

Reference: UNEP-INC-2023-0036

12 May 2023

Attn.: The signatory organizations of the Open Letter to the Executive Director of UNEP and Executive Secretary of the INC on Plastic Pollution

I would like to thank you for your letter dated 28 April 2023 which contains a set of suggestions and concerns related to the ongoing work of the Intergovernmental Negotiating Committee (INC) on plastic pollution.

I wish to clarify that the intersessional work to inform the framing and development of the ongoing negotiations is being done entirely by the INC secretariat in consultation with the Chair of the INC. Information on the structure of the secretariat is available on our dedicated website.¹ This core team has developed the meeting documentation for INC-2, and has organized the logistics for the session. Moreover, as standard practice, the INC email is handled exclusively by the INC secretariat. The secretariat shares information on its activities with the nominated INC focal points, delegates from Member States and observer organizations, including intergovernmental organizations, UN system entities and non-governmental organizations. These are contacts that have requested to be added to the email distribution list. In addition, the secretariat shares announcements of events upon request of Member States.

In preparation for INC-2, I take note of your procedural suggestions and I commit to produce substantive meeting reports from INC-2 onwards, which will reflect the substantive discussions that take place and inform future negotiations. I wish to highlight that all statements made at INC-1 and submitted to the secretariat have been made available online on the event page of that session, and I will continue with this transparency practice for future sessions. I also wish to inform you that the names of representatives of stakeholders will be made available in the list of participants that the secretariat is preparing for INC-2, and I plan to continue with this practice.

Regarding the participation of observers, and in particular of civil society, I would like to recall that the participation framework for observers, including observers from non-governmental organisations, is set out in the United Nations Environment Assembly resolution 5/14, which, *inter alia*, stressed the need to ensure the widest possible and effective participation in the INC. Moreover, the resolution stated that participation in the committee should be open to all Member States of the United Nations and Members of its specialized agencies, to regional economic integration organizations, as well as relevant stakeholders, consistent with applicable United Nations rules.

I would like to note that the secretariat considers all registered participants from non-governmental organizations observers, to have the same rights and obligations. All plenary sessions are held in public in accordance with the draft rules of procedure provisionally applied and will be broadcast live on YouTube in 6 languages. Without prejudging any arrangements which the INC may agree on for participation by observers in meetings other than plenary, the secretariat expects that meetings of any contact groups may be open to observers. The secretariat is making every effort to enable approved registered participants, including observers to watch live the discussions of any contact groups that might be established at INC-2 and be open to participation by observers in case, due to space constrains, they cannot enter the meeting rooms.

¹ <https://www.unep.org/about-un-environment/inc-plastic-pollution>

In particular, regarding participation of observers in INC-2, allow me to reiterate that the venue has a space limit, which allows a maximum of 1500 participants at any given time within the precinct due to safety and security reasons. The secretariat will make all efforts to facilitate observer's participation taking into consideration the space constrains. As stated in the Information Note for participants² and reiterated by the secretariat at the webinar on organization of work that took place this month,³ the INC secretariat will provide a limited number of secondary access cards, also referred to as "floating badges" to each delegation. In addition to the individual badge for each registered and approved delegate, the floating badge will be required to enter the venue to ensure compliance with the maximum limit of 1,500 delegates within the meeting venue at any given time. All meeting badges will be issued by the secretariat at the venue, and participants may collect their badges by visiting the badging collection centre. A notification on the number of access cards per member States and organization will be issued soon by the secretariat. The secretariat stands ready to support participants regarding any logistic issues.

I am aware of the increasing interest that civil society is presenting on this process, and I realize that INC-1 participation might not be an accurate barometer for estimated numbers moving forward. I appreciate your advice on this matter, and I am taking it into consideration for the selection of future venues.

Lastly, I take this opportunity to note that, as with all intergovernmental processes, the negotiations on the instrument are driven by the Member States. The INC secretariat stands ready to assist the Members of the Committee in the development of an ambitious, well-designed, and inclusive legally binding agreement that addresses the full lifecycle of plastic as an outcome of this process, in line with United Nations Environment Assembly resolution 5/14.

Please remain assured that I will continue working to facilitate the widest and most effective participation possible of all relevant stakeholders throughout the INC process, in an open, inclusive, and transparent manner, and in line with the applicable UN rules and procedures.

Yours sincerely,

Signed

Jyoti Mathur-Filipp
Executive Secretary
Secretariat of the INC on Plastic Pollution

² https://wedocs.unep.org/bitstream/handle/20.500.11822/41899/230413_InformationNote.pdf

³ <https://wedocs.unep.org/bitstream/handle/20.500.11822/42367/OrganizationofWork.pdf>, recording available at <https://www.youtube.com/watch?v=YaAhcMzrWHU>