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U.S. Withdraws From 1955 Treaty Normalizing Relations With Iran

By Edward Wong and David E. Sanger

WASHINGTON — Secretary of State Mike Pompeo announced on Wednesday that the United States was pulling out of a six-decade-old treaty with Iran that had provided a basis for normalizing relations between the two countries, including diplomatic and economic exchanges.

The largely symbolic move came hours after the International Court of Justice ordered the United States to ensure that a new round of American sanctions imposed against Tehran this year did not prevent food, medicine and aircraft parts from reaching Iran.

The treaty bears little relevance to the current relationship between Washington and Tehran. The move is the latest in a broad effort by the Trump administration to isolate Iran, reversing a diplomatic drive embraced by former President Barack Obama.

The ruling by the international court in The Hague was related to a complaint that Iran filed in July, arguing that the new sanctions violated the Treaty of Amity, Economic Relations and Consular Rights, which was signed in 1955. In essence, the ruling sought to protect Iran's public and economy from what the court described as irreparable damage while justices continue to consider the case against the sanctions.

But in his announcement, Mr. Pompeo made clear that the United States would ignore the ruling — simply by scrapping the bilateral treaty with Iran.

“The Iranians have been ignoring it for an awfully long time,” Mr. Pompeo told reporters at the State Department.

He said the legal complaint amounted to an attempt by Iran to interfere with the sovereign rights of the United States. He also said that the court's decision was outside its jurisdiction and that Iran's appeals “lacked merit.”

Still, he said, the United States would continue to try to deliver humanitarian aid to the Iranian people, and existing exceptions to the economic sanctions would remain in effect.

President Trump imposed the sanctions after **withdrawing in May** from a 2015 agreement between Iran and world powers that sought to keep Tehran from restarting its nuclear program. All the other parties to the accord — Britain, France, Germany, China, Russia and the European Union — say Iran is complying with its terms.

After Mr. Pompeo's announcement, Foreign Minister Mohammad Javad Zarif of Iran said on Twitter that the United States was an "outlaw regime." He praised the court's ruling earlier, saying it marked "another failure" for the "sanctions-addicted" United States and "victory for rule of law."

In legal terms, the United States withdrawal from the 1955 treaty with Iran does not take effect immediately. The treaty remains in place for one year from any announcement of withdrawal, meaning Iran's lawsuit will proceed.

It was negotiated after the C.I.A. helped stage a coup in Iran that Iranians still cite as a gross violation of the country's sovereignty. The 1953 coup, code-named Operation Ajax, was engineered by Kermit Roosevelt Jr., a grandson of President Theodore Roosevelt, and installed a government that two years later cemented the treaty with President Dwight D. Eisenhower.

The treaty sets up commercial relationships, tax structures and access to each nation's courts. None of that has applied since the 1979 Islamic revolution.

"The treaty with Iran is a weird treaty," said Julian Ku, a professor of constitutional and international law at Hofstra University Law School. "We haven't been friends with Iran in a long time."

Mr. Ku said there have been two other instances since the 1980s in which the United States withdrew from a treaty after an unfavorable ruling by the International Court of Justice. One was during the Reagan administration, in a case brought in 1984 by Nicaragua; the second was in 2005, when the George W. Bush administration lost a case brought by Mexico.

Lawyers for the United States had argued that the sanctions dispute with Iran was a matter of American national security, and therefore the court had no jurisdiction to intervene. Rulings by the International Court of Justice are legally binding but difficult to enforce; in the past, both the United States and Iran have ignored its orders.

Wednesday's unanimous order by the court's 15 judges — including one American — stopped far short of outright siding with Iran, which had asked for an immediate halt to all sanctions.

At the White House, John R. Bolton, the national security adviser, separately announced that the United States would review all treaties that require it to participate

in cases before the international court. Additionally, he said the Trump administration would no longer abide by an optional provision to the Vienna Convention on Diplomatic Relations that requires certain disputes to be settled by the court.

The United States remains in the Vienna Convention itself, but Mr. Bolton was aiming to undermine a lawsuit filed last week by Palestinian officials over the move of the American Embassy in Israel to Jerusalem.

“The United States will not sit idly by as baseless, politicized claims are brought against us,” Mr. Bolton said.

Robert Malley, the president of the International Crisis Group and a former White House coordinator for the Middle East, North Africa and the Gulf during the Obama administration, said Mr. Bolton’s statement underscored “why the Trump administration is increasingly isolated on the world stage.”

“This bellicosity undermines U.S. interests and, by escalating tensions and forfeiting diplomacy, risks putting us on a path toward conflict in the Middle East,” Mr. Malley said.

Last week, President Hassan Rouhani of Iran said he would consider re-entering negotiations with the United States — if Mr. Trump first recommitted to the nuclear deal that was struck in 2015.