international law.

The ICRC notes, with appreciation, the Commission's careful consideration of the ICRC's comments. The ICRC views the draft principles as complementary to its efforts to enhance respect for international humanitarian law (IHL) protecting the natural environment in armed conflict and to its updated Guidelines on this topic. The draft principles are broader, both in terms of temporal scope and in regard to the branches of public international law on which they draw. They also address important legal issues beyond IHL's scope. With respect to IHL, the draft principles focus on some of its most relevant rules and principles providing protection to the environment. Several commentaries also reference other rules, while clearly stating that all other IHL rules remain applicable and cannot be disregarded.

The ICRC recalls in this regard that the draft principles and their commentaries must not be interpreted as restricting or impairing applicable rules of international law. As has been reiterated by the Special Rapporteur, the topic was developed consistent with the point of departure that the Commission has no intention, and is not in the position, to change the law of armed conflict. Although a general "without prejudice" clause was not integrated, the clarifications introduced to this effect in some of the draft principles' commentaries are welcome. For instance, the commentary to draft principle 8 explains that the provision of relief and assistance for displaced persons and local communities must be provided in accordance with international obligations. These include IHL's detailed rules aimed at ensuring that the basic needs of the population concerned are met.

As an important point of synergy, draft principle 14 reaffirms the applicability of IHL principles and rules on distinction, proportionality, and precautions to the environment. The commentary notes that this draft principle does not elaborate on how these well-established IHL principles and rules are to be interpreted. In a complementary manner, the ICRC's Guidelines on the Protection of the Natural Environment do provide commentary elaborating on