

Including a human rights approach in the Global Plastics Treaty can ensure protection of people and the environment

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Impact Statement:

Plastics pollution threatens the human right to a clean, healthy, sustainable environment, as well as numerous other fundamental human rights. The Global Plastics Treaty has the potential to end plastics pollution, to protect humans and the environment from harm caused by plastics, and to create a means of developing safer and more sustainable production and use of plastics materials and products. Explicitly integrating human rights into the text can strengthen the effectiveness of the treaty by aligning with existing international agreements. Doing so will enhance environmental protection while also ensuring social justice.

Abstract:

Plastic pollution, once seen mainly as an ocean issue, is now understood as a threat across the entire life cycle of plastics—impacting climate, biodiversity, and human health. Scientific evidence shows that every stage, from fossil fuel extraction to use to waste (mis)management, harms the environment and disproportionately affects vulnerable populations, violating basic human rights including the rights to life, health, food, water, information, and a clean, healthy,

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sustainable environment. The proposed Global Plastics Treaty should explicitly integrate human rights to strengthen its effectiveness. Doing so would align it with existing international agreements such as the International Covenant on Civil, and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR), the Aarhus Convention, and the Escazú Agreement, reinforcing obligations to protect people from pollution. Hazardous chemicals in plastics, often hidden or underreported by industry, pose direct and indirect threats to human health and well-being. Recognizing the right to science and access to information is key for public participation and accountability. Many countries, including regional blocs and alliances, support a rights-based approach for the Global Plastics Treaty. Human rights can be embedded in all parts of the treaty, from its preamble to implementation mechanisms. This integration not only enhances environmental protection but also ensures social justice. Without such an approach, governments risk future legal challenges for failing to protect citizens from the harms of plastic pollution.

Keywords:

right to a clean, healthy, sustainable environment; right to life; right to health; right to science; rights of Indigenous Peoples

Early discussions on plastic pollution centered on deleterious impacts in the ocean, later evolving to include the full life cycle as a means of ending the threat to biodiversity, climate and ecosystems. While these are pressing environmental issues, plastic pollution is also a human issue, most severely affecting those with the least resources available to mitigate its impact, thereby stemming sustainable development (Stoett *et al.*, 2024). Science provides indisputable evidence that these impacts occur through the entire life cycle, from extraction and production to use, waste and global contamination. We join previous calls from scientists to develop the global plastic treaty in parallel with strengthening human rights (Dauvergne, 2023; O'Meara, 2023; Brander *et al.*, 2024) and highlight the potential to maximize synergies with the acceptance of the human right to a clean, healthy, sustainable environment enshrined by the UN General Assembly (UNGA, 2022). We argue: 1. human rights are threatened at all life cycle stages, requiring state action; 2. explicating a human rights approach in the treaty text can strengthen its implementation via synergies with obligations in existing treaties, conventions, and agreements; and 3. explicitly incorporating rights in the Treaty can improve both human protection and treaty effectiveness in ending plastic pollution.

1. Human rights are impacted by plastic pollution

The plastics life cycle begins with the extraction of fossil fuels—coal, oil, natural gas—and spans transportation, production, use, and disposal, with pollution occurring at every stage (Schmidt *et al.*, 2024; Villarrubia-Gómez *et al.*, 2024). Serious risks to human health and the environment (Landrigan *et al.*, 2018; Watts *et al.*, 2017) are driven by plastic-related chemicals, micro- and nanoparticles, and products that are released and emitted to the air, land, and water. By adopting the *human right to a clean, healthy, sustainable environment* (UN, 2022), the UN General Assembly recognized the challenges of resource extraction, unsound management of chemicals and waste, and resulting pollution, calling upon “States, international organizations, business enterprises and other relevant stakeholders to adopt policies, to enhance international cooperation, strengthen capacity-building and continue to share good practices” to ensure this right.

In many ways, plastic pollution threatens the foundational *human rights to life and to health* (Stoett, 2022). These impacts occur both directly—through exposure to hazardous chemicals and microplastics in contaminated air, water, soil, and food—and indirectly, for example via plastics' contributions to climate change and extreme weather events. Plastics contain thousands of chemicals known to be hazardous, with properties that render them toxic, cancerogenic, mutagenic, and endocrine disrupting (Symeonides *et al.*, 2024; Trasande *et al.*, 2024; Wagner *et al.*, 2024). Health burdens of plastic pollution are not evenly distributed. Vulnerable populations and people of lower socio-economic status, including Indigenous Peoples and waste pickers, are more exposed and suffer greater consequences (UNEP, 2021). Frontline and fenceline communities are exposed at extraction and production sites as well as at waste incineration (UNEP, 2021), as are workers, including waste pickers (Dauvergne, 2023; O'Hare and Nøklebye, 2024). The right to life is enshrined in the International Covenant on Civil and Political Rights (ICCPR) Article 6, stating that “every human being has the inherent right to life,” regarded as “a supreme right from which no derogation is permitted.” According to General Comment No.36 of

the International Covenant on Civil and Political Rights (ICCPR), states have a duty to protect the right to life, including addressing societal conditions that threaten it—such as environmental degradation (§26). States must take steps to prevent harm from pollution and climate change, ensure public access to environmental information, and apply the precautionary principle (§62). In Article 12 of the International Covenant on Economic, Social and Cultural Rights (ICESCR), states recognize “the right of everyone to the enjoyment of the highest attainable standard of physical and mental health”, calling for states to take steps for the full realization of those rights.

Numerous other rights are intertwined with the rights to life and health, including access to clean water and food. Extraction of fossil fuels result in pollution of groundwater and surface waters, threatening the *human right to safe drinking water*. Furthermore, plastic chemicals and micro- and nanoparticles are found in drinking water in many countries (Chen et al, 2025; Teymoorian et al, 2023). The *human right to food* is also impacted, as plastics are increasingly used in food systems from agri-, mari-, and aquaculture, in food preparation, packaging, and transportation of foodstuffs. Scientific evidence describes how plastics threaten food safety and food security (Yates *et al.* 2021, 2025). Furthermore, Indigenous communities—especially in Arctic and sub-Arctic regions—are exposed to high levels of plastic pollution in traditional foods, undermining food sovereignty and cultural identity (Vladimirova, 2023). Indeed, Indigenous Peoples face disproportionate harms at multiple life cycle stages, especially in regions where fossil fuel extraction and plastic manufacturing occur on or near ancestral lands. These activities contribute to land dispossession, ecosystem degradation, and cultural loss (Cordes, 2016). The UN Declaration on the Rights of Indigenous Peoples (UNDRIP) recognizes the right to free, prior, and informed consent, cultural preservation, and land and resource management, which must be integrated into plastics treaty negotiations to ensure protection of *Indigenous rights*.

The petrochemical industry has undermined understanding of the causes and consequences of plastic production and pollution (Mah, 2021) and impacted the *human right to science* and the *human right to information*, as industries withhold information and data on, e.g., the emissions and releases, on chemical composition of plastics products, and on feasibility of potential solutions. Therefore, upholding these rights is essential in realizing other affected rights, as discussed above. Interdisciplinary and transdisciplinary science and knowledge are crucial for understanding the drivers and impacts of plastic pollution, and for developing safer and more sustainable solutions that take holistic approaches, considering all three pillars of sustainability.

2. State obligations to protect human rights can be enhanced via synergies with existing treaties and covenants

Numerous treaties and covenants oblige states to uphold and promote the human right to a safe environment; the most fundamental of these are the Universal Declaration on Human Rights and the above-mentioned rights enshrined in the ICESCR and ICCPR. Efforts to advance the right to a clean, healthy, sustainable environment should be grounded in science, knowledge, and evidence-based decision making. Existing UN agreements also set the precedent for the critical role of observers, including rightful knowledge holders, Indigenous Peoples, scientists, and civil society and their freedom to share scientific evidence and to benefit from it.

Given the vital role science plays in understanding the complex, systemic causes of harm from chemicals and plastics, as well as in identifying safer, more sustainable solutions, scientific evidence should be the basis of the treaty negotiations. The human right to science, recognized in Article 15(1)(b) of the ICESCR, can further enable protections for the environment and human health, granted that science is transparent, independent, and free from conflicts of interest.

Two regional agreements are particularly relevant to this context: the United Nations Economic Commission for Europe Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters (Aarhus Convention, Barritt, 2024), and the Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean (Escazú Agreement, ECLAC, 2018). Both are attempts to legally implement Principle 10 of the Rio Declaration on Environment and Development, which accounts for the right to access environmental information, to participate in decision-making process, and to a fair justice system (UN, 1992). Additionally, the Escazú Agreement is the first of its kind to provide legal protection for environmental human rights defenders (Environmental Governance Programme, 2022).

The interconnectedness between plastic production and pollution demands a serious discussion of corporate responsibility (Cower et al., 2024). The Guiding Principles on Business and Human Rights (UNGA, 2022 - A/HRC/17/31) affirm the responsibility of all business enterprises to respect human rights. This includes taking proactive measures to prevent and address adverse impacts resulting from the use of hazardous substances, such as plastics and related chemicals. It is equally important to strengthen the role of science in society by safeguarding it from undue influence by industry and corporate actors with vested interests. Information and data produced by corporations should be accessible; The Stockholm Convention, Article 9(5) states that “information on health and safety of humans and the environment shall not be regarded as confidential.”

3. Inclusion of human rights in the future Global Plastics Treaty

An ambitious treaty with obligations on production, chemicals, design, and finance will advance human rights, and the opposite is true. Human rights aspects could be incorporated across the treaty text, including the preamble, opening provisions, control measures, and implementation articles. During the sessions of the Intergovernmental Negotiating Committee (INC) the majority of countries have demonstrated support for the treaty to be underpinned by a human rights-based approach. Considering the statements made on behalf of groups of states¹, this support was demonstrated by the African Group (2022; 2023; 2024), the Latin American and Caribbean States (2022; 2023a; 2023b; 2024), the Alliance of Small Island States (2023; 2024), the High Ambition Coalition to End Plastic Pollution (HAC, 2024), and the European Union (2023; 2024), which represent 171 countries (Figure 1).

¹ Statement analysis was done by downloading all statements on behalf of group of States from the INC website, translating where needed to English using ChatGPT, and running a text search for “human rights” using NVivo R15.0.0. All the selected statements are provided in the reference list.

Figure 1: Countries that have demonstrated support in including a human rights approach to the Global Plastic Treaty, based on statements made by groups of states from INC-1 to INC-5.1.

The preamble (the opening statement of an international treaty used to interpret its meaning and purpose) of the current non-paper² references the concern that plastic pollution presents “a serious environmental and human health problem, negatively impacting the environmental, social and economic dimensions of sustainable development.” This statement could be expanded to include reference to human rights, for example as follows, “... negatively impacting the *enjoyment of human rights, including the human right to a clean, healthy and sustainable environment...*” Further, there is an opportunity to reaffirm the Universal Declaration of Human Rights, the UN Declaration on the Right to Development, the UN Declaration on the Rights of Indigenous Peoples, the UNGA Resolution on the right to a clean, healthy and sustainable environment, and the principles of the Rio Declaration.

Text in the principles of the treaty should call for respect, protection and fulfilment of human rights for the benefit of present and future generations. The right to development, also addressed in the Rio declaration, and to equitably meet developmental and environmental needs of present and future generations, should be tempered with the responsibility to ensure that activities within States' jurisdiction or control do not cause damage to the environment of other States or of areas beyond the limits of national jurisdiction, and the rights to participation, access to information and access to justice in environmental matters.

² Chair's text from 01/12/2024.

There are also opportunities to include human rights in other articles. Article 3 concerning plastics products refers to a review committee which should be founded in science and knowledge, including independent science and Indigenous and local knowledge. This should be done in a manner that ensures participation, representation, and transparent sharing of data and information that is free of conflicts of interest. Furthermore, a subsidiary body is referenced in Article 20 *bis*, and while the composition and mandate of this body is yet to be determined, its work and impact will be strengthened by consideration of the human rights to science, to information and knowledge and to participation. Article 10 on the just transition could be strengthened to explicitly include obligations to reduce inequalities and poverty, promote decent work, opportunities and livelihoods, enhance social protection and the enjoyment of rights, and ensure that no one is left behind.

It is in governments' interests to not only take these issues seriously, but to express their sincerity through supporting the enshrinement of human rights concerns in the Treaty, since they will risk future legal challenges for failing to protect citizens from the harms of plastic pollution (Varvastian, 2025). Only through a rights-based approach can the Treaty, which reinforces both human rights and its own laudable objectives, be successful.

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