

# ICJ Background Guide

AMSIMUN'26

Chairs: Rayan Sadek & Youssef Zouaoui

*Email Addresses:*

[rayan.sadek@amb.sch.ae](mailto:rayan.sadek@amb.sch.ae)

&

[youssef.zouaoui@amg.sch.ae](mailto:youssef.zouaoui@amg.sch.ae)

Dear Delegates,

We are honored to be able to welcome you to the AMSI Model United Nations 2026 conference as the chairs International Court of Justice (ICJ) committee! We, as first-time moderators of this conference, are eager to be able to see each and every one of you delegate as you debate and create a proper line of reasoning within the topics that you care about. Amid regional conflicts, the way that the world works has been in question by a multitude of international organizations and NGOs highlighting the injustice that comes when power supersedes accountability. Therefore, we require you to set up evidence that targets the current issue by reaching a unanimous verdict that tackles the topic at hand.

Through its initial establishment on June 26<sup>th</sup>, 1945, the International Court of Justice has consistently had the need to maintain a steadfast opinion that seeks to set advisory opinions towards nations or organizations that are guilty setting an ideology that this guilt is accounted for. The ICJ has had a deeply rooted end that required it to place parties that have committed atrocities under jeopardy in creating a verdict against said regions. In doing so, the ICJ has showcased its commitment towards world equality and its need to place parties accountability for the negative influence that they may have on the world and the nations within it. Through this, the ICJ has built the credibility to place itself as an organization of power and security as it has shown in creating a variety of advisory opinions that have led to positive safekeeping within the world. These acts have shown a significant impact on the development of the world and have shined a light on the heinous acts that a sect of nations have placed upon the world showcasing a need to account for those acts. (*The Court | INTERNATIONAL COURT OF JUSTICE*)

As your chairs, we would like to inform you that this background guide should be used merely as a starter resource and not your core foundational research. You are still expected to conduct your own independent research about the topic to enhance the flow of debate and to showcase the rigor that you bring to the conference. Make sure to grasp the topic as a whole and make sure to understand each characteristic of the situation. This document is created to provide a simple outline of what the content of the topic entails as well as providing you with a solid basis on what the topic is.

We are ecstatic to be a part of the journey that you will have as delegates! Your participation in this year's conference will illuminate the way that you see the world.

As your chairs, we plan to invoke a debate that highlights the individual excellence of each delegate throughout the days of the conference. We frankly cannot wait to see you delegate the ICJ committee! **Please do not forget to send us your position papers through your Mawakeb Mail**, and do not hesitate to ask any questions or address any inquiries that you may have as we are always here to answer your questions!

Your Chairs,

Rayan Sadek & Youssef Zouaoui



## **Topic: United States of America vs Iran: Depicting Credibility of the Economic Sanctions Placed on Iran by the USA**

Through the alleged atrocities that Iran have committed within the Middle East, coupled by the United States of America's need to maintain Western influence within the region the world watched as both nations take a gavel towards what they believe is right. This act does not come from protection. For, it comes from greed, neglect of individuals and a willingness to disrupt a country's economy if it means the betterment of a single region. Ever since the accused funding of, 'terrorist groups' shortly after the Islamic Revolution in 1979, The Islamic Republic of Iran has maintained a steadfast stance of using non-governmental entities, to fight against the influence that is present within the Middle East. These acts spark the attention of the United States of America forcing them to create justifiable grounds to place sanctions on Iran. In terms of honouring the forms of an agreement, it is undoubtable that Iran have raised a threat towards the stability of the Middle East in being an active partner of Nuclear Programs as it struggled to abide by IAEA foundational regards, not to mention the holding of American Diplomats in 1979 causing the initial sanctions to be placed. ("U.S. Sanctions") Regardless, the USA's influence in the Middle East still poses major threat towards the region. For example, the invasion of Iraq in 2003, leaving the nation in mass turmoil and instability which has caused the nation to continue to the reap the effects continuously. The United States of America vs. The Islamic Republic of Iran sets itself to be western influence against Middle Eastern solidarity and in doing so, the regions of the Middle East face the effects of war. (Doherty & Kiley, 2023)

### **History**

Shortly after the Islamic Revolution in Iran, Iran's funding of terrorist groups has been met with wide criticism across the international community. In 1982, the creation of Hezbollah sparked one of the first donations that were made towards the a group of that nature and that pattern continued with the Houthis, Hamas, and Al Qaeda showcasing a threat towards the United States of America. The first set of sanctions; however, did not come from this funding. As stated before, it originated from Iran's unjust acts towards American Diplomats, sparking concern within the USA which caused them to place sanctions on Iran in 1979 eliminating around \$12 billion to be transferred to Iran. (Sen) In 1984; however, the

USA deemed Iran as a party to terrorism further illuminating the negative stance that it has towards Iran.

In 1992, the USA declared that any transfer of goods or technology between Iran and the USA be prohibited under the Iran – Iraq Arms Non-proliferation Act of 1992 which highlights the factors that are placed on Iran through its arms trade with Iraq. This sector references the lack of support that the USA has towards these illicit transfers further justifying their need for sanctions. This stance remains constant seeing as in 1996, the US Congress passes an act by the name of, “The Iran Sanctions Act,” which plans to sanction any party that invests more than \$20 million into Iran’s oil or gas exports. This was seen by the international community – especially the European Union – as extremely harsh as it handicaps many organizations that may be doing this trade for peaceful purposes.

Moving on, in 2007 the UNSC adopts resolution 1747, which frankly tightens sanctions on Iran as a result of its failed compliance to suspend Uranium enrichment setting up the need to create these sanctions as a factor for degrading the national sovereignty of Iran. Fast forward to 2015, with the creation of the JCPOA which saw Iran pledging to decrease its nuclear programs and abide needs that would see a decrease in the number of sanctions that are placed upon it (as referenced in 2007). This saw the UNSC’s adoption of resolution 2231 endorsing the deal and pledging to decrease sanctions if conditions are met. With that, the presidency of Donald Trump in 2017 called for the reintroduction of sanctions onto Iran seeing as he viewed them as a threat towards the stability of the world despite Iran abiding by the terms of the JCPOA. This creates a blatant degradation of Iran as a sovereign nation and is met with the USA dropping out of the JCPOA which is met with wide criticism from the international community. (Sen)

Today, Iran continues to fund Terrorist groups and the sanctions are still placed upon it as a member of the international community, and with that, it begs the question on whether or not the sanctions that have been placed on Iran are justified, or simply a ploy towards the benefit of the USA. (“Iran Sanctions | Office of Foreign Assets Control”)

## Analysis

Within the USA's justification of the sanctions that have been placed upon Iran, the ICJ has ruled against said sanctions citing violations of the 1955 Amud Treaty while the USA claim that these sanctions cooperate with the safety of the USA. Furthermore, after the USA decided to leave the JCPOA, the ICJ's provisional ruling on the third of October, 2018, ordered the USA to allow the trade of humanities between the USA and Iran because of negligence towards the agreement. ("Top UN Judicial Body Orders US to Ease Iran Sanctions") This indicates that ICJ rulings on the sanctions come from a nuanced opinion that focuses on the threat that Iran poses to the Middle East, coupled by the lack of cooperation that the USA has with bettering the situation within the county – as referenced by the continuous oppression of its sovereign boundaries. In agreeing to the terms and conditions of the JCPOA, Iran showcased its cooperation within the international community.

Let it be noted; however, that the USA's withdrawal of the contract in the middle of 2018, saw a breach of the contract by Iran in July 2019 when it was seen to exceed the minimum number of uranium required by the state. ("Timelinewasan's Nuclear Challenges and the IAEA") This notion rivals the need for the USA to be compliant with the agreement when Iran were a part of the continuous strides of development. In maintaining such an ideology, the way that the international community has worked has sought to include both parties in creating a proper decision to ratify the clauses of the JCPOA; however, this has seen little to no avail. Furthermore, the current destabilization of the Middle with Western influence has sparked debate about whether a deal between the USA and Iran is impending. Regarding the threats that both nations make to one another, Iran's continuous funding of terrorist groups alludes to the fact that both nations may never truly be at peace. Furthermore, Hamas and Hezbollah's fight against Western influence have been deemed by the USA, and a variety of governmental bodies to be a 'terrorist group' which does not create any positive framework towards peace treaties between the USA and Iran. (U.S. Department of State, n.d.)

In highlighting a positive legal framework that rivals any bias towards the United States of America, or Iran, the representation of sanctions coupled by the questionable actions that the Iranian state has committed, sets a contrast towards what it means to be a just nation. As per the judiciary interpretations of the ICJ, it is clear that any bias that should be given in favor of any of these nations sets an unjust look on what the ICJ stands for – as referenced by the continuous appeals made by the ICJ towards the Islamic Republic of Iran as well as the

United States of America. In creating such appeals, the framework of the ICJ would be upheld in its status as an organization that seeks peace and appeals to the judiciary interpretations that it should make towards the nations at hand.

It is safe to assume that the integration of sanctions upon Iran will worsen the economy past what it already experienced because of the abundance of sanctions that have already been placed on the Islamic State. And with that, the USA's non – compulsory agreement with the ICJ – which indicates that the USA does not need to comply with the ICJ's advisory statements – shows that the sanctions that it decides to impose upon Iran are not deemed illegal. This is exactly why a legal framework that highlights the way that the international community views these sanctions been placed on Iran as well as a need to uncover a resolution that must be implemented as a means of international security and safety within Iran, The USA, and The Middle East.

### **Questions to be Answered in your Resolutions:**

1. Are the sanctions that the USA consistently places on Iran viable?
2. How should Iran be treated as an international member state?
3. Should Iran be placed deemed 'terrorist funder' by the international community?
4. In terms of ICJ proceedings, should a non-advisory contract be limited when regarding a nation directly?
5. Should a second JCPOA contract be implemented to mitigate the risk of development of the nuclear programs sector within nations?
6. What international laws must be placed against funding non-state actors to fight against Western Influence?
7. Should the ICJ have the jurisdiction to prosecute nations directly when they see fit?
8. How can the ICJ ensure a balanced resolution that serves both the USA and Iran?

### **Starter Resources**

- 1) <https://www.atlanticcouncil.org/blogs/new-atlanticist/a-brief-history-of-sanctions-on-iran/>
- 2) <https://ofac.treasury.gov/sanctions-programs-and-country-information/iran-sanctions>
- 3) <https://www.icj-cij.org/court>
- 4) <https://www.icj-cij.org/case/164>
- 5) <https://www.whitehouse.gov/presidential-actions/2026/02/addressing-threats-to-the-united-states-by-the-government-of-iran/> (Purely the stance of the USA)
- 6) <https://www.ibanet.org/Iran-economic-crisis-fuels-mass-protests>

### Country Matrix

The United States of America - United Kingdom of Great Britain and Northern Ireland - The Islamic Republic of Iran - The Russian Federation - France - Japan - India - South Africa - Canada - Australia - Egypt - Nigeria - Morocco - Tunisia - Ghana - Senegal - Estonia - Latvia - Iceland - Malta

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