

عنوان مقاله:

Iran's Response to U.S. Non-Compliance with ICJ Decisions

محل انتشار:

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خلاصه مقاله:

After establishing its jurisdiction in the case of the violation of the ۱۹۵۵ Treaty of Amity between Iran and the United States (hereafter U.S.) on February ۳, ۲۰۲۱, the International Court of Justice (hereafter ICJ) took a stride towards the Merits stage. In the event of a final judgment and the failure of the U.S. government to comply, the primary question that was raised was the following: What are Iran's options if the U.S. does not act upon the final decision of the ICJ? This article endeavors to address this question. The research methodology employed in this article is descriptive-analytical; through document analysis of the Court's decisions, international treaties, and relevant books and articles, specific findings have been derived. The research results indicate that Iran's options can be within the framework of the United Nations (hereafter UN) or beyond it. Options within the UN framework are predominantly theoretical, lacking effective enforcement mechanisms due to the existing power structures, including the veto power in the Security Council (hereafter UNSC), thereby lacking a guarantee of proper implementation. These options tend to be idealistic. On the other hand, options outside the UN framework, such as bargaining power and countermeasures for Iran, carry a realist aspect, allowing Iran to leverage them for the assertion of its rights

کلمات کلیدی:

Countermeasures, International Court of Justice Compliance, Realism, Treaty of Amity ۱۹۵۵, UN Security Council

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