



November 15, 2024

The Honorable Joseph R. Biden, Jr. President  
of the United States  
The White House  
1600 Pennsylvania Avenue NW Washington,  
D.C. 20500

The Honorable Ursula von der Leyen President  
of the European Commission European  
Commission  
Rue de la Loi 200  
1040 Brussels  
Belgium

The Honorable António Guterres  
Secretary General  
United Nations  
760 United Nations Plaza  
New York, NY 10017

Ms. Jyoti Mathur-Filipp  
Executive Secretary  
United Nations Environment Programme  
International Negotiating Committee  
P.O. Box 30552, 00100  
Nairobi  
Kenya

Dear President Biden, President von der Leyen, Secretary General Guterres, and Executive Secretary Mathur-Filipp:

We, the undersigned Members of the United States Congress and Members of the European Parliament, write to you concerning the efforts by the Intergovernmental Negotiating Committee on Plastic Pollution (INC) to develop an international legally binding instrument on plastic pollution. We urge you to address the undue influence of plastic-producing corporations and other industries that are highly dependent on plastic, particularly packaging and single-use, disposable, and non-durable plastics, at negotiations.

As you know, the deadline to complete the plastics treaty by the end of 2024 is swiftly approaching. Today, hundreds of millions of tons of plastic are produced each year and the rate is projected to nearly triple from 2019 levels by 2050.<sup>1</sup> The equivalent of one garbage-truck-load of plastic is dumped into the ocean every minute. This waste lingers in our environment, breaking down into even smaller microplastics.<sup>2</sup>

99% of plastics are produced from fossil fuel-based petrochemicals.<sup>3</sup> Plastics currently account for 3.4% of global greenhouse gas (GHG) emissions, and are projected to make up nearly half of oil demand growth by 2050.<sup>4,5</sup> As the world shifts away from fossil fuels towards renewable sources of energy, we must also move away from plastic. The planet has already warmed over 1.1°C; every moment of delay narrows our pathway

<sup>1</sup> Center for International Environmental Law, 2023. Reducing Plastic Production to Achieve Climate Goals: Key Considerations for the Plastics Treaty Negotiations. <https://www.ciel.org/reports/reducing-plastic-production-to-achieve-climate-goals-key-considerations-for-the-plastics-treaty-negotiations/>

<sup>2</sup> United Nations Environment Programme, 2022. Why we need to fix the plastic pollution problem. <https://www.unep.org/news-and-stories/story/why-we-need-fix-plastic-pollution-problem>

<sup>3</sup> Center for International Environmental Law, 2017. Fossils, plastics, and petrochemical feedstocks. <https://www.ciel.org/reports/fuelingplastics/>

<sup>4</sup> Organization for Economic Cooperation and Development, 2019. Plastic leakage and greenhouse gas emissions are increasing. <https://www.oecd.org/environment/plastics/increased-plastic-leakage-and-greenhouse-gas-emissions.htm>

<sup>5</sup> International Energy Agency, 2018. The future of petrochemicals. <https://www.iea.org/reports/the-future-of-petrochemicals>

to net zero by 2050, which is necessary to limit global warming to 1.5°C.<sup>6</sup> Improving the current waste management and recycling systems is not enough as not all plastics are recyclable and some products can only be recycled once or twice.<sup>7</sup> Accordingly, drastically reducing plastic production and consumption and eliminating single-use plastics from global commerce are essential to achieving climate goals.

Notwithstanding the fact that just 9% of all plastic waste ever generated has been recycled<sup>8</sup>, since at least the 1970s the plastics industry has known that recycling is often prohibitively expensive and infeasible.<sup>9</sup> Nevertheless, industry interests have spent tens of millions of dollars on ads to deceive the public and frame individual consumers' recycling habits as the key solution.<sup>10</sup> The United Nations Special Rapporteur on hazardous wastes called plastics recycling a “clear example of disinformation”,<sup>11</sup> and the industry has admitted as much: a former president of the Plastics Industry Association told reporters, “If the public thinks that recycling is working, then they are not going to be as concerned about the environment.”<sup>12</sup>

Many of us wrote to you regarding the power imbalances and lack of equitable access for governments, scientists, and impacted communities at the third INC negotiating session. Regrettably, these disparities only increased at INC-4. There were 196 chemical and fossil fuel representatives registered to attend INC-4, a 37% increase from INC-3. Industry representatives outnumbered:

- The total representatives of the combined European Union delegations;
- The 87 smallest country delegations combined;
- The number of officials from Pacific Small Island Developing States by more than two to one; and
- The number of representatives from the Scientists' Coalition for an Effective Plastics Treaty by more than three to one.<sup>13</sup>

Fossil fuel companies and their industry allies have spent hundreds of millions of dollars lobbying the European Union and U.S. government for years to obstruct or weaken plastics and climate policy.<sup>14,15</sup> Companies attending INC-3 spent more than \$85 million on lobbying and political contributions during the 2022 U.S. elections alone.<sup>16</sup> The overwhelming discrepancy between the number of attendees representing petrochemical industries, which have a vested financial interest in maintaining the status quo, and national and scientific representatives, makes it glaringly obvious how industrial actors' influence could obstruct

<sup>6</sup> United Nations. For a livable climate: Net-zero commitments must be backed by credible action. <https://www.un.org/en/climatechange/net-zero-coalition>

<sup>7</sup> Sullivan, L., 2020. How Big Oil misled the public into believing plastic would be recycled. National Public Radio. <https://www.npr.org/2020/09/11/897692090/how-big-oil-misled-the-public-into-believing-plastic-would-be-recycled>

<sup>8</sup> UN Environment Programme, 2021. Our planet is choking on plastic. <https://www.unep.org/interactives/beat-plastic-pollution/>

<sup>9</sup> Sullivan, 2020.

<sup>10</sup> Ibid.

<sup>11</sup> Human Rights Council, 2021. Plastic recycling is a clear example of disinformation in the context of toxics, Special Rapporteur on Hazardous Wastes tells Human Rights Council. United Nations Human Rights Office of the High Commissioner. <https://www.ohchr.org/en/press-releases/2021/09/plastic-recycling-clear-example-disinformation-context-toxics-special>

<sup>12</sup> Sullivan, 2020.

<sup>13</sup> Center for International Environmental Law, 2024. Fossil Fuel Lobbyists Outnumber National Delegations, Scientists, and Indigenous Peoples at Plastics Treaty Negotiations. <https://www.ciel.org/news/fossil-fuel-and-chemical-industry-influence-inc4/>

<sup>14</sup> Laville, S., 2019. Fossil fuel big five ‘spent €251m lobbying EU’ since 2010. The Guardian. <https://www.theguardian.com/business/2019/oct/24/fossil-fuel-big-five-spent-251m-lobbying-european-union-2010-climate-crisis>

<sup>15</sup> Sayki, I., and Cloutier, J., 2023. Oil and gas industry spent \$124.4 million on federal lobbying amid record profits in 2022. <https://www.opensecrets.org/news/2023/02/oil-and-gas-industry-spent-124-4-million-on-federal-lobbying-amid-record-profits-in-2022/>

<sup>16</sup> Center for Biological Diversity, 2023. Companies Lobbying for Weak U.N. Plastics Treaty Spend Big on U.S. Politics. <https://biologicaldiversity.org/w/news/press-releases/companies-lobbying-for-weak-un-plastic-treaty-spend-big-on-us-politics-2023-11-17/>

meaningful progress.

Ahead of INC-5, the UN and Member States must enact conflict of interest policies and mandate the disclosure of lobbying activity by participating representatives of plastic-producing industries, petrochemical companies, and other relevant industrial stakeholders, in order to help ensure that science takes precedence in the agreement.

Furthermore, the UN must take strides to remove barriers that have long hindered strong global collaboration to combat plastic pollution. While industry engagement can be valuable, doing so with industry stakeholders who have consistently engaged in bad faith should be undertaken with extreme caution. In November, world governments will gather in Busan for INC-5 to finalize the treaty. Parties must seize the opportunity to agree to an ambitious, actionable treaty that addresses the full life cycle of plastic and plastic pollution, including firm commitments to reduce plastic production, eliminate hazardous chemicals, and avoid problematic plastic products.

We urge you to institute new disclosure policies that require corporate and industrial sector representatives to submit an audited corporate political influencing statement disclosing plastics and climate-related lobbying, campaign contributions, and funding of trade associations and organizations active on plastics and climate issues.

These statements should be reviewed, publicly disclosed, and scrutinized prior to any engagement in INC negotiations or future Conferences of the Parties. The INC should also adopt robust conflict-of-interest policies to limit bad-faith industry influence on treaty-created scientific bodies and to ensure the voices of civil society, especially frontline communities, Indigenous Peoples, women, and youth, are not drowned out by corporate actors with proven vested interests that contradict the goals of the global plastics treaty. These reforms would bring much-needed transparency to the treaty negotiations and help to ensure that the INC process is a successful effort driven by countries to solve the plastic pollution crisis.

Thank you for your attention to this important issue and for your ongoing dedication to building global support for eliminating plastic pollution. The lead co-signers are available to meet with you at a mutually agreeable time prior to the INC-5 negotiations in November. We welcome further engagement with you on this topic.

Sincerely,

cc: The Honorable Charles Michel  
President of the European Council

The Honorable Antony J. Blinken  
Secretary of State  
United States Department of State



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Sheldon Whitehouse  
United States Senator



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Jeff Merkley  
United States Senator



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Peter Welch  
United States Senator



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Jared Huffman  
Member of Congress



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Pascal Canfin  
Member of the European Parliament  
Renew Group



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Bernard Sanders  
United States Senator



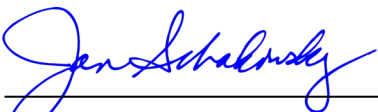
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Cory A. Booker  
United States Senator



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Seth Magaziner  
Member of Congress



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Jan Schakowsky  
Member of Congress