

Malaysia written submissions on the potential options for elements towards an international legally binding instrument

Name of country (for Members of the committee)	Malaysia
Name of organization (for observers to the committee)	n/a
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I. Substantive elements

1. Objective(s)

a) *What objective(s) could be set out in the instrument?*

<p><u>Proposed Objective:</u></p> <ul style="list-style-type: none"> - The objective of this instrument should be pragmatic and grounded on the basis to protect human health and the environment taking into consideration the increased impact of plastic pollution on marine biodiversity, ecosystem, society and economies through the prevention, reduction and better management of plastic waste. - It should focus on addressing plastic leakages through whole life cycle approach of plastic products. <p><u>Explanatory Text:</u></p> <p>There is a need to start with a clear focus on preventing, reducing and better managing the unavoidable, most problematic and harmful single use plastic and move up the value chain in a progressive manner through a country driven initiatives taking into account national circumstances and capabilities.</p>
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2. Core obligations, control measures and voluntary approaches

a) *What core obligations, control measures and voluntary approaches would provide a comprehensive approach to addressing plastic pollution, including in the marine environment, throughout the full life cycle in line with the future objective(s) of the instrument?*

<p>In managing global plastic pollution, it is important to reduce production of problematic, single-use, and unnecessary plastics and explore smart, safe, and sustainable ways to use plastics, without hampering the economic benefits of plastics. Accordingly, Malaysia calls for the negotiations to include the elements of potential economic benefits in ending plastic pollution.</p>
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Control measures should cover the **entire lifecycle of plastics** especially on plastics waste management and its disposal, moving up the value chain in a progressive manner. The instrument must consider truly comprehensive and viable solutions, with full life-cycle approach over the entire ecosystem of plastics, and across all sectors, both formal and informal.

II. Implementation elements

1. Implementation measures

- a) *How to ensure implementation of the instrument at the national level (eg. role national action plans contribute to meeting the objectives and obligations of the instrument?)*
- b) *How to ensure effectiveness of the instrument and have efficient national reporting?*
- c) *Please provide any other relevant proposals or priorities here on implementation measures (for example for scientific and technical cooperation and coordination as well as compliance).*

National efforts to address plastic pollution require regional cooperation as well as international cooperation on topics such as alternative, standards, product design and management of plastic waste, among others. There is need to acknowledge the reality on the ground especially in **developing countries where data is lacking**. Due to data being the key component in reporting, it is strongly suggested for this instrument to consider this gap and challenge to ensure fair and just transition in formulating provisions on national reporting taking into account country's capabilities. A **harmonised monitoring mechanism** must be in place, including clear definitions of what needs to be reported, content, data parameters as well as methodologies.

Scientific and technical cooperation and coordination undeniably plays a pivotal role in ensuring the effectiveness of the instrument and eventually, in ending plastic pollution. Cooperation and coordination are also key in narrowing the scientific and technical gaps between developed and developing nations, while accelerating and complementing efforts and progress made at the national level. Therefore, it is proposed for a **scientific advisory panel** to be established. It is equally important to establish a **socio-economic advisory panel** as an initiative to facilitate effective negotiation process. As such, these panels are not only established to implement the agreement but also to provide advice during negotiation process, providing a platform for the parties to access peer-reviewed, high impact scientific research findings, among others, and to incorporate these findings in national action plans and strategies. The establishment of these two advisory panels are to ensure cooperation, effective coordination, continuity and coherence between the instrument and existing multilateral environmental agreements in order to avoid duplications.

It is also necessary for the instrument to include mechanisms that provide **comprehensive socioeconomic assessment** in the context of plastic pollution and plastic economy, considering the differences in national circumstances and socioeconomic situation. Behavioural change of industry and business players as well as the public remains one of the biggest challenges in addressing plastic pollution and waste management. This challenge calls for **targeted outreach efforts** as well as dedicated communication, education, and public awareness programs to influence and encourage behavioural change.

2. Means of Implementation

With respect to means of implementation, document UNEP/PP/INC.1/5 covers the following elements: capacity-building, technical assistance, technology transfer on mutually agreed terms and financial assistance.

a) *What measures will be required to support the implementation of the instrument?*

A **dedicated multilateral fund** should be established to ensure the success of objective of the instrument as the one established under the Montreal Protocol, which is consistently cited as a primary reason for its success. Without stable and predictable financing, the new international legally binding instrument will fail.

In order to keep up with the increasing volume of plastic waste, **technological transfer** especially on waste disposal and recycling technologies are crucial to improve waste management and increase recycling capacities.

III. Additional input

Please provide any other relevant proposals or priorities here (for example introductory elements; awareness-raising, education and exchange of information; research; stakeholder engagement; institutional arrangements and final provisions).

Malaysia supports the proposals of **holding stakeholder engagement and intersessional sessions** either via online, in person or hybrid. However, consideration must be given on the issue of time differences across regions to ensure effective and maximum participation by all stakeholders including member states, if it is done virtually.

Submissions by stakeholders should focus on **exploring creative and innovative solutions** rather than in form of statements or demand lists.

Malaysia proposes to explore a **more targeted and thematic-based engagement** through regional-based stakeholder engagement sessions. This would provide deeper understanding in local context.