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Consideration of prevention of transboundary harm from hazardous activities and allocation of loss in the case of such harm

Draft resolution

Consideration of prevention of transboundary harm from hazardous activities and allocation of loss in the case of such harm

The General Assembly,

Recalling its resolutions [56/82](#) of 12 December 2001, [61/36](#) of 4 December 2006, the annex to which contains the text of the principles on the allocation of loss in the case of transboundary harm arising out of hazardous activities, and [62/68](#) of 6 December 2007, the annex to which contains the text of the articles on prevention of transboundary harm from hazardous activities, as well as [65/28](#) of 6 December 2010, [68/114](#) of 16 December 2013 and [71/143](#) of 13 December 2016,

Emphasizing the continuing importance of the codification and progressive development of international law, as referred to in Article 13, paragraph 1 (a), of the Charter of the United Nations,

Noting that the questions of prevention of transboundary harm from hazardous activities and allocation of loss in the case of such harm are of major importance in relations between States,

Taking into account the views and comments expressed in the Sixth Committee at previous sessions and at the current session of the General Assembly,¹

1. *Commends once again* the articles on prevention of transboundary harm from hazardous activities, the text of which is annexed to General Assembly

¹ See [A/C.6/56/SR.11–13](#), [A/C.6/56/SR.15–19](#), [A/C.6/56/SR.22](#), [A/C.6/56/SR.23](#), [A/C.6/61/SR.9–16](#), [A/C.6/61/SR.18](#), [A/C.6/61/SR.19](#), [A/C.6/61/SR.21](#), [A/C.6/62/SR.12](#), [A/C.6/62/SR.28](#), [A/C.6/65/SR.17](#), [A/C.6/65/SR.27](#), [A/C.6/68/SR.16](#), [A/C.6/68/SR.28](#), [A/C.6/68/SR.29](#), [A/C.6/71/SR.18](#) and [A/C.6/74/SR.21](#). See also the reports of the Secretary-General containing comments and observations received from Governments ([A/65/184](#), [A/65/184/Add.1](#), [A/68/170](#), [A/71/136](#), [A/71/136/Add.1](#) and [A/74/131](#)) and the reports of the Secretary-General containing a compilation of decisions of international courts, tribunals and other bodies ([A/68/94](#), [A/71/98](#) and [A/74/132](#)).



resolution 62/68, to the attention of Governments, without prejudice to any future action, as recommended by the International Law Commission regarding the articles;

2. *Also commends once again* the principles on the allocation of loss in the case of transboundary harm arising out of hazardous activities, the text of which is annexed to General Assembly resolution 61/36, to the attention of Governments, without prejudice to any future action, as recommended by the Commission regarding the principles;

3. *Invites* Governments to submit further comments on any future action, in particular on the form of the respective articles and principles, bearing in mind the recommendations made by the Commission in that regard, including in relation to the elaboration of a convention on the basis of the articles, as well as on any practice in relation to the application of the articles and principles;

4. *Requests* the Secretary-General to submit a compilation of decisions of international courts, tribunals and other bodies referring to the articles and the principles;

5. *Decides* to include in the provisional agenda of its seventy-seventh session the item entitled “Consideration of prevention of transboundary harm from hazardous activities and allocation of loss in the case of such harm”.
