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Statement by the Republic of Korea  
73<sup>rd</sup> General Assembly Sixth Committee  
(Agenda Item 82) Cluster 2: Protection of the atmosphere / Provisional application

~~of function / Permanent norms of general international law~~

Mr. Chairman,

On behalf of the delegation of the Republic of Korea, I would like to express my deep gratitude to the ILC for adopting the draft guidelines on the “**protection of the atmosphere**” on first reading. I also would like to express our deep appreciation to Special Rapporteur Mr. Shinya Murase for his outstanding work and to ILC members for their efforts to enable the Commission to reach a successful conclusion at its first reading of the draft guidelines.

My delegation recognizes that the draft guidelines suggested by the Special Rapporteur in his fifth report have been greatly amended subsequent to the discussion at the Commission and the work of the Drafting Committee. This topic is especially meaningful in that there are increasing concerns about transboundary air pollution

believes that it was appropriate to make a distinction between the national practice of “obligation” and “recommendations” by dealing with them separately in paragraphs 1

10. At the third paragraph of the commentaries, clearly notes which provisions

constitute the obligations that are stipulated in draft guidelines 3, 4 and 8 for protecting the atmosphere, and the fifth paragraph of the commentaries reaffirms that these obligations refer to the existing obligations of States under international law. However, the scope of “recommendations” is rather unclear in the commentaries, and the explanation on the scope of “recommendations” would be much more accessible if it was explicitly noted in the main text rather than a footnote.

Regarding new draft guidelines 7 and 9, my delegation welcomes the adoption of these

clarifies their relationship and its legal consequences, the Special Rapporteur has been able to produce a comprehensive report on these fundamental issues of international law

invaluable work.

Before commenting on the details, my delegation would like to express our concerns about the large quantity of suggested draft conclusions in such a short period. Because it cannot be easily changed, altered, or reversed, once it is decided, a careful review is necessary. I suggest grouping related draft conclusions when discussing them in ILC meetings, rather than discussing too many draft conclusions in a single instance. Given the time constraints, it will be more effective if we refrain from reviewing and commenting on too many draft conclusions.

challenge lies in that States can often have different characterizations and interpretations