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**68th United Nations General Assembly
Sixth Committee**

Agenda item 83: Consideration of prevention of transboundary harm from hazardous activities and allocation of loss in the case of such harm

**Statement by H.E. Jane J. Chigiyal
Permanent Representative**

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Mr. Chairman,
Excellencies,
Distinguished Delegates.

I would like to congratulate you and the other members of the Bureau for your election to your posts. Your personal and professional qualifications bode well for the success of this Committee's work.

Let me also express my delegation's gratitude to the Secretariat the
at physical harms by that State's hazardous activities on another State's
erty. This prevention rule has a storied legacy in international law, dating
r arbitration and emphasized in numerous multilateral declarations and
decisions of international judicial bodies such as the International Court
Tribunal for the Law of the Sea.

principles before us are the clearest iterations of that rule to date. They are the
les of work by the International Law Commission, in consultation with the
States of the United Nations. They reflect and advance the formation of
type of care and consideration that all States must have for each other
ful activities.

n of a binding international convention incorporating the draft articles and
will formalize important doctrines and ensure a uniform approach to
dary harms from hazardous activities. This convention must incorporate
ng States to deal with the consequences of such activities, in light of the
s.

According to Working Group I of the Fifth Assessment Report by the Intergovernmental Panel on Climate Change, it is “extremely likely” that human activities are driving climate change around the world. The physical effects of those activities are significant, including rising sea levels, the melting of massive glaciers, increased incidences of devastating storms, rapid desertification, and dangerous acidification of the world’s oceans. Such effects are, therefore, transboundary, afflicting all countries and all peoples.

Clearly, then, the prevention rule must play a central role in the fight against climate change. Each State is obligated under international law to ensure that its domestic activities do not inflict significant physical harms on other States. In order to uphold that obligation, each State must assess the degree to which its activities produce harmful greenhouse gas emissions and put into place measures that minimize those emissions to the greatest extent possible. International law recognizes that economic and social concerns can factor in those assessments, but they cannot be excuses for inaction. Due diligence for the prevention of transboundary harms is part of the corpus of international law, and no exceptions can be made for harms arising from activities that contribute to climate change.

Micronesia has done its part to put the prevention rule into action in the fight against climate chang