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**Intergovernmental negotiating committee to develop
an international legally binding instrument on plastic
pollution, including in the marine environment
Fifth session**

Busan, Republic of Korea, 25 November – 1 December 2024; and
Geneva, Switzerland, 5–14 August 2025; and 7 February 2026

**Scenario note for the third part of the fifth session of the
intergovernmental negotiating committee to develop an
international legally binding instrument on plastic pollution,
including in the marine environment¹**

**Note by the Vice Chair presiding over the intergovernmental negotiating
committee**

I. Introduction

1. This note was prepared with the intention of assisting Members of the INC in preparing for INC-5.3.

2. As the Committee remains in a resumed session, the agenda as adopted at INC-5.1 will continue to apply. As agreed by the Bureau at its meeting on 30 October 2025, this resumed session would address the election of officers and related administrative matters. Therefore, not all agenda items will be taken up at this resumed session. For further information, see header notes in the relevant sections below.

II. Purpose

3. Following the resignation of the former Chair of the intergovernmental negotiating committee (the Committee), Mr. Luis Vayas Valdivieso (Ecuador), the Bureau of the Committee, at its meeting on 30 October 2025, agreed that the fifth session of the Committee should be re-convened for one day for the purpose of electing a Chair of the Committee and to fill any vacancies for Vice-Chairs of the Committee in accordance with rules 9 and 45-47 of the draft rules of procedure provisionally applied to the work of the Committee. Noting the intended resignation from the Bureau of Ms. Asha Challenger (Antigua and Barbuda), the Vice-Chair of the Committee who was designated Rapporteur, the Bureau, at its meeting on 12 November 2025, also noted that the Committee would be expected to elect a new Vice-Chair representing small island development States and to designate a Rapporteur from amongst the Vice-Chairs

¹ This document has not been formally edited.

of the Committee in accordance with rule 9 of the draft rules of procedure. The Bureau further agreed that no substantive discussions will take place during this resumed session.

4. This note should be read in conjunction with all documentation for the resumed session.

III. Modalities for the session

5. The session will be held on 7 February 2026 at the Geneva International Conference Centre (CICG) in Geneva, Switzerland.

6. Regional consultations will be possible at the session venue on 7 February 2026, beginning at 08:00 a.m.

7. In order to minimize costs associated with the resumed session, it will be held back-to-back with the first session of the Plenary of the Intergovernmental Science-Policy Panel on Chemicals, Waste and Pollution (ISP-CWP P1), which will take place in the same venue from 2-6 February 2026. Furthermore, the Bureau encouraged Member States to consider extending their delegates that will already be attending the ISP-CWP P1 or to send delegates already based in Geneva at the Permanent Missions, in order to ensure efficiency, cost-effectiveness and sustainable use of resources.

8. Seating space will be allocated in the plenary hall for two delegates per Member. Seats for duly registered Observers will be available on a first come, first-served basis. Limited overflow space will be available in a separate overflow room.

9. The plenary meetings of the resumed fifth session will be conducted in the six official languages of the United Nations. Taking into consideration United Nations practice, any meetings other than plenary will be held in English only. The session will be held in-person, with plenary meetings webcast in all official United Nations languages.

IV. Opening of the resumed session

10. The third part of the fifth session of the Committee will open at 10:00 a.m. on Saturday, 7 February 2026.

11. Due to the organizational and administrative nature of the resumed session, addressing the election of officers, including the position of Chair, the resumed session will open without the delivery of formal opening statements. Due to the limited time available for the session, this will facilitate the Committee in proceeding swiftly to the agenda item on 'Elections of officers'.

V. Election of officers

12. Pursuant to rule 9 of the draft rules of procedure, the Committee shall elect from among the representatives of the Members, a Bureau comprising one Chair and ten Vice-Chairs, one of whom shall act as Rapporteur.

13. Under item 2 of the agenda of the resumed session, on the election of officers, the Committee is expected to elect a Chair of the Committee and to fill any vacant positions of Vice-Chairs. The Committee is also expected to designate, from among the Vice-Chairs, a Rapporteur.

14. Rules 9, 11, 13, 45 and 46 of the draft rules of procedure being provisionally applied to the work of the Committee (contained in document UNEP/PP/INC.5/3) address conduct of elections. Further details on the conduct of elections will be set out in document UNEP/PP/INC.X/INF/20.

15. Since the resignation of the former Chair of the Committee, there has been a common effort undertaken by the Bureau, as well as within and among all regional groups, to advance toward the possibility of elections by acclamation. These efforts will continue until a new Chair is elected. However, should no agreement be reached on this matter by the time agenda item 2 is taken up, the secretariat will arrange, as appropriate, for the conduct of elections through a secret ballot in accordance with the draft rules of procedure provisionally applied to the work of the Committee.

16. The new Chair, following her or his election, is expected to preside over the remainder of the session.
17. The Committee will be subsequently invited to designate a Rapporteur (see paragraph 3 above).

VI. Organizational matters

18. On 30 October 2025, the Bureau of the INC agreed that the third part of the fifth session of the INC would address elections and any related administrative matters. The Bureau further agreed that no substantive discussions would take place during the resumed session. In light of the above, item 3 of the agenda will not be taken up. Contextual information is provided below for each sub-heading under this agenda item.

a. Rules of procedure

19. At its first session, the Committee agreed that the draft rules of procedure, as contained in document UNEP/PP/INC.3/3, would apply to its work on a provisional basis until their adoption. It also agreed that it would consider the adoption of the rules of procedure during its second session.

20. At its second session, the Committee decided to adopt the following interpretive statement relating to rule 38, paragraph 1:

The intergovernmental negotiating committee understands that, based on discussions on the draft rules of procedure for the intergovernmental negotiating committee, there are differing views among intergovernmental negotiating committee members on rule 38, paragraph 1, and its reflection in the report of the intergovernmental negotiating committee on the work of its first session. Therefore, the provisional application of rule 38, paragraph 1, of the draft rules of procedure has been a subject of debate. In the event that rule 38, paragraph 1, is invoked before the rules are formally adopted, members will recall this lack of agreement.

21. Therefore, the draft rules of procedure would continue to apply on a provisional basis to the work of the Committee, as decided at its first session.

b. Adoption of the agenda

22. In the first part of its fifth session, on 25 November 2024, the Committee adopted the agenda of its fifth session on the basis of the provisional agenda (UNEP/PP/INC.5/1) and as agreed at the fourth session. The Committee, therefore, concluded its consideration of this sub-item.

23. The adopted agenda is reflected in paragraph 21 of the draft report of the Committee, on the work of the first part of its fifth session (UNEP/PP/INC.5/8) and is set out in document UNEP/PP/INC.5/1/Rev.1.²

24. Annotations to the agenda for third part of the fifth session will be made available in document UNEP/PP/INC.5/1/Rev.2/Add.1.³ Annotations do not have legal status and do not require adoption.

c. Organization of work

25. All work carried out toward the purpose of this resumed session will be held in a plenary setting, which will begin at 10:00 a.m. on Saturday 7 February 2026.

² UNEP/PP/INC.5/1/Rev.1, available at: <https://wedocs.unep.org/handle/20.500.11822/47653>

³ UNEP/PP/INC.5/1/Rev.2/Add.1, available at: <https://wedocs.unep.org/handle/20.500.11822/49091>

26. Due to the nature of the resumed session, addressing the election of officers, including the position of Chair, it is not expected that any discussion under this agenda item will be taken up at the resumed session.

27. The process for elections of the Chair and Vice-Chairs of the Committee and designation of the Rapporteur is set out above in section V. Further details on the conduct of elections will be set out in document UNEP/PP/INC.X/INF/20, also referenced in paragraph 14 above.

VII. Preparation of an international legally binding instrument on plastic pollution, including in the marine environment

28. Consistent with the agreement of the Bureau on 30 October 2025, due to the organizational and administrative nature of the resumed session, addressing the election of officers, including the position of Chair, this agenda item will not be taken up at the third part of the fifth session.

VIII. Other matters

29. Consistent with the agreement of the Bureau on 30 October 2025, due to the organizational and administrative nature of the resumed session, addressing the election of officers, including the position of Chair, it is not expected that any matters will be raised under this agenda item.

IX. Adoption of the report

30. Due to the limited time available during the resumed session, it would not be possible to make the draft report available for adoption at this part of the resumed session. The Committee would, therefore, need to entrust preparation of the draft report to the Rapporteur.

31. It is therefore expected that the Committee will defer adoption of the report to when it next reconvenes. Once prepared, the draft report will be circulated to all Members.

X. Closure of the session

32. It is expected that the Committee will conclude its work on Saturday, 7 February 2026. On conclusion of the work of the Committee on 7 February 2026, the session will adjourn to be resumed at a later date.

Ms. Johanna Lissinger-Peitz
Vice-Chair of the Intergovernmental Negotiating Committee