

# Supporting Material

**Information note:** This document expands upon definitions discussed in the Scientists' Coalition's policy brief on Article 2. See the [original policy brief](#) for more information.

## Section 1

Definitions currently in the Chair's NP5. Color coding: **green** suitable for inclusion as is, **yellow** requiring some modification, **red** should not be included.

For the purposes of this convention...

Term and current definition(s) in Chair's NP5 Text	Scientists' Coalition comments, suggestions, and references		Scientists' Coalition suggested text for definition
<b>Party:</b> A State or regional economic integration organization that has consented to be bound by this Convention and for which the Convention is in force.	Not reviewed - no comments		n/a
<b>Plastic(s):</b> material(s) made wholly or partly of synthetic or semi-synthetic polymers, including additives or other substances, that can be shaped during processing and serve as structural components of products.	<p><b>"Plastic(s)" <u>material(s) made wholly or partly of synthetic or semi-synthetic polymers,</u></b></p> <p><b><u>including [any] additives or other substances</u></b></p> <p><b><u>that can be shaped during processing and serve as structural components of products.</u></b></p>	<p>Limiting the definition to green text includes all types of plastics, such as thermoplastics, thermoset, elastomers and semi-synthetics (e.g., Rayon).</p> <p>Yellow text could be omitted while its inclusion ensures that chemicals are considered part of plastic materials. Adding the word "any" will ensure that plastics without additives are included.</p> <p>Omit red text because it could potentially exclude thermosets and thermoset elastomers and is not needed to define plastics. It would also exclude coatings and linings as well as intentionally added microplastics and pre-production pellets.</p> <p>If elements of the red text are retained, then reformulate as <i>"can be shaped or formed during either manufacture of the polymer or the fabrication into a finished product" (MARPOL) and "serve as products, or as components or ingredients of products"</i>.</p>	Plastic(s): material(s) made wholly or partly of synthetic or semi-synthetic polymers.
<b>Pollution</b>	Not currently defined in the Chair's text, but we recommend a definition is added in order to give clarity on the terms below.	<p>We suggest including the definition in the column to the right which is modified from <b>UNCLOS</b> (below).</p> <p>"pollution of the marine environment" means the introduction by man, directly or indirectly, of substances or energy into the marine environment, including estuaries, which results or is likely to result in such deleterious effects as harm to living resources and marine life, hazards to human health, hindrance to marine activities, including fishing and other legitimate uses of the sea, impairment of quality for use of sea water and reduction of amenities.</p>	Pollution: the introduction by humans, directly or indirectly of substances or energy into the environment which results or is likely to result in such deleterious effects as harm to living resources and other organisms, hazards to human health, hindrance to legitimate activities, impairment of environmental quality and reduction of amenities.
<b>Plastic pollution:</b> i. [pollution caused by or released throughout the life cycle of plastics] ii. [all emissions and releases resulting from plastic production, use, waste management and leakage from different sources and pathways]	<p><b><u>i. [pollution caused by or released throughout the life cycle of plastics]</u></b></p> <p><b><u>ii. [all emissions and releases resulting from plastic production, use, waste management and leakage from different sources and pathways]</u></b></p>	<p>Current definition is tautological in that it defines plastic pollution as pollution. We suggest a definition of "pollution" that is added (see above).</p> <p>If pollution is defined (see above), then Option i is preferred given that pollution is an internationally accepted term (see Law of the Sea). Life cycle needs further definition (see below).</p> <p>Option ii is very comprehensive as it would include greenhouse gas (GHG) emissions. However, the terms "emissions", "releases" and "leakage" would also require definitions. The addition of the "life cycle of plastics" would include sources not currently considered, such as transportation.</p>	Plastic pollution: the introduction by humans, directly or indirectly of plastic chemicals, materials, products, and waste intentionally or unintentionally released, emitted, or leaked throughout the life cycle of plastics which results or is likely to result in such deleterious effects as harm to living resources and other organisms, hazards to human health, hindrance to legitimate activities, impairment of environmental quality and reduction of amenities.

<p><b>Plastic product:</b> a product which contains or is partly or entirely made of any form of plastic.</p>	<p>The Chair's text is suitable for inclusion as is, noting the following.</p> <p>The clauses, <b>"contains or is partly"</b>, are important. Otherwise, a product containing even a small amount of a non-plastic material might be considered out of scope.</p> <p>For a product that is made of multiple components (e.g., a car, a tin can lined with plastic), some of which are plastic, the individual plastic components would be reviewed for annex listings (e.g., a plastic steering wheel, the lining of a tin can etc) <b>not</b> the final/finished product itself.</p> <p>Derogations may apply to specific uses of a component, e.g., a lining in a can that is <b>not</b> intended for food contact. This follows <b>ECHA</b> implementation of the REACH restriction on microplastics where it is the microplastics that are regulated, and any derogation relates to the intended use. In addition, ECHA reporting requirements "apply to manufacturers, industrial downstream users and suppliers placing [microplastics] on the market." So, in the context of the plastics treaty there could also be requirements for downstream reporting, for example reporting of the plastic components, and associated derogations, within a final/finished product.</p> <p>NB pre-production plastic pellets need to be specifically defined/listed elsewhere if not defined as a 'plastic product' (see below).</p>		<p>Keep the Chair's text.</p> <p>Plastic product: a product which contains or is partly or entirely made of any form of plastic</p>
<p><b>Plastic waste:</b> materials of substance consisting of plastic which are disposed of, intended to be disposed, or required to be disposed of by the provisions of national law.</p>	<p>Chair's definition of waste follows the <b>Basel Convention</b>.</p> <p>"Wastes" are substances or objects which are disposed of or are intended to be disposed of or are required to be disposed of by the provisions of national law.</p>	<p>The phrase <b>"materials of substance"</b> introduces an additional term that would require clarification. The definition could be simplified by replacing the term <i>"materials of substance consisting of plastic"</i> by <i>"plastic or plastic products"</i>.</p> <p>Including the word <b>"are"</b> would add emphasis in terms of national laws i.e., or are required to be disposed of by the provisions of national law.</p>	<p>Plastic waste: plastics or plastic products which are abandoned, discarded, lost, disposed of, intended to be disposed of, or are required to be disposed of by the provisions of national law.</p>
<p><b>Regional economic integration organization:</b> an organization constituted by sovereign States of a given region to which its member States have transferred competence in respect of matters governed by this Convention, and which has been duly authorized, in accordance....</p>	<p>Not reviewed - no comments</p>		<p>n/a</p>

## Section 2

Other relevant definitions not currently included in NP5

Term, definition based Chair's previous text and articles referencing this term	Scientists' Coalition Comments and references	Scientists' Coalition suggested text for definition
<p><b>Just Transition</b> (Article 8 2f; Article 10)</p>	<p>Broadly defined by the UN as ensuring that no one is left behind or pushed behind in the transition to low-carbon and environmentally sustainable economies and societies, can enable more ambitious climate action, and provide an impetus to attaining the Sustainable Development Goals.</p> <p>It could be applied on different levels: international, between states, and on national level, regarding communities.</p> <p>See the Scientists' Coalition <b>Policy Brief on Just Transition</b>.</p>	<p>Just transition: ensuring that measures taken to end plastic pollution are fair, equitable, and inclusive for all rights-holders and stakeholders across the full plastics lifecycle by safeguarding local and national economies and communities impacted by plastic pollution [or] corresponding control measures.</p>
<p><b>Primary Plastic</b></p>	<p>Definition based on <b>Chair's NP 4</b>.</p>	<p>Primary Plastic: a plastic material made of polymers that are used for the first time to create plastic products in any form.</p>

<b>Pre-production pellets or nurdles</b>	<p>Plastic pre-production pellets have been defined by the <b>IMO</b> as “small plastic granules widely used as a raw material in the creation of plastic products”. The IMO add “Normally transported by the tonne in freight containers, spills in the ocean can harm marine life and impact fishing, aquaculture and tourism activities. The most recent major incident occurred off the coast of Galicia in Spain, when millions of pellets washed ashore after accidental release from a ship”.</p> <p>Note, pellets can be either primary plastic or recycled plastic. Pre-production pellets are a major source of microplastic to the environment (see the article: <a href="#">Twenty years of microplastic pollution research—what have we learned?</a>).</p> <p>Hence, it is of key importance that plastic pre-production pellets are explicitly referenced and captured within the scope of the treaty. This could potentially be achieved by explicitly including pre-production pellets as plastic products (see above).</p>	Pre-production pellets or nurdles: small (typically < 5 mm) pieces of plastic that are used as a raw material to make plastic products. They are microplastics by definition because they are less than 5 mm in size.
<b>Sustainable consumption and production (SCP)</b> (Article 17 1a)	<p>See the article from UNEP on <a href="#">sustainable consumption and production policies</a>.</p> <p>See the <a href="#">Scientists’ Coalition Policy Brief on Article 6: Sustainable production and consumption criteria</a>.</p>	Sustainable consumption and production: the use of services and related products, which respond to basic needs and bring a better quality of life while minimizing the use of natural resources and toxic materials as well as the emissions of waste and pollutants over the full life cycle of the service or product so as not to jeopardize the needs of future generations.
<b>Extended Producer Responsibility</b> (Article 8.4)	See the <a href="#">OECD definition</a> .	Extended Producer Responsibility: a policy approach that makes producers responsible for their products along the entire lifecycle.
<b>Life cycle</b>	<p>We suggest a definition following the <a href="#">Chair’s NP4</a>: “Life cycle” means the consecutive and interlinked stages of a product system, from raw material acquisition or generation from natural resources to final disposal;...”</p> <p><i>And ISO 14001:2015: “Consecutive and interlinked stages of a product (or service) system, from raw material acquisition or generation from natural resources to final disposal. Life cycle stages include acquisition of raw materials, design, production, transportation/delivery, use, end-of-life treatment and final disposal.”</i></p>	Life cycle: the consecutive and interlinked stages of a product system, from raw material acquisition or generation from natural resources to final disposal or remediation.
<b>Full Life Cycle of Plastics</b> as mandated by <a href="#">resolution 5/14</a> and referenced in Article 11	See Scientists’ Coalition Policy Brief on <a href="#">Article 6: Sustainable production and consumption criteria</a> .	Full Life Cycle of Plastics: the entire supply chain of plastic products, from feedstock extraction to end-of-use.
<b>Circular economy</b> (Article 3 1d)	<p>We suggest a definition based on <a href="#">EU Circular Economy</a>.</p> <p>See Scientists’ Coalition Policy Brief on <a href="#">Transitioning to a safe and sustainable circular economy for plastics</a>.</p>	Circular economy: an economic model based inter alia on sharing, leasing, reuse, repair, refurbishment and recycling, in an (almost) closed loop, which aims to retain the highest utility and value of products, components, and materials at all times.
<b>Microplastic</b> : plastic particles that are [less than [5 millimeter] in diameter, <u>including nano-sized particles</u> ] [less than [5 millimetres] in their largest dimension or plastic <u>fibres shorter than [5 millimeters]</u> ];	<p>This is definition option 1 from the Chair’s NP 4 - re word as indicated as nano sized particles could also be fibrous in shape.</p> <p>Yellow modification to ensure fibres longer than 5 mm but with a diameter &lt;5 mm are included.</p> <p>These may be further categorized according to sources. See the article: <a href="#">Twenty years of microplastic pollution research—what have we learned?</a></p>	Microplastic: plastic particles that are less than 5 mm in their largest dimension or plastic fibers that are longer than 5 mm but have a diameter of less than 5 mm, including nano-sized particles.

<b>Nanoplastic plastic: particles that are less than [1 micrometer] in diameter and produced unintentionally from the degradation of microscale plastic objects or wastes or litter</b>	<p>This definition is Option 1 from Chair's NP 4. However, a definition is not needed if the definition of microplastics above is adopted since this would include nanoplastics, but if separately defined then a modified version of Option 1 preferred.</p> <p>The red text should be excluded as it would preclude manufactured nanoparticles.</p>	<p>Nanoplastics plastic: plastic particles that are less than 1 micrometer in their largest dimension.</p>
<b>Intentionally added microplastics and/or nanoplastics</b> (Art 3 Annex Y and Annex X)	<p>See the article: <a href="#">Twenty years of microplastic pollution research—what have we learned?</a></p>	<p>Intentionally added microplastics and or nanoplastics: micro and nanoplastics that have been manufactured and added to products.</p>
<b>Recycling</b>	<p>Note the emphasis in the definition on “waste material”. Recycling of unused / new products in order to label them as “recycled” would not meet the definition.</p> <p>For the purpose of consistency with the Basel Convention reporting and correspondence with EUROSTAT reporting system, Recovery operations R2 to R12 listed in Basel Convention Annex IV, are to be considered as ‘Recycling’ under the UNSD reporting for hazardous waste. See <a href="#">SDG 11.6.1</a>.</p> <p>Suggested definition following <a href="#">terminology in the EU</a>.</p>	<p>Recycling: any recovery operation by which waste materials are reprocessed into products, materials or substances whether for the original or other purposes. It includes the reprocessing of organic material, but does not include energy recovery and the reprocessing into materials that are to be used as fuels or for backfilling operations.</p>
<b>Recycled Plastic</b>	<p>See definition of recycling above.</p>	<p>Recycled Plastic: plastic that has been generated by recycling and reprocessed into products, materials or substances whether for the original or other purposes.</p>
<b>Environment</b> Referenced in the preamble and throughout (48 times).	<p>Already defined by other treaties - not for this treaty to define.</p>	<p>Environment: the air, water, and land in or on which people, animals, and plants live.</p>
<b>Environmentally Sound Management</b> (Art 8. 1)	<p>Based on the <a href="#">Basel Convention</a>, Art. 2.8 “Environmentally sound management of hazardous wastes or other wastes” means taking all practicable steps to ensure that hazardous wastes or other wastes are managed in a manner which will protect human health and the environment against the adverse effects which may result from such wastes.”</p>	<p>Environmentally sound management: taking all practicable steps to ensure that plastic waste and waste associated with the full life cycle of plastics are managed in a manner which will protect human health and the environment against the adverse effects which may result from such wastes.</p>
<b>Environmentally sound technologies and solutions</b> (Article 12, para 3)	<p>The use of the term “new and innovative environmentally sound technologies and solutions” in Article 12, para 3 should not be confused with the definition of the Basel Convention as in the context of plastic pollution it should extend to technologies beyond waste management.</p> <p>See the <a href="#">UN Policy Brief Trade in Environmentally Sound Technologies Implications for Developing Countries</a>.</p>	<p>Environmentally Sound Technologies (ESTs): technologies that have the potential for significantly improved environmental performance relative to other technologies. ESTs protect the environment and are less polluting. ESTs can also be defined as total systems that include know-how, procedures, goods and services, and equipment, as well as organizational and managerial procedures for promoting environmental safety and sustainability.</p>

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