Kenya’s Opening Statement during INC3

I thank you, Chair.

Kenya is delighted and honoured to host INC3, and welcomes all the distinguished delegates to Nairobi. We wish everyone a pleasant stay and look forward to fruitful deliberations.

Kenya aligns with the statement read by Ghana on behalf of the African Group.

Kenya acknowledges the progress that the INC has made so far and looks forward to proceeding with the same spirit to deliver an acceptable text of the draft instrument over the coming week. We thank the Chair and the Secretariat for providing the Zero Draft and the Synthesis Report, which will guide us in developing the first draft of the instrument. Further, my delegation appreciates the concerted efforts of the Secretariat and the Chair in establishing the three contact groups through which the INC is to engage and deliberate in consideration of the contents of the instrument. Kenya supports the Chair’s proposal to commence negotiations in earnest using the current circulated documents.

The Chair’s text is well considered and presents the diverse options proposed by the INC, upon which the Member States are to propose amendments and adopt by consensus. My delegation also notes that the text needs to be supported by various annexes that are to be developed. In this regard, intersessional work will be crucial to consider this missing text, and the proposed hybrid approach of both virtual and in-person meetings is highly welcomed.

My delegation notes that the detriments of plastic pollution both on land and in the marine environment pose a potent challenge to human health, biodiversity, and the entire global environment in totality. Kenya supports the need to have a globally legally binding instrument that has control measures that should be implemented from a top-down approach. Further, Kenya notes that the scope of the treaty should cover the full life cycle of plastics, targeting the upstream, midstream, and downstream phases of the plastic life cycle.

Kenya notes that, the polluter pay principal is key to addressing plastic pollution and should be implemented through EPR at national, regional, and global levels. Kenya affirms that extended producer responsibility provides a holistic framework for addressing the full lifecycle aspects and circularity of plastic products. EPR provides mechanism for reducing plastic pollution by design through eco-design measures and instilling lifecycle obligations to the post-consumer stage and end of life management. In order to create more consistent measures, extended producer responsibility mechanisms should not be limited to geographical boundaries but follow the true plastic value chains that transcend across borders, countries, and regions.

Further, the need to entrench transparency and traceability in the text of the instrument is vital for ensuring that the tracking of plastics is a reality in global value and supply chains. The treaty may consider using automated digital product passport for plastic products to further enhance comparability, clear chain of custody and product stewardship measures for all actors in the supply chain.
Kenya also prioritizes the need to have a just and inclusive transition in the proposed instrument that focuses on all workers, including those in the informal and cooperative sectors, such as waste pickers.

Kenya reiterates the vital need for establishing a dedicated multilateral fund to provide resources to drive plastic pollution intervention, technology transfer, and efficient and effective capacity building for countries in emerging economies. In addition, efforts should be made to ensure that a seamless governance structure, whose mandate shall include coordinating regular monitoring and reporting, is established as part of the scope of the treaty.

Mr. Chair, my delegation stands guided by the need to embody the Rio principles that are, but are not limited to, the precautionary principle, the principle of common but differentiated responsibilities, the polluter pays principle, and the principle of a just transition. My delegation also notes that the proposed instrument might need the establishment and operationalization of a collective definition for effective implementation based on a common understanding. As such, my delegation calls for open-mindedness and flexibility as we embark on this round of negotiations.

Lastly, Mr. Chair, my delegation acknowledges the support accorded by earlier speakers, including Angola and Egypt, to our president’s call for the hosting of the Secretariat within the UNEP headquarters. Kenya reiterates the need to strengthen UNEP and calls on other Member States to join the Africa Group to support this cause and reap from the economies of scale provided by consolidating the work of UNEP within its headquarters. I thank you, Chair.