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The Permanent Mission of the Islamic Republic of Iran to the United Nations Office and other International Organizations in Geneva presents its compliments to the World Heath Organization and with reference to the note verbale No. C.L.2.2007 dated 17 January 2007 concerning the Reservation and Understandings of the Government of the United States of America on the International Health Regulations (IHR), has the honor to convey the official objection of the Government of the Islamic Republic of Iran to the same Reservation and Understandings, based on the following:

According to the IHR, while “States may make reservations to these regulations”, “such reservations shall not be incompatible with the object and purpose of these regulations”. Furthermore, in accordance with the IHR, “the implementation of these Regulations shall be guided by the goal of their universal application for the protection of all people of the world from the international spread of disease”.

The Government of the Islamic Republic of Iran believes that, by giving more prominence to federalism than its obligations under the IHR, the reserving Government attempts to evade its due responsibilities and obligations. The aforementioned Government, by adopting a selective approach, provides its states with the option of exempting themselves from full compliance with the provisions of the IHR. Since implementation of the IHR largely depends on the development, strengthening and maintenance of the core capacity requirements set forth in Annex 1, reservation of such a general nature leads to undermining the IHR foundations as well as its integrity and universal applicability. Such reservation is considered to be incompatible with the object and purpose of these regulations and is, therefore, unacceptable.

Moreover, the understandings and interpretations assumed by a government, too, should not affect the obligations to be undertaken by that government and must not be incompatible with the object and the purpose of the Regulations.

As regards to the first Understanding of the reserving Government, it must be recalled that the majority of W.H.O Member States participating in the IHR negotiations, categorically rejected the inclusion of the related interpretation within the provisions of the IHR. Their rejections were prompted to avoid confusion over
respective obligations of the State Parties under the IHR and to preempt overlapping
of the competencies and duplication of work among the relevant intergovernmental
organizations or international bodies. Articles 6.1 and 14.2 of the IHR address such
concerns.

The second Understanding attempts to dilute the obligations of the U.S.
Government under the IHR. It is an attempt to place national interests above the treaty
obligations by excluding the U.S. Armed Forces from the IHR bindings. The
universal applicability of the IHR for the protection of all peoples of the world from
the international spread of diseases leaves no room for exempting the American
Armed Forces, in particular those operating abroad. Such an exemption could not be
conceded to, taking into account the nature, direction and possible public health
consequences of the U.S. Armed Forces operations. It should be recalled that during
IHR negotiations, the majority of W.H.O. Member States strongly rejected the above
exclusion proposed by the U.S. Government. It is, therefore, in violation of the U.S.
obligations under the IHR and is incompatible with the object and purpose of these
regulations, to which the Government of the Islamic Republic of Iran strongly objects.

The Government of the Islamic Republic of Iran reiterates that it does not
consider the Reservation and the two Understandings stated by the U.S. Government,
as legally binding.

The Permanent Mission of the Islamic Republic of Iran avails itself of this
opportunity to renew to the World Heath Organization the assurances of its highest
consideration.