

## **Clean Air: Legal Strategies towards Air Pollution Control in Malaysia**

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Air pollution which is the inevitable result of economic development is considered to be one of the most serious environmental problems in Malaysia at present. This problem is further compounded by the occurrence of long-range air pollution in the form of haze. Growing concern of the environmental impact linked to anthropogenic activities has seen actions taken by policymakers to develop and apply strategies to reduce the effects of pollution. More than 40 years have passed since the introduction of environmental law to control pollution. Initially, when the Environmental Quality Act was enacted in 1974, criminal sanction was relied upon as the main method of air pollution control. Over the years, this law continues to be amended to incorporate new measures such as environmental impact assessment and self-regulation that promote pollution prevention practices and supports the objectives of sustainable development and climate change mitigation. This discussion is meant to offer a comprehensive overview of the control of air pollution emissions from various sources under the law. The objectives are to provide an orientation to strategies that are applied to control air pollution, and to highlight shifting emphasis from control to prevention. This discussion is also meant to examine the way in which environmental law seeks to balance human need, environmental concerns and economic factor through its provisions. The examination concludes that law has an important role to play in controlling air pollution. To be an effective environmental law, one of the key components is the range of pollution control strategies available to help ensure compliance. Current law however faces a challenge in dealing with transboundary haze pollution since its jurisdiction is confined within the boundary of Malaysia and not applicable beyond that. Until now, the only international legal instrument available is the ASEAN Agreement on Transboundary Haze Pollution 2014 which lacks enforceable obligatory provisions. Ultimately though, air pollution control in Malaysia will likely demand long-term and more ambitious strategies particularly in dealing with cross-boundary pollution, as well as in mitigating climate change since air pollution is not simply a localized issue, but has transgressed to become regional and global agenda.

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