



**UNITED
NATIONS**

UNEP/PP/INC.5/INF/20



**United Nations
Environment
Programme**

Distr.: General
12 January 2026
English only

**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
Geneva, Switzerland, 5–14 August 2025 and 7 February 2026
Item 2 of the agenda
Election of officers

**Procedures for election to fill any vacancies for the positions of the
Chair or Vice-Chairs and for designation of a Rapporteur of the
intergovernmental negotiating committee to develop an international
legally binding instrument on plastic pollution, including in the
marine environment¹**

Note by the secretariat

Background

1. In its resolution 5/14, the United Nations Environment Assembly (UNEA) requested the Executive Director of the United Nations Environment Programme (UNEP) to convene an intergovernmental negotiating committee (hereinafter “INC” or “the Committee”) to begin its work during the second half of 2022, with the ambition of completing that work by the end of 2024.
2. The first session of the INC was held from 28 November to 2 December 2022 in Punta del Este, Uruguay. The report of that meeting is made available in document UNEP/PP/INC.1/14. At that session, the Committee elected by acclamation Mr. Gustavo Meza-Cuadra Velásquez (Peru) to serve as its Chair. The Committee subsequently elected its ten Vice-Chairs at its second session held from 29 May to 2 June 2023 in Paris, France.
3. At its third session, held from 13 to 19 November 2023 in Nairobi, Kenya, the Chair of the Committee, Mr. Gustavo Meza-Cuadra Velásquez, informed the Committee of his resignation from the position of the Chair.

¹ This document has not been formally edited.

The Committee, at the same session, elected by acclamation Mr. Mr. Luis Vayas Valdivieso (Ecuador) to serve as its Chair.

4. At the meeting of the Bureau of the Committee held on 7 October 2025, the Chair of the Committee informed the Bureau of his intention to resign from his position in the coming weeks, with this resignation taking effect on 30 October 2025. Since the initial announcement of resignation, the Bureau has held several discussions on the process for election of the Chair in accordance with the draft rules of procedure provisionally applied to the work of the Committee.

5. At the meeting of the Bureau of the Committee held on 12 November 2025, Ms. Asha Challenger (Antigua and Barbuda) notified the Committee of her intention to tender resignation in the coming months from the position of the Vice-Chair and Rapporteur of the Committee. She informed the Bureau that small island developing States intended to submit a nomination of a candidate for a Vice-Chair for consideration and election by the Committee.

6. This note is prepared at the request of the Bureau to inform Members of the Committee on the process for the election of the Chair and Vice-Chairs of the Committee and designation of a Rapporteur.

Relevant rules

7. Rules 9, 11 and 13 of the draft rules of procedure provisionally applied to the work of the Committee read:²

Rule 9

“1. 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.”

“2. In electing the officers referred to in the previous paragraph, the Committee shall have due regard to the principle of equitable geographical representation and gender balance. Each of the five United Nations regional groups shall be represented by two members of the Bureau and one Bureau member shall represent the small island developing States.”

Rule 11

“If the Chair is unable to continue to perform his or her functions, a new Chair shall be elected for the unexpired term, with due regard to rule 9, paragraph 2.”

Rule 13

“If a Vice-Chair resigns or is otherwise unable to complete his or her term of office, a new Vice-Chair shall be elected for the unexpired term, with due regard to rule 9, paragraph 2.”

8. Rules 45 and 46 of the draft rules of procedure provide as follows:

Rule 45

“All elections shall be held by secret ballot unless, in the absence of any objection, the Committee decides to proceed without taking a ballot when there is an agreed candidate.”

Rule 46

“1. If, when only one person or Member is to be elected, no candidate obtains, in the first ballot, the majority required, a second ballot shall be taken, restricted to the two candidates obtaining the largest number of votes.”

² Hereinafter, references to rules should be read as referring to the respective rules in the draft rules of procedure provisionally applied to the work of the INC.

If in the second ballot the votes are equally divided, the Chair shall decide between the candidates by drawing lots.”

“2. In the case of a tie in the first ballot among the candidates obtaining the second largest number of votes, a special ballot shall be held for the purpose of reducing the number of candidates to two. In the case of a tie among three or more candidates obtaining the largest number of votes, a second ballot shall be held. If a tie results among more than two candidates, the number shall be reduced to two by lot and the balloting, restricted to the remaining candidates, shall continue in accordance with the preceding paragraph.”

Election by the Committee

9. In accordance with rules 11 and 13, and in conjunction with rule 9, it is the Committee that elects the Chair and any Vice-Chairs in case an elected Chair or Vice-Chair resigns or is otherwise unable to perform his or her functions.

10. In electing any of the officers, the overall balance of positions allocated in rule 9, paragraph 2, to each UN regional group and to the small island developing States has to be maintained.

11. Any election, once finalized, would constitute a decision of the Committee.

Candidates and nominations for the position of the Chair

12. The draft rules of procedure of the INC specify under rule 11 that, “if the Chair is unable to continue to perform his or her functions, a new Chair shall be elected for the unexpired term, with due regard to rule 9, paragraph 2.” Rule 9 paragraph 2 specifies that “each of the five United Nations regional groups shall be represented by **two** members of the Bureau and **one** Bureau member shall represent the small island developing States.” (Emphasis added).

13. There is no specific rule (i) as to which of the UN regional groups the Chair should be from; (ii) nor is there any requirement that, in the case of the Chair’s resignation, only Vice-Chairs of the Committee may be nominated for the position of Chair. The only limitation on the candidacy of the Chair is that he or she should be elected from among the representatives of the Members. The draft rules define “Member” as any State Member of the United Nations or member of its specialized agencies or a regional economic integration organization participating in the work of the Committee.

14. Accordingly, nominees for the Chair may come from any of the UN regional groups or small island developing States. Should the nomination be from a regional group that is already represented by two Vice-Chairs (or one Vice-Chair in the case of the small island developing States), a Vice-Chair from the regional group in question would have to resign so that the prescribed regional balance on the Bureau could be maintained as required by rule 9, paragraph 2. However, no such resignation would be needed should one of the current Vice-Chairs be elected as Chair, as the regional group’s representation on the Bureau would not increase.

15. Should there be agreement in the INC on a single nominee for Chair from a regional group that was already fully represented on the Bureau (election by acclamation), then, immediately prior to the election, one of the Vice-Chairs from the nominee’s regional group would be required to relinquish his or her position before there could be an election by acclamation, unless the Chair who was to be elected was one of the Vice-Chairs already represented on the Bureau.

16. In the event that there are two or more candidates for the position of Chair, an election by secret ballot would be held. In the event that the successful candidate of that secret ballot comes from a regional group that already has two existing Vice-Chairs on the Bureau, the successful candidate could only be declared elected if one of the Vice-Chairs from the successful candidate’s regional group relinquished his or her position, unless

the successful candidate was already a Vice-Chair. In other words, the election by secret ballot would be held, the results would be announced and then at that stage a Vice-Chair from the successful candidate's regional group would need to resign before the successful candidate could be elected

17. General Assembly resolution 71/323 on the revitalization of the work of the General Assembly in operative paragraph 47 states that "the names of candidates for election by the General Assembly or by the Main Committees shall be communicated to the Secretariat, where possible, at least 48 hours prior to an election unless otherwise required by specific rules governing the elections concerned, and that those names shall be printed on the ballot papers, while additional space shall be provided on the ballot paper for inscribing other names, where applicable." This provides an overall guidance for the conduct of elections in the United Nations processes, unless the rules of the relevant body provide differently.

18. It should be noted that in response to the Bureau's invitation to the regional groups to submit any nominations for their proposed candidates by 31 October 2025, several such nominations have been received (see paragraph 20 below). Such Any advance nominations from regional groups allow Members to familiarize themselves with the qualifications of the nominees and could facilitate consultations among Members, including with a view to agreeing on a single candidate to be elected by acclamation. However, this does not preclude other nominations being made or additional names to be inscribed in the additional space on ballots in the case of election by secret ballot.

19. The draft rules of procedure do not specify the process of nominations for positions of officers referred to in rule 9. While any Member can propose candidates, established practice in the UN processes usually sees UN regional groups nominating a single endorsed candidate per eligible position.

Candidates and nominations for Vice-Chair

20. As noted above, the Vice-Chair representing small island developing States informed the Bureau of her intent to tender resignation in early 2026 (see paragraph 5 above) and the intent of the constituency to nominate a single candidate for this position.

21. In addition, other positions of Vice-Chair may need to be filled or changed once the new Chair is elected to ensure equitable geographical representation.

22. With the resignation of the current Chair, one of the two seats allocated to the Group of Latin American and Caribbean States becomes vacant. Should a Chair be elected from the Group of Latin American and Caribbean States, no further elections would need to take place for that regional group.

23. Should one of the current Vice-Chairs of the Committee from any of the other regional groups be elected as the Chair, a second Vice-Chair representing the Group of Latin American and Caribbean States would need to be elected.

24. Should a representative of a Member from a regional group other than the Group of Latin American and Caribbean States who is not currently a Vice-Chair be elected as the Chair, the vacancy for one Vice-Chair from the Group of Latin American and Caribbean States would need to be filled. Under this scenario, one of the current Vice-Chairs from the regional group in question would have to relinquish his or her position as described in paragraphs 14, 15 and 16 above.

Representation and quorum

25. Credentials signed by Head of State, Head of Government or Minister for Foreign Affairs are **not** required to participate in the meetings of the Committee. This is in accordance with the practice of UNEP where participation by States in meetings of the subsidiary bodies of UNEA does not require the submission of such

credentials signed by Head of State, Head of Government and Minister for Foreign Affairs. Representatives are required to register through the INDICO platform available online by uploading a formal letter or a Note Verbale from their Ministry (including *inter alia*, their Ministry for Foreign Affairs or Environment) or a formal letter or Note Verbale from their Embassy or Permanent Mission addressed to the Secretariat containing the composition of delegation. Formal registration of State representatives for the INC is subject to review and approval by the Secretariat and will be sufficient to participate in INC-5.3, including participating in the election of officers.

26. As to the quorum required to elect candidates, pursuant to draft rule 19, the presence of a majority of Members participating in the session shall be required for any decision to be taken. This quorum will, therefore, need to be established on the basis of the physical presence of the Members of the INC participating in the session at which elections take place.

Procedure for the election of the Chair

27. In accordance with draft rule 45, the Committee may wish to decide to elect, by acclamation, a candidate for the position of the Chair where there is a single agreed candidate. Should election by acclamation not be possible, the Committee will proceed to election by secret ballot.

28. Upon commencement of balloting, the conference officers will first distribute the ballot papers to the representatives sitting behind their nameplates. Each representative will receive the ballot paper and will be invited to vote for the candidate or candidates nominated for the position of the Chair.

29. The ballot papers will indicate the name(s) of the nominated person(s), with one additional space on the ballot paper for inscribing the names of any other candidates.

30. Accordingly, delegates can:

- (a) tick the boxes for their preferred candidate OR
- (b) write down the name of one representative that has not been printed on the ballot; OR
- (c) leave their ballot blank.

31. This procedure will ensure compliance with established United Nations practice and specifically General Assembly resolution 71/323 on the revitalization of the work of the General Assembly. This resolution in operative paragraph 47 states that “the names of candidates for election by the General Assembly or by the Main Committees shall be communicated to the Secretariat, where possible, at least 48 hours prior to an election unless otherwise required by specific rules governing the elections concerned, and that those names shall be printed on the ballot papers, while additional space shall be provided on the ballot paper for inscribing other names, where applicable.”

32. The ballot will be considered invalid if representatives tick and/or write down more than one name on the ballot paper, or if they write down only the name of a Member State – as the election is for an individual and not a State. If a ballot paper contains any notation other than a vote in favour of one candidate, those notations will be disregarded.

33. Ballot papers need to be filled out clearly. If a mistake is made in the process of filling out the ballot paper, the delegation in question should immediately request a new ballot paper from the Secretariat staff at the front of the room. After the ballot papers are collected, and the presiding officer has announced that the balloting has been closed, the meeting will be suspended to allow time for the counting of the ballots.

34. The presiding officer will propose three representatives from three Member States to serve as Tellers whose role will be to monitor the election and certify the results. The Secretariat will assist in identifying the

Tellers from the representatives participating in the INC session. The Tellers, assisted by the Secretariat, will count the ballots, and the presiding officer will announce the results.

35. In accordance with draft rule 38, paragraph 2, the majority required is a majority of the Members who are present and voting.³

36. Pursuant to draft rule 41, no representative shall interrupt the voting except on a point of order on the actual conduct of the voting. All delegates are also required to remain at their seats so that the voting process can proceed in an orderly manner. Ballots will only be distributed at the seats of delegates.

37. Once the results have been tallied and the Tellers have certified the results, they shall be communicated to the presiding officer. The meeting will be resumed for the results to be announced and to declare elected the candidate that has received the largest number of votes, and a simple majority of the Members present and voting.

38. Rule 46 sets out procedures for situations where no clear majority has been obtained by one of the candidates in a single ballot. Under these procedures, the balloting continues until the places have been filled. Pursuant to rule 46, paragraph 1, if no candidate obtains, in the first ballot, the majority required, a second ballot shall be taken. This second ballot shall be restricted to the two candidates obtaining the largest number of votes. If the second ballot results in equally divided votes, the presiding officer will decide between the candidates by drawing lots. In this case, in the presence of the Tellers, the names of the two remaining candidates will be written on paper, the papers folded, placed in a box and shuffled. The candidate whose name is drawn by the presiding officer from the box will be considered elected as Chair.

39. Rule 41, paragraph 2, provides details on what happens if a single candidate does not get the required majority to be elected and procedures of paragraph 1 have to be relied on but two or more of the candidates with the highest number of votes have a tie. Under paragraph 2, if, in the first ballot, there is a tie among the candidates obtaining the second largest number of votes, a special ballot will be held to reduce the number of candidates to two. If the tie is among three or more candidates that obtained the largest number of votes, a second ballot will be held. If a tie is among more than two candidates, the number of candidates will be reduced to two by drawing lots. The balloting, restricted to the remaining candidates, will then continue in accordance with rule 46, paragraph 1.

Procedure for the election of any positions of Vice-Chairs.

40. For any vacant posts of Vice-Chairs, the regional group concerned should ideally endorse a single candidate for the position who could be elected by acclamation. If election by acclamation is not possible either because there are multiple candidates for the seat, because there is an objection to the candidate proposed by the group, or because an election by secret ballot has been called, the Committee will proceed to elections by secret ballot.

41. The procedure below is set out with the assumption that only one vacancy may need to be filled for any given regional group in accordance with rules 45 and 46 of the draft rules of procedure.

42. Balloting for positions for Vice-Chair will generally proceed on a Group-by-Group basis (should there be vacancies for more than one group) in alphabetical order.

43. Upon commencement of balloting for election of Vice-Chair positions, the conference officers will first distribute the ballot papers to the representatives sitting behind their nameplates. Each representative will receive the ballot paper(s) and will be invited to vote for the candidate or candidates nominated by the Group with regard to whom no consensus has been achieved such as where an objection has been made to the candidate(s) or where an election by secret ballot has been called.

³ Consistent also with the INC practice (elections at INC-2).

44. The ballot papers will indicate the name(s) of the nominated person(s) within the regional group, with one additional space on the ballot paper for inscribing the names of any other candidate from that regional group. Delegates may only vote for the number of candidates equal to the number of vacancies in that Group. If there is only one vacant position in a Group, delegates are not permitted to vote for more than one candidate.

45. Accordingly, in the case of one vacant position in a Group, delegates can:

- (a) tick the box for a candidate nominated by the Group; OR
- (b) write down the name of a representative that belongs to the Group that has not been printed on the ballot;
OR
- (c) leave their ballot blank.

46. This procedure will ensure compliance with established United Nations practice and specifically General Assembly resolution 71/323 on the revitalization of the work of the General Assembly. This resolution, in operative paragraph 47, states that “the names of candidates for election by the General Assembly or by the Main Committees shall be communicated to the Secretariat, where possible, at least 48 hours prior to an election unless otherwise required by specific rules governing the elections concerned, and that those names shall be printed on the ballot papers, while additional space shall be provided on the ballot paper for inscribing other names, where applicable.”

47. The ballot will be considered invalid if representatives tick or write down more names than the number of vacancies in that regional group; if they write down the name of a representative who does not belong to the relevant regional group; or if they write down only the name of a Member State (as the election is for an individual and not a State). If a ballot paper contains any notation other than a vote in favour of one candidate, those notations will be disregarded.

48. Ballot papers need to be filled out clearly. If a mistake is made in the process of filling out the ballot paper, the delegation in question should immediately request a new ballot paper from the Secretariat staff at the front of the room. After the ballot papers are collected, and the presiding officer has announced that the balloting has been closed, the meeting will be suspended to allow time for the counting of the ballots.

49. The presiding officer will propose three representatives from three Member States to serve as Tellers whose role will be to monitor the election and certify the results. The Secretariat will assist in identifying the Tellers from the representatives participating in the session. The Tellers will not be from the Group with respect to whose nominees the balloting is being carried out. The Tellers, assisted by the Secretariat, will count the ballots, and the presiding officer will announce the results.

50. In accordance with draft rule 38, paragraph 2, the majority required is a majority of the Members who are present and voting at the session.

51. Pursuant to draft rule 41, no representative shall interrupt the voting except on a point of order on the actual conduct of the voting. All delegates are also required to remain at their seats so that the voting process can proceed in an orderly manner. Ballots will only be distributed at the seats of delegates.

52. Once the results have been tallied and the Tellers have certified the results, the results shall be communicated to the presiding officer. The meeting will be resumed for the results to be announced and to declare elected the candidate that has received the largest number of votes and a simple majority of the members present and voting.

53. In accordance with draft rule 46, paragraph 1, if no candidate obtains, in the first ballot, the majority required, a second ballot shall be taken, restricted to the two candidates obtaining the largest number of votes. If in the second ballot the votes are equally divided, the presiding officer shall decide between the candidates by drawing lots. In this case, in the presence of the Tellers, the names of the two remaining candidates will be

written on paper, the papers folded, placed in a box and shuffled. The candidate whose name is drawn by the presiding officer from the box will be considered elected as Vice-Chair.

54. In accordance with draft rule 46, paragraph 2, in the case of a tie vote among candidates obtaining the second largest number of votes, there shall be a special restricted ballot limited to those candidates that have obtained an equal number of votes. In the case of a tie among three or more candidates obtaining the largest number of votes, a second ballot shall be held. If a tie results among more than two candidates, the number shall be reduced to two by lot and the balloting, restricted to the remaining candidates, shall continue in accordance with the preceding paragraph.

55. Should there be vacancies for Vice-Chair positions from several regional groups, upon completion of the election of a Vice-Chair from a respective regional group, the Committee will proceed to elect representatives from the remaining regional groups to serve on the Bureau as Vice-Chairs until all vacancies are filled.

Procedure for designation of Rapporteur.

56. In accordance with draft rule 9, one of the Vice-Chairs of the Committee shall act as Rapporteur.

57. Noting the intended resignation of Ms. Challenger (see paragraph 5 above), the Committee may wish to consider designating a new Rapporteur from among the Vice-Chairs of the Committee.

58. The decision on the designation of the Rapporteur would be taken after the election of officers for the positions of the Chair and Vice-Chairs of the Committee. As was done at the Committee's second session, it is expected that the decision on designation of one of the Vice-Chairs as Rapporteur would be taken by consensus on a proposal by the Chair of the Committee.