



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

Identification of new subjects
(Revised Proposal submitted by the I.R. of Iran to the Charter Committee in
2020 concerning “Obligations of Member States in relation to unilateral
coercive measures: guidelines on ways and means to prevent, remove,
minimize and redress the adverse impacts of unilateral coercive measures”)
New York, 21 February – 1 March 2023

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

Mr. Chairman,

The extraordinary consequences of the imposition of unilateral coercive measures (UCMs) against developing countries encouraged my delegation to submit a proposal in 2020 entitled the “Obligations of Member States in relation to unilateral coercive measures: guidelines on ways and means to prevent, remove, minimize and redress the adverse impacts of unilateral coercive measures” that is annex to the report of the Special Committee in document A/75/33. Sanctions disproportionately harm the most vulnerable, and often the most innocent, parts of societies.

We have taken the time to consider the developments in the UN bodies, including the recent resolutions adopted within the General Assembly and Human Rights Council, such as A/RES/77/214 (15



December 2022) entitled “Human rights and unilateral coercive measures” and A/HRC/RES/49/6 (31 March 2022) entitled “The negative impact of unilateral coercive measures on the enjoyment of human rights”, and taken into account the General Assembly Resolution A/70/1 (25 September 2015) entitled “Transforming our world: the 2030 Agenda for Sustainable Development” in addition to the two reports of the Secretary-General and Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights contained in documents A/77/296 (17 August 2022) entitled “Unilateral sanctions in the cyberworld: tendencies and challenges” and A/HRC/51/33 (15 July 2022) entitled “Secondary sanctions, civil and criminal penalties for circumvention of sanctions regimes and overcompliance with sanctions”, respectively. In this regard, my delegation provided the following additions to its original proposal in 2020 that have been circulated in document A/AC.182/L.161:

- 1- It has been tried to provide a clear legal definition for UCMs in the preambular, guidelines and draft resolution of the revised proposal. Therefore, when we talk about the illegitimacy of UCMs, we address those which are without or beyond the authorization of the Security Council that cannot be qualified as retorsions or countermeasures under the law of international responsibility.
- 2- The issues of secondary sanctions as well as imposition of civil and criminal penalties for the circumvention of the sanctions regimes in the domestic law of sanctioning countries generate fear of any interaction with targets of those sanctions, leading to voluntary overcompliance. This important issues as well as detrimental side effects and consequences of the sanctions that are overcompliance



have been recognized by both Secretary-General as well as Special Rapporteur wherein my delegation has worked to capture in the revised proposal.

- 3- As a practical step for the adoption of the Guidelines, operative paragraph 3 has also been added to the draft resolution.
- 4- All resolutions adopted in the GA and Human Rights Council addressing the UCMs in 2022 are incorporated in the preambular section of the draft resolution.
- 5- In the Guidelines part, a verbatim language from resolution A/70/1 incorporated which read as follows: ‘States are strongly urged to refrain from promulgating and applying any unilateral economic, financial or trade measures not in accordance with international law and the Charter of the United Nations that impede the full achievement of economic and social development, particularly in developing countries’.

Mr. Chairman,

As we have indicated repeatedly, our proposal is a legal reaction to politicized coercive measures. It is an effort to strengthen the legal framework to counter those illegal actions and hold accountable those which invoke them as well as crystalizing the responsibilities of third states when facing these illegal coercive measures. We also believe that this important issue deserves to be addressed by the International Law Commission.



As such, my delegation invites all Member States to carefully review this proposal and engage in a substantive discussion.

Furthermore, my delegation would like to request the Charter Committee and its distinguished Chair that this revised proposal to be annexed to the report of the Special Committee.

I thank you.