

Reference: UNEP-INC-2024-0040

5 July 2024

Dear Observer organizations,

I would like to acknowledge that Observers' participation and engagement has been instrumental in advancing the process of the Intergovernmental Negotiating Committee (INC) on plastic pollution. Your contributions, commitment, and dedication have been crucial to each INC session.

In response to questions the INC Secretariat has received regarding the participation of Observers in the ad hoc intersessional open-ended expert groups, allow me to address them in this letter.

- Please allow me to first highlight that the INC Secretariat is tasked to ensure the necessary support to the Committee and the implementation of its decisions, and the Secretariat cannot make decisions on Observer participation.
- Mandates and decisions of the Committee direct the work of the Secretariat. A decision on the establishment of ad hoc intersessional open-ended expert groups was made by the Committee at its fourth session and provides instruction on participation modalities. The decision is available on the INC website in the annex of the [concept note](#) on page 5. The decision states that the expert group meetings “will be open to participation of all Members of the Committee”.
- In addition, the decision also states, “The Committee further requested the Secretariat, in consultation with the Chair, to invite selected technical resource persons to help inform the work of the expert groups.” As per the [concept note](#) developed under the guidance of the expert groups’ Co-chairs and in consultation with the INC Chair, “the Secretariat, in consultation with the Chair, will invite up to 12 selected technical resource persons per expert group.” As indicated in this concept note, the selection is “considering the range of Observers, including civil society.”, and the criteria includes a balance of expertise, experience, regional representation, gender balance, among others. I would like to stress that the selected individuals will be participating in their personal capacity as independent experts.
- As per established practice to ensure transparency, the final lists of nominated experts by Members and the selected technical resource persons will be made available on the INC website.
- Regarding Members of the Committee nominating their experts for the ad hoc intersessional expert groups, it is within the discretion of each Member to consult, select, or designate experts they consider most relevant for the work, including from a range of stakeholders, should they wish to do so.
- With respect to the conflict of interest in the context of the overall intergovernmental process, this is not within the remit or role of the Secretariat to decide on this matter. Any criteria or other parameters for an application of conflict of interest policies would need to be defined by the Committee.

To: Observer organizations

United Nations Avenue, Gigiri  
PO Box 30552 – 00100, Nairobi, Kenya  
Tel: +254 207621234 | [unep-incplastic.secretariat@un.org](mailto:unep-incplastic.secretariat@un.org)  
[www.unep.org](http://www.unep.org)

- The meetings of the ad hoc intersessional expert groups are only of a technical and expert nature. These are not negotiating nor decision-making meetings and are not part of an INC session. Once again, I refer to the decision made by the Committee, which specifies that “the outcomes from the groups shall be without prejudice to the Parties’ national positions and the outcome of negotiations conducted by the Committee.” Furthermore, given the ad-hoc expert nature of the meetings, both by electronic means and in-person, the draft rules of procedure of the INC being provisionally applied, guide the conduct of the meeting to support their orderly conduct, with less formal rigor and more flexibility in their application.
- The intersessional ad hoc expert group meetings are not sessions of the Committee, and no interpretation or webcast services are provided for such meetings.

I would like to thank you for your interest and support in the INC process. The Secretariat remains available to answer any further questions. Please note, the Secretariat will make this letter available on the INC website.

Yours sincerely,

*Signed*

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

Cc: H.E. Amb. Luis Vayas Valdivieso, Chair of the INC  
Bureau of the INC on plastic pollution