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(translation)

Statement by Mr. Yang Xi

Chinese Delegate

**At the Sixth Committee of the 74th Session of
the United Nations General Assembly**

On Agenda Item 81

**Consideration of Prevention of Transboundary Harm from Hazardous
Activities and Allocation of Loss in the Case of Such Harm**

New York, 22 October 2019

Mr. Chairman,

Thanks to its unremitting efforts, the International Law Commission completed the *Draft articles on prevention of transboundary harm from hazardous activities* and the *Draft principles on the allocation of loss in the case of transboundary harm arising out of hazardous activities* in 2001 and 2006 respectively. These two drafts are valuable as they can serve as reference for countries in addressing the issue of transboundary harm. The Chinese delegation takes this opportunity to reiterate its appreciation for the work of the International Law Commission.

Regarding the two drafts, the Chinese delegation has already expressed its views during previous discussions. Here I would like to underscore the following.

We are of the view that the two drafts, in particular, the Draft Principles, contain elements that constitute the development of existing international law, an area where national practices vary from one country to another. Meanwhile, in dealing with transboundary environmental damage, consideration should also be given to the different features of environmental damage specific to, *inter alia*, the atmosphere, water, soil, and biological resources. Therefore, as to what action we should take on the two drafts, setting a simple cookie-cutter standard is inadvisable. In view of this, we propose to continue collecting and observing the development of state practices and advise against turning the two drafts into a convention at this moment. Instead, we should defer the discussion on formulating a convention till the time is ripe.

China is one of the countries with the largest number of neighbors. China and its neighboring countries share the same risks of transboundary harm from hazardous activities. The Chinese government always stands ready to actively engage in bilateral, regional and international cooperation in tackling transboundary harm from hazardous activities so as to prevent and respond to such problems. We will work with countries around the world to contribute to the strengthening and improvement of international rules in this regard.

Thank you, Mr. Chairman.