

Israel's Attack on Iran's Consulate in Syria and Iran's Retaliatory Attack on Israel from an International Law Perspective

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Abstract

Diplomatic and consular premises are among the most significant means of establishing political communication at the international level. The protection and supervision of these premises reflect the goodwill of the host country and the continuity of friendly relations between two countries, as established under Articles 22 of the 1961 Convention and Article 31 of the 1963 Convention. These provisions offer immunity and must not be subject to attacks or violations by the host country or any other states. However, the Israeli regime, by disregarding the laws and international regulations, has openly ignored the goals and principles of the United Nations Charter and international human rights law, especially regarding human rights. On April 3, 2023, Israel attacked the Iranian Consulate in Syria, leading to the martyrdom of several commanders of the Islamic Revolution Guard Corps. Furthermore, the Islamic Republic of Iran, acting within the framework of self-defense and following the principle of proportionality, launched a retaliatory military operation on April 25, 2023, targeting Israel. In this article, the authors analyze the historical background of the two countries' interactions, the political and legal aspects of the attacks, and how the principles of international law apply to these events. They employ a library research method to examine the issues discussed in the article.

Keywords : Diplomatic and consular premises, political communication, 1961 and 1963 conventions, preemptive self-defense, proportionality in self-defense

Extended Abstract

In today's world, international relations and global order are influenced by complex developments where different countries take various actions to secure their national interests. One of the most crucial issues in this regard is the role of international law, particularly concerning acts of aggression and military responses, within the framework of human rights protections and diplomatic norms. The relationship between nations has long been shaped by treaties, conventions, and the ongoing evolution of legal principles intended to foster peace, security, and cooperation among states. However, violations of international law, such as military attacks or

territorial infringements, continue to pose significant challenges to global stability and peace.

The 21st century has witnessed a surge in digital warfare and cyberattacks, adding new dimensions to the understanding of international conflict. The legality of defensive actions, especially in the context of state sovereignty and the protection of diplomatic facilities, has become increasingly contentious. The attacks on consular facilities and diplomatic missions are not only breaches of international treaties but also reflect the broader struggles for power, influence, and control in a geopolitically turbulent world. These incidents often raise critical questions about the role of international institutions in enforcing the principles of state sovereignty and non-aggression, as well as the appropriate legal and military responses to such transgressions.

This study delves into the legal and political implications of one such event—the attack on Iran’s consulate in Syria by Israel, followed by a retaliatory response from Iran. By analyzing this case within the framework of international law, particularly the United Nations Charter and the 1961 and 1963 Vienna Conventions, this paper aims to explore the legitimacy and consequences of Iran’s military retaliation. The principle of proportionality in the use of force, the right to self-defense under Article 51 of the UN Charter, and the broader implications of military actions on international peace and security are examined to understand the legal legitimacy of such a response.

The concept of diplomatic immunity, which is protected under international law, is central to the discussion of these attacks. The 1961 Vienna Convention on Diplomatic Relations provides that the premises of diplomatic missions are inviolable, and any attack on these facilities constitutes a violation of international law. When Israel attacked Iran’s consulate in Syria, it not only breached this principle but also endangered the lives of Iranian diplomats and consular staff, further complicating the situation. This breach of immunity escalated the conflict, leading to a military response from Iran, which, under the circumstances, was framed as an act of self-defense.

The retaliatory action taken by Iran was framed as a proportional response to Israel’s unlawful aggression. In international law, the right of self-defense is recognized when an armed attack occurs. However, the response must be proportionate to the attack and must adhere to the principles of necessity and urgency. Iran’s military response was seen as a necessary action to safeguard its interests and protect its

diplomatic personnel. The challenge, however, lies in determining the proportionality of the force used and whether the response was in line with established international legal norms governing the use of force in self-defense.

The complexity of such situations is heightened by the role of regional and international actors, including the United States and other Western powers. These nations often play a significant role in either supporting or condemning such actions, depending on their political and strategic interests. The United States, a close ally of Israel, has historically supported Israel's actions in the region, while Iran has sought to challenge Israeli influence, often through alliances with other regional powers. This geopolitical dynamic further complicates the enforcement of international law, as global powers often act in their national interests, sometimes at the expense of international legal principles.

In conclusion, the attack on Iran's consulate by Israel and the subsequent Iranian retaliation highlight the continuing challenges of enforcing international law in conflicts involving military actions and diplomatic immunity. It also underscores the ongoing tension between state sovereignty, the right to self-defense, and the need for global cooperation in maintaining peace and security. While international institutions such as the United Nations are tasked with promoting peace and resolving conflicts, their effectiveness in situations involving powerful states remains limited. The evolving nature of global conflict and the increasing role of non-state actors in military actions necessitate a reevaluation of existing legal frameworks to address emerging threats to international peace and security.

Ultimately, this case serves as a critical reminder of the importance of adhering to international legal norms, including the protection of diplomatic missions, the prohibition of aggression, and the principle of proportionality in the use of force. As international relations continue to evolve in response to new geopolitical realities, it is essential for nations to respect and uphold the rule of law to ensure a stable and peaceful global order. The need for clear legal frameworks and effective enforcement mechanisms has never been more critical in preventing conflicts and fostering cooperation among states in an increasingly interconnected world.

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