

Statement by
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Before
The Sixth Committee of the
73rd Session of the United Nations General Assembly
on

“Status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts”

(Agenda item 83)

New York, 17 October 2018

In the name of God, the Compassionate, the Merciful

Mr. Chairman,

My delegation takes note of the Secretary-General’s report on this item contained in document A/73/277 entitled “the Status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the Protection of victims of armed conflicts”.

The Islamic Republic of Iran attaches great importance to this biennial agenda item as an opportunity to consider international humanitarian law in general and to exchange views on the latest development in the field, especially as concerns its implementation and dissemination which happen to be the most significant challenge thereof as well.

The 1949 Geneva Conventions are among the key achievements of the human civilization, as an attempt to humanize war. They provide a comprehensive body of rules and norms to provide protections for victims of armed conflicts based on the key principle of distinction between combatants and non-combatants, and civilian objects and non-civilian objects. In that context, the International Court of Justice, in its advisory opinion on "Legality of the Threat or Use of Nuclear Weapons specifies the cardinal principles which constitute the fabric of humanitarian law as follows:

- First: protection of the civilian population and civilian objects and establish the distinction between combatants and non-combatants; thus, States must never make civilians the object of attack or never use weapons that are incapable of distinguishing between civilian and military targets;

- Second: it is prohibited to cause unnecessary suffering to combatants: thus, it is accordingly prohibited to use weapons causing them such harm or uselessly aggravating their suffering. In application of this principle, States do not have unlimited freedom of choice of means in the weapons they use.

Mr. Chairman,

Against this backdrop, the Islamic Republic of Iran fully recognizes the indispensable role of international humanitarian law, especially the provisions of the four Geneva Conventions in minimizing the negative impacts of armed conflicts. As such, cognizant of horrible consequences of IHL violations, the Islamic Republic of Iran has made constant efforts in promoting, publicizing and disseminating knowledge of IHL norms including among its armed forces.

The creation of the Iranian National Committee on Humanitarian Law has been a turning point in promoting knowledge of IHL in the country. It has actively contributed to the promotion and dissemination of IHL among armed forces as well as the academic society in Iran. In this context, the Iranian National Committee has conducted significant events and activities. As the case in point, an important conference on “Islam and International Humanitarian Law” held in 2016. The event proved to be very fruitful and productive in identifying synergies between contemporary international humanitarian law (IHL) and the rich Islamic humanitarian heritage. Also, in another event on 9 August 2018 the first round of the 10th Moot Court Competition of International Criminal Court (National Round) was held in collaboration with Iran's National Committee of Humanitarian Law and the ICRC office in Tehran.

In this context, the Iranian National Committee of IHL is also organizing a “National Seminar on current issues and challenges for IHL” which to be held in Tehran on 27 February 2019. In this seminar, various topics and aspects of IHL *including* methodological approaches to IHL, ensuring of implementation of IHL, Humanitarian organizations, New technologies and IHL, Health and IHL, terrorism and non- state actors, Human rights and IHL will be considered and deliberated by academic society in Iran.

The Islamic republic of Iran has also been actively engaged in fourth intergovernmental Meeting of States on compliance with International Humanitarian Law which was held from 4 to 6 May 2018 in Geneva. We expressed our views on 24 common elements. We are of the view that the existing bulk of international humanitarian law is enough to strengthen compliance with IHL and as such, the existing mechanisms, namely Conference of ICRC and Red Crescent Movement remains to be the best and viable options in this regard. We hope this Process will strengthen compliance with international humanitarian law while respecting the State sovereignty as well as adherence to well-established principles of international law.

On the context of regional cooperation, the 8th South Asian Conference on International Humanitarian Law entitled “New Technologies and IHL” will be held in Tehran on 17-19 November 2018. The objective of this conference which will be co - organized by the Ministry of Foreign Affairs of the Islamic Republic of Iran and ICRC is to provide States and relevant stakeholders in the region with a platform to discuss various aspect of IHL and issues related thereto; enhance interaction between States, other partner organizations and the ICRC, and to strengthen institutional dialogue and collaboration on IHL and related principles.

Mr. Chairman,

Turning to the actual implementation of IHL in the field in our region, the most serious violations of IHL, particularly in the Palestinian occupied territory, continued to dramatically deteriorate over the past years. the occupying power has not been observing its obligations under the Fourth Geneva Convention as UN Security Council and the General Assembly have declared several times in their numerous resolutions. Moreover, the International Court of Justice in its advisory opinion entitled “the Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory” of 2004, sheds light on the diverse aspects of illegality of actions of the occupying regime in the Palestinian occupied territory. The result of these breaches has been severe suffering of civilians, aggravation of human suffering and continued disregard for the most basic principles of international humanitarian law.

Furthermore, it is both regrettable and alarming that in South Western Asia, we still witness violation of international humanitarian law on a daily basis. It needs to be emphasized that the implementation of international humanitarian law in South Western Asia is seriously at stake. Over nearly three years, the foreign military intervention in Yemen has exacerbated the humanitarian situation in that already poor country, leading to tens of thousands of deaths and injuries, millions of people suffering from disease and a large portion of the population displaced. Further, the inhumane blockade or the strict restrictions imposed, continue to spread malnutrition, hunger and famine. The provision of massive humanitarian assistance to Yemen is imperative and urgent.

To close my statement, my delegation hopes all States, consistent with their obligations, will do their best endeavor to respect international humanitarian law.

I thank you, Mr. Chairman.