

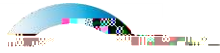


In 2022, the **IUCN World Commission on Environmental Law (WCEL)** created the Plastic Pollution Task Force to provide insights and support to the Treaty negotiation process. The following is one of a series of ten targeted legal briefs that are part of the present IUCN Submission for the third Intergovernmental Negotiating Committee to develop an international legally binding instrument on plastic pollution, including in the marine environment.

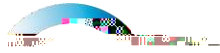
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7. Zero Drafts

When significant progress has been made in the discussion portions of the treaty negotiations process, it is not uncommon for a “zero draft” of the treaty to be offered. This is not a binding document and does not mean that debates or discussions have concluded. Instead, the zero draft is used as a starting point for formal suggestions and proposals f



agreements to create synergies and mechanisms of coordination between treaty regimes with overlapping terms and areas of regulation.

10. Voting Procedures

Voting procedures are crucial in any setting, and particularly in the context of a treaty negotiation. Typically, these are relatively standardized and agreed upon as a formality in the first round of treaty negotiations. The common practice in treaty negotiations is that each State has one vote and that regional entities may vote together as a block.

11. Approval and Adoption of Treaty Text

When the terms of the treaty have been agreed to by the States through the designated voting procedure, the entirety of the draft treaty text will be voted on by the States. Should this vote for the entirety of the treaty text be positive, the work of the negotiations will be complete but the treaty itself will not be legally binding. Instead, it will be forwarded to the body that requested the negotiations for review and for a vote on adoption. Assuming this body approves the text of the treaty, it will then adopt it and the treaty will be open for signatures. Following the national procedures for ratification, States will provide official notice when this is accomplished and at that point they will be bound by the terms of the treaty.

12. Date of Effectiveness of Treaty

It should be noted that one of the essential terms in any treaty is the designation of the date on which it goes into effect at the global level for those States that have become Parties to it. The choice of this date will reflect the priorities and concerns of those drafting the treaty in terms of ensuring that it has sufficient support to be meaningfully put into place. There are many options, including those that are more general – such as a designated date – or specific – such as when a certain number of States have ratified it or when a certain percentage of producing or consuming States have ratified it.