

Islamic Republic of I R A N

Permanent Mission to the United Nations

Statement by

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on agenda item 85:

"The rule of law at the national and international levels"

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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,

In the seventh decade after the adoption of the United Nations Charter, it is simply expected that the very basic principles of the Charter be respected by all Member States without any hesitation. Witnessing recent hot debates regarding the threat or use of force reminded us that it seems not to be the case. We are still to strive collectively to promote those founding principles that the United Nations was built upon. Paragraph 4 of Article 2 still needs to be paid particular attention to and thoroughly considered in our meetings. Ironically such current debates on importance of that Article and its possible violation took place at a time when we are supposed to focus on the theme this Committee recommended last year namely "the rule of law and the peaceful settlement of international disputes". Now, although, we seem to distance ourselves from another scourge in our time, we should never spare efforts to promote the rule of law in

international relations. In this respect we welcome the Ministerial Meeting of the Non-Aligned Movement held on 27 September 2013 in which speakers elaborated their views on the theme, and reiterated their commitment to uphold fundamental principles of the Charter.

Mr. Chairman,

We recall the last year High-Level Meeting of the General Assembly on the rule of law with the participation of Member States' high level officials, and its outcome Declaration. The document has addressed many aspects of the rule of law in a sensible manner. However, the document has not met the expectation in some areas that deal 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,

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. Thus, where it comes to the United Nations system, it should firmly stick to the principle of national ownership when planning and implementing technical assistance to promote rule of law in programme countries. Such support for capacity-building should also be granted at the request of States based on the needs and priorities they identify.

Mr. Chairman,

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 aims, their influence including through main organs of this organization to impose their unlawful wills on other nations. 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 international law and 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. All Security Council decisions, including on sanctions should be based on authentic information and examination away from politically motivated analysis.

Utilizing the Council as the political tool in the hands of very few 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 UN organ. Accordingly,

we support endeavors to overcome such difficulties. We missed a great opportunity to address these concerns during the consultations of the Declaration adopted on 24 September 2012. What we have in paragraph 28 of this document is rather misleading and pointless.

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 including full reparations for any damages incurred in targeted states. 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.