

Islamic Republic of Iran

Ministry of Foreign Affairs

Statement by

On the report of the International Commission of Inquiry

Chapter I (Paragraphs 13, 14 and 200) concerning

the

Algeria

1980-1981, 20 August 1981

The

Islamic Republic of Iran

has received the report of the International Commission of Inquiry

concerning the events in Algiers in 1980-1981.

The Commission's report is a serious and comprehensive study

of the events in Algiers and the role of the Islamic Republic of Iran.

The Commission's findings are based on a thorough and impartial

investigation of the events in Algiers.

The Commission's report is a valuable contribution to the

understanding of the events in Algiers.

The Commission's report is a clear and concise summary of the

events in Algiers.

The Commission's report is a well-documented and well-researched

study of the events in Algiers.

The Commission's report is a valuable contribution to the

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articles, however, this phrase has been replaced with "the crime of genocide and war crimes". It

necessity and the need for the draft articles to address the issue of Jus cogens character merits further studies and works.

Seventh, the obligation of States to prevent crimes against humanity, as currently drafted, ~~is too broad and leaves very less freedom for the national systems in terms of administrative and~~

same provisions in a new instrument or even expanding the concept and changing its nature and scope of application. Accordingly, we recommend the Commission to opt for "draft guidelines" as a proper form for the final outcome of its work.

Mr. Chairman,

Turning to the topic: "**Provisional Application of Treaties**", my delegation appreciates the work undertaken by the Special Rapporteur. We are confident that the principle of consent prevailing in international law and particularly law of treaties remain to be the core element of present topic. We concur with proposing draft guidelines as the proper form for the ongoing work, since it demonstrates the flexible and non-binding nature of proposed provisions. We also maintain that provisional application would not serve as a basis for restricting States' rights with regard to their future conduct in relation to the treaty that might be provisionally applied.

The conventional nature of the provisions...

on the Law of Treaties in the context of provisional application to determine which provisions of the Vienna Convention apply to provisional application and which do not.

And finally on this topic, it is doubtful whether there are grounds in State practice for the full implementation of the international responsibility regime for breach of an obligation arising under all or part of a treaty applied provisionally, irrespective of the content of the provisions

no full implementation of the provisional application of