

**Statement by the Republic of Türkiye  
on Agenda Item 80  
“Consideration of prevention of transboundary harm from hazardous activities and  
allocation of loss in the case of such harm”  
at the Sixth Committee  
19 October 2022**

*Check against delivery*

Mr. Chairman,

We thank the Secretary-General and the Secretariat for the two reports prepared under this agenda item.

Türkiye appreciates the work undertaken on this topic by the International Law Commission, and acknowledges the importance of the questions of prevention of transboundary harm arising out of hazardous activities and the allocation of loss in the case of such harm.

In its resolution 74/189, the General Assembly invited Governments to submit further comments on any future action, in particular on the form of the respective articles and principles, as well as on any practice in relation to the application of the articles and principles.

In that regard, we would like to reiterate our view that the draft articles on prevention of transboundary harm from hazardous activities and the draft principles on the allocation of loss in the case of transboundary harm arising out of hazardous activities would better serve their purpose as documents of a guiding nature that provide standards of conduct for States. This would provide the necessary flexibility for State practice and the law in this field to develop. Therefore, we believe that both documents should be preserved in their current non-binding forms at this stage.

Without prejudice to our views on the form of the draft articles and principles, we refer to the Secretary-General’s report containing comments and observations of Governments, in which explanations as to some of our main concerns with regard to the substance of the mentioned two documents are provided.

We would further like to take this opportunity to convey that the draft articles and draft principles have so far not been invoked by Türkiye before any international court, tribunal or other body.

Thank you.