




OPEN PEER REVIEW

# Civil Liability Arising from Imposing Sanctions on International Trade Against Iran

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Received: 2024-08-18

Revised: 2024-11-01

Accepted: 2024-11-11


Published: 2025-01-01

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## 1. Round 1

### 1.1. Reviewer 1

Reviewer:

The introduction outlines the broad issue of sanctions but does not sufficiently highlight the gap in the existing literature. The sentence: "Given the scope, diversity, and breadth of these sanctions, such actions can be perceived as lacking good faith and as threatening" should be expanded to include a comparison with previous studies that have examined similar legal frameworks.

The methods section states that a "descriptive-analytical method" was used, but there is no clear explanation of how data were analyzed. What specific legal cases or treaty provisions were reviewed? Providing a clear framework for legal analysis would improve methodological transparency.

The article asserts: "One of the critical issues examined in this legal domain is the possibility of considering international human rights as part of the governing law." This argument lacks a direct link to civil liability in international trade. A discussion of relevant case law (e.g., ECtHR rulings on property rights) would strengthen this argument.

The claim that "private ownership rights of foreign investors can be fully respected under Islamic and Iranian law" is too broad. In practice, legal interpretations vary, and investor-state disputes often arise. This section should include counterarguments or limitations.

Authors revised the manuscript and uploaded the document.

## 1.2. Reviewer 2

Reviewer:

Throughout the paper, legal terminology such as "private ownership rights," "international trade," and "investment protection" is used inconsistently. In paragraph 5 of the introduction, the term "expropriation" is mentioned without distinguishing it from "confiscation" and "nationalization," which have different legal implications.

The discussion on civil liability should reference key international legal instruments such as the International Law Commission's Articles on State Responsibility and relevant WTO dispute settlement cases. The phrase: "Thus, the violation of private ownership rights of foreign investors creates liability for the host state" (Introduction) lacks a citation supporting this assertion.

The article mentions a comparison between Iranian and international law but does not provide a structured comparison. In the paragraph discussing "commonalities and differences between Iranian and international law," a table summarizing key differences in investor protection under Iranian law versus international treaties (e.g., BITs) would enhance readability.

The article states: "sanctions impose international responsibility on the sanctioning state(s) has been largely negated due to the principle of state sovereignty." However, legal precedents from the International Court of Justice and other international tribunals could be referenced to support this claim.

The discussion on the economic impact of sanctions (e.g., the claim that "every 1% increase in the sanctions index intensity results in a decrease in non-oil exports") lacks integration with the legal argument. How does this affect liability under international investment law?

The article does not discuss arbitration mechanisms such as ICSID or the UNCITRAL framework, despite mentioning foreign investor rights. A section on dispute resolution would make the paper more comprehensive.

Authors revised the manuscript and uploaded the document.

## 2. Revised

Editor's decision: Accepted.

Editor in Chief's decision: Accepted.