

Geneva, 24<sup>th</sup> March 2023

Dear Friends of the Chair,

Allow me to refer to the [note verbale of 2 March 2023](#) providing an update of the process, reflecting the request I had made to the friends of the Chair to convene and lead intersessional consultations among States to advance work on the draft legally binding instrument, within their respective regional groups.

I would like to thank you once again for your willingness to help move this process forward and lead these intersessional consultations. To assist in this regard, I have attached a document containing guidelines for the intersessional consultations (see Annex 1).

Let me provide you as well with some few suggested modalities for these intersessional consultations:

**Sessions:** Between April and mid-June 2023,\* the friends of the Chair should aim to have two consultations per region as follows

- **Session 1:** focusing on Articles 1-7 (on the basis of the [third revised draft](#) as well as the [Suggested Chair Proposals](#) on Articles 6-7)
- **Session 2:** focusing on Articles 8-14 (on the basis of the [third revised draft](#) as well as the [Suggested Chair Proposals](#) on Articles 8-13)

\* Please note UNOG holidays on 7 April, 10 April, and 29 May; the IGWG on PMSCs will take place during 17-21 April; and HRC 53 begins on 19 June.

**Time:** The suggested time for each consultation is 3 hours.

**Participants:** In line with the recommendations from [the IGWG's 8<sup>th</sup> session report](#) (para 25(e)), these consultations are meant to take place amongst States only without observers. States should be encouraged to consult lawyers and technical specialists, including from capital.

- Non-State stakeholders will feed into these discussions through the written inputs requested by the end of March, hence the deadline before the consultations are to take place. During the week of 3 April, the Secretariat will share a compilation of written inputs received with the friends of the Chair.



**Setting up consultations:** The responsibility for setting up consultations lies with the friends of the Chair. Nevertheless, the Secretariat ([ohchr-igwg-tncs@un.org](mailto:ohchr-igwg-tncs@un.org)) will try its best, within existing resources and availability, to support the intersessional activities. Provided the Secretariat receives sufficient notice, it could help book rooms.

- I recommend dates be chosen for the first intersessional consultations as soon as possible, particularly due to the scarcity of rooms in UNOG.

**Reporting on outcomes of consultations:** The responsibility for reporting the outcomes of the consultations to the Chair lies with the friends of the Chair. The attached guidelines contain questions for the friends of the Chair to raise in the consultations and to report back on.

**Invites:** I recommend that the friends of the Chair reach out to all States within their respective regional groups as soon as possible to invite them to the consultations and encourage them to participate. A draft email is provided for this purpose (see Annex II)

Yours respectfully,



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Permanent Representative of Ecuador to the United Nations in Geneva and Chair-Rapporteur of the OEIGWG on TNCs and OBEs