

**Statement by H.E. Ambassador Eshagh Al-Habib
Chargés D'affaires Ad Interim of the Permanent Mission of
the Islamic Republic of Iran to the United Nations
On “Draft Resolution on the 2021 Budget of the Special Political Missions”
At the Fifth Committee of the United Nations General Assembly
New York, 31 December 2020**

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

Mr. Chairman,

It is extremely disappointing that certain new proposals have been made by the US at this late stage of negotiations.

The U.S. delegation makes these proposals while, during the informal consultations, that delegation itself had proposed, on behalf of its group, that all proposals to draft resolution on the SPMs must be put aside.

Under new conditions, the Islamic Republic of Iran would like to request a recorded vote on the oral amendments proposed by the U.S. delegation to the draft resolution on the 2021 Budget of the Special Political Missions.

For the following reasons, my delegation respectfully invites all distinguished delegations to vote against the U.S. proposals.

Let me begin by providing a clear picture of the overall context of these proposals. They are related to the Joint Comprehensive Plan of Action (JCPOA), a historical achievement of multilateral diplomacy which helped end an unnecessary decade-long crisis over the peaceful nuclear activities of Iran.

In 2015, the Security Council endorsed the JCPOA through unanimous adoption of resolution 2231 (2015), in which the Council affirmed that the conclusion of the JCPOA marks a fundamental shift in its consideration of Iran’s nuclear program.

Accordingly, through that resolution, the Council terminated all of its previous resolutions regarding Iran’s nuclear program.

Consequently, a new mechanism on the implementation of resolution 2231 replaced the Sanction Committee and Panel of Experts established by previous resolutions.

The United States was a JCPOA participant until May 2018 when it unlawfully withdrew therefrom and reneged on all its commitments therein. Since then, the United States has been in material breach of resolution 2231 and missed no time nor opportunity to destroy the JCPOA and that resolution.

This summer, the U.S. proposed a draft resolution in the Security Council to indefinitely extend a number of implementation timelines of resolution 2231. The U.S. draft was obviously rejected by the Council as it was contrary to the resolution.

A few days later, the U.S. attempted to activate a JCPOA-related mechanism embedded in resolution 2231 in order to reinstate all previous resolutions of the Council against Iran. Again, the U.S.'s move was rejected by the Security Council. Thirteen Security Council members considered the status of the U.S. as it is not a JCPOA Participant State and thus not legally eligible to use a right which was reserved for the JCPOA Participant States only.

Bearing in mind the above-mentioned facts, the U.S.'s proposals to allocate financial and administrative resources for implementation of the terminated resolutions of the Security Council are in fact the repetition of the same approach that was defeated in the Security Council earlier this year.

Taking into account the provisions of the UN Charter and resolution 2231, the proposed amendments lack even the slightest legal basis.

Despite being proposed under the section on "the 2021 budget of the implementation of resolution 2231 of the Security Council", the proposals are perversely in full contravention with that resolution.

They are also in absolute contradiction with the provisions of the UN Charter regarding the Assembly's powers and functions as well as the relationship between the General Assembly and the Security Council.

On what legal ground is the General Assembly in a position to allocate resources in the absence of any decision by the Security Council? Does the General Assembly intend to act in violation of Article 12 of the Charter on an issue that the Security Council continues to be seized of?

Moreover, to seemingly provide a reference for its proposals, the U.S. is referring to a letter it had sent to the Council President in the summer of 2020. The Security Council, as the relevant competent body, by absolutely rejecting the eligibility of the U.S. to make such a request as stated in that letter, has avoided its consideration let alone taken any decision thereon. Therefore, a document referred to in the U.S.'s proposal is not a Security Council decision, rather it is a letter by the U.S. which has already been rejected by the Council.

On a final note, we warn that if these proposals are allowed to be included in the draft resolution, it will definitely be unprecedented and, more importantly, a heretical measure.

Therefore, under these circumstances, we should not permit the General Assembly to be misused. Respect for the rule of law, multilateralism and diplomacy necessitates rejection of the United States' proposals.

I sincerely appreciate the positions of those States and groups that have already expressed their opposition to these proposals.

Once again, I respectfully invite all distinguished delegates to vote against the U.S.'s proposals, not just as a matter of animosity of the U.S. against Iran, but as a very essential matter of principle

as well as credibility and legitimacy of the UN Charter while also respecting and preserving the legal process of decision making in the General Assembly.

Thank you for your attention.