

**Statement**  
by  
**H.E. Dr. M. Javad Zarif,**  
**Permanent Representative of the Islamic Republic of Iran**  
**at the informal meeting of the Plenary of the High-level Plenary Meeting of the**  
**General Assembly of September 2005**

**New York ,June 21, 2005**

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

**Mr. President,**

Allow me, to begin by thanking you for your excellent and skillful leadership in preparing the first draft of an outcome document for the forthcoming High-Level Meeting and for convening these informal consultations to elicit the views of Member States. The way forward that you have envisaged should enable us to address all the important issues before us in an inclusive and transparent manner. My delegation remains committed to continue to cooperate actively, constructively and closely with you and the facilitators. In our view, the draft outcome document demonstrates a genuine effort to reflect and incorporate the views expressed by Member States in the course of the 1st and 2nd phases of this ongoing process. We note that the draft tackles the issues of great importance to the international community with more care. And as such, we believe that this draft could constitute a good basis for our efforts aimed at finalizing the Summit outcome document in a balanced and timely manner.

**Mr. President,**

My delegation associates itself with the statements made by the distinguished Permanent Representatives of Malaysia as Chairman of the Non-Aligned Movement and Jamaica as the Chair of the Group of 77 and China. I would like to briefly highlight a number of issues of particular importance.

**First, on Development:**

Given the centrality of development in advancing the purposes and principles of the UN Charter, my delegation is of the view that developmental issues, including the role of education in poverty eradication, should be reinforced. We acknowledge the special needs of Africa, and we stress that development efforts in Africa deserve special attention from the international community.

While subscribing to the proposed policies in the draft for a stronger system-wide coherence, we should not lose sight of the fact that many decisions that affect the world economy are still taken outside the multilateral framework of the UN system without considering the interests of developing countries. It is imperative to enhance the capacity of the UN system, enabling it to effectively address development issues and assist developing countries in achieving the internationally agreed development goals including

the MDGs. This obviously requires defining the role of the UN system and its operational activities not only in the short and medium terms but also in the long run.

Furthermore, the forthcoming Summit should address the use of extra-territorial and unilateral coercive measures against developing countries, and reaffirm that no State may use or encourage the use of unilateral economic, political or any other measure to coerce another State in order to subordinate the exercise of its sovereign rights.

## **Second, on Peace and Security and the Use of Force**

It is imperative that each and every proposition and recommendation in the cluster on peace and security must not only conform to, but in fact reaffirm and strengthen the legal regime governing the use of force enshrined in the UN Charter. This is an essential prerequisite to uphold and promote the rule of law and to preclude anarchy in relations among nations.

In this context, a number of standards should be scrupulously observed. First, given the interconnected nature of today's threats, the outcome document must address the security concerns of all States. Second, we should focus on the need to reverse the propensity to resort to violence and coercion by States and non-State actors, and encourage multilateral efforts aimed at employing sustainable ways and means to address threats and challenges within the parameters of international law. Third, we should allow no dilution of the spirit and letter of the UN Charter and refrain from any deviation from them.

The Charter of the UN has made it abundantly clear that the prohibition on the use of force includes an equal obligation to refrain from the threat to use force as an erga omnes obligation. The draft outcome document, however, omits any reference to the threat of force. This omission is unacceptable as it could be construed as reinterpretation or modification of the UN Charter. The document must be brought into conformity with this fundamental principle of international law and the Charter, and the necessary corrections should be made throughout the draft, including in paragraph 33.

Furthermore, since the central purpose of the UN Charter is to prevent, not facilitate, the use of force, my delegation cannot agree with conducting any discussion on criteria for the use of force, unless it is clearly stated that such criteria are to govern exclusively the use of force by Security Council under Chapter VII of the Charter, while the individual or collective resort to force will only be authorized in full conformity with Article 51, that is in self defense in response to an armed attack. Otherwise, any criteria in this respect would be subjective and, given the lack of any authoritative body to judge, could be misused, mostly by powerful States against weaker States.

Moreover, we need to reiterate our commitment to multilateralism, and the imperative of addressing threats and challenges by strictly abiding by the UN Charter. We should also express our rejection of unilateralism that, if unchecked, would increasingly lead to erosion of international law and to the threat or use of force.

## **Third, on Disarmament and Non-Proliferation,**

We believe that while specific issues relating to the NPT and its operation must be dealt with in the NPT review process, the upcoming Summit provides an opportunity to take stock of the general trends and shortcomings in the past. The document should address

practices that have inflicted heavy damage to the integrity of the NPT and its goals, namely failure to pursue nuclear disarmament and discriminatory restrictions against non-nuclear States on access to peaceful nuclear technology.

Though the draft outcome document makes a few references to general disarmament, it fails to address the threats emanating from the lack of compliance with the unequivocal commitments of the nuclear-weapon States for elimination of their nuclear weapons, the development of new types of nuclear weapons and new strategic doctrines regarding the use of nuclear weapons against non-nuclear states.

Moreover, the draft enters into issues that are not only of exclusive relevance to States Parties to the NPT but also runs counter to the provisions of the NPT concerning the peaceful use of nuclear technology. The discriminatory proposal on enrichment, which aims at depriving NPT members of their legally-recognized right under the treaty, will further disrupt the balance between the rights and obligations of the States Parties and will only undermine the Treaty. Re-introducing such proposals that have already been rejected by a significant number of NPT States Parties, and have failed to attract general support within the MNA working group, the IAEA Board or the NPT Review Conference could only lead to disintegration of the NPT and its legal regime and mechanisms.

#### **Forth, on Peace-Building Commission**

We concur with the provisions in the draft that the peace building commission, aiming exclusively at post-conflict activities, should be intergovernmental and advisory in nature and decision making about its terms of reference, composition, financial arrangements and the like must remain within the purview of the General Assembly.

#### **Fifth, with regard to Terrorism**

The focus of combating international terrorism should be, undoubtedly, on the protection of civilians. However, any definition should be comprehensive and include the protection of peoples under occupation from State terrorism exercised by occupiers. In this context, there could be no escaping from the fact that terrorism could not be defeated by exclusive recourse to military and law enforcement means. While nothing could and should justify the killing of innocent people, dealing effectively with root causes of terrorism is an indispensable prerequisite for eradication of terrorism.

#### **Sixth, on Responsibility to Protect,**

The notion of “responsibility to protect” that is incorporated in the draft outcome document is highly controversial and undefined. It is susceptible to wide range of subjective interpretations and subsequent misuse by vested interests on the global and regional levels. While we support the necessity of concerted action by the international community, in accordance with the UN Charter, in cases of heinous crimes of genocide, war crimes and crimes against humanity, my delegation would not be able to go along with the vague notion of "responsibility to protect".

#### **Seventh, on Human Rights**

A pertinent question arises whether the proposed Human Rights Council would be able to rectify the present shortcomings of the UN human rights machinery, or would it simply add to the atmosphere of mistrust and crisis of confidence that have afflicted the entire human rights system over the past several decades.

Moreover, even if the proposed Human Rights Council is to be created as a subsidiary organ of the General Assembly, then the requirement of a two-third majority for election of its members, as proposed in the draft, would be a departure from the procedure established by the Charter, which requires the members of the subsidiary organs of the General Assembly to be elected by a simple majority.

### **Eighth, on Dialogue among Civilizations**

"Dialogue among civilizations", which already enjoys broad support in this Assembly and around the globe, is one of the most effective means to tackle the growing threats and challenges to peace, development and human rights. We note that references have been made to dialogue in the draft outcome document, but we believe that we should recognize and build upon the work that has already been done by this Assembly, including "the Global Agenda on Dialogue among Civilizations", sponsored by close to two thirds of Member States and adopted unanimously by the General Assembly in November 2001. This would be particularly fitting, since the forthcoming General Assembly has the review of the implementation of this "Global Agenda" on its agenda.

### **Ninth, on Security Council Reform**

We have noted that the lack of reference to the working methods of the Council in the previous reports has been relatively rectified in the draft outcome document. However the general references made in this regard may not necessarily correspond to the importance that the overwhelming majority of the member states attach to this burning issue. In our view, more specific recommendations based on the previous deliberations in this respect, particularly the large amount of work done by the Open-Ended Working Group on the Reform of the Security Council, should be incorporated in the draft .

### **Tenth, on Reform of the Secretariat**

We support the Secretary-General's efforts to strengthen the Secretariat in order to effectively carry out the mandates of the Organization. While emphasizing the need to strengthen management and performance, we believe that a clear system of accountability for effective management in the Secretariat should be a prerequisite for any further delegation of authority to program managers.

With respect to reviewing mandates older than five years, we note that there is already an intergovernmental mechanism in place to review mandated programs and activities, and the task is currently being implemented as part of the budgetary reform process. We are of the view that any overall review requires a comprehensive analysis of the respective mandates that cannot be accomplished by adopting a general political decision and, thus, should be undertaken through the current intergovernmental mechanism.

We wonder how a one-time staff buy-out can modernize and improve the personnel structure and quality in the Secretariat. Structural improvement in human resources of the Organization can be achieved through effective management policies. Indeed, the reform measures, legislated by the resolutions on human resources management, were introduced for this purpose with a view to enabling the management to respond to the pressing need for attaining a capable and effective Secretariat.

**Mr. President,**

This draft outcome document tackles important issues with far-reaching implications and ramifications. The success of the September Summit will depend, *inter alia*, on the clarity and widest acceptability of the proposed measures in this document. This requires adopting a final negotiated document that reflects a balanced consensus on all major issues.

Finally, we all recognize that reform of the United Nations is an ongoing process and that Member States are the major stakeholders in this endeavor. While we should aim for our leaders to be able to adopt major decisions collectively in September, we have to expect that the process of transforming the United Nations into an organization able to meet the threats and challenges of the twenty first century will continue well beyond September.

**Thank you Mr. President.**