

# European Bioplastics input to the INC-5.2 negotiations

## Bioplastics are complementary tools to help end plastic pollution

To address plastic pollution at its roots and support global climate action, European Bioplastics (EUBP) strongly believes bioplastics should play a key role in helping the transition from conventional plastics to products that are certified biobased, biodegradable and/or compostable.

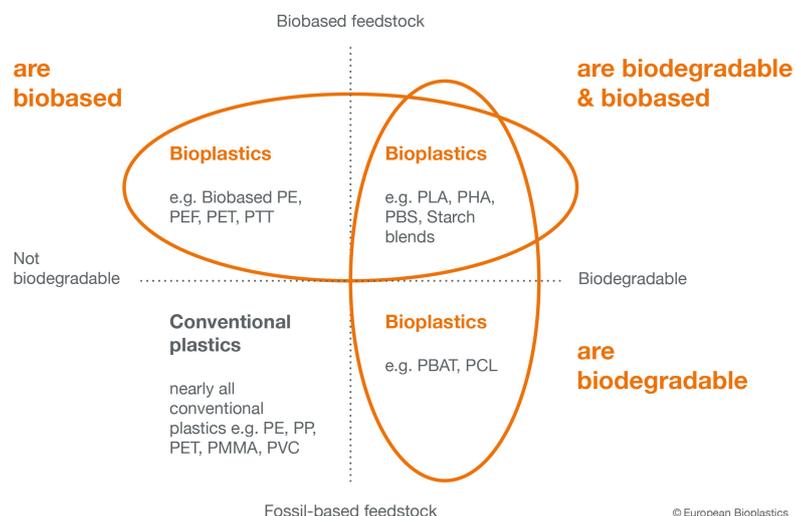
In this respect, EUBP supports an ambitious instrument, which catalyses the transition to certified biobased, biodegradable and/or compostable plastics as complementary tools to help end plastic pollution by 2040 and to ensure a carbon-neutral future.

We advocate for clear and consistent language that encourages countries to adopt and promote the uptake of certified biobased as well as certified biodegradable and compostable plastic products. Certified biodegradable and compostable plastic applications can be beneficial in specified sectors such as agriculture, waste management and food service packaging. Additionally, we support the expansion of industrial composting, alongside accessible community and home composting initiatives. Biobased plastics can replace fossil raw materials in a wide range of applications and can be organically, mechanically/ physically or chemically recycled.

EUBP considers it vital for the instrument to enable and champion innovation to ensure the world is fit for the future and moving towards a sustainable and truly circular bioeconomy.

### Material coordinate system for bioplastics

Bioplastics are biobased, biodegradable, or both.



Source: Institute for Bioplastics and Biocomposites (iBB) and European Bioplastics (EUBP)

## **EUBP calls for an efficient and focused process to reach an agreement on a future UN Plastics Treaty**

EUBP welcomes the approach of the latest iteration of the non-paper (“Chair’s text”), proposed by the Chair, Ambassador Luis Vayas Validivieso. As the foundation for upcoming negotiations, EUBP believes the text should be updated with minor modifications to provide clearer systematic support for alternative materials, including bioplastics.

The measures of the future legally binding instrument should cover the whole life cycle of plastics in a circular economy approach, from raw materials extraction to their production and from design to their use, consumption, and end-of-life. Various strategies should be combined to achieve the objectives of the Treaty, such as including the promotion of alternative plastics while ensuring that such alternatives contribute through their environmental and climate performance in a positive manner.

While we welcome the Chair’s proposal for the Conference of the Parties to adopt guidance to assist Parties in their implementation of many aspects of the treaty, we believe that the value propositions of biobased, biodegradable and compostable plastics should be recognised as complementary tools against plastic pollution in the Treaty text within Articles 2 (definitions), 3 (plastic products), and 5 (plastic product design).

If the value propositions of biobased, biodegradable, and compostable plastics are too granular to be addressed in the Treaty itself, they should be included in the annexes and accompanying guidance developed by the Conference of the Parties.

## **Where EUBP believes the Chair’s text can still be strengthened**

We support the Chair’s text as the starting point for discussions to secure an international legally binding instrument in Geneva. However, we are requesting that bioplastics be incorporated into the text through three minor but essential amendments:

1. In Article 2, the definition of recycling should be inclusive of all recycling pathways and explicitly include organic recycling.
2. In Article 2, sustainable alternatives should be defined to include certified biobased, biodegradable and compostable plastics.
3. In Article 3, alternative materials should be permitted to replace conventional plastic materials targeted to be phased out or reduced.

Additionally, the following points, having a direct influence on bioplastics, could be strengthened in the Chair’s text:

- EUBP calls for precise and science-based definitions in the Treaty (Article 2), including definitions clearly distinguishing certified biodegradable/ compostable and oxo-degradable plastics.
- EUBP welcomes the support for sustainable plastic alternatives mentioned as part of the product design approach in Article 5. We believe sustainable plastic alternatives could be further strengthened by adding a requirement to promote their demand on top of innovation-focused measures.
- EUBP welcomes the inclusion of the life-cycle view in Article 6, which could be strengthened by including the use of sustainable plastic alternatives in the reporting requirements.
- EUBP asks to include the reduction of GHG emissions in Article 6 on Sustainable Production in alignment with discussions at ISO and the Paris Agreement on climate change.

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## About European Bioplastics

European Bioplastics (EUBP) is the European association representing the interests of the bioplastics industry along the entire value chain. Its members produce, refine, and distribute bioplastics i.e. plastics that are biobased, biodegradable, or both. More information is available at [www.european-bioplastics.org](http://www.european-bioplastics.org)

## ANNEX

Article	Chair's text	Our proposal	Reasoning
Article 2, Definitions	-	<i>Sustainable alternatives</i> are safe, environmentally sound and sustainable alternatives to conventional plastics, such as certified biobased, biodegradable and compostable plastics, following international standards.	Certified biobased, biodegradable and compostable plastics are complementary and contribute for the sustainable alternative options that should be included in the Treaty.
Article 2, Definitions	-	<i>recycling</i> means 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;	Article 3(17) of the Waste Framework Directive (2008/98/EC).  The definition of recycling must include composting (organic recycling) to ensure all forms of recycling are covered by the Treaty. Composting is integral to reducing methane emissions, promoting soil health, and returning nutrients to the earth.
Article 3, Plastic products	<i>4bis. [Each Party shall not allow the manufacture, import or export of plastic products as listed in Annex [Y (Plastic products)] after the phase out date specified for that plastic product in Annex [Y], except where the Party has a registered exemption</i>	<i>4bis. [Each Party shall not allow the manufacture, import or export of plastic products as listed in Annex [Y (Plastic products)] after the phase out date specified for that plastic product in Annex [Y], <b>except where alternative products are shown to fully biodegrade in</b></i>	Alternative sustainable products and materials should not be subject to the same prohibition or reduction since they provide essential pathways to reduce plastic pollution while supporting the transition to more sustainable systems.

	<i>to this paragraph pursuant to Article [Article on Exemptions].]</i>	<b>a specific environment or where the Party has a registered exemption to this paragraph pursuant to Article [Article on Exemptions].]</b>	
Article 5 Product design	<i>Each Party shall, taking into account its national circumstances and capabilities, take appropriate measures to: (...) b) foster research, innovation, development and use of sustainable and safer alternatives and nonplastic substitutes, including products, technologies and services, taking into account environmental, economic, social and human health aspects and their potential for waste reduction and reuse, as well as availability, accessibility and affordability, based on life cycle assessments and best available science, and, where relevant, traditional knowledge, knowledge of Indigenous Peoples and local communities.</i>	<i>Each Party shall, taking into account its national circumstances and capabilities, take appropriate measures to: (...) b) foster research, innovation, development, use <b>and promoting, developing and strengthening markets</b> of sustainable and safer alternatives and nonplastic substitutes, including products, technologies and services, taking into account environmental, economic, social and human health aspects and their potential for waste reduction and reuse, as well as availability, accessibility and affordability, based on life cycle assessments and best available science, and, where relevant, traditional knowledge, knowledge of Indigenous Peoples and local communities.</i>	While supporting innovation is needed, it must be combined with developing market pull mechanisms, securing demand for sustainable plastic alternatives. The potential of already existing sustainable alternatives are not fully leveraged today, due to unaddressed market failures that do not price the externalities of conventional plastics.  This issue is similar to the market failure with lacking demand for recycled plastic and hence language mirroring the text from supporting secondary plastics in Art 8 is proposed.
Article 6 Supply	No text, but an idea to include <i>Reporting on production of primary</i>	We ask to include <i>Reporting on production of primary and</i>	In order to follow-up on the effectiveness of measures and uptake of sustainable

	<p><i>and secondary plastic polymers.</i></p>	<p><i>secondary, <b>as well as sustainable alternative plastic polymers, specifying the type of alternatives used</b></i></p>	<p>alternatives replacing conventional plastics, their production should be followed equally to use of secondary plastic polymers.</p>
<p>Article 7 Emissions and releases</p>	<p><i>1. Each Party shall take measures to prevent, reduce, and, where possible, eliminate: (a) releases and leakages of plastics, including microplastics, into the environment and from all sources; (b) releases and leakages of plastic pellets, flakes and powders to the environment and aquatic systems, taking into account other relevant international instruments; (c) plastic pollution from fishing activities including, but not limited to abandoned, lost, or otherwise discarded fishing gear, in the marine environment, taking into account other relevant multilateral agreements on this subject as well as the needs of artisanal and small-scale fishers.</i></p>	<p><i>1. Each Party shall take measures to prevent, reduce, and, where possible, eliminate: (a) releases and leakages of plastics, including microplastics, into the environment and from all sources; (b) releases and leakages of plastic pellets, flakes and powders to the environment and aquatic systems, taking into account other relevant international instruments; (c) plastic pollution from fishing activities including, but not limited to abandoned, lost, or otherwise discarded fishing gear, in the marine environment, taking into account other relevant multilateral agreements on this subject as well as the needs of artisanal and small-scale fishers; (d) <b>Greenhouse gas emissions from the full life-cycle of plastics.</b></i></p>	<p>A recent <a href="#">study</a> reveals that plastic production linked emissions could even triple by 2050, eating 25% of the Earth's remaining carbon budget for the 1.5C warming scenario. It will be crucial to align the Plastic Treaty with the Climate Treaty and include measures for managing and reducing greenhouse gas emissions over the plastic life-cycle to the obligations of the Parties. Substituting virgin fossil oil based plastic feedstocks with sustainable biobased feedstocks, completing the use of secondary (recycled) feedstocks, will support this action.</p>