



**Opening Statement on behalf of the Alliance of Small Island States (AOSIS) at the Third Session of the Intergovernmental Negotiating Committee to develop an international legally binding instrument on plastic pollution, including in the marine environment
Nairobi, Kenya - 13 November 2023**

Mr. Chair,

I am pleased to deliver this statement on behalf of the 39 members of the Alliance of Small Island States (AOSIS).

Firstly, allow me to thank the Republic of Kenya for its warm hospitality and generosity, as well as the Chair's team and the Secretariat for their hard work in organising this meeting and producing the zero draft for the consideration of our members.

Mr Chair, today we are reconvened at the very venue where this process began with the adoption of Resolution 5/14 - the first step toward the development of an international legally binding instrument on plastic pollution, including in the marine environment. Throughout the INC sessions that followed, our message has remained clear and consistent: we need an ambitious, effective and equitable Instrument that addresses a full life-cycle approach to end plastic pollution once and for all. We must do so constructively and swiftly, as the accelerating global plastic pollution crisis continues to disproportionately affect SIDS' livelihoods, health, economic growth and development, terrestrial as well as marine environment. The agreement must ensure ambitious actions across the full lifecycle of plastics, with new, additional, adequate, and predictable means of implementation, a just transition and specific support provisions for SIDS, including priority access, especially in areas where SIDS are disproportionately affected. We must build a universal instrument that is inclusive of all Member States and enjoys broad-based support.

AOSIS views the zero draft as a starting point for our discussions at INC-3, and looks forward to working with our colleagues on its enhancement toward the development of a first draft in advance of INC-4. While the present zero draft offers many of the ideas and solutions proposed by states throughout the INC process, we wish to highlight the following key matters:

1. For chemicals, polymers, and plastic products, obligations should be commensurate with the level of risk or harm that the chemical, polymer or product poses to human health or the environment, with clear criteria, processes and definitions to identify these materials.
2. Obligations and implementation measures in the instrument shall include the full recognition of special circumstances of SIDS.
3. The instrument must prescribe appropriate processes to allow for the use of best available data, science and information, traditional knowledge, knowledge of indigenous peoples and local knowledge systems, to help inform the compilation of annexes, the development of timetables, and the regulatory actions required. These processes must include relevant assessments on implications for SIDS.

4. The design of obligations and measures, including listing of chemicals, polymers and plastic products, must take into account domestic contexts, the availability of safe, accessible, efficient, economically feasible, environmentally sound and sustainable alternatives, cooperation and coordination with existing relevant frameworks or conventions which cover the relevant substances, as well as adequate transition time.
5. Regulation of abandoned, lost or otherwise discarded fishing gear (ALDFG) containing plastic should occur beyond just the waste management section to more effectively target one of the largest sources and types of marine plastic litter.
6. Remediation of legacy plastics, in the marine environment, including in areas beyond national jurisdiction, remains a critical issue for SIDS that requires a dedicated and comprehensive approach, especially given the unique geographic, technical, legal and environmental circumstances. The interventions in this area must reflect the urgency of the matter, to include binding obligations to address past, present and future plastic pollution.
7. Means of implementation, including a financial mechanism, must consider the special circumstances of SIDS and specifically target priority areas for SIDS, including but not limited to, waste management, recycling, remediation, technical assistance, access to technologies and reporting requirements. We continue to consider the suitability of EPR given our minimal levels of production, resources and capacities.
8. Given the pervasive nature of the global plastic pollution problem, the instrument must encourage strong action from all levels of stakeholders and across all sectors, toward fulfilling the objective of the instrument.

We look forward to dedicating our collective time, energy and effort to constructive and productive discussions on these matters and others, as we all strive toward building the most effective instrument, as we agreed to do right here in Nairobi.

Unsustainable production and consumption of plastic and the leakage of plastics into the environment continue and are projected to grow rapidly. There is a growing body of evidence that traces of microplastics are being found in our bodies and the food web, posing risks to human health and the environment, particularly the marine environment. Devastating health, environmental and socioeconomic impacts of plastic pollution on critical global ecosystems, particularly the marine environment also persist.

Mr. Chair, I take this opportunity to remind all that there is no time to waste. SIDS are here to work and we remain committed to this process.

Thank you.