PART II

3. Problematic and avoidable plastic products, including short-lived and single-use plastic products and intentionally-added microplastics

a. Problematic and avoidable plastic products, including short-lived and single-use plastic products

On item 3 (a), Malaysia would like to reiterate the inclusion of application-based approach in identifying problematic and avoidable plastic products, including short-lived and single-use plastic products. We see this reflected in the microplastics section but not in the problematic plastic products section. Therefore, we would like to propose the text [with an application-based approach] after “science-based criteria” under Option 2, Alt 2.

4. Exemptions available to a Party upon request

On item 4, as reiterated this morning, Malaysia would like to see a clause which reflects non-compliance in the merged text. This is important to ensure that the exemption is not used as a way to operate as business as usual and to delay compliance with the requirements set out in the instrument.

Proposed text: To be placed as the last sentence of Option 1 Para 3.

[In the case of non-compliance by any Party after the [second] exemption, the concerned Party shall be subjected to an assessment in accordance with the procedure set out in […]]. – non-compliance mechanism to be further developed