The intervention of the Russian Federation in regard of Article 10(a).

After the negotiations are over and the Instrument comes into force, parties will have to develop a set of implementing measures on both national and international levels. At that stage, we need to ensure that this instrument will not serve as an excuse for establishing trade protectionist measures to gain unjustified advantage for national producers.

Let me remind that this Instrument is expected to cover the full life cycle of material, which accounts for approximately 5% of the global trade, according to various estimates. If measures implementing this Instrument do not comply with the rules and principles of the World Trade Organization, numerous industries using plastics as components for production will be jeopardized across the globe. Such industries include packaging, building and construction, textiles, consumer products, transportation, electronics, industrial machinery, and many others.

To alleviate those risks, we propose a trade-related language to be included in this article during the 2\textsuperscript{nd} round of streamlining as follows:

\textbf{Any measures established by the Parties for the implementation of this Instrument shall be scientifically based, shall not create unnecessary obstacles to international trade and shall not constitute a means of arbitrary or unjustifiable discrimination or a disguised restriction on international trade.}

Let me explain:

- This language reflects the ideas enshrined in the chapeau of Article XX of the GATT, which establishes the very basic WTO legal standard for trade measures.
- Measures under the future Instrument shall not be more trade-restrictive than necessary to fulfil a legitimate objective of the Instrument taking into account the risks non-fulfilment would create.
- Assessment of such risks must be scientifically based and use all available technical information.
- To determine whether a restrictive measure is necessary to achieve the goals of the Instrument, a Member should carry analysis of the contribution of this measure to policy objectives and its effect on international trade. The analysis should also include the analysis whether it is possible to use less restrictive measures to achieve the same policy objectives.
Overall, the measures should not constitute an abuse or misuse of the Instrument as a shield for introduction of discriminatory protectionist measures.

We request this language to be reflected in the streamlined text.