



Conflict of Interest in the Global Plastics Treaty

Plastic pollutes at every stage of its life cycle — contributing to climate change, biodiversity loss, human health harms, and human rights violations. For the past three years, governments have been negotiating a legally binding agreement on plastic pollution to address this crisis (Global Plastics Treaty). The interests of the plastics industry, driven by profit motives, directly conflict with public health, environmental protection, and human rights, specifically opposing provisions to reduce the production of plastics or regulate the toxic chemicals used in their manufacture. Allowing vested interests to shape the treaty risks weakening its objective and provisions and prolonging the plastics crisis.

How Industries Influence Negotiations

There are many documented ways¹ that industries try to influence policies and distort science to stymie progress on policies that would protect the environment and human health, in an effort to avoid regulation and maintain the status quo.

Tactics can include, but are not limited to:

- manufacturing doubt by funding and designing studies that are favorable to their products or
- sowing disinformation in the public sphere by promoting misleading claims, and,
- securing privileged access to policymakers.

These tactics are on display at multilateral environmental negotiations that do not have conflict of interest policies such as the UN Framework Convention on Climate Change (UNFCCC), where thousands of fossil fuel lobbyists² attend each of the meetings of the Conference of the Parties (COPs) to lobby governments, host greenwashing events, and even use the meetings to make deals³ on the sidelines. In recent years, public and private

1. Andreas Schäffer et al., “Conflicts of Interest in the Assessment of Chemicals, Waste, and Pollution,” ACS Publications 57, no. 48 (2023), <https://pubs.acs.org/doi/10.1021/acs.est.3c04213>.
2. Kick Big Polluters Out, “Fossil fuel lobbyists eclipse delegations from most climate vulnerable nations at COP29 climate talks,” press release, November 15, 2024, <https://kickbigpollutersout.org/COP29FossilFuelLobbyists>.
3. Justin Rowlett, “UAE planned to use COP28 climate talks to make oil deals,” BBC, November 27, 2023, <https://www.bbc.com/news/science-environment-67508331>.

frustrations have boiled over, leading to questions about whether global climate negotiations can be effective with so much industry influence.⁴

Other negotiations handle corporate influence differently. There is legal precedent in the Framework Convention on Tobacco Control, which, recognizing the lobbying tactics of the tobacco industry, requires Parties to “act to protect these policies from commercial and other vested interests of the tobacco industry,”⁵ along with guiding principles to support the implementation of this obligation.⁶

Industry Interference in the Global Plastics Treaty Negotiations

The plastics and petrochemicals industry is positioning itself to weaken the plastics treaty, utilizing the fossil fuel and tobacco⁷ industries’ playbooks.⁸ More than 220 plastics industry lobbyists registered for the most recent session of the intergovernmental negotiating committee that is advancing the negotiations (INC-5)⁹ — a nearly 40 percent increase from the previous negotiation,¹⁰ outnumbering the delegates from the European Union, the Pacific Islands, and all Latin American countries, as well as outnumbering the Scientists’ Coalition for an Effective Plastics Treaty more than two to one and the Indigenous Peoples Caucus by almost nine to one.

Industry’s submissions to and interventions inside the negotiations¹¹ and their public messaging campaigns on its margins¹² actively oppose meaningful obligations to reduce plastic production and regulate toxic chemicals, arguing instead that the Plastics Treaty should only focus on waste management. There have been reports of intimidation of

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4. Naomi Buck, “Can fossil fuel lobbyists be barred from global climate talks?,” *Corporate Knights*, January 13, 2025, <https://www.corporateknights.com/category-climate/can-fossil-fuel-lobbyists-be-barred-from-global-climate-talks/>.
 5. WHO Framework Convention on Tobacco Control, May 21, 2003, 2302 UNTS 166, art.5 (3), article 5.3, <https://iris.who.int/bitstream/handle/10665/42811/9241591013.pdf>.
 6. Guidelines for implementation of Article 5.3, FCTC/16.1, (January 1, 2013), <https://fctc.who.int/resources/publications/m/item/guidelines-for-implementation-of-article-5.3>.
 7. World Health Organization, “Tobacco Industry Interference with Tobacco Control,” UCSF Center for Tobacco Control Research and Education (2009), <https://escholarship.org/uc/item/98w687x5>.
 8. John Gannon et al., “Big tobacco’s dirty tricks: Seven key tactics of the tobacco industry,” *Tobacco Prevention and Cessation* 9, no. 39 (2023), <https://pmc.ncbi.nlm.nih.gov/articles/PMC10731746/>.
 9. Center for International Environmental Law, “Fossil Fuel Lobbyists Flood Final Scheduled Round of Global Plastics Treaty Negotiations,” press release, November 27, 2024, <https://www.ciel.org/news/inc-5-lobbyist-analysis/>.
 10. Center for International Environmental Law, “Fossil Fuel Lobbyists Outnumber National Delegations, Scientists, and Indigenous Peoples at Plastics Treaty Negotiations,” press release, April 25, 2024, <https://www.ciel.org/news/fossil-fuel-and-chemical-industry-influence-inc4/>.
 11. International Council of Chemical Associations (ICCA) and World Plastics Council (WPC), “Elements not discussed at INC-2,” submission to Intergovernmental Negotiating Committee, August 15, 2023, https://resolutions.unep.org/resolutions/uploads/icca_wpc_15082023_a.pdf; American Fuel & Petrochemical Manufacturers, “American Fuel & Petrochemical Manufacturers (“AFPM”) Written Submissions for INC-3 (Part A),” submission to Intergovernmental Negotiating Committee, August 15, 2023, https://resolutions.unep.org/resolutions/uploads/afpm_15082023_a.pdf.
 12. American Chemistry Council, “ACC Statement on U.S. Position Change on UN Plastics Agreement,” press release, August 14 2024, <https://www.americanchemistry.com/chemistry-in-america/news-trends/press-release/2024/acc-statement-on-us-position-change-on-un-plastics-agreement>.

independent scientists who have been calling for global regulations on plastic chemicals during the process,¹³ as well as reports of industry pressuring government delegations.¹⁴

Civil society and scientists have raised concerns to the Executive Secretary of the UN Environment Programme (UNEP) and the INC Secretariat, asking for strong conflict of interest policies to protect the negotiations from the vested interests of the plastic and petrochemical industry.¹⁵ As early as INC-1, experts from the UN Office of the High Commissioner for Human Rights called for conflict of interest protections.¹⁶ Members of the US Congress and EU Parliament wrote a letter ahead of two of the rounds of negotiations urging their governments to advocate for policies to be implemented to increase transparency and protect from conflicts of interest.¹⁷

To ensure that Parties can adopt a robust and effective treaty that addresses key issues like production reduction and toxic chemicals, it is critical to protect the negotiations, as well as the treaty's implementation, from vested interests that could undermine public health, environmental goals, and human rights. Without protections, industry will continue to undermine the treaty, and key provisions will not be effective.

Existing Legal Obligations

Member States that are party to the Aarhus Convention¹⁸ and Escazú Agreement¹⁹ already have a clear obligation to promote public participation in the negotiations. Protecting negotiations from vested interests is a key component of guaranteeing meaningful participation, as it helps to ensure that those most affected by the issue have their voices heard. For instance, the Almaty Guidelines, which provide guidelines on the implementation of the Aarhus Convention in international fora, specify that

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13. Source Material and Agathe Bounfour, "Manufactured Doubt: The plastics industry is taking lessons from Big Oil to undermine science," Source Material, November 27, 2024, <https://www.source-material.org/plastics-science-merchants-doubt-oil-tobacco/>.
 14. Sheree Bega, "Plastics industry 'unduly influences SA's global plastic treaty'," Mail & Guardian, November 25, 2024, <https://mg.co.za/news/2024-11-25-plastics-industry-unduly-influences-sas-global-plastic-treaty/>.
 15. "Letter to Director Andersen and Executive Secretary Mathur-Filipp," 174 civil society groups and scientists, May 20, 2023, <https://www.greenpeace.org/static/planet4-international-stateless/2023/05/dcb4dbd6-greenpeace-letter-to-unep-inc2.pdf>; "Conflict of Interest Recommendations: Sign on Letter," 116 civil society groups and scientists, April 17, 2024, https://docs.google.com/document/u/1/d/e/2PACX-1vRwIYPJSuLGWVPVclW_ous7MCgzSFY2dqIPR45yilH-5AW_qqL7Xt8wztyX7ndbvk7IZLHRe5GTm2YIa/pub.
 16. Office of the High Commissioner for Human Rights, "Key human rights considerations for the negotiations to develop an international legally binding instrument on plastic pollution," November 30, 2022, <https://www.ohchr.org/sites/default/files/documents/issues/climatechange/2022-12-01/OHCHR-inputs-INCI.pdf>.
 17. Sheldon Whitehouse et al., "Letter to President Biden, President von der Leyen, Secretary General Guterres, and Executive Secretary Mathur-Filipp," April 16, 2024, https://www.whitehouse.senate.gov/wp-content/uploads/2024/04/SenWhitehouse_INC-4-Plastics-Letter_15.04.2024.pdf; Sheldon Whitehouse et al., "Letter to President Biden, President von der Leyen, Secretary General Guterres, and Executive Secretary Mathur-Filipp," November 15, 2024, https://www.whitehouse.senate.gov/wp-content/uploads/2024/11/INC-5-Plastics-letter_final_all-signs.pdf.
 18. Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters, June 25, 1998, <https://unece.org/DAM/env/pp/documents/cep43e.pdf>.
 19. Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean, March 4, 2018, <https://www.cepal.org/en/escazuagreement>.

these processes should be designed to, among other things, “avoid the exercise of undue economic or political influence.”²⁰

Recommendations for the Global Plastics Treaty Negotiations

The Global Plastics Treaty negotiations, meetings of its future COPs, and treaty implementation must be safeguarded from conflicts of interest. The best way to ensure this is to strengthen conflict of interest protections within the treaty text itself. Specific recommendations for the Chair’s Text²¹ (the most recent working document) could be strengthened by including:

- **Recognition of conflicts of interest in the preamble:** There should be a recognition in the preamble of the vested interests that could work to undermine the treaty’s objective.
- **Protections in the science policy body:** If there are any scientific or other subsidiary bodies established, they should be free from conflicts of interest. A specific and robust policy should be set up to ensure that members do not have conflicts of interest. The Persistent Organic Pollutants Review Committee of the Stockholm Convention can be used as a model.²²
- **Safeguards incorporated throughout the text:** Wherever the private sector is mentioned in the text, safeguards must be in place to ensure that the treaty’s implementation is protected from undue economic influence and that partnerships with the private sector do not undermine the treaty’s goals. Examples of where this could be implemented include:
 - Article 9 on existing plastic pollution,
 - Article 11 on the financial mechanism, and
 - Article 12 on capacity building, technology transfer, and cooperation.

Now is the crucial moment to embed conflict of interest safeguards directly in the treaty text — not defer them to future COPs. Failure to act swiftly risks permanently embedding industry influence in treaty implementation, severely limiting its ambition and risking these safeguards ever being introduced. Without strong protections, the treaty risks becoming ineffective and merely reinforcing the status quo, perpetuating plastics’ harms for generations.

20. Almaty Guidelines on Promoting the Application of the Principles of the Aarhus Convention in International Forums, November 2005, para. 15, <https://unece.org/environment-policy/publications/almaty-guidelines-promoting-application-principles-aarhus>.

21. Chair of the Intergovernmental Negotiating Committee to develop an international legally binding instrument on plastic pollution, including in the marine environment, “Chair’s Text,” December 1, 2024, https://wedocs.unep.org/bitstream/handle/20.500.11822/46710/Chairs_Text.pdf.

22. Stockholm Convention, Rules of procedure for preventing and dealing with conflicts of interest relating to activities of the Persistent Organic Pollutants Review Committee, SC-1/8, (May 6, 2005), <https://www.pops.int/TheConvention/POPsReviewCommittee/OverviewandMandate/tabid/2806/Default.aspx>.

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