

Alleged Iranian Plot: Is the Evidence Credible?

U.S. Can Demand Arbitration of Charges Against Iran, But Will It? That Would Mean Having to Make Its Case Stand Up in Court

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“If the Obama administration truly believes it has credible evidence that Iran was behind this alleged plot to assassinate the Saudi diplomat on the streets of Washington D.C., then it must invoke the Protection of Diplomats Convention (PDC) and demand arbitration of this claim with Iran,” a distinguished American authority on international law says. The diplomat Iran is accused of plotting to kill is the Saudi ambassador to the U.S.

“In the event Iran were to reject such arbitration, then the Obama administration could sue Iran at the International Court of Justice in The Hague, the so-called World Court of the United Nations System,” says Professor Francis Boyle of the University of Illinois, Urbana-Champaign.

Boyle recalled that during the Iranian Hostages Crisis, “the International Court of Justice rendered an overwhelming victory on behalf of the United States against Iran that played an important role in the successful resolution of that crisis. So the World Court is an eminently fair institution to resolve this latest international dispute between Iran and the United States.”

On the other hand, Boyle continued, “If the Obama administration’s real motivation is to concoct and manufacture a pretext for a crisis resulting in provocations and hostilities, it will continue to argue its so-called case to the Western news media which is inherently biased against Iran, instead of resorting to this regularly established and already proven to be effective international judicial dispute settlement procedure.” The PDC was adopted by the United Nations General Assembly in 1973.

Boyle has been involved in major international cases challenging U.S. defense policy on nuclear and biological warfare activities and against its preemptive wars. He is the author of numerous books on these issues, including, “Tackling America’s Toughest Questions,” (Clarity Press), and he was responsible for drafting the Biological Weapons Convention.

The headlines about the alleged conspiracy have successfully sensationalized U.S. charges. There was no comparable publicity in U.S. media when Iranian nuclear scientists have been actually assassinated.

Over the past several years three Iranian scientists involved in that country’s nuclear effort have been murdered, the most recent this past July. (An attempt on the life of a fourth scientist was foiled.) The Times said the killings are widely believed to have been the work of Israeli agents and were conducted “with tolerance from the United States.”

Also, as the Times reported: “Both countries (Israel and America) are believed to have worked in recent years to sabotage Iran’s program to enrich uranium, smuggling damaged components into Iran’s supply chain and destroying centrifuges by planting the so-called Stuxnet computer worm.”

The goal behind those actions appears to be to continue Israel as the dominant nuclear power in the region. Israel, which declines to cooperate with the International Atomic Energy Agency, is believed to possess some 200 nuclear warheads. It has not signed the Nuclear Nonproliferation Treaty of 1996 and refuses to allow international inspection of its facilities. Iran, by contrast, has no nuclear weapons and the former head of the IAEA said recently there is no evidence that Iran is attempting to build one.

Gary Sick, an Iran expert at Columbia University told The New York Times October 15th, “The Iranians absolutely believe the U.S. and Israel have been carrying out a covert campaign against them and clearly they are right.”

Resorting to assassination, though, would be the worst possible response for Iran. Given past official Iranian statements disavowing retaliation for the murders of the three scientists, the new charges brought by the U.S. about the Saudi ambassador plot must be viewed with some skepticism. According to the Associated Press, an Iranian official has said Iran would not retaliate for the “ugly phenomenon” of the killing of their scientists. By refraining from any revenge killing for its scientists, Iran has sought to place itself on the high ground in the dispute.

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