



To: Members of the Bureau of the Intergovernmental Negotiating Committee (INC) on Plastic Pollution:

- **H.E. Luis Vayas Valdivieso** — Chair (Ecuador)
- **Ms. Juliet Kabera** — Rwanda
- **Mr. Ndiaye Cheikh Sylla** — Senegal
- **Mr. Hiroshi Ono** — Japan
- **Mr. Mohammed Albarrak** — Saudi Arabia
- **Mr. Harry Liiv** — Estonia
- **Ms. Irma Gurguliani** — Georgia
- **H.E. Gustavo Meza-Cuadra Velasquez** — Peru
- **Ms. Asha Challenger** — Antigua and Barbuda
- **Ms. Johanna Lissinger-Peitz** — Sweden
- **Ms. Larke Williams** — United States of America

Cc: Inger Andersen, Under-Secretary-General of the United Nations and Executive Director of the United Nations Environment Programme

Geneva, 11 August 2025

Subject: Increased concerns Regarding Observer Participation and Transparency in INC-5.2 – Accountability of Each Bureau Member

Dear Members of the Bureau,

We are writing on behalf of the International Pollutants Elimination Network (IPEN), which is currently attending INC-5.2 in Geneva with about sixty representatives from nearly thirty countries. We wish to express our serious concern over the increasing restrictions on observer participation, especially the decision to hold informal meetings that exclude observers and without an effective feedback mechanism that ensures observers' participation in Contact Groups.

We appreciate the Chair's efforts to ensure that the Plenary Meetings have always been accessible to Observers and contact groups. However, as negotiations approach a critical stage, observers are being reduced to spectators. We understand that some closed meetings might be necessary to reach meaningful compromises, especially those held in very small groups. Still, these restrictions must not come at the expense of transparency or the integrity of the process. We are concerned that these restrictions set a bad precedent and undermine the standards and practices of negotiations. They must not prevent civil society, scientists, and experts from intergovernmental organizations—whose technical support many Member States depend on—from contributing effectively.

We remind each member of the Bureau that UNEA Resolution 5/14 emphasizes the “widest and most effective participation possible” and that the Bureau collectively and individually has a responsibility to uphold this principle.



Moreover, **Principle 10 of the Rio Declaration** makes clear that “*environmental issues are best handled with the participation of all concerned citizens, at the relevant level.*” Several Bureau members represent countries that have formal, legally binding obligations under the **Aarhus Convention (1997)** and/or the **Escazú Agreement (2018)**, which operationalize Principle 10 through a rights-based framework, including for public participation in environmental decision-making. The silence from these bureau members is notable since both agreements require Parties to promote the application of these principles in international environmental decision-making processes and within the framework of international organizations concerning environmental issues. These obligations directly relate to the INC process and the responsibilities of Bureau members.

We note with disappointment that this approach of restricting informal meetings is inconsistent with other UNEP-led negotiations, such as those under the Basel, Rotterdam, and Stockholm Conventions, the Minamata Convention COPs, and UNEA, where informal sessions are seldom closed to observers.

We are also deeply concerned that:

- **Observer space is severely limited:** With over 1,200 observers registered onsite, only ~60 seats per contact group room are available. Overflow rooms are limited and not always available.
- **Industry lobbyists occupy scarce seats,** sidelining scientists and civil society representatives.
- **Observers are denied microphones,** which prevents them from providing input on text proposals and undermines meaningful participation.

We are observers—not spectators. Civil society brings independent scientific analysis, lived experience, and the voices of affected communities, especially from the Global South, to strengthen the treaty process.

We call on each member of the Bureau, by name and in your individual capacity, to:

1. Ensure informal meetings are open to observers by default, unless a compelling, transparent justification is made public in advance.
2. Address physical space constraints by providing larger rooms or other arrangements to guarantee observer access.
3. Guarantee at least one microphone for observers in all meetings where negotiations occur.
4. For the Bureau members bound by those legal measures, to uphold the highest standards of transparency throughout all stages of the negotiation process, consistent with Principle 10, the Aarhus Convention, and the Escazú Agreement where applicable.

We request that each of you take responsibility for ensuring that observer participation in the INC process is effective, meaningful, and consistent with your respective commitments under international law. We would appreciate your timely responses.



Sincerely,

IPEN Co-chairs

Pamela Miller and Yuyun Ismawati

The IPEN Delegation

Geneva, INC-5.2

ipen@ipen.org

www.ipen.org