

### **On preamble vis-a-vis principles:**

As to the preamble text in the non-paper, PH finds many elements that are important to us, including recognizing the contribution of workers in informal and cooperative settings.

However, we would add recognizing the special circumstances of most environmentally vulnerable developing countries, including archipelagic states. This emphasis is important given the impacts of plastic pollution on the marine environment. For example, 82% of the area over which the PH has sovereignty, sovereign rights, or jurisdiction is covered by water. This poses a disproportionate burden on us in keeping global plastics from polluting our waters.

To support a streamlined preamble, we also do not think it wise to list the methods of managing production and consumption, which would be better placed in the operative articles.

We can also accept a general reference to the Rio principles and other international law principles in the preamble. However, PH supports having a separate operational article on specific principles that apply in particular, and PH supports having a separate operational article on principles that find precedence in other MEAs such as the BBNJ and UNFCCC. A standalone article on principles would serve as a dedicated operative article, rather than dispersing them across the other operative articles.

Principles serve as the foundation for interpreting and implementing the agreement. When they are clearly articulated in a dedicated section, they provide a coherent framework that guides all provisions, ensuring consistency in interpretation and application. This structure enhances legal clarity and helps avoid potential ambiguities that might arise if principles are scattered or implied across provisions or limited to the preamble.

Several delegations have raised valuable points in support of this approach and have emphasized the importance of listing principles, including common but differentiated responsibilities and capabilities, traditional and local indigenous knowledge, best available science, and human rights, sustainable development, fairness, precautionary approach, sovereignty, and non-discrimination - some of which are universal and cross-cutting, and thus deserve standalone recognition.

While preambles are essential for contextual framing, they lack the operational character that a dedicated article on principles can provide. A concise preamble, as supported by some colleagues, can coexist with a robust principles article. This ensures the principles are not only acknowledged but actively applied throughout the agreement.

Furthermore, a separate article on principles ensures inclusivity and transparency, accommodating the special circumstances of countries like SIDS, archipelagic states, and others with unique needs, as noted by distinguished delegates from Samoa and Micronesia and Indonesia

We strongly support moving forward with negotiations on principles as an operative provision, as this will strengthen the legal integrity and practical utility of the agreement.