Will the Global Plastics Treaty break the plastic wave? The
beginning of a long discussion road

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11 Abstract

We are experiencing the effects of the triple planetary crisis—climate change, loss of 12 13 nature, and pollution-aggravated by plastic pollution. Despite widespread global awareness of the adverse effects of plastic waste, the ongoing increase in pollution 14 15 remains persistent, with an annual increase in plastic consumption and incorrect disposal contributing to this serious problem. In 2022, 175 nations agreed to begin 16 negotiations by the end of 2024 on a binding international agreement to control the life 17 cycle of plastics, including preventing marine pollution. To ensure the efficacy of the 18 19 Global Plastics Treaty for mitigating plastic pollution, the extensive participation of researchers is imperative. The literature focuses on efforts in line with ongoing 20 negotiations. In this study, a systematic review of the Global Plastics Treaty was 21 conducted. The analyzed literature mainly focuses on the adverse effects of plastic 22

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overview of the subject can support ongoing negotiations and guide future research
about the Global Plastics Treaty.

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27 Keywords: UNEA Resolution 5/14, plastic pollution, legislation, governance, economy.

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29 Impact statement

The United Nations Environment Assembly (UNEA) approved Resolution 5/14, entitled "End Plastic Pollution: Towards an International legally binding instrument." An Intergovernmental Negotiating Committee (INC) was stablished to negotiate the Global Plastics Treaty, which is expected to enter into force by 2025. This treaty is aimed to reduce plastic pollution along the entire plastic life cycle.

The work of the literature and INC in the negotiations is critical to developing a genuinely successful treaty that minimizes plastic pollution. This systematic review of the Global Plastics Treaty provides an overview of the literature's contributions to the negotiations. Among the crucial provisions and recommendations, the literature affirms the significance of limiting global plastic production as the most effective measure for mitigating plastic pollution.

### 41 Introduction

We are living in the "Plasticene" contemporary epoch (Alava *et al.* 2023; Haram *et al.* 2020), experiencing the effects of pollution and plastic production on the triple planetary crisis of pollution, loss of nature, and climate change (United Nations Environment Programme 2022a). An effectively designed global legislative treaty to regulate plastics is necessary to mitigate the global crisis (Dauvergne 2023b).

The United Nations Environment Assembly (UNEA) approved the Resolution 5/14 47 entitled "End plastic pollution: Towards an international legally binding instrument" in 48 March 2022, which aims to address the issue of plastic pollution by implementing a 49 50 worldwide and legally enforceable treaty on plastics (Bergmann et al. 2022; Walker 2022), known as the Global Plastics Treaty. To conclude the treaty by the end of 2024, 51 52 an Intergovernmental Negotiating Committee (INC) was stablished, and the negotiations are ongoing. (Tiller & Nyman 2018)(Tiller & Nyman 2018)(Tiller & 53 54 Nyman 2018)

To ensure the success of negotiations such as those of the Global Plastics Treaty and the long-term efficacy of their results, extensive involvement of researchers is essential (Wang *et al.* 2023), even if indirectly. The literature is essential for an in-depth understanding of plastic pollution and its implications (Carratta & Jaeckel 2023), and is the solid basis for discussion and decision-making.

In this study, a systematic review of the Global Plastics Treaty was performed based on searches in the Scopus, Web of Science, and Google Scholar databases. As the main focus of the analyzed literature, the adverse effects of plastic pollution, legislation, governance, and the economy were briefly discussed. Based on this, a comprehensive overview of the available literature is presented in the following pages, which may support the negotiations and construction of an effective treaty, and guide future research on the Global Plastics Treaty.

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## 68 Methodology

A systematic review follows a protocol, a methodical technique known as *Preferred Reporting Items for Systematic Reviews and Meta-Analyses* (PRISMA) (Shamseer *et al.*

71 2015). Practice guidelines were formulated by compiling data from previous and

72 ongoing investigations. Appropriate keywords and inclusion criteria are determined 73 when the methodology is followed; this helps prevent biases and omissions, and 74 produces a more substantial review of the research issue (Neves *et al.* 2021). Thus, the 75 results may guide future research and, in this case, the development of the Global 76 Plastics Treaty.

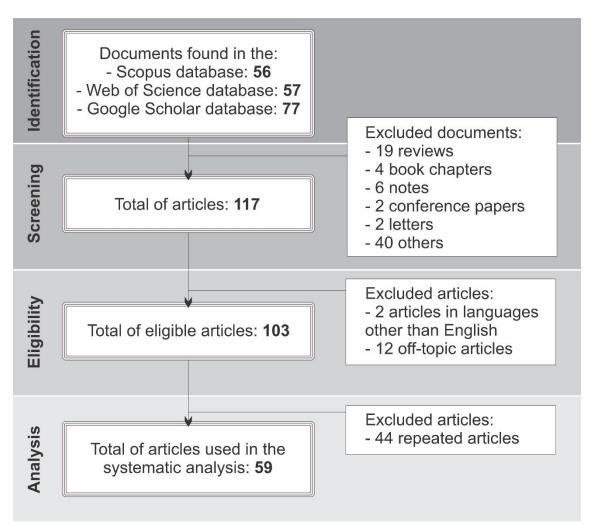
Three literature databases were selected: Scopus, Web of Science, and Google Scholar.
Both were accessed on December 6, 2023. The terms used in the searches were (global plastic\* treaty), search within article title, abstract, and keywords.

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### 81 **Results from the data collection**

In the diagram presented in Figure 1, gray shades represent the steps of the PRISMA protocol. In the identification step, 190 documents were found in the three databases. Some document types were excluded during the screening step, such as reviews, book chapters, notes, conference papers, and letters, resulting in 117 articles. Some articles were excluded in the eligibility step, such as those published in languages other than English and off-topic articles. Finally, 44 repeated articles were excluded, resulting in 59 articles. These articles were analyzed, and the results will be given from now on.

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91 Figure 1: Steps of the systematic analysis of the Global Plastics Treaty.

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Literature about the Global Plastics Treaty is interdisciplinary. In the literature 93 analyzed, authors focused on the adverse effects of plastic pollution in general (Jahan 94 95 2021; Karasik et al. 2023; Prior & Seck 2023; Smith et al. 2023), legislation and governance (Cowan et al. 2023a, 2023b; Dauvergne 2018; Jahan 2021; Khan 2020; 96 97 Kirk 2020; Kurniaty et al. 2023; O'Meara 2023a, 2023b; Prior & Seck 2023; Ralston et 98 al. 2023; Stöfen-O'brien 2022; Telesetsky 2021; Tiller et al. 2022; Tiller & Nyman 99 2018), and the economy (Börger et al. 2023; Grabiel et al. 2022; Karasik et al. 2023; Tang 2023; Tilsted et al. 2023). Some articles may be classified into various categories. 100

101 As the primary objective of this study was to provide a comprehensive summary of the 102 current literature's contribution to ongoing negotiations, the following issues will be 103 examined from this point: plastic pollution (it is crucial to assess the magnitude of the problem), adverse effects of plastic pollution, the economy, and international legislationand governance.

It is important to note that the subsequent sections do not aim to provide an exhaustive
review of all challenges; instead, they emphasize critical points raised in the literature so
far.

109

# 110 Plastic pollution

111 Numerous social, economic, and environmental advantages can be attributed to plastic, including extending the lifespan of food to prevent food waste and safeguarding 112 113 medicines; lightweight plastic packaging and plastics in cars, using less fuel to move people and goods (UNEP and Minderoo Foundation 2022), among many others. Its life 114 savior role became apparent during the COVID-19 pandemic (de Sousa 2020, 2021b). 115 116 Moreover, it is relevant to achieve the 2030 Agenda for Sustainable Development, which sets out the Sustainable Development Goals (de Sousa 2021c, 2023c). However, 117 the production, use, and disposal of plastic is not sustainable and causes serious harm to 118 119 the environment, human health, and economy, along with profound societal inequalities 120 (Landrigan et al. 2023a).

The main reasons for exacerbating the negative impacts of plastic are a virtually exponential and continuous rise in worldwide plastic production, inadequate rates of collection and recycling, and the prolonged persistence of plastic waste in the environment (Landrigan *et al.* 2023a). Global plastic production reached 390.7 million tons in 2021 (Statista 2023). Packaging accounts for approximately 40% of all plastic produced, becoming waste in a lifespan of about six months on average (Zamora *et al.* 2020).

Only approximately 12% of the total plastics generated have undergone incineration, and 9% have been recycled (OECD 2022; UNEP 2021). Approximately 22% is improperly managed (OECD 2022) and has either been disposed of in landfills or in the ecosystem. Annually, it is estimated that approximately 20 million metric tons of plastic residues are mismanaged (Bergmann *et al.* 2022).

Approximately 60-90% of marine debris is plastic, with more than 9 million metric tonsentering the oceans in 2015. This amount is equivalent to 5-6 grocery bags of plastic for

every foot of coastline (Jambeck et al. 2015). If no significant measures are taken, 135 plastic waste reaching aquatic environments will increase almost three times, from 136 approximately 11 million tons in 2016 to over 29 million tons in 2040 (UNEP 2021). 137 Literature indicates that China and India/South Asia are the sources of roughly half of 138 the marine plastic pollution worldwide (Boucher & Friot 2017), with five Asian 139 140 countries-China, Vietnam, Thailand, the Philippines, and Indonesia-accounting for around 60% of this pollution (Ocean Conservancy and the McKinsey Center for 141 Business and Environment 2015). Plastic pollution has been much more noticeable 142 since the COVID-19 outbreak, even though it is a life savior (de Sousa 2020, 2021b). 143

Litter from consumer packaging and products, including shopping bags, straws, cling 144 wrap, food containers, beverage bottles, and bottle caps, is the primary cause of this 145 plastic pollution (Dauvergne 2018). Nearly 50% of all plastic marine litter comprises 146 single-use plastics (European Union 2019). Abandoned and discarded fishing 147 148 equipment also contributes to the accumulation of plastic waste (Dauvergne 2018). 149 Around 27% of the overall plastic marine litter consists of fishing-related things (European Union 2019). Annually, smokers discard over 4.5 trillion cigarette butts, 150 151 which accounts for approximately 75% of all cigarettes sold (Gould 2015).

Understanding how plastic spreads and its consequences is essential to developing the strategies needed to deal with this worldwide threat, which is plastic pollution (Pinheiro *et al.* 2023). Thus, the adverse effects of plastic pollution will be addressed in the following section.

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#### 157 Adverse effects of plastic pollution

158 Plastic pollution can adversely affect human health and the biodiversity of both animals and plants (de Sousa 2023b). The plastic itself (different plastic sizes) and the chemicals 159 160 (or additives) present in plastic formulations can impact them. However, regarding size, the literature focuses mainly on the adverse impacts of microplastic (MP) pollution (de 161 162 Sousa 2023b). The literature emphasizes the importance of including MPs and additives in the ongoing negotiations of the Global Plastics Treaty (Dey et al. 2022; Landrigan et 163 164 al. 2023b; Maes et al. 2023; Wang et al. 2023; Wang & Praetorius 2022). Beyond this, 165 plastic influences climate change through greenhouse gases (GHG) emissions

(Andersen *et al.* 2021) in all the stages of its life (three main stages are comprised in the
plastic life cycle: manufacture, use, and disposal (Landrigan *et al.* 2023a)).
Another significant point highlighted in the studies is the correlation between plastic
pollution and human rights, as plastic pollution disproportionately affects the most
vulnerable communities (Karasik *et al.* 2023; Landrigan *et al.* 2023a).

171 Concerning territory, particular emphasis is placed on the detrimental impacts of plastic
172 pollution in the Arctic due to its unique and highly vulnerable ecosystem (Cowan *et al.*173 2023a, 2023b; Prior & Seck 2023).

174 All these items will be briefly discussed in the sequence.

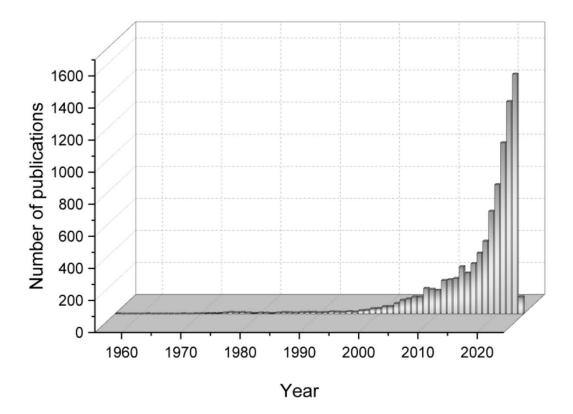
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#### 176 *Chemical additives*

177 Chemical additives are incorporated in plastic formulations to enhance or alter their 178 characteristics. Plastics contain many chemicals, including monomers, additives in 179 general, processing agents, and non-intentionally added organic or inorganic 180 compounds (Filella & Turner 2023; Landrigan *et al.* 2023a). More than 13,000 181 chemicals are used in various plastic applications. Over 3,200 monomers, additives, 182 processing aids, and unintentionally added substances could be dangerous because of 183 their properties (Weber *et al.* 2023).

These compounds are the primary cause of plastics' well-documented adverse effects on human and planetary well-being (Landrigan *et al.* 2023a). Literature has provided ample evidence of additives' adverse effects on human health. A basic search in the Scopus database, using the terms (chemical additive\* OR chemical\* OR additive\*) AND (plastic\* OR polymer\*) AND (human health), within the article title, abstract, and keywords, provided a total of 9,124 publications, ranging from 1956 to December 29, 2023 (Figure 2).

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193 Figure 2: Number of publications per year about the effect of chemicals on human194 health.

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Humanity is exposed to the leakage or migration of dangerous additives from
production (mainly workers) to plastic disposal, reuse, or recycling. They are released
and transferred to the environment and organisms (Walker 2022). In 2022, the president
of UNEA 5 stated that chemicals connected to plastics were evidenced in his blood after
having his blood drawn, including chemicals known to be harmful to humans (Tiller *et al.* 2022).

202 Some hazardous additives are endocrine-disrupting chemicals (EDCs), such as 203 bisphenols, brominated flame retardants, alkylphenol ethoxylates, perfluorinated 204 compounds, phthalates, UV stabilizers, and metals. EDCs may have harmful effects on 205 the reproductive, metabolic, thyroid, immunological, and neurological systems (Flaws 206 *et al.* 2020).

Furthermore, certain additives, such as pro-degrading agents, affect recycling by degrading the quality of the recycled materials. Using them, the chemical structure of

fossil-based polymers is broken down more easily, producing molecules of lower molecular weight and inorganic particles that damage the environment and are not biodegradable. These additives can degrade the polymer matrix during the recycling process, thereby lowering the technical quality of the recycled materials (European Commission 2018; Hann *et al.* 2016).

214 Efforts to mitigate the dangers of plastics must focus on the potentially hazardous 215 chemicals associated with plastics (Landrigan et al. 2023a). Thus, the issue of additives 216 must be closely aligned with the Global Plastics Treaty and the subject included in the negotiations. According to Wang and Praetorius (Wang & Praetorius 2022), "to 217 218 successfully end plastic pollution, holistic action is required to address chemicals 219 present in plastics, including (1) reducing the complexity of chemicals in plastics, (2) 220 ensuring the transparency of chemicals in plastics, and (3) aligning the right incentives 221 for a systematic transition." In addition, further examination of chemical regulation and assessment of the necessity of additive use should also be considered (Maes et al. 222 223 2023): "Global leaders and policy mechanisms such as this are needed to support the development of National Action Plans (NAPs) on marine litter and plastic pollution, 224 promoting universal bans of harmful substances, aligning chemicals of concern lists, 225 agreeing to threshold limits for substances of concern in use, as well as aligning testing 226 227 methods to evaluate the safety of substances and products." Alternative choices that reduce risks to individuals and the environment should be encouraged, such as eco-228 229 friendly additives (Zanchet et al. 2016, 2018a, 2018b). These additives can be derived 230 from renewable sources or residues, optimizing their economic viability and making 231 them sustainable additives.

Due to hazardous additives, the use of recycled plastics in specific applications (such as 232 toys and food packaging) should be avoided (Geueke et al. 2023). Consequently, 233 234 specific formulations are less likely to be recycled, contributing to plastic pollution. Reviewing additive use is therefore necessary to ensure that recycling and the use of 235 236 recycled plastics are not compromised. The indiscriminate use of additives may also impact the circular economy, which is crucial for mitigating plastic pollution. Therefore, 237 238 a comprehensive treaty must address every interconnected issue associated with plastic, 239 as it is an integral component of the problem, including chemical hazards (Dey et al. 240 2022).

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### 242 *Greenhouse gases*

Throughout their entire life cycle, from extraction to end-of-life, plastics emit GHG (Ford *et al.* 2022). According to the authors (Ford *et al.* 2022), the impact of plastic on climate change (measured in carbon-dioxide-equivalent (CO<sub>2</sub>e)) can be classified into three distinct categories: (1) plastic production, transport, and use; (2) plastic disposal, mismanaged waste and degradation; and (3) bio-based plastics.

- 248 The end-of-life of plastics contributes approximately 9% of the total GHG emitted over their lifetime (Zheng & Suh 2019). This stage usually consists of three processes that 249 250 produce different GHG emissions: incineration, landfill, and recycling (Ford et al. 2022). Although recycling is sustainable, it is expensive, energy-intensive, and can 251 produce low-quality plastics. It is possible to reduce GHG emissions by 77% when 252 253 using only renewable energy (Zheng & Suh 2019). Most common plastics (such as 254 polyethylene) emit methane and ethylene during degradation when exposed to ambient 255 solar radiation, producing direct and indirect GHG indefinitely. Polyethylene is the most common emitter of both gasses (Royer et al. 2018). Concerning bio-based plastics, 256 257 when improperly disposed of in the marine environment, biodegradable plastics pollute 258 like fossil fuel plastics. Under these conditions, the degradation rate of polylactic acid 259 (PLA) is equivalent to that of high-density polyethylene (HDPE) (Chamas et al. 2020). 260 Therefore, it is necessary to be aware of plastic use and disposal, reducing its use 261 whenever possible (de Sousa 2021a).
- The process of plastic manufacturing requires a large amount of energy and has a substantial impact on climate change. Certain plastics use ozone-depleting substances (ODSs) and hydrofluorocarbons (HFC) as raw materials, most of which are potent GHG, contributing to climate change. It would be ideal to substitute these dangerous raw materials with more environmentally friendly alternatives (Andersen *et al.* 2021).
- Plastic production generates GHG emissions of 1.96 gigatons CO<sub>2</sub>e annually (Landrigan et al. 2023a). Plastic use is expected to nearly triple by 2060 (OECD 2022).
  Consequently, GHG emissions from conventional plastics are expected to grow to 6.5 gigatons CO<sub>2</sub>e by 2050 (Zheng & Suh 2019). Growing output means expanding effects
- on the environment across numerous planetary boundaries (Galán-Martín et al. 2021).
- Plastics are linked to 4.5% of GHG emissions worldwide during their life cycle(Cabernard et al. 2021). Plastic manufacturing is responsible for approximately 3.7% of

global GHG emissions. If the existing patterns persist without intervention, this
proportion will rise to 4.5% by 2060 (Landrigan et al. 2023a). While it is an important
signal and supportive force for change, compensating for GHG emissions during the
manufacturing phase is insufficient to change how fossil fuels are used (Bauer et al.
2020).

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### 280 Microplastics

There is an urgent need for global action and solutions because an estimated 170 trillion plastic particles, mainly MPs, float in all of the world's oceans (Eriksen *et al.* 2023).

The primary contributors to MP contamination are the laundering of synthetic clothes (such as polyester and nylon) and wear of tires on roads. Approximately 55% of all textile fibers are made of polyester (more than twice that of cotton fiber), which is the largest source of MP contamination from clothing (TextileExchange 2016). Another notable cause of pollution is small fragments of plastic generated by urban activities ("city dust"), such as the wear and tear of running shoes and artificial turf (Boucher & Friot 2017).

Humans are exposed to microplastics mainly through food, but also through dermal
contact and inhalation. Research has confirmed that the ingestion of microplastics by
humans leads to many harmful consequences, primarily associated with diverse forms
of inflammation (Huang *et al.* 2022, 2021; Junaid *et al.* 2022; Liu *et al.* 2022; Nikolic *et al.* 2022; Prata *et al.* 2020; Rawle *et al.* 2022; Tong *et al.* 2022; Weber *et al.* 2022; Xu *et al.* 2021; Yang *et al.* 2021; Yuan *et al.* 2022; Zhao *et al.* 2021; Zheng *et al.* 2021).

The Global Plastics Treaty must establish criteria for recyclability and classify MP as hazardous chemicals. It should promote evidence-based scientific decision-making and enforce obligatory regulations for reporting and sharing information (Dauvergne 2023b).

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## 301 *Effects of plastic pollution in the Arctic*

The literature is of specific concern regarding the effects of plastic pollution in the Arctic (Cowan *et al.* 2023a; Meyer *et al.* 2023; Prior & Seck 2023).

Despite its remote location, the Arctic is still affected by several types of pollution caused by human activities, such as persistent organic pollutants (POPs), carbon black, mercury, and plastics, which affect its fragile ecosystems (Cowan *et al.* 2023a; Meyer *et al.* 2023). For instance, some authors (Meyer *et al.* 2023) analyzed plastic debris from 14 remote Arctic beaches on the Spitsbergen archipelago and found plastic residues from all parts of the globe. Plastic pollution sources have local and global origins, moving northward through ocean currents, rivers, and winds.

These pollutants can substantially affect the Arctic ecosystems and their inhabitants. Therefore, pollution has been a critical focus of Arctic environmental governance since the 1990s (Prior & Seck 2023). The Arctic Ocean has one of the most significant concentrations of surface microparticles worldwide (Barrows *et al.* 2018).

315 Ships operating in the Arctic experience more prolonged periods of operation and 316 expand their range further north because of global warming, including a decrease in sea 317 ice extent and shorter periods of sea ice covering (Meyer *et al.* 2023). Ships 318 substantially contribute to the spread of plastic waste in the Earth's waters (Kurniaty *et 319 al.* 2023).

According to Osmundsen (Osmundsen 2023), the definition and characterization of port 320 reception facilities (PRFs) in global agreements must be revised and more precise. It is 321 322 an essential component of global legal and policy frameworks that focuses on preventing plastic waste discharge from ships to marine ecosystem. Additionally, the 323 324 current direct fee procedure may not encourage ship operators to properly dispose of 325 waste. The implementation of indirect cost regulations for waste disposal at ports along 326 with enhanced law enforcement can encourage the adoption of appropriate waste management procedures (Kurniaty et al. 2023). All of these measures will help reduce 327 328 plastic pollution in the Arctic (Osmundsen 2023).

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### 330 *Human rights*

Some authors (O'Meara 2023a) argue for including a human rights perspective in the
draft Global Plastics Treaty, especially by emphasizing the right to health and a healthy
environment.

Numerous developed nations continue to export their plastic waste to low-incomecountries, especially countries in the Global South, tiny island nations, and marginalized

regions in the Global North (Landrigan et al. 2023b). Because of inadequate waste 336 337 management in many of these areas, mainly the most vulnerable communities are 338 exposed to plastic pollution and its consequences. The groups most severely impacted by the negative implications of plastics and plastic pollution are poor, disempowered, 339 and marginalized populations, including workers, racial and ethnic minorities, 340 341 "fenceline" communities, indigenous groups, women, and children. These groups, which had minimal involvement in causing the current plastics crisis, need more 342 political influence and resources to tackle this issue effectively (Landrigan et al. 2023a). 343 In addition, the gender dimension must be considered as well. According to some 344 authors (Prior & Seck 2023), focusing a higher priority on the gender dimension of 345 346 plastic pollution can provide valuable insights to guide policy decisions addressing plastic pollution worldwide. 347

The social and environmental justice (SEJ) principles must reverse these unfair burdens, ensuring that no particular group bears an excessive proportion of the negative consequences of plastics. In addition, those who profit economically from plastic should bear an equitable number of expenses currently not accounted for (Landrigan *et al.* 2023a). The economic advantages of plastic are rarely used to lessen or minimize the health risks it causes, which widens the gap between those who gain and those who suffer (Karasik *et al.* 2023).

Combating plastic pollution, accelerating climate action, protecting ocean ecosystems, and protecting human rights would all be facilitated by incorporating human rights considerations through a precautionary and preventative approach, transferring responsibility to polluters, and expressing concern for intergenerational equal rights (O'Meara 2023a).

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### 361 Economy

The plastics, chemicals, and fossil fuel sectors are closely connected (Tilsted *et al.* 2023). The contribution of these groups amplifies the expenses associated with plastic pollution.

The minimum economic costs attributed to plastic pollution in the marine environment alone were estimated to range from US\$3,300 to US\$33,000 per year, encompassing expenses related to clean-up efforts and the decline in tourism. However, this estimation does not consider the valuation of impacts on human health or the deterioration of
marine ecosystem services (Beaumont *et al.* 2019). Approximately US\$100 billion is
spent annually on the socioeconomic consequences of plastic waste worldwide (UNEP
and Minderoo Foundation 2022).

The adverse effects of plastic on human health lead to substantial economic costs. In 2015, global health-related expenses associated with plastic manufacturing were predicted to surpass US\$250 billion. In the United States, the costs of disease and disability caused by plastic-related chemicals exceeded US\$920 billion. Over 85,000 premature deaths each year, 1.5 million occurrences of cardiovascular disease, and US\$675 billion in medical expenses are attributed to chemicals that leach out of plastic and plastic waste in the USA (Landrigan *et al.* 2023b).

New plastic business models should ideally address economic and social sustainability through methods that support capacity building, R&I, and the formation of new profitable companies and new jobs (Tang 2023). As an example of accomplishment, Spanish tuna freezer companies use end-of-life fishing nets as a raw material to produce textile items (Andrés *et al.* 2022). In addition, companies should strive to adopt more sustainable practices in their operations.

To tackle the global plastic life cycle effectively, involving the industry in the 385 386 negotiations is crucial. This will allow industry actors to be part of the process of creating commitments right from the beginning. The active participation of the plastic 387 388 and chemical sectors should serve as a crucial foundation for the new instrument. However, it is essential to carefully consider the sector's involvement concerning the 389 390 interests of other stakeholders, such as non-governmental organizations (Stöfen-O'brien 2022). "Because domestic structures and actors play a critical role in the negotiators' 391 392 decision to join or reject an agreement, relevant stakeholders must be involved in the negotiation process, including the private sector, non-profit organizations, and 393 394 academia" (Tessnow-von Wysocki & Le Billon 2019).

Package industries must adopt 'Design for Recycling Guidelines' to encourage multiple recycling cycles (Wang & Praetorius 2022). As an example, the European PET Bottle Platform (EPBP) has recently created a set of design guidelines that focus on improving the recyclability of food-grade opaque white PET (polyethylene terephthalate) bottles (RECYCLING magazine 2023). Nevertheless, the current situation, in which virgin fossil feedstocks like naphtha and ethane are so inexpensive, makes it extremely difficult for alternatives like bio-based or recycled feedstocks and materials to compete
with virgin fossil ones. While not all plastic is recyclable, the failure to recycle
recyclable plastic results in substantial losses. Nevertheless, a viable economic case for
alternatives is required (Bauer *et al.* 2020).

405 For industries, the most challenging topic will be the limitations of plastic production. 406 The scientific community is very clear about this: a global cap on plastic production 407 should be a core provision of the treaty (Bergmann et al. 2022; Landrigan et al. 2023b, 408 2023a; Simon et al. 2021; Walker 2023). In addition, determining which categories of polymers fall within the instrument's scope will represent an additional complex topic. 409 410 Considering the extensive range of plastics, which includes 4,000 distinct compounds 411 used alone in plastic packaging and over 5,300 commercially accessible polymer 412 formulations, determining the material reach of this instrument is crucial (Groh et al. 413 2019). Other difficult points will be: which plastic industry sectors will be involved? Will E-waste plastics be involved? Will the petrochemical sector be involved? And how 414 415 about ships and ports?

With over 50 member nations, the High Ambition Coalition on Plastic Pollution has highlighted the need for legally-binding commitments. Meanwhile, those involved in the plastic and petrochemical industries, with different interests, persist in advocating postures that restrict the treaty's scope (Tilsted *et al.* 2023).

Fossil fuel-based plastics business interests and strong power hierarchies are at odds in 420 the relationship between fossil fuels and plastics (Tilsted et al. 2023). The recent 421 COP28 meeting in Dubai, the 28<sup>th</sup> UN Climate Change Conference (the official name 422 for Climate Conferences of the Parties), made the economic effects of fossil fuels very 423 clear. With respect to the imperative to phase out fossil fuels to constrain global 424 warming within 1.5 degrees Celsius, the President Sultan Al Jaber of COP28 argued 425 426 against the validity of such measures, positing a dearth of scientific support and 427 cautioning against their implementation due to potential impediments to sustainable development, unless one intends to regress society to a primitive state reminiscent of 428 429 "taking the world back into caves." The COP28 president also controls the state oil company of the United Arab Emirates (Carrington & Stockton 2023). Nevertheless, the 430 431 COP28 can be considered a triumph as it was the inaugural historical event to tackle the 432 issue of fossil fuels and their effects on climate change. An open debate occurred, and a resolution was adopted. The COP28 was the inaugural effort in the history of COPs tolimit the usage of fossil fuels.

Another economic issue is the equity and sharing of abatement costs in forming international environmental agreements (Börger et al. 2023). This issue refers to the expenses associated with achieving international environmental agreements' objectives, which are not always uniformly distributed among the participating nations. Additional considerations, such as politics, may influence the decision to contribute to cost-sharing.

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## 441 International legislation and governance

Literature (Carratta & Jaeckel 2023) indicates that it is crucial to coordinate several governmental levels: International law, regional legislation, and measures at the national and local levels. The authors cite numerous significant environmental laws. A concise discussion will be provided on the legislation that established the core of the literature for the Global Plastics Treaty, with a particular emphasis on international laws.

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### 448 International legislation

According to Dauvergne (Dauvergne 2023b), five particular principles of justice mustguide the formulation and implementation of the Global Plastics Treaty:

(1) Distributive justice: Negotiators, policymakers, and implementors must prioritize
distributive justice, considering the compelling evidence that plastic pollution is causing
disproportionate harm to vulnerable populations, mainly in developing nations;

- 454 (2) Procedural justice: implementing the principles of procedural justice, guaranteeing
  455 the active and meaningful participation of Indigenous peoples and marginalized
  456 populations;
- (3) Justice across all governance levels and scales: at all levels of government, aim for
  environmental justice by rejecting policies, incentives, and market mechanisms that
  worsen social injustices or violate human rights;
- (4) Corporate controls, transparency, and accountability: implementing stringent
  regulatory measures, such as trade and investment limitations, is necessary to improve
  corporate transparency and accountability regarding plastic pollution and environmental
  injustices;
- 464 (5) Justice-oriented financial and technical assistance: offering technical and financial465 support to shift disadvantaged communities toward an environmentally friendly global

plastics economy. This approach aims to prevent additional financial burden on lowincome countries while holding high polluting and economically capable countries
responsible.

Additionally, the literature emphasizes the importance of considering existing 469 agreements during INC meetings (Senathirajah et al. 2023), since adjusting current legal 470 471 instruments is just as important as creating a new treaty specifically for plastic pollution (Börger et al. 2023). Several international instruments are mentioned, such as Montreal 472 473 Protocol on Substances that Deplete the Ozone Layer (Montreal Protocol) (Andersen et al. 2021; Grabiel et al. 2022; Kirk 2020; Tessnow-von Wysocki & Le Billon 2019), 474 475 Kyoto Protocol (Tang 2023; Tessnow-von Wysocki & Le Billon 2019), International Convention for the Prevention of Pollution from Ships, commonly referred to as 476 MARPOL Annex V (Cowan et al. 2023b; Kurniaty et al. 2023; Prior & Seck 2023; 477 478 Stöfen-O'brien 2022), Paris Agreement (Cowan et al. 2023b; Kirk 2020; Tang 2023), 479 the United Nations Convention on the Law Of the Sea (UNCLOS) (Kurniaty et al. 480 2023; Ortuño Crespo et al. 2020; Telesetsky 2021), Basel Convention (Carratta & Jaeckel 2023; Khan 2020; Prior & Seck 2023), the treaty on the Protection of 481 482 Biodiversity in areas Beyond National Jurisdiction (BBNJ) (Tiller & Nyman 2018), Declaration on the Human Environment (the Stockholm Declaration) (Carratta & 483 484 Jaeckel 2023; Kurniaty et al. 2023; Prior & Seck 2023), World Charter for Nature (Kurniaty et al. 2023), Washington Declaration on the Protection of the Marine 485 486 Environment from Land-based activities (Kurniaty et al. 2023), Rio Declaration (Kurniaty et al. 2023), the United Nations Convention on the Law of the Sea (Kurniaty 487 488 et al. 2023), Convention of the Protection of the Marine Environment of the Northeast Atlantic (Kurniaty et al. 2023), Protocol to the Convention on the Prevention of Marine 489 Pollution by Dumping and other matter (Kurniaty et al. 2023), Honolulu Strategy 490 (Kurniaty et al. 2023), Rotterdam Convention (Carratta & Jaeckel 2023), and the United 491 492 Nations Framework Convention on Climate Change (UNFCCC) (Tang 2023).

In UNEA Resolution 5/14, some international conventions are also cited: the International Convention for the Prevention of Pollution from Ships of 1973, Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, Rotterdam Convention on the Prior Informed Consent Procedure for specific Hazardous Chemicals and Pesticides in International Trade, Stockholm Convention on Persistent Organic Pollutants, United Nations Convention on the Law of

the Sea, Convention on the Prevention of Marine Pollution by Dumping of Wastes and
Other Matters of 1972, Strategic Approach to International Chemicals Management,
United Nations Framework Convention on Climate Change, Convention on Biological
Diversity (United Nations Environment Programme 2022b), among others.

503 During the Global Plastics Treaty negotiations, it is crucial to consider current 504 legislation. The various rights and wrongs of this legislation have been extensively 505 discussed in the literature. Some examples are as follows:

According to Tang (Tang 2023), "learning from the shortcomings of the Kyoto Protocol and Paris Agreement, the international treaties for the plastic economy could push for more ambitious goals progressively and garner more active participation from the developing countries, which are also major plastic producers and consumers."

"Almost 40 years after the creation of the UNCLOS, we have a second opportunity as a
global community to better address the conservation of living resources and the study,
protection, and preservation of the marine environment beyond national boundaries"
(Ortuño Crespo *et al.* 2020).

514 "While amending UNCLOS might be considered politically impractical, even a 515 rudimentary conversation on amending the treaty would provide much-needed political 516 focus on critical ocean topics where there are present governance gaps" (Telesetsky 517 2021).

Literature suggests that the problem of plastic pollution should be considered through the lens of disaster risk reduction. This is especially true when implementing the precautionary principle in many international legal instruments. The Paris Agreement guidelines could be used to lead the Global Plastics Treaty, driven by national action plans, the potential to offset, and mandatory reporting requirements (Senathirajah *et al.* 2023).

The literature also discusses the power and importance of activism in governing plastics 524 525 (Dauvergne 2023a). This involves implementing laws governing single-use plastics, 526 funding waste infrastructure, expanding recycling initiatives, and developing policies to 527 promote circular economies for plastics; media influencers alerting people about the adverse health and environmental effects of burning, disposing of, and littering plastics; 528 community organizations campaigning for government legislation prohibiting the 529 manufacturing, use, and import of "harmful" plastics; and a host of other initiatives 530 531 (Dauvergne 2023a). Each person's involvement is crucial in combating plastic pollution.

Some authors (Carratta & Jaeckel 2023) analyzed the shortcomings of international 532 533 environmental law at every stage of the plastic life cycle, indicated possible revisions, 534 and also the crucial elements that the forthcoming plastic treaty should focus at. "The 535 upcoming plastic treaty can offer a more comprehensive regulation of plastic pollution. 536 It should promote sustainable production and consumption of plastic items, improve 537 waste treatment systems, and encourage effective domestic plastic waste management. Furthermore, the treaty should address environmental protection strategies and the 538 impact of MPs and other small plastic particles on a wider range of ecosystems" 539 540 (Carratta & Jaeckel 2023).

Some authors call for a reevaluation of the involvement of non-state actors to facilitate 541 542 more accessible access to meaningful participation in the design, negotiation, and 543 subsequent implementation of the proposed Global Plastics Treaty and to create more 544 opportunities for such participation (Akrofi et al. 2022). Furthermore, the plastic treaty 545 under consideration might serve as the initial multilateral environmental accord to 546 implement Principle 10 of the Rio Declaration. This principle delineates the following fundamental elements of environmental democracy: access to information, participation 547 548 in decision-making processes concerning environmental matters, and access to justice 549 on environmental issues.

550 Furthermore, INC must include representatives of these groups in the treaty negotiation 551 and implementation processes to ensure that the agreement is fair and protects the health 552 and human rights of vulnerable populations, including but not limited to children, 553 pregnant women, waste pickers, individuals residing in fenceline communities adjacent 554 to plastic industries, Indigenous populations, and others (Landrigan *et al.* 2023b).

555 Some authors have questioned whether existing regulations, such as the Montreal 556 Protocol or the Paris Agreement, can work as examples for the new Global Plastics 557 Treaty (Kirk 2020). Other authors, motivated by the Montreal Protocol, provided 558 evidence for and advantages of a gradual approach to international regulation of virgin 559 plastic production and consumption (Grabiel *et al.* 2022). Experts (Denta 2022) 560 proposed that regulatory measures alone are insufficient to address plastic pollution.

Agreements have been established to deal with marine litter, including the London Convention and Protocol and MARPOL Annex V (Xanthos & Walker 2017). Despite their existence, establishing a new international treaty on plastics is considered necessary. Why is this so? Is the plastic "frightening enough" (Tiller & Nyman 2018) to be inserted into other current regulations? Nevertheless, "do we have time to wait for the international community to come together to ratify a treaty text on this, with the required years of negotiations in between?" (Tiller & Nyman 2018).

568 However, according to some experts, "there is no space for choosing between amending 569 the existing legal instruments and adopting a new one. To regulate the full life cycle of plastics on a global scale, the two strategies should coexist and support each other" 570 (Carratta & Jaeckel 2023). According to some authors (Carratta & Jaeckel 2023), the 571 Global Plastics Treaty will be the first international environmental agreement to 572 573 encompass all the stages of the plastics' life cycle. Other environmental accords 574 emphasize particular phases of the plastics' life cycle, such as the Stockholm and Rotterdam Conventions (which indirectly address the production and manufacturing 575 576 phases) and the Basel Convention, which primarily addresses the waste management 577 stage.

578 To effectively regulate and reduce marine plastic pollution, legal regulations and policies under international water law and marine environmental law must align and 579 580 coordinate with each other (Finska & Howden 2018). The successful implementation of the Global Plastics Treaty necessitates coordinating and supplementing international 581 582 efforts with national, regional, and local interventions (Landrigan et al. 2023a). This can be a strategy to mitigate pollution in international watercourses and oceans (Finska & 583 584 Howden 2018). Production controls are a prerequisite for achieving sustainable production and consumption of virgin plastic polymers (Grabiel et al. 2022). Novel and 585 586 alternative solutions are also necessary (Denta 2022).

587

### 588 Governance

A comprehensive definition of governance is the direction that public and private authorities give to actions. This includes state laws, business codes of conduct, international organizations, non-profit standards, and social conventions regarding what is right and wrong (Dauvergne 2018). Concerning plastics, the wide range of pollution sources makes global governance challenging (Dauvergne 2018).

Based on some authors (Bauer *et al.* 2020), plastic governance should have an accurate
focus. Governance frameworks regarding plastics and plastic pollution have
traditionally concentrated on the challenges of improving recycling (Nielsen *et al.* 2020)

and waste management (Bauer et al. 2020; Nielsen et al. 2020). The governance 597 598 panorama reflects industry efforts to oppose government regulation, transfer 599 responsibility, and silence criticism. It also represents industry support for corporate 600 self-regulation and consumer responsibility as basic governance concepts (Dauvergne 601 2018). The absence of an integrated understanding of plastic pollution has fostered a 602 fragmented decision-making process at all levels of governance (Carratta & Jaeckel 2023). Bottom-up governance of industries has become less effective globally, partly 603 604 because the industry may need to take advantage of the fragmentation of authority to avoid responsibility, limit the scope of reforms, and create loopholes (Dauvergne 2018). 605 606 "While recognizing the severity of plastic pollution, the industry does not point the 607 finger at plastics *per se*, especially single-use plastic, but rephrases the narratives by 608 steering attention to plastic waste" (Akrofi et al. 2022). Implementing a globally 609 binding method could effectively address certain obstacles in the governance of marine 610 plastics (Tessnow-von Wysocki & Le Billon 2019).

611 Nevertheless, many crucial elements need to be considered, including the dependency on fossil fuels, the climate impact of plastics, the fundamental political and economic 612 613 dynamics of the petrochemical sector, and the long-term trajectory of conventional plastics (Bauer et al. 2020). A robust global governance agreement to address all 614 sources of plastic pollution still needs to be reached (Walker 2022). The management of 615 oceans needs to be improved to safeguard marine biodiversity at a worldwide level 616 617 (Dauvergne 2018). The plastic industry must take responsibility for the damage to society and the environment that has resulted from its selfish nature and profit policies. 618

619

#### 620 Other important remarks

As stated in this manuscript, the literature focuses on contributing to the ongoing negotiations on the Global Plastics Treaty. The authors proposed the following recommendations to be included in the negotiations and final treaty (some of which had previously been discussed):

(a) MPs (Ambrose & Walker 2023; Eriksen *et al.* 2023; Landrigan *et al.* 2023b, 2023a;
Stöfen-O'brien 2022);

(b) Chemicals incorporated in plastics (Dey *et al.* 2022; Filella & Turner 2023; Grabiel *et al.* 2022; Kurniaty *et al.* 2023; Landrigan *et al.* 2023b, 2023a; Maes *et al.* 2023;
Stöfen-O'brien 2022; Tilsted *et al.* 2023; Wang *et al.* 2023; Wang & Praetorius 2022);

(c) Decrease the chemical complexity of plastic products, establish health-protective 630 631 criteria for plastics and plastic additives, mandate sustainable, non-toxic materials, ensure full disclosure of all components, and implement traceability of components. 632 633 International collaboration will be crucial for the implementation and enforcement of 634 these standards (Grabiel et al. 2022; Landrigan et al. 2023b, 2023a; Maes et al. 2023; Tilsted et al. 2023; Wang & Praetorius 2022). Moreover, a broader definition of plastics 635 as a substance composed of chemicals would be employed to govern the usage and 636 disposal of plastic additives by law (Maes et al. 2023); 637

- (d) Attribute the PBT criteria to plastics (i.e., be classified as a persistent,
  bioaccumulative, and toxic (PBT) pollutant) under the precautionary principle (Alava *et al.* 2023);
- (e) A clause that prohibits or significantly limits the production and use of superfluous,
  preventable, and troublesome plastic products, particularly single-use and synthetic
  microbeads (Andersen *et al.* 2021; Grabiel *et al.* 2022; Landrigan *et al.* 2023a; Smith *et al.* 2023; Tilsted *et al.* 2023);
- 645 (f) Taxation of virgin plastic pellets (Bauer *et al.* 2020);
- (g) Quotas for recycled and biobased feedstocks in newly manufactured plastic goods(Bauer *et al.* 2020);
- (h) Recognize and encourage mass-balance techniques in primary production that
  incorporate recycled and biobased feedstocks, with a growing minimum percentage of
  these inputs to promote progressive transformation (Bauer *et al.* 2020);
- (i) Regulations about extended producer responsibility (EPR), which hold fossil carbon
  producers, plastic producers, and producers of plastic items responsible for the safety
  and proper disposal of all the materials they produce and sell, legally and financially
  (Carratta & Jaeckel 2023; Farrelly & Chitaka 2023; Khan 2020; Landrigan *et al.* 2023b,
  2023a);
- (j) Ban the burning of plastic in any form (Landrigan *et al.* 2023b);
- (1) Achieve zero emissions and decouple from dependence on fossil fuels by putting out
- 658 industry and firm-level roadmaps (Bauer *et al.* 2020);
- (m) Regulate the implementation of plastic clean-up technologies (Falk-Andersson *et al.*2023);

(n) Integrate dynamic management in the high seas as area-based management tools
(Ortuño Crespo *et al.* 2020);

(o) Build standardized monitoring systems (Aliani *et al.* 2023; Eriksen *et al.* 2023), and
harmonized methods and datasets (Hurley *et al.* 2023) to track global trends and
mitigate emissions of plastic pollution effectively;

(p) Address social and environmental justice solutions at every stage of the plastic life
cycle and community knowledge gaps; promote equitable distribution and procedural
fairness, including human rights (Carratta & Jaeckel 2023; Dauvergne 2023b; Jahan
2021; Karasik *et al.* 2023; Landrigan *et al.* 2023a; O'Meara 2023a; Prior & Seck 2023).

670 In line with items (f-j), Simon et al. (Simon et al. 2021) proposed three fundamental 671 objectives for establishing a global agreement on plastic pollution. The objectives include reducing the production and consumption of virgin plastic (Goal 1: Reduce), 672 673 supporting a circular plastic economy that follows waste hierarchy principles (Goal 2: 674 Reuse – Repair – Recycle), and eradicating plastic pollution in the environment (Goal 3: 675 Remove). Also, in line with items (f-h), Tang (Tang 2023) describes that participating countries can take several measures to decrease plastic pollution. Firstly, they can limit 676 677 the production of conventional plastics by setting targets, similar to how carbon 678 emissions are limited. Secondly, they can create market-based instruments that help 679 achieve these production targets. Thirdly, they can progressively set more ambitious targets over time. Lastly, they can promote the development of environmentally friendly 680 681 plastic alternatives, similar to the efforts to develop renewable energy to reduce carbon emissions. 682

As previously listed in item (o), with the establishment of international accords such as 683 the Global Plastics Treaty, it is crucial to build standardized monitoring systems (Aliani 684 et al. 2023; Eriksen et al. 2023), and harmonized methods and datasets (Hurley et al. 685 2023) to track global trends and mitigate emissions of plastic pollution effectively. For 686 687 example, Ambrose and Walker (Ambrose & Walker 2023) identified the potential for Caribbean Small Island Developing States (SIDS) to establish a standard framework for 688 monitoring MPs and mesoplastics. This data collection might support the ongoing 689 discussions for the Global Plastics Treaty. Caribbean SIDS include Antigua and 690 Barbuda, The Bahamas, Barbados, Belize, Cuba, Dominica, Dominican Republic, 691 Grenada, Guyana, Haiti, Jamaica, St. Kitts and Nevis, St. Lucia, St. Vincent and the 692 Grenadines, Suriname and Trinidad and Tobago. MPs and waste debris are 693

transboundary at their shorelines due to their combined proximity to subtropical gyres.

Their unique ecological, cultural, and economic characteristics, with a strong focus on
tourism and marine-related businesses, have been adversely affected by plastic
pollution.

698 Personally, given that the primary objective of the Global Plastics Treaty is to reduce 699 plastic pollution, the treaty must include provisions to promote education. Depending on 700 their awareness and knowledge, each individual may or may not contribute to plastic pollution (de Sousa 2023a). As previously observed, recycling contributes to climate 701 702 change by emitting GHG. Hence, the most effective approach is to reduce the use of 703 plastics. Through education, conscientious consumers can refuse basic items such as 704 plastic bags in their everyday routines, thus contributing to the mitigation of plastic 705 pollution.

Moreover, the design of treaties significantly influences the success of environmental regulatory regimes. Robust design treaties encourage involvement, promote adherence, and discourage non-compliance among all parties (Tessnow-von Wysocki & Le Billon 2019). Thus, the literature proposes seven treaty design aspects for improving the effectiveness of a future legally binding method to address marine plastic pollution (Tessnow-von Wysocki & Le Billon 2019), as follows:

(a) The acceptance of a principle of common but distinct responsibilities;

713 (b) A comprehensive scope that encompasses both land and sea sources, as well as

- chemical additives and all stages of the plastic's life cycle;
- 715 (c) A connection between the issue and the international plastics trade;
- 716 (d) A financial mechanism to support the implementation of measures;
- 717 (e) Inherent flexibility to adapt to changes;
- 718 (f) Efficient monitoring, reporting, and review methods; and
- (g) Enforcement through promoting compliance and preventing non-compliance.
- "Since a change in social practices may be encouraged by effective lawmaking, a closer
  give-and-take between behavioral scientists and policymakers is desirable to shape
  broad and long-term strategies" (Carratta & Jaeckel 2023). Additionally, it is crucial to
  comprehend how families use plastic products to facilitate the development of accurate
  legislation (Northen *et al.* 2023). For instance, specific directives, including the SingleUse Plastics Directive (European Union 2019) and the Packaging and Packaging Waste
  Directive (European Commission 1994) have impacted changing plastic consumption

patterns. As evidenced by the successful examples of some African nations, it is 727 728 imperative to enhance waste management systems, allocate resources for research, and mobilize regional funds for plastic management, emphasizing the local context and 729 730 motivating behavioral change (Shomuyiwa et al. 2023). Consumers are essential in mitigating the adverse consequences caused by plastic-related issues. However, a lack 731 732 of knowledge and/or awareness hinders it (de Sousa 2023a). Whether and to what degree people fear the problem will determine how effective a legally binding treaty to 733 734 control plastic pollution will be. Because it is unclear how plastic pollution may affect human health, the public will become aware of it (Tiller et al. 2022). 735

In conclusion, achieving a consensus regarding the Global Plastics Treaty will take
work. It is only possible to satisfy some stakeholders, as they all have unique interests.
However, we must consider the future of the world that we bequeath to future
generations. Stakeholders need to come together for the sake of humanity.

740 May there be no more dead whales with tons of plastic in their bellies, turtles with straws extracted from their nostrils, or dolphins that perish after getting entangled in 741 fishing nets in the future. As told Inger Andersen, Executive Director of the UN 742 743 Environment Program, the global plastics treaty is "the most significant environmental multilateral deal since the Paris Accord...an insurance policy for this generation and 744 745 future ones, so they may live with plastic and not be doomed by it" (Landrigan et al. 746 2023b). As a polymer researcher, I agree with his words and trust in the success of the Global Plastics Treaty. May the Global Plastics Treaty break the plastic wave (Figure 747 748 3).

749



- 750
- 751 Figure 3: Will the Global Plastics Treaty break the plastic wave?
- 752

## 753 Conclusions

Plastic pollution has reached unsustainable levels. In an effort to reduce plastic
pollution, an INC has been established by UNEP to reach a resolution by the end of
2024. Subsequently, an ambitious treaty to reduce plastic pollution, known as the
Global Plastics Treaty, is expected to be enforced in 2025.

A systematic review was performed on the Global Plastics Treaty. The analyzed literature mainly focuses on the adverse effects of plastic pollution, legislation, governance, and the economy. The literature supports restricting worldwide plastic production as the most effective strategy to address plastic pollution.

This comprehensive summary of the current literature can contribute to the ongoingnegotiations and guide future research on the Global Plastics Treaty.

764

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775	This article does not include human participants or biological material data.
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