

Ad Hoc Open-Ended Working Group established pursuant to GA resolution 72/277, 20-22 May 2019, UNEP, Nairobi, Kenya

Malaysia's intervention at the 1st plenary on 20th May 2019 @ 12.05noon

Thank you chair, good day colleagues – Co-chairs, we in joining others appreciate your delicate and difficult work in preparing the non-paper

Referring to Section I & II, Malaysia in the second session highlighted yes there are gaps in international environmental governance. However, we feel this is inevitable as these instruments have been negotiated and had been adopted in a fragile consensus and do not believe that we now need a new instrument or global mechanism to being created to 'govern' these various MEAs.

Furthermore, there are enough well-established principles coming out of Rio such as the Common but differentiated responsibilities and respective capabilities, which have been infused in these agreements. Malaysia feels the Rio principles are important to be upheld though we are concern there are attempts to erode this fundamental principles in international environment governance

Hence, our delegation is concern with Section III, of this non-paper. We feel Section III came to as a surprise – We in echoing many who took the floor before us recall we had no consensus in the last meeting on the need for an instrument or the nature of it. Malaysia is concern that the non-paper tends to pre-empt the discussion and propose a process for creating an instrument. Malaysia at this junction reserves our position for a need of an instrument, as we are not convinced, as this is the best way forward.

We, at this juncture, do not think we need an instrument or a global mechanism to address the gaps as the gaps from our perspective are crystal clear –among others and importantly – lack of funding and tech transfer that is crippling implementation – which does not need a new process or instrument. All environmental treaties have in place enough provisions for these elements - it just needs commitment to follow through. We feel we should focus our energy and resources in strengthening existing coordinating bodies in particular UNEP and the UNEA.

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