

Islamic Republic of I R A N

Permanent Mission to the United Nations

Statement by
Mr. Ali Nasimfar
Representative of the Islamic Republic of Iran
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On
"the Rule of law at the National and International levels"
(Agenda item 83)

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In the name of God, the Compassionate, the Merciful

Mr. Chairman,

I would like to thank Mr. Turk, Assistant Secretary-General for Strategic Coordination in the Executive Office of the Secretary-General for his presentation of the report on "Strengthening and Coordinating United Nations rule of law activities". We also commend Mr. Alvarez Director of the Rule of Law Unit as well as the Global Focal point for rule of law, for their leadership in Promotion of the United Nations' rule of law activities at the national level through providing technical assistance for Member States and especially on the areas such as access to justice for disadvantaged and marginalized groups as well as strengthening national institutions to prevent violence and crimes.

Mr. Chairman,

While the report of the Secretary General has identified global trends such as climate change, forced displacement and hate speech as new challenges for national and international rule of law structures, it has missed to recognize other important challenges like; unilateral coercive measures, armed conflicts, aggression and occupation. Moreover, although the report alluded to controversial issues such as IIIM, it has been selective in reflecting the developments at the international courts and tribunals. for example, the recent decision of the Second Chamber of ICC in rejecting the prosecutor request to open an investigation regarding Afghanistan situation and thus paving the way for impunity of war crimes perpetrators, as well as a number of important provisional measures issued by the International Court of Justice, have been remained outside of the purview of the report.

Mr. Chairman,

Let me recall the Declaration of the High-level Meeting of the General Assembly on the Rule of Law at the National and International Levels, in which the Heads of State and Governments reaffirmed their commitment to the rule of law and its fundamental importance for political dialogue and cooperation among all States. As stated in that the Declaration, "States are strongly urged to refrain from promulgation and applying any unilateral economic, financial or trade

measures not in accordance with international law and the UN Charter that impede the full achievement of economic and social development, particularly in developing countries". The Head of states also reaffirmed that States shall abide by all their obligations under international law.

Despite all these commitments, and regardless of existence of a robust legal framework established on the basis of state's obligations emanating from international law, unilateralism is the most pressing challenge for the rule of law at the international level. It has been crystalized either in the form of unlawful withdrawal from international treaties and protocols, withdrawing from important international organizations or agencies, waging trade war against countries, imposition of extraterritorial illegal economic and trade sanctions or any other international wrongful act which have paralyzed the foundations of international law and rule based international legal order .

The word of threats and sanctions clearly calls for confrontation rather than cooperation. No realistic man expects a meaningful dialogue for peacefully settling of disputes in such an atmosphere. Prerequisite for any dialogue with trustworthy outcomes is mutual respect consistent with international norms and principles.

Mr. Chairman ,

Ultimatums, imposing sanctions and making threats against other States has been a consistent tool and an essential element in the U.S foreign policy. The well-known phrase of "all options are on table" comes against this background. using threats in different forms and manifestation and coercion in international relations puts the whole notion of multilateralism and rule of law at stake. The United States seem to believe that sanctions, bullying and threats represent magical solutions to every challenge that they face in their relations with other States.

For the first time in the history of the UN, a permanent member of the Security Council is engaging in penalizing nations across the entire world; not for violating a Security Council resolution, rather, for abiding by it. In total disregard to the Article 25 of the UN Charter, the US is penalizing the Member States who implementing and abiding by the Security Council resolution 2231. While the resolution underlines "promoting and facilitating the development of normal economic and trade contacts and cooperation with Iran", The U.S is however now threatening economic revenge against the countries that continue their economic ties with Iran and targeting countries across the world for re-engaging Iran economically. This is a new and at the same time dangerous phenomenon which not only endangers essential foundation of rule of law, such as equal sovereignty of States and non-intervention in other States' internal affairs but also jeopardize credibility of the Security Council. This is nothing but "naked economic terrorism" which not only deliberately and indiscriminately targets civilians but also causes pain and suffering for political purposes.

Mr. Chairman ,

The Islamic Republic of Iran in an effort to respect the international rule of law has chosen to recourse to the International Court of Justice. Last year The ICJ in its provisional order 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 pullout from the JCPOA, including the impediments which have emerged on the path of Iran's trade in certain domains. The

Court while confirming the UN Security Council Resolution 2231, has recognized the damages and irreparable harm that the US has caused to Iran and its international business relations.

The court's unanimous order was another clear testament to the illegality of the United States' sanctions against my country and its people and citizens. However, since the indication of the Order, the United States has failed to implement measures requested by the Court; on the contrary, by imposing new sanctions it has moved on an opposite direction. In another move the U.S has illegally and in flagrant violation of international law, confiscated billions of dollars of assets of government and Central Bank of the Islamic Republic of Iran under the US court's rulings. In this regard, the Islamic Republic of Iran instituted proceedings against the United States before the International Court of Justice which the Court unanimously has found that it has jurisdiction, and this case is in the merits stage.

Mr. Chairman,

In summary, the problem of rule of law at the international level emanate from non-compliance of states to their international obligations. As the International Court of Justice has opined on a number of cases before it, a state cannot avoid fulfilling its international legal obligations by invoking its domestic legislation.

Imposing crippling restrictions on my mission in New York is another example of such wrongful act which have disturbed the rule of law within organization. The Host Country, by invoking its national laws and ignoring its commitments emanating from the Headquarters agreement and the General Convention, has breached its obligations under these international instruments and particularly violated articles 100 and 105 of the UN Charter.

There is an urgent need that the Secretary General also address the rule of law and its challenges within organization in its next report. We expect to find the United Nations in a position to defend its rights. An organization that could not be able to defend itself and its accredited Member States how could be inspiring to the world, on upholding justice and rule of law.

I thank you Mr. Chairman.
