



thinc. Symposium Report

# The Islamic Revolutionary Regime: Challenges to International Law in the Grey Zone



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thinc.

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## The Islamic Revolutionary Regime: Challenges to International Law in the Grey Zone

### Symposium Report

The *Symposium on The Islamic Revolutionary regime and Challenges to International Law in the Grey Zone* was convened by The Hague Initiative for International Cooperation (*thinc.*) at The Hague on 6 May 2026. Twelve speakers examined the interface between the international legal system and the multi-layered threat environment in which it operates, particularly in grey zones of international law being exploited by the Islamic revolutionary regime in Iran and other Islamist actors.

This threat environment includes: nuclear proliferation; ballistic missile and armed drone capabilities; restriction of freedom of navigation; and systematic use of proxy armed forces such as Hezbollah and Hamas. These dimensions occur mostly in the “Grey Zone” of activities below the threshold of open armed conflict, by destabilizing oil markets, harming regional and global economies and exporting terrorism and transnational organized crime.

Taken together, these elements form a coordinated threat ecosystem in which Islamist state and non-state actors collaborate with the intention of causing sustained and strategic harm, primarily to Western-oriented states.

The Symposium focused on manipulation of, and threats to, the international legal system as a strategy for achieving political Islam’s goals. Hybrid actors such as the Islamic Revolutionary Guard Corps (IRGC), Hezbollah, and Hamas, operating globally through transnational networks and often in coordination with state actors, challenge existing legal frameworks and enforcement mechanisms. The rules of the extant international legal system - for example in relation to the use of force, self-defence and belligerent occupation, human rights, and genocide - are increasingly insufficient to address these threats. The Symposium examined the extent to which international law and its legal system infrastructure enable or restrict of non-Islamist states in their efforts to eliminate or manage these threats.

The following is a report on the key points made during the Symposium.

### I. Political Islam, the IRGC and Global Security

Session 1 examined political Islam and the different strategies used by Islamist movements to acquire political power and establish governance under Islamic law. It contrasted the Muslim Brotherhood’s Sunni Islamist model with the revolutionary Shia Islamist model of the Islamic Republic of Iran, with particular emphasis on the latter. The speakers were Dr Tommaso Virgili, Professor Uri Rosenthal and Professor Babak RezaeeDaryakenari.

#### *Islamism: A Clear and Present Danger*

Dr Tommaso described Islamism, or political Islam, as a form of totalitarianism, a political ideology that seeks to organize all public authority and social life in accordance with Islamic law. While Islamic thought itself contains diverse theological and jurisprudential traditions, Islamist movements combine a social program of religious and moral regulation with political strategies aimed at subjecting state institutions and the wider political culture to Allah’s law. Islamism should be analysed not simply as a religious phenomenon, but as a political project that seeks to infiltrate and erode pluralist and liberal democratic systems.

Islamic concepts are used as pathways in a long-term project of entrenching Islamic political and social power. Some Muslim Brotherhood and other Sunni Islamist actors use democratic participation, civil-society engagement, and the language of moderation in instrumental ways, while ultimately advancing illiberal ends. Within that framework, *wasatiyya*, or the ‘middle way,’ may function as rhetoric used as a tactical façade to broaden cultural influence, despite the influence of antisemitism, critical attitudes toward liberal rights, and the use of violence. The presentation emphasised that Sunni and Shia Islamism should not be understood as fundamentally opposed phenomena, but as sharing more points in common than divergences. In particular,

Muslim Brotherhood-style Sunni Islamism and Khomeinist Shia Islamism both interpret the Quran and Hadith in highly conservative and literalist ways, while engaging pragmatically with modern concepts such as parliamentary democracy, human rights language and tactical alliances with the Left as instruments for acquiring and consolidating power. In this sense, the language of democracy and human rights may be used tactically, while emptied of its liberal-democratic substance.

### ***The Islamic Revolutionary Regime: Ideology, Structures, Strategies and Tactics***

Prof. Rosenthal explained that, in recent months, the Islamic Revolutionary Guard Corps (IRGC) has become the decisive center of power in the Islamic Republic, eclipsing the distinction between military institution, political actor and instrument of ideological rule. Imbued with Shiite ideology, the IRGC pursues a Messianic and apocalyptic worldview. Prof. Rosenthal explained the IRGC's pervasive role across domestic repression, external operations and diplomatic reach, describing the Quds Force and the Basij as integral components of a broader coercive system that projects violence both within Iran and abroad. The regime's use of arbitrary detention and hostage-taking against foreign nationals and dual citizens formed part of a wider pattern of pressure against Europe, while the IRGC's designation by the European Union in early 2026, set against continuing debate in the United Kingdom, illustrates a growing recognition that Iran's conduct can no longer be treated as that of an ordinary state actor.

Criticism of American and Israeli action against the revolutionary regime in Iran is narrowly focused on Article 2(4) of the United Nations Charter, while neglecting the wider framework of continuing Iranian threats, proxy warfare and the Charter's requirement in Article 2(3) that disputes be settled peacefully. The regime's repeated declarations of hostility, support for armed proxies and record of coercive external conduct make invocations of non-intervention incomplete and incoherent when detached from this longer pattern. The January 2026 mass killings of protesters, whose exact death toll remains contested, is evidence not only of exceptional brutality but also of mounting regime fragility. The broad conclusion is that the Islamic Republic is weakened by societal rejection, economic deterioration and regional isolation, and its eventual collapse would represent a major gain for both Iranian society and international security.

### ***Beyond 'No War': What Iranians Actually Think About Resistance and Intervention – an Evidence-based Perspective***

Dr. Babak RezaeeDaryakenari addressed the gap between external perceptions of Iran and the outlook of many Iranians themselves. He argued that Western debate often begins from the mistaken assumption that Iran represents a baseline condition of peace disrupted by outside action, whereas the Islamic Republic has long governed through continuous repression and has therefore never enjoyed genuine legitimacy in the eyes of large parts of its population. On that basis, he maintained that many Iranians interpret confrontation with the regime not as a conflict against the Iranian people, but as a conflict with the oppressive state apparatus that rules them. He pointed to survey data, digital traces and activist discourse as indicating substantial support for regime change and significant openness, across different social groups, to external pressure or intervention where this is seen as directed against the regime rather than against the nation.

Dr. RezaeeDaryakenari situated that position within a longer history of protest, noting repeated waves of civil resistance in Iran from 1999 to the present and acknowledging the broader scholarly finding that nonviolent movements are often more successful than violent ones in producing durable political change. At the same time, he argued that Iran presents a particularly difficult case for that model because the regime rests on an entrenched fusion of coercive power, economic control, bureaucratic resilience and (dis)information dominance, reinforced by oil revenues and the Islamic Revolutionary Guard Corps' grip over security, economy, and communications. In his account, these conditions help explain why even large-scale protests have not yet produced the kind of backlash that might otherwise create defections and fracture the system from within. He therefore contended that the question of foreign intervention, as a strategy to weaken the intertwined security-economic-bureaucratic apparatus, cannot be dismissed. Invoking the logic of the Responsibility to Protect, he argued that where a state repeatedly commits mass violence against its own population, international law must effectively discuss and consider the possibility of lawful external action, beyond economic pressure, which has shown limited effectiveness against authoritarian states. His broader conclusion was that Iranians have not failed to resist; rather, the liberal international order has failed

to respond adequately to a regime structurally designed to survive internal dissent while shielding atrocity behind the shield of the principle of non-intervention. This is a challenge that the liberal order should address beyond the Iran case.

## II. Law of Armed Conflict – Iran and its Proxies

Session 2 considered the application of the international law of armed conflict in the context of Western responses to the export of revolution for Shia Islam by the Islamic Republic of Iran, focusing on the application of international laws of aggression and self-defence, and contextualising Iranian lawfare within its revolutionary campaign as information operations. The speakers were Maj. Andrew Fox, Prof. Wolfgang Bock, and Prof. Geert-Jan Alexander Knoops.

### *Iranian Agenda: Weaponizing International Law for Propaganda*

Maj. Andrew Fox argued that contemporary conflicts involving Israel cannot be understood solely through the physical conduct of hostilities, because they are simultaneously waged in the informational and legal domains. Fox argued that Iran and its aligned actors have invested heavily in a coordinated campaign designed to delegitimise Israel by converting contested images, rapid allegations and emotionally charged narratives into legal and diplomatic pressure. He presented this as a strategic process in which visual material is quickly attached to claims of unlawful conduct, amplified through media and digital networks, and then reinforced by institutional actors in ways that can outpace careful fact-finding. Within that framework, he described Hamas as pursuing an “information manoeuvre” in which the battle for perception is treated as integral to the battlefield itself, with messaging calibrated both to weaken Western support for Israel and to project strength to Arab audiences.

Fox further explained that this dynamic has distorted legal discourse by encouraging the use of grave legal labels before the evidentiary thresholds associated with those labels have been tested. He argued that allegations of genocide and war crimes are advanced in public debate through emotional inference, selective quotation and repeated circulation, rather than through disciplined analysis of intent, attribution, proportionality and proof. On that view, “lawfare” acquires the vocabulary and prestige of international law while abandoning its methodological rigour. His proposed response is not to retreat from legal language but to defend it more seriously: governments and military institutions, he argued, must respond with greater speed, transparency and evidentiary precision; legal practitioners must explain the governing standards in clear public language; and institutions must resist allowing propaganda effects to substitute for legal judgment.

Taken together, Fox’s position was that the central danger lies not only in hostile propaganda itself but in the erosion of the distinction between advocacy, accusation and adjudication. He argued that once legal conclusions are driven by virality, institutional repetition and emotional force rather than by disciplined evidentiary assessment, international law ceases to function as a restraining framework and becomes instead a medium of strategic coercion. In that sense, his warning was directed as much at Western institutions as at Iran and Hamas: if courts, international bodies, media organisations and professional communities absorb and retransmit unverified claims without scrutiny, they risk converting the language of legality into an instrument for rewarding manipulation and punishing legal self-defence.

### *Who attacked whom, when and how?*

Prof. Wolfgang Bock emphasized that the answer to these legal questions must take in account the cumulative pattern of Iranian intent, doctrine and action toward Israel and the United States. The factual preconditions for assessing the existence of an armed conflict are the ideological commitment of the theocratic Islamic Republic to spread its Shiite revolution and to destroy the USA and Israel, together with decades of building a ring of fire around Israel via proxies, warfare, military strikes and the run for a nuclear bomb. On that basis, he qualified Iran’s direct attacks on Israel in April and October 2024 to establish an armed conflict between Iran and Israel. Factually earlier attacks emanating from Iran and her proxies may have led to an armed conflict even before 2024. In this light he qualified Israel’s subsequent operations as legally justified acts of self-defence. The Iranian proxy warfare and the strategic implications of Iran’s nuclear program further justified Israel’s self-defence. In addition, Iranian attacks against US military and

other personnel opened the right of self-defense for the USA. He further explained that the principle of proportionality does not minimize the right of self-defense to the same degree or type of force used by the attacker. The legal standard of force is tied to the lawful objective of ending or decisively weakening existing threats and attacks, and of reaching a decisive end to the conflict. Neither ceasefire arrangements nor diplomatic engagements automatically extinguish the right of self-defense, especially, if the underlying capacity and intention to resume hostilities remain in place. He warned that international law is distorted when interpreted to hinder states from confronting persistent armed attacks, for example by insulating proxy forces such as Hezbollah from military responses.

### ***Assessing the armed intervention in Iran from International Law perspectives***

Prof Alexander Geert-Jan Knoops's presentation examined whether military intervention (Operation Epic Fury/Rowing Lion, beginning in February 2026) by Israel and the United States against Iran are lawful under international law. It identifies three main possible legal routes:

- an ongoing international armed conflict,
- humanitarian intervention – Responsibility to Protect (R2P),
- and anticipatory self-defense.

It recognized that the intervention may be viewed not as an isolated strike, but as part of an already existing armed conflict involving Iran, Israel, the US, and/or Iranian-backed proxy forces. The latter view might be supported by repeated proxy attacks, Iran's operational and ideological links to NSAGs, and the role of the IRGC since 1979, as reflected in the positions of K. Watkins and D. Rubinstein.

The presentation also acknowledges that, once an ongoing armed conflict exists, IHL permits attacks on lawful military objectives without requiring proof of imminence for each strike. While humanitarian and R2P interventions remain legally contested, anticipatory self-defense remains a basis that is arguable only where Iran's conduct could constitute an imminent strategic threat.

He treated attribution as central to any argument based on proxy warfare, noting that the law of state responsibility imposes demanding thresholds for imputing the conduct of organised armed groups to a state and that international jurisprudence has generally required a high degree of control for such attribution. At the same time, he suggested that repeated proxy attacks, longstanding operational linkages and broader conflict dynamics are nevertheless relevant to characterising the legal relationship between Iran, Israel and the United States. On anticipatory self-defence, he emphasised the continuing force of the international law principles of necessity, proportionality and imminence, while also raising the possibility that emerging security threats, including cyber operations and "last window of opportunity" scenarios, may place pressure on classical formulations without yet displacing them as settled law.

## **III. Fighting Iran in the Grey Zone – Case Studies**

Session 3 considered the application of international law in the grey zones in which the Islamic Republic of Iran and the Islamic Revolutionary Guard Corps operate to export the revolutionary Shia Islam. This session focused on areas additional to laws of armed conflict considered in Session 2, focusing in particular on lawfare in the realm of the international laws of genocide. The speakers were Prof. Gregory Rose; Prof. Danny Orbach; Anne Herzberg; Raouf Leeraar; and Alessandro Spinillo.

### ***Iran, Grey Zone and International Law***

Prof. Gregory Rose explained that grey-zone conflict exposes structural weaknesses in international law because many forms of coercion fall below the threshold of conventional armed attack while still producing serious strategic effects. He argued that activities such as proxy violence, maritime disruption, cyber operations and coordinated information campaigns are used not merely to harass adversaries but to exploit legal asymmetries built into a rule-bound system. Drawing on the concept of "compliance-leverage," he suggested that actors willing to disregard legal and moral restraints can turn an opponent's very adherence to those restraints into a battlefield disadvantage. In that account, lawfare is not simply rhetoric about legality but a deliberate method of subverting the rule of law by manipulating its procedures, expectations and

evidentiary habits. Iran's advantage lies in having developed this method into a more coherent and strategically integrated instrument than its adversaries have yet assembled.

### ***Hamas "Grey Zone" Strategies: The Myth of Genocide in Gaza***

Prof. Danny Orbach argued that much commentary on Gaza is analytically defective because it evaluates destruction, civilian harm and legal responsibility without adequately incorporating Hamas's methods, incentives and reciprocal role in the conduct of hostilities. He emphasized that dense urban warfare is characteristically destructive, even where attacking forces seek to comply with the law, and he argued that Hamas has systematically exploited that environment by embedding military activity within civilian space, using tunnels and protected sites for operational purposes, shaping casualty narratives, and relying on the expectation that international audiences will interpret the resulting harm without sufficient attention to the organization's own strategic choices. In that account, the problem is not only battlefield conduct but also a wider informational architecture in which casualty figures, civilian-status claims and allegations of illegality are transmitted upward through media, NGOs and international institutions with inadequate scrutiny. His proposed corrective was both military and epistemic: civilians should, wherever possible, be removed from zones of combat, and public debate should be rebuilt on more reliable evidentiary foundations capable of distinguishing propaganda effects from legally and factually grounded analysis.

### ***Iran, the UN and anti-Western NGOs***

Anne Herzberg argued that anti-Israel lawfare operates through a layered transnational ecosystem in which state actors, aligned political blocs, Islamist movements, activist NGOs, litigation entrepreneurs, media dynamics and digitally amplified protest networks interact in mutually reinforcing ways. In her account, this ecosystem does not function only through direct state sponsorship or overt coordination, but also through convergence: parallel actors, pursuing different immediate objectives, nonetheless contribute to a common delegitimizing effect within courts, United Nations bodies, humanitarian discourse and public opinion. She treated the UN 2000 Durban antiracism process as an early institutional milestone in this trajectory, argued that algorithmic amplification and artificial-intelligence tools now accelerate the circulation of accusatory narratives, and maintained that weaknesses in source scrutiny allow contested claims, selective reporting and advocacy-driven framing to acquire the appearance of neutral legal or humanitarian authority. Her broader warning was that when these dynamics are left unchecked, anti-Israel mobilization readily spills over into anti-Jewish targeting on campuses, unions and civic spaces. Thus, institutions charged with legal or humanitarian responsibility risk becoming conduits for political campaigns rather than safeguards of impartial judgment.

### ***IRGC Grey Zone Activities in Europe***

Raouf Leeraar argued that the grey zone is valuable to the Islamic Republic precisely because it blurs attribution, fragments responsibility and allows coercive action to be conducted below the threshold at which ordinary legal responses are most effective. He argued that Iran combines hard-power and soft-power methods in a single hybrid model: on the one hand, the IRGC and Quds Force can externalize violence through criminal intermediaries and deniable operatives in Europe, including in plots directed at dissidents and other targets; on the other, religious, educational and cultural institutions can cultivate durable networks of loyalty, influence and ideological affinity over time. In his account, these two tracks are not separate but mutually reinforcing, with short-term intimidation and long-term influence advancing the same strategic project in forms tailored to local conditions. His policy conclusion was that legal systems must adapt more effectively to proxy action and to indirect national conduct by improving attribution frameworks, tightening the response to foreign influence networks, and integrating intelligence and criminal-justice capacities so that deniable foreign operations can still produce identifiable responsibility and enforceable consequences.

### ***How Escalation in Iran Increases Hybrid Threats in Europe and Beyond***

Alessandro Spinillo explored the relationship between terrorism, cyberattacks, and connections with organized crime. Lone actors, proxy-enabled operations, the use of local criminal and drug-trafficking networks, and cyber activity characterize Iranian activity in Europe, the United States, and Latin America (including Venezuela and Argentina — with reference to the 1994 AMIA attack in Buenos Aires, which left 85 dead and hundreds injured). He also noted how hybrid warfare, narco-terrorism (including Hezbollah),

and state-enabled criminal violence are reshaping the security threat landscape in the Western Hemisphere. The recent U.S. operation to extract Nicolás Maduro from Venezuela illustrates how traditional lines between law enforcement and armed conflict are increasingly blurred. The Department of Justice (DOJ) had indicted Maduro as the leader of the “Los Soles” drug-trafficking organization, accused of flooding the United States with fentanyl and other substances. According to U.S. officials, the operation involved the extraterritorial enforcement of an arrest warrant supported by military assets. U.S. Secretary of State Marco Rubio publicly framed the mission as a “limited law-enforcement operation” rather than an act of war or a traditional invasion.

#### **IV. Lawfare and the Politicization of Legal Institutions**

The fourth and final session considered lawfare more generally, focusing on additional areas of lawfare utilising international law. The areas covered included antisemitism, academic freedom, functional inversion of international law, and Islamist lawfare in the International Court of Justice. The speakers were: Michal Cotler-Wunsh; Prof. Elena Reznichenko; Dr. Naama Omri; and Andrew Tucker.

##### ***“Death to the Zionists”: Political Islam, the Radical/Progressive Left, Academia and the Law***

Michal Cotler-Wunsh argued that antisemitism functions not merely as a prejudice directed at Jews but as an early-warning indicator of broader civic, moral and institutional breakdown. She argued that its contemporary forms are diffused across educational systems, digital spaces and professional cultures, where it is often normalized through dehumanization, delegitimation and the application of double standards, increasingly expressed through anti-Zionist discourse. In her account, this pattern should be understood not as an isolated pathology but as a recurring signal that core democratic values are under strain. She further treated the 7 October 2023 attacks as an assault on shared civilizational norms and presented the IHRA working definition of antisemitism as an essential analytical and practical instrument because, in her view, it captures the multiple contemporary mutations through which anti-Jewish hostility now operates.

##### ***Antizionism and Antisemitism in Dutch Academia***

Prof. Reznichenko presented the situation on Dutch campuses where exclusion, intimidation, and at times even violence against Jews, Israelis and anyone supporting Israel have been normalized. Evidence-based debates about the allegations such as genocide have become practically impossible due to the hostility and aggression on the anti-Israeli side of the debate. Most Dutch universities have cut ties with Israeli universities, including in medical research, based on a framework which thus far has only been applied to Israel.

##### ***Reclaiming Purpose in the Interpretation of International Law***

Dr. Naama Omri’s presentation argued that contemporary legal debate increasingly empties core doctrines of the purposes for which they were created, producing what she described as a form of “functional inversion” in which the vocabulary of law is preserved while its operative logic is reversed. She applied that argument first to self-defence, maintaining that the Charter framework must be read as a whole: Article 2(4) prohibits both the threat and use of force; Article 51 preserves an inherent right rooted in customary international law; and no plausible interpretation can require states to surrender the elementary capacity to protect their populations in the face of sustained threats and repeated attacks. She then applied the same critique to genocide discourse, arguing that the crime is distinguished by the demanding requirement of specific intent and that, where this element is treated as optional, diluted or inferred without sufficient evidentiary basis, legal analysis ceases to apply the Genocide Convention and instead transforms it into a tool for conceptually misclassifying armed conflict. Her broader contention was that the resulting discourse may sound juridical, but in substance it abandons the discipline that gives legal concepts their integrity and limits.

##### ***Iran, the IOC and the weaponization of the International Court of Justice***

Andrew Tucker argued that international law is now being reshaped by a cumulative campaign that fuses ideological hostility, diplomatic strategy and procedural opportunism into a sustained programme of anti-Israel lawfare. He treated the South Africa v. Israel proceedings at the International Court of Justice as the

clearest current expression of that development, arguing that grave legal accusations are increasingly advanced on the basis of institutional momentum, adverse political framing and lowered evidentiary discipline rather than the rigorous application of the Genocide Convention's demanding requirements. In his account, this trajectory did not arise suddenly: he traced it through earlier efforts to internationalize the conflict in legal forums, including Mahmoud Abbas's 2011 appeal for UN recognition of Palestine and the broader use of non-member observer state status and international institutions to widen the legal battlefield. He further linked that legal strategy to a longer ideological history, invoking the Grand Mufti's wartime alignment with Hitler as an early marker of modern anti-Jewish and anti-Zionist political mobilization, and he argued that manipulation of current genocide litigation, including the *Gambia v. Myanmar* case, will contribute doctrinal and procedural templates that hostile actors will seek to extend against Israel. His broader warning was that once legal institutions become receptive to this convergence of ideology, advocacy and selective evidentiary practice, they cease to operate primarily as neutral arbiters and instead become vehicles for the subversion of international law itself.

## V. Conclusions

A number of overall conclusions can be drawn from the discussion:

### Political Islam, the IRGC and Global Security

1. Islamist regimes, including the revolutionary regime in Iran, pose a clear and present danger to Western liberal democracies. Driven by an apocalyptic worldview, they seek to erode pluralist and liberal democratic systems through both violent and non-violent means. Iran must be seen within a wider pattern of political Islam, including Sunni Islamist movements such as the Muslim Brotherhood, whose use of democratic language and civil-society engagement may serve long-term illiberal objectives.
2. Although the Islamic Republic uses violent revolutionary means, it has been weakened by internal rejection, economic deterioration and regional isolation, so that real power in Iran now rests increasingly with the IRGC. Its Quds Force and Basij sit at the centre of a coercive structure that connects domestic repression with the projection of violence abroad. This makes the regime both a threat to its own population and a continuing source of insecurity beyond Iran's borders. Its collapse would represent a major gain for Iranian society and international security.
3. Western debate too often treats Iran as in a condition of peace disturbed by external action. That framing overlooks the regime's long record of repression and its lack of genuine legitimacy among large parts of the Iranian population. Many Iranians understand external pressure on the regime as a challenge to the state apparatus that governs through repression. Survey data, digital traces and activist discourse indicate substantial popular internal support for regime change, including openness to external pressure where it is directed at the regime rather than the nation.

### Laws of Armed Conflict – Iran and its Proxies

4. Iran and its aligned actors have developed a coordinated campaign that turns armed conflict into legal, informational and diplomatic pressure against Israel. Contested images, rapid allegations and emotionally charged narratives are attached to claims of unlawful conduct, amplified through media and digital networks, and reinforced by institutional actors before careful fact-finding can occur. Hamas's information manoeuvre forms part of this strategy, treating perception as an element of the battlefield and using legal accusation to weaken Western support for Israel.
5. This dynamic distorts legal discourse by advancing grave legal labels before the relevant evidentiary thresholds have been tested. Allegations of genocide and war crimes require disciplined analysis of intent, attribution, proportionality and proof. When those standards are displaced by virality, repetition and institutional momentum, lawfare acquires the authority of international law while abandoning its methodological rigour. Western governments, courts, media organisations and legal institutions must respond with speed, transparency and evidentiary

precision, resisting the conversion of propaganda effects into legal judgment. Deniable attribution remains central to Iran's proxy warfare.

6. The law of state responsibility imposes demanding thresholds before the conduct of organised armed groups can be imputed to a state, but those thresholds must be assessed against the reality of Iran's repeated proxy attacks, longstanding operational linkages and broader conflict dynamics. Iran's legal responsibility cannot be evaluated as though each proxy attack were isolated from the strategic system that sustains it.
7. In relation to self-defence, the Charter must be read as a whole. Article 2(4) prohibits the threat and use of force, while Article 51 preserves an inherent right rooted in customary international law. No plausible interpretation requires states to surrender the capacity to protect their populations from sustained threats and repeated attacks. Contemporary criticism of American and Israeli action against the revolutionary regime in Iran is too narrowly focused on Article 2(4) of the United Nations Charter. That approach neglects the wider framework of continuing threats, proxy warfare, Iran's active hostility, and Article 2(3)'s requirement that disputes be settled peacefully. Iran's direct attacks on Israel in April and October 2024 occurred within an already developed conflict relationship. Israel's subsequent operations are justified as ongoing self-defence against Iranian proxy warfare and the strategic implications of Iran's nuclear programme.
8. Proportionality in international law is tied to ending or decisively weakening the threat, while ceasefires and diplomacy do not extinguish self-defence where hostile capacity and intention remain. Cyber operations and last-window-of-opportunity scenarios also require a new approach to anticipatory self-defence, consistent with the logic reflected in the Tallinn Manual on cyber warfare.
9. The liberal international order has failed to respond adequately to a regime designed to survive internal dissent while shielding atrocity behind non-intervention. Iran's mass violence against its own population, support for armed proxies and coercive external conduct make sovereignty-based objections incomplete and incoherent. In such circumstances, the principle of Responsibility to Protect should justify proportionate intervention. International law is distorted when it restrains states confronting persistent armed threats while insulating heavily armed proxies and their state sponsors from effective response.

### **Fighting Iran in the Grey Zone**

10. Grey-zone conflict exposes structural weaknesses in international law because coercive conduct can remain below the threshold of conventional armed attack while still producing strategic harm. Iran exploits that space by turning proxy violence, maritime disruption, cyber operations and information campaigns into a lawfare method directed against rule-bound adversaries. This is the logic of compliance-leverage: actors willing to disregard legal and moral restraints can make an opponent's adherence to those restraints a battlefield disadvantage. By manipulating legal procedures, institutional expectations and evidentiary habits, Iran has developed lawfare into a coherent and strategically integrated instrument. Iran's grey-zone model blends immediate coercion with long-term influence.
11. The IRGC and Quds Force externalise violence through criminal intermediaries and deniable operatives in Europe, including plots against dissidents and other targets, while aligned religious, educational and cultural institutions cultivate durable networks of loyalty, ideological affinity and political influence. These methods connect intimidation with influence, allowing the same strategic project to adapt to local conditions. Legal systems must respond by strengthening attribution frameworks, tightening responses to foreign influence networks, and integrating intelligence and criminal-justice capacities so that deniable operations produce identifiable responsibility and enforceable consequences.

12. The same grey-zone logic shapes the legal and informational contest over Gaza. Much commentary is analytically defective because it myopically sees destruction, civilian harm and legal responsibility without incorporating Hamas's methods, incentives and reciprocal role in hostilities. Dense urban warfare is inherently destructive even where attacking forces seek to comply with the law, and Hamas exploits that environment by embedding military activity within civilian space, using protected sites for operational purposes and shaping casualty narratives. Those narratives then move through media, NGOs and international institutions with inadequate scrutiny. The corrective must be both military and epistemic: civilians should be removed from combat zones wherever possible, and public debate must rest on evidentiary foundations capable of distinguishing propaganda effects from legally and factually grounded analysis.

### Lawfare, Antisemitism and the Politicization of Legal Institutions

13. Antisemitism signals wider civic, moral and institutional breakdown. Contemporary antisemitism moves through education, digital spaces and professional cultures, where anti-Zionist discourse normalizes dehumanisation, delegitimation and double standards. The 7 October 2023 attacks were an assault on shared civilisational norms, and the IHRA working definition remains essential for identifying the modern forms of anti-Jewish hostility.
14. The same pattern appears in academia, where anti-Israel legal rhetoric against Israel is treated as settled before proper fact-finding occurs, while calls for de-escalation are used to silence Jewish voices challenging pro-Hamas narratives. This institutional failure is reinforced by functional inversion: legal doctrines are emptied of their purpose while legal vocabulary survives.
15. The same inversion shapes genocide discourse. Genocide requires specific intent. Where that element is diluted or inferred without evidentiary basis, the Genocide Convention is converted into a tool for misclassifying armed conflict. In *South Africa v Israel*, grave accusations are advanced through institutional momentum, adverse political framing and lowered evidentiary discipline instead of rigorous application of the Genocide Convention's requirements. This forms part of a deliberate strategy to internationalise the conflict through legal institutions. It can be traced through Mahmoud Abbas's 2011 appeal for UN recognition of Palestine, the use of non-member observer state status to widen the legal battlefield, and a longer history of anti-Jewish and anti-Zionist mobilisation. Manipulation of current genocide litigation, including *The Gambia v Myanmar*, is being instrumentalized to build doctrinal and procedural pathways for claims against Israel. Once legal institutions become receptive to this convergence of ideology, advocacy and selective evidentiary practice, they risk becoming vehicles for the politicisation of international law itself.