



A Step Toward the First Ever Global Treaty on Plastic Pollution

By Dorothy Chen

On March 2, 2022, representatives from 175 nations endorsed a resolution to craft the first ever global treaty on plastic pollution.¹ The passing of this historic agreement was the result of a three-day meeting at the fifth United Nations Environment Assembly, the world's highest decision-making body on the environment.² Citing the immense negative environmental impact of plastics and the need for international collaboration, the resolution aimed to shift away from single-use plastics toward a sustainable and circular economy.³

The resolution also established the Intergovernmental Negotiating Committee ("INC"), which will help nations to work out and agree on the details of the treaty by the end of 2024.⁴ The INC is tasked to specify the objectives of the treaty, promote the development of both national and international action plans in the "prevention, reduction, and elimination of plastic pollution," and facilitate the collaboration among all stakeholders.⁵ The finalized treaty will include both legally binding and voluntary measures.⁶ It will govern the entire lifecycle of plastics, including design, production, consumption, disposal, and recycle.⁷

Plastic production has exploded over the past seventy years.⁸ It grew from two million tons in 1950 to 348 million tons in 2017, making plastic production a global industry valued at \$522.6 billion.⁹ Microplastics, or tiny plastic debris, have become ubiquitous.¹⁰ They have been found everywhere, from the snowcapped Alps to the deepest part of the ocean, in the digestive tracks of fish, seabirds, and even humans.¹¹ Without intervention, the amount of plastic waste entering the marine system is expected to triple from the current eleven million metric tons to twenty-nine million metric tons by 2040.¹²

The ambitious resolution was welcomed by environmental activists and country delegates.¹³ Many of them praised the legally binding nature of the treaty, which would require countries to establish enforceable mechanisms to curb the use of plastics, and thus be held accountable for their actions.¹⁴ However, some worry the mandate will disproportionately disadvantage developing and underdeveloped nations that lack the financial means to shift away from plastics.¹⁵ While major plastic producers are pleased with the resolution, because countries will get to choose their own plastic reduction approach, they are urging countries to focus their efforts on the recycling of plastics instead of placing a cap on plastic production.¹⁶ Yet, the incentive to recycle is greatly diminished by how abundantly and cheaply plastic can be produced.¹⁷ Regardless of the varying reactions to the international treaty, this multilateral deal represents a significant step toward fixing the global plastic crisis.

¹ *Historic Day in the Campaign to Beat Plastic Pollution: Nations Commit to Develop a Legally Binding Agreement*, UN ENV'T PROGRAMME (Mar. 2, 2022), <https://www.unep.org/news-and-stories/press-release/historic-day-campaign-beat-plastic-pollution-nations-commit-develop> [<https://perma.cc/96H3-YBXG>] [hereinafter UN Press Release].

² Kristen Williams, *UN Environment Assembly Adopts Resolution to Negotiate Global Plastic Pollution Treaty*, JURIST (Mar. 3, 2022), <https://www.jurist.org/news/2022/03/un-environment-assembly-adopts-resolution-to-negotiate-global-plastic-pollution-treaty/> [<https://perma.cc/9GSL-AKUJ>]; *About the United Nations Environment Assembly*, UN ENV'T PROGRAMME, <https://www.unep.org/environmentassembly/about-united-nations-environment-assembly> [<https://perma.cc/989U-HXZN>].

³ UN Press Release, *supra* note 1.

⁴ *Id.*

⁵ *End Plastic Pollution: Towards an International Legally Binding Instrument*, UN ENV'T ASSEMBLY OF THE UN ENV'T PROGRAMME, at 2.

⁶ *Id.*

⁷ *Id.*

⁸ UN Press Release, *supra* note 1.

⁹ *Id.*

¹⁰ See Denise Chow, *175 Countries Agree to First-of-Its Kind Plastic Waste Treaty*, ABC NEWS (Mar. 2, 2022), <https://www.nbcnews.com/science/environment/175-countries-agree-first-kind-plastic-waste-treaty-rcna18517> [<https://perma.cc/WNZ8-M8NT>].

¹¹ *Id.*

¹² Simon Reddy & Winnie Lau, *Breaking the Plastic Wave: Top Finding for Preventing Plastic Pollution*, PEW (Jul. 23, 2020), <https://www.pewtrusts.org/en/research-and-analysis/articles/2020/07/23/breaking-the-plastic-wave-top-findings> [<https://perma.cc/9C4E-VVWN>].

¹³ Williams, *supra* note 2.

¹⁴ *Id.*

¹⁵ Joe McCarthy, *First-Ever Global Plastic Pollution Treaty: What Is It and Why Is It Important?*, GLOB. CITIZEN (Mar. 1, 2022), <https://www.globalcitizen.org/en/content/global-plastic-pollution-treaty/> [<https://perma.cc/KQ5D-YSHK>].

¹⁶ John Geddie & Joe Brock, *Analysis: Big Oil's Plastic Boom Threatens U.N.'s 'Historic' Pollution Pact*, REUTERS (Mar. 4, 2022), <https://www.reuters.com/business/environment/big-oils-plastic-boom-threatens-uns-historic-pollution-pact-2022-03-04/> [<https://perma.cc/VJ5E-CX64>].

¹⁷ *Id.*