

Declaration of the Institute of International Law on the Military Operation against Iran

1. In its “Declaration on the challenges to the international legal order following the military operation in Venezuela,” adopted on January 18, 2026, the Institute expressed its “grave concern [about] recurring violations of international law by [...] States undermining the Charter of the United Nations and the principles and rules of international law essential to maintaining a peaceful world order.” Pursuant to Article 1(1) of its Statutes, the Institute had previously denounced several serious violations of the most fundamental principles of the Charter of the United Nations (Bruges Declaration on the Use of Force, 2003; Declaration on the Aggression against Ukraine, 2022; Declaration on the Current Situation in the Middle East, 2023).

2. The launch of a new large-scale military operation by Israel and the United States against Iran on 28 February 2026 has prompted the Institute to adopt a further statement. This operation has included the massive bombing of the territory of a sovereign State, the arbitrary execution of a current head of State and has resulted in numerous civilian casualties as well as significant damage to the environment. It challenges fundamental principles underpinning the international legal order, including the prohibition of aggression and the use of force, the principle of non-intervention and the inviolability of Heads of State in accordance with international law.

3. Although it has been argued that the operation was justified by the threat Iran posed to the security of the United States and Israel, given the risks of its nuclear development programme being diverted for military purposes, the Institute has previously noted in its Resolution on Self-Defence (adopted at its 2007 session in Santiago de Chile), that “[t]here is no basis in international law for the doctrines of ‘preventive’ self-defence (in the absence of an actual or manifestly imminent armed attack). In case of threat of an armed attack against a State, only the Security Council is entitled to decide or authorize the use of force.” (Paragraphs 6 and 7).

4. In that resolution, the Institute also noted that “[n]ecessity and proportionality are essential components of the normative framework of self-defence” (ibid., para 2). The argument of self-defence cannot under any circumstances justify military actions that go beyond military targets of the aggressor States. The Institute is, therefore, deeply concerned about the extent to which the conflict has now spread throughout the Middle East region, and beyond, impacting global security.

5. The Institute emphasizes that military actions must be conducted in accordance with the principles of international humanitarian law, in particular the protection of civilians and civilian property. In this regard, it can only condemn any military action, regardless of who the authors are, that is directed against civilian infrastructures, including schools, hospitals, medical facilities, civil airports, and other such property, as well as targeting commercial transport routes and civilian vessels.

6. The Institute also emphasizes that customary international law prohibits the use of methods or means of warfare that are designed to cause, or may be expected to cause, widespread, long-lasting, and severe damage to the natural environment as well as the targeting and destruction of cultural heritage.

7. In condemning these violations of international law, the Institute in no way condones any act of the Iranian Government that violates its own human rights obligations and other rules of international law in its own territory, as well as other international obligations towards other States. Condemning the illegality of this operation cannot be interpreted as legitimizing authorities accused of unlawful action.

8. Finally, the Institute calls for an end to hostilities and the settlement in good faith of disputes between the States concerned through all appropriate means of peaceful settlement in accordance with international law.
