

Intergovernmental negotiating committee to develop an international legally binding instrument on plastic pollution, including in the marine environment (INC)  
Bureau meeting  
Monday, 21 August 2023  
15:00 – 17:00 (GMT +2)  
Online

## MINUTES OF THE MEETING

### **Agenda item 1: Opening of the meeting.**

1. The meeting was opened at 3:00 p.m. by the Chair, Ambassador Gustavo Meza-Cuadra Velasquez.
2. The meeting was attended by the following members:

*INC Chair:* Ambassador Gustavo Meza-Cuadra Velasquez (Peru);

*African States:* Ms. Juliet Kabera (Rwanda); Mr. Cheikh Ndiaye Sylla (Senegal);

*Asia-Pacific States:* Mr. Hiroshi Ono (Japan); Mr. Mohammad Al-Khashashneh (Jordan);

*Eastern European States:* Mr. Kaupo Heinma (Estonia); Ms. Irma Gurguliani (Georgia);

*Latin American and Caribbean States:* Ambassador Luis Vayas Valdivieso (Ecuador);

*Small-Island Developing States:* Ms. Asha Challenger (Antigua and Barbuda)

*Western European and Other States:* Ms. Johanna Lissinger-Peitz (Sweden); Ms. Larke Williams (United States of America).

3. The secretariat was represented by Mrs. Jyoti Mathur-Filipp, Executive Secretary, and Ms. Marianna Bolshakova, Programme Officer.

4. The Executive Secretary, Mrs. Jyoti Mathur-Filipp, informed the Bureau of the breakdown of INC-3 registration numbers to date and of the deadlines for application for travel support. Further, the Executive Secretary informed the Bureau that after consultations with the Bureau member representing the small island developing states (SIDS), it was agreed that SIDS will participate in the in-person regional consultations in the lead-up to INC-3 in their respective UN regions with funding support. In the meantime, a dedicated SIDS meeting would take place prior to INC-3, from 8-10 November, in Nairobi. The secretariat would adjust the ticket dates to enable SIDS representatives to arrive earlier in Nairobi, and SIDS would cover DSA and other expenses for the extra days.

### **Item 2: Preparations for the preparatory meeting mandated by the intergovernmental negotiating committee to develop an international legally binding instrument on plastic pollution, including in the marine environment at its second session.**

5. Under this agenda item the bureau members considered the draft provisional agenda and draft annotated agenda for the preparatory meeting mandated by the intergovernmental negotiating committee to develop an international legally binding instrument on plastic pollution, including in the marine environment at its second session.

6. The Chair introduced the proposed agenda of the preparatory meeting and informed that he would propose two co-facilitators to preside over the discussions of the preparatory meeting. These co-facilitators would be invited to prepare their summary of the meeting, to be presented to the INC-3. The latter would, together with the meeting's preparatory documents, serve as guidance for the discussions on those topics at the INC-3. The Executive Secretary provided further details on the organization of the preparatory meeting. Further, the Executive Secretary informed the Bureau that the proposed list of documents for the preparatory meeting would include an agenda, an annotated agenda, the synthesis report (as an INF document for INC-3 with courtesy translations in the 6 UN languages), and a report of the meeting. The Chair will communicate the organization of work through a notification/letter.

Finally, the Executive Secretary informed the Bureau that the preparatory meeting will be held in person, in the six official UN languages and it will be live streamed on UN TV.

7. The Chair highlighted that he will be hosting two webinars, in complement of the thematic webinars, for observers to present their written submissions, as invited by INC-2. The webinars will provide observers an opportunity to present the main ideas and concepts from their written submissions before the Member's submission deadline on 15 September.

8. Bureau members provided the following comments:

- Requested to have available the synthesis report at least two weeks prior to the preparatory meeting;
- Discussed the best way to structure the discussions at the preparatory meeting, including on the intersessional work, and the best way to connect them with the INC meeting;
- Agreed on the provisional agenda for the preparatory meeting, which the secretariat will make available online and translate as a courtesy;

9. The Chair indicated that he will undertake consultations regarding the appointment of the two Co-Facilitators for the preparatory meeting.

10. In response to a query regarding the modalities of making available the submissions on intersessional work invited by the committee at its second session, the Executive Secretary clarified that the mandate was to post such submissions on the INC-3 website.

11. Ms. Marianna Bolshakova, Programme Officer was invited to provide an explanation on the status of the preparatory meeting. Ms. Bolshakova explained that it is a mandated meeting, but given its status of preparatory meeting, it is not formally a part of INC-3 session. Ms. Bolshakova further clarified that the INC rules of procedure will apply *mutatis mutandis* to the preparatory meeting.

12. The Chair closed the agenda item, noting the agreement on the provisional agenda for the preparatory meeting and requested the secretariat to finalize and post it online.

**Item 3: Preparations for the third session of the intergovernmental negotiating committee to develop an international legally binding instrument on plastic pollution, including in the marine environment (INC-3).**

13. The Bureau members considered the draft annotated agenda, the draft annotated outline of the Chair's scenario note for INC-3, as well as a list of webinars to be held ahead of INC-3.

14. The Chair presented the main points of the preparation of documentation for INC-3 to the Bureau:

- Explained that INC-3 will start with plenary meetings, with the expectation that contact groups will be convened, as appropriate. The Chair indicated that the proposal is for the plenary to initiate three contact groups, with no more than two contact groups meeting at the same time. The proposed contact groups are: (i) contact group 1, mandated to review Part I (text on the objective) and Part II of the zero-draft and make recommendations on the text of the instrument; (ii) contact group 2, mandated to review Parts III and IV of the zero-draft and make recommendations on the text of the instrument; and (iii) contact group 3, mandated to review the synthesis report and the summary of the preparatory meeting with a view to identifying possible elements not discussed at INC-2 that could be included in Parts I, V and VI in an upcoming version of the draft of the instrument and identifying any related intersessional work required for INC-4 and INC-5;
- Informed that he will step down as Chair at the end of INC-3, and that recalling the election of the Chair at INC-1 and taking note of the statement made by the representative of Colombia on behalf of GRULAC, Ambassador Luis Vayas will stand for election. The proposal is to take the item on elections in plenary on Sunday, 19 November;
- Explained that under provisional agenda item on rules of procedure, the scenario note will recall discussions on rules at previous sessions, including on the fact that the draft rules of procedure apply on a provisional basis to the work of the INC with consideration to the interpretative statement relating to rule 38, paragraph 1 adopted at INC-2;

- Informed the proposed expected outcomes of INC-3;
- Announced that the zero-draft of the instrument has been sent out to the editors.

15. The Executive Secretary highlighted some key points of the scenario note:

- Explained that under modalities for the session, the scenario note will indicate that the session will be held in-person only with the plenary meetings livestreamed with the possibility to make arrangements for meetings of contact groups to be made available to registered participants through Interactio in viewer mode only.
- Indicated that, although the secretariat does not foresee such a possibility, should the number of registrations exceed the limit of the UN Compound based on security and other reasons, delegations will be informed in due course;
- Explained that under dates and venues of subsequent sessions, the scenario note will propose that the secretariat informs the committee on the preparations for further sessions. The committee may wish to recall the offers to host the diplomatic conference as referred to in INF documents of previous sessions, and take note of such offers to start considering the dates and venue of the diplomatic conference with a view to deciding on this matter at INC-4;
- Explained that under preparation of an international legally binding instrument on plastic pollution, including in the marine environment, the proposal is to invite the secretariat to introduce the zero-draft followed by a summary from the Co-Facilitators leading the discussions during the preparatory meeting; Presented a budget estimate for INC-3 (13-19 November 2023) and preceding meetings (regional consultations on 12 November, the preparatory meeting on 11 November, and Bureau meeting on 10 November);
- Informed that the zero-draft is with the editors and that the secretariat intends to post an Advance version, in English only, in early September.

16. Bureau members provided the following comments:

- Shared the importance of clearly conveying the modalities of the session and expected outcomes to the regions;
- Mentioned their intention to consult their regions regarding the option of providing participants with viewer mode only access online, and come back at the next meeting for a decision;
- Discussed the timing and expectations for the third contact group;
- Regarding the decision of the Bureau to extend the duration of INC-3, noted the importance for the upcoming INC sessions of identifying the dates at the preceding session of the Committee;
- Exchanged views on the outline of zero-draft of the instrument.

17. Following the exchange, the Chair stressed that he would continue carrying out informal discussions prior to INC-3 to convey the modalities of the session and address any issue of concern for delegations. He further took note of the concerns from certain delegations regarding the extension of the duration of the session.

#### **Item 4: Provisional agenda for the next bureau meeting**

18. The Chair proposed to the Bureau to use the same basic structure that guided this meeting for the next bureau meeting on 23 September, as it gives enough flexibility to discuss all matters related to the preparatory meeting and INC-3.

19. Bureau members identified topics that they wish to discuss under the framework of the basic structure presented by the Chair.

20. The Chair indicated that the scenario note would possibly be complemented by a document providing further guidance on the proposed organisation of the discussions in the contact groups, as it was done at INC-2.

#### **Item 5: Any other matters.**

21. The Executive Secretary informed that the secretariat will communicate a proposal on side events to the Bureau next week, after consultation with the Chair.
22. Upon review by UNEP's Law Division, the Basel and Stockholm Conventions Regional Centre located in Senegal appears to be an institution established by the Government of Senegal and does not have a status of an intergovernmental organization for the purposes of participation in the INC sessions under Rule 56 of the draft rules of procedure being applied. The Executive Secretary noted that such Center could explore participation, e.g., as part of the delegation of the Member States.
23. The Bureau discussed the content and timeline for future minutes of Bureau meetings. It agreed that the minutes of the Bureau meetings will be shared with the Bureau members within one week and they will provide information on key issues discussed.
24. It was recalled that the Bureau members only wished to receive information and documentation that can be shared with their respective constituencies for information or consultation.
25. The Executive Secretary informed the Bureau that Canada, as the host country of the fourth session of the INC, has indicated the venue and proposed dates for INC-4. The offered dates for the fourth session of the INC are within the period of 21- 30 April 2024, with a one-day break on a date to be confirmed. The session would be preceded by one-day regional consultations. She further indicated that in order to provide participants with enough time to process visas, the secretariat is of the view that the registration portal for INC-4 should open before the start of INC-3. The secretariat will share with the Bureau an information note reflecting the proposal on INC-4 possible dates, for consultations with their respective regional groups. The secretariat will compile those views and present them to the Bureau at the in-person meeting in September.
26. The Executive Secretary informed the Bureau that after the in-person meeting in September, the following two Bureau meetings are tentatively scheduled for 24 or 26 October (online) and 10 November (in-person, at the UNON compound).

**Item 6: Closing of the meeting.**

27. The Chair closed the meeting at 17:45.

Annex: Action Points

## Action Points

**Meeting of the Bureau of the intergovernmental negotiating committee to develop an international legally binding instrument on plastic pollution, including in the marine environment.**

**21 August 2023**

<b>Issue</b>	<b>Action Point</b>	<b>Responsibility</b>
<b>Preparatory meeting</b>	Make available online the provisional agenda	INC Secretariat
	Make the synthesis report available at least two weeks in advance	INC Secretariat
<b>Preparations for INC-3</b>	Consider possibility of a Chair's note to complement scenario note, which could take into consideration the inputs from Bureau members during New York meeting to guide this document.	Chair
	Send a more detailed budget.	Secretariat
	Share proposal on side events.	INC Secretariat
	Consult with their respective regions and get back at the next Bureau meeting with a decision on the option of providing participants with viewer mode only access online	Bureau
<b>Next bureau meeting</b>	Organize the meeting taking into consideration the need to discuss the following topics: <ul style="list-style-type: none"> <li>- the format of the preparatory meeting and linkage between the preparatory meeting and the INC-3;</li> <li>- organization and sequencing of contact groups including interlinkages between them;</li> <li>- risks of delay and how to address them.</li> </ul> Prepare annotations to the provisional agenda accordingly.	INC Secretariat
<b>AOB</b>	Share meeting minutes/summary within a week of Bureau meeting	Chair and INC Secretariat
	Share proposal on dates for INC-4 to be distributed by Bureau members to their regions. Bureau members to send their views in two weeks. INC Secretariat to compile views and share them in advance of the NYC meeting.	INC Secretariat and Bureau
	Decide on dates for INC-4 by Bureau meeting on 23 September 2023 in NYC based on proposal that was shared by Secretariat.	Bureau

Next meeting: 23 September 2023, New York, time TBC.