

LETTER TO UNEP SECRETARIAT INC PLASTICS TREATY
DUE TO RESTRICTIONS ON PARTICIPATION AND ABSENCE OF INDIGENOUS PEOPLES
AND LATIN AMERICAN ORGANIZATIONS IN INC2 SIDE EVENTS

May 24, 2023

To:
UNEP INC Secretariat for the Plastics Treaty

From:
Signing organizations

Respected Jyoti Mathur-Filipp,
Executive Secretary,

Please receive cordial greetings from the organizations that adhere to this letter. We are writing to express our disagreement with the restrictions on civil society participation in the INC-2 negotiations process, and with the rejection of all requests for the co-organization of INC-2 side events submitted by Latin American organizations, including those that contemplated 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 negotiations of the plastic treaty **go against Resolution 5/14 of the United Nations Environment Assembly**, 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 organizations, 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 the people registered as representatives of organizations out of the negotiation process**. We, the organized civil society organizations that work in the territory, have made enormous efforts to finance the travel and stay of our representatives, and therefore it is completely frustrating and unfair that most of us will be left out of the building, without even the possibility of participating virtually. In addition to this, social and citizen organizations defending the common and public good are considered to be on the same level as the trade associations of industries and large companies that will occupy these spaces for the defense of their private interests. It seems to us that the defense of human rights such as health and the environment is superior to the defense of corporate interests that until now have pushed us into the triple environmental crisis that we suffer and that especially the most vulnerable and vulnerable communities of the planet suffer.

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, the restrictions **jeopardize the right to participation and consultation of Indigenous Peoples, as recognized by Convention 169 of the World Labor Organization and the United Nations 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. This right 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 (Escazú Agreement).

Moreover, **this situation is aggravated by the non-inclusion of side events proposed by Latin American organizations, 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 (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.

For all these reasons, we ask you to intervene to open the spaces for participation, and to review the policies on conflict of interest in the participation of civil society representatives in INC2 and in the INCs to come. So that when there are space restrictions, those who represent the common good and the defense of human rights are privileged over private interests. Especially to groups that represent peoples in vulnerable situations and who suffer more intensely the impacts of plastic, such as indigenous peoples, grassroots recyclers and other vulnerable sectors, and to restrict the participation of lobbyists from companies and corporations that profit from the environmental damage caused by plastics.

In the hope of your highest consideration, you have my best regards:

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 on the Major Groups Facilitating Committee of the United Nations Environment Program (UNEP); Plataforma Latinoamericana y Del Caribe por la Justicia Climática; Colectivo Viento Sur, Chile.

