

Frequently Asked Questions¹

Meeting of the ad hoc open-ended working group to prepare for the work of the Intergovernmental Negotiating Committee to develop an international legally binding instrument on plastic pollution, including in the marine environment

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Bureau-related questions:

1. What is the process to nominate the ad hoc open-ended working group bureau members?

The ad hoc open-ended working group may wish to note that the rules of procedure of the United Nations Environment Assembly, with changes as required, apply to its meeting.

Member States have been invited in a letter dated 4 April from the Executive Director of UNEP to nominate a candidate for the bureau of the ad hoc open-ended working group through their respective United Nations Environment Assembly chair of regional groups by providing the name and title of the candidate.

Regions are invited to consider their nominations to a bureau for the open-ended working group. The working group will elect a bureau, typically consisting of a chairperson, three vice-chairpersons and a rapporteur, taking into account the principle of equitable geographical representation as well as gender balance. The term of office for officers elected for the ad hoc open-ended working group ends upon conclusion of the ad hoc open-ended working group meeting.

The nomination is to be communicated by the United Nations Environment Assembly chairs of regional groups to unep-incplastic.secretariat@un.org no later than 13 May 2022.

The secretariat is not in a position to coordinate with regional groups with regard to bureau nominations from individual countries.

2. Is it envisaged that ad hoc open-ended working group bureau members will continue as intergovernmental negotiating committee bureau members? Or should separate requests be made to join each of these structures?

The nomination of ad hoc open-ended working group bureau members and the intergovernmental negotiating committee bureau members will be two separate processes.

The mandate for ad hoc open-ended working group bureau members will be effective during the course of the ad hoc open-ended working group meeting, and their term of office will expire at the end of the ad hoc open-ended working group meeting.

The nomination and election of the officers will take place at the first meeting of the intergovernmental negotiating committee in accordance with the Rules of Procedure that the intergovernmental negotiating committee will adopt. However, to support planning work for the first session of the intergovernmental negotiating committee meeting, regional groups may wish to consider potential members for the intergovernmental negotiating committee bureau in advance and identify them during

¹ This FAQ is a living document and will be updated by the Secretariat regularly based on questions received.

the upcoming ad hoc open-ended working group. Individuals serving on the ad hoc open-ended working group bureau are eligible to be considered for the intergovernmental negotiating committee bureau.

In the period between the meeting of the ad hoc open-ended working group and the first meeting of the Intergovernmental negotiating committee, the UNEP Executive Director will take all necessary action to follow up on the outcomes and decisions of the ad hoc open-ended working group.

3. What is the process to nominate a bureau member to the intergovernmental negotiating committee?

The national nominations for the bureau of the intergovernmental negotiating committee are envisaged to be communicated at the regional group meetings during the ad hoc open-ended working group, which is the preparatory meeting for the intergovernmental negotiating committee.

While it is for the intergovernmental negotiating committee to elect its officers during its first meeting, regions are envisaged to discuss national nominations within their respective regions during the ad hoc open-ended working group, agree on the candidates and inform, at the earliest, the secretariat of the decision on the bureau candidates.

Regions are encouraged to consult with one another and agree on the functions of the regional candidates to serve as chair, vice-chairs, rapporteur of the bureau of the intergovernmental negotiating committee.

4. Will the presidency of the intergovernmental negotiating committee bureau be a presidency or co-presidency?

The intergovernmental negotiating committee will adopt its Rules of Procedure that will include the structure of its bureau.

Previous intergovernmental negotiating committees that negotiated the texts of the Rotterdam, Stockholm and Minamata Conventions² provided for bureaus with a single chairperson (president) who presided for the duration of the intergovernmental negotiating committee.

Ad hoc open-ended working group and intergovernmental negotiating committee meeting related questions:

5. Is the ad hoc open-ended working group meeting hybrid?

The ad hoc open-ended working group meeting, the associated multi-stakeholder dialogues and the regional meetings will be organized in a hybrid format, with both in-person and online participation.

² Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade, The Stockholm Convention on Persistent Organic Pollutants, and the Minamata Convention on Mercury

6. What is the foreseen duration of each intergovernmental negotiating committee session?

The format and length of the intergovernmental negotiating committee is to be discussed by the ad hoc open-ended working group and the outcome of the discussions will be forwarded for consideration and adoption by the intergovernmental negotiating committee itself.

For planning purposes, the first meeting of the intergovernmental negotiating committee is proposed by the Secretariat to be a five-day meeting, preceded by two days allocated for a forum requested by paragraph 16 of United Nations Environment Assembly resolution 5/14 and regional consultations.

According to United Nations best practices, this is the traditional format and length. A number of other processes have used different approaches, that can be applied pending availability of resources, timelines, pledges and formal expression of interest of countries in hosting the intergovernmental negotiating committee meetings among other factors.

7. Will each intergovernmental negotiating committee meeting take place in a different UN region?

The timeline and organization of the intergovernmental negotiating committee work is to be discussed at the ad hoc open-ended working group and forwarded to the intergovernmental negotiating committee.

In a letter dated 4 April 2022, the UNEP Executive Director invited Member States that are in a position to do so to express their interest to host one of the intergovernmental negotiating committee meetings.

Paragraph 6 of the UNEA resolution 5/14 stresses the need to ensure the widest and most effective participation possible in the ad hoc open-ended working group and intergovernmental negotiating committee processes. To that end, and following United Nations best practices, intergovernmental negotiating committee meetings could be held in different regions of the world to ensure wide participation in the different meetings and to promote geographical representation.

Offers to host intergovernmental negotiating committee meetings and the proposals for the organization of work from the ad hoc open-ended working group will be carefully reviewed based on best available information in the context of, inter alia, availability of conference services, logistics, cost implications, timing taking into consideration the applicable United Nations rules and regulations for the organization of meetings outside headquarters.

8. Is the secretariat going to fund travel expenses along the entire process?

Paragraph 7 of United Nations Environment Assembly resolution 5/14 requests the UNEP Executive Director, as a priority, to provide the necessary support to developing countries and countries with economies in transition to allow for their effective participation in the work of the ad hoc open-ended working group and of the intergovernmental negotiating committee.

The secretariat will sponsor participation of delegates from developing countries that are eligible for funding, with priority given to Least Developed Countries and Small Island Developing States. A limited amount of financial support to fund travel of Major Groups and Stakeholders is also available, subject to availability of resources.

Those requesting financial support will need to register and email unep-incplastic.secretariat@un.org by 30 April 2022.

9. Which costs should be considered at the expense of the host country? What is the process to express the interest to host one of the intergovernmental negotiating committee meetings?

According to the applicable United Nations policies, rules and regulations for meetings organized outside headquarter locations, the host country shall cover all costs incremental to those incurred by hosting the meeting in a location of the secretariat. Specifically, it shall provide, at its own expense, the necessary premises, including conference rooms, office space, and related facilities. The host country shall provide information on accommodation, transport and visa support, provide medical and police services, and bear the actual additional costs directly or indirectly involved in holding the meeting in the country.

For further details regarding the terms and relevant expenses and for any offer to host an intergovernmental negotiating committee meeting should be officially communicated to unep-incplastic.secretariat@un.org. Please note that the secretariat will share the template for a Host Country Agreement upon request.

10. What is the process for providing financial support to the intergovernmental negotiating committee meetings and intersessional work?

In a letter dated 4 April 2022, UNEP invited governments and other stakeholders in a position to do so to provide extra-budgetary resources to support the implementation of the resolution to ‘End plastic pollution: Towards an international legally binding instrument’.

There are many aspects of delivering an intergovernmental negotiating committee that require financial support. These include support for intersessional processes, document preparation and delivery, and participants’ travel. It is preferable that pledges of financial support are not “ear-marked”, in order to allow the Executive Director to make best use of the resources in supporting the intergovernmental negotiating committee process.

A pledge letter may be sent to: Ms. Leticia Reis de Carvalho (UNEP-INCplastic.secretariat@un.org).

11. Are there limits to the size of delegations?

We are not limiting size of delegations, however, please note the meeting rooms have limited capacity. There might be a limit to the number of participants per delegation in the plenary room depending on development of registration (as was done at the United Nations Environment Assembly 5.2).

There is no limit to on-line participation for the delegations.

Please note that the registration deadline is 13 May 2022.

12. How can business representatives join the multi-stakeholder dialogues?

The multi-stakeholder dialogues are not officially part of the OEWG construct and are open for participation. Business representatives should feel free to register for the dialogues, indicating that they intend to attend and participate in the dialogues as a business representative.

The ad hoc open-ended working group is applying the United Nations Environment Assembly Rules of Procedure. Representatives from businesses sometimes approach an accredited organization³ to be part of their delegation, and an official nomination letter from such an organization is needed for approval of registration for the ad hoc open-ended working group. The Secretariat is not in a position to facilitate these arrangements.

For the in-person part of the ad hoc open-ended working group meeting, major groups can register more than one participant for in person participation. We are not limiting size of delegations, however, please note the meeting rooms have limited capacity. There might be a limit to the number of participants per delegation in the plenary room depending on development of registration (as was done at the United Nations Environment Assembly 5.2). There is no limit to on-line participation for the delegations.

Please note that the registration deadline is 13 May 2022.

Intergovernmental negotiating committee focal point related questions

13. What are the main responsibilities of the National Focal Point for the intergovernmental negotiating committee process?

The designated National Focal Point for the intergovernmental negotiating committee process will serve as a contact point for further communications with the secretariat. The focal point will be responsible for dissemination of intergovernmental negotiating committee related information in their country. All relevant emails/information from the secretariat will be sent to the focal point designated by each country.

Member States may also choose to nominate an alternative focal point in addition to the designated national focal point.

³ <https://www.unep.org/civil-society-engagement/accreditation/list-accredited-organizations>