

THE 2/28 STRIKES ON THE IRANIAN REGIME AND THE INTERNATIONAL LAW FRAMEWORK



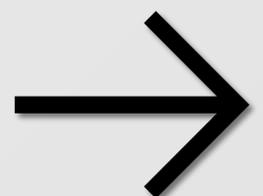
THE INTERNATIONAL
LEGAL FORUM





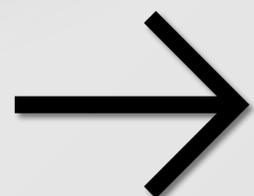
On February 28, Israel and the United States launched joint strikes against an **imminent threat** from the Islamic regime in Iran, targeting its leaders and military assets.

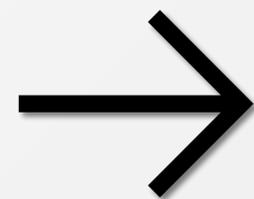
The Iranian regime, which was led by Ayatollah Khamenei and his murderous mullahs, is guilty of committing 47 years worth of **blatant war crimes and crimes against humanity** against its own civilians, as well as Israelis, Americans, Ukrainians, Canadians, Argentinians, and many more. It has obsessively pursued nuclear and ballistic weapons capabilities, openly declaring its intent to destroy Israel and the US, all while funneling money, weapons, and support to its **terror proxy organizations**.



Despite the regime's **blatant disregard for international law**, some were quick to decry that the preemptive strikes were violations.

Let's unpack what international law, customary international law, and international norms actually say:





Jus Ad Bellum - War as a Last Resort with Reasonable Hope of Success

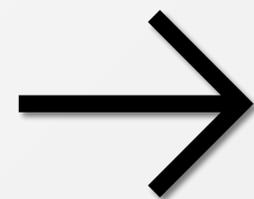


Diplomatic efforts over many years, including the 2015 Joint Comprehensive Plan of Action (JCPOA), were designed to slow and limit Iran's nuclear program by tying strict limits and inspections to sanctions relief. Despite international sanctions and years of negotiations with the Iranian regime, it continued its nuclear ambitions and proliferation, in addition to building up a massive offensive ballistic weapons arsenal and fueling global terror. Right up until the February 28, 2026 attack, the US was engaged in negotiations with the regime, in an attempt to find a diplomatic solution that would preserve international peace and stability.



However, the regime continuously failed to make genuine concessions, necessitating military force to remove the imminent threat. The goals of the war – to **remove the military threat posed by the Iranian regime** – have been clearly articulated and, given the US and Israel’s superior military capabilities, have reasonable hope for success. The potential good achieved by the joint operation against the Iranian regime for global peace and security requires the short-term instability of war, that includes tragic loss of life of innocents.





Chapter 7 Article 51 of the UN Charter on Self Defense



Chapter 7, Article 51 of the UN Charter is the mechanism that allows States to “legally” respond to armed aggression. It states, “Nothing in the present Charter shall impair the inherent right of individual or collective self-defence if an armed attack occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security.”

The argument can be made that Iran and Israel have been engaged in a **protracted armed conflict** for years, and that the Israeli-US attack of February 28, 2026, was therefore an act of collective self defense.

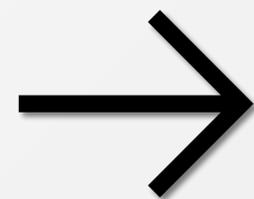




photo credit: Times of Israel

The Iranian regime, and its terror proxies, repeatedly target Israel, both directly and indirectly via its terror proxies, as exemplified by the regime's leadership role in the October 7 massacre and ballistic missile strikes on Israelis throughout the past two years. Similarly, the Iranian regime has committed numerous attacks against the US, including targeting American military and diplomatic assets throughout its 47 years of existence. Regime leaders and its supporters regularly chant **"Death to America"** and **"Death to Israel,"** including on anniversaries of attacks against Americans and Israelis. The regime further boasted having a "doomsday clock" in Tehran's "Palestine Square" that counted down to the predicted destruction of the State of Israel.





Customary International Law & The Caroline Test

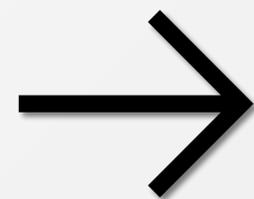


Customary international law, specifically the Caroline Test, recognizes the importance of States having the ability to respond to threats that are **“instant, overwhelming, leaving no choice of means, and no moment for deliberation”** in such a way that **“the act, justified by the necessity of self-defense, must be limited by that necessity, and kept clearly within it.”**



The US and Israeli leadership have both articulated the critical window they had to target key Iranian regime military assets to eliminate its nuclear ambitions and ballistic missile capabilities prior to their operationalization. For instance, US Secretary of State Marco Rubio stated, “There absolutely was an **imminent threat**” and that the US “went proactively in a defensive way to prevent them from inflicting higher damage.” US President Trump furthered that negotiations were not moving forward and that the regime was “going to attack first.” Israel’s Prime Minister Netanyahu has also referred to the Iranian regime as an “**existential threat**” to the State of Israel.





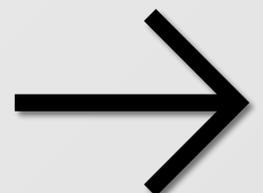
Humanitarian Intervention and the Responsibility to Protect





UNITED NATIONS OFFICE ON
GENOCIDE PREVENTION AND THE
RESPONSIBILITY TO PROTECT

The Responsibility to Protect (R2P) is a global political commitment endorsed unanimously by UN member states at the United Nations 2005 World Summit. It affirms that States have the primary responsibility to protect their populations from **genocide, war crimes, ethnic cleansing, and crimes against humanity**, however if States fail at upholding this responsibility, it becomes that of the international community to take collective action to protect populations from these atrocities. The international responsibility begins with the UN Security Council, however, if it fails to deal with the threat within a reasonable time, the responsibility may pass to the UN General Assembly or to regional or sub-regional organizations.



The Iranian regime is guilty of decades of war crimes and crimes against humanity, including against its own population, as clearly demonstrated in its murder of tens of thousands of Iranian civilian protesters in recent weeks. The international community failed to uphold its stated responsibility to intervene and protect the Iranian people. Therefore, the Israeli-US attack targeting the Iranian regime is justified by the **responsibility to protect the Iranian people**. The fact that Iranians, in Iran and around the world, celebrated the Israeli-US strikes against the regime, including the destruction of Ayatollah Khamenei, demonstrates this humanitarian aspect.

