

Statement by

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before

The Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization

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

The Islamic Republic of Iran continues to attach great importance to the role and activities of this Special Committee. The Committee is entrusted with the mandate to address important issues related to international peace and security and pacific settlement of disputes. Thus, deliberations in this Committee could provide a common understanding for strengthening of the role of the United Nations and promotion of rule of law at the international level.

With respect to international peace and security, the issues of unlawful use of force and introduction and implementation of sanctions by Security Council as well as imposition of unilateral coercive measures and their impact on rule of law at the international level, deserve thorough consideration in the Special Committee.

Mr. Chairman,

The practices of few Member States to unlawfully resort to threat or use of force has been in defiance of peremptory norms of international law and has jeopardized the credibility of the Organization and violated the UN Charter. Clarification and re-affirmation of the Charter Provisions in respect of use of force could contribute to the strengthening of the organization. Therefore, 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 the legal consequences of resorting to the use of force without authorization by the Security Council except in the exercise of the right to self-defense.

Mr. Chairman,

The UN Security Council sanctions may only be introduced as a last resort; that is after determination of the existence of an actual threat to peace or breach of peace based on valid evidence, not mere speculations and misinformation. 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, cannot be seen as legitimate and lawful. Furthermore, there should be a mechanism for the Council to promptly lift all sanctions

when there are no grounds for having them. Also the capacity of the UN Secretariat shall be improved in a way to enable proper assessment of the unintended consequences of the UN sanctions on civilian populations.

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, leading to the 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 views it as a tool in its toolbox in pursuance of its own interest. Such measures, 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 the extraterritorial application of domestic legislations against legal and natural persons in other countries. This is in spite of many General Assembly resolutions on the necessity for member states to refrain from the application of their laws and regulations on the third states with extraterritorial effects. Such application clearly disregards the sovereignty of other States.

Mr. Chairman,

The Islamic Republic of Iran welcome the decision of the Charter Committee to hold an annual thematic debate on means for pacific settlement of disputes in line with Article 33 of the UN Charter. My delegation would like to briefly share its experience on negotiation as an effective means for a solution to crisis. We will post our full statement in the website of the committee.

JCPOA—the Joint Comprehensive Plan of Action, or as commonly known the nuclear deal is an example which demonstrates how diplomacy and negotiation could lead to a win- win and satisfactory result. It represents a successful model for patient diplomacy and negotiation. Nearly two years of successful negotiations brought an end to an atmosphere where the so called crippling sanctions and a threat to use of force had been created. The conditions which led to the successful conclusion of JCPOA were, among others, mutual respect, equal footing of parties to the negotiation and the willingness of the parties to work on the basis of common interest and common objectives.

The opportunity for a nuclear deal was created when all sides defined their goals and redlines in a way that could be reconciled including those who were suspicious of Iran's nuclear program. In this example the parties decided to adopt a step by step approach for solving their differences and focus on finding solutions. After all, the JCPOA demonstrated that when and where, there is a will, there is a way. In fact, the key element and crucial step for any successful negotiation is the decision of the parties to define their objectives from the beginning of the process, in a way to be amenable to a pragmatic solution.

It should also be highlighted that the JCPOA is not a perfect deal for any of its parties. In fact, no negotiated deal ever has been or could be perfect. A perfect deal for one side would mean a disaster for the other.

It is also a well-established principle of law enshrined in numerous international instruments including treaties and General Assembly resolutions that States should implement in good faith what they pledge to do through bilateral or multilateral instruments. The Islamic Republic of Iran has demonstrated its good faith, to the fullest extent of the meaning, during the JCPOA negotiations as well as its implementation. The parties to the JCPOA committed themselves to implement the result of their negotiations in a constructive atmosphere based on mutual respect and to refrain from any action inconsistent with the letter, spirit and intent of the JCPOA that would undermine its successful implementation.

Mr. Chairman,

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 Member States to engage in constructive dialogue for better improvement of the work of the Committee. we reiterate the need for genuine political will in order to advance the long-standing issues included those in the agenda.

I thank you, Mr. Chairman.