GENERAL UPDATE

Following the United Nations Environment Assembly's mandate, an Intergovernmental Negotiating Committee (INC) comprising delegates from around 193 member countries gathered in Uruguay, from 28th Nov to 02nd Dec 2022, to negotiate an internationally legally binding instrument by 2024 to end plastic pollution, including marine environment pollution. The negotiations focused on states' views on the scope, objective, and structure of the treaty, with many focusing on technical capacity, financial assistance, and core obligations vis-à-vis voluntary approaches.

The World Health Organisation (WHO), in coordination with the WHO FCTC Secretariat, was among other international organizations, including the UN's Food and Agriculture Organization (FAO), the UN's Global Compact (UNGC), and members of the global Stop Tobacco Pollution Alliance (STPA) that provided statements and interventions in support of the treaty, and emphasized the importance of health and human rights and the need to align the treaty with the WHO Framework Convention on Tobacco Control (WHO FCTC); considering that cigarettes butts are the most littered plastic items in the world.

"Among other things, by the end of the INC-1, many NGOs, inspired by the WHO FCTC's Art 5.3, called for a strong plastics treaty that could hold the tobacco industry accountable for its plastic pollution and address conflicts of interest. We had an impact during the INC-1 as a tobacco control community and are grateful for the opportunity to provide guidance and support the process." - Laura Salgado, Global Campaign Coordinator, GGTC
On 30th Nov 2022, the Office of the United Nations High Commissioner for Human Rights released a statement entitled "Key human rights considerations for the negotiations to develop an international legally binding instrument on plastic pollution" emphasizing that the new plastics treaty should hold business enterprises accountable for the harms caused by their contributions to the plastics crisis. The statement, citing Article 5.3 of the WHO FCTC as an existing good practice, highlighted the importance of setting clear boundaries, and avoiding conflict of interest.

On 28th Nov 2022, the WHO, in coordination with the WHO FCTC Secretariat, issued a statement to inform the discussions of the INC-1 and this included a highlight on the WHO FCTC, the first treaty negotiated under the auspices of Article 19 of the WHO Constitution, as a tool that recognizes the interlinkages with environmental issues in addressing health concerns.

On 29th Nov 2022, the key messages from the Multi-stakeholder Forum INC1, aimed at facilitating the exchange of information and gathering perspectives from different stakeholders across the plastics life cycle, were brought into INC-1 during the Stakeholder Dialogue Session. The conflict of interest was most evident during the pre-session (multi-stakeholder forum) which involved actors who were representing industry interests. During the discussions, NGOs from the plenary called for a ban on cigarette filters, highlighting this as an unnecessary use of plastic. Pointing to plastic pollution as a threat to human rights, stakeholders called for a strong accountability framework that puts “people before profits” and discloses conflicts of interest.

To view the daily recordings from the first session of the INC, please click here.
Vital Strategies, working with STOP, and part of STPA, issued a statement highlighting the upcoming treaty as an opportunity to reduce the tobacco industry's impact on our planet and called for a ban on cigarette filters, which are toxic and made of single-use plastic. It also reiterated the importance of the WHO FCTC treaty in reducing the devastating impacts on the industry.

ASH, engaged in negotiations to ensure that cigarette filters and the toxic butts they become upon use are included in any list of banned single-use plastics and pressed for the exclusion of the tobacco industry and other private actors that have an inherent conflict of interest from representation as “stakeholders” as it poses threat to the success of the treaty.

Corporate Accountability addressed the urgent issue of the need to develop a strong and comprehensive accountability framework and take lessons from WHO FCTC on conflicts of interest (Art. 5.3), liability (Art. 19), among other instruments, to safeguard the negotiations and the treaty against the influence, interference, from other vested interests of tobacco industries.

The Stop Tobacco Pollution Alliance (STPA) convened by Action on Smoking & Health (ASH) and the Global Center for Good Governance in Tobacco Control (GGTC), a partner in STOP, a global tobacco industry watchdog, with support from Bloomberg Philanthropies, actively participated at the INC1 contributed three articles to the POPLite Bulletin of the Break Free From Plastic Movement, which provided daily key takeaways during the negotiations:

- **Why Policy Coherence is Key (for Setting the Stage at the Plastics Treaty INC1)**
- **Plastics treaty must be based on a human rights approach**
- **Lessons from history**
On 01st Dec 2022, in the context of the upcoming international treaty to end plastics pollution, Tobacco Tactics published an article entitled "Plastics, the Environment and the Tobacco Industry". The article besides highlighting the detrimental global impacts caused by the tobacco industry’s disregard for the environment cites the importance of the WHO Framework Convention on Tobacco Control (FCTC) as a tool to address these global harms. UN environmental platforms such as UN Ocean Conferences, UN Framework Convention on Climate Change, and the negotiation meetings of the international plastics treaty serve as potential tools in tobacco control.

By working synergistically through UN Human Rights and environmental mechanisms along with the WHO FCTC, the environmental impact of tobacco products can be achieved.

On 30th Nov 2022, the European Network for Smoking and Tobacco Prevention (ENSP) released a special edition of its newsletter, The Network, on tobacco and plastic pollution. The newsletter entitled "Paving the way for an international legally binding instrument on plastic pollution and cigarette butts" provided insight into the environmental and health impact of cigarette filters, including emphasizing the deceptive popular belief that filters reduce the harmful effects of tobacco smoking.

ENSP, a partner of the STPA, asked for tobacco control advocates to support the following in the context of the ongoing plastics treaty negotiations at INC-1:

- Per Art 5.3 of the WHO FCTC, the tobacco industry should be excluded from the policy development and not be treated as a regular stakeholder.
- Propose, to the convention, a ban on filters
- Make the tobacco industry pay for the damages caused under the "polluter pays" principle.
MEMBERS OF STPA AT THE FIRST SESSION OF INC1

Eduardo Bianco (Uruguay), Agustina Luque (CLAS), Laura Salgado (GGTC) Chris Bostic (ASH), Veronica Villalta (EL Salvador), Luana Aguilar (Uruguay), Miguel Sena (Uruguay), Eugenia Ramos (IAHF)

PARTICIPATION IN THE INTERGOVERNMENTAL NEGOTIATING COMMITTEE

Eduardo Bianco (Uruguay), Laura Salgado (GGTC) and Chris Bostic (ASH) who attended the Intergovernmental Negotiating Body (INB) on the WHO FCTC, now participating in the INC-1

STPA PARTICIPATION AT INC-1

INTERVENTIONS AND OUTCOMES

GGTC Global Campaign Coordinator Laura Salgado with the INC Chair, Gustavo Meza-Cuadra, Peru.

ROUND-TABLE DISCUSSIONS

Source: IISD Earth Negotiations Bulletin

ggtc.world/stpa