





reiterate its concern that it is premature to conclude that the time is ripe for the adoption

11. With reference to draft guideline 3, Malaysia notes that to prevent the atmospheric pollution and atmospheric degradation, States have the obligation to conduct due diligence by taking appropriate measures. Due diligence is an obligation to make best possible efforts in accordance with the capabilities of the state to control public and private activities. This obligation does not require the achievement of a







21 Insofar as *ius cogens* relates to State sovereignty Malaysia's domestic legal