

July 2nd, 2024

To:  
INC Secretary Jyoti Mathur-Filipp

CC:  
H.E. Luis Vayas Valdivieso  
Ms. Juliet Kabera  
Mr. Ndiaye Cheikh Sylla  
Mr. Hiroshi Ono  
Mr. Mohammad Al-Khashashneh  
Mr. Harry Liiv  
Ms. Irma Gurguliani  
H.E. Gustavo Meza-Cuadra Velasquez  
Ms. Asha Challenger  
Ms. Johanna Lissinger-Peitz  
Ms. Larke Williams

**Subject: Participation of Civil Society and Rights Holders in the Ad Hoc Intersessional Open-ended Expert Groups**

Dear INC Executive Secretary Jyoti Mathur-Filipp,  
CC: Dear Ambassador Vayas Valdivieso,  
CC: Dear Bureau members,

This is regarding the letter from the INC Executive Secretary dated 30th May 2024, inviting Member States to nominate experts to participate in the work of the ad hoc intersessional open-ended expert groups.

As representatives of civil society and rights holders, we note with concern the restrictions on the participation of Observers during Intersessional Work in preparation for INC-5. Many organizations have been involved in the process of negotiating a legally binding instrument to end plastic pollution, including in the marine environment, from the beginning. These organizations have immense expertise on the issues being discussed and have dedicated that expertise, as well as time and financial resources, to participating in the Intergovernmental Negotiating Committee (INC) process. Once again, we reaffirm our commitment to this process until a fit-for-purpose treaty is agreed upon.

Observer participation offers an essential opportunity to civil society and rights holders, including impacted fenceline communities, Indigenous Peoples, women, youth, representatives of grassroots communities, and stakeholders like scientists, consumers, faith groups, health and environmental experts, and policy experts to share their expertise and experience and present practical, equitable, and well-founded solutions based on their firsthand experiences and expertise which should feed into a strong treaty.

As you may recall, during the final plenary of the fourth session of the INC in Ottawa, the African Group, represented by its Chair, Ms. Lydia Essuah from Ghana, along with support from many other countries, demanded the participation of Observers in intersessional work. The response given by the Chair was promising, raising our hopes that the request would be fully considered, and that a transparent and inclusive process would be established.

We would like to emphasize that Intersessional Work is an integral part of the INC process and, by default, governed by the same rules of procedure. Rules 55 and 56 thus allow accredited non-governmental organizations to participate in any INC-related sessions as Observers.

Furthermore, we are concerned with the lack of clarity regarding the selection of the technical experts. These technical experts must be unequivocally free from conflicts of interest, and we have not seen any procedures for addressing this in the intersessional meetings. The technical experts should be independent scientists, Indigenous Peoples, frontline and fenceline communities, consumer and health advocates, representatives of civil society organizations, and other experts without vested interests in the plastics value chain, including representatives from targeted communities who are under direct pressure from rapidly declining ambitions that threaten to nullify the UNEA mandate. Many existing bodies, including the Persistent Organic Pollutants Review Committee (POPRC), would be good models for addressing this. Therefore, we request clarification on the process for the selection of the technical experts.

Moreover, in the case of most developing countries, there are fewer government delegates (often 1-2) and experienced observers from the same countries could serve a complementary role to their respective country delegations during the negotiations.

We express our deepest concern about the lack of clarity on Observers' participation procedures in the Intersessional process, including the meetings in Thailand. We are mindful of the space and logistical constraints of the venue; however, we request you consider an open application process that would allow accredited Observer organizations to register at least one representative for an in-person meeting without the need for a letter of support from their governments. Considering the significant resources required for in-person attendance, coupled with the inherent limitations faced by civil society and rights holders observers, we strongly urge the exploration of a hybrid solution incorporating live webcasts of sessions to enhance observer participation. For accredited Observer organizations, registration for online sessions should be open and not limited to one representative per organization.

We hope to receive a positive and prompt response from you.

Sincerely,

1. Grambangla Unnayan committee
2. Women Engage for a Common Future, WECF
3. Health and Environment Justice Support (HEJSupport)
4. Zero Waste Himalaya
5. Gallifrey Foundation, Switzerland
6. Society of Native Nations
7. Basel Action Network
8. Pacific Environment Vietnam
9. Vietnam Zero Waste Alliance
10. Trash Hero World
11. Wahana Lingkungan Hidup Indonesia (WALHI)
12. Association de l'Education Environnementale pour les Futures Générations, Tunisie
13. OceanCare
14. Korea Federation for Environmental Movements (KFEM)
15. Center for International Environmental Law (CIEL)
16. Break Free From Plastic (Global)
17. Global Alliance for Incinerator Alternatives (GAIA), Global
18. Eco-justice Ethiopia
19. No Plastic In My Sea (France)
20. ParyavaranMitra, India
21. Plastic Free Seas (Hong Kong)
22. Race for Water Foundation
23. Eco Circular India Foundation
24. Environment and Social Development Organization (ESDO)
25. Almang Market
26. Plastic Change (Denmark)
27. Sustainable Research and Action for Environmental Development (SRADeV Nigeria)
28. Citizen consumer and civic Action Group (CAG)
29. Dietplastik Indonesia
30. Wonjin Institute for Occupational and Environmental Health (WIOEH)
31. ECO-Accord
32. Sustainable Environment Development Initiative (SEDI)
33. Irrigation Training and Economic Empowerment Organization - IRTECO, Tanzania
34. Armenian Women for Health and Healthy Environment (AWHHE)
35. Consumers' Association of Penang, Malaysia
36. Sahabat Alam Malaysia (Friends of the Earth)
37. Center to Combat Corruption and Cronyism (C4 Center), Malaysia
38. Action on Smoking and Health ASH, USA
39. Trash Free Trails, United Kingdom
40. Between the Waters, USA
41. Nipe Fagio, Tanzania
42. Aliança Resíduo Zero Brasil
43. Ecological Observation and Wetlands Conservation / ECOTON (Indonesia)
44. River Warrior Indonesia

45. Brantas River Waterkeeper Indonesia
46. Solo River Waterkeeper Indonesia
47. Alliance for Community Actions in Brantas Basin / AKSIBRANTAS (Indonesia)
48. AGENDA Tanzania
49. adansonia.green (Senegal)
50. Kuala Langat Environmental Action Association, Malaysia
51. Humusz Waste Prevention Alliance, Hungary
52. Environmental Investigation Agency
53. Zero Waste France
54. The Scarab Trust
55. Green Heritage Fund Suriname
56. Fenceline Watch (US-EJ)
57. Center for Coalfield Justice (United States)
58. End Plastic Pollution - Uganda
59. PlastiCo. Project Foundation (Ecuador)
60. MarViva Foundation (Costa Rica, Panama and Colombia)
61. Red Mexicana de Acción Ecológica, México
62. Academia Mexicana de Derecho Ambiental, México
63. IndyAct-Lebanon
64. Oceana, Brazil
65. Congo Basin Youth for climate, The Democratic Republic of Congo
66. The Center for Oceanic Awareness, Research, and Education (COARE)
67. Taller Ecologista, Argentina
68. Pacific Environment
69. The Ocean Foundation
70. Centre for Science and Environment (CSE), New Delhi, India
71. Plastic Oceans International
72. Plastic Free Future (United States)
73. The Descendants Project (United States)
74. Tangaroa Blue Foundation (Australia)
75. Breathe Free Detroit (United States)
76. Reacción Climática (Bolivia)
77. Foundation for Environment and Development (FEDEV), Cameroon
78. Health Care Without Harm Southeast Asia
79. Australian Marine Conservation Society (AMCS), Australia
80. Port Arthur Community Action Network(PACAN)(USA)
81. Centre for Chronic Disease Control, New Delhi, India
82. Appui Solidarité Pour Le Renforcement De L' Aide Au Développement - Mali
83. Nexus3 Foundation, Indonesia
84. EcoWaste Coalition, Philippines
85. Plastic Soup Foundation (the Netherlands)
86. Retorna.org
87. Solidarité pour la Protection des Droits de l'Enfant(SOPRODE), RDC.
88. Pacific Islands Climate Action Network (PICAN), [Pacific Region]

89. Environmental Justice Foundation
90. Center for Renewable Energy and Sustainable Technology (CREST) Philippines
91. Mother Earth Foundation, Philippines
92. California Communities Against Toxics
93. Eco-Dahab, Egypt
94. Dayma, Egypt
95. Sustainable Network Egypt, Egypt
96. Occidental Arts and Ecology Center, USA
97. Plastic Pollution Coalition, USA
98. Earth Day Network dba. EARTHDAY.ORG
99. Red de Acción por los Derechos Ambientales RADA, Chile
100. India Institute for Critical Action Centre in Movement (CACIM), India
101. Centre for Financial Accountability (CFA), India
102. Solid Waste Management Roundtable (SWMRT), India
103. Center for Biological Diversity
104. Toxisphera, Brasil
105. Association For Promotion Sustainable Development from India
106. Fundación El Árbol, Chile
107. Colectivo Vientosur, Chile.
108. Greeners Action, Hong Kong
109. Fundación Títeres En Red
110. Zero Waste Society, Ukraine
111. Society of Native Nations
112. REACHOUT SALONE - Sierra Leone
113. Greenpeace (which signifies the global network of Greenpeace organizations)
114. Surfrider Foundation Europe
115. Ecojustice Canada
116. Azul, USA
117. Center for Earth Ethics
118. Greenish Foundation, Egypt
119. Ohio Valley Allies, USA
120. Community Action Against Plastic Waste (CAPws)
121. RAPAL Uruguay
122. Integrative Strategies Forum (ISF), USA
123. Ecology Center, USA
124. BAN Toxics (Philippines)
125. International Pollutants Elimination Network (IPEN)
126. Environmental Coalition on Standards (ECOS)
127. Sciaena, Portugal.
128. Just Transition Alliance (JTA)
129. Alianza Basura Cero, Chile.
130. Fundación Lengua, Chile.
131. Aotearoa Plastic Pollution Alliance, New Zealand
132. Environmental Protection Society Malaysia (EPSM)

133. Friends of the Earth US