



# General Assembly

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## International Law Commission

### Sixty-eighth session

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## Protection of the atmosphere

### **Titles and texts of draft guidelines 3, 4, 5, 6 and 7, together with a preambular paragraph, provisionally adopted by the Drafting Committee on 7, 8 and 9 June 2016**

...

*Aware* of the special situation and needs of developing countries,

...

#### **Draft guideline 3 Obligation to protect the atmosphere**

States have the obligation to protect the atmosphere by exercising due diligence in taking appropriate measures, in accordance with applicable rules of international law, to prevent, reduce or control atmospheric pollution and atmospheric degradation.

#### **Draft guideline 4 Environmental Impact Assessment**

States have the obligation to ensure that an environmental impact assessment is undertaken of proposed activities under their jurisdiction or control which are likely to cause significant adverse impact on the atmosphere in terms of atmospheric pollution or atmospheric degradation.

#### **Draft guideline 5 Sustainable utilization of the atmosphere**

1. Given that the atmosphere is a natural resource with a limited assimilation capacity, its utilization should be undertaken in a sustainable manner.
2. Sustainable utilization of the atmosphere includes the need to reconcile economic development with protection of the atmosphere.

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**Draft guideline 6**  
**Equitable and reasonable utilization of the atmosphere**

The atmosphere should be utilized in an equitable and reasonable manner, taking into account the interests of present and future generations.

**Draft guideline 7**  
**Intentional large-scale modification of the atmosphere**

Activities aimed at intentional large-scale modification of the atmosphere should be conducted with prudence and caution, subject to any applicable rules of international law.

**Draft guideline 8 [5]<sup>1</sup>**  
**International Cooperation**

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<sup>1</sup> This draft guideline has been renumbered. Its title and text were provisionally adopted by the Commission during its sixty-seventh session (*Official Records of the General Assembly, Seventieth Session, Supplement No. 10* (A/70/10), para. 53).