

# The US–Iran Conflict: International Law, Economic Sanctions, Diplomatic Negotiations and the Transformation of Global Power

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**Abstract:** The 2026 US–Iran conflict raises basic questions about the legal limits on the use of force, the purpose and consequences of economic sanctions, the effectiveness of diplomatic negotiation and the distribution of power in the international system. This conceptual legal-policy review addresses these questions through the United Nations Charter, international humanitarian law, the law of the sea, the scholarly literature on sanctions, and regional diplomacy. It separates legal rules from the political arguments advanced by states and stresses that the lawfulness of any particular military operation turns on facts, evidence and applicable law that public reporting alone cannot settle. Relevant jurisprudence of the International Court of Justice, including the Oil Platforms case between Iran and the United States, is used to frame the analysis of self-defence. The paper also considers the economic and humanitarian effects of sanctions, including the risk that broad restrictions harm civilian welfare and third-country commerce through over-compliance. Drawing on research into the durability of ceasefires, the paper argues that diplomatic arrangements are more likely to last when they contain verifiable commitments, reciprocal incentives, clear sequencing, maritime confidence-building measures and credible channels for resolving disputes. It proposes a seven-part framework for evaluating a durable settlement that integrates legal clarity, reciprocity, verification, humanitarian safeguards and regional participation. The review concludes that international legitimacy and strategic stability reinforce each other: coercive measures may generate leverage, but lasting security requires negotiated arrangements grounded in law and supported by institutions.

**Keywords:** US–Iran conflict; international law; UN Charter; use of force; economic sanctions; diplomacy; conflict resolution; global governance.

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## I. INTRODUCTION

The US–Iran conflict of 2026 has renewed attention to the rules that govern the use of force and to the ability of international institutions to manage disputes in which major powers are directly involved. Hostilities began on 28 February 2026 with US and Israeli strikes on Iran, followed by Iranian retaliation. Addressing an emergency meeting of the Security Council that day, the UN Secretary-General reminded member states of their Charter obligation to refrain from the threat or use of force, stated that lasting peace could be achieved only through peaceful means, and urged all parties to return immediately to the negotiating table (UN News, 2026). The President of the General Assembly issued a statement on the same date calling for de-escalation and a return to negotiations (United Nations General Assembly, 2026).

Public debate about the conflict tends to mix legal claims, security arguments, political narratives and humanitarian concerns. Academic analysis has to separate them. A government may assert that military action is necessary for its security, but that assertion is not in itself a legal determination. In the Security Council debate of 28 February, for example, the United States and Israel described their strikes as necessary to prevent a nuclear threat, while Iran characterised them as unprovoked aggression (UN News, 2026). Neither position settles the legal question. Equally, criticism of an operation does not establish the relevant facts. A proper legal assessment depends on the nature of the operation, the evidence relied on, the legal basis claimed and compliance with international humanitarian law.

This paper examines four dimensions of the conflict: the legal framework governing force and maritime passage; the role and consequences of economic sanctions; the design and credibility of diplomatic negotiations; and the wider implications for global governance. Its aim is to provide a balanced analytical framework, not to advocate for any party. The paper is a conceptual review based on publicly available material up to 13 October 2026.

## II. REVIEW APPROACH AND CONCEPTUAL FRAMEWORK

The paper combines doctrinal and policy-oriented review. Primary legal materials, namely the UN Charter, the 1982 United Nations Convention on the Law of the Sea (UNCLOS) and judgments of the International Court of Justice (ICJ), are used to identify the governing legal principles. Official statements establish the diplomatic positions taken by states and regional organisations. Contemporary reporting and policy research describe developments and their implications, and peer-reviewed scholarship on sanctions, bargaining and ceasefire design supplies the analytical lens. The paper does not purport to give a judicial ruling on the legality of specific military acts, nor does it claim a full account of confidential negotiations. Where public information is incomplete, conclusions are stated conditionally. Table 1 summarises the legal frameworks considered.

**Table 1: Legal Frameworks Relevant to the US–Iran Conflict**

| Framework                                     | Core rules                                                                                                                                | Key questions for this conflict                                                                                             |
|-----------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------|
| UN Charter (jus ad bellum)                    | Prohibition of the threat or use of force (Art. 2(4)); Security Council action (Ch. VII); self-defence against an armed attack (Art. 51). | Was there an armed attack or Council authorisation? Were necessity and proportionality satisfied? Was the Council notified? |
| International humanitarian law (jus in bello) | Distinction, proportionality in attack, precautions; protection of civilians and civilian objects.                                        | Were targets lawful military objectives? Was expected civilian harm excessive? Were feasible precautions taken?             |
| Law of the sea                                | Transit passage through straits used for international navigation (UNCLOS Part III); duty of coastal states not to hamper passage.        | What regime applies given the parties' treaty status? Which interferences with shipping are lawful?                         |
| Sanctions law and practice                    | Security Council measures (Art. 41); unilateral and secondary sanctions under national law; humanitarian exemptions.                      | What objectives do sanctions serve? Do exemptions work in practice? What are the effects on third countries?                |

*Note.* Compiled by the authors from United Nations (1945, 1982) and the sources discussed in Sections III to V.

### A. Law, Legitimacy and Power

International law and geopolitical power operate in the same environment but do different work. Law sets standards of conduct and defines rights and obligations; power affects whether states are able and willing to comply, resist or shape institutional outcomes. Legitimacy matters because states usually want diplomatic support, coalition partners and acceptance of what they do. When powerful states appear to apply legal principles selectively, confidence in a rules-based order can erode. Kuok (2026) argues that the war has sharpened Southeast Asian concern about constraints on the use of force and about the reliability of US leadership. Rationalist accounts of war offer a complementary perspective. Fearon (1995) explains that states may fight even when a negotiated outcome would leave both better off, because of private information, incentives to misrepresent and the difficulty of making credible commitments. The legal and institutional arrangements discussed below can be read, in part, as attempts to reduce those obstacles.

## III. THE UNITED NATIONS CHARTER AND THE USE OF FORCE

### A. The Prohibition on the Use of Force

Article 2(4) of the UN Charter requires members to refrain from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the purposes of the United Nations (United Nations, 1945). This prohibition is central to the evaluation of any cross-border military action. The Charter recognises two principal exceptions: enforcement action authorised by the Security Council under Chapter VII, and the inherent right of self-defence under Article 51 if an armed attack occurs (Gray, 2018). The legal analysis of a specific operation depends on the facts and cannot be replaced by political characterisation.

### **B. Self-Defence, Necessity and Proportionality**

A state invoking self-defence must satisfy the legal conditions attached to that claim, including the occurrence of an armed attack and the customary requirements of necessity and proportionality. The ICJ set out these requirements in *Military and Paramilitary Activities in and against Nicaragua* (1986), distinguishing the most grave forms of the use of force, which amount to an armed attack, from less grave forms. The Court applied them directly to the two present parties in *Oil Platforms* (2003), where it held that US attacks on Iranian offshore oil installations in 1987 and 1988 could not be justified as self-defence, because the United States had not shown that it had been the target of armed attacks attributable to Iran or that its responses were necessary and proportionate. That judgment does not determine the legality of events in 2026, but it confirms the evidentiary burden that falls on a state claiming self-defence.

The scope of these principles is contested, particularly when a state relies on anticipatory or preventive reasoning. The distinction matters: a perceived long-term threat does not in itself create a legal entitlement to use force (Gray, 2018). Any assessment of a particular operation should therefore examine the evidence offered, the legal basis claimed, the timing and scale of the response, and whether the action was reported to the Security Council as Article 51 requires.

### **C. International Humanitarian Law**

Even where resort to force is lawful, the conduct of hostilities remains subject to international humanitarian law. The principles of distinction, proportionality in attack and precautions in attack exist to protect civilians and civilian objects (International Committee of the Red Cross [ICRC], n.d.). Parties must take all feasible steps to reduce civilian harm and must never direct attacks against civilians as such. Public reports about casualties and damage should be handled carefully, with attention to verification, attribution of sources and the difference between an allegation and an established finding.

## **IV. MARITIME LAW AND THE STRAIT OF HORMUZ**

The conflict has placed maritime passage at the centre of legal and economic debate. In their statement of 13 April 2026, ASEAN foreign ministers called for the restoration of “safe, unimpeded, and continuous transit passage” through the Strait of Hormuz in accordance with international law, including UNCLOS, and urged all parties to ensure the safety of seafarers and ships (ASEAN, 2026). The statement links freedom of navigation with the protection of both commercial activity and human life.

Legal analysis of a strait used for international navigation must take account of the specific treaty regime, the geography and status of the waterway, and the conduct of coastal and transiting states. Under Part III of UNCLOS, ships and aircraft of all states enjoy a right of transit passage through such straits, and bordering states may not hamper or suspend that passage (United Nations, 1982). The ICJ had earlier recognised, in *Corfu Channel* (1949), a customary right of innocent passage through international straits that a coastal state may not prohibit in peacetime. The Hormuz case is complicated by treaty status: Iran has signed but not ratified UNCLOS, and the United States is not a party (United Nations Treaty Collection, n.d.), so the extent to which transit passage binds each of them as customary law is itself contested (Tanaka, 2019). General appeals to freedom of navigation cannot substitute for analysis of this regime. In operational terms, governments and ship operators also need clear communication, navigational risk information, search-and-rescue arrangements and agreed procedures for responding to incidents.

## **V. ECONOMIC SANCTIONS: PURPOSE, EFFECTIVENESS AND HUMANITARIAN RISK**

### **A. Sanctions as an Instrument of State Policy**

States use economic sanctions to signal disapproval, restrict access to resources, impose costs or create incentives to negotiate. Sanctions may target individuals, entities, sectors, financial channels, transport networks or particular goods. US measures during the 2026 conflict illustrate the targeted approach: in October the Treasury sanctioned 17 vessels and associated companies that it accused of carrying Iranian crude, petroleum and petrochemical products to South and East Asian markets, as part of a broader campaign launched in August (Bernama, 2026). The research record on effectiveness is mixed. Hufbauer et al. (2007) found that sanctions achieve their stated goals in only a minority of cases, and Pape (1997) argued that they rarely succeed in forcing major policy change. Drezner (2011) concludes that the move towards targeted or “smart” sanctions eased some humanitarian concerns without clearly making sanctions more effective. Success appears to depend on clear objectives, international coordination, enforcement capacity, the availability of alternative markets and the target state’s capacity to adapt. Sanctions can create bargaining leverage, but they can also strengthen domestic narratives of resistance and encourage the growth of alternative commercial networks.

Iran is one of the most heavily sanctioned economies in the world, and its experience offers useful evidence. Laudati and Pesaran (2023), using a sanctions-intensity measure built from newspaper coverage, find that sanctions had significant adverse effects on Iran's output growth, inflation and exchange rate. Farrell and Newman (2019) explain why US sanctions carry such weight: the centrality of US financial institutions and the dollar in global networks gives Washington unusual capacity to exclude targets from international commerce, a capacity they describe as "weaponized interdependence".

### ***B. Secondary Effects and Third-Country Exposure***

Restrictions that affect banks, insurers, shipping companies and energy traders can reach firms in countries that are not parties to the conflict. Treasury's warning that any entity helping Iran evade sanctions risks exclusion from the US financial system (Bernama, 2026) illustrates the reach of secondary measures. Faced with uncertain compliance costs or reputational risk, businesses may avoid transactions that are in fact lawful. The resulting over-compliance can reduce access to goods, services and finance well beyond the intended targets. Organisations should therefore carry out sanctions screening, obtain specialist legal advice and document their decisions. They should not assume that a transaction is lawful simply because a counterparty or intermediary is based in a third country.

### ***C. Humanitarian Safeguards***

Sanctions policy should take account of foreseeable effects on civilian access to food, medicine, medical equipment and essential services. Peksen (2009) finds that economic sanctions are associated with a deterioration in the human rights conditions of the target state, and Gordon (2011) argues that even targeted regimes can impose broad humanitarian costs in practice. Humanitarian exemptions and licensing mechanisms are therefore important, but their value depends on whether banks, insurers, carriers and suppliers are willing and able to process permitted transactions. Clear guidance, reliable authorisation channels and transparent review can reduce unintended harm. Evaluation should ask not only whether sanctions impose costs, but whether they advance a defined policy objective at a proportionate humanitarian and economic cost.

## **VI. DIPLOMATIC NEGOTIATIONS AND CONFLICT RESOLUTION**

### ***A. Ceasefires, Memoranda and Sequencing***

The public diplomatic record for 2026 includes a ceasefire and a subsequent memorandum of understanding. ASEAN welcomed the two-week ceasefire announced on 8 April in its statement of 13 April (ASEAN, 2026). On 15 June, Malaysia welcomed the US–Iran memorandum of understanding and described a pathway involving verification of initial implementation measures, maritime security arrangements, phased sanctions relief and confidence-building steps (Ministry of Foreign Affairs Malaysia, 2026). These statements record the positions that ASEAN and Malaysia took on those dates. They do not show that the provisions were implemented or that a comprehensive settlement was reached. Conflict monitors reported disputes over implementation and a renewed closure of the Strait of Hormuz within weeks of the memorandum (Armed Conflict Location & Event Data [ACLED], 2026), and in October the US administration was still describing its contacts with Tehran as "productive discussions" rather than an agreed settlement (Agence France-Presse [AFP], 2026).

Negotiated arrangements are more credible when commitments are specific, sequenced and verifiable. Fortna (2003) shows that ceasefires last longer when agreements include mechanisms such as demilitarised zones, third-party guarantees, peacekeeping, joint commissions and detailed specification of obligations. A framework should state what each party must do, by when, which body verifies performance and what happens if compliance is disputed. Sequencing matters because parties may disagree about whether sanctions relief should come before nuclear or security commitments, or whether maritime measures should take effect immediately. Reciprocal, step-by-step arrangements reduce the commitment problem identified by Fearon (1995), because neither side has to make irreversible concessions while the other delays.

### ***B. Verification and Dispute Resolution***

Verification arrangements should set out the information required, access rights, reporting frequency, technical methods and procedures for addressing non-compliance. Where appropriate, verification may involve international organisations or mutually accepted third parties. Dispute-resolution provisions should include standing communication channels and a process for distinguishing technical non-compliance from deliberate breach. Without such arrangements, ambiguous incidents at sea or in the air can quickly undermine confidence, as the attack on a tanker off Qatar in October 2026 illustrates (AFP, 2026).

### **C. Regional Actors and Multilateral Diplomacy**

Regional states have practical reasons to support de-escalation. They may receive displaced people, need to protect their nationals abroad, act as diplomatic channels or bear the economic spillovers of the conflict. Malaysia's June statement acknowledged the roles of Pakistan, Qatar, Egypt, Saudi Arabia, Türkiye and other regional countries in supporting dialogue (Ministry of Foreign Affairs Malaysia, 2026). ASEAN's approach stresses shared concern for maritime safety and peaceful settlement (ASEAN, 2026). Regional participation can strengthen the legitimacy of any settlement and help ensure that it addresses the concerns of states that bear the consequences of the conflict without being party to it.

## **VII. GLOBAL POWER RELATIONS AND INTERNATIONAL GOVERNANCE**

The conflict may alter perceptions of US power and Iranian resilience, and it may change the diplomatic options available to China, Russia, European states and regional middle powers. It would be too simple, however, to treat every loss of US influence as an automatic gain for another power. Southeast Asian governments generally seek to preserve strategic autonomy, maintain economic ties with several partners and avoid forced alignment, a pattern Kuik (2016) describes as hedging. Kuok (2026) suggests that the war may deepen doubts about US reliability and that China is well placed to benefit if the region cannot diversify its economic ties, while stressing that a US setback is not automatically a Chinese gain and that Southeast Asian states have their own disputes with Beijing.

For international institutions, the central challenge is to uphold consistent standards despite political disagreement. The credibility of the UN Charter depends not only on formal rules but also on the willingness of states to explain their conduct, cooperate with investigations and support the peaceful settlement of disputes. Selective invocation of legal principles weakens the system. Consistent application strengthens the position of smaller states that depend on rules to manage asymmetries of power.

## **VIII. A FRAMEWORK FOR EVALUATING A DURABLE SETTLEMENT**

Drawing on the legal, economic and diplomatic analysis above, this paper proposes seven criteria for evaluating whether a settlement is likely to endure (Table 2). The criteria are intended for scholars, policymakers and regional actors assessing any future agreement, not as a blueprint for the parties themselves.

**Table 2: Criteria for Evaluating a Durable US–Iran Settlement**

| <b>Criterion</b>            | <b>What a credible settlement should contain</b>                                                                                                                           |
|-----------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. Legal clarity            | Identification of the legal obligations relating to force, maritime passage, civilian protection and sanctions, with a clear statement of which questions remain disputed. |
| 2. Reciprocal commitments   | Measurable steps by each party, with timelines and a sequence that recognises the security concerns of all parties (Fearon, 1995).                                         |
| 3. Independent verification | Credible monitoring, reporting and technical verification, with channels for clarifying alleged breaches (Fortna, 2003).                                                   |
| 4. Humanitarian protection  | Workable channels for essential goods and services and monitoring of unintended civilian consequences (Gordon, 2011).                                                      |
| 5. Regional consultation    | Inclusion of affected regional states in maritime safety, humanitarian coordination and confidence-building discussions.                                                   |
| 6. Escalation management    | Hotlines, incident protocols and dispute-resolution procedures that prevent local incidents from collapsing negotiations.                                                  |
| 7. Review and adaptation    | Periodic review and a process for adjusting implementation measures as verified conditions change.                                                                         |

*Note.* Framework developed by the authors.

## **IX. DISCUSSION AND FUTURE RESEARCH**

The analysis suggests that legal legitimacy, diplomatic design and economic incentives should be studied together rather than in isolation. Legal rules without credible implementation may have little influence on state behaviour; sanctions without a clear political pathway may impose costs without producing a settlement; and ceasefires without verification are vulnerable to competing interpretations (Fortna, 2003). Future research could compare the effectiveness of sanctions across

different policy objectives, building on the work of Hufbauer et al. (2007) and Drezner (2011). It could also investigate how humanitarian exemptions operate in practice, assess the contribution of regional mediators, and examine how middle powers use multilateral institutions to protect their strategic autonomy. Doctrinal research should, in addition, apply the law of the sea and the UN Charter to specific, fully documented incidents as reliable evidence becomes available.

## **X. CONCLUSION**

The US–Iran conflict illustrates the continuing tension between national security claims, the legal limits on force, economic coercion and the need for a negotiated order. The UN Charter remains the central framework for assessing the use of force, while international humanitarian law and the law of the sea govern important aspects of conduct during hostilities and of maritime passage. The ICJ’s judgment in *Oil Platforms* (2003) is a reminder that claims of self-defence between these same two states have previously been tested against demanding standards of evidence, necessity and proportionality. Sanctions can influence bargaining calculations, but their effectiveness and legitimacy depend on clear objectives, coordination, proportionality and workable humanitarian safeguards.

The public statements of ASEAN and Malaysia in April and June 2026 show regional support for de-escalation, maritime safety and a diplomatic pathway, although the durability of the announced arrangements must be judged against later evidence. A sustainable settlement will require reciprocal commitments, credible verification, clear dispute-resolution channels and meaningful regional consultation. In the end, the strength of international governance is measured not by how often states invoke legal principles, but by their willingness to apply them consistently, accept scrutiny and resolve disputes by peaceful means.

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