



## **IUCN BRIEFING FOR NEGOTIATORS**

### **Plastic Treaty INC-1 Session Structure of Plastic Pollution Treaty**

#### **Key Messages:**

Given the ever-evolving nature of science and the complex, varied nature of plastic pollution, it is clear that the instrument to be adopted will need to be sufficiently flexible to allow for further adjustments and additions to the obligations. The different structural approaches found in environmental treaties to date provide a good guide and starting point. It is pivotal, however, that the treaty should include binding core obligations to fill existing regulatory gaps in relation to plastic pollution, including international trade restrictions (bearing in mind the Basel Convention regime), production caps, and financial and technical assistance. The treaty should also include mechanisms to ensure its effectiveness, such as a non-adversarial non-compliance mechanism (in line with recent MEAs).

#### **1. Specific convention use for structure**

*What?* As noted in the UNEP briefing note 5, the use of a specific convention structure involves a more thoroughly defined set of provisions in the body of the main treaty regime text and can be accompanied by an annex or series of annexes that contain more concentrated scientific and technical knowledge. In this context, the States wishing to become bound to the treaty sign onto the holistic combination of the main treaty terms and the annexes and become legally bound to that text provided they ratify it as required under their domestic legal requirements.

*Why is this an issue?*





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