt binding measures to regulate the production, use, and disposal of fishing gear, including nets, rods, traps, pots, and fishing lines, to prevent marine pollution and ensure sustainable practices within the fisheries and aquaculture industries. Parties are obligated to implement mandatory waste management systems for the recovery, recycling, and safe disposal of lost or discarded fishing gear. They shall require the development and deployment of technologies to recover and recycle such gear, ensuring that these technologies are accessible to stakeholders in the fishing and aquaculture sectors.

Parties shall also regulate the trade and importation of fishing gear to prevent overproduction and environmental harm, mandating sustainable production practices for producers, importers, and retailers. Each Party is required to establish financial penalties for the improper disposal of fishing gear, incentivizing compliance with sustainable waste management practices. These penalties will fund recovery and recycling efforts and will be accompanied by incentives, such as tax credits or subsidies, for industries that adhere to sustainable standards.

In addition, Parties shall work collaboratively to close regulatory loopholes and establish binding controls to prevent the illegal transboundary movement of plastic waste, including fishing gear. They are obligated to create systems for monitoring and regulating the movement of waste across borders to ensure compliance with the provisions of this Treaty and to prevent dumping in violation of international standards.

By ratifying this Treaty, each Party commits to taking legislative and regulatory actions that will reduce the environmental impact of fishing gear waste, thereby supporting the broader goals of the Global Plastics Treaty and establishing themselves as leaders in ocean sustainability and plastic waste reduction.

E) Article 11: Financing Mechanism

This Article establishes binding obligations for each Party to mobilize resources, within their capabilities, to implement national activities that are in line with the provisions of the Convention. Each Party will be required to take concrete actions to align their national policies, priorities, plans, and programs with the objectives of the Convention, ensuring that these activities are adequately resourced and supported. Recognizing the differing capacities of Parties, particularly those in the Global South, the Article mandates that those Parties be provided with obligatory capacity-building, technical assistance, and financial support to enable them to meet their obligations under the treaty effectively.

In this context, the Article requires the creation of a financial and technical cooperation mechanism that will provide binding assistance to Parties in need of support. This mechanism must include one or more funds

that are operated by designated entities and drawn from multilateral, regional, and bilateral financial institutions, in addition to mandatory contributions from the private sector. The financial mechanism will be designed to provide new and additional resources for Parties to meet their treaty obligations, supplementing existing financial flows from domestic finance, multilateral entities, and private sector sources. This ensures that all Parties, especially those facing significant economic and technical barriers, receive the support necessary for full implementation of the Convention.

The financing mechanism established under this Article will operate as a mandatory system designed to ensure that all Parties, particularly those with limited resources, can meet their obligations under the Convention. The mechanism will be composed of one or more funds, managed by designated entities, that will provide financial and technical assistance to Parties in need. These funds will be replenished through mandatory contributions from multiple sources: first, from multilateral, regional, and bilateral financial institutions; second, through obligatory contributions from the private sector; and third, by ensuring the inclusion of additional resources from domestic finance within each Party. The funds will be specifically earmarked for capacity-building activities, technical support, and the implementation of the treaty's obligations, particularly in developing countries and countries with economies in transition. The financial mechanism will be monitored by the Conference of the Parties (COP), which will provide ongoing guidance and review the allocation of resources to ensure that financial flows are effectively directed toward fulfilling the Convention's objectives. The mechanism will also have built-in provisions for periodic assessments to evaluate its efficiency and the impact of the resources provided, ensuring that the financial support aligns with the evolving needs of the Parties and contributes to their long-term capacity to comply with the treaty's requirements.

The Conference of the Parties (COP) will be responsible for overseeing the financial mechanism, providing binding policies and guidance for its operation. At the first meeting of the COP, Parties will be required to review the effectiveness of the mechanism and assess whether it is adequately addressing the needs of developing countries and countries with economies in transition. The COP will evaluate the effectiveness of the funding, the performance of the entities managing the mechanism, and determine whether the mechanism is delivering on its obligations to assist Parties in fulfilling their commitments under the Convention. Additionally, the COP will ensure that the financial mechanism is aligned with the overarching goals of the Convention, which include human rights, sustainable development, and public health.

In the interim period between the adoption of the Convention (DipCON) and the first meeting of the COP (COP1), the Article mandates the establishment of transitional arrangements. These arrangements will include clear guidance on the financial mechanism's operational modalities and will outline any additional measures required to ensure the effective implementation of the provisions. The COP will be responsible for ensuring that these obligations are met during this interim period, ensuring a seamless transition to full implementation once the Convention enters into force.



F) Standalone provision- Fishing Gear

Regulation of Production, Use, and Disposal

Each Party to this Treaty shall adopt and enforce effective measures to regulate the production, use, and disposal of fishing gear, including nets, rods, traps, pots, and fishing lines, to prevent environmental pollution and promote sustainable practices within the fisheries and aquaculture sectors. Parties are obligated to ensure that the production and use of such gear does not result in excessive waste or contribute to marine pollution. In addition, Parties must establish and maintain appropriate waste management systems to address the accumulation of discarded or lost fishing gear.

Mandatory Recovery and Recycling Systems

Each Party shall implement mandatory systems for the recovery, recycling, and safe disposal of lost or discarded fishing gear. These systems must include the development and deployment of technologies designed to retrieve and recycle fishing gear. Parties shall promote the development of sustainable technologies that support the collection and recycling of fishing gear waste, ensuring these technologies are accessible and available to relevant stakeholders within the fishing and aquaculture industries.

Regulation of Import and Trade

To address the environmental challenges caused by overproduction and unsustainable trade practices, each Party shall regulate the import and trade of fishing and aquaculture gear. Parties are required to implement binding regulations that mandate sustainable production practices, waste management standards, and environmental safeguards for producers, importers, and retailers of fishing gear. This includes ensuring that imported gear does not contribute to excessive waste or harm to the environment.

Financial Penalties and Incentives

Each Party shall establish a financial penalty system for the improper disposal of fishing gear. The imposition of fines shall incentivize compliance with sustainable waste management practices. These penalties will support the creation of funding mechanisms dedicated to the recovery and recycling of fishing gear, while also providing positive incentives, such as tax credits or subsidies, for industries and stakeholders that adopt sustainable practices.

Cooperation and International Regulations

Parties shall cooperate in the development and implementation of both national and international regulations designed to reduce the environmental impact of fishing and aquaculture gear. Parties are required to align their national policies with the global objectives of this Treaty. This includes ensuring that national policies contribute to the global reduction of plastic pollution and support sustainable practices in fisheries and aquaculture sectors worldwide.



Transboundary Movement and Monitoring

Each Party shall take all necessary measures to close any regulatory loopholes that facilitate the unregulated or illegal transboundary movement of fishing gear and plastic waste. Parties must implement monitoring and tracking systems to control and manage the flow of plastic materials across borders. Binding regulations governing the transboundary movement of plastic waste, including fishing gear, shall be established to prevent illegal dumping and ensure that international standards for waste management are met.

By signing this Treaty, each Party reaffirms its commitment to leadership in global ocean conservation and pledges to take the necessary legislative and regulatory actions to reduce the environmental impact of fishing gear waste. Through these collective obligations, Parties shall contribute to the broader goals of the Global Plastics Treaty, positioning themselves as global leaders in ocean sustainability and plastic waste reduction.

G) (Standalone provision) National Action Plans

A governing body shall be established to oversee the implementation of the Treaty's objectives and approve each Party's national plan for eliminating plastic pollution. The governing body's responsibilities shall include:

- (a) Reviewing and approving national plans submitted by Parties, ensuring they align with the Treaty's goals and principles.
- (b) Providing guidance to Parties on the development and execution of national plans, while considering the specific economic and developmental needs of each Party, particularly those from developing countries and small island states.
- (c) Ensuring that no punitive measures are imposed on developing countries for non-compliance, allowing flexibility for Parties facing economic or structural challenges in meeting the Treaty's obligations.
- (d) Facilitating the implementation of mechanisms that enable Parties to progress toward the global goal of zero plastic pollution and net-zero emissions, with due consideration for the economic impacts on microeconomies.

Responsibilities of the Governing Body

The governing body shall:

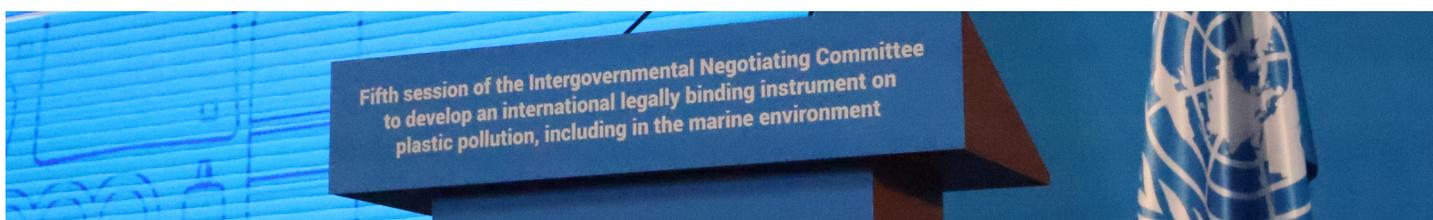
- (a) Provide strategic oversight and guidance to Parties on their national efforts to eliminate plastic pollution.
- (b) Avoid duplication of efforts by coordinating resources and recommendations for national plans, ensuring efficient and effective action toward the Treaty's objectives.
- (c) Report to the Secretariat any issues, challenges, or nuances that arise during implementation, and make recommendations for improvements.
- (d) Foster international cooperation by ensuring that the implementation of national plans does not interfere with the broader objectives of the Treaty, particularly in promoting global cooperation and regulatory harmonization.

National Plans as a Tool for Implementation

- (a) The national plan shall be the primary tool through which each Party will outline its strategy to eliminate plastic pollution. The plan shall be submitted to the governing body for review and approval.
- (b) The use of national plans shall be confined to this section of the Treaty. National plans, committees, and the governing body shall not be referenced or incorporated into other sections of the Treaty to avoid shifting the focus of regulation from multilateral obligations to individual national responsibilities.
- (c) The Treaty's overarching objectives and obligations shall not be diluted or subordinated to the implementation of national plans. The regulation of plastic pollution shall remain within the framework of the Treaty itself, ensuring the integrity and efficacy of the multilateral approach.

Avoidance of Friction with International Cooperation

The reference to national plans, committees, and the governing body shall be limited to this section to prevent the diversion of the Treaty's core mission and objectives toward intergovernmental affairs. The implementation of national plans shall not undermine the global framework or interfere with the collective, binding obligations established by the Treaty. The focus shall remain on international cooperation, with national plans serving as a means to support, not replace, multilateral regulation and action.



Policy Brief – November 25, 2024

Addressing Plastics from Bottled Water: Towards a Global Governance Framework

by Raul Pacheco-Vega, PhD

Executive Summary

The rapid rise of bottled water consumption has commodified a basic human right, intensifying the global plastics crisis. Due to limited access to reliable tap water, aggressive marketing, and inadequate regulatory frameworks, bottled water has become a widespread alternative, generating an enormous volume of single-use plastic waste. This reliance fuels fossil-based plastic production, with waste now polluting oceans, rivers, and ecosystems at an alarming rate.

Addressing this issue demands a coordinated, multi-scalar approach. A global plastics treaty, endorsed by nearly 180 countries, represents a critical step toward reducing plastic pollution. This agreement can foster essential advances in regulation, recycling, and sustainable production practices. Solutions must operate at multiple levels:

Global: A binding plastics treaty that coordinates across nations, successfully reduces plastic pollution across the plastics life cycle, truly protects human health, and minimizes climate impacts.

National: Harmonizing policies to increase coordination across national and subnational scales for plastic management.

Local: Strengthening waste management systems integrating the formal and the informal, as well as empowering and educating citizens to shift away from single-use plastics.

In sum, a collaborative, multi-level strategy is therefore essential to restore water as a public good, to minimize reliance on disposable plastics, and simultaneously address the global negative impact of plastic waste.

The Problem: Bottled Water as a Commodity Creates a Market for Increased Plastics Consumption

Water is essential for human life and a necessary and vital element of societal functioning (Alcamo et al. 2008; Gupta et al. 2013). According to the World Water Assessment Programme (WWAP), 2.2 billion people had no



access to safe drinking water, and 1.4 billion people were affected by droughts globally.

Ensuring equitable and universal access to water requires designing policy instruments that facilitate water governance across multiple types of water and policy issues (Gupta, Pahl-Wostl, and Zondervan 2013; Pacheco-Vega 2020a; Tortajada 2010). One of the global strategies to ensure universal access to water was the United Nations resolution to enshrine access to water and sanitation as a human right.

In recent years, the United Nations' decision to include packaged water as a potentially helpful strategy to achieve SDG Goal 6.1 targets (Walter, Kooy, and Prabaharyaka 2017) has meant that the governance of bottled water has been muddied. It is no longer a strict expectation for governments to ensure that citizens have access to tap water directly from water fountains and at the household level.

Governing bottled water requires developing robust public policy instruments, as well as strong regulatory regimes across contexts (Pacheco-Vega 2019). Though there are regulations across the globe that establish governments' responsibility for water provision at the household level, requirements can be somewhat lax and their scope rather limited. This dereliction of duty on the part of governments creates additional markets for bottled water production (Hall 2010; Hawkins 2017; Pacheco-Vega 2019) and sales, with the subsequent increase in plastic pollution generated from packaging the vital liquid.

The Social and Environmental Impacts of Bottled Water

Consumption of bottled water has grown exponentially in recent decades, bringing along the generation of a huge volume of plastic bottles disposed of in massive amounts in landfills. Over 10 million tons of plastic waste are discarded in the oceans, and more than 50 percent of the total plastic produced—almost 380 million tons per year—is single-use. Our global “use-and-dispose” culture has greatly contributed to ocean pollution and the generation of multiple environmental problems related to plastic waste management and disposal, including increased production and use of fossil fuels and the contamination of both surface and groundwater bodies.

Plastics' entire life cycle creates multiple environmental and social challenges (Duvic-Paoli 2020; Ferraro and Failler 2020; Löhr et al. 2017; Vince and Hardesty 2018; Xanthos and Walker 2017). Because plastics are made from fossil fuels, their permanence in natural environments is prolonged and there are multiple substantial

challenges in removing them. Plastics from fossil fuels create pollution in enclosed water bodies (lakes and reservoirs) as well as in open water (oceans). Long-term negative effects of plastic pollution include health impacts from microplastics present in bottled water (Borrelle et al. 2017; Lebreton et al. 2018; Pettipas, Bernier, and Walker 2017).

Why does the Governance of Bottles Water Matter for the Reduction of Plastic Pollution?

Bottled water creates environmental problems in at least three ways:

1. By effectively commodifying a human right (Pacheco-Vega 2020b).
2. By exacerbating the production of fossil fuels required to produce plastic bottles (Gabrys, Hawkins, and Michael 2013; Krantzberg et al. 2023; O'Neill 2019).
3. And, by increasing the amount of plastic being disposed of across the globe (de Deus et al. 2024).

One of the gravest issues with the global consumption of bottled water and the substitution of tap water with packaged water is the lack of a governance model to control, regulate, and reduce plastic bottle production. A problem that might seem local, like bottled water consumption, actually requires an international agreement. The global plastics agreement presents multiple opportunities, including prioritizing the reduction of plastics and expanding the implementation of reuse systems rather than relying on recycling, bio-based, biodegradable, compostable plastics, and non-plastic alternatives. Similarly, a global agreement focused on reducing and eliminating excessive plastic production will help make production processes more efficient. Finally, another key opportunity lies in fostering collaboration between countries to provide access to human capital and scientific knowledge on implementations and better waste treatment and disposal technologies.

Potential Policy Solutions by Scale (Global, National, Local)

At the global level, plastics governance necessitates coordination across countries and stakeholders (Nielsen et al. 2019). There are multiple constituencies that need to be included in the discussions and negotiations that tackling the issue of pollution due to global plastics entails. Industry representatives (following a similar approach to Article 5.3 of the FCTC), academics, civil society organizations, government officials must coordinate and engage in negotiations that produce robust policy options (Evans et al. 2020), including a legally binding instrument.

At the national level, governments will also need to collaborate and coordinate with subnational governments at the provincial/state/regional level. Because plastics' regulation varies across countries' regulatory frameworks, it is important to harmonize these across all scales (O'Neill 2019).

At the local level, municipalities and cities will need to engage in discussions with stakeholders that may not be present in global negotiations. These include extremely vulnerable populations, such as informal waste pickers (Dauvergne 2018; Gall et al. 2020; O’Hare and Nøklebye 2024; Pacheco-Vega and Parizeau 2018). Urban recyclers have already been part of the global conversations on plastics’ governance. As just an example, the International Alliance of Waste Pickers have actively participated in the negotiations for a global plastics treaty since 2022.

The Need for a Global Plastics Treaty

Continued massive production of single-use plastic bottles and the consumption of water packaged in these bottles negatively impacts marine and terrestrial ecosystems, reduces the universality of the human right to water, and thus underscores the need for a global plastic reduction agreement. On March 2, 2022, nearly 180 countries endorsed a historic resolution to create such an agreement, aiming to eliminate all plastic pollution by 2040.

Given that plastics are a global environmental issue, it is imperative that their governance be global too (Borrelle et al. 2017; Raubenheimer and McIlgorm 2017; Tessnow-von Wysocki and Le Billon 2019). Individual efforts by countries to reduce plastic pollution are extremely important and welcome but these still necessitate international agreements and collaboration across countries for multiple issues, including cross-border plastic markets, transportation and storage, and final disposal.

Even though bottled water is distributed globally (Hawkins 2011, 2017; Pacheco-Vega 2023), water supply is primarily governed by local agencies. At the city level, bottled water is frequently picked up by informal waste pickers. Therefore, it is also important to consider them in the broad range of multiple stakeholders in the plastics governance system (Gall et al. 2020; O’Hare and Nøklebye 2024; Pacheco-Vega 2022).

Conclusion

Plastics from bottled water present a significant challenge to enacting the human right to water while increasing pollution across multiple water bodies and territories. A significant challenge in global plastic governance is that for an agreement to exist, we need to consider the full lifecycle involved in plastic generation by the bottled water industry and allied sectors. Another major challenge in global plastic governance is the structure of international environmental agreements. While some treaties have non-binding clauses, to reduce excessive plastic production and disposal in oceans, lakes, rivers, and urban and peri-urban areas, it is essential for regulations to be binding, according to both international environmental law standards and the legislation of the countries involved in these treaties.

Consumers have substantial power to control and reduce bottled water consumption, and thus reduce plastic production that ends up being illegally or irregularly disposed of in lakes, rivers, oceans, and other water bodies. However, conscious decisions to reduce bottled water consumption must be accompanied by the

establishment of institutional arrangements and reforms that allow legislation for various initiatives to reduce the volume of produced plastic waste that reaches disposal.

Reducing bottled water consumption and single-use plastic production is not solely the responsibility of governments or citizens. Only through the tripartite collaboration of governments, industry, and society can we make strides toward more sustainable conditions and reduce the negative impact of single-use plastics on global water bodies.

Policy Recommendations from Azul

For the Plastics Treaty to succeed in reducing plastic pollution throughout its life cycle, truly protect human health and minimize climate impact, it must address the following priority areas:

- Substantially reduce aggregate global plastic production to protect human and environmental health, upholding human rights for current and future generations, and respecting planetary boundaries.
- Prioritize the reduction of plastics and expand the implementation of reuse systems rather than relying on recycling, bio-based, biodegradable, compostable plastics, and non-plastic alternatives.
- Establish transparency standards that include a complete identification, elimination, and traceability of chemicals, including polymers, that are hazardous or of concern, across the full lifecycle of plastics to regulate these chemicals by group based on the no data no market principle.
- Eliminate highly problematic plastic products and materials.
- Develop and implement tailored measures to prevent microplastic pollution at source and across the full lifecycle of plastics, including alternatives and substitutes.
- Apply the zero waste hierarchy, applying the prevention and precautionary principles to chemicals, polymers, and plastic products and their alternatives and substitutes across their full lifecycle, and prohibit waste management technologies and systems assessed as unsafe, unsustainable, non-transparent, and non-essential by an independent expert subsidiary body of multi-stakeholders under the instrument.
- Include a strong financial mechanism that adheres to the zero waste hierarchy to facilitate the flows of financial resources from the developed to the developing world, particularly for Small Island Developing States (SIDS) and Least Developed Countries (LDCs).
- Establish a multistakeholder science-policy interface (including rightful knowledge holders and socio-economic expert groups) as a subsidiary body of the instrument established with the support of a robust conflict of interest policy.
- Establishment of a Global Fund to pool resources from governments, NGOs, and businesses, dedicated solely to initiatives targeting plastic waste reduction.
- Public-Private Partnerships (PPPs) between public entities and private companies to combine resources and expertise to tackle plastic pollution.

- Targeted Financing Mechanisms to create specialized funding streams aimed at specific regions or projects, ensuring that the unique needs of different communities are addressed.
- Standalone obligations that establish standards to encourage sustainable waste management of aquaculture gear and the needed technologies to recover this lost, dumped equipment.

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Press Statement – November 26, 2024

Azul Statement on Participation Conditions at the Fifth Intergovernmental Negotiating Committee (INC-5) for a Plastics Treaty

Busan, Republic of Korea (November 26, 2024) – Azul is disappointed at the restrictions placed on Observers due to room capacity issues during the Fifth Intergovernmental Negotiating Committee (INC-5) for a Plastics Treaty. Observer participation is crucial to ensuring that the needs, knowledge, and expertise of civil society are present during these negotiations, as stressed in UNEA resolution 5/14, which called for the “widest and most effective participation possible.”

As noted repeatedly in the UNEP report, *Neglected: Environmental Justice Impacts of Marine Litter and Plastic Pollution*, meaningful engagement in decision-making is an essential principle for environmental justice:

“Procedural justice investigates the inequity of bargaining powers of communities with different levels of economic development and is associated with issues of the right of all peoples to participate in the decision-making process.” (pg 13)

“Broader systemic issues of policies of inclusion or exclusion of certain interests in negotiation, such as ensuring rights to information and public participation in decision-making, can create spaces for the proliferation of environmental injustices at all geographic scales.” (pg 13)

“Some guiding principles for achieving environmental justice have already been identified, many of which are alluded to throughout the report. These include rights to information, appropriate training for potentially exposed workers, public participation in decision-making, opportunities for input and partnership for all stakeholders, and ensuring the involvement and guidance of vulnerable communities in the environmental decision-making process.” (pg 14)

Marce Gutiérrez-Graudiņš, Founder and Executive Director of Azul and co-author of the UNEP report, *Neglected*, released the following statement:

“The right to information and public participation is crucial to achieving environmental justice,” said Gutiérrez-Graudiņš. “It’s discouraging to see the logistical failures that are resulting in inequitable participation for all parties involved, especially considering these types of systemic issues are ripe for the propagation of environmental injustices at all levels.”

More than 500 observer organizations from across the globe, many of whom traveled thousands of kilometers

to attend these pivotal negotiations, are effectively shut out of negotiation rooms. In addition to room capacity issues, observers and member states have experienced severe internet connection issues, which further hinder negotiations. Combined, these shortcomings create an inadequate environment to create and deliver the treaty the world needs.

It is imperative that these negotiations are carried out in an equitable and transparent manner and that the process provides adequate opportunities for observers to engage meaningfully. As the negotiations proceed, we call on the INC Secretariat to take action to ensure observer organizations can meaningfully participate in these negotiations.



Language Suggestions – November 27, 2024

Azul Submits Treaty Language on Financing Mechanisms for Legally Binding Plastics Treaty

Policy Analysis and Legal Analysis

Azul submits the following language suggestions on Article 11 regarding Financing Mechanisms in the international legally binding instrument on plastic pollution, including in the marine environment.

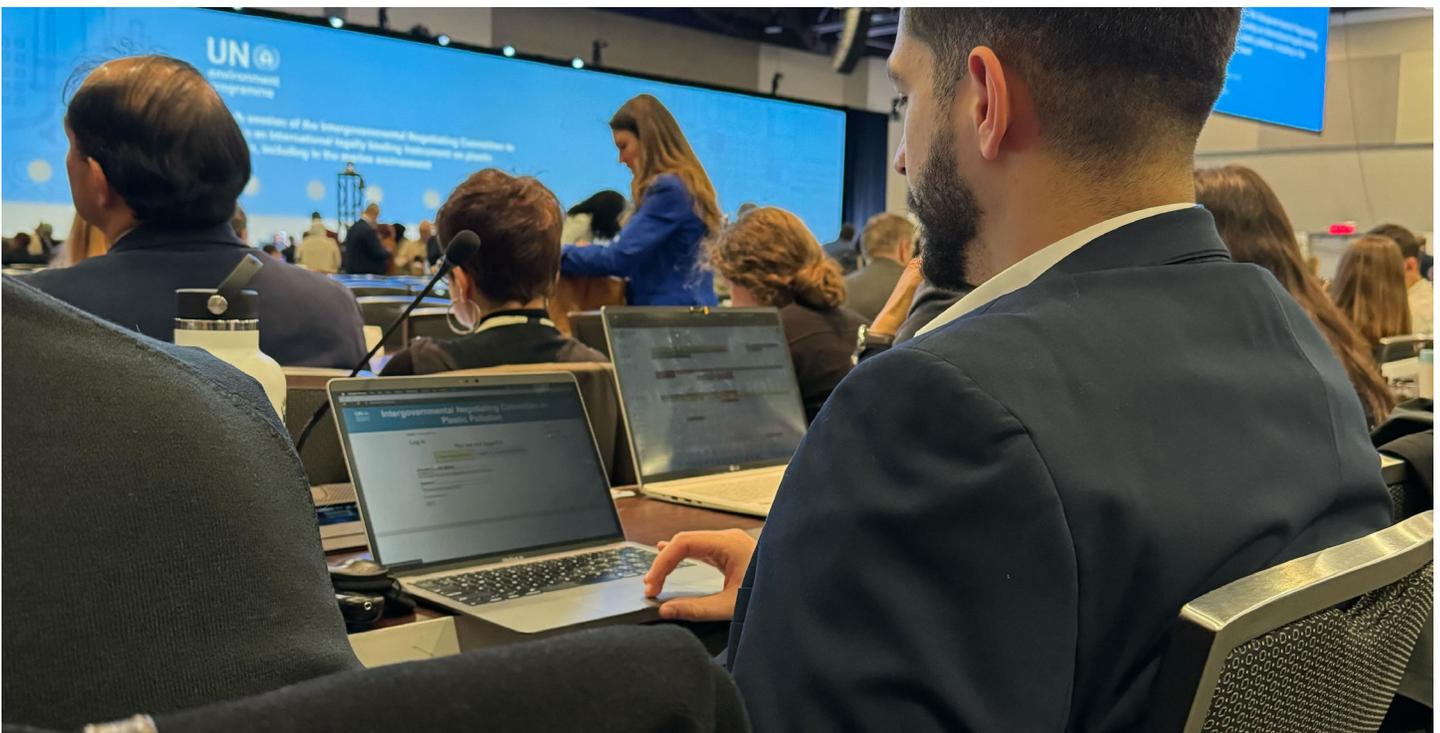
Article 11: Financing Mechanism

1. This Article establishes binding obligations for each Party to mobilize resources, with correlation to each Party's impact on enabling plastic pollution, to implement national activities that are in line with the provisions of the Convention.
2. Each Party shall take concrete actions to align their national policies, priorities, plans, and programs with the objectives of the Convention, ensuring that these activities are adequately resourced and supported. Recognizing the differing capacities of Parties, particularly those in the Global South, the Article mandates that those Parties be provided with obligatory capacity-building, technical assistance, and financial support to enable them to meet their obligations under the treaty effectively.
3. In this context, the Article requires the creation of a financial and technical cooperation mechanism that will provide binding assistance to Parties in need of support. The flow support shall be in the form of enabling financial flows from developed to developing countries, correlated to the impacts on plastic pollution by both developed and developing countries.
4. This mechanism must include the establishment of a new fund, modeled on the structure and principles of the Global Environment Facility (GEF), which shall provide targeted financial support to Parties for the implementation of their obligations under the Convention. The new fund will be designed to provide new and additional resources for Parties to meet their treaty obligations, supplementing existing financial flows from domestic finance, multilateral entities, and private sector sources. This ensures that all Parties, especially those facing significant economic and technical barriers, receive the support necessary for full implementation of the Convention.

5. The new fund will be governed by a board of trustees, representing both developed and developing countries, and will operate under the principle of equity and common but differentiated responsibilities. The fund will focus on projects and initiatives that address the root causes and impacts of plastic pollution, prioritizing those regions and sectors most vulnerable to the effects of plastic waste.
6. The fund will be replenished through mandatory contributions from developed countries, international financial institutions, and private sector entities. Contributions to the fund will be based on a polluter-pays principle, ensuring that countries with the highest plastic pollution footprints contribute proportionally to the fund. These contributions will be subject to transparent accounting and auditing procedures, with all financial transactions made publicly available.
7. To ensure the effective and accountable implementation of these obligations, the Article mandates robust transparency and reporting mechanisms. Parties will be required to regularly report on the financial and technical support received, as well as on the progress made in implementing their national activities in line with the Convention's objectives. These reports will be subject to review by an independent body, which will assess the adequacy and efficiency of the support mechanisms and the effectiveness of national actions.
 - (7.1) Additionally, the financial and technical cooperation mechanism will operate with clear, publicly accessible records detailing the sources, allocations, and disbursements of financial contributions. This includes a commitment to disclose information on contributions from private sector entities and multilateral institutions, ensuring transparency in funding flows and the alignment of resources with the most pressing needs of Parties, particularly those with limited capacity to combat plastic pollution.
 - (7.2) Through these transparency measures, the Article aims to foster trust, ensure equitable resource distribution, and maintain the integrity of the Convention's implementation process, making sure that all Parties are held accountable for both the support they provide and the actions they take to address plastic pollution.
8. The financing mechanism established under this Article will operate as a mandatory system designed to ensure that all Parties, particularly those with limited resources, can meet their obligations under the Convention. The mechanism will be composed of one or more funds, managed by designated entities, that will provide financial and technical assistance to Parties in need. These funds will be replenished through mandatory contributions from multiple sources: first, from multilateral, regional, and bilateral financial institutions; second, through obligatory contributions from the private sector; and third, by ensuring the inclusion of additional resources from domestic finance within each Party. The funds will be specifically earmarked for capacity-building activities, technical support, and the implementation of the treaty's obligations, particularly in developing countries and countries with economies in transition. The financial mechanism will be monitored by the Conference of the Parties (COP), which will provide ongoing guidance and review the allocation of resources to ensure that financial flows are effectively directed toward fulfilling the Convention's objectives. The mechanism will also have built-in provisions

for periodic assessments to evaluate its efficiency and the impact of the resources provided, ensuring that the financial support aligns with the evolving needs of the Parties and contributes to their long-term capacity to comply with the treaty's requirements.

- 9.** The Conference of the Parties (COP) will be responsible for overseeing the financial mechanism, providing binding policies and guidance for its operation. At the first meeting of the COP, Parties will be required to review the effectiveness of the mechanism and assess whether it is adequately addressing the needs of developing countries and countries with economies in transition. The COP will evaluate the effectiveness of the funding, the performance of the entities managing the mechanism, and determine whether the mechanism is delivering on its obligations to assist Parties in fulfilling their commitments under the Convention. Additionally, the COP will ensure that the financial mechanism is aligned with the overarching goals of the Convention, which include human rights, sustainable development, and public health.
- 10.** In the interim period between the adoption of the Convention (DipCON) and the first meeting of the COP (COP1), the Article mandates the establishment of transitional arrangements. These arrangements will include clear guidance on the financial mechanism's operational modalities and will outline any additional measures required to ensure the effective implementation of the provisions. The COP will be responsible for ensuring that these obligations are met during this interim period, ensuring a seamless transition to full implementation once the Convention enters into force.



2024 National Azul Poll Factsheet – November 28, 2024

Latino voters want bold action on plastics

The **2024 National Azul Poll: Latinos and the Ocean** is the second-ever nationwide poll on Latino viewpoints on ocean protection, policies and recreation. The latest poll dives deeper into critical issues affecting our ocean and communities, offering new insights into voter priorities and policy solutions.

Latino communities are not a monolith, but the results are clear: Latino voters want governments to take bold action on plastics, and they are willing to pay more out of their own pocket to advance ocean justice. The findings from the 2024 National Azul Poll show:

Latino voters support holding plastic manufacturers accountable, and want to see a Global Plastics Treaty, even if it means the U.S. may have to follow difficult and expensive rules.

73% support a ban on the use of single-use plastic products (such as straws, forks, cups, and packaging) even if it means having less convenient options

77% support holding plastics manufacturers legally and financially accountable for plastics pollution caused by their products

75% support creating a legally binding international treaty that aims to end plastic pollution, even if it means the U.S. may have to follow difficult and expensive rules

Latino voters agree plastic products are a health threat and favor transparency and regulation of toxic chemicals in plastic products.

76% favor regulating the use and types of chemicals in plastic. The production of plastic products often involves the use of toxic chemicals, many of which remain in the plastic product and pass into the environment when the plastic becomes waste and pollution.

88% agree plastic products are a threat to the health of the environment, especially to the ocean

88% agree we must do more to prevent plastic pollution

85% agree plastic pollution will get worse if the government does not do something to prevent it

The poll, conducted by Barreto Segura Partners (BSP) Research for Azul, surveyed 2,500 registered Latino voters across the nation. In addition to a national sample, respondents were oversampled in Boston and the Northeast, Chicago, Georgia, North Carolina and South Carolina, the Pacific Northwest, Texas, Florida, New Jersey and New York, and California.



2024 National Azul Poll Factsheet – November 28, 2024

Republican Latino voters want bold action on plastics

The **2024 National Azul Poll: Latinos and the Ocean** is the second-ever nationwide poll on Latino viewpoints on ocean protection, policies and recreation. The latest poll dives deeper into critical issues affecting our ocean and communities, offering new insights into voter priorities and policy solutions. Latino communities are not a monolith, but the results are clear: Latino voters want governments to take bold action on plastics, and they are willing to pay more out of their own pocket to advance ocean justice. The findings from the 2024 National Azul Poll show:

Republican Latino voters support holding plastic manufacturers accountable, and want to see a Global Plastics Treaty, even if it means the U.S. may have to follow difficult and expensive rules.

62% support a ban on the use of single-use plastic products (such as straws, forks, cups, and packaging) even if it means having less convenient options

61% support holding plastics manufacturers legally and financially accountable for plastics pollution caused by their products

62% support creating a legally binding international treaty that aims to end plastic pollution, even if it means the U.S. may have to follow difficult and expensive rules

Republican Latino voters agree plastic products are a health threat and favor transparency and regulation of toxic chemicals in plastic products.

71% favor regulating the use and types of chemicals in plastic. The production of plastic products often involves the use of toxic chemicals, many of which remain in the plastic product and pass into the environment when the plastic becomes waste and pollution.

82% agree plastic products are a threat to the health of the environment, especially to the ocean

84% agree we must do more to prevent plastic pollution

81% agree plastic pollution will get worse if the government does not do something to prevent it

The poll, conducted by Barreto Segura Partners (BSP) Research for Azul, surveyed 2,500 registered Latino voters across the nation. In addition to a national sample, respondents were oversampled in Boston and the Northeast, Chicago, Georgia, North Carolina and South Carolina, the Pacific Northwest, Texas, Florida, New Jersey and New York, and California.

2024 National Azul Poll Factsheet – November 28, 2024

Central American voters in the U.S. want bold action on plastics

The **2024 National Azul Poll: Latinos and the Ocean** is the second-ever nationwide poll on Latino viewpoints on ocean protection, policies and recreation. The latest poll dives deeper into critical issues affecting our ocean and communities, offering new insights into voter priorities and policy solutions. Latino communities are not a monolith, but the results are clear: Latino voters want governments to take bold action on plastics, and they are willing to pay more out of their own pocket to advance ocean justice. The findings from the 2024 National Azul Poll show:

Central American voters in the U.S. support holding plastic manufacturers accountable, and want to see a Global Plastics Treaty, even if it means the U.S. may have to follow difficult and expensive rules.

69% support a ban on the use of single-use plastic products (such as straws, forks, cups, and packaging) even if it means having less convenient options

73% support holding plastics manufacturers legally and financially accountable for plastics pollution caused by their products

72% support creating a legally binding international treaty that aims to end plastic pollution, even if it means the U.S. may have to follow difficult and expensive rules

Central American voters in the U.S. agree plastic products are a health threat and favor transparency and regulation of toxic chemicals in plastic products.

68% favor regulating the use and types of chemicals in plastic. The production of plastic products often involves the use of toxic chemicals, many of which remain in the plastic product and pass into the environment when the plastic becomes waste and pollution.

86% agree plastic products are a threat to the health of the environment, especially to the ocean

85% agree we must do more to prevent plastic pollution

85% agree plastic pollution will get worse if the government does not do something to prevent it

The poll, conducted by Barreto Segura Partners (BSP) Research for Azul, surveyed 2,500 registered Latino voters across the nation. In addition to a national sample, respondents were oversampled in Boston and the Northeast, Chicago, Georgia, North Carolina and South Carolina, the Pacific Northwest, Texas, Florida, New Jersey and New York, and California.



2024 National Azul Poll Factsheet – November 28, 2024

Mexican voters in the U.S. want bold action on plastics

The **2024 National Azul Poll: Latinos and the Ocean** is the second-ever nationwide poll on Latino viewpoints on ocean protection, policies and recreation. The latest poll dives deeper into critical issues affecting our ocean and communities, offering new insights into voter priorities and policy solutions. Latino communities are not a monolith, but the results are clear: Latino voters want governments to take bold action on plastics, and they are willing to pay more out of their own pocket to advance ocean justice. The findings from the 2024 National Azul Poll show:

Mexican voters in the U.S. support holding plastic manufacturers accountable, and want to see a Global Plastics Treaty, even if it means the U.S. may have to follow difficult and expensive rules.

74% support a ban on the use of single-use plastic products (such as straws, forks, cups, and packaging) even if it means having less convenient options

78% support holding plastics manufacturers legally and financially accountable for plastics pollution caused by their products

75% support creating a legally binding international treaty that aims to end plastic pollution, even if it means the U.S. may have to follow difficult and expensive rules

Mexican voters in the U.S. agree plastic products are a health threat and favor transparency and regulation of toxic chemicals in plastic products.

78% favor regulating the use and types of chemicals in plastic. The production of plastic products often involves the use of toxic chemicals, many of which remain in the plastic product and pass into the environment when the plastic becomes waste and pollution.

89% agree plastic products are a threat to the health of the environment, especially to the ocean

87% agree we must do more to prevent plastic pollution

86% agree plastic pollution will get worse if the government does not do something to prevent it

The poll, conducted by Barreto Segura Partners (BSP) Research for Azul, surveyed 2,500 registered Latino voters across the nation. In addition to a national sample, respondents were oversampled in Boston and the Northeast, Chicago, Georgia, North Carolina and South Carolina, the Pacific Northwest, Texas, Florida, New Jersey and New York, and California.

Policy Brief – November 29, 2024

INC-5: Financing Mechanisms Policy Brief

Key issues

- Definition of developing countries
- Financial flows
- Transparency mechanism at the time of disbursement
- Definitions of activities to be funded by financial mechanism

Definition of Developing Countries

According to the UN, a developing country is a country with a relatively low standard of living, undeveloped industrial base, and moderate to low Human Development Index (HDI). This index is a comparative measure of poverty, literacy, education, life expectancy, and other factors for countries worldwide. In turn, this makes the UNFCCC list of developing countries inaccurate and the wrongful precedent to set the financial flows of the mechanism.

We encourage member parties to reach a holistic, converging view of a list of countries with the lowest HDI index, in order to assess the gaps needed in financing. Furthermore, we suggest a need-based approach to the HDI, as SIDS and other archipelagic states and Indigenous would need substantial funding to promote equitable implementation of the treaty.

Suggestions on Financial Flows

The financing mechanism of the Convention should be designed to ensure equitable financial flows, with contributions tied to the principle of common but differentiated responsibilities, as binding obligations. Developed countries, international financial institutions, and the private sector should provide mandatory contributions to support the implementation of the Convention's objectives, particularly in developing countries and those with economies in transition.

- The contributions should be based on the “polluter-pays” principle, meaning countries with the highest plastic pollution footprints should contribute proportionally to the funding pool.
- These resources should be directed toward capacity-building, technical assistance, and the execution of national activities that align with the treaty's goals, particularly for Parties with limited resources.

- To ensure fairness and accountability, transparent reporting and auditing mechanisms should be in place to track the allocation and use of funds.
- These financial flows should be subject to independent review and continuous monitoring by the Conference of the Parties (COP), which should oversee the financial mechanism's effectiveness in addressing the needs of vulnerable countries, ensuring the alignment of financial support with the most urgent priorities, and upholding the principles of equity and sustainable development.

Transparency Mechanisms

A robust transparency board and mechanism will be integral to the effective implementation and accountability of the financing system under the Convention.

- This mechanism should ensure that all financial contributions and disbursements are transparent, publicly accessible, and subject to rigorous auditing procedures.
- The transparency board should oversee the flow of funds, tracking the sources, allocations, and use of financial resources, with detailed records made available to all stakeholders.
- It should also ensure that contributions from both public and private sector entities, as well as international institutions, are disclosed, maintaining full accountability and alignment with the treaty's objectives.
- Furthermore, an independent body should review the reports submitted by Parties, assessing the adequacy of the support received and the progress made in implementing national actions.

By fostering transparency, the mechanism aims to build trust among Parties, ensure that resources are equitably distributed to address the most pressing needs, and uphold the integrity of the Convention's implementation process. This would enable the effective monitoring of the treaty's goals while ensuring that all Parties are held accountable for their financial contributions and the actions they take to combat plastic pollution.

Definition of Financing Activities

The financing mechanism should fund a broad range of activities aimed at addressing the root causes of plastic pollution in a way that is inclusive, sustainable, and equitable.

- These activities should include capacity-building and technical assistance to develop local expertise and institutional frameworks, particularly in developing countries, as well as programs that promote public awareness and education about the impacts of plastic pollution.
- Funding should also support the creation of sustainable waste management systems, scientific research

into alternatives to plastic, and restoration projects for ecosystems damaged by plastic waste.

- The mechanism should prioritize social equity by supporting initiatives that invest in communities, including marginalized groups and those disproportionately affected by plastic pollution.
- Additionally, resources should be allocated to the development of national policies and governance structures, strengthening the ability of governments to enforce regulations and foster cross-sectoral cooperation.
- Finally, the financing mechanism should encourage global collaboration, funding joint initiatives between countries and multilateral organizations to share knowledge and best practices.

Guided by principles of equity, human rights, and sustainability, the funding should ensure that all Parties, particularly those with limited resources, can effectively address plastic pollution while promoting a just and inclusive transition to a world free of plastic pollution.



Policy Brief – November 29, 2024

Azul's Initial Analysis on Non-Paper Containing Draft Text from the Chair of INC-5

Following the Chair's publication of the Non-Paper 4.0 Containing Draft Text from the Chair of INC-5, Azul has reviewed and released an initial analysis of the draft of the text.

Currently, the proposed financing mechanisms could raise concerns about equity, transparency, and effectiveness. Our analysis finds:

- The financing mechanism outlined does not clearly define adequate financial flows from developed countries to those most in need, thereby falling short of addressing critical issues related to equitable access to funding.
- Ambiguous references to the transfer of technology may lead to ineffective solutions, creating a redundant framework that risks misdirecting resources. This ultimately leads to a misuse of funds that could otherwise be allocated to the effective implementation of the treaty.
- Paragraph 9 is unclear regarding the origin of additional resources and the nature of activities linked to blended contributions. Without clarity, there is a high likelihood that these mechanisms will offer only superficial solutions, diverting much-needed resources away from countries that require urgent support.
- Moreover, the article does not include a firm and concurrent commitment from member parties, which undermines the effectiveness of the funding mechanism. This shortfall could reduce the availability of resources for Indigenous communities and nations that are most vulnerable and in need of financial assistance.
- In addition to the points raised, the financing mechanism should establish clear, binding commitments from developed countries; otherwise, it could exacerbate the inequity in funding distribution. Without enforceable obligations or transparent tracking mechanisms, we could see promised resources that do not materialize or are misallocated, leaving developing countries, particularly those most vulnerable to climate impacts, without the support they need to implement the treaty effectively.
- Furthermore, the article should include clarity around how financial contributions will be monitored and reported to avoid opportunities for "greenwashing" or false claims of support. This could lead to situations where countries or institutions are able to report inadequate or misleading funding levels, undermining the trust and cooperation necessary to achieve meaningful progress on the treaty's goals.

- More attention should be given to the capacity-building needs of the most affected countries. While the transfer of technology is mentioned, there should be more focus on building local expertise or ensuring that these technologies are accessible and usable within the context of developing countries. Without proper knowledge transfer, infrastructure, and human capital development, the promised technologies risk being either impractical or underutilized, limiting their long-term impact.
- Moreover, the proposed financing mechanisms should account for the systemic nature of the challenges that countries in need are facing. While isolated financial contributions may help in the short term, there should be more consideration for long-term, sustainable solutions. Investment in climate resilience and adaptation requires not only immediate funding but also a commitment to long-term economic transformation and capacity-building, particularly in sectors such as healthcare, agriculture, and education, which are essential for community-level resilience.
- Finally, the treaty's emphasis on blending public and private contributions requires clear guidelines on the roles and responsibilities of private entities to avoid potential conflicts of interest. There is a risk that private sector actors, driven by profit motives, may prioritize projects that benefit their own agendas rather than the communities most in need. This underscores the importance of ensuring that any private sector involvement is subject to stringent accountability mechanisms and is aligned with the principles of equity and justice central to the treaty's objectives.



Statement – December 2, 2024

Negotiations to develop an ambitious, legally binding plastics treaty continue; bold leadership from Latin American countries lead the way

Busan, South Korea (December 2, 2024) – After 7 days of negotiations in Busan and a total of 5 rounds of negotiations over 2 years, the fifth session of the Intergovernmental Negotiating Committee to develop an international legally binding instrument on plastic pollution, including in the marine environment (INC-5), concluded its work without delivering a final text of the plastics treaty and instead announced the work would continue during a resumed series at INC 5.2.

Although more than 100 member states supported Panama’s proposal to adopt a global target to reduce plastic production, the entire draft text of the treaty is still on the table for discussion, marking minimal progress since the start of the INC. While the draft text contains important elements – like production reduction – there are a number of crucial elements still under debate, including financing mechanisms. Instead of seeing substantive progress, we witnessed a small minority of petrochemical states continually employ delay strategies to stall negotiations and block an ambitious treaty that would address the entire lifecycle of plastics.

Following the conclusion of negotiations at INC-5 and the announcement that the INC will continue its work during a resumed session, INC 5.2, **Marce Gutiérrez-Graudiņš, Azul’s Founder and Executive Director**, released the following statement:

“The 2021 UNEP-Azul report, *Neglected: Environmental Justice Impacts of Marine Litter and Plastic Pollution*, found that plastic pollution disproportionately and negatively affects marginalized communities around the world during every stage of the plastic lifecycle – from extraction to waste – and hinders the achievement of all 17 United Nations’ Sustainable Development Goals.

While we are disappointed to have finished this week’s work without a final text for the treaty, we are heartened to see the leadership of member states in Latin America championing an ambitious treaty with concrete solutions that center human rights. We are encouraged by the dedication to continue the work at INC 5.2 – the health of our communities, future generations, and the planet is at stake; it is crucial that we get it right.”

In addition to presenting a proposal to set a global target to reduce plastic production – a proposal backed by a majority of member states – Panama’s delegation took center stage during plenary sessions to make strong and necessary calls for decisive action, setting the stage for increased ambition.

Further illustrating that a significant number of member states support ambitious action, Mexico's delegation took the floor during closing plenary to read a list of 94 member states who are calling on the treaty text to include a legally binding obligation to phase out the most harmful plastic products and chemicals of concern in plastic, emphasizing that without such mandatory obligations, the treaty will fail to deliver on its promise.

In another display of support for an ambitious treaty, Rwanda's delegation took the floor to share a statement on behalf of 85 nations from around the world who are calling for a legally binding treaty that mandates reduction targets, phases out harmful chemicals, supports a just transition, and includes an equitable and mandatory financing mechanism.

During INC-5, Azul published a number of resources, including proposed language on equitable and mandatory financing mechanisms, ongoing analysis on the Chair's Non-Paper 4, and factsheets on U.S. Latino voters' attitudes towards plastic pollution from the 2024 National Azul Poll, among other materials. The full list of INC-5 resources is available for download in English and Spanish at Azul.org.

Visit Azul.org to access the files online and see more of our work on social media from INC-5.1

