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United Nations Environment Programme

**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**
Dakar, Senegal, 30 May – 1 June 2022

Scenario note

**Note prepared by Inger Andersen, Executive Director of the United Nations
Environment Programme**

I. Introduction

1. In its resolution UNEP/EA5/Res.14, the United Nations Environment Assembly (UNEA) requested the UNEP Executive Director to convene an ad hoc open-ended working group to prepare for the work of the intergovernmental negotiating committee that is to develop an international legally binding instrument on plastic pollution, including in the marine environment. The resolution further stipulates that the ad hoc open-ended working group is to discuss, in particular, the timetable and organization of the work of the intergovernmental negotiating committee, taking into account the provisions and elements identified in paragraphs 3 and 4 of the resolution.
2. It is important for the ad hoc open-ended working group to provide a sound basis to enable the intergovernmental negotiating committee to commence its work rapidly and efficiently, and accordingly to provide guidance to the secretariat in preparing for both the intergovernmental negotiating committee process and the intergovernmental negotiating committee's first meeting.
3. Ending plastic pollution, including in the marine environment, requires an overall system change that addresses the full life cycle of plastics, from the extraction of raw materials, product design and manufacturing, to distribution, use and environmentally sound waste management. It includes removing hazardous additives and chemicals of concern, and eliminating products that are unnecessary, avoidable or problematic. It also includes designing materials and products for reuse and recycling, adopting innovative business models, and ensuring that needed changes occur along the entire value chain. Achieving such ambitious objectives would require establishing an inclusive intergovernmental negotiating committee process to ensure a just transition and a win for multilateralism.

4. Against this background, the overall objective of the intergovernmental negotiating committee process is to arrive at a strong and ambitious international legally binding instrument on plastic pollution, including in the marine environment, that Member States can adopt, and one that can facilitate system change in an inclusive manner. The committee aims to complete this work by the end of 2024.

II. Preparing for the meeting

5. The meeting of the ad hoc open-ended working group will be conducted in the six official United Nations languages. To facilitate broad participation, it will be a hybrid meeting allowing for online participation. To support planning for the meeting, participants should register for the meeting as soon as possible, following the procedure for registration outlined on the dedicated web page¹ for this meeting. Participants are encouraged to arrive in Dakar by Sunday, 29 May to join the regional consultations and multi-stakeholder dialogues.

6. This scenario note should be read in conjunction with the meeting documentation prepared by the secretariat. Meeting documents will be made available to participants in the six official United Nations languages. In addition, the secretariat has prepared a repository of background documents on the dedicated web page for ease of reference.

7. In opening the meeting, regionally coordinated statements of a general nature will be invited at the end of agenda item 3 'Adoption of the agenda and other organizational matters', before starting agenda item 4 'Preparations for the work of the intergovernmental negotiating committee'. Following the regionally coordinated statements, national statements and statements from observers will be invited. We invite delegations to prepare in writing any complementary information that you would like the secretariat to share with participants at the outset of the meeting. The secretariat will make such submissions available on the dedicated web page for the meeting.

8. Regions are invited to consider their nominations to a Bureau for the open-ended working group. In accordance with rule 63, paragraph 3 of the rules of procedure of the United Nations Environment Assembly, as applied to the working group, the open-ended working group will elect a Bureau composed of a chairperson, three vice-chairpersons and a Rapporteur, taking into account the principle of equitable geographical representation as well as gender balance. The elected officers will serve the ad hoc open-ended working group during the course of this meeting.

9. Furthermore, it is anticipated that the Bureau of the intergovernmental negotiating committee will be established at its first meeting, consisting of ten members, two from each region. In preparing for the working group meeting, regional groups may wish to consider the structure and composition of the Bureau of the intergovernmental negotiating committee and identify potential Bureau members who could serve for the duration of the negotiation process. While the Bureau will be formally appointed by the intergovernmental negotiating committee at its first meeting, identification of Bureau members at the ad hoc open-ended working group would allow nominees the opportunity to prepare for the role and engage with their regions in preparation for the first meeting of the intergovernmental negotiating committee.

III. Desired outcomes of the meeting

10. The ad hoc open-ended working group should ensure that the procedural elements for the intergovernmental negotiating committee are identified, enabling the development of an effective international legally binding instrument to end plastic pollution, including in the marine environment, within the timeframe identified by the resolution. Doing so should include the following preparatory work for the intergovernmental negotiating committee, so that it can commence its work rapidly and efficiently:

- i. a recommendation on the Rules of Procedure for the intergovernmental negotiating committee, for its consideration and adoption, including guidelines on the composition of the Bureau of the intergovernmental negotiating committee;
- ii. identification of candidates for the Bureau of the intergovernmental negotiating committee;

¹ <https://www.unep.org/events/unep-event/Intergovernmental-Negotiating-Committee-end-plastic-pollution>

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- iii. recommendations for the timeline of the intergovernmental negotiating committee meetings and the sequencing of work for the intergovernmental negotiating committee process;
 - iv. guidance to the secretariat in preparing for the first meeting of the intergovernmental negotiating committee, including on elements of the agenda, required documentation, and organization of the forum called for in paragraph 16 of UNEA resolution 5/14; and
 - v. a request to the secretariat to prepare draft elements and proposed options to structure the international legally binding instrument on plastic pollution, including in the marine environment, for consideration by the intergovernmental negotiating committee at its first session.
11. UNEP will organize four multi-stakeholder dialogues in conjunction with the meeting of the ad hoc open-ended working group. Wide participation in these dialogues could help inform the process and highlight the high level of ambition required. These dialogues may also stimulate thinking to support delegates in the launch of the negotiations and enable Member States to accelerate the initiation of a multi-stakeholder action agenda that can support the intergovernmental negotiating committee, as called for in paragraph 6 of UNEA resolution 5/14.
12. I urge delegates to work in a cooperative and productive manner to enable a positive and constructive start for the negotiations ahead.
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