



**The Islamic Republic of Iran**

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**GENERAL DEBATE**

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*In the Name of God*

**Mr. President**

At the outset, allow me to join the previous speakers and congratulate the new president and his vice-presidents on their recent election. I am quite sure that under their skillful and diligent leadership, we would have fruitful discussions. I would also like to appreciate the outgoing presiding officers.

Furthermore, I shall express my sincere appreciation to the Secretariat of the Assembly of the States Parties for making the preparations and express gratitude to the government of the Kingdom of the Netherlands for hosting this Assembly.

**Mr. President,  
Distinguished Delegates,  
Ladies and Gentlemen,**

For more than half a century, and almost since the inception of the United Nations, the international community, through the General Assembly, has recognized the need to establish an international court to prosecute and punish perpetrators of the most heinous international crimes, namely war crimes, crimes against humanity, genocide and the crime of aggression. The establishment of the International Criminal Court was a milestone towards achieving peace through justice. Though there is still a distant way to achieve the desirable results.

**Mr. President,**

History proves that Iran has never had any role in crimes against humanity such as the crimes committed during the last two World Wars, genocides taken place in different parts of the world, the Hiroshima and Nagasaki tragedies, Vietnam war and the crimes perpetrated during the war in Balkan, and the atrocious crimes that are being systematically committed against the Palestinian people. As the United Nations reports have made clear, although chemical weapons have been used on Iran, this country has never used them in retaliation.

The Iranian nation, as the victim of many such heinous crimes, in particular the war crimes against Iranian soldiers and civilians during the war after the Islamic Revolution in our country, has always been

expecting the international community to prosecute and punish those who commit the international crimes and the abettors as well.

Unfortunately, due to political motives, in many cases, like the crimes committed against Iranian nation, both the national and international competent forums remained silent and passive. The victims of these horrifying crimes have suffered enough from the abuse of existing international mechanisms through politically motivated negligence or application of double standards.

However, we are pleased that after a long time since the occurrence of those crimes against the Iranian; recently there were attempts to prosecute some of the responsible persons before domestic jurisdictions. For instance, in May 2007, a court in The Hague convicted a Dutch national for complicity in war crimes by providing Saddam's Regime with chemical materials, used against Iranian and Iraqi people by that regime, a fact judicially established during a fair trial in the city being referred to as the judicial capital of the world.

Nonetheless, it is the starting point and we wish that through both national and international forums, all perpetrators and abettors of the international crimes be prosecuted, convicted and punished for their irresponsible behaviors. This is not only a wish, but also an obligation undertaken by the members of the international community in accordance with the Geneva conventions of 1949 and many other international instruments.

In fact, as the principle of complementarity provides for, the main responsibility remains on the shoulder of the national criminal jurisdictions. Therefore, parallel to the international efforts to strengthen the ICC, and even prior to that, the need for boosting the domestic judicial capacities is a crucial element for realizing the purposes of the Rome Statute. And from a technical point of view, acting in this field would have a far reaching impact on the success of the Court. Personally, I hope that the humanity witness a day in which there would be no need for the ICC to act.

**Mr. President,  
Excellencies, Ladies and Gentlemen;**

We believe that, should the International Criminal Court remain neutral, independent and apolitical, and avoid double-standards, as was intended by its founders, it may play a major role in the global trend towards ending impunity.

My Government believes that the Court and its organs, as a judicial body, shall respect the laws and regulations existing in the system it

belongs to. In other words, in order to achieve its goals, in particular in the field of collecting evidence or arresting the accused people, it must refrain from taking any measure that could be considered as infringement of international law. We firmly believe that in no way, the goal could justify the means, even a holy one.

**Mr. President,**

At least over the past 3 centuries, Iran has not waged a single war of aggression, nor has it initiated any hostilities against a fellow member of the United Nations. Being a victim of many examples of aggression by other countries, The Islamic Republic of Iran has always been supporting the idea of inclusion of the Crime of Aggression in the Court's Statute and has actively participated in the related discussions in the Rome Conference and other sessions afterwards.

Though, I should emphasize that unfortunately, the United States government, by applying travel restrictions to Iranian delegates, in an unjust, discriminatory and politically motivated manner has deprived us from participating in the informal meetings of the Special Working Group on the Crime of Aggression, held in Princeton University.

**Mr. President,**

Finally, on the issue of the recent developments on the situation in Darfur, I would like to draw your attention to the final document of the 15<sup>th</sup> Ministerial Conference of the Non-Aligned Movement held in Tehran in July 2008, in which the Ministers of the movement expressed their conviction that no action should be taken that could jeopardize the delicate nature of the political process leading to a lasting peace in Darfur.

**Mr. President,**

At the end, the Islamic Republic of Iran wishes that the International Criminal Court would function as an independent, impartial and universally effective judicial body.

**Thank you for your attention**