

treaty of amity (judgment) 6 United States to withdraw from JCPOA does not preclude it from 1955 1 relating to interpretation and application of Treaty of Amity -- A dispute may relate to certain acts that fall within ambit of more than one instrument -- The Court cannot support argument that subject-matter of Iran's claims relates exclusively to JCPOA and not to Treaty of Amity -- First preliminary objection to jurisdiction cannot be upheld. Second preliminary objection to jurisdiction: "third country measures" --

The Court must ascertain whether acts of which Applicant complains fall within provisions of treaty containing compromissory clause -- "Third country measures" objection does not concern all of Iran's claims but only majority of them -- Were the Court to uphold second objection to jurisdiction the proceedings would not be terminated -- Disagreement between the Parties about relevance of concept of "third country measures" -- Disagreement between the Parties as regards territorial scope and ambit of provisions of Treaty of Amity allegedly breached by United States -- Fact that some impugned measures directly targeted third States, their nationals or companies, does not automatically exclude them from ambit of Treaty of Amity -- Second preliminary objection relates to the scope of certain obligations relied upon by Applicant -- Also raises legal and factual questions which are properly a matter for the merits -- Second preliminary objection to jurisdiction cannot be upheld. Preliminary objection to admissibility of Iran's Application: alleged abuse of process -- Claim based on valid title of jurisdiction can be rejected on ground of abuse of process only in exceptional circumstances -- No such exceptional circumstances in present case -- Preliminary objection to admissibility rejected.* Objections .on basis of Article XX, paragraph 1 (b) and (d), of Treaty of Amity.* Admissibility