

# US Obligated to Take Iran Dispute to International Arbitration

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It may come as a surprise to Republican presidential candidates Mitt Romney and Rick Santorum but the U.S. is obligated under international law to the peaceful resolution of its grievance against Iran.

Santorum has criticized President Obama's attempt to negotiate with Iran and, according to The Christian Science Monitor, "called for increased covert sabotage, bombings, and even arresting foreign scientists" working in Iran. Romney has called Iran "the greatest threat we face" and for pulverizing its nuclear facilities "through airstrikes and (to) make it very public we are doing just that."

If the U.S. sought to prevail by military force, however, it would be in contravention of at least three historic treaties the U.S. has signed pledging itself to the peaceful resolution of disputes. As war fever sweeps Washington and the Republican candidates, save for Rep. Ron Paul, cry for war, it behooves Iran to initiate legal action.

In this age of instantaneous communications, the whole world is watching to see if either nation will seize the diplomatic initiative, to see which truly prefers conversation to conflict. As members of the United Nations, both Iran and the U.S. are obligated to go to arbitration, not to come out shooting, a fact lost on the hawkish GOP politicians who seem unaware the American people have had a bellyful of war and want to prioritize a domestic agenda.

Both Iran and the U.S. are signatories of the Kellogg-Briand Peace Pact of 1928 which states, "The High Contracting Parties agree that the settlement or solution of all disputes or conflicts of whatever nature or of whatever origin they may be, which may arise among them, shall never be sought except by pacific means."

To the contrary, "The United States has been illegally threatening war against Iran going back to the Bush Jr. Administration," says international law authority Francis Boyle of the University of Illinois, Champaign, and author of "Destroying World Order: U.S. Imperialism in the Middle East Before and After September 11" (Clarity Press).

Boyle reminds, "Article 2 of the United Nations Charter requires the pacific settlement of the international dispute between the United States and Iran." The UN Charter, he adds, "sets up numerous procedures" for the U.S.-Iranian dispute while prohibiting "both the threat and use of force by the United States against Iran."

Ditto for the Hague Convention of 1899, to which both nations are a party. That pact set up the Permanent Court of Arbitration (PCA) in The Hague and made it the duty of other signatories of that treaty to remind the aggrieved parties the Court is there for them.

The reason given by the U.S. for threatening Iran is alleged to be that Iran is developing a nuclear weapon in secret. This charge is made with a straight face even as the U.S. lavishes military aid on its ally Israel. Israel is said to have an arsenal of 200-300 nuclear bombs it refuses to allow the International Atomic Energy Agency to inspect.

The spurious U.S. pretext for war flies in the face of U.S. aggression against Iran long before Iran began building the nuclear facilities it says are needed to expand electrical output. Past U.S. aggression had everything to do with Iran's oil and nothing else.

It is indisputable that the CIA in 1953 overthrew by force and violence Iran's democratic government, causing Iranians years of suffering under a savage, despotic regime. The CIA overthrow was prompted by Great Britain, peeved when Iran took over management of its own oil fields after years of being cheated by the British corporation to whom they were entrusted. That firm today is known as BP.

The U.S. also backed Iraqi despot Saddam Hussein's invasion of Iran and supplied him with conventional weapons as well as illegal chemical and biological warfare agents responsible for the horrible killing and maiming of tens of thousands of Iranian troops. This was, in fact, by any reasoning, an act of war by the U.S. against Iran.

As peace activist David Swanson writes on OpEdNews January 6th: "For the past decade, the United States has labeled Iran an evil nation, attacked and destroyed the other non-nuclear nation on the list of evil nations, designated part of Iran's military a terrorist organization, falsely accused Iran of crimes including the attacks of 9-11, murdered Iranian scientists, funded opposition groups in Iran (including some the U.S. also designates as terrorist), flown drones over Iran, openly and illegally threatened to attack Iran, and built up military forces all around Iran's borders, while imposing cruel sanctions on the country."

This same U.S. that is threatening to Iran today has a long history of lying in order to justify its wars of aggression. It lied to invade Iraq by charging Hussein had weapons of mass destruction, when he did not. It lied in 1964 to justify its war in Viet Nam when it claimed the Vietnamese attacked a U.S. destroyer in the Gulf of Tonkin, when they did not. And much of the U.S. public believes Washington lied about those responsible for the 9/11 attacks on New York and Washington to justify the start of the war against Afghanistan. Aggressive nations relish a fight and the U.S. presently is doing just that in a half dozen countries in the Middle East and Africa.

This history is important because, by contrast, Iran has not started a war in approximately 300 years. Its defense budget of less than \$8 billion a year is a tiny fraction of the U.S. warfare budget of nearly \$1 trillion annually. (Describing Iran as America's "gravest threat" reflects poorly on Romney's foreign affairs smarts.) In fact, Iran would commit national suicide if it launched an attack upon the U.S. or Israel. The Pentagon's annual budget is the largest in the world and, in fact, greater than the next 20 military powers combined.

Yet another measure of Iran's peaceful intent and America's warlike posture is that Iran has no military bases outside of its own borders while the U.S. has over 800 bases around the world from Okinawa to Diego Garcia, frequently established against the will of the local inhabitants. More than 40 U.S. bases are located in six nations that encircle Iran, from which the Pentagon is poised to attack.

Betraying America's aggressive intent is that none of its military response has been to

defend its own borders from attack. Its troops are always waging war halfway around the world in Asia and the Middle East, bombing the other guy's yard. Given the foregoing facts, which nation does Gov. Romney conclude poses the greater menace to world peace and security? Iran, of course.

While Iran's military in recent days says it will give a good account of itself if attacked, there is every prospect Iran would suffer the terrible punishments the U.S. inflicted on Viet Nam and Iraq, among others, if war broke out.

An imaginative leadership in Iran likely would be better off to announce in advance a course of non-violent resistance to any aggressive move by the U.S. and/or Israel. And it needs to immediately present its case to the International Court of Justice at the Peace Palace in The Hague.

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