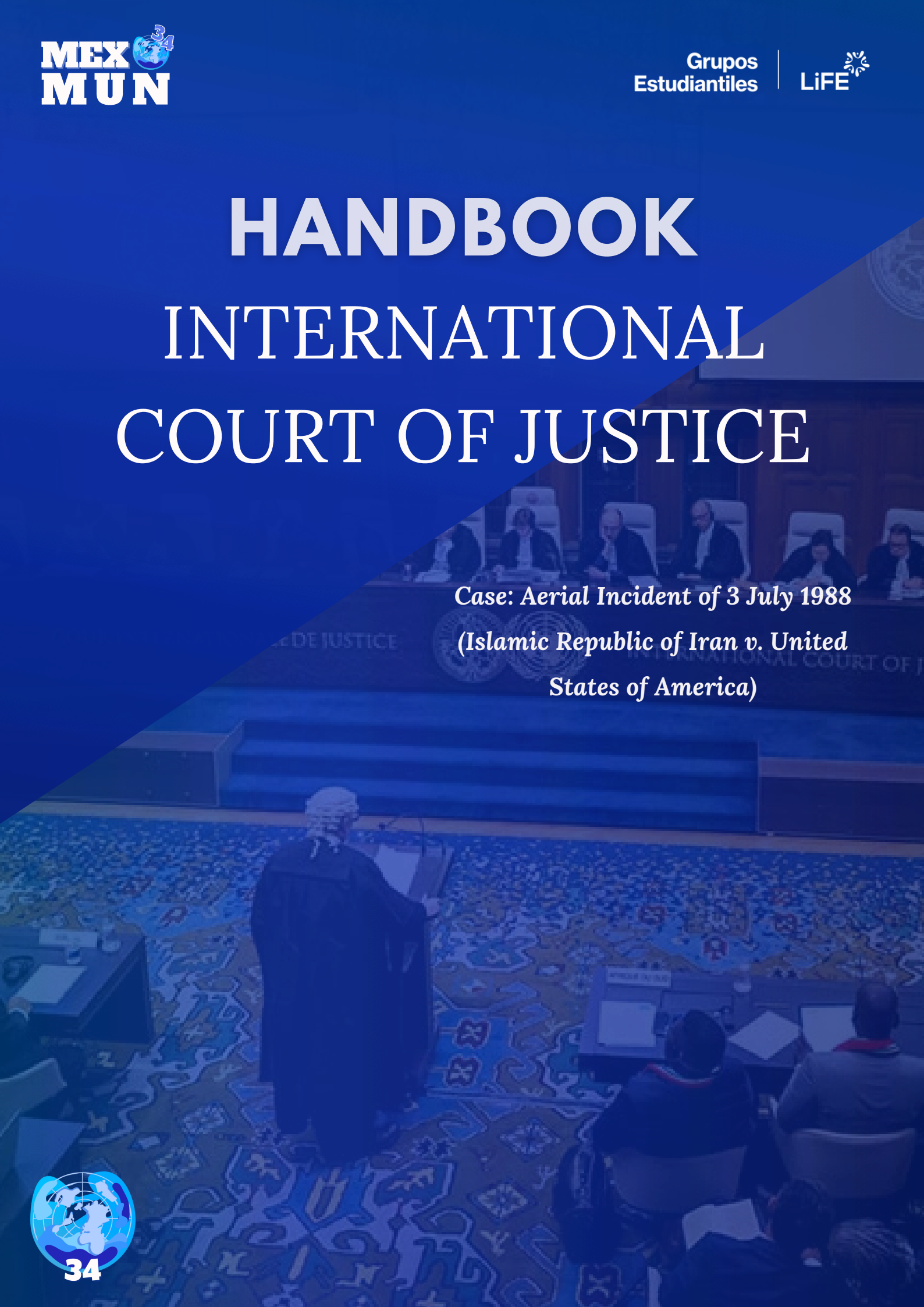
MEX MUN 34

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HANDBOOK

INTERNATIONAL COURT OF JUSTICE

Case: Aerial Incident of 3 July 1988 (Islamic Republic of Iran v. United States of America)



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MEXICO MODEL UNITED NATIONS
XXXIV EDICIÓN

Dear Delegates,

It is our honor to welcome you to the 34th edition of Mexico Model United Nations, MEXMUN 2026. My name is Maya Klappenbach Ortega, President of the International Court of Justice, accompanied by the court as your vice president, Andrea Moreno Hernández, and as your registrar, Jimena Bustamante Ángel and Geraldine Trejo Velazquez.
For the court, it is a pleasure to have you all here in this committee. We have high expectations; therefore, absolute formality in respect of diplomatic procedures is expected.

In our chosen case, you will be able to put into practice the many diverse legal procedures of the ICJ, demonstrate your leadership and open-mindedness, and where we will inspire you to explore Ideas and diplomatic discussions among each other. In this edition, we will be discussing the Aerial Incident of 3 July 1988 (Islamic Republic of Iran v. United States of America), where you will be allowed to enforce the legal principles and judicial reasoning of the court while being challenged to analyze complex legal arguments and interpret the boundaries and extensions of international law in the face of geopolitical conflict.
As your Court, we are committed to ensuring an environment where collaboration and dialogue are fostered. You will assume the roles of legal representatives and advocates of the law, and as a member of the International Court of Justice yoy will be expected to uphold the standards of legal reasoning, justice, and truth.

The Court encourages you all to be prepared and give the best of yourselves. Should you have any questions or require assistance, please do not hesitate to contact us. We are here to support you and ensure an excellent experience. The court wishes you the best of luck and looks forward to witnessing an insightful and collaborative debate.

Sincerely,

Maya Klappenbach Ortega
Andrea Moreno Hernandez
Jimena Bustamante Ángel.
Geraldine Trejo Velazquez

Leonardo Villaseñor Rodríguez
Secretario General

Emiliano Sáenz de Miera Piza
Secretario de Contenido

Ximena Meléndez Hochstrasser
Secretario de Logística

Sofia Estrada Oria
Secretaria de Comunicación

Aranza Y. Domínguez Gómez
Secretaria de Finanzas

International Court of Justice

President: Maya Klappenbach Ortega
Vicepresident: Andrea Moreno Hernández
Registrar: Jimena Bustamante Ángel
Registrar: Geraldine Trejo Velazquez

What is ICJ?

The International Court of Justice is the principal judicial organ of the United Nations. It settles disputes between states in accordance with international law and gives advisory opinions on international legal issues.
It is the only international court that adjudicates general disputes between countries. Its rulings and opinions serve as a primary source of international law.



Established by the UN Charter in June 1945. Located at the Peace Palace in The Hague (Netherlands)

How does ICJ work?

The International Court of Justice is the primary judicial organ of the UN that settles legal disputes between states and provides advisory opinions to other UN organs. Its purpose is to act as a world court for any legal disputes that may include border disputes and international law obligations, with cases often involving written pleadings, public oral hearings, and final, binding, non-appealable judgments. Its objective is to peacefully resolve international conflicts and promote the rule of law.

Composed of 15 judges who hold a 9-year term, the ICJ follows a strict procedure in protocol and case acceptance. The ICJ can only accept a case when it is present in its jurisdiction, often through treaties and special agreements; cases are only allowed between states, meaning no individuals or NGOs. Proceedings include a written case (memorials, pleadings) and an oral phase (witnesses, hearings) along with private deliberation from judges. Decisions are final, legally binding, and cannot be appealed.

Case

Aerial Incident of 3 July 1988 (Islamic Republic of Iran v. United States of America)

This case is of significant importance as it addresses core principles of international law, particularly state sovereignty and unlawful intervention. The allegations raised by the Bolivarian Republic of Venezuela against the United States of America challenge the legal boundaries of the use of force and interference in the internal affairs of sovereign states. The outcome of this case may establish an important precedent for future disputes, influencing how international actors may respond to similar situations in the future.





Background

The case regarding the Aerial incident of 1988 regarding the Islamic Republic of Iran and the United States arises from the Iran-Iraq War. During the final stage of the conflict, relations between Iraq and the United States had become strained. The region has been a geopolitical area involving multiple military operations, high tensions, and significant activity. In addition, US armed forces had conducted multiple operations in the Strait of Hormuz, one of the world´s most significant waterways and oil deposits.

On July 3rd, 1988, Iran Air Flight 655, an international passenger flight operating a commercial route from Tehran to Dubai via Bandar Abbas, was shot down by missiles fired by USS Vincennes, a United States Navy warship. The missiles hit the aircraft while it was flying its route over Iran's territorial waters in the Persian Gulf, not long after the flight departed from its stopover location. The casualties included all 290 people inside the plane.

Following the incident, the United States maintained that Vincennes's crew misidentified the aircraft as an F-14 Iranian Tomcat, a fighter jet part of Iran´s military inventory. Despite the plane transmitting civilian identification codes. The nation asserted that Vincennes and other warships repeatedly tried to contact the aircraft but received no response. The Iranian government, however, stated that the US recklessly shot down the airplane in the context of the armed conflict and provoked Iranian forces. Further, analysts blamed miscommunications both on board the Vincennes and from Bandar Abbas International Airport.



On May 17, 1989, Iran presented legal proceedings against the United States at the ICJ, arguing that the US violated the 1944 Chicago Convention on International Civil Aviation and the 1971 Montreal Convention, failing to protect civil aviation. The proceedings sought the determination of responsibility and economic restitution from the United States. Subsequently, the United States presented preliminary objections to the court to argue against the case, leaving the pending dispute of asserted responsibility and the issue of compensation.





Importance

The Aerial Incident of July 3rd of 1988 remains one of the most significant cases concerning the protection of civilians in areas of armed conflict, political disputes, and military tensions. The significant casualties and destruction of the aircraft not only presented a significant death toll and tensions between nations, but it also raised the pending question regarding obligations of Nation-States to distinguish military and civilian targets properly, and to responsibly operate military settlements in areas of conflict.

International air travel, an ever-growing business that continues to expand in geographic areas of the world, is further occurring next to major military operations and settlements, and its handling has become a pressing issue in global transport. The incident serves as a demonstration of the consequences that military errors can have on civilians and serves as a reminder for proper safeguards in relation to military intervention.



Furthermore, there is a broader discussion about when a state presents accountability and compensation for both victims of incidents and violations of international law. As modern conflicts and geopolitical interests rise, they continue to involve the participation of military and aerial technology in situations near civilian areas, making the issue of Flight 655 highly relevant. Events like this influence discussions surrounding accountability, armed conflicts, intervention, military operations, and the responsibility of states when upholding international law.

Guide questions

1. Under what principles should compensation for the loss of civilian life stand regarding international incidents?
2. What obligations should military forces operate under when dealing with civilian routes of international transportation?
3. Under what level of transparency can states answer when facing civilian casualties?
4. How did the incident of Iran's aircraft breach international law?
5. What reconciliation measures should international law take into account regarding the victims from the attack?
6. To what degree should intent be considered in the determination of blame for civilian deaths?
7. How can future frameworks prevent the misuse of military resources and operations in armed conflicts?
8. What consequences should be considered in the face of misuse of military power?
9. Should stricter laws be applied when conducting military operations in zones of civilian and commercial transport?
10. What standards should be applied for evidence regarding the aerial incident?



LIST OF JUDGES

- Mohsen Aghahosseini (Iran) judge ad hoc appointed by Iran
- Manfred Lachs (Poland)
- Taslim Olawale Elias (Nigeria)
- Shigeru Oda (Japan)
- Roberto Ago (Italy)
- Stephen M. Schwebel (United States)
- Robert Yewdall Jennings (United Kingdom)
- Mohammed Bedjaoui (Algeria)
- Ni Zhengyu (China)
- Carl-August Fleischhauer (Germany)
- Nikolai Tarassov (Soviet Union)
- Gilbert Guillaume (France)
- Mohamed Shahabuddeen (Guyana)
- Raghunandan Swarup Pathak (India)
- José María Ruda (Argentina)

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