

# Plastic Pollution: How Long Must We Wait for Consensus?

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## Foreword

**T**he fifth session of the **Intergovernmental Negotiating Committee (INC-5.2)**, held in Geneva in August 2025, was expected to mark a historic turning point in the fight against **plastic pollution**. Instead, it closed with yet another postponement, leaving the world without a binding treaty to address one of the most pervasive environmental, health, and climate challenges of our time. The failure was not due to a lack of evidence or urgency, but rather to deep political divides, procedural shortcomings, and the heavy hand of vested interests.



The data speaks for itself. In 2025, global plastic production is projected at 445–516 million metric tons, yet a mere 7–9% of plastics are recycled. Plastics now account for roughly 4% of global greenhouse gas emissions, underscoring their role in exacerbating the climate crisis. With 15 million tons of plastic entering the oceans each year, micro-plastics and toxic additives such as PFAS are increasingly detected in water, soil, food, and even human bloodstreams. The science is clear: plastic pollution is escalating beyond our capacity to manage it, placing ecosystems and human health at grave risk.

Yet, instead of matching ambition to this reality, negotiations revealed a widening gulf. On one side, the High Ambition Coalition of over 100 countries pressed for production caps, chemical bans, and robust financial support for the Global South. On the other, a coalition of fossil fuel aligned states backed by industry pushed to confine the treaty to waste management. Their obstruction was amplified by the unprecedented presence of more than 230 industry lobbyists, who outnumbered entire regional delegations and diluted the negotiating text. Combined with the rigidity of consensus-based decision-making, this corporate and political resistance transformed what could have been a landmark agreement into a hollow exercise, unfit for the scale of the crisis.

And yet, out of this setback arises an undeniable truth: a weak treaty is worse than no treaty at all. The refusal of the ambitious majority to accept a stillborn text is not a failure but a statement of integrity. It signals a readiness to pursue alternative pathways whether through majority-based voting, coalition-driven agreements, or strengthened regional frameworks to ensure that ambition is not sacrificed to inertia.

This moment demands renewed determination. The road ahead must be guided by science, justice, and inclusivity. A meaningful treaty must establish binding targets to reduce plastic production, phase out the most hazardous chemicals, hold polluters accountable, and provide fair financial mechanisms for vulnerable nations. It must be more than a document it must be a tool for systemic change.

As history has shown, failed negotiations can sow the seeds of transformative breakthroughs. The Montreal Protocol and successive climate agreements remind us that persistence, even after disappointment, can yield unprecedented progress. The challenge before us is immense, but so too is our collective capacity for innovation, solidarity, and courage.

The world cannot afford resignation. Policymakers, civil society, scientists, indigenous peoples, and frontline communities must continue pressing forward with urgency and unity. Together, we can and must deliver the strong, binding global treaty that will safeguard ecosystems, protect human health, and secure a sustainable future.

## Executive Summary

The second part of the fifth session of the Intergovernmental Negotiating Committee to



develop an international legally binding instrument on plastic pollution, including in the marine environment (INC-5.2), concluded on August 15, 2025, without reaching the historic agreement that delegates, civil society, and the international community had hoped for. Despite intensive negotiations spanning eleven days at the Palais des Nations in Geneva, Switzerland, fundamental divisions between nations over the scope and ambition of a global plastics treaty

proved insurmountable, leaving the world without a legally binding framework to address one of the most pressing environmental crises of our time.

## Background and Significance of INC-5.2

Plastic pollution is not only an environmental crisis but also a human health challenge. In 2025, global plastic production is forecasted to reach between 445 million and 516 million metric tons annually, with over 1 billion tonnes of accumulated plastic waste worldwide, a figure expected to grow to 1.7 billion tonnes by 2060. However, only 7–9% of plastics produced are recycled, and by September 5th, 2025, global generation of plastic waste will surpass the world's capacity to manage it. Plastics are primarily derived from fossil fuels, and their entire lifecycle production, use, and waste management is responsible for about 4% of global greenhouse gas emissions, directly linking the plastic industry to rising carbon emissions and accelerating climate change.

The manufacture of plastics involves a range of toxic chemical additives, including per- and polyfluoroalkyl substances (PFAS) the so-called “forever chemicals” which are known to be carcinogenic and persist both in human bodies and ecological systems. PFAS contamination has been detected at nearly 23,000 sites across Europe, impacting more than 2,100 hazardous hotspots and spreading into human arteries, lungs, brains, and breast milk. The health and financial costs for PFAS clean-up now reach tens of billions globally.

Once discarded, plastic waste clogs waterways, disrupts ecosystems, and harms flora and fauna as it travels to the oceans, where about 15 million metric tons enter annually. The oceans now contain up to 199 million tons of plastic waste, much of it originating from single-use items and poor waste management practices in regions like Southeast Asia. In marine and terrestrial environments alike, plastics fragment into micro- and nano-particles, making up more than 90% of plastics in the oceans and infiltrating soils, the global water cycle, and ultimately the food chain. This widespread presence of micro-plastics and forever chemicals poses direct, ongoing risks to human well-being through food, water, and air contamination.

It is against this backdrop of mounting environmental, health, and climate concerns that the Intergovernmental Negotiating Committee’s fifth session (INC-5.2) was convened from August 5–14, 2025, at the United Nations Office at Geneva. Intended to mark the conclusion of

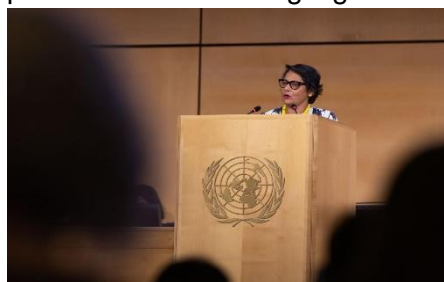
negotiations on the world's first legally binding treaty to end plastic pollution, the session brought together representatives from 184 countries and over 2,600 participants, including diplomatic delegations, civil society organizations, scientists, and industry representatives. It followed the earlier part of INC-5 held in Busan, South Korea, in December 2024, which had also ended without agreement despite being scheduled as the final negotiating round.



These negotiations build upon the historic mandate set by the United Nations Environment Assembly Resolution 5/14, adopted in March 2022, which called for the development of an international legally binding instrument addressing plastic pollution across its entire lifecycle from production and design to waste management and disposal. The urgency of this mandate is clear: over 400 million tons of plastic are produced globally each year, with only 9% recycled and 12% incinerated, leaving the overwhelming majority to persist in the environment. Projections indicate that, without decisive global action, plastic pollution could triple by 2040, with an estimated 19–23 million tonnes of plastic waste entering aquatic ecosystems annually.

### Opening Proceedings and High Expectations

**INC Chair Luis Vayas Valdivieso** of Ecuador opened the session on August 5, 2025, with a call for pragmatism and courage, emphasizing that "the common good does not conflict with national interests, but requires a careful and courageous balance between them." He stressed that delegates faced not merely a deadline but an opportunity for historic achievement, noting that for the first time in history, the world was close to creating a legally binding international agreement to end plastic pollution. The Chair highlighted that the Palais des Nations, as the site of significant milestones in multilateral diplomacy, was the appropriate venue for fulfilling the mandate given by Environment Assembly Resolution 5/14.



In this context, **Jyoti Mathur-Filipp, Executive Secretary of the INC Secretariat**, recalled the symmetry between UNEA 5.2 where resolution 5/14 first launched this historic process and the present INC 5.2, while commending the

Committee's commitment, the insights of observers, and the voluntary contributions of donors that had sustained the negotiations. **Katrin Schneeberger**, Director of the Federal Office for the Environment of Switzerland, welcomed participants by encouraging them to capitalize on the spirit of dialogue, cooperation, and commitment to multilateralism that the Palais des Nations embodies. She emphasized the need for a treaty that would be inclusive, science-based, and support implementation on the ground. UNEP Executive Director **Inger Andersen** reminded participants that





plastic pollution was already widespread in nature, oceans, and human bodies, warning that continued inaction would result in the world drowning in plastic pollution with massive consequences for planetary, economic, and human health.

### Structural Organization and Negotiating Framework

The negotiations were organized around four contact groups, each tasked with addressing specific articles of the proposed treaty. Contact Group 1, co-chaired by **Maria Angelica Ikeda** of Brazil and **Axel Borchmann** of Germany, focused on fundamental articles including scope, definitions, objectives, and measures to address plastic pollution. Contact Group 2, led by **Tuulia Toikka** of Finland and **Peter Justice Dery** of Ghana, addressed articles related to plastic products, chemicals of concern, and problematic plastic products. Contact Group 3, co-chaired by **Kate Lynch** of Australia and **Gwen Sisior** of Palau, concentrated on the crucial financial mechanism and technical assistance provisions. Contact Group 4, guided by **Linroy Christian** of Antigua and Barbuda and **Go Kobayashi** of Japan, handled the extensive remaining articles, including the preamble, institutional arrangements, and final provisions.



The starting point for negotiations was the Chair's Text from the first part of the fifth session held in Busan, which served as the baseline document for discussions. However, throughout the session, this text underwent significant expansion, with the number of bracketed sections indicating areas of disagreement growing from 370 in the original draft to over 1,100 by the session's conclusion. This dramatic increase in bracketed text

reflected the deep divisions among negotiating parties and the difficulty in reaching consensus on core provisions.

### Deep Divisions: High Ambition Coalition vs. Like-Minded Group

The negotiations were fundamentally characterized by an increasingly stark divide between two opposing coalitions with irreconcilable visions for the treaty's scope and ambition. The **High Ambition Coalition** to End Plastic Pollution, comprising over 100 countries including the European Union and its 27 member states, the United Kingdom, Canada, Norway, Mexico, numerous African nations, and small island developing states, advocated for a comprehensive and legally binding treaty addressing the full lifecycle of plastics. This coalition pushed for binding measures including global caps on plastic production, mandatory restrictions on chemicals of concern used in plastic manufacturing, phase-outs of problematic single-use plastic products, robust financial mechanisms for developing countries, and the ability to strengthen treaty provisions over time through majority voting rather than consensus-based decision-making.





In direct opposition stood the **"Like-Minded Group"** of countries, primarily comprising major oil and gas-producing nations including Saudi Arabia, Russia, Iran, India, and at times China and Brazil. This bloc, backed by significant fossil fuel and petrochemical industry interests, fundamentally rejected any treaty provisions that would regulate upstream plastic production, arguing that such measures fell outside the treaty's mandate as established

by Resolution 5/14. Instead, they advocated for a treaty focused exclusively on downstream waste management, emphasizing improved recycling infrastructure, waste collection systems, and voluntary national action plans rather than globally binding obligations. The Like-Minded Group also insisted on maintaining consensus-based decision-making for all future Conference of Parties meetings, effectively providing veto power over any attempts to strengthen the treaty over time.

### Industry Influence and Corporate Capture Concerns

A significant controversy throughout INC-5.2 was the unprecedented presence of fossil fuel and chemical industry lobbyists at the negotiations. According to analysis by the Center for International Environmental Law (CIEL), at least 234 fossil fuel and chemical industry lobbyists registered to participate in the negotiations, a new record surpassing the 221 identified at the previous session in Busan. This massive industry presence raised serious concerns about corporate capture of the negotiating process, with these lobbyists outnumbering the combined diplomatic delegations of all 27 European Union nations plus the EU itself (233 delegates).



The analysis revealed that major fossil fuel and chemical companies were particularly well represented, with Dow and the American Chemistry Council each bringing seven lobbyists, while ExxonMobil sent six representatives. Perhaps most concerning was the integration of nineteen fossil fuel and chemical lobbyists directly into national delegations, including six in Egypt's delegation, four in Kazakhstan's, three each in China's and Iran's, two in Chile's, and one in the Dominican Republic's. These industry representatives outnumbered civil society voices by significant margins, with fossil fuel lobbyists outnumbering the Scientists' Coalition for an Effective Plastic Treaty by nearly four to one and the International Indigenous Peoples' Forum on Plastics by nearly seven to one.

### Key Sticking Points and Negotiating Challenges



The three primary areas of disagreement that ultimately led to the session's failure were plastic production caps, chemicals of concern, and financial mechanisms. On plastic production caps, the High Ambition Coalition argued that meaningful action to end plastic pollution required addressing the exponential growth in plastic production at its source, particularly given projections that plastic production could increase by 70% by 2040 without policy interventions. They emphasized that with over 99% of plastics derived from fossil fuels, production caps were essential not only for environmental protection but also for climate

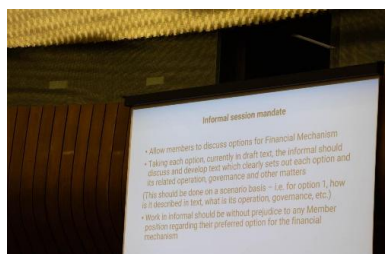
change mitigation. The Like-Minded Group vehemently opposed any production limitations, arguing that such measures constituted economic interference and fell outside the treaty's scope, preferring to focus on managing existing waste streams.

Regarding chemicals of concern, approximately 100 countries supported mandatory restrictions on hazardous chemicals used in plastic manufacturing, including substances like bisphenols, brominated flame retardants, and per- and polyfluoroalkyl substances (PFAS) known to cause serious human health impacts including cancer. A joint proposal from Switzerland and Mexico on regulating chemicals of concern gained significant momentum during the negotiations, growing from 65 supporting countries at the session's start to 90 by its conclusion. However, petrochemical-producing nations resisted comprehensive chemical restrictions, arguing for voluntary approaches and existing regulatory frameworks rather than new binding obligations.



The financial mechanism proved equally contentious, with developing countries demanding robust and predictable funding to support treaty implementation, while developed nations sought to limit financial commitments and maintain flexibility in funding arrangements. Small Island Developing States, represented by the Alliance of Small Island States (AOSIS) and Pacific Small Island Developing States (PSIDS), were particularly vocal about the need for dedicated financial support, emphasizing their special circumstances as nations bearing disproportionate impacts from transboundary plastic pollution despite minimal contribution to the problem.

## Procedural Challenges and Process Criticisms



Beyond substantive disagreements, INC-5.2 was marked by significant procedural challenges and widespread criticism of the negotiating process. Many delegates, particularly those from smaller nations with limited delegation sizes, raised concerns about the transparency and inclusivity of the negotiations. The extensive use of informal consultations, "informal informal" discussions, and small group meetings often occurred simultaneously, stretching small delegations

beyond their capacity to participate effectively. AOSIS Chair Ambassador Ilana Seid of Palau described the process as "mired in a web of informals upon informals" that made it increasingly difficult for Pacific SIDS to work efficiently.

Communication challenges further complicated the process, with untimely notifications about meeting changes, inadequate room sizes for important discussions, and inconsistent modalities that disadvantaged smaller delegations. Several representatives called for clearer terms of reference for informal groups and better coordination to ensure all member states could participate meaningfully. The Alliance of Small Island States specifically requested that no meetings be held in parallel for contact groups 1 and 3, as their small delegations could not effectively cover multiple simultaneous negotiations.



## **The Chair's Text Controversy**

The session's most dramatic moment came on August 13, when Chair Luis Vayas Valdivieso released a Draft Text Proposal intended to reflect compromise positions after more than a week of negotiations. However, this text was met with immediate and severe criticism from the majority of delegations, who described it as "unacceptable," "unbalanced," and "not a basis for further negotiations". Key provisions from earlier drafts were conspicuously absent, including any article on production caps, meaningful references to chemicals of concern, and language about addressing the "full life cycle" of plastics.

Panama's lead negotiator Juan Carlos Monterrey Gómez delivered particularly scathing criticism, stating that the draft could not serve as a basis for negotiations and that their "red lines had been spat on and burned," declaring "This is not ambition; it is surrender". The European Union deemed the proposal "not acceptable," criticizing it for lacking "clear, robust and actionable measures," while Kenya noted that it contained "no global binding obligations on anything". Pacific Small Island Developing States, through their Chair Pepetua Latasi of Tuvalu, emphasized that "many of our red lines have been crossed".

## **Marathon Final Negotiations and Ultimate Failure**



In response to the overwhelmingly negative reaction to his first draft, Chair Vayas Valdivieso initiated intensive consultations throughout the night of August 13-14, working to address delegations' concerns. A revised text proposal was released at 2:00 AM on August 15, described by the Chair as an effort to identify "balanced solutions" and "landing zones" to build consensus. While this second iteration acknowledged that current global

levels of plastic production and consumption are "unsustainable" and exceed existing waste management capacities, it still fell short of including binding production caps or comprehensive chemical restrictions.

The final plenary session, originally scheduled for Thursday afternoon, was postponed multiple times before finally convening at 6:30 AM on Friday, August 15. After more than fifteen hours of delay, delegates found themselves in a marathon session that had started well before dawn, with many smaller delegations unprepared for the abrupt scheduling changes. The session was marked by exhaustion, frustration, and continued fundamental disagreements over the treaty's core elements. By 9:00 AM Geneva time, after nearly all countries had expressed their inability to accept the revised text, Chair Vayas Valdivieso acknowledged the impasse and adjourned the session to continue at a later date yet to be determined.

## **Voices of Disappointment and Calls for Change**

The session's conclusion was met with widespread expressions of disappointment and calls for fundamental changes to the negotiating process. European Commissioner for Environment Jessika Roswall stated unequivocally that "we do not accept a stillborn treaty" and emphasized that the EU would continue striving for better outcomes. France's Minister of Ecological Transition Agnès Pannier-Runacher described herself as "disappointed and enraged" with the outcome, characterizing the talks as "so chaotic" and accusing oil-producing countries and their allies of choosing "to look the other way".

Norwegian negotiator Andreas Bjelland Eriksen declared that "We are truly sad to say that we will not have a treaty to end plastic pollution here in Geneva," while many other delegations echoed similar sentiments about the missed historic opportunity. Environmental and civil society groups were equally vocal in their criticism, with Graham Forbes of Greenpeace USA stating that the inability to reach agreement "must be a wake-up call for the world" and calling the current process fundamentally broken.



Importantly, many observers argued that no treaty was preferable to a weak one that would legitimize continued plastic pollution. Ana Rocha of the Global Alliance for Incinerator Alternatives stated, "No treaty is better than a bad treaty. We stand with the ambitious majority who refused to back down and accept a treaty that disrespects the countries that are truly committed to this process".

### **Major Outcomes of the INC-5.2 Session**

The primary outcome of INC-5.2 was the failure to reach any agreement on a global plastic pollution treaty, despite three years of negotiations and significant investment of time, resources, and political capital by the international community. This failure represented the second consecutive deadline missed by the negotiating committee, following the unsuccessful conclusion of INC-5.1 in Busan in December 2024. The negotiations were adjourned indefinitely, with no clear timeline, format, or location established for future discussions.

However, several important developments emerged from the failed negotiations that may influence future efforts. The growing strength of the High Ambition Coalition, which expanded its support base and demonstrated unprecedented unity in rejecting inadequate treaty proposals, represents a significant political development. The coalition's willingness to walk away from a weak agreement rather than accept a "stillborn treaty" marked a strategic shift that may influence future negotiating dynamics.

The session also exposed fundamental procedural problems with the consensus-based UN negotiating process, leading to widespread calls for reform. Many participants argued that allowing a small minority of countries to block agreements supported by the vast majority was fundamentally undemocratic and ineffective for addressing global crises. Bjorn Beeler of the International Pollutants Elimination Network declared that "consensus is dead" and argued for alternative decision-making procedures in future negotiations.

The unprecedented corporate influence documented at INC-5.2, with over 234 fossil fuel and chemical industry lobbyists present, sparked important conversations about conflict of interest policies and the need to protect environmental negotiations from undue industry influence. This issue is likely to be addressed in any future negotiating format, potentially leading to stronger safeguards against corporate capture.

On specific technical issues, there was some progress despite the overall failure. The Switzerland-Mexico proposal on chemicals of concern gained significant support, growing from 65 to 90 supporting countries during the session. Only two articles, Article 31 on depositary and Article 32 on authentic texts received sufficient consensus to be forwarded to the legal drafting group, though even these remain contingent on overall agreement.

The session also clarified that any future treaty negotiations would need to address several cross-cutting issues that proved particularly challenging: the nature of decision-making procedures (consensus versus majority voting), the establishment and characteristics of

subsidiary bodies, international trade implications, and the relationship between national action plans and global binding obligations. These issues will likely require resolution before substantive progress can be made on core treaty provisions.

## **Conclusion**

The collapse of INC-5.2 is more than a diplomatic setback, it marks a turning point in environmental governance, exposing how consensus-driven multilateralism is failing under the weight of the plastics crisis. The widening divide between ambitious and reluctant states, and the weaponization of consensus by a few petro-states, has stalled progress. Yet, this very stalemate has galvanized over 100 countries in the High Ambition Coalition to explore alternative pathways, drawing lessons from past environmental agreements where breakthroughs often followed failed negotiations.

## **Way Forward**

The cost of inaction is rising, with each delay adding millions of tons of plastic waste and pushing the 2040 leakage-elimination goal further out of reach. Ambitious states must now consider binding agreements outside the UN framework, creating regulatory and market pressures to eventually bring in reluctant actors, while also pushing for UN reforms to overcome consensus paralysis. National policies and regional initiatives will be vital in sustaining momentum. Ultimately, ambition, flexibility, and political courage must converge to reimagine global diplomacy and deliver a meaningful response to plastic pollution at its source.

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