

STATEMENT BY MALAYSIA ON 30TH MAY 2022

ADHOC OPEN-ENDED WORKING GROUP (OEWG) TO PREPARE FOR THE INC TO DEVELOP AN INTERNATIONAL LEGALLY BINDING INSTRUMENT ON PLASTIC POLLUTION, INCLUDING IN THE MARINE ENVIRONMENT

We would like to thank and congratulate UNEP Secretariat and Government of Senegal for the warm welcome and hosting the meeting, to prepare the work of Intergovernmental Negotiating Committee to develop an international legally binding instrument on plastic pollution, including in the marine environment.

Chair, the most important element to our success in this journey is to ensure all Member States share the same aspiration and willingness to address the issue. We cannot allow fragmented acceptance among the Member States due to non-inclusive discussions and negotiations, which should be based on transparency and inclusivity, taking into consideration all opinions, concerns, and suggestions from ALL Member States. A multilateral agreement will not be effective if it is not successfully implemented by state parties.

In this context, it is crucial to ensure the continuity and coherence between this new agreement and existing multilateral environmental agreements to avoid duplications. We may need to also look into the existing trade agreements. This does not deny the fact of the importance and urgency to address plastic pollution issue, but we must make sure that any terms in the new agreement can and should be effectively implemented and not in contradiction to existing agreements.

Additionally, the scope and target of this new agreement should stay focused on the context of addressing plastic pollution but with a clear targeted approach. The scope and target must be robust enough, to provide flexibility during the negotiation process. We hope INC will also consider a robust compliance mechanism focusing on creating solutions for betterment rather than penalising approach. By this, we mean creating opportunities to enhance and improve the ecosystem and the industry rather than as a barrier to trade or sanction. It is given that we need and will address this issue together and urgently, but putting a premature target and unclear scope of the agreement will hamper negotiation.

We hope the Intergovernmental Negotiating Committee will deliberate on the need for a Multilateral Trust Fund as the key mobilizer for the success of implementation. It is 'sad' to see that the current draft key provisions state that the INC to consider including a multilateral trust fund only as an option, while it should be a standard requirement. Any funds that will be created or used for the new global agreement should be utilised by the virtue of Common but Differentiated Responsibility.

The future instrument should consider some exemption provisions to ensure the transition to a circular economy is made in an effective, just, and non-disruptive manner.

Thank you.