

The Iran war and international law: it's worse than a mistake; it's a crime

5

The Guardian, 13 March 2026

When Russia launched its full scale invasion of Ukraine in 2022, the international condemnation from Europe and elsewhere was loud and clear. Leaders did not expect legal threats to shift Vladimir Putin or end war crimes by his troops. But they understood the importance of naming what had happened as an illegal act of aggression, and of seeking to hold those responsible accountable.

The same countries have been strikingly muted since the US and Israel launched their war on Iran. This too was an act of aggression. Spain's Pedro Sánchez has been lonely in his forthright condemnation, though Norway and others also pointed to the breach of international law. Meanwhile, Australia's prime minister, Anthony Albanese, offered unreserved support and Germany's chancellor, Friedrich Merz, declared that it was "not the moment to lecture our partners and allies".

Serious violations of the laws of war, reckless as well as deliberate, constitute war crimes. Israel's attacks on Lebanon, in retaliation for Hezbollah attacks defending Iran, are at a minimum disproportionate – as Katja Kallas, the EU foreign affairs chief, has implied – with vast civilian displacement and damage to infrastructure. That Iran is also committing war crimes does not lessen US or Israeli culpability.

The contrast between the west's rhetoric about universal standards and its selective outrage is glaringly and increasingly evident to people around the world. They noted the bleak contrast between the passionate defence of Ukraine and the apparent indifference to the killings in Gaza. When the Trump administration hit alleged drug trafficking boats in the Caribbean and kidnapped Venezuela's leader, Nicolás Maduro, allies said little. Each time, the belief in international law as an essential framework for conduct was further undermined. Each time, implicit licence was given for further breaches.

Double standards reflect disquiet about the Venezuelan and Iranian regimes, fear of angering the US president and the prioritisation of Ukraine's needs. But some are also adopting US arguments.

As Dr Tamer Morris of the University of Sydney notes: "The purpose of international law is not to determine who is morally good; it is to maintain order in a world where every state believes it is waging the 'good' fight." Mr Merz and others are growing more critical as this war's impact becomes clearer. But it should not be challenged solely on pragmatic or even ethical grounds. The difficulty of upholding international law, and the limits of its scope, are no reason to jettison it. If those who lament the decline of the rules-based order remain complicit with the erosion of law, we will all be in greater danger. (427 words)

40