

# Islamic Republic of I R A N

Permanent Mission to the United Nations

Statement by  
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Before  
The Sixth Committee of the  
73<sup>rd</sup> Session of the United Nations General Assembly  
On:  
"The Rule of Law at the National and International Levels"  
(Agenda Item 84)  
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*In the name of God, the Compassionate, the Merciful*

**Mr. Chairman,**

The founders of the United Nations, drawing on lessons from the past in order to save succeeding generations from the scourge of war, established international legal order on the basis of sovereign equality of States and prohibition of the threat or use of force in international relations, opting for the path of multilateralism and peaceful settlement of disputes as a viable solution. Multilateralism and collective security arrangements have been major achievements of the UN system. However, these achievements are now under attack. As Secretary-General Guterres said in the opening of the 73rd session of the General Assembly, "Multilateralism is under attack from many different directions precisely when we need it most, ..., multilateralism has been in the fire".

Unilateralism, as a pressing challenge for the rule of law at the international level, has been crystalized either in the form of withdrawal from international treaties and protocols, withdrawing from a number of important agencies, waging trade wars against countries, imposition of extraterritorial illegal sanctions or any other wrongful act which put into question the foundations of international law and international legal order.

**Mr. Chairman,**

Today, I want to draw the attention of the Sixth Committee to a serious threat to the UN Charter and international relations, which needs the swift and robust reaction of the international community.

For the first time in the history of the UN, the United States – a permanent member of the Security Council with the veto power – is engaging in penalizing nations across the entire world; not for violating a Security Council resolution, rather, for abiding by it.

Let me repeat myself again. In total disregard to Article 25 of the UN Charter, the US is penalizing the Member States who implement and abide by a Security Council resolution.

This is a new and at the same time, a dangerous phenomenon which endangers the essential foundation of rule of law at the international level.

**Mr. Chairman,**

On 8 May 2018 the current US administration withdrew from the JCPOA, the agreement that was the culmination of more than a decade of negotiations and diplomacy and is a part of Security Council resolution 2231. The Security Council resolution 2231 underlines “promoting and facilitating the development of normal economic and trade contacts and cooperation with Iran” and calls upon all Member States to support the implementation of the JCPOA, including to ensure Iran’s access in areas of trade, technology, finance and energy, and refrain from actions that undermine it.

The US, however, now is targeting the countries that continue their economic ties with Iran in accordance with their obligations under the Security Council resolution 2231. What The US does by threatening revenge against countries is weaponizing its economy and currency thereby abusing the international financial system which drastically depends on the US dollar. Needless to say, these acts run counter to well-established principles of international law, including equal sovereignty of States, independence and non-intervention in other States’ internal affairs.

It is our true belief that each and every member of the community of nations has a duty to stand up against the US wrongful act and contempt for the rule of law in international relations; in particular, by refusing to give effect to irresponsible acts. The international community must act in the face of this international intimidation and affront towards the international legal order.

**Mr. Chairman,**

The open question today is how can Iran, and others, trust the United States while it is threatening to punish other countries for the implementation of the U.N. Security Council resolution it sponsored and voted for? A permanent member of the Security Council asking other states to violate a security council resolution. There is no precedent for such a dangerous move. would the international community will allow this to become a precedent? Is the international community preparing to deal with the consequences of this wrongful act if it becomes the precedent? These are fundamental questions. These questions have nothing to do with the Iran deal. All countries should be cautious regarding this outrageous move and should not allow it to happen. The General Assembly should take action in support of the primacy of the rule of law and multilateralism as well as stand against a member state who is threatening others to disobey the international law.

**Mr. Chairman,**

One of the primary goals of the United Nations, as stated in the Preamble to the Charter, is to establish conditions under which justice and respect for international obligations can be maintained. The International Court of Justice is rightly placed to help achieve that goal. Its role is critical in preserving the international legal order and common interests of the international community.

The Islamic Republic of Iran, in an effort to defend its legitimate rights, has chosen to recourse the International Court of Justice. On 16 July 2018, Iran filed its application together with a request for Provisional Measures before the International Court of Justice to protect its rights, which were infringed as the result of the re-imposition of sanctions previously lifted

under the JCPOA. Last week, on 3 October 2018, the ICJ issued its injunction against the US Government's illegal move to restore unilateral sanctions against Iran. The Court's unanimous order was another clear testament to the illegality of the United States' sanctions against our country, its people and its citizens.

The ICJ reiterated that the United States is obliged, under its international commitments, to remove the obstacles created as a result of its actions and illegal decisions made upon its withdrawal from the JCPOA, including the impediments which have emerged on the path of Iran's trade in certain domains.

In its ruling, the Court has also obliged the United States to guarantee that it will give necessary permits for cases specified in the court order and will handle relevant payments and transactions. The Court, while confirming UN Security Council Resolution 2231, has recognized the damages and irreparable harm that the US has caused Iran and its international business relations and rejected the efforts by the US Government to dismiss the Court's jurisdiction and shirk its legal responsibilities.

Just hours after issuance of the provisional measure by the Court, the US Government instead of complying with a binding decision of the main judicial organ of the UN, once again chose withdrawal and this time withdrew from the 1955 Treaty of Amity as well as the 1961 optional protocol to the Vienna Convention On Diplomatic Relation, Concerning the Compulsory Settlement of Disputes , and announced that the US would review all international agreements that could expose it to binding decision by the ICJ. The US withdrew to safeguard itself from the consequences of its illegal actions. It is obvious that these withdrawals have no legal effects.

**Mr. Chairman,**

We regret that Member States were unable to reach an agreement on a subtopic last year. The subtopic of the rule of law discussion is a unique opportunity for Member States to exchange their thoughts and best practices on the most pressing challenges to the rule of law at the national and international level. In our view, issues such as unilateralism, disregard to conventional obligations, unilateral coercive measures, using economy and currency as a weapon in international relations, using threat as a means of foreign policy and, more importantly, threatening and punishing UN Member States for abiding with the Security Council resolutions deserve utmost attention of the Member States.

My delegation takes note of the report of the Secretary-General contained in document A/73/253. The report mainly highlights the activities of the UN in enhancing the rule of law in the national level, and we commend the support provided by the UN to the Member States. We also commend the role of the rule of law unit in coordination between different parts in the UN system as well as engagement with Member States in providing technical assistance. Moreover, although the report has alluded controversial issues such as IIM and death penalty moratorium, it fails to address the important findings of the Special Rapporteur on coercive measures which have submitted to the General Assembly regarding the negative impact of unilateral coercive measures on the enjoyment of human rights. It is noteworthy that the Special Rapporteur has got his mandate from Human Rights Council and his findings fall within the scope of the Secretary- General's report.

Last but not least, it should be emphasized that each nation has the sovereign right to shape its appropriate model of the rule of law and administration of justice, based on its

specific traditions, needs and requirements and there is no single model for the development of the rule of law. National legislation shall not serve as a tool for unilateralism and violate the basic principles of international law or the sovereign rights of other states. A manifestation of such prohibited wrongful act is waiving of the immunity of states under an unsubstantiated legal doctrine that the international community does not recognize. In this connection, the US has illegally and in flagrant violation of international law confiscated billions of dollars of assets of the Government and Central Bank of the Islamic Republic of Iran under the US courts' rulings. In this connection, a public hearing under the Case Concerning Certain Iranian Assets now, is underway in the International Court of Justice and will continue until 12 October 2018.

**Mr. Chairman,**

In conclusion, in our view, the challenges to the rule of law are deeply rooted in unilateralism, disregard to the international law, foreign occupation and disrespect to the common interest of international community as a whole. Revising this path can be considered a first step toward achieving a rule-based international order.

I thank you, Mr. Chairman.