

From establishing accountability to achieving restorative justice

A legal roadmap for Iran's post-war path



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CONFERENCE

Law Student Scientific Association.

The conference attempted to tackle key questions surrounding the mechanisms of criminal justice and restorative justice in international law. With its focus on three specialized axes, the conference not only took up pressing legal issues but also put forward practical approaches to promote justice at both national and international levels. As such, the event can rightly be counted among the most significant academic gatherings of the year in the field of international law. What follows is Iran Daily's exclusive overview of the legal significance of each panel.

The specialized conference "Legal Responses to the 12-Day Aggression: From Criminal Justice to Restorative Justice," aimed at exploring the legal dimensions of responses to international armed conflicts, was held on October 18, 2025, at the Faculty of Law and Political Science, University of Tehran. It was organized by the University of Tehran's Institute of Criminal Law and Criminology and the



A doll is blasted out of a house and onto the street in Tehran after Israel launched an illegal, unprovoked war against Iran on June 13, 2025.

M.MAHDI DEHGHANI

Opening session: Laying groundwork for justice



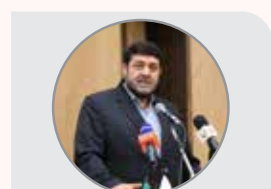
Abbas Shiri

First speaker: Abbas Shiri

Dr. Abbas Shiri, dean of the Faculty of Law and Political Science at the University of Tehran, opened the event to point out the flaws of traditional theories of punishment in international criminal law and introduced the expressive theory of punishment as a viable approach for criminal justice. He argued

that retributivist and deterrent theories fall short of dealing with international crimes due to their sweeping magnitude and devastating consequences. As he put it, "Retributivism cannot justify punishment for crimes such as the mass atrocities ordered by figures like Hitler or Netanyahu since no punishment can compensate for such atrocities." Deterrence, he added, fails when it comes to leaders backed by political and military power because "no punishment can deter those shielded by such influence from repeating their crimes." Shiri proposed the expressive theory of punishment as the only logically consistent

rationale in international criminal law. This theory seeks to call out criminal acts and publicly shame perpetrators, preventing them from hiding behind notions like human rights or democracy. He stressed, "We must expose these crimes and publicly condemn the criminals so the world can voice its disgust at their actions." Rather than direct punishment, this approach



Pir-Hossein Kolivand

relies on social and moral pressure to achieve global condemnation.

Second speaker: Pir-Hossein Kolivand

Dr. Pir-Hossein Kolivand, head of the Iranian Red Crescent Society, underscored the organization's role in safeguarding human dignity during armed conflicts, noting that "neutrality does not mean indifference." He revealed that over 100 cases of violations of international humanitarian law during the recent Israeli-American armed conflict have been documented and submitted to bodies such as the International Committee of the Red Cross, the International Crimi-

nal Court (ICC), the Human Rights Council, and the United Nations. Kolivand described this documentation as a tool to bring to light atrocities, stating that "by exposing these crimes, we can publicly condemn the offenders and stir global outrage against them." His remarks goes hand-in-hand with Shiri's emphasis on the expressive punishment theory, focusing on the criminal justice dimension of justice-seeking.

Third speaker: Esmail Baqaei

Dr. Esmail Baqaei, spokesperson for Iran's Ministry of Foreign Affairs, emphasized that documenting the crimes committed during the Israeli-imposed 12-day aggression serves as evidence of Iran's legitimacy



Esmail Baqaei

in international forums. He referred to actions taken by the Ministry, including the immediate outreach to international organizations. Baqaei argued that such documentation is vital not only for judicial proceedings but also for the historical record and for affirming Iran's rightful stance. He highlighted the support of 120 Non-Aligned Movement member states and a statement by the Organization of Islamic Cooperation con-

demning the aggression, describing them as components of criminal justice that could pave the way for international condemnation of the perpetrators. Turning to restorative justice, Baqaei pointed to Iran's diplomatic efforts to seek reparation for victims' losses through both domestic and international courts. Citing South Africa's case against the Zionist regime before the International Court of Justice (ICJ), he stressed the importance of using all available legal avenues, even if challenges like the US veto power in the Security Council and Western support for Israel stand in the way. He maintained that such obstacles should not hold back ongoing documentation and legal pursuit.

Panel one: Iran's pursuit of justice in int'l tribunals



Mohammad Hossein Sharifan

First speaker: Mohammad Hossein Sharifan

Dr. Mohammad Hossein Sharifan, an international law expert, pointed out that the imposed 12-day conflict between the Zionist regime and Iran was not only a military episode but also a test of the conscience of international law, posing again the age-old question: Can international law still live up to its promise of justice? He noted that fundamental principles of the UN Charter — prohibiting the use of force and requiring respect for state sovereignty — was violated by Israel. Missile strikes, cyberattacks, and threats to civilians violated jus cogens norms. Yet, the reaction of international organizations was muted, if not altogether silent. Drawing a historical parallel, he said that a similar failure of organizations to stand up to blatant aggression by powerful states once paved

the way for World War II. "Are we now watching history repeat itself as the UN and judicial bodies walk the same path again?" he asked. Sharifan argued that the current structure of global organizations is built more on a balance of power than on justice. The Security Council, dominated by veto-wielding powers, has turned into a political tool rather than a refuge for oppressed nations. As a result, justice has too often become an exception rather than a ruling principle in international relations. He laid out three legal paths to press ahead with accountability for the aggressor regime: 1. The jurisdiction of the ICJ remains a formal legal avenue to pursue UN Charter violations. Even if rulings are not binding, such cases bring to light the truth and record the aggression in the world's legal memory. 2. The principle of universal jurisdiction allows national courts to prosecute war crimes regardless of territory or time limits. 3. Legal and public diplomacy must be stepped up. Justice is not born in courtrooms alone — it must take root in the world's collective conscience through documentation, legal re-

porting, and pressure on the UN for transparency.



Hassan Soleimani

Second speaker: Hassan Soleimani

Dr. Hassan Soleimani, head of the Division for Treaties and Public International Law at Iran's Ministry of Foreign Affairs, argued that the pursuit of criminal justice faces obstacles arising from the politicized and state-centric structure of international law. He observed that the ICJ, International Criminal Court (ICC), and Security Council, weighed down by the influence of major powers, have been largely ineffective. Soleimani referred to a 40-page Foreign Ministry report on the Zionist regime's aggressions, sent to Iran's embassies to keep track of the crimes, describing it as part of Iran's push for criminal justice and public condemnation. In restorative justice terms, he called for making whatever use possible of exist-

ing mechanisms, even with their shortcomings. Documentation and publication, he said, can help heal the victims' moral and psychological harm, though politics often gets in the way of progress.



Mohammad-Hadi Zakerhossein

Third speaker: Mohammad-Hadi Zakerhossein

Dr. Mohammad-Hadi Zakerhossein, faculty member at the University of Tehran, stressed the need to make use of the ICC to realize criminal justice. He suggested that Iran could, under Article 12(3) of the Rome Statute, temporarily open the door for ICC jurisdiction over crimes committed during the imposed 12-day conflict. By limiting it to a specific period or location (for instance, Gilan Province), this could tone down political concerns. He outlined three fundamental rights of victims: the right to truth, to justice, and to compensation, emphasizing



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ing that Iran's government must live up to its duty to uphold them nationally and internationally. In restorative justice, Zakerhossein drew attention to the ICC's Trust Fund for Victims as a tool for financial and symbolic recovery, allowing victims' voices to shape the legal narrative despite global political challenges.



Heybatollah Najandi-Manesh

Fourth speaker: Heybatollah Najandi-Manesh

Dr. Heybatollah Najandi-Manesh of Allameh Tabataba'i University took a cautious stance to-

ward ICC referral, warning that accepting the Court's jurisdiction could bring along legal and political risks for Iran. He explained that the Court considers "situations," not individual crimes, meaning Iran's defensive measures could also come under scrutiny. He suggested instead that Iran focus on naming and shaming, aligning with Shiri's expressive punishment theory. He further proposed that Iran lends support to Palestinian lawyers in The Hague while beefing up domestic courts. On restorative justice, Najandi-Manesh called for standardized domestic procedures and judicial collaboration with other nations, noting that gaps in Iran's legal framework — such as the absence of comprehensive legislation on international crimes — must be ironed out first.

Fifth speaker: Abdollah Abedini

Dr. Abdollah Abedini, a senior researcher in SAMT's Institute of the Humanities Research and Development, explored the potential of the ICJ in addressing state responsibility for aggression. He pointed to the 1971 Montreal and 1973 Convention on Internationally Protected Persons, to which Iran, the Zionist regime, and the US are parties, as legal grounds for litigation. Abedini argued that attacks on Iranian civil airports in Tabriz, Isfahan, and Qazvin amounted to breaches of these conventions. He also cited the 1929 Treaty of Amity between Iran and Germany, which allows disputes to be referred to arbitration.



Abdollah Abedini

In restorative justice, Abedini highlighted the ICJ's role in compensating victims through treaty-based rulings. Such decisions, he said, can help restore legal and financial standing, even though the Court's limited jurisdiction and Security Council pressure can sometimes get in the way.