

Statement by
H.E. Mr. Abbas Bagherpour Ardekani

Before
the Sixth Committee of the
72st Session of the United Nations General Assembly

On:
**"Report of the Special Committee on the Charter of the United Nations and on the
Strengthening of the Role of the Organization"**

(Agenda Item 83)

New York, 12 October 2017

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In the Name of God, the Compassionate, the Merciful

The Islamic Republic of Iran continues to attach great importance to the role and activities of this Special Committee. The Charter of the United Nations has established an international order of multilateralism with our Organization at the center and the Special Committee is the only enduring mechanism within the UN framework to discuss issues related to the UN Charter and the strengthening of the role of the Organization.

Since the establishment of the United Nations, maintaining international peace and security has been one of the key concerns of the international community. In this line, prohibition of the threat or use of force as enshrined in the UN Charter is a *sine qua non* achievement of the United Nations. However, due to the practices of few Member States for unlawful use or threat of force in flagrant defiance of UN Charter, my delegation supports the proposal submitted jointly by the Russian Federation and Belarus to seek, through the General Assembly, the advisory opinion of

the International Court of Justice on legal consequences of the resort to the use of force without authorization by the Security Council except in the exercise of right to self defense. It would contribute to clarification and indeed re-affirmation of the provisions of the Charter regarding the use of force.

Mr. Chairman,

UN Security Council sanctions may be introduced only as a last resort; after determination of the existence of an actual threat to peace or breach of peace and based on valid evidence and not mere speculations and misinformation. Even more importantly, sanctions should be adopted only after peaceful measures have been exhausted or proven to be inadequate. In so doing, the Security Council shall act in strict conformity with the purposes and principles of the Charter and avoid exceeding its authority and competence under the Charter or acting in breach of the principles of international law. Sanctions imposed pursuant to arbitrary and politically motivated determinations of the notion of threat to the peace and security, and based on political manipulation of the Council by some permanent members could not be seen as legitimate and lawful. The effects of *inter alia* special economic problems arising from the carrying out of preventive or enforcement measures imposed by the Security Council on the third States should also be addressed.

At the same time, some developing countries are unjustly targeted by arbitrary unilateral economic sanctions. The morally wrong and ethically unjustified unilateral measures not only defy the rule of law at the international level but also infringe upon the right to development and leads to violation of basic human rights. It is unfortunate that such measures have almost always been initiated by one State, who is apparently addicted to sanctions and seeing it as a tool in its

toolbox in pursuance of its own national interests, clearly contravene international law and the Charter of the United Nations, especially where they deprive nations of their lawful and legitimate rights under treaties, as well as fundamental human rights of individual citizens in the targeted States. In many cases, unilateral sanctions are imposed as a result of extraterritorial application of domestic legislations against legal and natural persons in other countries in spite of many General Assembly resolutions on refraining of Member States from promulgation and application of laws and regulations on the extraterritorial effects of which affect the sovereignty of other States, the legitimate interests of entities or persons under their jurisdiction and the freedom of trade and navigation.

The Islamic Republic of Iran welcomes the report of the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights contained in document A/72/370. We endorse his recommendation that calls for a solemn reaffirmation by the United Nations of the intrinsic unlawfulness of domestic measures, including sanctions, that are intended to apply extraterritorially, absent a valid jurisdictional link recognized by international law. In his view, domestic legislation or measures aimed at extending their effects to nationals or entities of third countries, with the purpose of dissuading them from entertaining lawful commercial (or other) relations with the target country are especially to be condemned as unlawful under international law and in violation of commonly accepted rules of international trade. We concur with the Special Rapporteur who also calls for an affirmation of the principle according to which the implementation by States of any sanctions having adverse extraterritorial effects on the human rights of individuals within the territory and under the jurisdiction of the targeted State, shall ipso facto entail the responsibility of the targeting State.

Mr. Chairman,

With regard to enhancing the efficiency of the working methods of the Special Committee, we believe that exploring new approaches is of utmost importance to reinvigorate the work of the Special Committee. To that end, we reiterate the need for genuine political will in order to advance the long-standing issues included in the agenda.

Last but not least, my delegation expresses its appreciation to those delegations that put forward valuable and productive proposals during the previous Sessions of the Special Committee. We consider the specific proposals on the agenda of the Special Committee deserve in-depth consideration and we invite all to engage in constructive dialogue for better improvement of the work of the Committee.

Thank you Mr. Chairman.
