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Protection of the Atmosphere

Text of draft guideline 9 and preambular paragraphs as provisionally adopted by the Drafting Committee during the sixty-ninth session

Preambular paragraph 3 *bis*

Noting the close interaction between the atmosphere and the oceans,

Preambular paragraph 4 *bis*

Also aware, in particular, of the special situation of low-lying coastal areas and small-island developing States due to sea level rise,

Sixth preambular paragraph

Noting that the interests of future generations of humankind in the long-term conservation of the quality of the atmosphere should be fully taken into account,

Draft guideline 9

Interrelationship among relevant rules

1. The rules of international law relating to the protection of the atmosphere and other relevant rules of international law, including *inter alia* the rules of international trade and investment law, of the law of the sea, and of international human rights law, should, to the extent possible, be identified, interpreted and applied in order to give rise to a single set of compatible obligations, in line with the principles of harmonization and systemic integration, and with a view to avoiding conflicts. This should be done in accordance with the relevant rules set forth in the Vienna Convention on the Law of Treaties of 1969, including articles 30 and 31 (3) (c), and the principles and rules of customary international law.
2. States should, to the extent possible, when developing new rules of international law relating to the protection of the atmosphere and other relevant rules of international law, endeavour to do so in a harmonious manner.
3. When applying paragraphs 1 and 2, special consideration should be given to persons and groups particularly vulnerable to atmospheric pollution and atmospheric degradation. Such groups may include, *inter alia*, indigenous people, people of the least developed countries and people of small-island and low-lying States affected by sea-level rise.

