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UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

UNITED NATIONS GENERAL ASSEMBLY, SIXTH COMMITTEE,
SEVENTY FOURTH SESSION, AGENDA ITEM 81

CONSIDERATION OF PREVENTION OF TRANSBOUNDARY HARM FROM HAZARDOUS ACTIVITIES AND ALLOCATION OF LOSS IN THE CASE OF SUCH HARM

STATEMENT BY MR PHILIP DIXON
FIRST SECRETARY (LEGAL)
UNITED KINGDOM MISSION TO THE UNITED NATIONS

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Mr. Chairman,

The United Kingdom wishes to thank the Secretary-General for his report on this agenda item compiling the decisions of international courts, tribunals and others bodies (A/74/132).

The United Kingdom has also taken note of the comments and observations made by Governments this year, as reflected in the Secretary-General's report (A/74/131) and its addendum.

The United Kingdom previously commented on the form of the respective draft articles and principles in 2007, 2010, 2013 and 2016. We do not consider that there have been any developments in the past three years which would necessitate a change in our position.

The United Kingdom remains of the view that there is no need for a convention on the prevention of transboundary harm or the allocation of loss in the case of such harm. These subjects are already covered by a number of binding sector-specific and regional instruments. For example, parties to the Convention on Environmental Impact Assessment in a Transboundary Context (which include the United Kingdom) are obliged to assess the impact of certain activities and to notify and consult

other States if there is a likelihood of significant adverse transboundary environmental impact. Liability for nuclear incidents is also governed by an extensive regime, namely the Paris Convention on Nuclear Third Party Liability, and the so-called Brussels Supplementary Convention.

Further, the United Kingdom would query the benefit of adopting a convention that treats all categories of transboundary harm in the same way. In the United Kingdom's view, there is an obvious advantage in subject-specific initiatives that are tailored to address different activities and potential harms. In the context of substances, for example, different arrangements are in place to control different transboundary harm hazards.

Against that background, the United Kingdom considers that a convention on the aforementioned topics is neither necessary nor desirable, and that the draft articles and principles should remain as non-binding guidance.

Thank you, Mr. Chairman.