

The Bureau  
Intergovernmental Negotiating Committee (INC)

19 February 2025

**RE: Local and Subnational Governments participation in the INC process**

Dear Excellencies,

We would like to express our appreciation for your continued leadership in guiding the negotiation process thus far. In the interest of achieving a strong and mutually beneficial treaty, we wish to voice a few concerns:

1. **Exclusion of stakeholders:** Compared to previous INCs, there was no mention of observers in the [Chair's Scenario note for INC5](#). In addition, during the majority of INC5, there were significant barriers to active participation. The decision to establish 'Informals' and 'intersessional work' while intentionally excluding observers has further polarized the process, marginalizing civil society. Such decisions have not been publicly decided or discussed in the Plenary or Contact Groups.
2. **Shift Towards Unilateralism:** We have observed a noticeable shift towards a more unilateral approach in steering the negotiation process. The process should remain inclusive and guided by foundational principles, ensuring broad-based collaboration and input.
3. **Transparency and Participation:** The continued lack of transparency might affect the outcome of the treaty, and might ultimately fail to reflect Local and Subnational Governments insights.

We wish to kindly invite the Bureau to discuss these matters and address them to the best possible extent in the benefit of all stakeholders.

We remain hopeful that the negotiations might still smoothly move on towards a successful conclusion.

Sincerely,

Dr Magash Naidoo

Head: Circular Development  
ICLEI - Local Governments for  
Sustainability (ICLEI)

Co-Facilitator: Local Authorities Major  
Group