

Montreal Protocol and Values on Sustainable Development in Malaysia

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ABSTRACT

Environmental sustainability is very essential to protect the environmental surroundings as well as for the better living environment for consumers. One of the international law that adopted the principle of protecting the environment is Montreal Protocol. Montreal Protocol is one of the successful international environmental laws. Montreal Protocol managed to seek international environmental cooperation among almost all of the states in the world. There are several values that supported the sustainable development has been asserted, compromised and manipulated throughout the implementation of Montreal Protocol at the national level in Malaysia. This values that have been asserted in the implementation process helped in successful of Montreal Protocol's implementation in Malaysia. Thus this paper will discuss the values sustainable development values that had been asserted in the implementation of Montreal Protocol in Malaysia. Those values are freedom, shared responsibility, respect for nature, equality and solidarity.

Keywords: *Montreal Protocol, sustainable development values, freedom, shared responsibility, respect for nature, equality, solidarity*

INTRODUCTION

Environmental sustainability is very essential to protect the environmental surroundings as well as for the better living environment for consumers. One of the international law that adopted the principle of protecting the environment is Montreal Protocol. Montreal Protocol is one of the successful international environmental laws. Montreal Protocol managed to seek international environmental cooperation among almost all of the states in the world. All of these states have already agreed to ratify the Montreal Protocol. The Montreal Protocol has been enacted for the protection of the ozone layer by taking precautionary measures to control world emissions of substances that deplete the ozone layer (Muhammad Rizal *et al.* 2010).

There are several values that supported the sustainable development has been asserted, compromised and manipulated throughout the implementation of Montreal Protocol at the national level in Malaysia. This values that have been asserted in the implementation process helped in successful of Montreal Protocol's implementation in Malaysia. This phenomenon shows that effective environmental governance not only can solve environmental problems but even able to unite many parties to work together in addressing environmental problems. Thus this paper will discuss some of the sustainable development values that has been asserted, compromised and manipulated throughout the implementation of Montreal Protocol in Malaysia.

MONTREAL PROTOCOL IN MALAYSIA

Malaysia has been recognised by the international community as one of dedicated countries in conservation of global environment, which include issues on depleting global ozone layer (Muhammad Rizal et al 2010; Muhammad Rizal et al 2011). Meanwhile, Montreal Protocol is one of the successful international environmental laws. Montreal Protocol managed to seek international environmental cooperation among almost all of the states in the world. All of these states have already agreed to ratify the Montreal Protocol. The Montreal Protocol has been enacted for the protection of the ozone layer by taking precautionary measures to control world emissions of substances that deplete the ozone layer (Muhammad Rizal et al 2010). Malaysia is a member of the Montreal Protocol in 1989 and Malaysia's achievement in implementing the Montreal Protocol at the national level is very impressive. This is because Malaysia is among the developing countries that are earnestly in the implementation of the Montreal Protocol and successful to reduce and eventually eliminate the use of CFCs in less than 10 years (DOE, 1995).

Based on report released by the Department of the Environment (1999), Malaysia w initially was not officially invited to participate in any negotiations related to the Montreal Protocol. Malaysia's first participation at the international level was in September of 1987, which Malaysia was invited to participate in *Conference of Plenipotentiaries on the Protocol on CFCs to the Vienna Convention for the Protection of the Ozone Layer*. The conference was held for nine days at Montreal. Malaysia finally ratified the Vienna Convention and the Montreal Protocol on August 29, 1989. After becoming a member of the protocol, Malaysia was very active and earnest in fulfilling the requirements of the Protocol. Some of the Malaysia achievements were when been appointed as Chairman of the Executive Committee (EXCOM) Multilateral Fund in 1994. Malaysia also has been chosen to be on the EXCOM starting in 1991 to 1994 and became a very committed member in 1997, 2002 and 2004 (UNEP 2000, Department of Environment, 1999).

In the implementation of Montreal Protocol at the national level, Malaysia has taken the approaches that involving all stakeholders. Among the stakeholders involved are government agencies, industry and civil society, represented by Non-

Government Organisations (NGOs). Stakeholder engagement is not only smoothen the implementation of the Montreal Protocol in Malaysia but all the stakeholders play an important role in determining the success of the Montreal Protocol in Malaysia (Department of Environment 1999). Awareness of all the stakeholders involved in order to protect human habitat indirectly encourage collaboration among stakeholders in the success of the Protocol jointly perceived benefit not only for the present generation but also future generations.

VALUES ON SUSTAINABLE DEVELOPMENT

Values play important roles in determining the social pillar of sustainable development as they are the central importance in people's lives (Hedlund-de witt 2011; O'Brien 2005). People draw upon values to determine their private and public goals and construct the value framework that support those goals (O'Brien 1995).

Sustainable development is a concept that addresses societal development, judging it on its capacity to meet individual needs now and in the future (World Commission on Environment and Development 1987). Societal development is related to the question of public good and public interest which should be debated, contested, negotiated and constructed through social process. There are several values that support sustainable development. One explicit statement of supporting values is found in the Millennium Declaration (Kate et al, 2005). Underlying the 60 specific goals of the Millennium Declaration is the articulated set of fundamental values seen as essential to international relations; freedom, equality, solidarity, tolerance, respect for nature, and shared responsibility (United Nations General Assembly, 2000) . While Zurina et al. (2011) suggested that Malaysian public sustainable values are consisting of identity, peace, freedom and environment.

SUSTAINABLE DEVELOPMENT VALUES IN MONTREAL PROTOCOL

There are several sustainable development values that had been asserted in implementing the Montreal Protocol in Malaysia. The first set of values that can be seen are the *freedom* and *shared responsibility*. In the implementation of Montreal Protocol at the national level, Malaysia has taken the approaches that involving all stakeholders. Among the stakeholders involved are government agencies, industry and civil society represented by Non-Government Organisations (NGOs). Stakeholder engagement is not only smoothen the implementation of the Montreal Protocol in Malaysia but all the stakeholders play an important role in determining the success of the Montreal Protocol. This is parallel with values that are suggested by Millennium Declaration which stated that certain fundamental values to be essential to international relations in the twenty-first century is *freedom* whereas this value suggest **democratic and participatory governance based on the will of the people best assures these rights**. While the second value is *shared responsibility*. This value suggest responsibility for managing worldwide economic and social **d security, must be**

shared among the nations of the world and should be exercised multilaterally (United Nations General Assembly, 2000). While Zurina et al (2011) also had proposed three issues related to the exercise of freedom in sustainable development: *right and privilege, participation and politics*. Even though right and privilege is the core attribute of freedom, participation is also a powerful expression of freedom. Public believe that their participation is crucial in gearing a meaningful development. Thus in Montreal Protocol implementation, we can see that public were able to voice out their opinions and views and also participate in decision making process.

As Montreal Protocol is intended to protect the ozone layer by taking careful steps to safeguard the global release of materials that deplete ozone layer (Conservation and Environmental Management Division, MOSTE 2004), this is a very coincides with the value suggested by Millennium Declaration by the concept of *respect for nature*. This value suggests that prudence must be shown in the management of all living species and natural resources, in accordance with the precepts of sustainable development. It is because only in this way can the immeasurable riches provided to us by nature be preserved and passed on to our descendants. **The current unsustainable patterns of production and consumption must be changed in the interest of our future welfare and that of our descendants** (United Nations General Assembly, 2000). Environmental value also was highlighted by Zurina et al (2011). The issues raised by the respondents in the study were pollution and environmental disaster that resulted from improper and unsustainable development. It is evident that public are well aware about the environment and they believe that pollutions and environmental problems are the results of improper development. They also believed that the development will not bring adverse effect to the environment and the people if properly managed. Thus by implementing Montreal protocol, we can protect the ozone layer and avoid the effects that will occur due to the depletion of the ozone layer.

Another set of values that can be seen in implementation of Montreal Protocol in Malaysia is *equality and solidarity*. The equality value suggests that no individual **and no nation must be denied the opportunity to benefit from development**. While the solidarity values suggests that **global challenges must be managed in a way that distributes the costs and burdens fairly in accordance with basic principles of equity and social justice. Those who suffer or who benefit least deserve help from those who benefit most** (United Nations General Assembly, 2000).

In accordance with the Protocol, the Government of Malaysia is committed to stopping the use of Ozone Deplete Substances (ODS), particularly Chlorofluorocarbons (CFCs) and Halon by 2010. This target is made in order to meet the time frame set by the protocol and all amendments that have been agreed. The government has entrusted the responsibility for the coordination of measures to stop the use of ODS to the Department of Environment (DOE, 1999). Department of the Environment is the focal point of the country to coordinate, monitor and implement all activities of the Montreal Protocol, including ODS project investments under the assistance provided by the Multilateral Fund (MLF) for the smooth implementation of the Montreal Protocol.

As the Department of Environment is responsible for monitoring and ensuring that the use of ODS in accordance with the requirements of the Protocol, there are four approaches that have been taken, namely through organizational framework, by monitoring the production and consumption of ODS, through control measures and incentives and also conducting awareness programs that focus to deliver information to the industry and society (DOE 1195; DOE 1999; DOE 2002). The measures taken by the DOE can be seen that all parties, including the community and industry, whether large enterprises, medium and small can work together and benefit from the measures taken. The measures taken by the DOE does not waive any party and beneficial to all parties involved. This is consistent with the equality and solidarity values that have been discussed earlier.

CONCLUSION

The participation of Malaysia as a member of the Montreal Protocol is based on the responsibility to jointly address the issues surrounding global nature. However, in order to meet the demands of the Montreal Protocol the national level is not something easy matter. Cooperation between all the stakeholders including government agencies, industry and the community is very important to ensure the successful of Malaysia in implementing the Montreal Protocol. Good interactions between the government agencies, industries and society represented by NGOs are the key of the successful Montreal Protocol implementation in Malaysia. The successful in implementation of Montreal Protocol can be achieved because all the stakeholders has asserted all the sustainable development values that agreed and held by the public throughout the implementation process. In the implementation of the Montreal Protocol, the value of sustainable development held by the majority of people have been asserted, compromised and manipulated very well. It is clear that the successful of Malaysia in implementing the Montreal Protocol is actually have contributed indirectly in the realisation of Malaysia aims to become a developing country with a sustainable habitat not only for the present but also for the future generations.

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