

LETTER TO UNEP SECRETARIAT INC PLASTICS TREATY
FOR RESTRICTIONS ON PARTICIPATION AND ABSENCE OF INDIGENOUS PEOPLES AND
LATIN AMERICAN ORGANISATIONS AT INC2 SIDE EVENTS

24 May 2023

To:

UNEP INC Secretariat Plastics Treaty

From:

Signing organisations

Respected Jyoti Mathur-Filipp,
Executive Secretary,

Please receive warm greetings from the organisations that endorse this letter. We are writing to express our disagreement with the restrictions on civil society participation in the INC-2 negotiating process, and with the rejection of all requests for co-organisation of INC-2 side events by Latin American organisations, including those involving the participation and leadership of Indigenous Peoples of the region.

First, the restrictions imposed by the Secretariat of the Intergovernmental Negotiating Committee for the second round of plastic treaty negotiations **run counter to UN Environment Assembly Resolution 5/14**, which "stresses the need to ensure the widest possible and effective participation in the work of the Ad Hoc Open-ended Working Group and the Intergovernmental Negotiating Committee". We believe that in order to move towards an ambitious and effective treaty, civil society organisations, independent scientific experts, Indigenous Peoples, commercial recyclers and people living in areas affected by plastic pollution need to be able to participate meaningfully throughout the process.

The restrictions imposed on civil society participation in this INC-2 on the grounds of the limited capacity of the building, as well as security measures, **will in practice leave 80% of those registered to represent organisations out of the negotiation process**. Organised civil society organisations working on the ground have made enormous efforts to finance the travel and accommodation of our representatives, and it is therefore completely frustrating and unfair that most of us will be left out of the building, without even having the possibility to participate in the negotiations.

in a virtual way. In addition to this, social and citizens' organisations defending the common and public good are considered to be on an equal footing with the trade associations of industries and large companies that occupy these spaces for the defence of their private interests. It seems to us that the defence of human rights, such as health and the environment, is superior to the defence of corporate interests, which until now have pushed us into the three-way battle.

The environmental crisis we are suffering and which is particularly affecting the most vulnerable and vulnerable communities on the planet.

Such restrictions violate Principle 10 of the 1992 Rio Declaration on Environment and Development, which states: "environmental issues are best addressed with the participation of all concerned citizens, at the appropriate level". In particular, **they jeopardise the right to participation and consultation of Indigenous Peoples**, as recognised by the World Labour Organisation Convention 169 and the **UN Declaration on the Rights of Indigenous Peoples**. Indigenous Peoples are disproportionately exposed to the impacts of plastic pollution, which occur at all stages of their life cycle. They also violate our right to participate in environmental decisions that affect us, which is enshrined in the Regional Agreement on Access to Information, Public Participation and Access to Justice in Environmental Matters in Latin America and the Caribbean (LAC) Caribbean (Escazú Agreement)

Moreover, **this situation is aggravated by the non-inclusion of side events proposed by Latin American organisations, which included one of the only spaces led by Indigenous Peoples at the global level**. Taller Ecologista, an NGO from Argentina, the Environmental Rights Action Network from Chile, members of GAIA and IPEN, in alliance with one of the Peoples' representatives on the United Nations Environment Programme's (UNEP) Major Groups Facilitators Committee and a global working group on Indigenous Peoples' rights, submitted proposals for side events at INC-2 that were expected to discuss the impacts of plastic pollution on Indigenous Peoples and other relevant issues.

Against this background, we ask you to intervene to open up spaces for participation, and to review conflict of interest policies in the participation of civil society representatives in INC2 and future INCs. So that when there are space restrictions, those who represent the common good and the defence of human rights are privileged over private interests.

In particular, groups representing people in vulnerable situations who suffer more intensely from the impacts of plastic, such as indigenous peoples, grassroots recyclers and other vulnerable sectors, should be involved, and the participation of lobbyists from companies and corporations that profit from the environmental damage caused by plastics should be restricted.

Yours faithfully, in the hope of your highest consideration:

Alianza Basura Cero Chile; Alianza Basura Cero Ecuador; Taller Ecologista, Argentina; Red Mexicana de Acción Ecológica; Aguaclara, Venezuela; MarViva (Costa Rica, Panama and Colombia); RAPAL Uruguay; Toxisphera, Brazil; Mingas por el Mar, Ecuador; Red de Acción por los Derechos Ambientales, Chile; Fronteras Comunes, Mexico; Asociación Ecológica Santo Tomás, Mexico; CESTA, El Salvador; Saúde Sem Dano, Brazil, Hospitais Saudáveis, Brazil; Ciudad Saludable, Peru, ANARCH, Chile; Plástico Project, Ecuador, Indigenous Peoples' Representative in the Major Groups Facilitating Committee of the

United Nations Environment Programme (UNEP); Latin American and Caribbean Platform for Climate Justice; Colectivo Viento Sur, Chile.

