



**New Zealand Permanent Mission to the United Nations
Te Aka Aorere**

United Nations General Assembly: Sixth Committee 2022 – 77th Session

**CANZ Statement delivered by New Zealand,
Zoe Russell, Second Secretary**

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Chair,

I have the honour today to speak on behalf of Australia, Canada, and my own country, New Zealand.

We thank the Secretary-General for his report, and the Secretariat for their valuable work in compiling decisions of international courts, tribunals and other bodies referring to the International Law Commission's draft Articles on the Prevention of Transboundary Harm from Hazardous Activities and Principles on the Allocation of Loss in the case of Transboundary Harm arising out of Hazardous Activities.

We welcome the opportunity to discuss the prevention of transboundary harm and allocation of loss in the case of such harm. In its Resolution 74/189 of 30 December 2019, the General Assembly again commended the draft Articles and the Principles to the attention of Governments. We are pleased to see that the Articles and Principles are referred to by international, regional and domestic courts, reflecting their ongoing relevance and significance.

We believe that the best way to ensure the progressive development of international law in this important area, is for the Articles and Principles to remain in their current form. The Articles and principles are authoritative guidance and clear and comprehensive standards for all States to follow. CANZ considers there is little to be gained from attempting to transform the articles and principles into the form of a Convention. As they stand, both documents inform and encourage national and international best practice, and enjoy widespread support among Member States. They are consistently invoked in discussions between Member States, in bilateral and multilateral fora, and in national and international courts and tribunals.

The Articles and Principles, as they have been commended by the General Assembly, represent a significant contribution to the achievement of a consistent, coherent, and widely-supported international framework for the prevention of transboundary harm from hazardous activities and the allocation of loss. We therefore encourage Member States to continue to be guided by the draft Articles on the Prevention of Transboundary Harm from Hazardous Activities, and the Principles on the Allocation of Loss Arising out of Hazardous Activities.

Thank you Chair.