



# INTERNATIONAL COURT OF JUSTICE

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## Communiqué

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### The United States institutes proceedings against Iran

The following information is communicated to the press by the Registry of the International Court of Justice:

Today, 29 November 1979, the United States of America filed in the Registry of the International Court of Justice an Application instituting proceedings against Iran in a case regarding the situation in the United States Embassy at Tehran.

Simultaneously, the United States, emphasizing the extreme urgency of the matter, has filed a request that the Court should indicate provisional measures of protection to be taken promptly for the purpose of preserving the right of the United States with respect to the life, liberty, protection and security of its nationals.

The provisional measures which the United States requests the Court to indicate without delay are as follows:

- (a) That the Government of Iran immediately release all hostages of United States nationality and facilitate the prompt and safe departure from Iran of these persons and all other United States officials in dignified and humane circumstances.
- (b) That the Government of Iran immediately clear the premises of the United States Embassy, Chancery and Consulate of all persons whose presence is not authorized by the United States Chargé d'Affaires in Iran, and restore the premises to United States control.
- (c) That the Government of Iran ensure that all persons attached to the United States Embassy and Consulate should be accorded, and protected in, full freedom within the Embassy and Chancery premises, and the freedom of movement within Iran necessary to carry out their diplomatic and consular functions.
- (d) That the Government of Iran not place on trial any person attached to the Embassy and Consulate of the United States and refrain from any action to implement any such trial.
- (e) That the Government of Iran ensure that no action is taken which might prejudice the rights of the United States in respect of the carrying out of any decision which the Court may render on the merits, and in particular neither take nor permit action that would threaten the lives, safety, or well-being of the hostages.

The United States has further suggested that meanwhile the President of the Court should take an initiative under Article 74, paragraph 4, of the Rules of Court in order to prevent any worsening of the situation.

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In its Application instituting proceedings, the United States requests the Court to adjudge and declare as follows:

- (a) That the Government of Iran, in tolerating, encouraging and failing to prevent and punish the conduct described in a preceding Statement of Facts, violated its international legal obligations to the United States as provided by
- Articles 22, 24, 25, 27, 29, 31, 37 and 47 of the Vienna Convention on Diplomatic Relations,
  - Articles 28, 31, 33, 34, 36 and 40 of the Vienna Convention on Consular Relations,
  - Articles 4 and 7 of the Convention on the Prevention and Punishment of Crimes Against Internationally Protected Persons, Including Diplomatic Agents, and
  - Articles II(4), XIII, XVIII, and XIX of the Treaty of Amity, Economic Relations and Consular Rights between the United States and Iran, and
  - Articles 2(3), 2(4), and 39 of the Charter of the United Nations;
- (b) That pursuant to the foregoing international legal obligations, the Government of Iran is under a particular obligation immediately to secure the release of all United States nationals currently being detained within the premises of the United States Embassy in Tehran and to assure that all such persons and all other United States nationals in Tehran are allowed to leave Iran safely;
- (c) That the Government of Iran shall pay to the United States, in its own right and in the exercise of its right of diplomatic protection of its nationals, reparation for the foregoing violations of Iran's international legal obligations to the United States, in a sum to be determined by the Court; and
- (d) That the Government of Iran submit to its competent authorities for the purpose of prosecution those persons responsible for the crimes committed against the premises and staff of the United States Embassy and against the premises of its Consulates.

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The texts of the Application instituting proceedings, the request for the indication of interim measures and the letter of the United States Government to the President of the Court are available in the Registry of the Court and can be furnished to members of the press on request.