

Islamic Republic of **I R A N**

Permanent Mission to the United Nations

Statement by

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on agenda item 85:

"The rule of law at the national and international levels"

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In the Name of God, the Compassionate, the Merciful

Mr. Chairman,

My delegation aligns itself with the NAM statement on this agenda item that was delivered yesterday. I begin by reiterating that promotion of rule of law and justice at the national and international levels stands as one of our core priorities. A secure, peaceful and prosperous world where we live together, can be envisioned through a rule-based international relations where rights of all nations is well respected.

Mr. Chairman,

In resolution A/69/123 we agreed on the theme for our debate this year as "The role of multilateral treaty processes in promoting and advancing the rule of law". we attach great importance to this matter and welcome the outcome of our thematic deliberations this year. Establishing an inclusive and effective multinational treaty framework could play a major role in promoting and advancing the rule of law at the international level and creating a rule-based system in which might does not replace right. Such system can lead to fair international order, accountability, justice and peace.

Nevertheless and considering the rapid advances in terms of technology as well as new issues emerging as the result of more complex nature of international relations, the international community faces new multidimensional challenges. To address these evolving challenges, it is indispensable to create new and common norms and regulations to tackle them. However, law making process always lags behind new developments. We , therefore, need better coordination, inclusive and timely response.

United Nations and its multilateral framework should be at the center of this exercise. Any norm-setting initiation and process lacking transparency and inclusiveness could partly result in the phenomenon often called as fragmentation of international law. We should be mindful about such flawed process, which undermines multilateral legal frameworks and weakens international rule of law. Recent establishment of "Anti Counterfeiting Trade Agreement, ACTA", that may likely lead to conflicting obligations for WTO member States, is just an example. We maintain that strengthening rule-making activities on development related issues, which should assist developing countries to achieve development goals is of utmost importance to ensure that development pillar of the United Nations is not neglected.

Mr. Chairman,

The Charter of the United Nations, which we celebrate its 70th anniversary of its adoption these days was a milestone to prohibit use of force and encourage a rule-based relations among nations. The Charter has envisioned such relations based on certain principles and rights and obligations of States free from want and coercion of mighty powers that tend to dominate others. "Rules" to govern international affairs should be agreed upon under legal principles including the sovereign equality of States and right of all States to equally participate in such process and play their active role in concluding international binding instruments. United Nations since its establishment has significantly contributed to this process; from initial deliberations to actual negotiations and to the functions of the Secretary-General as the depository of the large number of international treaties. My delegation is of the view that this process at the UN can be improved to ensure that basic principles in multilateral law-makings are adhered to. We are ready to engage with the Member-States and the Secretariat in an exercise to that end.

Mr. Chairman,

It is fundamentally important that all States strive in best possible ways to promote the rule of law in their respective countries. We should also be cognizant of the sovereign right of each nation to establish its own model of the rule of law and administration of justice, and to develop an efficient and fair legal and judicial system based on its own cultural, historical and political traditions. Thus, where it comes to the United Nations system, it should firmly respect the principle of national ownership when planning and implementing technical assistance to promote rule of law in programme countries. The United Nations can assist Member States to exchange best practices in order to better serve citizens with their national justice systems. Any descriptive methods and categorizing of States based on artificial indicators would bear adverse results.

Mr. Chairman,

I would also like to refer to unilateral and extraterritorial application of domestic legislations against other countries, which clearly and gravely contravene the rule of law at the international level. If a legislative body of a state makes decisions for other countries regardless of its obligations under international law and against the wishes of other independent and sovereign states, what would remain of the rule of law at the international level? Such unilateral extraterritorial actions are but an obvious manifestation of rule of power through the misuse of instrument of law. It could also qualify as internationally wrongful acts in many cases, which would entail the international responsibility of the state concerned including full reparations for any damages incurred in targeted states.

International law must be respected equally by all States. Selectivity and double standards in application and enforcement of international treaties must also be rejected, since they undermine the very nature and objective of the rule of law. To conclude I use this opportunity to emphasize that by following international law and a justice-based approach, and respecting the inherent right of others on an equal basis, we will be able to overcome the difficulties and challenges before us in such a turbulent world that needs more coordination and close cooperation.

I thank you.