



INTERNATIONAL COURT OF JUSTICE

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Press Release

Unofficial

No. 2018/43

30 August 2018

Alleged violations of the 1955 Treaty of Amity, Economic Relations, and Consular Rights (Islamic Republic of Iran v. United States of America)

Conclusion of the public hearings on the request for the indication of provisional measures submitted by Iran

The Court to begin its deliberation

THE HAGUE, 30 August 2018. The public hearings on the request for the indication of provisional measures submitted by the Islamic Republic of Iran in the case concerning Alleged violations of the 1955 Treaty of Amity, Economic Relations, and Consular Rights (Islamic Republic of Iran v. United States of America) were concluded today. The Court will now begin its deliberation.

During the hearings, which opened on Monday 27 August 2018 at the Peace Palace, the seat of the Court, the delegation of the Islamic Republic of Iran was led by Dr. Mohsen Mohebi, International Law Adviser to the President of the Islamic Republic of Iran and Head of the Center for International Legal Affairs, Associate Professor of public international law and arbitration at the Azad University, Science and Research Branch, Tehran, as Agent, Counsel and Advocate. The delegation of the United States of America was led by Ms Jennifer G. Newstead, Legal Adviser, United States Department of State, as Agent, Counsel and Advocate.

The Court's decision on the request for the indication of provisional measures will be delivered at a public sitting, the date of which will be announced in due course.

Requests of the Parties

At the end of the hearings, the Agents of the Parties made the following requests to the Court:

For the Islamic Republic of Iran:

“The Islamic Republic of Iran requests that the Court order the following provisional measures:

- (a) the United States shall immediately take all measures at its disposal to ensure the suspension of the implementation and enforcement of all of the 8 May sanctions, including the extraterritorial sanctions, and refrain from imposing or threatening announced further sanctions and measures which might aggravate or extend the dispute submitted to the Court;
- (b) the United States shall immediately allow the full implementation of transactions already licensed, generally or specifically, particularly for the sale or leasing of passenger aircraft, aircraft spare parts and equipment;
- (c) the United States shall, within three months, report to the Court the action it has taken in pursuance of subparagraphs (a) and (b);
- (d) the United States shall assure Iranian, US and non-US nationals and companies that it will comply with the Order of the Court, and shall cease any and all statements or actions that would dissuade US and non-US persons and entities from engaging or continuing to engage economically with Iran and Iranian nationals or companies;
- (e) the United States shall refrain from taking any other measure that might prejudice the rights of Iran and Iranian nationals and companies under the 1955 Treaty of Amity with respect to any decision this Court might render on the merits.”

For the United States of America:

“For the reasons explained during these hearings and any other reasons the Court might deem appropriate, the United States of America requests that the Court reject the request for provisional measures filed by the Islamic Republic of Iran.”

Note: The Court’s press releases do not constitute official documents. The complete verbatim records of the hearings held from 27 to 30 August 2018 are published on the website of the Court (www.icj-cij.org).

The International Court of Justice (ICJ) is the principal judicial organ of the United Nations. It was established by the United Nations Charter in June 1945 and began its activities in April 1946. The seat of the Court is at the Peace Palace in The Hague (Netherlands). Of the six principal organs of the United Nations, it is the only one not located in New York. The Court has a twofold role: first, to settle, in accordance with international law, legal disputes submitted to it by States (its judgments have binding force and are without appeal for the parties concerned); and, second, to give advisory opinions on legal questions referred to it by duly authorized United Nations organs and agencies of the system. The Court is composed of 15 judges elected for a nine-year term by the General Assembly and the Security Council of the United Nations. Independent of the United Nations Secretariat, it is assisted by a Registry, its own international secretariat, whose activities are both judicial and diplomatic, as well as administrative. The official languages of the Court are French and English. Also known as the “World Court”, it is the only court of a universal character with general jurisdiction.

The ICJ, a court open only to States for contentious proceedings, and to certain organs and institutions of the United Nations system for advisory proceedings, should not be confused with the other — mostly criminal — judicial institutions based in The Hague and adjacent areas, such as the International Criminal Court (ICC, the only permanent international criminal court, which was

established by treaty and does not belong to the United Nations system), the Special Tribunal for Lebanon (STL, an international judicial body with an independent legal personality, established by the United Nations Security Council upon the request of the Lebanese Government and composed of Lebanese and international judges), the Mechanism for International Criminal Tribunals (MICT, mandated to take over residual functions from the International Criminal Tribunal for the former Yugoslavia and from the International Criminal Tribunal for Rwanda), the Kosovo Specialist Chambers and Specialist Prosecutor's Office (an ad hoc judicial institution which has its seat in The Hague), or the Permanent Court of Arbitration (PCA, an independent institution which assists in the establishment of arbitral tribunals and facilitates their work, in accordance with the Hague Convention of 1899).

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