ISWA
International Solid Waste Association

EPR in the Plastic Treaty: A Practical Roadmap for Policy and Commitment.

Technical Note

International Solid Waste Association ISWA

June 2025

Preface

As negotiations progress toward an international legally binding instrument on plastic pollution, including in the marine environment, many national focal points have called for clear and practical guidance on how to establish Extended Producer Responsibility (EPR) systems.

In response, the ISWA Working Group on Governance and Legal Issues (WGGLI) has developed this technical note as an introductory roadmap outlining key steps and success factors for designing and implementing effective EPR schemes that can fulfil their potential in combating plastic pollution.

Grounded in global best practices, this note aligns with **Articles 8 and 11** of the Chair's text from INC-5.1, which recognise EPR as both a plastic waste management instrument and a critical financing mechanism. It also supports ISWA's Key Messages for INC-5, particularly:

- **Key Message 4**: Strengthening the role and accountability of EPR systems across the plastic value chain; and
- **Key Message 5**: Delivering waste management solutions tailored to socio-economic and cultural conditions, especially in low- and middle-income countries.

While EPR systems exist in many forms, this note emphasises **scalable, transparent, and context-sensitive approaches**, particularly in settings where voluntary initiatives, such as those for PET plastics, have emerged in the absence of national regulatory frameworks.

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This contribution is intended to **complement ISWA's position on the INC-5.1 Chair's Text** and serve as a resource for national focal points ahead of INC-5.2. It reflects ISWA's ongoing commitment to the INC process on plastic pollution, which began with the adoption of **UNEA Resolution 5/14 in 2022**.

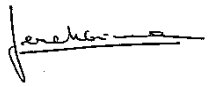
We thank all contributors whose insights and technical input shaped this document and reaffirm ISWA's commitment to support implementation that is **ambitious, inclusive, and achievable**.

ISWA Working Group on Governance & Legal Issues (WGGLI)

Chair

Ms Valeria Branca

Vice Chair & ISWA Board Member



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Introduction

Ahead of the Global Plastics Treaty negotiations, policymakers face a singular opportunity to chart a new course for how the world designs, uses, and manages plastic. Today, more than 430 million tonnes of plastic are produced annually, yet less than 10 % is recycled effectively. At least 11 million tonnes of plastics leak into rivers and oceans annually, damaging marine ecosystems and threatening human health. An estimated 9% of the plastics ever produced have been recycled, and 12% have been incinerated. The remainder is either still in use, has been disposed of in landfills, or released into the environment, including the oceans[1,2]. These figures underscore an urgent need for systemic change across every stage of the plastic lifecycle

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Several national or supra-national level regulatory instruments exist to support the elimination of plastic pollution, including:

- Regulations to prevent avoidable plastic waste (e.g. bans on non-essential single-use plastics);
- Extended Producer Responsibility (EPR) frameworks;
- Regulations and/or measures supporting circularity (e.g. eco-design, mandatory recycled content, energy recovery requirements);
- Policies to plan, finance, and enforce waste management infrastructure and services.

Though each of these instruments must be considered as part of a global strategy, this document focuses on the Extended Producer Responsibility (EPR) mechanism. This focus was chosen because EPR has been **explicitly referenced** in the draft text of the Global Plastics Treaty (Article 8, Chair's Text from INC-5.1) as a core economic instrument. Indeed, EPR plays a critical role on two aspects:

1. As a financing mechanism that generates a **dedicated revenue** for waste collection, sorting, recycling, safe disposal and public awareness campaigns, and;
2. As an economic incentive mechanism to reward eco-design by producers. Its successful implementation is key to translating the treaty's objectives into effective, on-the-ground results.

EPR is recognised as a key strategy for plastic waste management under **Article 8** of the draft Global Plastics Treaty, as outlined in the **Chairs' Text at the conclusion of INC-5.1**. The text encourages Parties to establish or promote EPR and other economic instruments, ensuring the **environmentally sound management of plastics throughout their life cycle** and acknowledging the **shared responsibilities of producers and different levels of governments.**

Additionally, **Article 11** underscores the need for **financial mechanisms** to support developing countries in implementing effective plastic waste management systems. Among the potential funding sources mentioned are **EPR schemes, plastic polymer fees, national budgets, private sector investment, and multilateral funding mechanisms**.

EPR has proven to be a scalable and effective mechanism that shifts part of the responsibility from municipalities to producers, providing funding for the end-of-life management of products, as well as driving eco-design innovation. In this regard, as recycling options or alternatives to plastics are identified, the impacts of these actions should be carefully reviewed to ensure their alignment with the holistic SDG framework. As the paper outlines the ideal EPR framework, lessons learned from existing schemes are accounted for.

Aligned with **ISWA's key messages for INC-5.1**, particularly Key Message 5 on providing waste management solutions tailored to socio-economic and cultural conditions, this paper provides guidance on the full potential of EPR and its key success factors, as support to the final

[1] The European Environmental Agency (2024)
[2] The OECD's Global Plastics Outlook (2022)

negotiations of the Global Plastics Treaty. Providing flexibility to account for the specific context is a critical element for the integration of this instrument in the Treaty. For example, in the case of Small Island States, regional EPRs are being explored.

This paper serves as a **practical guide for national delegates**, providing:

- An overview of the EPR in plastic waste management and its potential to drive circularity
- **A roadmap in 5 steps for setting up EPR schemes**.
- **Policy recommendations on the content of EPR schemes** to ensure their role as a **cornerstone of the transition to a circular economy for plastics,** which goes way beyond focusing on recycling, as outlined in the newly produced ISO Norm 59004 on circular economy.

Integrating EPR in the treaty is not a guarantee for success. However, if well-designed and well-managed EPR schemes are developed by each of the Parties, they will deliver **sustainable, long-term financing** for plastic waste management while fostering a **global shift toward producer accountability and circularity**.

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The Role of EPR in Plastic Waste Management

Extended Producer Responsibility (EPR) is one of the most effective policy instruments to move from 'end-of-pipe' waste management toward a truly circular economy. At its heart, EPR requires producers to assume the organisation and/or financial responsibility of the management of their products once they become waste.

Extended Producer Responsibility (EPR) also represents a natural evolution of the long-standing Polluter Pays Principle (PPP). While PPP holds that the costs of pollution must be borne by those who cause it, EPR has the potential to take this further by pinpointing the true polluters across the entire value chain (manufacturers, importers, brand-owners, and consumers) and assigning them both financial and organisational responsibility for their products once they become waste. By doing so, EPR not only shifts the burden off overstretched municipal budgets, but also creates powerful incentives for cleaner production, eco-design, waste prevention and circular-economy models.

EPR complements public funding for waste management, which often comes into competition with other priorities, such as clean water and other utilities, education, or healthcare, and is therefore lacking in many low- and middle-income countries. Unlike a simple eco-levy or pollution tax that collects a fee at the point of sale and leaves municipalities to organise *collection, sorting, recycling, and the safe disposal of treatment residues,* **a well-designed EPR scheme** is a powerful tool to support the transition to circularity through its capacity to:

- **Internalise full life-cycle costs**, so that fees paid by producers reflect the true costs of collection, sorting, recycling and safe disposal, including awareness raising and educational campaigns across the value chain- thereby rewarding durability, reuse, and improved recyclability, as well as sobriety given that those who consume more pay more.

- **Assign operational responsibility** to adequate stakeholders depending on the local context and capacities of the stakeholders involved in waste management. The stakeholders in charge of operations oversee logistics, quality control, consumer communication and performance reporting. These stakeholders may be Producer Responsibility Organisations (PRO), unions of waste pickers, local authorities, and/ or private companies.

- **Define performance targets** on collection and recycling rates, with incentives so that producers have a direct stake in reducing waste generation and improving recycling performance.

- **Allocate financial resources** to the stakeholders involved, as necessary to perform the assigned responsibilities, with the design of their interactions tailored to the specific socioeconomic conditions and shaped by the existing governance structures and legal frameworks

- **Foster system innovation**, pooling resources and data to pilot new waste management technologies and practices, test eco-design tools and share best practices.

- **Prioritise waste prevention by encouraging upstream measures** such as product redesign, reduction of unnecessary packaging, and consumer awareness campaigns—recognising that the most effective waste is the waste that is not generated.

- **Address non-sorted and littered waste,** by integrating clean-up costs into producer obligations, improving public infrastructure and citizen engagement, and implementing strategies to prevent waste leakage into the environment—particularly in public and high-risk areas.

EPR producer fees are typically calibrated to a product's weight, material composition and end-of-life recyclability, creating powerful economic levers for eco-design and waste prevention. Performance-based fee structures—linking contributions to independent recyclability assessments or eco-design criteria—reward manufacturers who choose materials and formats that are easier and more cost-effective to recycle. Moreover, through the collaboration with waste management companies on topics such as sorting centres and end-market facilities, or on innovations such as digital traceability systems (e.g., product passports), PROs may also act as accelerators of the circular economy, incentivising the continuous improvement of material quality, recycling rates and cost efficiency to meet the objectives set by the authority that established them.

The core role of the government is to set the objectives and to plan the territorial organisation needed to support the development of the circular economy, such as reuse schemes, the adequate geographic distribution of collection and recycling infrastructure, or de-risking markets for selling the recovered energy. PROs, and the EPR schemes they implement, are a tool for governments that keep their share of responsibilities, through the way they set performance targets and assign roles and responsibilities to stakeholders. Care should be taken not to shift all responsibilities to PROs.

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Figure 1 - The Capacity of a Well-Designed EPR Scheme

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Setting Up EPR Schemes: A 5-step Roadmap for Governments

Before diving into the mechanics of Extended Producer Responsibility (EPR), it is essential to view EPR not as a stand-alone policy but as a core component of a **broader, strategic plan for integrated sustainable waste management**. Embedding EPR within national or regional waste-management strategies ensures that producer-financed collection, sorting and recycling systems are aligned with overarching goals, such as waste-hierarchy targets (prevention, reuse, recycling), infrastructure development, and data-driven decision making and circular-economy roadmaps. This holistic framing helps governments coordinate regulatory instruments, public investments and stakeholder capacities, so that financial incentives under EPR reinforce rather than compete with other waste-management objectives.

While internationally recognised examples of EPR can offer **valuable inspiration**, governments aiming to establish new systems, particularly in contexts where EPR is not yet in place, should focus first on meeting essential minimum requirements. Recognising that 'producers' include all entities placing products on the market (such as manufacturers, importers, and brand owners), the goal should be to build a strong, context-appropriate foundation that can gradually evolve toward international success stories over time.

Setting up an EPR system requires focusing on a specific waste stream and following a clear, phased approach tailored to local conditions. Successful implementation hinges on five key steps: engaging relevant stakeholders early on, establishing robust frameworks, designing a fair and transparent financial model, setting up effective data collection and compliance mechanisms, and progressively increasing the ambition of the EPR system.

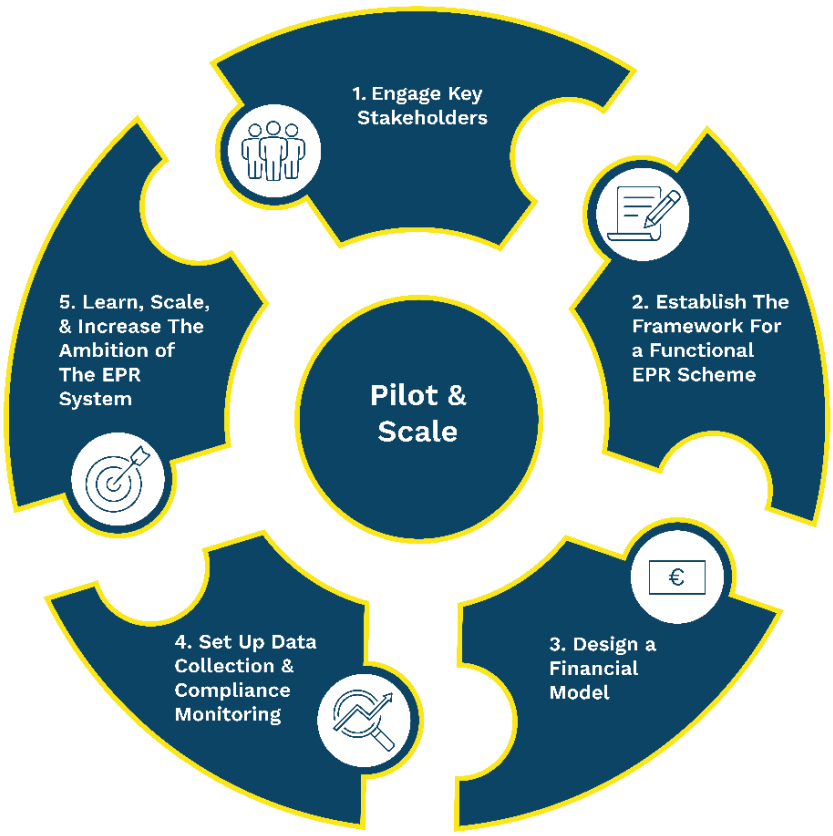

Figure 2: A Five-Steps Roadmap for Setting Up EPR Schemes

1. Engage Key Stakeholders

From the outset, create a multi-stakeholder consultation to best understand the operational mode and impacts of proposed changes on the producers, retailers and waste management stakeholders. Crucially, in many **Global South contexts**, this must also include representation from the informal sector and gender equity—waste-picker recognised representatives, itinerant collectors and community-based organisations, indigenous communities' representatives—whose on-the-ground networks and know-how are vital for collection, sorting and outreach. **Equally important is the early assessment of existing infrastructure and processes to identify which elements can be leveraged, strengthened, or adapted to support the new EPR system effectively.** Regular, institutionalised consultation with both formal and informal actors takes time but also builds trust, aligns incentives across diverse groups, and ensures that the system's design reflects the real capacities, costs and communication channels of everyone involved.

In designing and implementing extended producer responsibility systems, it is essential to formally recognise the role of the **informal sector**—not only as a logistical asset but as a critical social component. Many individuals and communities in the Global South depend on waste collection and recycling for their livelihoods. A just transition must therefore include measures to **protect and integrate these workers** into the evolving system. This includes guaranteeing fair compensation, access to training, social protections, and inclusion in decision-making processes. Special attention must be paid to **vulnerable groups** whose socioeconomic well-being may be directly affected by changes in waste management systems. Protecting vulnerable communities from displacement or further marginalisation is essential to foster a circular economy that is resilient, inclusive, and genuinely sustainable.

2. Establish a Robust Framework

The initial framework defining targets and assigning roles and responsibilities may be established as part of the first piloted schemes, by region, material type or collection method, depending on the local context, as outlined in Step 5. However, action should be taken as soon as possible to **enshrine the polluter pays principle in the legal framework**. **Then learning from the experience of pilot EPR schemes will be key to developing and adjusting the legal framework before full roll out.**

Laws must define which products or product categories are covered, assign the obligation to pay a contribution adequate to cover the products end of life, set minimum performance thresholds, assign roles and powers to a limited number or a single Producer Responsibility Organisations (PROs) to allow for monitoring and enforcement, and include sanctions for non-compliance. If a single PRO is established, it is essential to ensure appropriate procedural safeguards, transition measures, and strict public oversight to prevent distortions associated to the monopoly of the recycled materials market. **Critically, the legal framework must establish clear, measurable targets from the outset to guide implementation, track progress, and hold all actors accountable.** Laws set relevant quantitative targets typically including material-specific waste generation volumes, collection, sorting, recycling and the environmentally sound disposal of treatment residues. They also assign responsibilities and powers to specific stakeholders to achieve these targets. Governments must establish adequate independent monitoring bodies with the capacity to apply sanctions to ensure the legal framework is actually implemented.

The policy framework should require the PRO to build a **multi-stakeholder governance body** so that they may act as the 'hub' that connects: Designers and Producers; Consumers and Retailers; Collectors and Recyclers, including the informal sector; Regulators and Municipalities. This allows for the initial consultation phase to continue over time within the governance body, and for the financial and operational systems designed to meet the EPR law to build on the capacities of all actors and to continuously improve as capacities evolve. The multi-stakeholder characteristics of the PRO governance is the guarantee that the

prevention component remains a priority in the face of increasing consumption trends. The governance needs to acknowledge and mitigate the risk of conflicts of interest (i) between producers and the achievement of environmental targets, and (ii) between recipients of the PRO funding and those responsible for designing budget allocations. The regulatory framework should **set the long-term vision to enable a phased approach**, while providing the long-term visibility to support public and private investments and innovation.

3. Design a Financial Model

A fundamental principle of Extended Producer Responsibility is the **internalisation of full environmental costs,** meaning that producer fees must comprehensively cover the actual expenses associated with prevention, collection, sorting, recycling, and the environmentally sound management of non-valorised treatment residues. This also includes investments in awareness-raising and education campaigns throughout the value chain.

The financial model can be initiated based on a flat fee aimed at covering the costs of collection, treatment (including recycling), safe final disposal, and littering clean-up. The financial model can then evolve to include incentives associated with meeting the targets established by the legal framework. Even with the flat fee approach, the producer fee being proportional to the waste generated, there is an incentive to reduce waste volumes. This alignment of costs with outcomes creates powerful economic incentives for products to be designed with greater durability or reuse potential. The incentives to enhance recyclability typically require a more complex financial model recognizing that the full costs of recycling are often higher than those of safe disposal, especially in the initial phases where sorting is poor and materials recyclability is low. Performance-based fee structures can be established to tie producers' contributions to independent recyclability or eco-design assessments—lowering levies for easily recyclable formats while applying higher fees to complex or hard-to-recover items, as well as to those that can only be recovered as energy or landfilled in Environmentally Sound Management (ESM) compliant facilities, as defined by the Basel Convention.

The financial model should be based on consultations within the **multi-stakeholder governance body.** Financial reporting is required to ensure that the existing infrastructure investments, as well as the respective costs of each stakeholder are **fairly** accounted for when assigning financial resources.

4. Set Up Data Collection & Compliance Monitoring.

Transparency underpins credibility. Governments must ensure transparency and accountability across the entire EPR system by establishing strong data collection and oversight mechanisms. Clear reporting obligations, audit processes and public disclosure requirements are fundamental to building trust and safeguarding environmental outcomes. PROs should be legally required to publish annual, independently audited reports that include detailed accounts of revenues and expenditures, alongside performance metrics such as collection volumes, recycling rates, and material recovery outcomes. This transparency enables regulators, producers, and the public to assess system efficiency and cost-effectiveness. Regulators must also maintain a centralised, publicly accessible register of all obligated producers—defined as any entity placing products on the market—including unique identifiers and verified declarations of annual placed-on-market volumes. This allows for cross-checking against customs and sales data to prevent free-riding and under-reporting. Standardised data formats should be mandated to harmonise submissions across PROs within the same EPR scheme but also across different EPR on different product streams to facilitate implementation, in particular by local authorities who often collect the various waste streams from their citizens and need to contribute to the reporting. Digital reporting tools will enable real-time monitoring. Where feasible, digital product passports and traceability systems can support compliance tracking, strengthen circularity metrics, and improve data integrity across value chains.

5. Learn, Scale, and Increase the Ambition of the EPR System

Before full roll-out, it is good practice to run targeted pilots, by region, material type or collection method, to test logistics, calibrate fee levels and refine communication strategies. The PRO members can also pilot new collection technologies, test eco-design tools and share best practices, transforming EPR from a compliance exercise into a driver of circular business models. Pilot innovations must guide adjustments to the national framework: updating legislation to reflect best practices, tweaking financial rules based on real-world cost data, and strengthening PRO governance so they can manage larger operations smoothly. For this to be feasible, the legal framework has to be built in a way that enables these pilot Innovations and adjustments.

After testing targeted pilots, the next step is to scale up the most successful approaches—expanding proven collection methods, fee structures and communication strategies to new regions. In addition, a simple but robust monitoring and evaluation cycle must run alongside scaling, under the responsibility of the regulator. A feedback loop has to be created by tracking key indicators (collection rates, cost recovery, contamination levels and eco-design uptake) and holding regular review meetings with regulators, PROs and community stakeholders. Whenever monitoring highlights gaps or bottlenecks, the insights feed back into the very first step, adjusting the legal and policy framework, so that the entire EPR system can evolve, improve and remain effective over time. This step of the roadmap is not a one-off step, but an ongoing process: it is essential to learn from implementation, scale successful innovations, and progressively raise the ambition of the EPR system, as illustrated in Figure 3 and Figure 4.

EPR is one of the tools to ensure that producers are held accountable for the entire life cycle of the plastic they place on their market, from product design to end-of-life management. To support effective implementation, countries without existing EPR systems should be given a realistic timeframe to develop the necessary legislation, pilot new approaches, and progressively transition from voluntary schemes to fully functional, compulsory systems.

A well-functioning, equitable EPR framework should ultimately cover all plastic formats and geographic areas, including remote and rural regions where collection and treatment costs are higher. While this level of coverage is essential to avoid reinforcing inequalities and to safeguard the integrity of the circular economy, it is recognised that full implementation will take time, particularly in countries with limited infrastructure. Therefore, a **phased approach is recommended,** allowing governments the necessary time to gradually expand infrastructure and operational capacity before comprehensive coverage becomes **mandatory.** In all cases, producer financial responsibility should reflect the full extent of plastic's presence and impact across society.

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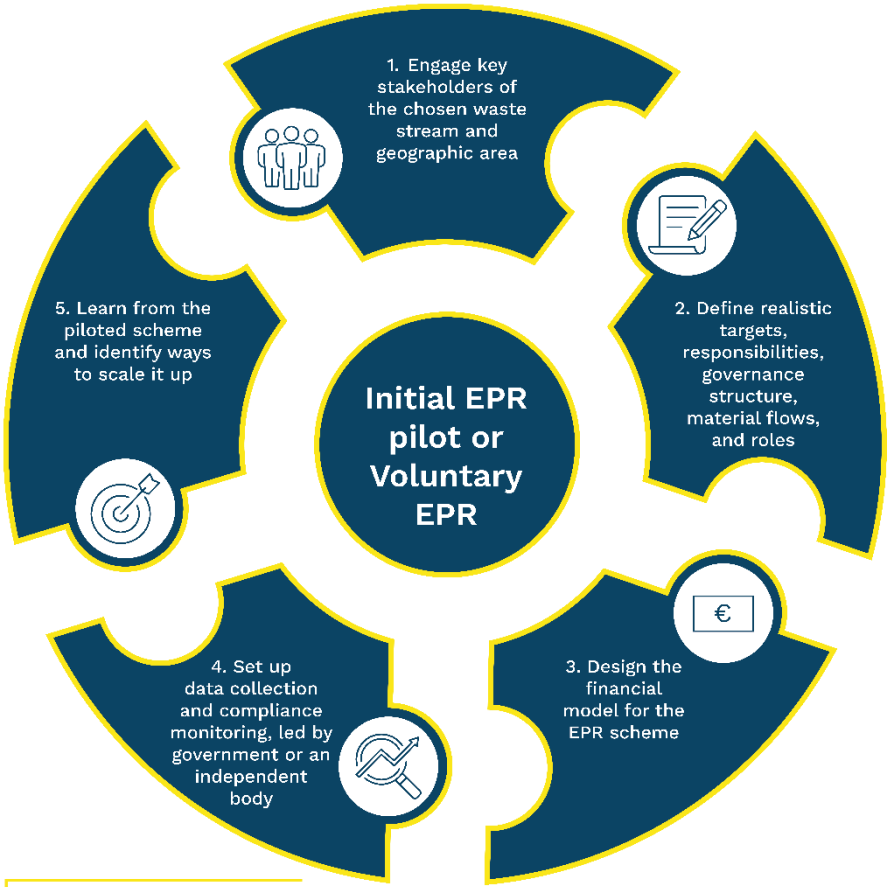

1. Potential Initial driver

- **Industry:** Coalition of producers, businesses stakeholders
- **Government:** Local officials, waste management authorities/companies
- **Service Providers:** Formal & Informal waste management
- **Civil Society:** Local NGOs, community orgs, consumer associations, informal waste workers
- **Knowledge:** Academic & technical institutions

2. Pre-identify the long-term national vision on circularity to align the chosen targets with potential future upcoming regulations.

3. Explore options relevant to the local context, such as:

- **Take back system**
- **Taxes/subsidies**
- **Advance disposal fee**
- **Deposit refund**
- **Credit system**
- **Social contracts**

Figure 3: Kickstarting EPR: A Practical Approach

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1. Identify the individuals who will drive the scaling up:

Pilot participants, business stakeholder community, national policymakers (e.g., parliament members), and non-governmental organisations.

2. Define:

- The long-term vision on circularity and the array of complementary regulatory instruments
- The targets, the governance structure, and the roles and responsibilities of each stakeholder.

Figure 4: Scaling Up EPR: Pathways to Improve Performance

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Policy Recommendations for INC-5.2

EPR is a tool recognised in Articles 8 and 11 of the proposed Chairs' text, which will be further negotiated in August 2025. The following set of recommendations presents key elements that should be integrated in an EPR scheme when implemented by the Parties, for it to fully deliver on its capacity to combat plastic pollution.

1. Guarantee Full Transparency and Reporting

To sustain the integrity of EPR systems, the Treaty must require comprehensive and publicly accessible reporting at every stage of the value chain. Obligated producers and Producer Responsibility Organizations (PROs) must submit standardized digital data on 1/the volumes of plastics placed on the market, collected, recycled, energy recovered, and disposed of - reconciled through mass balance sheet controls - and on 2/all associated financial flows, including fee revenues, administrative costs, and allocations to specific waste management activities. By ring-fencing EPR funds and publishing a detailed breakdown of expenditures, the system discourages diversion of resources to unrelated budgets and allows regulators, stakeholders, and citizens to monitor progress against defined littering, collection, recycling, and waste generation targets.

Funds collected through EPR schemes must be earmarked and transparently allocated to waste management initiatives, avoiding diversion into unrelated state budgets. Financial transparency is key to public trust and effective implementation.

2. Maximise EPR's Impact Through Complementary Regulations Driving Circularity

Extended Producer Responsibility (EPR) is a crucial tool for advancing the circular economy, but its effectiveness is maximised when it is complemented by a comprehensive regulatory framework that explicitly incentivises circularity across the waste hierarchy.

A common challenge is the current economic reality where, for many materials, landfilling remains cheaper than recycling, which in turn is often cheaper than reuse. Without targeted regulations that provide financial incentives or disincentives aligned with the circular economy hierarchy (i.e., prioritising reuse over recycling, and recycling over disposal), EPR risks becoming a mere "mandate to pollute" or "greenwashing tool" for producers. In such scenarios, producers might be incentivised to focus solely on meeting basic recycling targets, potentially increasing production volumes with the rationale that they are "responsible" for the waste, even if they are not bearing the full costs associated with the unrecycled portion of their products or the true environmental externalities. This undermines the core principle of internalising environmental costs and driving systemic change towards more sustainable production and consumption patterns, particularly by integrating planetary limits through the consideration of the "Materials Footprint" indicator.

Governments should implement a comprehensive regulatory framework that complements EPR by establishing financial incentives and disincentives aligned with the circular economy hierarchy of actions, incentivising producers to move up the waste hierarchy, prioritising reuse and environmentally sound recycling over disposal. In complement to EPR schemes, it is critical to establish adequate integrated territorial planning to develop the local markets for reuse or for recycled raw materials.

3. Set up tailored EPR for Diverse Waste Streams

It's also critical to recognise that EPR schemes are not a one-size-fits-all solution and should be tailored to the unique characteristics of different waste streams. The infrastructure

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requirements, collection logistics, and end-of-life management challenges vary significantly from one material stream to another. Acknowledging these differences allows for the design of more efficient, cost-effective, and impactful EPR schemes that are optimised for each specific waste stream's needs and opportunities within the circular economy. This adaptive approach ensures that resources are allocated effectively and that the most appropriate circular strategies are pursued for each material.

Though EPR schemes must be tailored to each product/ material stream, care should be taken to avoid market- or brand-driven schemes that can skew the playing field by tackling only part of the waste streams.

4. Enforce EPR Targets

Governments should monitor and enforce the quantitative and qualitative targets defined in national EPR schemes. Penalties for non-compliance should be harmonised and proportionate to the environmental impact. Remediation measures for these impacts should be included. Enforcement should also apply to the compliance to ESM, as defined by the Basel Convention, for recycling or disposal facilities, as well as to the use of additives in manufacturing, as established by the Rotterdam and Stockholm Conventions. The data monitored should be made available, at a central level, to all stakeholders involved (public, private and civil society).

5. Guarantee complementarity with Public Waste Management Systems and circular economy systems

EPR schemes must be integrated with public waste management strategies to prohibit cherry picking by PROs, requiring them to finance collection and sound management of all plastic wastes across the country, including non-recyclable plastics in remote or underserved areas with high logistical and financial barriers.

Ensure that the EPR schemes do not shift the responsibility of local authorities but complement it: local territorial planning of collection, reuse, recycling and waste management facilities (i.e.: local solid waste master plan and action plan), as well as the energy, transport, and water services they rely on remain the responsibility of local authorities.

The EPR should not leave the non-recyclable or low market-value products to the responsibility of public services, while it captures the valuable waste streams.

6. Prevent Free-Riding: Close Loopholes and Secure Fair Cost-Sharing

All producers placing plastic on the market must be captured by the EPR framework through mandatory registration in a centralised, publicly accessible database. Regulators should implement risk-based audits (cross-checking customs, sales, and registry data) and apply harmonised sanctions (e.g., fines, suspension of market access) to any unregistered or non-compliant entities. Robust cross-border information sharing and joint enforcement actions will deter evasion, ensure every producer contributes their fair share, and safeguard the financial integrity of EPR schemes.

7. Embed Eco-Modulation and Incentives

Mature EPR fee structures may include eco-modulation to incentivise sustainable product design beyond compliance. Incentives can target recyclability, recycled content, post-consumer recycled content, etc.

Successively driving product design through eco-modulation requires joint work on global harmonisation.

8. Promote Global Harmonization

There is an urgent need to standardise key elements of EPR implementation, - including definitions, target-setting methodologies, reporting formats, and recyclability criteria, - and to harmonise production practices through mandatory eco-design requirements and recyclability targets. Creating a fair level-playing field for manufacturers is necessary and requires aligning how products are designed and how their end-of-life value is assessed. Global harmonisation will facilitate international cooperation and benchmarking, and drive producers toward uniform best practices in sustainable product development.

9. Promote collective and industry-wide EPR schemes

The legal and policy framework should enable EPR systems that mandate collective accountability and incentivise industry-wide eco-design and material recovery, rather than enabling market- or brand-driven schemes that can skew the playing field.

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Reasons for failure to deliver to the full potential of EPR: The pitfalls to avoid

While EPR holds an immense promise, several common missteps can hinder its effectiveness, turning it into a mere cost-recovery exercise. Understanding these pitfalls is crucial for designing resilient and impactful systems. The list below summarises the pitfalls to avoid, based on lessons learned from existing EPR schemes.

Lessons learned from existing EPR schemes: The pitfalls to avoid
Too many PROs for the same waste stream creates confusion and weakens enforcement, making it easy for freeriders; therefore, it is crucial to limit the number of PROs per waste stream.
Treating EPR as a simple tax, while it can be a first step of the EPR scheme, reduces the potential to drive systemic change towards circularity. Building the EPR scheme as part of an array of regulatory tools to transition to circularity provides the long-term vision needed to support public and private investments.
Under-estimating the importance of including the informal sector, gender equity and indigenous communities during the initial development phase of EPR schemes will trigger social issues. Including these groups from the start enables to mitigation of negative impacts of the changes to waste management.
Centralising state-accredited PROs without genuine autonomy in the way they spend their budget to meet assigned targets reduces the potential to drive innovation and may prevent flexible market response. Provide genuine autonomy while setting the right safeguards.
Skimping on transparency and accountability leads to impossible enforcement of targets.
Enabling market- or brand-driven EPR schemes lead to producers' cherry picking only the actions that deliver value to them, leaving un-tackled a large part of the plastics lifecycle and waste issues. Design EPR schemes to progressively cover each plastic waste stream.
Overlooking the need for system innovation towards circular-business-model breakthroughs is a risk. Provide PROs with the governance and autonomy to catalyse system innovation by pulling resources together across stakeholders.
Underutilising digital traceability sacrifices material-composition transparency and efficient end-of-life handling. Digital traceability enables enforcement bodies to follow the results of the PRO's actions. More mature EPR schemes can drive innovation and advance digital traceability, such as through digital watermarking.
Rushing national roll-out without piloting can lock in flawed logistics, fee levels and communications. Ensure robust piloting and legal framework adjustments are enabled by the initial legal framework.

By explicitly avoiding these "pitfalls", Governments safeguard against the most frequent failure modes and ensure EPR schemes remain transparent, accountable and truly circular.

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Conclusion

Extended Producer Responsibility (EPR) stands out as an indispensable pillar of the Global Plastics Treaty. By internalising the full life-cycle costs of plastic products and shifting financial and organisational responsibility from overburdened municipalities to producers, EPR not only secures long-term, sustainable financing for collection, sorting, recycling, and disposal—it also catalyses eco-design innovation, waste prevention, and the transition to a true circular economy. If all Parties were implementing EPR, producers everywhere could be held accountable, regardless of geography or economic context, for the plastic they place on the market.

We urge governments, industry leaders, civil society, and all stakeholders to join forces in championing a strong EPR architecture at INC-5.2. The EPR tool, based on transparent reporting, performance-based incentives, and full integration alongside public waste management, will drive equitable outcomes, mobilise private financing, and reinforce the Polluter Pays Principle on a global scale.

Promoting Sustainable Waste Management Worldwide and a Transition to a Circular Economy

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