

H.E. Ambassador Luis Vayas Valdivieso
Chair of the INC

Ms. Jyoti Mathur-Filipp
Executive Secretary of the INC Secretariat

UN Environment Programme
P.O. Box 30552, 00100 Nairobi, Kenya.

cc: Kate Lynch of Australia
Oliver Bouchi of Ghana
Axel Borchmann of Germany
Gwen Sisor of Palau
Luay al Mauqtar of Iraq

May 21, 2024

Dear Ambassador Vayas Valdivieso and Executive Secretary Mathur-Filipp,

Thank you for your excellent leadership and hard work at the INC-4 meeting in Ottawa, Canada. Under your guidance, and supported by your facilitation, Member States have made important progress in negotiating the legally binding Global Plastics Treaty. We are pleased that the Intergovernmental Negotiating Committee has decided to establish two separate ad hoc intersessional open-ended expert groups.

We request further clarification on the composition of these expert groups, and procedures for inclusion and participation.

In particular, we seek clarity regarding participation of individuals from organisations with vested interests in this intersessional work. The ad hoc intersessional open-ended expert groups will need to be informed by independent and robust scientific knowledge to support assessment and design criteria, baselines and targets, and monitoring, and reporting on the progress and effectiveness of the instrument. The expert groups should include the participation of independent scientists, other observers and rights holders, including Indigenous scientists and knowledge holders, considering equitable regional and disciplinary balance.

We advocate developing Terms of Reference that are inclusive, while ensuring representation by independent experts who are free of Conflicts of Interest, including with chemicals and plastics industries. As you may know, we published a policy brief with recommendations relating to Conflicts of Interests for the science policy interface ahead of INC 4 ([Towards an Effective Science-Policy Interface for the Global Plastics Treaty - Ikhapp](#)).

We advocate for applying the recommendations from existing policies which can be used as a starting point, for example the following:

- The Scientists' Coalition for an Effective Plastics Treaty, which state that "‘Conflict of interest’ means any situation where an individual is either associated or involved in any way with an organisation that has a particular interest that may either 1) compromise or be reasonably perceived to compromise the individual’s capacity to act independently and in the public interest when providing advice to public entities and that runs contra to the mission and guiding principles of the Scientists’ Coalition, or 2) create an unfair advantage for any person or organisation, or is 3) personally receiving money (for example as salary or similar) from an industry partner or hold substantial numbers of shares in an identified conflict of interest company. For the purposes of this policy, circumstances that could lead a reasonable person to question an individual’s objectivity, or whether an unfair advantage has been created, constitute a potential conflict of interest."
- The International Panel on Chemical Pollution, which considers that "past or present employment by or consulting for the chemical or plastics industry and related organizations constitutes a Conflict of Interest",
- The POPRC definition stating that an expert with a Conflict of Interest "has an employment relationship, has a financial or other interest that could unduly influence the expert’s position with respect to the subject matter being considered".

It is our view that experts with a Conflict of Interest should not participate in the core work of the ad hoc intersessional open-ended expert groups, nor the science-policy interface expected to be established under the legally binding instrument.

Transparency of work and decision making processes in the intersessional work will be crucial for its credibility and there are a number of concrete actions that can be taken to increase transparency around the contributors and the work of the groups. This could include, for example, making the curriculum vitae of the experts publicly available as is practice in POPRC , establishing procedures to manage complaints of potential Col, webcasting the sessions for transparency purposes, and ensuring that those most affected by plastic pollution (including knowledge holders like Indigenous Peoples, fenceline communities and waste pickers) can present their perspectives.

The members of the Scientists' Coalition for an Effective Plastics Treaty would like to offer their expertise for these expert groups during the intersessional period and offer support towards the production of the resulting report(s) or outputs. As you are aware, we are a group of more than 350 academic scientists from more than 60 countries, with broad expertise and regional knowledge. Our scientists can offer robust scientific input to support evidence-based decision making.

Sincerely,

The co-coordinators of the Scientists' Coalition for an Effective Plastics Treaty



Bethanie Carney Almroth



Trisia Farrelly



Richard Thompson