

In the Name of God, the Most Compassionate, the Most Merciful

**Statement by the representative of the Islamic Republic of Iran
Before the Sixth Committee
On Draft Articles on the Prevention and Punishment of Crimes against Humanity
Cluster 1: Introductory provisions**

(Resumed session 1-5 and 11 April 2024)

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Mr. Chair.

Please allow me to express my gratitude to you and the co-facilitators of the process as well as the Secretariat for the efforts made in convening the resumed session of the Sixth Committee. We would also like to commend the International Law Commission (ILC) for its efforts in providing the Draft Articles.

We reaffirm the Islamic Republic of Iran's steadfast commitment to the prevention and punishment of such horrendous crime and highlight our commitment to actively engage in the works of the Committee on this matter as we have actively demonstrated in the previous related meetings.

Mr. Chair.

The divergence of views on the Draft Articles has already been quite visible throughout relevant processes including this meeting. My delegation is not yet convinced that drafting a new convention could bring any added value to the existing international legal framework in this regard. Therefore, the draft Articles on the "Prevention and punishment of Crimes against Humanity" should remain open to further in-depth discussion and consideration of Member States in the Sixth Committee. An effective fight against crimes against humanity requires genuine and effective implementation of obligations free from double standards, politicization and selectivity; the solution is not fragmentation of international law on this matter.

Turning to the substance of Draft Articles, it is crucial to reflect the overarching status of the fundamental principles of international law, we see merits in reiterating in the preamble as well as in an appropriate place in the initial Draft Articles, the necessity of compliance with the principles of sovereign equality, non-intervention, and territorial integrity throughout efforts in prevention and punishment of crimes against humanity. Our suggestion is in line with the reference made in preambular paragraph 3 which has already referred to principles of international law and is consistent with the reference made therein to the Charter of the United Nations. It is worth recalling that the preamble section of the Rome Statute has given particular attention also to the importance of non-intervention in internal affairs of States.

Mr. Chair.

With regard to the fourth paragraph of the proposed preamble, the Islamic Republic of Iran maintains that there is no consensus on the topic of “peremptory norms of general international law (*Jus cogens*)” in international law, and the practice as well as *opinio juris* of States concerning such paramount matter including the identification of *Jus cogens* and its effects remain unclear in some aspects. Thus, the necessity and the need for the draft Articles to address the issue of *Jus cogens* character require further studies and works. On the reference to the Rome statute in paragraph 7 of the preamble section, without prejudice to our positions on the definition of crimes against humanity which will be elaborated in more detail under the relevant cluster, taking into account that still many states are not party to the Statute, this question needs more consideration.

Mr. Chair.

I cannot conclude my remarks without referring to one of the cruelest instances of atrocious crimes including genocide and crimes against humanity that is being committed by the Israeli regime against Palestinian people. Indeed, this august meeting should not lose sight of the catastrophic situation where systematic and widespread attacks is persistently being directed against the Palestinian population resulting, in particular throughout the past six months, in the murder, forcible displacement, persecution, intentional infliction of serious bodily harm and injury to the mental health of thousands of Palestinian people including women, children and the elderly along with the intentional and calculated infliction of conditions of life such as deprivation of access of Palestinians to food and medicine.

The international community as a whole should not acquiesce to perpetration of such egregious crimes against Palestinians and should urgently stop the occupying regime from further perpetration of crimes while ensuring that those responsible for the atrocious crimes against Palestinian population will not evade justice and will be held fully accountable.

I thank you.