



MALAYSIA

PERMANENT MISSION TO THE UNITED NATIONS

**STATEMENT BY MR. MUHAMMAD FALAH AZIZAN
COUNSELLOR, PERMANENT MISSION OF MALAYSIA
TO THE UNITED NATIONS
ON AGENDA ITEM 81: CONSIDERATION OF PREVENTION OF
TRANSBOUNDARY HARM FROM HAZARDOUS ACTIVITIES AND
ALLOCATION OF LOSS IN THE CASE OF SUCH HARM
SIXTH COMMITTEE, GENERAL ASSEMBLY
NEW YORK, 22 OCTOBER 2019**

Mr. Chair,

1. Malaysia wishes to record its appreciation to the Secretariat for the Secretary-General's Report and the compilation of decisions of international courts, tribunals and other bodies reflected in documents A/74/131 and A/74/132.
2. Malaysia also notes the progressive development of international law that is being proposed in the draft "Articles on prevention of transboundary harm from hazardous activities" ('draft Articles') and the "Principles on the allocation of loss in the case of transboundary harm arising out of hazardous activities" ('draft Principles'). We further note the latest comments and observations on the topic by various States in the Secretary-General's current and previous reports.

Mr. Chair,

3. The significant social, economic and environmental impacts of transboundary harm are already well-recognised. In order to negate or lessen these risks, we need a consistent, coherent and widely supported international framework to set out the relevant standards of conduct and practice.

4. Malaysia believes that the draft Articles and draft Principles will positively contribute to the progressive development of international law in the area pertaining to transboundary harm. We also believe that this would lead to further development of comprehensive standards for all States to follow.
5. The consolidation of the draft Articles and draft Principles into a legally binding international or regional convention is likely to take many years. Nonetheless, Malaysia fully believes that States have the general duty under international law to observe due diligence in order to prevent or minimize transboundary harm.

Thank you.