



A global plastics treaty and biodiversity:

IUCN's proposal for a specific article on
"Biodiversity Aspects" in the future Plastics Treaty

Authors:
Karine Siegart
Senior Policy Advisor, International Policy Centre
Alexandra A. Harrington
Chair, IUCN WCEL Agreement on Plastic Pollution Task Force

Proposing a dedicated article in the Plastics Treaty

Specifically, IUCN proposes the inclusion of a specific article on “Biodiversity aspects” in Part IV.8ter of the ILBI, following the Part IV.8bis of the RZD, which currently addresses “Health aspects.”

The box below shows the proposed text for Part IV.8ter:

Although express, freestanding articles relating to biodiversity are limited in treaty law, it should be noted that many MEAs were

adopted when the international protection of biodiversity was a new legal phenomenon and that recently adopted treaties, such as the High Seas Treaty, include biodiversity as a wide-ranging issue rather than only in a preamble. Additionally, recent soft law instruments, such as the 2023 Global Framework on Chemicals, have established strong connections between the regulation of chemicals, pollution and wastes, and biodiversity protection as well as the overall GBF.

8ter Biodiversity aspects

1. **Recognising the critical intersections between plastic pollution, circular economy solutions and innovations across all phases of the plastic lifecycle and impacts on biodiversity at the international, regional, national and local levels, Parties shall:**
 - a. Promote the development and implementation of strategies and programmes to identify and protect biodiversity, particularly species, including migratory species, ecosystems, terrestrial resources, and marine resources, from the short-, medium- and long-term impacts of plastic pollution across the plastics lifecycle. These measures shall include strategies and programmes relating to the impacts of and risks posed by legacy plastics to biodiversity, particularly species, including migratory species, ecosystems, terrestrial resources, and marine resources;
 - b. Promote the development and implementation of science-based educational and preventive programmes on the intersections between plastic pollution and circular economy solutions, and innovations across all phases of the plastic lifecycle and impacts on biodiversity;
 - c. Facilitate the incorporation of international, regional and national laws, policies and regulations addressing biodiversity in developing and implementing laws, policies, and regulations on plastic pollution, on circular economy solutions, on innovations across all phases of the plastic lifecycle, and in implementing this instrument;
 - d. Facilitate the incorporation of laws, policies, and regulations on plastic pollution, circular economy solutions and innovations across all phases of the plastic lifecycle, and implementing this instrument into laws, policies, and regulations relating to biodiversity; and
 - e. Ensure that biodiversity impact and assessment are included throughout the national plan communicated pursuant to [Part IV.1] and national reports communicated pursuant to [Part IV.3].
2. **The governing body, in considering biodiversity and environment issues or activities, shall:**
 - a. Consult and collaborate with the governing bodies of relevant international and regional treaty regimes, including the Convention on Biological Diversity;
 - b. Promote cooperation and exchange of information with the intergovernmental organisations, and other relevant stakeholders as appropriate; and
 - c. Take into account the commitments of Parties under the Kunming-Montreal Global Biodiversity Framework and related policies, standards, and guidelines.

Why is a dedicated article on biodiversity important?

The inclusion of a dedicated article on biodiversity in the ILBI would:

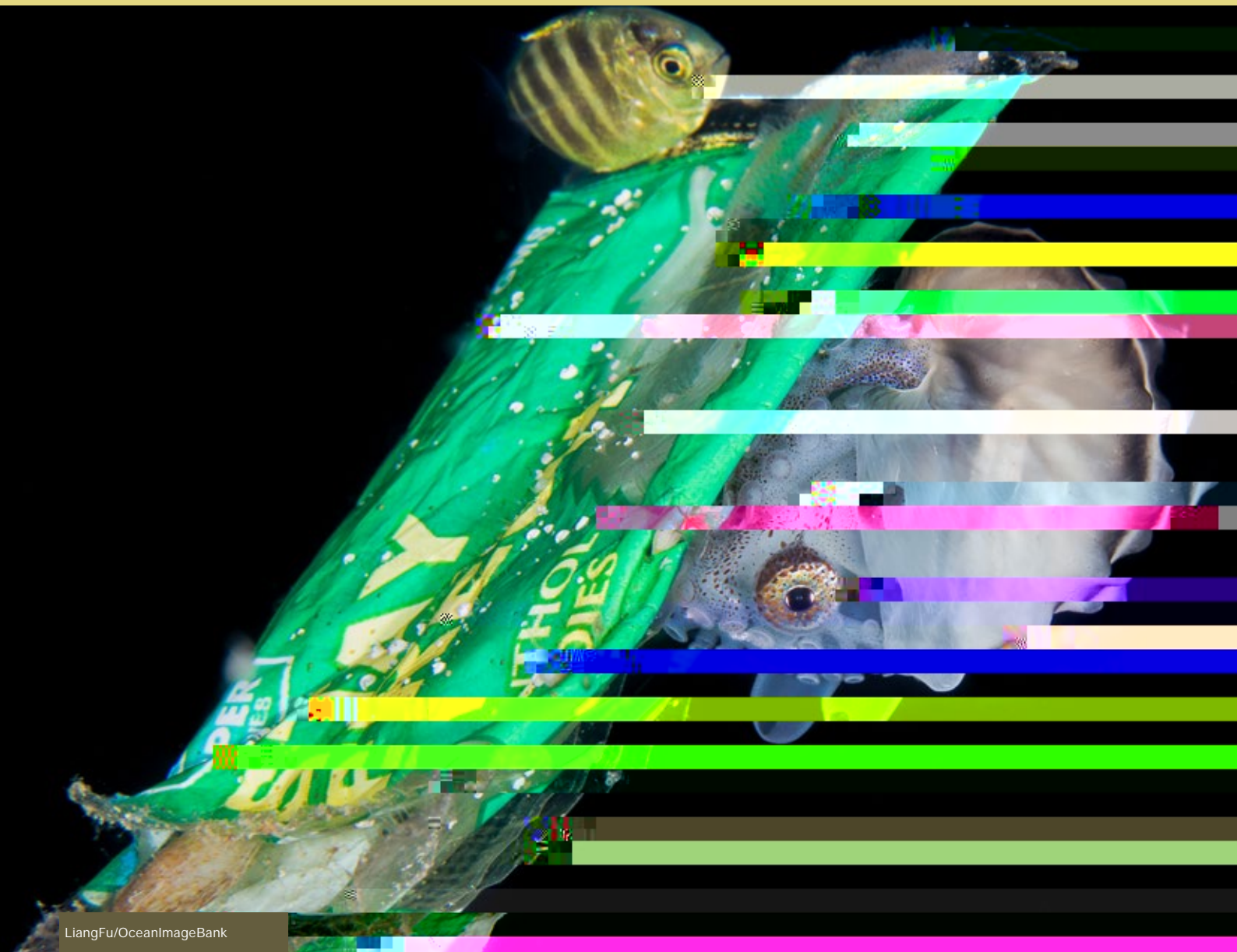
Facilitate the coordination of obligations under existing MEAs due to a growing trend of incorporating biodiversity into their functions and implementation. Indeed, since the 2022 adoption of the GBF under the auspices of the Convention on Biological Diversity, it has become common for MEAs to focus on the alignment of its established targets. For example, at the 2023 Minamata Convention on Mercury Conference of the Parties (COP) 5, a decision was adopted to encourage State Parties to include mercury regulation on their actions under the GBF, and vice versa, as well as to encourage work between the relevant secretariats.⁶ In December 2023, at Barcelona Convention COP 23, the Parties recognized the inherent necessity of addressing plastic pollution and protecting biodiversity in the Mediterranean region, with a focus on the importance of the GBF

to achieving the regional post-2020 Biodiversity Framework.⁷ In February 2024, the Convention on Migratory Species COP 14 adopted a decision, stating “CMS engagement in CBD processes including the Global Biodiversity Framework,” as well as measures that bring the regulation of species of concern in alignment with the requirements of GBF.⁸ Similarly,

Conclusion

IUCN and WCEL proposal of a dedicated article would guarantee that the text of the ILBI reflects commitments of States to the GBF and biodiversity principles that cut across legal regimes and generate areas of legal, regulatory, and science-based convergence. It would place policy, science and knowledge of stakeholders in a position to assist in understanding the ways in which the ILBI can be used to facilitate advancement of biodiversity protections and reductions in biodiversity loss.

The inclusion of a dedicated article on biodiversity in a future ILBI would thus serve to address many of the core harms caused by plastic pollution in the context of nature, as well as in terms of human health and climate change, and help to shape circular economy solutions and trade that benefits nature and people.



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