

The International Legal Order: Current Needs and Possible Responses

Essays in Honour of Djamchid Momtaz

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Preface

This volume is a tribute to the prominent Iranian scholar, Professor Djamchid Momtaz, in recognition of his outstanding achievements as an international lawyer. The essays it contains reflect his numerous contributions to international law discourse in general. They also focus on those areas that have been particularly addressed in his own studies, including international humanitarian law, the law of the sea, human rights, the use of force, and dispute settlement. The general theme of the book is the current needs of the international legal order. The majority of the contributions address these needs with a view of the future. The book is dedicated to him by his colleagues, friends and students on the occasion of his 75th birthday.

Djamchid Momtaz was born in 1942 in Izmir, Turkey, to a family of diplomats. His father and his grandfather served as Iran's ambassadors and consular agents to several countries including Russia, France, Turkey and Egypt. His grandfather was a member of the Iranian delegation to the Hague Conferences in 1899 and 1907. This influenced Djamchid Momtaz in later years to choose international law as his academic major and career.

After completing his high school education in France in 1961, he studied at the Faculty of Law and Economics of Paris, where he graduated in 1966 with a degree in public law. He then got a diploma at the Institut d'études politiques de Paris (Sciences Po) in 1968. In 1971, he received his PhD (Doctorat d'Etat) in public law from the University of Law, Economics and Social Sciences, Paris II. After some years of teaching at the University of Paris x (Nanterre), he joined the University of Tehran in 1974 where he was professor of international law until his retirement in 2010.

As a brilliant and highly appreciated teacher, Djamchid Momtaz has taught in many renowned universities around the world. He also gave a course in international humanitarian law applicable to non-international armed conflicts at the Hague Academy of International Law in 2000 and, more recently, masterfully taught the general course in public international law at the same Academy in 2014. This centred on the 'idea of ranking the international legal order'.

Exceeding a hundred in number, Momtaz's scholarly publications in French, English and Persian witness distinguished intellectual curiosity, a subtle mind and a sharp analytical ability. His broad and profound knowledge of the practice of international organizations and international courts, particularly that of the International Court of Justice, infuses his writings.

His burning interest in teaching international law and disseminating knowledge thereof has had an undeniable impact on the status of the subject in the law schools in Iran. His always positive and friendly attitude and his genuine belief in the significant role of international law in today's world have since the early 1970s created an unmistakable and unprecedented enthusiasm and popularity among generations of students. The result is the establishment in Iran of several associations and research centres specifically devoted to international law studies. A prime example is the Iranian Association for United Nations Studies—the largest NGO in the field. The Association was founded in 1999 with Momtaz as a main initiator: he was Chairman of its Board until 2013.

Djamchid Momtaz can be proud of training numerous excellent teachers of international law now working in this subject in many Iranian universities. In addition, some of his students, among them contributors to the present book, are practising in international organizations or in leading international law firms.

Over and above his academic successes, Djamchid Momtaz has through his membership of various international organs effectively contributed to the development of their work. Particular mention should be made of his work for the UN International Law Commission (ILC) between 2000 and 2006 (which he chaired with great distinction in 2005–2006), the Institut de droit international, the Group of International Advisers of the International Committee of the Red Cross (ICRC), the Curatorium of the Hague Academy of International Law, the Permanent Court of Arbitration, and the Commission for the Settlement of Disputes related to Confidentiality of the Organization for the Prohibition of Chemical Weapons (OPCW).

As a long-time advisor on international law matters to the Iranian Ministry for Foreign Affairs, Djamchid Momtaz has played an important and active role in assisting the Iranian Government to deal with many complicated legal matters. This has been an especially important and difficult task since Iran, both as a revolutionary State and a major actor in the Middle East region, has been involved in many international controversies and disputes in the past 38 years. Some examples are the *United States Diplomatic and Consular Staff in Tehran Case* (United States of America v Iran), the *Iran-Iraq War 1980–1988*, the *Aerial Incident Case* (Islamic Republic of Iran v United States of America), the *Oil Platforms Case* (Islamic Republic of Iran v United States of America), the legal regime of the Caspian Sea after the collapse of the Soviet Union, and perhaps most importantly the Iranian nuclear programme file both before the Board of Governors of the International Atomic Energy Agency and before the Security Council (2003–2015). In most of these international law issues, the wisdom, experience and knowledge of Djamchid Momtaz were of great help to the Iranian

Foreign Ministry, which had to tackle the problems professionally, sometimes under the chaotic conditions that so often characterize a post-revolutionary era.

In addition to regular provision of legal opinions and consultations to the Iranian Ministry for Foreign Affairs, Djamchid Momtaz has acted as legal counsel for Iran in the *Oil Platforms Case* (Islamic Republic of Iran v United States of America). He has also been a member of Iranian delegations to diplomatic conferences for the adoption of many international agreements such as the 1982 Law of the Sea Convention and the Rome Statute of the International Criminal Court.

This brief account shows only a part of what Momtaz has achieved during a long and successful career as an international lawyer. Let it, however, suffice to demonstrate why he is such an exceptional scholar and admirable person. It is our hope that international lawyers will continue to benefit from his excellent contributions for many more years.

The editors wish to thank Tim Crosfield, Sarah Deveau, Ylva Nohre and Vera Yllner for their invaluable editorial assistance. We are also grateful to the *Stockholm Law Faculty Trust Fund for Publications* (Stiftelsen Juridisk Fakultetslitteratur) for the financial support that has made this book possible.

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Foreword

Today, there seems to be worldwide acknowledgement that the international legal order is a system under stress. Breaking news and headlines remind us every day that—in this transitional era—we are not yet equipped to tackle global issues efficiently and meaningfully.

Enchained by old paradigms, structural shortcomings, political considerations and meager means, international organizations have not yet learned to address already-protracted global dilemmas. In fact, especially in security matters, they sometimes seem inclined to stifle reasonable diplomacy, or even to help manufacture crises that will further destabilize international peace and security. The lack of agreement on structural reform, which sometimes encourages informal sectoral cooperation, still impedes our ability to find and devise more inclusive, concerted and sustainable solutions.

Our outdated outlook on enforcement mechanisms is also *itself* a source of escalation and aggravation of conflicts. Reductive and zero-sum approaches still dominate the dynamics and lead major powers to pursue their political objectives through unproductive economic sanctions and the use of force, to which they tend to resort much more readily thanks to self-serving expansive legal doctrines. In fact, in recent years the stability and inviolability of our international borders has been challenged by ‘lawful’ states and lawless non-state actors alike.

The emergence of sophisticated and consequential new actors who do not consider themselves bound by international rules and the laws of war is also another source of concern. All the more so, as states have hitherto been unable even to reach consensus on a legal characterization of these new players. In consequence, as we sadly see in our region, these new actors are grabbing land by force, setting up capitals and proclaiming statehood in broad daylight, just as they desensitize public opinion concerning grave IHL violations, and banalize their war crimes by filming, documenting and proudly reporting heinous acts on social media as a recruitment device.

Today, seemingly extinguished calamities—such as the slave trade or public auctions of innocent women—have resurfaced from the darkest corners of history only to highlight the international community’s inefficiency and helplessness in the 21st century.

Likewise, in the past few years we have witnessed that the principle of state immunity—a longstanding cornerstone of the international system—has also been unilaterally waived by powerful states through national legislation,

further undermining the integrity of international public order and setting the stage for more instability in inter-state relations.

Add to the above our challenge to deal effectively with cyberwarfare, computer viruses capable of impacting physical structures, undetectable hackers capable of disrupting or disabling essential services or stealing classified data, and we realize how much work there is to be done to preserve our future generations from chaos, lawlessness, insecurity and general mayhem.

These negative developments are all at odds with the goals and ideals that we had set for ourselves as the post-WWII 'global community'. A quick look at the United Nations' founding documents, or even a glimpse at the U.N. headquarters art collection, show how far we have strayed—albeit not always intentionally—from our original dream.

Finding solutions to these increasing and seemingly uncontrollable problems is not easy. But I know from experience that any solution we think of must be all-inclusive, firmly grounded in the new reality and based on the premise that in today's world, it is simply impossible to achieve any sustainable or meaningful order at the expense, and certainly with the exclusion, of others.

The good news is that throughout history, brilliant minds have sought such solutions, have had them applied, revised them when necessary, adapted them, and taught them to future generations. Professor Djamchid Momtaz, with his lifetime work on issues of global significance, is one of those brilliant minds. Indeed, Dr. Momtaz's contributions and record, whether in his advisory capacity at Iran's Foreign Ministry, as an academic, a practitioner, or as a member of the International Law Commission, are a clear example not only of how good ideas can lead younger generations to construct and lay theoretical grounds for action, but of how they can help diplomats and visionary politicians forge better policies, negotiate more sustainable accords, bridge more gaps, and reach more win-win settlements.

May this brilliant mind help us overcome our challenges for many more years to come.

Mohammad Javad Zarif

Foreign Minister of the Islamic Republic of Iran

Publications of Djamchid Momtaz

1 Books / Monographs

- *Le régime juridique des fonds marins et des océans au-delà des limites de la juridiction nationale : inventaire et solutions possibles*, Thèse pour le doctorat d'Etat en droit, Université de droit, d'économie et de science sociales de Paris (Paris II), 1971.
- *Le droit international humanitaire applicable aux conflits armés non internationaux*, Recueil des cours de l'Académie de droit international, Tome 292, 2001, Martinus Nijhoff Publishers, The Hague / Boston / London, 2002.
- *Rules and Institutions of International Humanitarian Law Put to the Test of Recent Armed Conflicts*, with M.J. Matheson, Hague Academy of International Law, Martinus Nijhoff Publishers Leiden, Boston, 2010.
- *Proclamation of Tehran*, 1968, United Nations Audio-Visual Library of International Law.

2 Books Chapters

- *Les problèmes de la délimitation du plateau continental du Golfe Persique*, in *Essays on International Law, 20th Anniversary, Commemorative Volume* published by the Secretariat of Asian-African Legal Consultative Committee, New Delhi, 1976.
- *L'Iran et le droit international*, in *Aspects de la politique étrangère de l'Iran et de la France*, Université de Téhéran, Centre des hautes études internationales, Téhéran, 1976.
- *Les détroits de l'Océan Indien et les grandes puissances*, in *Golfe Persique et Océan Indien; bilan et perspectives*, Université de Téhéran, Centre des hautes études internationales, Téhéran, 1977.
- *L'évolution du droit de la mer de la Conférence de Genève de 1958 à celle de 1975*, in *Droit de la mer*, Institut des Hautes Etudes Internationales de Paris, A. Pedone, Paris, 1977.
- *The high Seas*, in *Handbook on the New Law of the Sea*, René-Jean Dupuy and Daniel Vignes (eds), Hague Academy of International Law, Nijhoff, 1991.
- *Les forces navales et l'impératif de sécurité dans la Convention des Nations Unies sur le droit de la mer*, in *Essays on the Law of the Sea*, Budislav Vukas (ed), Zagreb, 1985.

- *Le statut juridique du Golfe Persique* in Legal Regime of Enclosed and Semi-Enclosed Seas : the Particular Case of the Mediterranean, Budislav Vukas (ed), Zagreb, 1988.
- *Le statut juridique du Chatt-el-Arab*, in Actualités juridiques et politiques en Asie, Etudes à la mémoire de Tran Van Minh, Institut des Hautes Etudes Internationales de Paris, A. Pedone, Paris, 1988.
- *La Commission préparatoire de l'Autorité internationale des fonds marins et du Tribunal du droit de la mer*, in Droit de la mer 2, Institut des Hautes Etudes Internationales de Paris, A. Pedone, Paris, 1990.
- *Les obligations des investisseurs pionniers enregistrés par la Commission préparatoire, de l'Autorité internationale des fonds marins et du Tribunal international du droit de la mer*, in Essays on the New Law of the Sea, n° 2, Budislav Vukas (ed), Zagreb, 1990.
- *The inherent Right of Individual Self-Defence in The Iran-Iraq War; The Politics of Aggression*, Farhang Rajaee (Ed), University Press of Florida, 1993.
- *A Commentary on Iranian Practice in The Iran-Iraq War (1980–1988) and the Law of Naval Warfare*, Andrea de Guttry and Natalino Ronzitti (eds), Cambridge, Grotius Publications Ltd, 1993.
- *La juridiction larvée des Etats côtiers sur les stocks de poissons chevauchants et grands migrants situés au-delà de leurs zones économiques*, in International Legal Issues Arising under the United Nations Decade of International Law, Dr Najeeb Al Nauimi and Richard Messe (eds), Martinus Nijhoff Publishers, 1995.
- *Le régime de transfert des substances chimiques dans la Convention sur l'interdiction des armes chimiques*, in The Convention on the Prohibition and Elimination of Chemical Weapons: a Breakthrough in Multilateral Disarmament, Hague Academy of International Law, Daniel Bardonnet (ed), Martinus Nijhoff Publishers, 1995.
- *Les Nations Unies et les Commissions d'établissement des faits*, in International Law as a Language for International Relations, Proceedings of the United Nations Congress on Public International Law, New-York 13–17 March 1995, Kluwer International Law, 1996.
- *The Implementation of Security Council Resolution 598*, in Iranian Perspectives on the Iran-Iraq War, Farhang Rajaee (ed), University Press of Florida, 1997.
- *Nuclear Weapon-Free Zones in Africa and Asia*, in Essays on International Law, fortieth Anniversary, Commemorative Volume, prepared by the Secretariat of the Asian-African Legal Consultative Committee, New-Delhi, 1997.
- *The United Nations and the Protection of the Environment*, in the United Nations at Work, Martin Ira Glassner (ed), Praeger, 1998.

- *Intervention des Etats-Unis dans les affaires iraniennes et la requête de l'Iran devant le Tribunal des différends irano-américains*, in *Sanctions unilatérales, mondialisation du commerce et ordre juridique international*, à propos des lois Helms-Burton et d'Amato Kennedy, Habib Ghérari et Sandra Szureck (sous la direction de), CEDIN Paris x Nanterre, Cahiers internationaux, Montchrestien, 1998.
- *Le droit international des armes de destruction massive*, in *International Law at the Turn of the Century: Thesaurus Acroasium*, vol. XXVII, Sakkoulas Publications, Thessaloniki, 1998.
- *Les conventions "mort-nées"* in *Making Better International Law. The International Law Commission at 50. Proceedings of the United Nations Colloquium on Progressive Development and Codification of International Law*, United Nations, 1998.
- *Le recours à l'arme nucléaire et la protection de l'environnement : l'apport de la Cour internationale de Justice*, in *International Law, the International Court of Justice and Nuclear Weapons*, Laurence Boisson de Chazournes and Philippe Sands (eds), Cambridge University Press, 1999.
- *A Study of Multilateralism in Iran: The United Nations and Iran-Iraq Conflict*, in *Multilateralism in Multinational Perspective. Viewpoints from different Languages and Literatures*, James P. Sewell (ed), United Nations University Press, 2000.
- *La piraterie en haute mer*, in *Droit international pénal*, Hervé Ascensio, Emmanuel Decaux et Alain Pellet (Sous la direction de) Cedin, Paris x Nanterre, A. Pedone, Paris 1^{ère} édition 2000, 2^{ème} édition 2012.
- *Les infractions liées aux activités maritimes*, in *Droit international pénal* Hervé Ascensio, Emmanuel Decaux et Alain Pellet, Cedin, Paris x Nanterre, A. Pedone, Paris 1^{ère} édition 2000, 2^{ème} édition, 2012.
- *La compatibilité des sanctions du Conseil de Sécurité avec le droit international humanitaire*, in *United Nations Sanctions and International Law*, Vera Gowlland (ed) Kluwer Law International, The Hague / London / Boston, 2001.
- *La libre navigation à l'épreuve des conflits armés*, in *La mer et son droit*, Mélanges offerts à Laurent Lucchini et Jean-Pierre Quéneudec, A. Pedone, Paris, 2003.
- *Les actions de secours au cours d'un conflit armé*, in *Studi di Diritto Internazionale in Onore di Gaetano Arangio Ruiz*, Editoriale Scientifica, Napoli, 2004.
- *Article 36 de la Charte des Nations Unies*, in *La Charte des Nations Unies*, Commentaire article par article, Jean-Pierre Cot, Alain Pellet, Mathias Forteau (Sous la direction de), 3^{ème} édition, Economica, Paris, 2005.

- *Le régime de passage dans le détroit d'Hormuz* in *Europe and the Sea, Fisheries, Navigation and Marine Environment*, Rafael Casado Raigon (ed), Bruylant, Brussels, 2005.
- *Sécurité collective et droit d'ingérence humanitaire* in *Les métamorphoses de la sécurité collective: droit, pratique et enjeux stratégiques*, A. Pedone, Paris, 2005.
- *Conflit armé non international: Interaction des différents régimes juridiques*, in *International Humanitarian Law and other Legal Regimes: Interplay in Situations of Violence*, Guido Ravasi, Gian Luca Beruto (eds), Edizione Nagard, Milano, 2005.
- *The ICRC Study on Customary International Law an Assessment*, in *Custom as a Source of International Law*, Larry Maybee, Bennarji Chakka (eds), ICRC New-Delhi, Asian African Legal Consultative Organization, 2006.
- *Le droit international et la répression des crimes internationaux*, Bancaja Euromediterranean Courses of International Law, Vol. x, 2006.
- *De l'incompatibilité des amnisties inconditionnelles avec le droit international*, in *Promoting Justice, Human Rights and Conflict Resolution Through International Law*, Liber Amicorum, Lucius Caflisch, Martinus Nijhoff Publishers, 2007.
- *La Convention sur la protection du patrimoine culturel subaquatique*, in *Law of the Sea, Environment Law and Settlement of Disputes*, Liber Amicorum Judge Thomas A. Mensah, Martinus Nijhoff Publishers, 2007.
- *Non-Prolifération of Chemical Weapons through Export Control OPCW*, Academic Forum, Ralf Trapp (ed), Netherlands Institute of International Relations Clingendael and TNO Netherlands Organization for Applied Scientific Research, 2007.
- *Intervention d'humanité et responsabilité de protéger* in *Quel droit international pour le XXI^{ème} siècle? Actes du Colloque international* (Neuchatel, 6–7 May 2006), Yves Sandoz (ed.) Bruylant Bruxelles, 2007.
- *La participation directe des personnes civiles aux hostilités* in *Paix en liberté*, Festschrift für Michael Bothe. Nomos-Dike Baden-Baden (Germany), 2008.
- *Le pavillon en temps de crise. Le pavillon dans l'engrenage de la lutte contre la prolifération des armes de destruction massive* *Le pavillon Colloque international*, Institut océanographique de Paris (2–3 March 2007), A. Pedone, Paris, 2008.
- *De la nécessité de préciser la nature et le contour de certaines règles relatives à la protection des personnes civiles contre les dangers résultant d'opérations militaires* in *Studi in Onore di Umberto Leanza*, Editoriale Scientifica, Napoli, 2008.

- *L'adaptation du droit humanitaire à l'épreuve des opérations militaires motivées par la responsabilité de protéger*, in *La responsabilité de protéger*, Colloque de Nanterre (7–9 June 2007), Société française pour le droit international, A. Pedone, Paris, 2008.
- *L'exercice de la compétence de la Cour pénale internationale à l'égard des crimes commis au Darfour* in *Essays in Honour of Professor Kalliopi K. Koufa*, Martinus Nijhoff Publishers, 2009.
- *La lutte contre la criminalité en mer*, in *L'évolution et l'état actuel du droit international de la mer*, Mélanges de droit de la mer offerts à Daniel Vignes, Bruylant, Bruxelles, 2009.
- *Attribution of Conduct to the State: State Organs and Entities Empowered to Exercise Elements of Governmental Authority in the Law of International Responsibility*, James Crawford, Alain Pellet and Simon Olleson (eds) Oxford University Press, 2010.
- *La protection de la population civile au cours des conflits armés*, in *International Challenges to peace and Security in the New Millenium*, Thesaurus Acroasium, Vol. XXXIII, Sakkoulas Publications, Thessaloniki, 2010.
- *Le programme nucléaire de l'Iran et le régime de non-prolifération nucléaire*, in *Looking to the Future. Essays on International Law in Honor of W. Michael Reisman, Mahnoush H. Arsanjani, Jacob Katz Cogan, Robert D. Sloane, Siegfried Wiessner* (eds), Martinus Nijhoff Publishers, 2011.
- *The Interaction between International Humanitarian Law and Human Rights Law and the Contribution of the I.C.J.* (in cooperation with Amin Ghanbari Amirhandeh) in *The I.C.J. and the Evolution of International Law. The Enduring Impact of the Corfu Channel Case* Karine Bannelier et al. (eds) Routledge, 2012.
- *Créer une zone exempte d'armes nucléaires au Moyen-Orient: une mission impossible?* in *The 90th Birthday of Boutros Boutros-Ghali. Tribute of the Curatorium to its President*, A Publication of The Hague Academy of International Law, Martinus Nijhoff Publishers, Leiden, Boston, 2012.
- *L'encadrement de la sécession en droit international*, in *L'homme dans la société internationale*, Mélanges en hommage au Professeur Paul Tavernier, Bruylant Larcier, Bruxelles, 2013.
- *Tension entre gouvernance zonale et gouvernance globale dans la prévention et la répression des actes illicites en mer*, in *The Contribution of the United Nations Convention on the Law of the Sea to good Governance of the Oceans and Seas*, Jose Manuel Sobrino Heredia (ed) Papers of the International Association of the Law of the Sea, Editoriale Scientifica, Napoli, Italy, 2014.

- *Les obstacles politico-culturels à la coopération interétatique dans le Golfe persique et la mer Caspienne*, in *Diretto internazionale e pluralità delle culture*, Giuseppe Cataldi e Valentina Grada (A cura de) Società Italiana de Diritto Internazionale 18 Editoriale Scientifica, Napoli, Italy, 2014.
- *L'attachement de la Cour internationale de justice au consensualisme judiciaire est-il sans faille?* in *Les limites du droit international, Essais en l'honneur de Joe Verhoeven*, Bruylant Larcier, Bruxelles, 2014.
- *Délimitation du plateau continental du Golfe persique: une entreprise inachevée*, in *Law of the Sea, from Grotius to the International Tribunal for the Law of the Sea*, Liber Amicorum Judge Hugo Caminos, Brill Nijhoff, 2015.
- *L'évolution du droit international humanitaire applicable à la conduite des hostilités* in *Conduct of hostilities: the Practice, the Law and the Future 37th Round Table on Current Issues of International Humanitarian Law* (San Remo, 4th–6th September 2014) Edoardo Greppi (ed), 2015.
- *L'activisme judiciaire des organes de contrôle et la souveraineté des Etats: Commentaire sur Christakis* in *Select Proceedings of the European Society of International Law, Fourth Volume, Regionalism and International Law*, Valencia, 13th–15th September 2012, Mariano Aznar and Mary E. Footer (eds), Hart Publishing, Oxford and Portland, Oregon, 2015.
- *La conformité du blocus maritime de Gaza par Israël avec le droit international humanitaire*, in *Ombres et lumières du droit international, Mélanges en l'honneur du Professeur Habib Slim*, A. Pedone, Paris, 2016.
- *Garantir la nature exclusivement pacifique du programme nucléaire de l'Iran (le Plan conjoint du 24 novembre 2013)* in *Nuclear Weapons: Strengthening the International Legal Regime*, Ida Caracciolo, Marco Pedrazzi and Talitha Vassalli di Dachenhausen (eds), Eleven International Publishing, 2016.
- *Iran* (In collaboration with Esmaeil Baghaei Hamaneh) in *Crime of Aggression, Library The Crime of Aggression: A Commentary*, Clan Kieß and Stefan Barriga (eds), Cambridge University Press, 2017.

3 Articles

- *Le fond des mers et des océans : dernière frontière de l'homme*, *Après-demain*, n° 149, Paris, décembre 1972.
- *Vers un nouveau régime juridique des pêcheries adjacentes*, *Revue Générale de Droit International public*, tome 78, Paris, 1974.
- *Partager équitablement un patrimoine commun*, *Journal « Le Monde »*, Paris, 20 juin 1974.

- *Du droit de passage dans le détroit de Tiran*, Revue égyptienne de Droit international, vol. 30, 1974.
- *Le terrorisme international*, Revue Égyptienne de Droit international, Vol. 30, 1974.
- *La question des détroits à la troisième Conférence des Nations Unies sur le droit de la mer*, Annuaire Français de Droit International, vol. xx, Paris, 1974.
- *La mer et l'égalité entre les Etats*, Revue iranienne de Relations internationales, n° 2, Téhéran, 1975.
- *Le régime de la navigation dans le canal de Suez*, Revue iranienne de Relations internationales, n° 5-6, Téhéran, 1976.
- *Les ressources biologiques de l'Océan Indien : un nouvel enjeu économique*, Revue iranienne de Relations internationales, n° 8, Téhéran, 1976.
- *Une convention pour la protection du golfe Persique contre la pollution*, Revue iranienne de Relations internationales, n° 11-12, Téhéran, 1978.
- *Le droit international dans un monde hétérogène*, Revue iranienne de Relations internationales, n° 13-14, Téhéran, 1979.
- *Le droit, la justice et les tyrans*, Journal « Le Monde », Paris, 29 novembre 1979.
- *La Commission préparatoire de l'Autorité internationale des fonds marins et du Tribunal international du droit de la mer*, Annuaire Français de Droit International, vol. xxx, 1984.
- *La délimitation du plateau continental du Golfe Persique*, Collection Espaces et Ressources maritimes, n° 3, Presses Universitaires de France, 1988.
- *La Convention sur la répression d'actes illicites contre la sécurité de la navigation maritime*, Annuaire Français de Droit International, vol. xxxiv, 1988.
- *La frontière irano-irakienne dans le Chatt-el-Arab*, Revue iranienne de Relations internationales, vol. 1, Téhéran, 1989.
- *La protection de l'environnement marin du golfe Persique et de la mer d'Oman*, Collection Espaces et Ressources maritimes, n° 4, Presses universitaires de France, 1990.
- *Le statut juridique de la mer Caspienne*, Collection Espaces et Ressources maritimes, n° 5, A. Pedone, Paris, 1991.
- *Les règles relatives à la protection de l'environnement au cours des conflits armés à l'épreuve du conflit entre l'Irak et le Koweït*, Annuaire Français de Droit International, vol. xxxvii, 1991.
- *La conservation et la gestion des stocks de poissons chevauchants et grands migrants*, Collection Espaces et Ressources maritimes, n° 7, A. Pedone, Paris, 1993.