

**ANTICIPATORY SELF-DEFENCE:
ASSESSING THE LEGALITY OF ISRAEL'S MILITARY STRIKES
ON IRAN UNDER INTERNATIONAL LAW**

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ABSTRACT

This paper examines the legality of Israel's military strikes on Iranian nuclear facilities under the doctrine of anticipatory self-defence in international law. This paper critically evaluates the interpretive discord between Article 2(4) of the United Nations Charter, which enshrines a general prohibition on the use of armed force, and Article 51, which carves out an exception by recognising the inherent right of states to engage in self-defence following an armed attack. The analysis focuses on whether anticipatory self-defence can be lawfully invoked by Israel, considering Iran's nuclear activities and its support for hostile non-state actors. Drawing on key legal precedents, including the Caroline case and ICJ rulings in Nicaragua v USA and Oil Platforms, the paper evaluates whether Israel's actions satisfy the established criteria of necessity, proportionality, and imminence. It highlights the challenges of defining "imminent threat" in contemporary conflict scenarios and the potential for legal and strategic miscalculations. While scholarly opinions remain divided on the scope of anticipatory self-defence, most support a restrictive approach to prevent erosion of international norms. The paper concludes that any justification for such action must be grounded in compelling evidence, strict adherence to international legal standards, and exhaustion of peaceful alternatives to avoid undermining the UN Charter's collective security framework.

Keywords: Self-defence, Israel-Iran conflict, imminence doctrine, Proportionality and necessity, Use of force

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