

Statement by
H.E. Mr. Mohammad Khazaee,
Ambassador and Permanent Representative of the Islamic Republic of Iran

before the Sixth Committee
67th Session of the United Nations General Assembly

on agenda item 83:
"The rule of law at the national and international levels"
New York, 11 October 2012

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

Mr. Chairman,

My delegation aligns itself with the NAM statement that was delivered yesterday. The Islamic Republic of Iran attaches great importance to the rule of law and justice at the national and international levels. Only through respect for the rule of law and justice by all States, a secure, peaceful and prosperous world where we live in together, can be envisioned.

Mr. Chairman,

We note the High-Level Meeting of the General Assembly on the rule of law with the participation of Member States' high level officials, and its outcome document. My delegation was actively engaged in the consultations of the document, co-facilitated by Ambassadors of Mexico and Denmark, and adopted in the Assembly by consensus. The document has addressed many aspects of the rule of law in a sensible way. However, the document has not met the expectation in some parts that deals with those important

components for strengthening the rule of law at the international level, and by the same token, denouncing those erroneous conducts that undermine it. We certainly need to continue our deliberations within the Sixth Committee as part of the General Assembly, to achieve the elaboration of a commonly shared clear vision and understanding of all aspects. They include issues such as reform of the Security Council, sanctions and extraterritorial application of domestic laws.

Mr. Chairman,

Although it is fundamentally important that all states strive in best possible manners to promote the rule of law in their respective countries, we should also be cognizant of the sovereign right of each nation to establish its own model of the rule of law and administration of justice, and to develop an efficient and fair legal and judicial system based on its own cultural, historical and political traditions prevailing in the society. This right is sanctioned in international law and the United Nations Charter, particularly through principles of sovereign equality of States and non-interference in their internal affairs as well as the right to self-determination of people.

The United Nations system should firmly stick to the principle of national ownership when planning and implementing technical assistance to promote rule of law to its members. Such technical assistance for capacity-building should also be granted at the request of States based on the needs and priorities they identify.

The purposes and principles of the United Nations Charter would only be fulfilled in a law-based international order where international law is equally respected by all States in their international relations. All States are also committed to refrain from unlawful use or threat of use of force. There are many instances that some powerful states disregard their inherent obligations under the Charter and the international law, and

they utilize, in pursuance of their political purposes, their influence including through main organs of this organization to impose their unlawful wills on other nations.

Mr. Chairman,

As a political organ of the United Nations, the Security Council has a primary responsibility in maintaining international peace and security. The Security Council's mandate is not unlimited or above the law under any circumstances. It is bound by the relevant provisions of the UN Charter and as such it shall exercise its powers in accordance with the purposes and principles of the Charter. Making decisions, including illegal sanctions, on the basis of unauthentic information or politically motivated analysis, and more boldly, under political pressures of very few of its permanent members would undermine the credibility and reputation of the Council, damage the legitimacy of its decisions, and harm the trust of Member States to this important organ of the Organization.

As it has for long time been a wish for a large number of Member States, the Security Council should be reformed with the aim of making it accountable, transparent, rule based, and capable of taking decisions in full compliance with the international law and Charter principles. We missed a great opportunity to address these concerns during the consultations of the outcome document and what we see in paragraph 28 of the document is rather misleading and senseless.

I would also like to refer to unilateral and extraterritorial application of domestic legislations against other countries which clearly and gravely contravene the rule of law at the international level. Such actions are but an obvious manifestation of rule of power through the misuse of instrument of law and could be qualified as internationally wrongful acts in many cases, which would entail the international responsibility of the States concerned. We invite member States to be mindful of such misuse and never

allow others to dictate their wishes on them through their internationally targeted internal legislations.

International law must be respected equally by all States, and selectivity and double standard in application and enforcement of international treaties must also be rejected, since they undermine the very nature and objective of the rule of law. To conclude I use this opportunity to emphasize that by following an international law and justice-based approach, and respecting the inherent right of others on an equal basis, we will be able to overcome the difficulties and challenges before us as members of the international community.

I thank you.