

CASE CONCERNING OIL PLATFORMS  
(ISLAMIC REPUBLIC OF IRAN V. UNITED STATES OF AMERICA)  
PRELIMINARY OBJECTION

COMMENTS OF THE ISLAMIC REPUBLIC OF IRAN  
ON THE U.S. RESPONSE TO THE QUESTION OF JUDGE HIGGINS

In its response to the question of Judge Higgins, the United States asserts that, during the period in question, there were "a series of inter-connected incidents ... in which U.S. or Iranian armed forces, or both, took hostile action against targets of the other side", and that these are "undisputed facts".

This assertion by the United States falsely represents Iran's position. Iran has disputed the U.S. characterisation of the incidents in question (including the alleged involvement of Iranian forces in such incidents). Iran has also taken issue with the U.S. claim that the attacks by U.S. armed forces on the oil platforms were "inter-connected" with such incidents in a way relevant to the issues before the Court at this stage of the proceedings.

These points were made several times by Iran during the oral hearings (see, CR 96/14, pp. 14-15, Mr. Zahedin-Labbaf; ibid., p. 23, Mr. Bundy; CR 96/17, pp. 20-22, Mr. Bundy; ibid., pp. 47-48, Professor Crawford).

It is Iran's position that the facts concerning such incidents and the legal relevance of their inter-connection, if any, are matters for the merits.