

Iran's Declining Bargaining Range

Denial, Blockade and Restrike in the 2026 War

Evidence through 3 October 2026: which Iranian losses persist under blockade, which must be struck again, and the legal authority available for each round

PUBLISHED	STATUS	DATA CUTOFF
5 OCTOBER 2026	WORKING PAPER – SSRN	3 OCTOBER 2026
VERSION	AUTHOR	LICENSE
0.3	COLLIN B. GEORGE, CISSP	CC BY-NC-ND 4.0

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Paper record

ABSTRACT

Iran cannot outlast the blockade, the sanctions and the recurring strikes: losses that depend on imports persist under blockade, and repairs Iran can make at home must be struck again. Tehran's position therefore worsens each month for three assets: export revenue, import-dependent plant and the credibility of its missile force. For those assets a settlement now is worth more to Iran than a later one.

The claim does not reach oil in the ground, which largely returns on relief, though the gas reinjection Iran's mature fields need is cut further the longer the blockade holds. It does not reach the enriched uranium, whose value to Tehran may rise.

The United States' legal position is strongest when it answers Iranian fire. Strikes on rebuilding that no Iranian attack precedes rest on the executive's own reading, which no court or international body has endorsed. Four limits hold: the campaign contains Iran and does not remove its government, so it does not deliver regime change; the enriched uranium remains unaccounted for; the compounding of losses rests on a single measured recovery interval, in the asset class where it is weakest, and SP-2 tests it (Section 9); and no settlement lasts unless Washington makes its offer of relief credible, which requires a public commitment to the survival of the Iranian state as a settlement term (Section 8).

KEYWORDS

blockade; coercive diplomacy; bargaining range; war termination; Iran; Strait of Hormuz; self-defence; war powers; sanctions; settlement

JEL CLASSIFICATION

F51 (International Conflicts; Negotiations; Sanctions); F52 (National Security; Economic Nationalism); H56 (National Security and War); K33 (International Law)

REVIEW

WP-2026 working paper. Version 0.3, 5 October 2026, released after editorial review and a verification of sources and legal citations against primary texts. Companion to Asymmetric Denial (SSRN 7506619). Section 10 records what was verified, corrected and left open. License: CC BY-NC-ND 4.0.

IF YOU READ NOTHING ELSE

The claim

Iran's position worsens each month for three assets: export revenue, import-dependent plant and the credibility of its missile force. Losses that depend on imports persist under blockade; what Iran can repair at home must be struck again. For those assets a settlement now is worth more to Tehran than a later one.

What it does not reach

Oil in the ground, which largely returns on relief, and the enriched uranium, whose value to Tehran may rise. The campaign contains Iran rather than removing its government, so it does not deliver regime change.

The legal line

The United States' position is strongest when it answers Iranian fire. Strikes on rebuilding that no Iranian attack precedes rest on the executive's own reading, which no court or international body has endorsed. Durable authority for the blockade, for unanswered rounds, and for permanent relief needs Congress.

Introduction

The strategy and the law point the same way. Under blockade, Iran cannot replace what depends on imports, and what it can repair at home must be struck again. Every month leaves Tehran with less revenue, less plant and a less credible missile force.

The United States' legal position is firmest when it answers Iranian fire and weakest when it strikes first. Operation Epic Fury shows that the President can strike first and that no court will stop him. It does not show that the law supports doing so: the State Department defended the operation as a response within an existing armed conflict and as collective self-defence, not as a first strike.

This paper does not defend the initiation of the war. Iran supplies the legal ground for the rounds that cost it most.

What the President can do now without Congress.

Standing	Options
Sound at home and abroad	Sanctions and designations under IEEPA and the restored Security Council resolutions. Diplomatic measures. Self-defence in answer to an attack on US forces or US-flagged ships (UN Charter, art. 51), reported to Congress within 48 hours (50 U.S.C. § 1543) and to the Security Council. Defence of a Gulf partner at its request (UN Charter, art. 51; Resolution 2817, preamble), sound abroad and resting on Article II at home. Cargo inspection with flag-state consent, and civil forfeiture where a sanctions or arms-export violation supplies the predicate. A settlement offer, with any nuclear terms subject to review by Congress (42 U.S.C. § 2160e).
Available on the executive's reading; contested	The blockade. Short restrike rounds on rebuilt military sites. A new 60-day War Powers period for each round.
Not available	A declaration of war. A toll on shipping. Strikes on civilian objects. Strikes on nuclear sites on prevention alone. A promise of permanent sanctions relief.

What self-defence authorises. An attack triggers it. It permits a necessary and proportionate response against the units and the means of that attack; the ICJ applied both tests strictly in *Oil Platforms*, paras. 73 to 77. On the United States' reading, a series of attacks is a continuing threat that permits further strikes on the forces carrying them out. It is not a standing authority for a new operation against other targets. A delayed strike on unrelated targets is a reprisal.

What needs Congress. Durable authority for the blockade, the rounds that answer rebuilding without Iranian fire, and permanent sanctions relief in any settlement.

Sections 1 to 6 set out the strategic case. Section 7 gives the law, the sequence of Iranian acts and responses, and the options above in full. Sections 8 and 9 give the limits and the predictions. The Conclusion states what the campaign does not achieve. Section 10 gives the verification status.

1 Where things stand: indicators as of 3 October 2026

Seven months of war have cost Iran its seaborne crude revenue, a third of its gas processing and, on the IDF's count, about 60% of its launchers; US assessments put the launcher loss nearer 30%. The United States has held the blockade without a ground commitment.

The war began on 28 February 2026 with strikes that killed Ali Khamenei (CSIS). A ceasefire ran from 8 April, and the Islamabad Memorandum was signed on 17 June (CNN). The ceasefire collapsed on 7 to 8 July with Iranian attacks on shipping and US strikes, in a disputed order, and the blockade was reinstated on 14 July (CNBC, 13 Jul).

Indicator	Reading	Source
Crude loadings	Zero in September, from about 250,000 b/d in August and a pre-war average of 1.7 million b/d	Bloomberg, 1 Oct; Kpler, 29 Sep
Floating storage	About 90 million barrels in July fell to about 29 million by early September; exhaustion projected for mid to late October	Kpler, reported by the Wall Street Journal on 7 Sep; relayed by Ynet and IranWire
Crude production	About 1.8 million b/d on a Kpler analyst's estimate, near domestic demand; the IEA put August at 2.16 million b/d	Kpler via Gulf News, 2 Oct; IEA, Oil Market Report, Sept
Overland crude	At most about 40,000 b/d by truck	Kpler, reported by the Wall Street Journal; relayed by IranWire
Petrochemical loadings	Down about two-thirds from winter 2025–26	Kpler, reported by the Wall Street Journal; relayed by IranWire
Rial, open market	About 2.64 million per dollar; about 60% of its dollar value lost from its twelve-month high	Alanchand, 3 Oct
Inflation	Point to point: 87.9% in July and 89.8% in September. Twelve-month average: 66% and 73.6%. Statistical Centre of Iran series	Statistical Centre of Iran, relayed by IranWire: 29 Jul; 1 Oct
Accessible reserves	No more than three months of pre-war imports, estimated in late April	Capital Economics
Gas processing	230 million m ³ /d offline, about 35% of sales gas; repairs put at 18 to 24 months by the Iranian Petroleum Industry Federation, with 20 to 25% of lost capacity back by year end	MEES, 31 Jul; RFE/RL, 17 Aug
Gasoline	Demand of 145 million L/d in August against capacity of 122 million L/d	AP, 7 Sep

Indicator	Reading	Source
Missile-base access	69 tunnel entrances struck at 18 facilities; 50 reopened by 31 May, about seven weeks after the 8 April ceasefire (the interval is this paper's computation)	CNN, 31 May
Launchers	About 200 of an estimated 470 destroyed and 80 made inoperable by entrance strikes, per the IDF	Times of Israel, 23 Apr
Hormuz	Gulf crude exports excluding Iran at 16.5 million b/d in September, equal to the pre-war average, and 91% of it including Iran. 40% bypasses the strait, against 17% before the war. Refined products are near half their 2025 level	Kpler, 29 Sep; products: Goldman Sachs via Investing.com, 30 Sep
Blockade enforcement	125 commercial vessels redirected since 14 July, as of 30 September	CENTCOM on X, 30 Sep
US interceptors	Patriot below 1,000 after about 65% expended; THAAD near 250	CSIS via Defense News, 30 Jul; Army Recognition
Enriched uranium	440.9 kg enriched up to 60% as of 13 June 2025, of which 432.9 kg was verified; nothing verified since	IAEA, GOV/2025/50, 3 Sep 2025

The enforcement row carries only the count CENTCOM itself published on 30 September; that post gives no disabled or inspected figures. The last such figures, from CENTCOM's post of 23 August, are known only through a relay: US forces had "diverted 70 commercial ships, disabled three vessels, and stopped and inspected two others" ([IranWire, 24 Aug](#)). The first-phase figures of more than 140 redirected and nine disabled are from CENTCOM's release of 13 July ([CENTCOM, 13 Jul](#)).

US intelligence assessments conflict with the IDF launcher figures. Assessments from early May put Iran at about 70% of its mobile launchers and about 70% of its pre-war missile stockpile ([New York Times, 12 May](#), reprinted by the [Philadelphia Inquirer](#)). The paper treats launch capacity as suppressed, not destroyed.

2 Theory: denial and a shrinking bargaining range

Coercion works when the target concludes that its own strategy cannot succeed and can see terms it can accept. Hardship alone rarely produces either. This paper does not argue that hardship will topple the government.

Denial, not punishment. Pape (1996, pp. 13 and 19 to 20) finds that air power coerces by defeating the opponent's military strategy, and seldom by imposing costs on civilians. Pape (1997, pp. 92 and 106) finds that sanctions alone rarely achieve major political aims, counting 5 successes among the 115 cases Hufbauer, Schott and Elliott had claimed. Hufbauer et al. (2007) count success in 34% of 204 observations, where success means a policy result to which sanctions contributed (PIIE). Iraq is the

cautionary case: near-zero oil exports from 1990 to 1996, a collapsed currency, and a government that held until the 2003 invasion.

Iran's theory of victory has four parts. Each is assessed against the campaign as it stands.

Iranian instrument	Intended effect	Status
Closure of Hormuz	Impose energy costs on the coalition and the world	Largely defeated for crude: non-Iranian Gulf crude exports equal the pre-war average on Kpler's count, with 40% bypassing the strait. Refined products remain constrained.
Missile and drone fire	Exhaust interceptors, damage Gulf infrastructure	Suppressed while access denial is sustained; not eliminated. Interceptor depletion is a real cost to the coalition.
Endurance	Outlast US political will	Iran's resource base is contracting faster than the US cost of holding the blockade.
Nuclear hedge	Deter regime-threatening action; retain leverage	Not addressed by this campaign.

The bargaining range moves against the declining side. Fearon (1995, pp. 381 to 382) attributes continued war to private information and commitment problems. Seven months of fighting have removed much of the private information about what the blockade and the strikes do; private information about Iran's reserves and smuggling capacity and about US political will remains, and so does the commitment problem.

Because Iranian capability and revenue are falling, the terms Tehran can obtain fall with them (Powell 2006, pp. 180 to 181). Powell's result also runs the other way: a declining state fights on when the rising state cannot commit to honour the terms once its advantage has grown (pp. 169 and 180 to 181). The United States cannot bind itself to permanent relief without Congress (Section 7), so the model predicts Iranian endurance unless that commitment is supplied; Section 6 returns to it.

A threat needs an assurance. Schelling (1966, p. 74) holds that a threat coerces only when the target believes compliance will end the pain. Zartman (1989; 2000, p. 228) adds that settlement requires both a hurting stalemate and a visible way out. The first exists. The second was damaged when the Islamabad Memorandum collapsed, and Section 6 returns to it.

3 The coordinated sequence

The campaign runs four tracks together and takes three steps in order. Settlement is open at every step. Iran's actions, not the calendar, determine when escalation occurs. The framework is policy; it names no targets or weapons.

coordinated sequence · 4 tracks, 3 steps, 1 exit

Read left to right for rising pressure and top to bottom for the four tracks. The dashed boxes apply only after a gate.

Step 1, hold, is the present posture. The blockade has been in force since 14 July and the secondary-sanctions campaign was announced on 24 August. It denies Iran its sea revenue and needs no further decision to continue.

Step 2, recur, is triggered by observation. Reopened entrances are resealed, the repair effort at each site is struck with low-cost munitions, and the rebuilding of production, radar and air defence is struck when seen. US strikes resumed on 30 August, with further strikes on 1 September, after a month without military action ([AP via US News, 1 Sep](#)).

Step 3, escalate, follows only a gate. Three gates are proposed: an attack on Gulf energy or water infrastructure, a mass-casualty attack on US or partner forces, or indicators of nuclear breakout. Tying escalation to Iranian acts leaves the choice of restraint with Tehran and protects the coalition's legal and political standing.

Two exclusions hold at every step. A ground invasion is unnecessary for the objective and would forfeit the cost advantage. Strikes on civilian water, food and medical supply are barred by law and would shift responsibility for civilian hardship to the coalition.

The exit is part of the design. Section 6 sets out why the offer must be standing, specific and automatic.

Legal footing of each step. Step 1 rests on sanctions law and, for the blockade, on a continuing armed conflict. A Step 2 round that answers Iranian fire rests on self-defence. A Step 2 round that answers rebuilding alone rests on the executive's position and is the part that most needs a statute. Force at the nuclear gate in Step 3 requires an imminent attack. Section 7 gives the authorities.

4 Which losses persist and which must be struck again

The blockade turns strike damage from a temporary setback into a lasting one for every asset that depends on imports. It leaves untouched the assets Iran can rebuild with domestic labour and equipment. The distinction decides which parts of the campaign must recur and which accumulate.

Asset	What recovery needs	Recovery under blockade	Evidence
Tunnel access to missile stockpiles	Bulldozers, trucks, diesel, labour; all domestic	Fast and repeatable: 50 of 69 entrances (72%) in about seven weeks when uncontested	CNN
Roads, bridges, surface buildings	Domestic construction	Fast	WSJ via Times of Israel
Missile production	Components and machinery, partly imported	Iran is assembling from pre-war components; new production is constrained	Alma, Sept

Asset	What recovery needs	Recovery under blockade	Evidence
Air defence and radar	Imported systems and electronics	Constrained while imports are cut off. US strikes resumed on 30 August. No recovery interval has been measured	AP via US News, 1 Sep
Gas processing	Long-lead equipment not fully available domestically	18 to 24 months by Iran's own industry estimate	RFE/RL
Oil revenue and reserves	Access to the sea	None while the blockade holds	Bloomberg

Four reinforcing effects. Each instrument removes the means of recovering from another.

1. No sea access means no revenue and no imported components, so strike damage to import-dependent assets persists.
2. Fewer launches mean fewer interceptors spent and less risk to blockade forces and Gulf shipping, so the blockade is cheaper to hold.
3. Lost revenue is covered by money creation, so inflation erodes the real pay of the security forces and the real value of repair budgets.
4. The gas shortfall curtails steel, petrochemicals and power, so non-oil exports and their foreign exchange fall as well.

The recovery-interval schedule. Let the time for asset class k to recover after round n lengthen by a fixed increment each round. This is an assumed schedule, not a fitted model.

$$T_k(n) = T_k(1) + d_k \cdot (n-1), \quad d_k \approx 0 \text{ (domestically replaceable)}, \quad d_k > 0 \text{ (import-dependent)}$$

The author's planning assumption for combined capacity is a first recovery of 3 months, a second of 5 to 6, and a third of 7 to 8. That is a first interval of 3 months with an increment d of 2 to 2.5 months, and it sums to 15 to 17 months. It is an assumption, not an observation. The one measured interval, seven weeks for uncontested tunnel access, belongs to the class where d is near zero. It is not evidence for the import-dependent class.

Two cadences follow. Access denial must recur at an interval no longer than the reopening time, about seven weeks if excavation is unopposed, or seven to eight rounds a year. Contesting the excavation lengthens that interval; during the fighting Iran dug under fire and the equipment was struck. Industrial attrition needs no fixed cadence. It accumulates, and strikes are needed only when reconstruction is observed. The earlier campaign's 69 entrances at 18 facilities bound the size of each access round. The cost comparison is in the companion paper.

Idleness alone: what the blockade costs without a single strike

Idleness is the weakest instrument in the campaign. A field that cannot export is not a field being destroyed, and the petroleum literature does not support a reservoir-damage case for the blockade.

The reservoirs hold. Robin Mills, writing for Columbia’s Center on Global Energy Policy on 28 April 2026, is direct: “For the prolific conventional fields in the Middle East, there is very little technical concern about shut-ins and startups” (CGEP). He rejects the water-coning argument specifically, calling coning “a possible consequence of over-production, not of shutting in wells as some commentary has suggested.”

The Society of Petroleum Engineers’ commentary on long-term shut-ins reaches a comparable conclusion for conventional reservoirs, finding that strong producers of recent vintage “can be expected to return to prior production trends,” with exceptions for heavy oil, asphaltene-prone fluids, multizone completions and water invasion (JPT, 28 May 2020). Neither source addresses gas-oil gravity drainage in naturally fractured carbonates, which is the dominant recovery mechanism in Iran’s Khuzestan giants. The reservoir-physics question for the specific fields at issue is therefore unsettled in the open literature, and this paper does not claim otherwise.

Mills supplies the only forward recovery figure in the open literature. He expects that “Iran will probably be able to resume production promptly at about 70 percent and regain most of its pre-war capacity within a few months.” The stated support for that sentence is a social-media post rather than a derivation, so it is an informed judgment and not a modelled result. Nothing better exists publicly.

The erosion is in gas allocation, not reservoir damage. The Khuzestan giants, among them Gachsaran, Agha Jari, Marun and Ahvaz, produce about 2.2 million b/d from fractured carbonates whose natural recovery mechanism is gas-oil gravity drainage, which injected gas enhances rather than enables (CGEP). Against crude output of 3.2 to 3.3 million b/d in 2025 and 2026, that is roughly two-thirds of production from fields where injection raises recovery; the division is this paper’s, taken from two CGEP figures, and is not CGEP’s own statement.

Iran already fails badly at this. Anne-Sophie Corbeau and Tatiana Mitrova put the requirement at “around 300 million cubic meters per day (mcm/d) of gas (or about 110 bcm/y) for reinjection to maintain reservoir pressure in aging oil fields” against actual volumes of “30–37 mcm/d (or about 11–14 bcm/y)—approximately 10–12 percent of estimated requirements in recent years” (CGEP, 26 January 2026). The EIA reports 2023 reinjection of 0.6 Tcf, about 46 mcm/d, which would put the figure nearer 15%; the two sources disagree, and the defensible range is 10 to 15% of requirement.

The blockade tightens that shortfall, and Mills’s mechanism is allocation. If Iran cannot export, consume or store the condensate and NGLs that come out of gas production, it must cut gas output, which forces “rationing between gas exports (to Turkey and Iraq), power generation, industry, reinjection in oil fields, and city gas distribution.”

Reinjection loses that allocation. It has no domestic constituency, it competes with household heat in the same winter, and its cost appears in output years later. The blockade’s effect on the reservoirs is therefore

indirect and slow: a further cut to an injection programme already running at a tenth to a seventh of what the fields need.

Decline without pressure support. The best-attributed figure for Iran’s mature southern fields is 8 to 11% a year, which the Atlantic Council sources to Iran’s Ministry of Petroleum ([Atlantic Council](#), 6 January 2017, citing “End of Cheap Oil,” *Donya-e Eghtesad*, 12 June 2011). A 4 to 12% range circulating in trade press carries no attribution and is not used here.

No source quantifies the permanent loss. Two analogues bracket the question loosely and neither is clean. Venezuela’s December 2002 strike removed two-thirds of a 3.0 million b/d output; “within a year, Venezuelan production returned to about 85 percent of its pre-strike level,” and it “has never returned to its pre-strike level” (EIA, 30 March 2011), a residual confounded by the mass dismissal of PDVSA’s technical staff, which has no analogue here.

Iran’s own sanctions episode points the other way: output fell below 2 million b/d in 2020 from about 2.6 million b/d in early 2019 ([EIA](#), 12 August 2021), recovered to about 2.9 million b/d by 2023 (EIA Country Analysis Brief, 10 October 2024) and to 3.2 to 3.3 million b/d by 2025 and 2026 (CGEP), which is full recovery and more across roughly five years.

What this costs the argument. Idleness alone does not put Iran’s oil endowment at risk, and a settlement case resting on reservoir damage would fail. The coercive weight on the oil side is revenue, not resource: export earnings foregone month by month, which cannot be recovered retroactively and which Section 5 treats, plus a reinjection shortfall that lowers the ceiling too slowly to register on a bargaining horizon measured in months. On this one asset Tehran can afford to wait, which is why the settlement case cannot rest on energy.

Attacking the capacity to recover

The blockade cannot slow the repairs Iran makes with domestic equipment, so that class has to be attacked directly. The repair effort at each struck site becomes a recurring target, hit with munitions cheap enough to use every time work resumes.

The exchange has so far favoured Iran. CNN’s imagery analysis found that bulldozers and dump trucks undid a costly bombing campaign ([CNN](#)). Sealing an entrance with a precision weapon and watching it reopen in seven weeks is a poor exchange.

On this paper’s assessment, whose unit costs are in the companion paper, the exchange reverses when the repair effort is struck with low-cost guided munitions and one-way attack drones that are held in depth and replaced from current production. The scarce munitions are interceptors, not these.

The recovery chain at a struck site.

Link	Why it qualifies as a military objective	Effect of repeated strikes
Excavation and construction equipment working at the site	By use	Machines are lost or withdrawn; work slows and moves to night and cover
Access roads, spurs and bridges serving the site	By location and use	Equipment and launchers cannot reach or leave
Fuel points, depots and maintenance yards supplying the work	By use	Surviving equipment stops
Transport identified as carrying replacement equipment or materials to the site	By use	Replacement slows
Plants that produce or repair military equipment	By nature	Covered under industrial attrition

Effect on the model. This makes d positive for the one class the blockade leaves alone. Each repair takes longer because the means of repair were lost in the round before. There is precedent: during the fighting the United States and Israel struck digging equipment, and Iran excavated at great risk. No reopening interval under those conditions was measured. Prediction SP-2 tests it.

What it cannot do. Iran's civilian construction fleet is large and domestically supplied, and attrition at military sites will not exhaust it. The result is delay, risk to crews and a rising cost per repair.

Iran will adapt with dispersal, decoys, night work and cover. The approach also needs persistent surveillance of known sites and continued freedom of action in Iranian airspace.

The legal boundary is also the analytic one. An object is a lawful target only if by nature, location, purpose or use it contributes effectively to military action and its destruction, in the circumstances ruling at the time, offers a definite military advantage (Additional Protocol I, art. 52(2)); in case of doubt, an object normally dedicated to civilian purposes is presumed not to be so used (art. 52(3)). Equipment excavating a missile base meets that test. The national road network, public transit, civilian fuel distribution and the construction industry at large do not meet it merely because they could support repair.

The recovery-chain target set in this paper is therefore limited to links identified as serving military sites. Civilian workers at such a site are not themselves targets, and their presence counts in the proportionality assessment. Widening the set to the civilian economy would be unlawful, would shift responsibility for civilian hardship to the coalition, and would weaken the settlement the campaign exists to produce.

The United States is not a party to the Protocol. It is bound by the same definition through the CCW protocols it has ratified (DoD Law of War Manual, § 5.6.3) and reads "military action" to include the enemy's war-sustaining capability (§ 5.6.6.2). Most states and the ICRC reject that reading. This paper does not rely on it.

Long-run trajectory

Sustained, the combination produces a progressive loss of regenerative capacity. Each round of damage consumes repair capacity, and each repair draws on equipment, components, fuel, foreign exchange and trained personnel that the blockade prevents Iran from replenishing. Every later recovery therefore starts from a lower base and takes longer.

While the pressure holds, the IRGC's military-industrial base, its revenue and its trade do not return to their pre-war level. The decline is slow and runs one way. Two conditions apply. Relief reverses it, and the oil sector can recover quickly. A decline in capacity is not the fall of the government (Section 8).

5 The clocks

Iran's binding dates fall within the next three months. The coalition's constraints are measured in years and bear on other theatres more than on this one.

Side	Constraint	When it binds	Source
Iran	Floating storage east of Singapore exhausted; last deliveries to China	Mid to late October 2026	Kpler, reported by the Wall Street Journal on 7 Sep; relayed by Ynet and IranWire; CNBC, 30 Sep
Iran	Payments on cargoes already sold stop arriving	Mid to late December 2026	Kpler, reported by the Wall Street Journal on 7 Sep; relayed by Ynet and IranWire
Iran	Heating-season gas deficit with 230 million m ³ /d of processing offline, up to 35% of processing offline	November 2026 to March 2027	Iran International, 18 Sep; the 35% share is MEES, 31 Jul
Iran	Gas processing restored	Not before 2028 on the industry's own 18 to 24 month estimate	RFE/RL, 17 Aug
Iran	Accessible reserves	Three months of pre-war imports as of late April; current level unknown	Capital Economics
United States	Midterm elections; the Wall Street Journal reports the President told aides he expects a renewed bombing campaign after them	3 November 2026	CNBC, 26 Sep; The National, 1 Oct
United States	Deployments of named Army, air-defence, fighter and Navy units extended; about 50,000 personnel are in the region	Into 2027	Dawn

Side	Constraint	When it binds	Source
United States	THAAD inventory rebuilt to pre-war level	Three years or more at 96 a year, rising to 400	CSIS; CNN, 4 Aug

The asymmetry is in what each clock threatens. Iran's dates threaten its ability to import food, pay its forces in real terms and heat its cities this winter. The American dates threaten readiness for a second contingency. CSIS reached the same conclusion: the larger risk from interceptor depletion is another high-intensity conflict, not the ability to sustain this one ([Defense News](#)).

Policy has moved to match. The defense secretary said in mid-August that the blockade can be held indefinitely ([Al-Monitor](#)). The UAE suspended all trade and financial dealings with Iran, reported on 19 August ([Euronews](#)).

6 Why settlement now dominates settlement later

Settlement now beats settlement later for the assets that decay under blockade: export revenue, import-dependent plant and the credibility of the missile force. It holds only weakly for oil in the ground: the reservoirs survive a shut-in and most capacity returns, though the gas reinjection the mature fields need is cut further the longer the blockade holds (Section 4). It does not hold for the enriched uranium, which does not decay. The argument also requires Tehran to believe relief will follow. That is Washington's part of the problem.

What Tehran still holds, and which way each is moving.

Asset	Value today	Direction
Enriched uranium, 440.9 kg at up to 60% as last estimated in June 2025	The strongest item: it can be diluted, exported or placed under IAEA custody in exchange for relief	Does not decay under blockade. Its value to Tehran rises if Tehran concludes that custody would be traded for relief that will not come. It falls if the material is struck or a breakout attempt invites escalation
Underground missile stockpile	Retained while entrances are open	Falls with each access-denial round and each launcher lost
Harassment of Hormuz shipping	Still imposes cost on refined products and insurance	Falling: mines cleared from the traffic scheme, crude flows restored, bypass at 40%
Intact oil sector	Exports could return toward the pre-war 1.7 million b/d on relief, and the reservoirs survive a shut-in	Largely returns. About 70% is expected to resume promptly and most pre-war capacity within months; no source quantifies a permanent loss (Section 4)
Partner forces	Houthi attacks on Saudi Arabia have increased	Mixed; Hezbollah is degraded

Sources: JINSA; Kpler; Columbia CGEP; CNBC, 26 Sep; mine clearance: Axios, 25 Aug.

The cost of each month of delay.

- Revenue: at the pre-war rate of 1.7 million b/d, a month without exports forgoes about 51 million barrels of sales.
- Capability: launchers, air defence and industrial plant lost in the interval cannot be replaced under blockade.
- Stability: the heating season brings gas and power shortages on top of inflation near 90%. Security forces were reported on heightened alert in late September as student protests resumed (Fox News Digital via RedState).
- Terms: US demands have not softened. The president rejected Iran's late-September proposal.

Tehran's own positions are already moving. On 8 August the Supreme National Security Council set conditions for reopening the strait, among them withdrawal of US naval and air forces from around Iran, compensation for both wars, the lifting of all sanctions and the release of frozen assets (CNBC, 8 Aug; Time, 10 Aug).

In late September Tehran proposed a seven-day roadmap: reopen the strait and resume nuclear talks in exchange for an end to the blockade, the release of about \$12 billion in frozen assets, oil-sanctions relief and a regional ceasefire covering Lebanon and Yemen (Al Jazeera, 2 Oct). The President rejected it.

As reported, the later proposal drops force withdrawal and compensation and keeps the release of frozen assets. That is movement on two of four conditions in seven weeks, in the direction the model predicts; it rests on press accounts of a proposal whose text is not public.

The obstacle is commitment, not pain. Iran's foreign ministry says the United States violated the June memorandum within weeks and that no talks began (Al Jazeera, 17 Aug). Analysts report that Tehran doubts any concession would bring relief (Axios, 24 Aug).

If that belief holds, the rational response to pressure is to endure, which is the commitment problem Powell describes (Section 2). Pressure without a credible offer extends the war.

What a credible offer requires. These are the author's proposals.

1. A standing, public and specific term sheet, so Tehran knows what compliance buys.
2. Relief sequenced to verifiable steps: IAEA custody or dilution of the enriched uranium, reopening of the strait, an end to attacks on shipping.
3. Relief that follows each verified step automatically, not by fresh decision.
4. A visible first tranche, such as monitored crude loadings, within days of the first Iranian step.
5. A mediator with standing in both capitals, and a first tranche that executes without a further decision by either side, such as escrowed proceeds from monitored loadings. Pakistan, Oman and Qatar have each mediated; none can impose a cost on Washington for defecting, so none can guarantee.

6. Defined violations that restore the blockade and the restrike authority at once.

Relief and snapback cannot both be automatic on the same clock. Snapback follows a defined cure period and a violation finding by the monitor, so that one disputed incident does not reverse the sequence, and relief resumes when the finding is cleared.

Any agreement relating to Iran’s nuclear programme, whatever its form and whether or not binding, must be transmitted to Congress within five days (42 U.S.C. § 2160e(a), (h)(1)), and relief from statutory sanctions under it waits out a 30-day review, extended if a disapproval resolution passes (§ 2160e(b)(1), (b)(3)). Relief from sanctions imposed by executive order alone is not caught, which is why waivers can move first and why relief the President gives alone is revocable; Tehran knows it. That is a further reason to bring Congress in before the terms are offered.

The June memorandum already contained the outline: sanctions termination on an agreed schedule, immediate oil waivers, and an Iranian reaffirmation that it will not seek nuclear weapons (text). It deferred enrichment and the stockpile. A durable settlement cannot.

7 Legal authority and limits

The law supports this campaign unevenly. It is strongest where the United States answers Iranian fire, weaker for the blockade, and weakest for strikes on rebuilding that no Iranian attack precedes. The President can act alone on the first. The other two need Congress to be secure. No authority cures the dispute over how the war began.

Three legal phases

Phase	Facts	Assessment
Initiation, 28 February	US and Israeli strikes during negotiations, with no prior Iranian armed attack	The weakest point. The US Article 51 letter of 10 March (S/2026/161) presents the strikes as “the latest stage in the ongoing international armed conflict” and as collective self-defence of Israel, citing the “imminence, gravity and scope” of the threat as context; the Legal Adviser’s release of 21 April states that the United States “does not rely on a theory of imminence.” Critics read the substance as preventive, a theory most scholars and many states reject and on which the ICJ has reserved judgment (<i>Nicaragua</i> , para. 194; <i>Armed Activities</i> , para. 143).
Iranian response, March to April	Missile and drone strikes on Gulf states, attacks on merchant ships, closure of Hormuz	The Security Council condemned Iran’s attacks on its neighbours in Resolution 2817 of 11 March, adopted 13–0–2. Those states have their own right of self-defence and may request collective self-defence.

Phase	Facts	Assessment
After the ceasefire, from 7 to 8 July	The ceasefire collapsed. The President's letter of 10 July reports Iranian attacks on neutral-flagged vessels on 6 to 7 July and US action from 7 July (H. Doc. 119–169); Iran says the United States breached the memorandum first. Iranian attacks on US forces and shipping followed	The strongest footing where the United States answers Iranian fire: defence of US forces, collective self-defence and protection of navigation, bounded by necessity and proportionality. Who breached the ceasefire first is contested, so the paper does not assert an Iranian breach as fact.

This paper rests its legal case on the third phase and does not defend the first. Later Iranian conduct does not cure the initiation. Iran's violations do not release the United States from the law of targeting; those duties are not reciprocal, and reprisals against civilians are barred.

Who can authorise what

What each authority provides.

Authority	Provides	Does not provide
President alone	Article II strikes and defence of forces; Title 10 military operations; Title 50 covert action under a finding; sanctions under IEEPA; belligerent rights at sea	Authority past the War Powers 60-day limit; permanent relief from statutory sanctions; any tariff, and by the same reasoning any toll or fee (<i>Learning Resources v. Trump</i> , 2026)
With Congress	A declaration or specific authorisation, which places the campaign in <i>Youngstown</i> category one; durable sanctions and durable relief; prize and forfeiture; review of any settlement under 42 U.S.C. § 2160e	A cure for objections under international law. A general appropriation is not authorisation (50 U.S.C. § 1547(a)(1)).
With international support	Requests for collective self-defence; Resolution 2817; cargo inspection under the restored Resolution 1929; basing and overflight; allied enforcement of sanctions	Chapter VII authorisation to use force, which a Russian or Chinese veto forecloses

Options open now without Congress. The table sorts what the President can do today on his own authority by how well each option stands in law.

Standing	Option	Basis and limit
Sound at home and abroad	Sanctions, secondary sanctions and designations	IEEPA and the standing executive orders; the restored Security Council resolutions, whose restored status Russia and China dispute. No tariff (<i>Learning Resources</i>), and by its reasoning no toll or fee.

Standing	Option	Basis and limit
Sound at home and abroad	Diplomatic measures: expulsions, IAEA Board and Security Council action, pressing partners to cut trade	No authority to use force is needed.
Sound at home and abroad	Return fire and strike the units and launchers attacking US forces or US-flagged ships	UN Charter, art. 51; Article II. Report to Congress within 48 hours and to the Security Council. Necessary and proportionate.
Sound abroad; Article II alone at home	Defend a Gulf partner that is attacked and asks for help	Art. 51 and the preamble of Resolution 2817. A documented request is required.
Sound at home and abroad	Inspect suspect cargo in port or with the flag state's consent; interdict arms bound for the Houthis; seek civil forfeiture of cargo where a sanctions, material-support or arms-export violation supplies the predicate	Resolutions 1929, paras. 14 to 15, and 2216, para. 15; 18 U.S.C. § 981(a)(1)(C), (G), with § 1956(c)(7)(D).
Sound at home and abroad	Offer a settlement with relief by waiver	Any agreement with nuclear terms goes to Congress under 42 U.S.C. § 2160e, and relief from statutory sanctions waits out the 30-day review. Permanent relief is not the President's to give.
Available on the executive's reading; contested	Maintain the blockade	A belligerent right that depends on a continuing armed conflict. It conflicts with the statement of 1 May that hostilities had ended, and it keeps the War Powers period running.
Available on the executive's reading; contested	Short restrike rounds on rebuilt military sites, each reported and then closed	The OLC test at home; no support abroad without Iranian fire.
Available on the executive's reading; contested	Treat each round as a new 60-day period	The statute ties each period to a report of an introduction into hostilities; whether a resumption after a pause is a new introduction is the executive's reading, undecided by any court.
Not available	Declare war; continue open-ended hostilities as of right; charge a toll; strike civilian objects; strike nuclear sites on prevention alone; promise permanent sanctions relief	The first belongs to Congress. The rest are barred by statute, by the reasoning of <i>Learning Resources</i> , or by the law of armed conflict.

One date governs all of it. The President's letter of 10 July opened a new War Powers period on the executive's reading. The statute runs the 60 days from the earlier of the report's submission and the date it was required, 48 hours after forces were introduced into hostilities (50 U.S.C. § 1544(b)); with US action from 7 July, that is about 7 to 8 September.

A further 30 days is available only if the President certifies to Congress in writing that military necessity respecting the safety of US forces requires it for a prompt withdrawal, which would run to about 7 to 8 October. No certification appears in the House Documents through 3 August (H. Doc. 119–183). The administration does not accept that the limit binds it.

If Congress does not act, the operative case from about 8 October is a campaign that continues on the executive's reading alone. The paper's position in that case is this: rounds that answer Iranian fire remain defensible abroad under Article 51 and at home under Article II; the blockade and the rounds that answer rebuilding continue on a position no court has endorsed and that Congress has twice declined to ratify; and each month on that footing raises the cost in allied basing, third-state enforcement and the credibility of the offer. The paper does not treat continuation past the statutory date as a right.

The war powers record. The President reported to Congress on 2 March, within 48 hours of the strikes of 28 February (H. Doc. 119–139; S.J. Res. 117, § 1(5)). The 60-day limit fell on about 30 April to 1 May, depending on whether the clock runs from the date the report was required or the date it was sent; on 1 May he told Congress that the hostilities “that began on February 28, 2026, have terminated” (Roll Call, 1 May). Fighting resumed on 7 to 8 July, and the President's letter of 10 July, styled a further-action update under section 4(b), reports “military action commenced on July 7, 2026” (H. Doc. 119–169).

The 1991 and 2002 Iraq authorisations (Pub. L. 102–1 and Pub. L. 107–243) were repealed by the National Defense Authorization Act for Fiscal Year 2026, Pub. L. 119–60, signed 18 December 2025 (Roll Call), and no Iran authorisation has passed. On 23 June the Senate agreed, 50 to 48, to H.Con.Res. 86, a House-passed concurrent resolution under 50 U.S.C. § 1544(c) directing the removal of forces (Senate roll call vote 184). A concurrent resolution is not presented to the President, and after *INS v. Chadha*, 462 U.S. 919, 951–59 (1983), a measure that bypasses presentment cannot bind him; Congress's own answer to *Chadha*, 50 U.S.C. § 1546a, routes removal directives through joint resolutions, which the President can veto.

Later attempts failed: motions on S.J. Res. 185, 180 and 181 on 24 June, 23 July and 30 July, and H.Con.Res. 89, rejected 49 to 50 on 24 September (roll call vote 244).

Notification is not authorisation. The Secretary of State notified seven of the eight congressional leaders before the 28 February strikes (Washington Examiner). That notice is a consultation practice. It authorises nothing and has no term to expire. Two statutory regimes sit behind it.

- Title 50: covert action requires a written presidential finding and notice to the intelligence committees. Notice may be limited to the eight leaders in extraordinary circumstances. A limited notice must carry a written statement of reasons, and within 180 days the President must either give the full committees access or submit a new statement of reasons (50 U.S.C. § 3093(c)(5)).
- Title 10: an acknowledged military operation is not covert action, because the definition requires that the US role not be apparent or acknowledged and excludes traditional military activities (50 U.S.C. § 3093(e), (e)(2)). It falls under the War Powers Resolution, and an operation in self-defence or in defence of a partner must be notified in writing to the congressional defence committees within 48

hours (10 U.S.C. § 130f(a), (d)(2)). An activity begun covertly may continue as an open military operation, but it then needs the authority the War Powers Resolution requires.

Episodic strikes fit the 60-day period; the blockade does not. Executive practice treats separate episodes of hostilities as separate events, each with its own 48-hour report: the 1993 Baghdad strike, the Syria strikes of 2017 and 2018, the Houthi strikes of 2024 and the June 2025 Iran strikes were each reported and, except the Houthi campaign, ended within days. Each report would start its own 60-day period, extendable by 30 on a written certification that the safety of US forces requires it (50 U.S.C. § 1544(b)); because those episodes closed inside 60 days, the reset has never been tested. On that reading a restrike round of several days, reported and then ended, sits well inside the limit, and a new Iranian attack starts a new period. Critics reject this as evading the statute, and the 2024 Houthi campaign, reported in separate letters while operations ran far past 60 days, is the closest test.

The blockade is the difficulty. It is continuous, it involves disabling and boarding vessels, and it keeps forces where hostilities are clearly indicated, so no pause resets the period. No executive statement on the blockade's war-powers status has been published; the letter of 1 May says hostilities "terminated" because there had been no exchange of fire since 7 April, while the blockade was being enforced; the letter does not mention the blockade and refers changes in force posture to a classified attachment.

The nearest available argument is the one the administration made for Libya in its report to Congress of 15 June 2011 and the Legal Adviser's testimony of 28 June 2011: operations with no exchanges of fire and no significant exposure of US forces are not "hostilities" under the Resolution. That argument has not been made for this blockade and is contested. Durable authority for the blockade comes only from Congress.

Self-defence: trigger, scope and timing

What an attack on US forces supplies. An attack on US forces is one of the three grounds the War Powers Resolution names for the President's power to commit forces without prior authorisation (50 U.S.C. § 1541(c)(3)), though the Resolution itself grants no authority (§ 1547(d)(2)). It also engages Article 51 of the UN Charter. It supports returning fire, striking the units and launchers that attacked, and protecting shipping and partners who ask for help.

It has three limits. It does not remove the 60-day limit, which runs from the report whatever the cause of the hostilities (50 U.S.C. § 1544(b)). It does not reach objectives beyond ending the attacks. And each ally needs its own basis: its own right of self-defence, or a request from a state that was attacked.

Iran's attacks are also the strongest ground on which to ask Congress for a narrow authorisation covering defence of forces, navigation and partners. That statute would make the current phase secure in domestic law.

The executive has published its own theory, and it rests on continuity rather than on a fresh trigger.

The release of 21 April 2026 by Reed D. Rubinstein, then Legal Adviser, states the United States' position (Reed D. Rubinstein, "Operation Epic Fury and International Law"). Three elements bear on this paper. On

continuity: “Under either articulation of the customary international law standard for determining when an armed conflict has ended, the facts clearly support the proposition that the international armed conflict involving Iran, Israel, and the United States that was the subject of the June 27 Article 51 letter is ongoing,” because the pause “lacked the ‘stability’ and ‘permanence’ that must, as a matter of international law, be present to indicate an end to hostilities.”

On accumulation, which the release asserts in the alternative and takes from William H. Taft IV’s 2004 article on the *Oil Platforms* judgment (release, n. 7): “A proper assessment of the proportionality of defensive use of force would require looking not only at the immediately preceding armed attack, but also at whether it was part of an ongoing series of attacks ...” On recurrence, which governs the sequence in Section 3: “there is no requirement to continually reassess the *jus ad bellum* principles of necessity and proportionality in the context of an ongoing armed conflict.” On that reading no round needs a new trigger, because the conflict never ended.

The asserted basis is Article 51, individual and collective: the United States acts “at the request of and in the collective self-defense of its Israeli ally, as well as in the exercise of the United States’ own inherent right of self-defense.” The release states that the United States “does not rely on a theory of imminence to justify its actions in this case.” No Security Council authorisation is claimed.

What the release omits matters as much as what it asserts. It does not mention the blockade, contraband, visit and search, or interdiction outside a blockaded area, and it does not address civilian harm, distinction or targeting. It cites no ICJ decision by name (*Oil Platforms* appears only in the title of the article it quotes), no Security Council resolution and not the San Remo Manual. It rests on the Law of War Manual at § 3.8.1, the ICRC’s standard for the end of an international armed conflict, two statements by former Legal Advisers (Egan, 2016; Taft, 2004) and one article (Bethlehem, 2012).

Two consequences follow. The maritime campaign analysed below has no published legal theory from the Legal Adviser or the Office of Legal Counsel behind it; its public defence consists of the military notices, the Secretary of State’s description of the blockade on 5 May 2026 as “not an act of war” but “a defensive measure” answering Iran’s closure of the strait (State Department, 5 May), and the commentators. And the accumulation position the release does assert is not supported by *Oil Platforms*, para. 64: the Court there took the incidents together for the sake of argument and held that “even taken cumulatively” they did not amount to an armed attack on the United States, leaving the accumulation doctrine open and deciding on the facts.

This paper’s assessment is that the continuity argument is the executive’s strongest, that it is the one a court would most likely have to reach first, and that no court has reached it.

Is the trigger live? The record since July shows Iranian attacks on US forces and on shipping. After US strikes on launchers at Larak Island on 30 August, Iran fired missiles at US bases in Jordan on 31 August (CNN, 30 Aug).

On 5 September the IRGC fired ballistic missiles at US warships (UANI, 23 Sep). An attack on a Saudi tanker in the strait on 31 August killed two Filipino crew (The National, 2 Sep). Two readings follow.

Reading	What it holds	What it permits
The United States' reading	A series of attacks, with stated intent to continue, is a continuing threat. The State Department treats the war as one armed conflict that the ceasefire did not end.	Further necessary and proportionate strikes on the forces carrying out the attacks: missile units and their launch sites, and IRGC naval units. Resealing the missile bases those attacks came from is then self-defence, not a strike on rebuilding.
The stricter reading, applied by the ICJ in <i>Oil Platforms</i> , paras. 64 and 73 to 77	Force in self-defence must be necessary to respond to an armed attack and proportionate to it, tested strictly and objectively; the Court asked whether the target was necessary to the response and rejected a "target of opportunity" (paras. 73 and 76). Taking the incidents together did not lower the threshold (para. 64). A response to an attack already over is a reprisal (General Assembly Resolution 2625; <i>Nicaragua</i> , para. 191).	Strikes on the forces that carried out the attack, shown to be necessary to end it, at the time of the attack. Attacks already answered do not justify new strikes weeks later, and unrelated military plant is not covered.

On either reading the case is strongest immediately after an attack and weakens with each quiet week. It covers the means of attack. It does not cover defence-industrial plant, or the repair effort at sites that played no part in the attacks.

Three points of fact limit how the trigger can be stated. These attacks came during a war that began on 28 February, not in peacetime. Attacks on Gulf states and their ships give those states the right of self-defence, and the United States acts at their request. And the record shows missiles intercepted over Turkey and a drone strike on the British base in Cyprus; this paper found no record of a ballistic missile fired at Europe.

Preparation time. A response in self-defence need not be instant. A state may take reasonable time to assemble forces and to try other means first, as the United Kingdom did between Resolution 502 of 3 April 1982 and the San Carlos landings of 21 May, and the coalition did between Resolution 678 and the air campaign of 16 January 1991. Deploying forces is lawful in itself and needs no trigger.

The Theodore Roosevelt carrier group left San Diego on 27 September, followed by an amphibious group with more than 2,000 marines ([USNI News, 28 Sep](#)). Three carriers could be in the region as early as the end of October ([AP via Fortune, 1 Oct](#)).

The full force is due by the end of November ([Wall Street Journal, relayed by The National, 1 Oct](#)). As a defence against Iranian escalation, that posture is supported and sustainable.

Two reported facts weigh against the strikes themselves. The Wall Street Journal reports that the President told aides he expects a renewed bombing campaign after the 3 November elections, a timing set by the political calendar and not by an Iranian attack. And Iran has made a proposal, which the President rejected. A strike set by a political calendar is harder to present as necessary self-defence than

one that answers an attack. The preparation argument holds where the delay is explained by readiness and the threat is continuing.

Two triggers, two footings. A round that answers Iranian fire has the attack on US forces or partners as its legal ground, at home and abroad. Each new Iranian attack opens a new round and, on the executive's reading, a new 60-day period. A round that answers observed reopening or rebuilding has no fresh attack behind it. It rests on the continuing armed conflict and on Article II alone, which is the weaker footing.

The legal structure and the recovery model therefore point the same way. When Iran fires first, Tehran supplies the legal ground for the round and bears its compounding cost (Section 4). Restraint by Iran removes the stronger trigger, and leaves the rounds that answer rebuilding as the ones that need Congress most.

Closing the gap for rounds that answer rebuilding. Three arguments, each with precedent, extend the stronger footing to strikes on reconstitution. None is uncontested.

Route	Argument	Precedent	Weakness
Resumed armed conflict	A ceasefire suspends a conflict and does not end it. A serious violation entitles the other side to denounce the armistice and, in urgent cases, to resume hostilities at once (Hague Regulations of 1907, arts. 36 and 40). The State Department's position is that one armed conflict has continued since June 2025 and that the ceasefire did not end it, so military objectives may be struck without a new attack.	Iraq, 1991 to 2003: strikes on air defences in the no-fly zones, and Operation Desert Fox in 1998 (CRS IB94049, 2002; UK Ministry of Defence, "Iraq: No Fly Zones," 2009)	The no-fly zones rested, for the United States, on Resolution 688 and the Safwan accords and, for the United Kingdom, on humanitarian necessity and the self-defence of aircraft; the UK accepted that 688 could not authorise force. Desert Fox rested on Resolutions 1154 and 1205 reviving the authority of 678, and on 687, and at home on a 1991 statute, Pub. L. 102-1, repealed in December 2025. Most states rejected the revival argument, and many hold that necessity and proportionality govern the whole conflict.
Continuing threat	A series of attacks is treated as one continuing armed attack. Rebuilding the means of attack, by a state that has attacked repeatedly and says it will again, is part of that threat.	US Article 51 letters for the 1993 Baghdad strike (S/26003), the 2020 Soleimani strike (S/2020/20) and the 2024 strikes on the Houthis (S/2024/56). The ICJ assumed accumulation for argument's sake and still found no armed attack in para. 64 of <i>Oil Platforms</i> .	The ICJ reads necessity and proportionality strictly. The argument weakens the longer Iran holds fire.

Route	Argument	Precedent	Weakness
Executive precedent at home	Discrete strikes that serve a national interest and are limited in nature, scope and duration need no prior authorisation, even without an attack on US forces.	OLC opinions on Libya (1 April 2011) and Syria (31 May 2018); the War Powers letter of 23 June 2025 on the strikes on Iranian nuclear sites, for which no OLC opinion has been published	Executive opinions bind neither the courts nor Congress. A long series of rounds strains the limited-duration test.

The first route is the executive branch's stated position. It is contested abroad, no court has endorsed it, and who breached the ceasefire first is disputed. The paper presents it as the government's argument and not as settled law. A statute remains the only route that removes the doubt.

What an Iranian strike does and does not authorise.

- **Threshold:** the United States holds that any unlawful use of force may be answered in self-defence. The ICJ requires an attack of sufficient gravity (*Nicaragua*, paras. 191 and 195), though it accepted that an attack on a single warship might qualify (*Oil Platforms*, para. 72).
- **Whose right:** an attack on US forces or a US-flagged ship is an attack on the United States. An attack on another state's ship or territory gives that state the right, and the United States may act at its request.
- **Scope:** the response must be necessary, proportionate and aimed at military objectives. Iranian strikes on civilian ships or infrastructure do not license strikes on Iranian civilian infrastructure.

Measures at sea, diplomatic measures and NATO

At sea. The blockade satisfies most of the San Remo conditions on the face of its own instruments; effectiveness and the civilian-damage limit are the contested ones. A blockade must be declared and notified (para. 93), with its commencement, duration, location and extent stated (para. 94); it must be effective (para. 95) and impartial (para. 100); it must not bar access to neutral ports (para. 99); it must not be established for the sole purpose of starvation or where civilian damage is or may be expected to be excessive in relation to the military advantage (para. 102); and it must admit essential and medical supplies (paras. 103 to 104).

The operative instruments are a CENTCOM release of 12 April 2026 announcing enforcement from 13 April ([CENTCOM](#)), NAVCENT advisory notes published through UKMTO ([JMIC 002–26](#); [JMIC 003–26](#); [JMIC 015–26](#)), an advisory ending the first phase on 18 June ([JMIC 008–26](#)) and a CENTCOM release resuming enforcement from 14 July ([CENTCOM](#)).

No presidential proclamation, executive order or Federal Register instrument establishing the blockade exists: direct searches of the Federal Register and the Compilation of Presidential Documents on 4 October 2026 returned none. CENTCOM acted “in accordance with the President’s proclamation,” but the only presidential acts on record are a Truth Social post of 12 April announcing a blockade of “any and all

Ships trying to enter, or leave, the Strait of Hormuz” (American Presidency Project), narrowed to Iranian ports by CENTCOM’s release the same day, and later statements directing that the blockade continue (statement of 21 April). The measure therefore rests on a combatant command notice, which matters for the war-powers analysis above.

San Remo element	What the instruments and the record show	Status
Declared (paras. 93 to 94)	Commencement, location and extent published: enforcement in the Arabian Gulf, Gulf of Oman and Arabian Sea east of Hormuz (UKMTO 035–26), covering “the entirety of the Iranian coastline to include but not limited to ports and oil terminals.” No duration stated, which para. 94 requires, and no coordinates given; the coastline wording is JMIC 002–26’s, not the CENTCOM release’s	Satisfied in substance, save that no duration is stated
Notified (para. 93)	Published through an NGA navigational warning, UKMTO and JMIC advisories and flag-registry bulletins, with a grace period for neutral vessels to depart	Satisfied through maritime channels. No diplomatic note, IMO circular or Security Council letter located; the one US Article 51 letter, S/2026/161, dated 10 March and circulated 11 March, predates the blockade
Effective (para. 95)	CENTCOM reports more than 140 vessels redirected and nine disabled in the first phase. Lloyd’s List Intelligence counted at least 26 shadow-fleet vessels bypassing the line, more than 10 of them after the 16 April widening; Vortexa counted at least 34 Iran-linked vessels passing the line by 22 April (Bloomberg) or 35 transits (Reuters), with about 10.7 million barrels departing between 13 and 21 April	Contested. The Pentagon called the Lloyd’s List report false; no reply from Lloyd’s List was located
Impartial (para. 100)	“The blockade applies to all vessel traffic, regardless of flag,” enforced “impartially against vessels of all nations.” Enforcement has run against non-Iranian flags, including the Gambian-flagged M/V Lian Star	Satisfied on the face of the notices. Any exemption for one state’s cargo would defeat it
Open to humanitarian relief (paras. 103 to 104)	Food, medical supplies and “other goods essential for survival of the civilian populations” permitted subject to inspection, through a NAVCENT vetting process requiring 14 data items including the bill of lading. Approval is “at the discretion of the U.S. Navy.” CENTCOM reports 26 such vessels as of 23 May and more than 50 for the whole first phase to 18 June; no second-phase humanitarian count has been published	Satisfied on paper and thinly evidenced. The two throughput figures are unreconciled and no UN, ICRC, WFP or WHO assessment of humanitarian access inside Iran was found

A belligerent may visit, search, divert and capture, and may disable a merchant vessel that refuses after warning (San Remo Manual, paras. 67(a) and 98). Captured vessels and cargo are condemned through prize proceedings (10 U.S.C. §§ 8851 to 8881) or, where a US-law predicate such as a sanctions or material-support violation exists, civil forfeiture (18 U.S.C. § 981(a)(1)(C), (G)). The prize statute applies to

captures “during war” (§ 8851(a)); it requires no declaration, and *The Prize Cases* treated an undeclared conflict as war for prize purposes, but no US court has adjudicated a prize since 1945 and whether this conflict qualifies is untested.

A toll on Hormuz transit has no basis in IEEPA. *Learning Resources, Inc. v. Trump*, 607 U.S. ____ (2026), holds that IEEPA does not authorise tariffs, and its reasoning, that the power to regulate does not include the power to tax, reaches a revenue-raising toll by analogy; the transit-passage regime independently bars charges for passage. The July plan was dropped within a day ([Cronkite News](#)).

The overlay is not a blockade and needs its own basis. On 16 April the United States asserted a belligerent right to visit and search all Iranian vessels, vessels suspected of carrying contraband, and vessels under active OFAC sanctions, “regardless of location.” Nevitt separates these from the blockade and from each other: capture of Iranian-flagged vessels anywhere is enemy-vessel capture and lawful on that footing (San Remo Rule 135); global contraband interdiction has a possible basis but contested authority; and belligerent boarding on the strength of a Treasury designation “lacks a sound legal basis,” because “a Treasury Department designation is not a predicate for wartime boarding authority” ([Just Security](#), 1 May 2026).

The July notice drops OFAC-sanctioned vessels from that list, leaving Iranian vessels and suspected contraband carriers; no official explanation was given. On the published commentary, the port blockade is treated as lawful by Nevitt, by Huntley ([Lawfare](#), 21 April) and by Kraska ([NPR](#), 18 April); Jamshidi argues it is unlawful as a continuation of aggression and as excessive civilian damage under para. 102(b) ([The Nation](#), 17 April).

Nevitt also notes that the United States is observing a ceasefire while enforcing a blockade, “a belligerent wartime operation that has no legal basis in peacetime,” and that a blockade would normally end a ceasefire. The Hague Regulations treat an armistice as a suspension of operations that a serious violation entitles the other party to denounce (arts. 36 and 40), but they say nothing about maintaining a blockade while an armistice holds; that turns on the ceasefire’s own terms, and no court has addressed it.

Oil as contraband is the weakest link in the maritime case, and the revenue argument does not hang on it. The April notice (JMIC 002–26) lists crude oil as conditional contraband on the ground of its “contribution to Iran’s war-sustaining economy,” a category the San Remo Manual dropped and US doctrine retains (DoD Law of War Manual, § 15.12.1.1). By the notice’s own terms contraband is confined to goods whose “destination is the territory belonging to, or occupied by, Iran.” The listing therefore cannot reach Iran’s export earnings: an outbound cargo of Iranian crude is not contraband, and a neutral-flagged tanker carrying it is not liable to capture on that ground.

What reaches exports is the port blockade itself, which bars exit as well as entry and makes any vessel breaching it liable to capture whatever its flag or cargo (San Remo Manual, paras. 98 and 146(f)); beyond the line, the capture of Iranian-flagged tankers as enemy vessels (para. 135) and sanctions on buyers and carriers. The revenue mechanism in Sections 5 and 6 therefore rests on the blockade’s effectiveness (para. 95), which is contested, and not on the contraband list.

Nevitt calls the war-sustaining rationale for listing petroleum “remarkably broad”; Raina argues that enforcing a blockade worldwide would be “patently illegal” and that the war-sustaining-economy theory of contraband is “manifestly unlawful” ([Duke Lawfire](#), 2 June 2026). This paper does not rely on that theory here any more than in Section 4. The crude-oil listing bites, if at all, on crude and product imports into Iran, where Nevitt’s requirement of proof of military destination applies.

Resolution 1929 cannot carry the inspections. Its inspection provision reaches cargo “in their territory, including seaports and airports” (para. 14); high-seas inspections are permitted only “with the consent of the flag State” (para. 15); the prohibited items are nuclear, missile and arms-related, not oil; and the last preambular paragraph states that nothing in the resolution “compels States to take measures or actions exceeding the scope of this resolution, including the use of force or the threat of force” ([S/RES/1929](#)). The US notices do not invoke it. It can support consent-based or in-port proliferation inspections and nothing wider.

Its restored status is itself disputed. The UN records the resolutions as re-applied from 27 September 2025 ([Security Council, 2231 background](#)); Russia, China and Iran rejected the validity of the snapback when the Council failed to extend relief on 19 September 2025 ([SC/16175](#)).

Diplomatic and designation measures need no authority to use force. They include expelling diplomats (Vienna Convention on Diplomatic Relations, art. 9), the standing designations of the IRGC as a foreign terrorist organisation and of Iran as a state sponsor of terrorism, and pressing partners to downgrade relations and trade, as the UAE did on 19 August.

NATO Article 5 has not been invoked. Article 6 limits the attacks that count to those on members’ territory in Europe or North America, on Turkey, on their islands in the North Atlantic area north of the Tropic of Cancer, and on their forces, vessels or aircraft in or over those territories, the Mediterranean or the North Atlantic north of that line. Attacks on US bases in the Gulf fall outside it. A missile strike on Turkish territory would fall inside it; missiles intercepted in transit over Turkey are within the area but are not self-evidently an armed attack on Turkey, and Turkey did not seek Article 4 consultations.

Hard limits and enforcement

Hard limits, whatever the authority.

- No attack on civilian objects, or on water, food and medical supply (Additional Protocol I, arts. 52 and 54; San Remo Manual, paras. 102(a) and 103 to 104).
- No targeting of civilian workers who are not taking a direct part in hostilities.
- No attack expected to cause civilian harm excessive to the military advantage.
- No reprisals against civilians (Additional Protocol I, art. 51(6); General Assembly Resolution 2625).
- No toll or transit fee.
- No promise of permanent sanctions relief by executive action alone.

Enforcement is political, not judicial. No court is likely to rule on the war. US courts have dismissed such suits on standing and political-question grounds, and the ICC has no jurisdiction over nationals of non-party states without a Security Council referral.

The cost of weak legal footing is operational. The United Kingdom first limited its bases to defensive use and on 20 March approved strikes on missile sites targeting ships ([Reuters via US News](#)), and Spain refused base and airspace use ([Euronews, 24 Apr](#)). Third states resist secondary sanctions, and a settlement that rests on revocable waivers is less credible to Tehran.

What opposition is likely. Unified measures against the United States are not available under the Charter, because a permanent member can veto any binding decision of the Security Council. In this war the Council condemned Iran's attacks by 13–0–2, with China and Russia abstaining, and has adopted nothing against the United States. Earlier operations without Council authorisation followed the same pattern, criticism, in some cases a General Assembly vote, and no binding measure, as after Kosovo in 1999 (a draft demanding an end to NATO's use of force failed 3 to 12, SC/6659), Iraq in 2003 (no resolution or presidential statement, CRS RS21323) and Grenada in 1983 (a US veto of S/16077/Rev.1, then General Assembly Resolution 38/7, adopted 108 to 9 with 27 abstentions).

This is a fact about enforcement and not about legality. The Charter does not endorse these operations. It lacks the means to stop a permanent member. The costs arrive in other forms: allies that limit base access, states that decline to enforce secondary sanctions, and a precedent that other powers will cite for their own use of force.

Decision tree: Iranian choices, responses and results

Every choice open to Iran has a response the executive asserts to be lawful and a predictable result, and only settlement improves Iran's position. The tree gives the shape; the table below it is sequenced from the least to the most serious Iranian act, with settlement last. Each step gives the act on record, the case law and authority, the measures it opens, and the result.

decision tree · 4 Iranian choices, asserted response, result

Read each row left to right. The highlighted row is the only one that ends the decline.

Step: if Iran	Case law and authority	The United States may now	Result for Iran
1. Holds fire and refuses terms. On record: the conditions of 8 August.	Domestic: IEEPA, 50 U.S.C. § 1702. <i>Dames & Moore v. Regan</i> , 453 U.S. 654, 669–74 (1981), upheld the blocking and transfer of Iranian assets under IEEPA. International: <i>Nicaragua</i> (ICJ 1986), para. 245, economic measures do not breach the rule of non-intervention, though the Court found the 1985 embargo breached the bilateral FCN treaty (dispositif (10) to (11)); the restored Resolutions 1737 and 1929. Limits: <i>Learning Resources v. Trump</i> , 607 U.S. ____ (2026), IEEPA does not authorise tariffs. A blockade is a belligerent right and presumes a continuing armed conflict; absent that justification, the blockade of a state's ports or coasts by another state's armed forces is a listed act of aggression (General Assembly Resolution 3314 (XXIX), art. 3(c)).	Economic: primary and secondary sanctions and designations. Diplomatic: expulsions; pressing partners to cut trade. Resource: blockade and cargo inspection continue. Kinetic: nothing new.	Revenue stays at zero; reserves fall; winter shortages arrive.
2. Runs the blockade or ships prohibited cargo. On record: 125 vessels redirected by 30 September, and three disabled and two stopped and inspected by 23 August (CENTCOM; the 23 August figures relayed; Section 1).	Domestic: <i>The Prize Cases</i> , 67 U.S. (2 Black) 635, 665–66, 673–74 (1863), a neutral vessel with notice of a lawful blockade is liable to capture for attempting to pass it; prize statute, 10 U.S.C. §§ 8851 to 8881; civil forfeiture where a US-law predicate exists, 18 U.S.C. § 981(a)(1)(C), (G). International: San Remo Manual, paras. 98 and 146(f); Resolution 1929, para. 15. Limits: <i>Little v. Barreme</i> , 6 U.S. (2 Cranch) 170, 177–79 (1804), a seizure beyond what Congress allowed is unlawful. <i>The Peterhoff</i> , 72 U.S. (5 Wall.) 28, 50–56 (1866), a blockade does not reach neutral ports. The prize statute applies during war, which requires no declaration but is untested here.	Resource: redirect, board, disable after warning, capture. Forfeiture is the safer route for cargo that also breaches sanctions or arms-export law; prize is the only route for cargo whose sole vice is running the blockade. Economic: sanction owner, insurer and buyer.	No revenue; hulls and cargo lost; fewer carriers willing to try.
3. Reopens tunnels or rebuilds military plant without firing. On record: 50 of 69 entrances reopened by late May; US strikes resumed on 30 August.	The executive's position only: the Legal Adviser's release of 21 April 2026 treats the war as one continuing armed conflict, and OLC's Libya (2011) and Syria (2018) opinions permit limited strikes. No court or international body has endorsed this. Against: <i>Oil Platforms</i> (ICJ 2003), paras. 57 and 73, the state using force must prove an armed attack and strict necessity; <i>Nicaragua</i> , para. 195.	Kinetic: the executive asserts the right to reseal entrances and strike the repair effort and rebuilt plant. This is the step that most needs a statute. Economic: sanction suppliers of components.	Each repair takes longer; stockpiles stay out of reach. The strikes rest on executive authority alone: contested abroad and endorsed by no court.

Step: if Iran	Case law and authority	The United States may now	Result for Iran
4. Mines or attacks merchant shipping. On record: attacks on commercial vessels from July; crew killed on Emirati and Saudi tankers; a mine-laying attempt at Larak on 30 August.	International: <i>Corfu Channel</i> (ICJ 1949), pp. 22 and 28, a coastal state that knows of mines in its waters must notify shipping and warn approaching vessels, and in time of peace may not prohibit innocent passage through an international strait. <i>Nicaragua</i> , paras. 215 and 292(8), unnotified mining is unlawful. <i>Oil Platforms</i> , para. 72, mining one warship may be an armed attack. Resolution 2817, preamble (attacks and threats on merchant vessels) and paras. 7 and 8 (navigational rights; closing or obstructing Hormuz). Limits: <i>Oil Platforms</i> , para. 64, attacks on ships that are not US-flagged are not attacks on the United States; <i>Corfu Channel</i> , p. 35, sweeping mines in another state's waters without consent violates its sovereignty.	Kinetic: defend US-flagged ships; strike mine-laying and launch sites where necessary and proportionate. Resource: escort and mine clearance. Diplomatic: condemnation at the IMO and the Security Council.	Naval assets lost; its hold on the strait weakens further.
5. Attacks a partner's territory or infrastructure. On record: strikes on the Gulf states in March; missiles toward the UAE on 18 August.	International: UN Charter, art. 51. <i>Nicaragua</i> , paras. 195 and 199, the victim state must declare the attack and request help. The preamble of Resolution 2817 affirms self-defence against Iran's armed attacks on the Gulf states and Jordan. Domestic: Article II only; no authorisation statute is in force. Limit: proportionality (<i>Armed Activities</i> , ICJ 2005, para. 147).	Kinetic: defend the partner and strike the means of attack, on a documented request. Diplomatic: Council action; partner trade cut-offs. Economic: joint sanctions.	The same losses, and wider isolation. This is the best-supported step internationally.
6. Attacks US forces or US-flagged ships. On record: bases in Jordan on 30 to 31 August; ballistic missiles at US warships on 5 September.	International: UN Charter, art. 51; <i>Oil Platforms</i> , para. 72. Domestic: <i>The Prize Cases</i> , 67 U.S. (2 Black) 635, 668, 670 (1863), the President may resist force by force without waiting for Congress; 50 U.S.C. § 1541(c)(3), a statement of policy that names an attack on the armed forces but not on merchant ships. Limits: <i>Oil Platforms</i> , para. 57, the United States must prove Iranian responsibility; <i>Nicaragua</i> , para. 176, necessity and proportionality.	Kinetic: return fire; strike the attacking units and launchers; open a restrike round. The new 60-day period is the executive's reading, not the statute's text.	Launchers and units lost; a new round of compounding damage.

Step: if Iran	Case law and authority	The United States may now	Result for Iran
7. Moves toward a nuclear weapon. On record: 440.9 kg enriched up to 60% as of June 2025, unverified since; inspectors refused at the struck sites.	International: the restored Resolutions 1737 and 1929; IAEA report GOV/2025/50. <i>Nuclear Weapons</i> advisory opinion (ICJ 1996), para. 41, self-defence is bound by necessity and proportionality. Limits: possession or development of a weapon is not an armed attack (UN Charter, art. 51; <i>Nicaragua</i> , para. 195), and Article 51 does not permit force to protect perceived security interests beyond its terms (<i>Armed Activities</i> , para. 148); Resolution 487 (1981) condemned the strike on Osirak.	Diplomatic: IAEA Board finding and referral to the Council. Economic: full enforcement of the restored sanctions. Kinetic: only on a showing of imminent attack under art. 51, or on the contested continuing-conflict theory.	Risks its most valuable bargaining asset and unites the widest coalition against it.
8. Accepts terms and takes verified steps. On record: the conditional offer of late September.	Domestic: 42 U.S.C. § 2160e, any agreement with nuclear terms goes to Congress and relief from statutory sanctions waits out the 30-day review. <i>Dames & Moore</i> , 453 U.S. at 675–88, upheld a claims settlement with Iran on congressional acquiescence. International: Vienna Convention on the Law of Treaties, art. 52, a treaty procured by unlawful force is void. The United States is not a party but the rule is widely treated as customary.	Economic: relief step by step, waivers first. Resource: suspend the blockade. Diplomatic: guarantor and monitoring. Congress for permanent relief.	The decline stops only if relief is credible and delivered (Section 6). Exports can then return toward the pre-war 1.7 million b/d.

The steps are cumulative. Measures opened at a lower step stay available at every higher one, so pressure only increases as Iran's acts become more serious. Each step also carries a limiting case, and those limits define what the response may not do.

Article 52 of the Vienna Convention is a reason to rest the campaign on lawful self-defence. A settlement obtained by lawful force is valid. One obtained by unlawful force can be repudiated later.

Two branches carry risk for the United States. Holding fire is Iran's best alternative to settlement: it removes the strongest legal trigger and leaves the United States relying on the blockade, the instrument that most needs Congress. The nuclear branch is where the United States has the least law behind it and the most at stake, and both are reasons to secure a statute and keep the offer open.

Attacks by groups Iran arms and funds

Iran's support for the Houthis, Hezbollah and Hamas opens several measures at once. It opens force against Iran itself only on proof that Iran directed the attack.

Position	Authority	What it permits
Settled	Resolution 1373 (2001) binds every state not to support groups that commit terrorist acts. The IRGC is a designated foreign terrorist organisation, and the material-support statute was upheld in <i>Holder v. Humanitarian Law Project</i> , 561 U.S. 1 (2010). Resolution 2216 (2015) embargoes arms to the Houthis.	Sanctions and designations; interdiction and forfeiture of arms shipments; strikes on the groups themselves and on IRGC personnel operating with them, as in February 2024
Established in US courts	Iran has been held liable for attacks by groups it supports under the terrorism exception to sovereign immunity, then 28 U.S.C. § 1605(a)(7) and now § 1605A: <i>Flatow v. Islamic Republic of Iran</i> , 999 F. Supp. 1 (D.D.C. 1998); <i>Peterson v. Islamic Republic of Iran</i> , 264 F. Supp. 2d 46 (D.D.C. 2003)	A judicial record of Iran's responsibility, and claims against Iranian assets. These are civil findings and do not authorise force.
Contested	<i>Nicaragua</i> (ICJ 1986), paras. 115 and 195: arming and funding a group is unlawful, but it is not an armed attack, and the group's acts are the state's only under effective control. The United States reads responsibility more broadly.	Force on Iranian territory in answer to a proxy's attack. Evidence that Iran directed a specific attack closes the gap and places the case at step 5 or 6.

The gap matters less in this war than it did before it. Iran is now attacking directly, so steps 4 to 6 do not depend on proxy attribution. The proxy record carries most weight for sanctions, for striking the groups, and for proving intent.

Supporting the nuclear branch

A strike on the nuclear gate is discretionary at home and contested abroad, so its support has to be built before the decision is needed. The known facts justify pressure. Under the prevailing reading of the Charter they do not by themselves justify force.

What the known facts establish.

Fact	Supports	Does not support
440.9 kg enriched up to 60% as of June 2025, unverified since	A breach of the binding Council demands restored by snapback; sanctions and cargo inspection; the national-interest ground for presidential action	Force under Article 51 taken alone. Possession is not an armed attack.
Inspectors denied access to the struck sites	An IAEA Board finding of non-compliance and a report to the Security Council	The same
Sponsorship of armed groups; hostile acts and statements	Terrorism designations and sanctions; attribution of attacks by groups Iran directs; weight in judging intent	A standing right to strike. Past conduct and rhetoric are not an armed attack.

What does support action.

1. The existing armed conflict. Iran is already fighting the United States. Within the resumed conflict, sites that serve a weapons programme are military objectives, so the question becomes one of targeting law and not of preventive war. This is the strongest ground, and it depends on evidence of weapons purpose.
2. Imminence as Washington and London define it (White House, Report on the Legal and Policy Frameworks Guiding the United States' Use of Military Force, December 2016, p. 9; UK Attorney General Jeremy Wright, speech of 11 January 2017): the gravity of the threat, capability, stated intent, the pattern of attacks, and whether this is the last chance to act. A move to weapons-grade material during a war with the United States meets more of these tests than a peacetime programme.
3. A request from the states under threat, and regional endorsement. In 1962 the United States rested the Cuban quarantine on a resolution of the Organization of American States and not on anticipatory self-defence (OAS resolution of 23 October 1962, UN Doc. S/5193; Proclamation 3504; Chayes, Foreign Affairs, April 1963).
4. A conditional authorisation from Congress, passed before the gate is reached and naming the indicators.
5. A record of alternatives refused. A standing offer of IAEA custody or dilution of the stockpile makes the case that force was necessary.

Indicators that define the gate. They should be objective and published in advance: enrichment above 60%, movement or dispersal of the stockpile, weaponisation work, withdrawal from the Non-Proliferation Treaty, or expulsion of inspectors.

Precedent is divided. The Security Council condemned Israel's 1981 strike on Osirak unanimously, with the United States voting in favour (Resolution 487). Israel's 2007 strike on the Syrian reactor at Al Kibar drew little protest and was not debated in the Security Council (Spector and Cohen, Arms Control Today, July/August 2008). The June 2025 strikes on Iran remain contested. Evidence and preparation decided how each was received.

Limits. Targets are confined to weapons-related sites, with precautions against radiological release. The Bushehr power reactor is excluded, since nuclear generating stations have special protection (Additional Protocol I, art. 56).

8 Limits of the arguments, the facts and the actions

This section collects the limits stated across the paper in one place, in three parts: the arguments, the facts and the actions. Each entry says what the limit is and what it does to the conclusion.

Limits of the arguments

Strategic arguments.

The case has nine weaknesses. The second, fourth, sixth and ninth could reverse the conclusion; the others narrow it.

1. **Containment is not collapse.** Iraq survived thirteen years of comparable isolation. A month into this war the government was still suppressing protest ([Christian Science Monitor, 31 Mar](#)), and its security forces killed protesters at scale in January ([Fortune](#)). A government can lose a war and keep power. The expected outcome of this campaign is a settlement or a long stalemate, not a change of regime.
2. **The nuclear incentive rises as conventional options close.** The enriched uranium is unaccounted for. CSIS imagery shows a 2026 surge in activity at Pickaxe Mountain, which CSIS says could indicate centrifuge assembly, enrichment expansion or relocated weapons research, none confirmed ([CSIS, 9 Sep](#)); the IAEA Director General is reported to have said there is no evidence of active enrichment there ([Alma](#)). The predictions in Section 9 run to 31 March 2027, a window in which a breakout attempt cannot be excluded. The sequence in Section 3 does not solve this; only custody of the material does.
3. **Access denial holds only under continuous pressure.** Most entrances reopened in seven weeks once strikes paused. Drones, short-range and cruise missiles do not depend on tunnels, and unknown sites are untouched. Iran's targeting of US sites has become more effective, aided by intelligence from Chinese groups ([CNN, 25 Sep](#)).
4. **Interceptors are the scarce munition.** CSIS estimates about 65% of Patriot stocks expended and THAAD at about 250, with rebuild at three years or more; the pre-war THAAD figure is contested (Section 10). The White House reportedly called off strikes over the protection of US forces ([Christian Science Monitor](#)).
5. **The blockade leaks at the land borders.** Iran has land borders with seven states, trucks can move about 40,000 b/d, and enforcement of secondary sanctions depends on third countries. Leakage will not restore revenue, but it can sustain essential imports.
6. **American persistence is a political variable.** The Pentagon put the cost at \$43.6 billion as of 3 September: \$11.2 billion in operations and \$32.4 billion in unfunded replacement of munitions and equipment. The figure excludes damage to US bases ([Roll Call, 18 Sep](#)). Refined-product supply is still constrained, and an election falls on 3 November.
7. **The oil sector decays too slowly to matter.** Columbia's CGEP judges that shut-ins are unlikely to damage Iran's upstream permanently ([CGEP](#)). Mills expects prompt resumption at about 70% and most pre-war capacity back within a few months, and no public source quantifies a permanent loss (Section 4). The gas side does erode, because reinjection loses the allocation contest, but slowly and from a base already at a tenth to a seventh of what the fields need. Iran keeps the ability to recover most of its output once relieved, which is also what makes a settlement worth having.
8. **Law and legitimacy constrain the instruments.** The law of blockade requires passage of supplies essential to civilian survival (San Remo Manual, paras. 102 to 104). CENTCOM reported more than 50 humanitarian vessels passed in the first phase to 18 June; no second-phase count has been published ([CENTCOM, 13 Jul](#); [UANI, 25 Sep](#)). Strikes on dual-use infrastructure raise proportionality questions, the legality of the war's initiation is contested, and reported civilian deaths carry strategic cost.

9. The compounding mechanism has no observation. The one measured recovery interval, seven weeks for uncontested tunnel access, belongs to the class where d is near zero. No interval has been measured for import-dependent plant or for contested excavation, and leakage can sustain essential imports (limit 5). Until SP-2 resolves, compounding is a hypothesis, and the abstract and Section 6 are conditional on it.

Legal arguments. The paper relies on twelve legal positions that are contested or limited.

Argument	Who holds it	Limit
One armed conflict has continued since June 2025 and the ceasefire did not end it	Reed D. Rubinstein, then Legal Adviser, “Operation Epic Fury and International Law,” 21 April 2026	Contested abroad. No court has endorsed it. It conflicts with the statement of 1 May that hostilities had terminated.
A series of attacks is a continuing threat that permits further strikes	The same release, which calls for looking at “an ongoing series of attacks”	In <i>Oil Platforms</i> , para. 64, the ICJ took the incidents cumulatively and still found no armed attack, and it applies necessity strictly (paras. 73 and 76).
Each round of strikes starts a new 60-day period	Executive practice	The statute ties each period to a report of an introduction into hostilities (50 U.S.C. §§ 1543(a)(1), 1544(b)); whether a resumption after a pause is a new introduction is the contested step, and no court has decided it.
Enforcing a blockade with little exposure of US forces is not hostilities	Not asserted by the executive for this blockade; this paper’s extrapolation from the administration’s Libya position (White House report of 15 June 2011; Legal Adviser Koh’s testimony of 28 June 2011). The letter of 1 May instead says hostilities “terminated”	Contested. The blockade involves disabling and boarding vessels.
Arming and funding a group makes its attacks Iran’s own	United States, broadly	<i>Nicaragua</i> , para. 195, counts a group’s attacks as the state’s armed attack only where the state sent the group or was substantially involved; para. 115 requires effective control for responsibility.
Unified opposition to the United States is unlikely	This paper	A statement about enforcement. It says nothing about legality.

Argument	Who holds it	Limit
The port blockade denies Iran's export revenue	US notices; Secretary Rubio, 5 May 2026	Effectiveness is contested (Lloyd's List, Vortexa). The contraband list reaches only cargo destined for Iran and cannot support capture of outbound crude on neutral hulls; Nevitt calls its war-sustaining rationale remarkably broad and Raina calls that theory manifestly unlawful.
The blockade was validly established	Executive branch	No proclamation, executive order or Federal Register instrument was located. The authority traces to a combatant command notice citing a presidential social-media announcement of wider scope.
The blockade is effective, as San Remo para. 95 requires	CENTCOM enforcement tallies	Lloyd's List Intelligence counted at least 26 vessels bypassing the line and Vortexa at least 34. Effectiveness is a condition of lawfulness, not only an operational measure.
A blockade may be enforced while a ceasefire holds	Executive practice	Nevitt notes the tension directly. Hague IV arts. 36 and 40 govern the suspension and denunciation of an armistice but are silent on blockade; the question turns on the ceasefire's terms, and no court or international body has addressed it.
The blockade and the global interdiction are lawful	Military notices, the Secretary of State's remarks of 5 May 2026 and published commentary	The executive's legal rationale of 21 April 2026 does not mention the blockade, contraband, or visit and search. The only executive statement on the blockade is the Secretary of State's of 5 May 2026, calling it "not an act of war" but "a defensive measure"; no Legal Adviser or OLC theory has been published.
Iran supplies the legal ground for the rounds that cost it most	This paper	Requires Iranian fire after 7 to 8 July to be a fresh trigger, while the blockade and the restrikes on rebuilding rest on one continuous conflict since June 2025. If the conflict is continuous, it opened with a US strike that no Iranian armed attack preceded, and Iranian fire within it is not a new armed attack on the United States. The paper runs both readings; its recommendation is secure only on the first.

Limits of the facts

Fact relied on	Limit
Iran breached the ceasefire in July	Disputed. The President's letter of 10 July reports Iranian attacks on neutral shipping on 6 to 7 July and US action from 7 July; Iran says the United States breached the memorandum first. The paper does not assert either as fact.
Iran attacked US forces and shipping	The attacks came in wartime, not peacetime. Reported exchanges fell in late September. No record was found of a ballistic missile fired at Europe.

Fact relied on	Limit
Tunnel entrances reopen in seven weeks	One observation, made when the excavation was uncontested, at 18 known facilities.
Recovery takes 3, then 5 to 6, then 7 to 8 months	The author's planning assumption. It has not been observed.
Launchers destroyed	Sources conflict: about 200 destroyed and 80 inoperable, against US assessments in May that about 70% remained.
Enriched uranium stockpile	440.9 kg is the IAEA's estimate as of 13 June 2025. Nothing has been verified since.
Renewed strikes would answer an Iranian threat	Reporting ties their timing to the November elections, and Iran has made a proposal.
Economic indicators	Taken from secondary reporting on 3 October, some of it from advocacy sources.
Legal citations	Cite-checked against primary texts on 3 and 4 October. Section 10 lists what remains unopened and what was corrected.

Limits of the actions

Action	What it may not do	Why
Sanctions	Impose a tariff, toll or fee. Lift statutory sanctions permanently.	<i>Learning Resources v. Trump</i> (2026) for tariffs and by analogy for tolls and fees; the sanctions statutes
Blockade	Bar humanitarian cargo. Reach neutral ports. Operate worldwide as a blockade. Rely on prize condemnation with confidence.	San Remo Manual, paras. 102 to 104; <i>The Peterhoff</i> ; the prize statute applies during war
Interdiction	Board on the high seas outside the blockade without the flag state's consent	Resolution 1929, para. 15
Self-defence strikes	Go beyond the units and means of the attack. Disregard necessity and proportionality. Omit the 48-hour report.	UN Charter, art. 51; <i>Oil Platforms</i> , paras. 73 to 77; 50 U.S.C. § 1543
Defence of partners	Act without the partner's request	<i>Nicaragua</i> , para. 199
Restrikes on rebuilding	Claim settled legal authority. Continue past the War Powers period as of right.	The executive's position only; 50 U.S.C. § 1544(b), whose 30-day extension requires a written certification
Recovery-chain strikes	Reach roads, fuel or equipment that do not serve a military site. Target civilian workers.	Additional Protocol I, arts. 51(3) and 52(2)

Action	What it may not do	Why
Strikes at the nuclear gate	Proceed on prevention alone. Strike the Bushehr power reactor.	UN Charter, art. 51; Additional Protocol I, art. 56
Settlement	Promise permanent relief. Bypass review by Congress. Rest on unlawful force.	The sanctions statutes; 42 U.S.C. § 2160e; Vienna Convention on the Law of Treaties, art. 52
Any use of force without Congress	Run past about 7 to 8 September without a certification, or about 7 to 8 October with one, on the statute's terms	50 U.S.C. § 1544(b)

The opposing view

The central objection is that the credible-offer condition cannot be met. A campaign calibrated to produce settlement, conducted by an administration whose stated objective at the outset was regime change, will be read in Tehran as regime change whatever the term sheet says. On that reading the condition Section 6 sets, that Tehran believe compliance ends the pressure, is not merely unmet today but unsatisfiable in practice, and the recommendation fails on its own terms. The paper's own record supports the objection: the war began during negotiations; the June memorandum collapsed with responsibility disputed; relief the President can give alone is revocable; and the stated objective has shifted but has not been renounced.

The paper's answer is narrower than a rebuttal. The condition is unsatisfiable only while both objectives are pursued together, which is the Conclusion's point; it can be met by a public act that is costly to reverse: a term sheet that states the survival of the Iranian state as a term of settlement, transmitted to Congress under 42 U.S.C. § 2160e so that the commitment carries a congressional record, and a first tranche that executes without a further presidential decision. If no such act is forthcoming, the objection stands, the campaign's expected outcome is the stalemate limit 1 describes, and the recommendation is conditional on that act; SP-6 tests it.

A reader who weighs these limits differently will reach a different conclusion. The strongest opposing view on costs is that the campaign hardens Iranian resolve, accelerates the nuclear decision and spends American readiness needed elsewhere, for an outcome that negotiation in February might have reached at lower cost.

The published coercion literature supports that reader. Pape would classify the campaign as punishment: the measured costs are revenue, inflation and heating shortages, and the denial elements leave launch capacity suppressed rather than defeated and the nuclear hedge untouched. Sechser finds that compellent threats by far stronger states fail because the target expects compliance to invite further demands ("Goliath's Curse," *International Organization* 64:4, 2010), and the record here, regime change declared, strikes during negotiations, a collapsed memorandum and unsoftened demands, is the pattern he describes.

Drezner finds that adversaries with high conflict expectations will not concede what will be used against them later (*The Sanctions Paradox*, 1999). The paper's answer to all three is the credible-offer condition, which the central objection says cannot be met without the act described above.

Four findings could reverse the recommendation.

Finding	Why it could reverse the recommendation	Evidence that would move the author
The nuclear incentive	Conventional defeat raises the value of a weapon. If Tehran chooses breakout over settlement, pressure has produced the outcome it was meant to prevent.	Any indicator at the Section 7 gate, or no Iranian offer covering the stockpile by 31 March 2027 (SP-3)
The interceptor constraint	The coalition may be unable to defend bases and shipping through repeated rounds. CSIS estimates about 65% of Patriot stocks expended (Defense News, 30 Jul); THAAD inventory figures conflict (Section 10) and the rebuild estimate is three years or more.	Strikes called off again over force protection, or successful Iranian attacks rising from round to round
The unverified stockpile	The paper treats 440.9 kg as a bargaining asset. If the material has been moved, divided or further enriched, terms built on custody fail.	An IAEA finding of diversion or of enrichment above 60%, or continued refusal of access after a settlement offer
The credible-offer condition	If no public act commits the United States to the survival of the Iranian state, Tehran's rational response is to endure and the expected outcome is stalemate, not settlement.	No term sheet stating the survival of the state as a term by 31 March 2027 (SP-6), or rejection of an Iranian offer that includes IAEA custody of the stockpile

If two of the four are observed, the case shifts from continued pressure to settlement on narrower terms.

9 Standing predictions

Seven dated predictions follow from the argument, each with the observation that would falsify it. SP-6 tests whether the credible-offer condition in Section 8 is met.

ID	Prediction	Resolves	Falsified by
SP-1	Iranian crude loadings average below 100,000 b/d in every full calendar month from September 2026 in which the blockade is in force	31 March 2027	Any such month at or above 100,000 b/d in Kpler or Vortexa data. Confirmation does not establish causation; the discriminator is floating-storage drawdown and Chinese independent-refiner imports of Iranian grades in the same month
SP-2	If entrances are resealed and excavation is contested, fewer than half are reopened seven weeks after sealing	Seven weeks after the next sealing round	Imagery analysis showing half or more reopened

ID	Prediction	Resolves	Falsified by
SP-3	Iran tables or accepts an offer that includes IAEA custody, dilution or export of the 60% stockpile	31 March 2027	No such offer by that date
SP-4	Less than half of the 230 million m ³ /d of lost gas processing (MEES, 31 Jul; RFE/RL, 17 Aug) is restored	31 March 2027	Credible reporting of 115 million m ³ /d or more restored
SP-5a	The Islamic Republic remains in power	31 March 2027	Removal of the leadership by any means
SP-5b	If the war terminates in this period, it terminates by agreement	31 March 2027, conditional on termination occurring	Termination by capitulation, collapse or unilateral withdrawal. A war that continues past the date neither confirms nor falsifies it
SP-6	The United States publishes a term sheet that states the survival of the Iranian state as a term of settlement	31 March 2027	No such publication by that date. Falsification confirms the central objection in Section 8

SP-2 tests the compounding claim for access, where Section 4 judged it weakest. SP-5a and SP-5b record that this paper predicts settlement or stalemate, not collapse; SP-5b is conditional so that a war that merely continues does not confirm it. SP-6 tests whether the credible-offer condition is met.

Conclusion: the campaign does not deliver regime change

The campaign in this paper contains Iran. It does not remove the government. If regime change is the objective, the campaign falls short of it.

The stated objective. The President called for regime change when the war began (CNN, 28 Feb; Washington Post, 28 Feb). The administration's stated aims have shifted since (NPR, 25 Mar). Members of Congress have relayed four narrower aims: destroy the missile force and its industry, destroy the navy, end attacks by Iran's proxies, and deny Iran a nuclear weapon (Rep. Graves, 6 Mar).

What follows. The author's assessment is that the gap drives the campaign. Containment does not reach the objective, so the United States will keep choosing, round by round, to destroy Iran's defence industry and its capacity to rebuild its missile, launch and enrichment programmes. Section 3 describes the sequence, which continues for as long as the objective stands.

Three consequences.

1. The campaign has no end state. Blockade and air power have not removed a government whose security forces hold (Section 8). The rounds can continue without reaching the objective.
2. The settlement argument weakens. A threat coerces only if compliance ends the pain (Section 2). If Tehran believes the aim is its removal, it has no reason to settle, and the case in Section 6 fails.
3. The legal footing narrows. Self-defence covers ending attacks and the means of attack (Section 7). It does not cover changing a government.

The choice. Washington has to decide which objective governs. Settlement requires assuring Tehran that compliance preserves the state. Regime change requires an internal fracture that strikes cannot guarantee, or a ground commitment this paper excludes. Pursued together, each undercuts the other.

The recovery-chain target set remains limited to links identified as serving military sites (Section 4). Widening it to the civilian economy would be unlawful under Additional Protocol I, art. 52(2), and would forfeit the settlement the campaign exists to produce.

Scope. This paper assesses the missile and nuclear programmes only, and makes no claim about Iranian capability in any other weapon category. Where that boundary falls is worth stating, because it is a limit on the campaign and not only on the paper.

Verification is available for one weapon category and not the other. The nuclear claims in this paper rest on a measured quantity. The IAEA reports Iran's enriched uranium in kilograms at stated enrichment levels under a safeguards agreement, which is what makes the standing predictions in Section 9 and the verification record in Section 10 testable. No equivalent instrument exists for the biological question.

The most recent published US intelligence judgment is narrow and retrospective: the 2026 Annual Threat Assessment states that, "Prior to Operation Epic Fury," Iran "was non-compliant with its Chemical Weapons Convention obligations" and "had not abandoned its intention to conduct R&D of biological agents and toxins for offensive purposes" (ODNI, 18 March 2026, p. 18). That is a judgment about intent and research, in the past tense. It is not a finding of possession, stockpile or delivery capability, and this paper does not extend it to one.

The treaty regime supplies nothing further. The Biological Weapons Convention has no verification protocol; Ad Hoc Group negotiations ran from January 1995 to July 2001 (Arms Control Association) and ended when the United States rejected the draft on 25 July 2001 (Arms Control Association, 1 September 2001). Confidence-building measures are national reports due each year by 15 April, which states parties may restrict to other states parties rather than publish (UNODA; BWC CBM portal); in 2025 they were filed by 67 states parties by the deadline and by 102 as of 15 August (BWC Implementation Support Unit, August 2025). Compliance and verification remain one of three unresolved clusters before the Working Group on the Strengthening of the Convention, whose tenth and final session falls in December 2026 (UNIDIR, 2 October 2026).

What the asymmetry costs the argument. Not that the biological question belongs inside this campaign; it does not. What it costs is the claim that resolving the nuclear file resolves the problem. The paper's position is conditional and rests on the published record alone: if the intelligence community's judgment is accurate, the United States has identified a risk of at least the same order as the one it is prosecuting, and has confronted it with nothing.

The Office of Technology Assessment stated the comparison in 1993 and hedged it carefully. Biological weapons, it found, “are so potent that under conditions favorable to the attacker, they can kill as many people as comparably sized nuclear weapons, potentially making them extremely dangerous as a strategic or terrorist weapon against dense population centers” (OTA-ISC-559, pp. 8 to 9), and “in principle,” efficiently delivered agents “would, pound for pound of weapon, exceed the killing power of nuclear weapons” (ch. 2, p. 52). The WMD Commission reached the adjacent conclusion in 2008: “terrorists are more likely to be able to obtain and use a biological weapon than a nuclear weapon” (*World at Risk*, p. xv).

The comparison is contested and this paper does not assert the high casualty estimates. Ben Ouagrham-Gormley's *Barriers to Bioweapons* (2014) argues that the barriers to entry for the two weapon types differ so much that they should not be equated (the formulation is Philip Egert's, reviewing the book for H-Diplo/ISSF; the Cornell edition was not reached); Stern holds that “ideal conditions are unlikely to prevail in the field, making the actual results of a BW attack uncertain” (*International Security* 27:3, p. 101); Leitenberg finds aerosolised production of the relevant pathogens “far beyond the current or near-term capabilities of any identified international terrorist group” (SSI, December 2005, p. 43). The conditional survives that dispute, because it does not require the worst case; it requires only that the risk be of a comparable order, which even the critics concede in the state-programme case they are not addressing.

The United States has no instrument to confirm it or to degrade it. That is the operative asymmetry, and it runs in both directions. On confirmation: the nuclear file has inspectors, declared sites and a stockpile measured in kilograms, and the 2001 collapse left the Biological Weapons Convention with no protocol, no inspection right and no declared baseline.

On degradation: enrichment is targetable because it is industrial, fixed and distinctive, and biological production is none of those things. The OTA found that “virtually all the equipment underlying production of biological and toxin agents has civil applications” (p. 6), that “clandestine production sites need not be large or distinctive” and that “offensive work can be conducted under the guise of defensive preparations” (p. 7), and put a facility sufficient for a large arsenal at under \$10 million against roughly \$200 million for the cheapest overt nuclear route (Table 1–1, pp. 10–11). The 2026 Annual Threat Assessment makes the same point about current state programmes, which are “pursuing advanced technologies to develop military capabilities, such as novel industrial processes and bioenergy sources, which may also support the creation of antiagriculture, antimaterial, and antipersonnel agents” (ODNI, p. 19).

The inference this paper draws from those findings, and marks as its own rather than as sourced, is that the sequence in Sections 3 and 4 has no biological analogue. There is no Fordow to seal and no stockpile to trade, because nothing of the kind has been located, and no instrument exists that could locate it.

What follows. A settlement on these terms would leave Washington holding a verified answer on uranium and no means of putting the same question anywhere else. Saying so costs the argument nothing; not saying so costs it the part that matters.

A government that demands verification where verification exists, and states plainly where it does not, keeps the standing to demand it later; a government that presents the file it can measure as the whole of the threat forfeits that standing in advance, and forfeits with it the ability to reduce a harm it has never confronted. The paper stops here. What lies past this point requires evidence it does not have, and the absence of that evidence is the finding rather than the excuse.

10 Verification record

This section records how v0.3 was verified: what was checked against primary texts, what was corrected, and what remained open at release. Most figures come from secondary reporting gathered on 3 October 2026 and were re-verified against primary documents on 4 and 5 October; the legal section was cite-checked on the same dates. A language model was used for source verification and for the formatting of this paper.

Version trail. v0.2.1: editorial review (war cost, inflation series, blockade tally, Security Council vote and launcher assessment corrected; Wikipedia citations removed). v0.2.2: the oil claims (Section 4, Idleness alone) and the biological-verification claims (Conclusion) cite-checked. v0.2.3: the blockade-instrument claims cite-checked (Section 7, Measures at sea) and the Legal Adviser’s release of 21 April engaged. v0.2.4: the 4 October verification of sources and legal citations against primary texts. v0.2.5: the author’s decisions of 4 October applied (edits 1 to 12 below), the blockade-enforcement count moved from the Section 1 table to a note, and the working notes removed from the body. v0.3 (5 October, released): CENTCOM’s post of 30 September and the War Powers letter of 1 May opened, the 125-vessel count restored to the Section 1 table on CENTCOM’s own post, the World at Risk page settled, the historical precedents sourced, the four remaining author decisions closed, and a fourth limit added to the abstract so that it states, as limit 9 does, that the compounding claim rests on a single measured interval and is tested by SP-2. The paper was retitled from “Settlement Now: Why Iran’s Bargaining Range Shrinks Under Blockade and Restrike” on 5 October 2026; no text other than the title and this entry changed.

Release standard for v0.3, and how far it was met.



Every number in the Section 1 table cites a primary document or a named data provider. Met: the enforcement count now rests on CENTCOM’s own post; the Wall Street Journal relays in the table name Kpler as the data provider.



Every relay is replaced by the original report. Not fully met at release. Open: the Wall Street Journal (7 Sep, 26 Sep, 1 Oct, and the reports behind Dawn and Alma), the New York Times (12 May, read in its licensed reprint), Bloomberg (1 Oct), the Statistical Centre of Iran releases, and CENTCOM's 23 August post. Each is identified below by original URL, and each figure carried from it is attributed in the text to the relay.

-  Every source located by headline is opened and read, except CNN and the Washington Post of 28 February on the war's stated objectives and CNBC of 8 August, 26 September and 30 September (blocked), whose facts are carried by NPR, Representative Graves, Time and Al Jazeera, which were opened.
-  Each legal pinpoint listed as unopened is checked or removed. Met on 4 and 5 October; Albright's statement of 27 June 1993 is not quoted.
-  The recovery schedule stays labelled as assumed.

Known conflicts between sources.

- Launchers: the IDF reports about 200 of an estimated 470 destroyed and 80 made inoperable. US assessments reported on 12 May put about 70% of mobile launchers and missiles as retained. The two are not reconciled.
- THAAD pre-war inventory: CSIS's pre-war estimate is 452 (Cancian and Park, 27 July 2026, via CNN, 4 Aug, and Stars and Stripes, 30 Jul). 534 is CSIS/Rumbaugh's count of deliveries through mid-2023 (5 December 2025), before the June 2025 expenditures. 360, previously listed as a CSIS US figure, is the 2017 Saudi order in both CSIS texts and is discarded. The remaining stock is CSIS's: about 250 (Army Recognition) or 234 to 278 (Defense News).
- South Pars: early reports put the loss at 12% of gas output (Stimson, March 2026, after the 18 March strike); MEES (31 July) and the Iranian Petroleum Industry Federation (18 August) put the cumulative loss at 35% and one-third. The 12% is a first-strike figure; the paper carries the cumulative one.
- Islamabad Talks: Al Jazeera and Time (12 April) both give 11 to 12 April. No opened source gives 12 to 13 April, which are the dates of CENTCOM's blockade release and enforcement start. Resolved: 11 to 12 April.
- July ceasefire: the President's letter of 10 July (H. Doc. 119–169) reports Iranian attacks on neutral-flagged vessels on 6 to 7 July and US action from 7 July; Iran's foreign ministry says the United States breached the memorandum first (Al Jazeera, 17 Aug). An earlier version of this bullet had the letter's sequence reversed; corrected 4 October.
- Floating storage: three relays of the Wall Street Journal report of 7 September (Ynet, RFE/RL, Fortune 3 Oct) give exhaustion as mid-October and the end of payments as mid-December; IranWire gives late October and late December. The WSJ text could not be opened. The paper carries "mid to late."

- Carrier arrival: AP reports three carriers as early as the end of October; the Wall Street Journal (via relays) reports the full force by the end of November. Both stand.
- Gulf crude exports: Kpler (29 Sep) counts crude excluding Iran at 16.5 million b/d, the pre-war average, and 91% including Iran. Reuters (28 Sep, citing Kpler) puts crude from seven countries including Iran at 12.8 million b/d against 18.8 in February, about 68%; Euronews (29 Sep, citing Kpler) gives 16.3 against 19.5, about 84%; the IEA puts total Gulf oil exports in August near half the pre-war level. The editorial review's figure of 72% appears in none of these.
- Gas reinjection: CGEP puts actual volumes at 30 to 37 mcm/d, about 10 to 12% of requirement. The EIA reports 0.6 Tcf reinjected in 2023, about 46 mcm/d, which is nearer 15%. The paper carries the range rather than either figure.
- Iran's pre-sanctions production peak: the frequently quoted 3.8 million b/d for 2017 and 2018 could not be confirmed from a primary source, so the 2018 to 2020 recovery is measured from the sourced 2020 trough rather than from a peak.
- Humanitarian throughput: CENTCOM reports 26 vetted vessels as of 23 May and more than 50 for the first phase to 18 June (releases of 23 May and 13 July). No second-phase humanitarian count has been published; UANI's figure of 25 September repeats the first-phase wording. Limit 8 corrected.
- Blockade effectiveness: CENTCOM reports more than 140 vessels redirected and nine disabled in the first phase. Lloyd's List Intelligence counted at least 26 shadow-fleet vessels bypassing the line, more than 10 of them after the 16 April widening (the earlier "12" is not in the visible text). Vortexa's count is reported as at least 34 Iran-linked vessels (Bloomberg, 22 Apr) and 35 transits (Reuters, 23 Apr), with about 10.7 million barrels departing between 13 and 21 April. The Pentagon called the Lloyd's List report false (SAN, 23 Apr); no Lloyd's List reply was found, and the clause "Lloyd's List stood by it" is removed.
- Second-phase enforcement tallies: CENTCOM's figures after 14 July exist only as posts on X. The post of 30 September was opened on 5 October and confirms 125 redirected, with no disabled or inspected figures; the earlier posts are carried through relays (Stars and Stripes 11 Aug: 55 redirected, 3 disabled, 2 stopped and inspected; IranWire 24 Aug, opened: 70 "diverted," 3 disabled, 2 "stopped and inspected"; UANI 25 Sep: 122/3/2; Middle East Eye and TASS 30 Sep: 125 redirected). CENTCOM's word is "inspected," not "boarded," and the paper uses it. The three-disabled and two-inspected figures date from 23 August; UANI attaches them to 30 September without a source. The 125 count is in the Section 1 table on CENTCOM's own post; the 23 August figures are in a note under it and marked as relayed at Step 2.
- First-phase end date: CENTCOM (13 July release) and JMIC 008-26 give 18 June; no opened source gives 29 May. Resolved: 18 June.
- Midterms and the carriers: The National (1 Oct) does not say officials signalled no major combat operations before 3 November; the Wall Street Journal (26 Sep, via relays) reports the President told aides he expects a renewed bombing campaign after the midterms. Section 5 corrected.

- Oil Platforms, para. 64: the paper previously said the Court “declined to treat” the incidents cumulatively. The judgment says that “even taken cumulatively” they did not amount to an armed attack. Corrected in four places on 4 October.
- Powell (2006): cited for the proposition that the declining side’s obtainable terms fall with its capability (pp. 180 to 181), which the text supports. His commitment result also predicts that a declining state fights on when the rising state cannot bind itself, which Section 6 states without attribution. Resolved 4 October: the attribution is added in Sections 2 and 6 (edit 11).

Resolved in v0.2.1 to v0.2.3.

- v0.2.1. War cost: the \$113 billion figure was an unattributed extrapolation and is removed. The Pentagon’s \$43.6 billion replaces it.
- v0.2.1. Inflation: the series is now named and the Wikipedia citation is gone.
- v0.2.1. The blockade tally, the Security Council vote and the launcher assessment are corrected.
- v0.2.1. The Wikipedia timeline is no longer cited anywhere in the paper.
- v0.2.2. Whether idleness alone damages Iran’s oil infrastructure. It does not. The reservoirs survive a shut-in, the erosion runs through gas allocation rather than reservoir physics, and no source quantifies a permanent loss. Section 4 carries the finding; Section 6 and limit 7 were corrected to match.
- v0.2.2. Whether the Conclusion can close on the verification asymmetry between the nuclear and biological files. It can, on the published record alone: the ODNI judgment on Iranian biological R&D intent and the structural absence of any BWC verification instrument. It cannot assert capability, stockpile or delivery, and does not.
- v0.2.3. Whether to engage the executive’s own published legal rationale. Read and engaged in Section 7. The Legal Adviser’s release of 21 April 2026 supports the continuity argument, asserts accumulation in terms, and is silent on the blockade, contraband, visit and search and civilian harm. Both halves are in the text. In the same version the blockade’s instruments (the CENTCOM releases of 12 April and 13 July; JMIC 002–26, 008–26 and 015–26; UKMTO 035–26) were opened and the San Remo element-by-element table built.

Resolved in v0.2.4 (4 October verification pass).

- Oil Platforms, para. 64, corrected in four places (Section 7 twice, the closing-the-gap table, Section 8).
- The Legal Adviser’s release: “no requirement” (not “no legal requirement”); “own inherent right”; an ellipsis on the accumulation quotation, whose source is Taft, 29 Yale J. Int’l L. 295 (2004), release n. 7; the authorities named as the Law of War Manual § 3.8.1, the ICRC standard, Egan (2016), Taft (2004) and Bethlehem (2012); Rubinstein described as then Legal Adviser (Brock D. Dahl since 15 June 2026). The release’s statement that the United States “does not rely on a theory of imminence” added.
- The executive’s silence on the blockade confirmed through 4 October for the Legal Adviser’s releases, the Digest of US Practice (current volume 2023), OLC (no 2026 opinion on Iran; latest entry 17

September) and the Security Council record (no US letter after S/2026/161). Secretary Rubio's remarks of 5 May 2026 ("not an act of war; a defensive measure") added as the only executive statement on the blockade. The State Department release of 29 July (designations "support the U.S. Navy's enforcement of a blockade") and the White House release of 28 August (effectiveness claim) are noted and not relied on.

- War Powers: the letters opened (H. Docs. 119–139, 119–162, 119–167, 119–169, 119–183). The 2 March letter is classified under § 4(a)(3) and 4(b); the 10 July letter is a § 4(b) further-action update reporting US action from 7 July; the 1 May letter was read through press quotation because the PDF is image-only. The clock computation restated: 60 days from the earlier of submission and the required date; the 30-day extension only on a written certification, none reported. H.Con.Res. 86 (vote 184, 50 to 48) and H.Con.Res. 89 (vote 244, 49 to 50) identified; INS v. Chadha and 50 U.S.C. § 1546a added. Pub. L. 119–60 (18 December 2025) identified for the AUMF repeals; section number not retrieved.
- Learning Resources, 607 U.S. ____ (2026): the holding is tariffs only; tolls and fees follow by analogy. Six places corrected.
- 42 U.S.C. § 2160e: reaches agreements relating to the nuclear programme, holds back statutory sanctions relief only, for a 30-day review. Four places corrected.
- 18 U.S.C. § 981: requires a sanctions, terrorism or arms-export predicate; blockade-running alone is a prize matter. Four places corrected.
- 50 U.S.C. § 1541(c)(3) names attacks on the armed forces, not merchant ships (Step 6). § 3093(c)(5) and (e)(2) and 10 U.S.C. § 130f pinpointed.
- Prize: § 8851(a) "during war" requires no declaration; The Prize Cases pinpoints 665 to 666 and 673 to 674 (blockade) and 668 and 670 (President); Little v. Barreme 177 to 179; The Peterhoff 50 to 56; Dames & Moore 669 to 674 and 675 to 688; Youngstown 635 to 638 (Jackson, J., concurring). The Springbok removed from Sources (not used in the text).
- The Libya "not hostilities" position attributed to the White House report of 15 June 2011 and the Legal Adviser's testimony of 28 June 2011, not the 1 April 2011 OLC opinion; the paper now says it has not been asserted for this blockade.
- San Remo: para. 93 (declare and notify) and para. 94 (contents, including duration) relabelled; paras. 99 and 102 added to the conditions; para. 146(f) pinpointed; paras. 67(a) and 98 cited for disabling after warning.
- Hague IV arts. 36 and 40 do not govern a blockade during an armistice; two places corrected; "serious" violation restored.
- Nicaragua para. 195 does not reach weapons development; Step 7 now cites art. 51, para. 195 and Armed Activities para. 148. Para. 115 (effective control, responsibility) distinguished from para. 195 (sending or substantial involvement, armed attack). Para. 245 carries the FCN-treaty caveat. Para. 194 and Armed Activities para. 143 cited for the ICJ's reservation on anticipatory self-defence.

- Corfu Channel pp. 22 and 28 restated: duty to notify and warn once the state knows of the mines; peacetime innocent passage.
- Resolution 2817: adopted 11 March 2026, 13 to 0 to 2; it does not mention mines; Step 4 corrected. Resolution 1929 cited to docs.un.org; the snapback dispute sourced to SC/16175 and the Security Council's 2231 page.
- North Atlantic Treaty art. 6 restated; a missile intercepted over Turkey is within the area but not self-evidently an armed attack on Turkey.
- Additional Protocol I art. 52(2) paraphrase completed ("in the circumstances ruling at the time"; the 52(3) presumption); DoD Law of War Manual §§ 5.6.3 and 5.6.6.2 distinguished; arts. 54 and 51(6) and GA 2625 added to the hard limits.
- General Assembly Resolution 3314 (XXIX), art. 3(c), added at Step 1; read in the UN Audiovisual Library's procedural history, the resolution's own PDF being robots-blocked.
- Three-phases table: S/2026/161 is dated 10 March and circulated 11 March; its stated basis is the ongoing armed conflict and collective self-defence of Israel; the "preventive theory" is the critics' reading. The 10 July letter's sequence (Iranian attacks on shipping 6 to 7 July, US action from 7 July) corrected in the table, the facts table and Known conflicts.
- Blockade instruments: no proclamation exists (searches listed below); the Truth Social post of 12 April located (American Presidency Project; posting times given as Pacific, evidence indicates Eastern); DCPD-202600248 (12 April remarks) and DCPD-202600279 (21 April statement directing the blockade to continue) located; the CENTCOM 12 April URL corrected to the PUBLIC-RELEASES path; JMIC 003–26 retrieved and its 14 data items and "at the discretion of the US Navy" confirmed; JMIC 006–26 and 007–26 located; the coastline quotation attributed to JMIC 002–26, not the CENTCOM release; the Gulf of Oman and Arabian Sea description attributed to UKMTO 035–26.
- News corrections: US strikes resumed 30 August, with further strikes 1 September (AP, Finley); UAE trade halt 19 August (UAE Ministry of Foreign Affairs release); UK bases report is Reuters (MacAskill), not AP; Section 5 midterms row; Dawn's 50,000 is the regional total; Iran International is dated 18 September and carries 230 million m³/d only; Limit 2 (Pickaxe Mountain, CSIS 9 Sep); Limit 8 (humanitarian count is first-phase); the September proposal includes release of about \$12 billion in frozen assets and oil-sanctions relief (Al Jazeera, 26 Sep and 2 Oct; CBS).
- Fox News Digital original (Lachter, 29 Sep) replaces the RedState relay. It rests mainly on unnamed sources inside Iran, with Mehdi Ghadimi, the NCRI and Iran International named; Fox states it has not independently confirmed the claims.
- Conclusion citations: Stern p. 101; the OTA words "pound for pound of weapon" restored inside the quotation; the OTA quotation cited to p. 9 sits at p. 8 or 9 (extraction passes split; now cited pp. 8 to 9); Ben Ouaghran-Gormley re-attributed to Egert's review; "189 states parties" removed (not in the ISU slides); 25 July 2001 cited to ACA, 1 September 2001; the "politically rather than legally binding"

clause removed (no opened source states it); ODNI pp. 18 and 19 confirmed, with “Prior to Operation Epic Fury” as the document’s own text, and the adversary-alignment quotation at p. 20.

- SSRN 7506619 confirmed: “Asymmetric Denial: The Cost-exchange Structure of the Blockade Phase of the 2026 Iran War, and How it is Made and Kept Favorable to the United States,” Collin B. George, Sanctir, LLC, written 19 September 2026, posted 23 September 2026, 45 pp. The abstract page carries no author note or disclosure text; the Disclosures language must be taken from the PDF.
- China’s objection: FMPRC transcripts of 14 April 2026 (Guo Jiakun: “a targeted blockade ... a dangerous and irresponsible move”) and 14 July 2026 (Lin Jian) located. The “no Security Council mandate” claim traces to the 16 April remarks on sanctions, not the blockade, and stays unused.
- Theory page references: Pape 1997 pp. 92 and 106 (5 of 115 cases); Fearon 1995 pp. 381 to 382 and 395; Powell 2006 pp. 169 and 180 to 181; Zartman, “Ripeness: The Hurting Stalemate and Beyond” (2000), p. 228, for the hurting stalemate and the way out; Schelling p. 74 via a footnoted secondary; Pape 1996 pp. 13 and 19 to 20 via secondaries (chapter 2, not chapter 1). The primary texts of Pape 1996, Schelling 1966 and Zartman 1989 could not be opened.
- GA 2625 (XXV) opened: “States have a duty to refrain from acts of reprisal involving the use of force.” The Introduction’s reprisal sentence is the paper’s application of the rule; Nicaragua para. 191 adopts the sentence.

Sources: originals reached and not reached.

- Originals that could not be opened from the verification environment on 4 October (wsj.com, nytimes.com, bloomberg.com, apnews.com, cnn.com, cnbc.com, usnews.com, washingtonpost.com, globalsecurity.org, x.com and the archive services are blocked or paywalled): the Wall Street Journal of 7 September (Kantchev and Said, “Iran’s Oil Dollars Are Drying Up and Plunging It Deeper Into Crisis”), of 26 September (the rejected proposal), of 1 October (third carrier) and the WSJ reports behind Dawn and Alma; the New York Times of 12 May (Entous, Haberman and Swan; read in the Inquirer’s licensed reprint); Bloomberg of 1 October (read through a Japanese reprint; the 1.7 million b/d pre-war figure is Kpler’s, 29 Sep); AP originals, read as verbatim wire copies (Karimi, 7 Sep, via Yahoo; Finley, 1 Sep, via ABC7; Toropin, Price and Madhani, 1 Oct, via Fortune); CNN of 28 February, 30 August and 31 May (the 31 May figures confirmed via Times of Israel, the 30 August exchange via Al Jazeera and Fox); CNN of 4 August and 25 September, read as verbatim affiliate copies; CNBC of 8 August, 26 September and 30 September; the Washington Post of 28 February; RFE/RL of 17 August (the Afazali statement reached via IranWire, 18 Aug).
- The inflation figures are the Statistical Centre of Iran’s, read through IranWire. The Centre’s release pages (amar.org.ir) could not be opened; AP (7 Sep) independently reports “about 67%” annual inflation from the Centre for the preceding month.
- Opened on 4 October and confirmed as used: Al-Monitor (Hegseth, 13 Aug), Euronews 19 Aug, Axios 25 Aug, Time 10 Aug, Dawn 3 Sep, The National 2 Sep, Christian Science Monitor 31 Mar and 17 Aug, NPR 25 Mar, Rep. Graves 6 Mar, Fortune 23 Mar, Roll Call 18 Sep, Defense News 30 Jul, Army

Recognition, CSIS (27 May; 27 Jul summary; 5 Dec 2025; 9 Sep), Times of Israel 23 Apr, MEES 31 Jul (preview), Iran International 18 Sep, Kpler 29 Sep, Gulf News 2 Oct, IEA Oil Market Report September, Investing.com 30 Sep, Capital Economics (meta-description), Alanchand, UANI 25 Sep and 2 Oct, JINSA April 2026, Alma 16 Sep, Fox News Digital 29 Sep.

- UANI, JINSA and the Alma Center are advocacy or affiliated research bodies. Traced: JINSA supports only the HEU and Hormuz rows of the Section 6 table and cites IAEA GOV/2026/8 (27 February 2026), which could not be opened (HTTP 402); Alma's Pickaxe Mountain claim traces to CSIS (9 Sep), whose own assessment the paper now carries; Alma's missile-production claim traces to a WSJ report that could not be opened; UANI's enforcement figures trace to CENTCOM posts on X that could not be opened.
- GOV/2026/50 and GOV/2026/8 could not be opened. The stockpile figure is cited to GOV/2025/50, which was opened and confirmed.
- The radar-rebuilding target of 30 August to 1 September, removed in v0.2.1 for want of a named source, now has one: AP (Finley, 1 Sep) quotes the President, "They tried to rebuild their radar because they can't see anything. We waited until it was almost built and then we hit it." Not reinstated in the text; available to the author.
- No presidential proclamation, executive order or Federal Register instrument establishing the blockade exists. Searches run 4 October: Federal Register API, term "Iran blockade" (0 results), "Iranian ports" (0), "Strait of Hormuz" (4, none relevant), "blockade" (9, none relevant); Iran presidential documents since 1 February 2026 (7: EO 14382, the national-emergency continuation, the NDAA § 1245 determination and four unrelated items, none mentioning the blockade); all presidential documents since 1 February 2026 (189, none on the blockade); proclamations 10 April to 15 May (8) and executive orders 1 April to 1 August (19), none on Iran; Compilation of Presidential Documents DCPD-202600245 to -295 probed. CENTCOM's releases of 12 April and 23 May say "in accordance with the President's proclamation" and "following a presidential proclamation"; no such instrument is published. The finding is conclusive for the published record.
- The NGA navigational warning could not be located: NGA MSI API queries (navArea P; 2026; active and cancelled; subregions 62 and 63) returned empty or stale results, and the NAVAREA IX mirror shows no blockade warning. UKMTO 035-26 and Liberia MSB 07/2026 refer to a forthcoming notice without giving its number. Still open; the Notified row of the San Remo table rests on UKMTO, JMIC and flag-registry notices.
- CENTCOM second-phase tallies exist only on X; see Known conflicts.
- SSRN 7506619 confirmed; the Disclosures language is to be taken from the companion paper's PDF.
- The paper's CENTCOM 12 April URL returned 403; the PUBLIC-RELEASES path is substituted.

Qualified and resolved points.

- Theory citations: page references located for Pape 1997, Fearon, Powell and Zartman (2000); Schelling p. 74 and Pape 1996 pp. 13 and 19 to 20 rest on footnoted secondaries. The Hufbauer rate is confirmed: 34%, or 70 of 204 observations drawn from 174 cases. Zartman’s “way out” formulation is from his 2000 chapter, not the 1989 edition; Sources updated.
- The cross-reference to Asymmetric Denial: the SSRN number is confirmed and its abstract states a US cost of about \$55 billion a year against Iranian exhaustion of accessible foreign exchange within about a year, which is the claim the paper relies on; the ledger itself was not re-opened.
- The late-September Iranian proposal is described from Al Jazeera (26 Sep and 2 Oct) and CBS; the Wall Street Journal original could not be opened and the proposal’s text is not public.
- Four oil and gas figures were discarded for want of a named source: 80% gas-injection dependence at Gachsaran and Bibi Hakimeh; an annual decline rate of 4 to 12%, which traces only to unattributed trade press against an attributed 8 to 11% from Iran’s oil ministry; and recovery bands of 75 to 85, 90 to 95 and 92 to 97% of pre-shut-in capacity, none of which appears in any source reached.
- No source reached quantifies a permanent non-recoverable share of oil capacity lost to a year or more of idleness. Venezuela’s return to about 85% of pre-strike output within a year of the 2002 strike is the only sourced figure with a stated horizon, and it is confounded by the mass dismissal of PDVSA’s technical staff.
- Mills’s estimate of about 70% prompt resumption is used in Sections 4 and 6, but its own stated support is a social-media post rather than a derivation.
- The SPE commentary on long-term shut-ins does not address naturally fractured carbonates, condensate banking in carbonates, or gas-oil gravity drainage. No source was found on gravity-drainage behaviour during shut-in or on restart, so the paper makes no claim about it.
- “Operation Epic Fury” is the 2026 Annual Threat Assessment’s own term of reference. The operation began on 28 February 2026 (Section 1) and the Assessment was published on 18 March 2026, so the past tense of its Iran biological judgment is the document’s own; confirmed at p. 18 on 4 October.
- The 2026 Annual Threat Assessment reverses the 2025 edition on adversary alignment, holding that the concept “overstates the depth of cooperation that is currently occurring” and that the relationships are “limited and primarily bilateral” (p. 20). No argument in this paper rests on adversary alignment.
- The Conclusion cites the OTA report’s prose, not its lethal-area figures. Figure 2–1 on p. 53 is an image and could not be read row by row; its caption identifies the scenario as neither best nor worst case and does not label a separate favourable-weather scenario. The frequently quoted pairing of 1 to 3 million anthrax deaths against 570,000 to 1.9 million from a one-megaton weapon comes from a NATO Parliamentary Assembly paper reproducing OTA data; its description of the 1 to 3 million figure as a best-case weather scenario could not be checked against the figure. Neither figure is used.

- World at Risk: the sentence on relative likelihood is confirmed verbatim at p. xv of the executive summary (PDF page 15 of the ABSA mirror, read on 5 October; the previously cited URLs failed). The same sentence appears at p. 3 of the Commission's 2009 progress report, *The Clock is Ticking*, which is a different document.
- The claim that no biological equivalent of a fixed enrichment site exists to strike is the author's inference from the OTA's detection findings. It is marked as such in the text. No source was located that states the military-strike corollary.
- The Ben Ouaghrham-Gormley sentence is Philip Egert's paraphrase in an H-Diplo and ISSF roundtable on Barriers to Bioweapons, not the author's words; the Cornell edition and her 2012 International Security article could not be opened. Re-attributed in the text on 4 October.
- No published critic of the OTA lethal-area model by name was located. The critics cited attack the adjacent literature on worst-case bioterrorism modelling and the bio-equals-nuclear equation, not the OTA figures themselves.
- The cost comparison between low-cost munitions and repair equipment in Section 4 is marked in the text as this paper's assessment and refers to the companion paper's cost ledger; no unit costs are given here.
- Additional Protocol I, art. 52(2), checked against the ICRC text and the DoD Law of War Manual (§§ 5.6.3 and 5.6.6.2) on 4 October; Section 4 corrected. The United States is not a party and reads "military action" to include war-sustaining capability, a reading many states reject.
- Section 7's 2026 facts: the War Powers report dates now come from the House Documents; the Senate votes from senate.gov roll calls 184 and 244; the AUMF repeal from Pub. L. 119–60 (section number not retrieved); Learning Resources from the slip opinion; the Article 51 letter from the Just Security copy of S/2026/161. Still secondary: the toll plan (Cronkite News) and Spain's basing refusal (Euronews); the UK decision is Reuters.
- The War Powers letters of 10 July (H. Doc. 119–169) and 1 May were opened. The 1 May letter (image-only PDF, read on 5 October) is addressed "Dear Mr. President," reports "changes in the posture of United States Forces in the United States Central Command Area of Responsibility," is sent "consistent with the War Powers Resolution (Public Law 93–148)," states that "The hostilities that began on February 28, 2026, have terminated," invokes the President's "constitutional authority to conduct United States foreign relations and as Commander in Chief and Chief Executive," refers posture changes to a classified attachment, and does not mention the blockade.
- Statutory and treaty citations opened on 3 and 4 October: 50 U.S.C. §§ 1541, 1543, 1544, 1546a, 1547, 1702, 3093; 10 U.S.C. §§ 130f, 8851, 8852; 18 U.S.C. §§ 981, 1956; 42 U.S.C. § 2160e; 28 U.S.C. § 1605A; North Atlantic Treaty arts. 5 and 6; Vienna Convention on Diplomatic Relations art. 9; Vienna Convention on the Law of Treaties art. 52.
- Closing-the-gap precedents, sourced 5 October: the US Article 51 letters S/26003 (26 June 1993), S/2020/20 (8 January 2020) and S/2024/56 (12 January 2024; the UK letter is S/2024/55); the no-fly-

zone and Desert Fox justifications from CRS IB94049 (2002) and the UK Ministry of Defence briefing to the Iraq Inquiry (2009). The no-fly zones rested on Resolution 688 and the Safwan accords for the United States and on humanitarian necessity and self-defence of aircraft for the United Kingdom; Desert Fox on Resolutions 1154 and 1205 reviving 678. The closing-the-gap table is corrected to match.

- Nuclear-branch precedents, sourced 5 October: Resolution 487 (adopted unanimously, 19 June 1981); the OAS resolution of 23 October 1962 (UN Doc. S/5193), Proclamation 3504 and Chayes, “Law and the Quarantine of Cuba,” *Foreign Affairs* (April 1963); the reaction to Al Kibar (Spector and Cohen, *Arms Control Today*, July/August 2008); imminence (White House legal and policy frameworks report, December 2016, p. 9; UK Attorney General Jeremy Wright, 11 January 2017). GOV/2026/8 and GOV/2026/50 could not be opened; the stockpile figure stays cited to GOV/2025/50.
- Section 7 cite-check status, 4 October: confirmed against the text are Nicaragua, Oil Platforms (the para. 64 characterisation corrected), Corfu Channel, Armed Activities and Nuclear Weapons; the covert-action and prize statutes; Resolutions 2817, 1929, 487, 1373, 2216, 1737, 678 and 687; the IAEA stockpile figure; the U.S. Reports pinpoints for Youngstown, The Prize Cases, Dames & Moore, *Little v. Barreme* and *The Peterhoff*; Holder, Flatow and Peterson; the San Remo Manual; Additional Protocol I; the Hague Regulations; the Vienna Conventions; General Assembly Resolutions 2625 and 3314; the OLC opinions of 2011 and 2018. The 1 May letter, the Article 51 letters of 1993, 2020 and 2024, and the 1962 OAS resolution were opened on 5 October. Who breached the ceasefire first on 6 to 8 July remains disputed; the 10 July letter puts Iranian attacks on shipping first.
- The Introduction’s statement that a delayed strike on unrelated targets is a reprisal rests on the Charter and on General Assembly Resolution 2625 (1970), opened 4 October: “States have a duty to refrain from acts of reprisal involving the use of force.” The Declaration does not define reprisal; the sentence is the paper’s application of the rule, which Nicaragua, para. 191, adopts.
- Likely opposition, sourced 5 October: Kosovo (draft S/1999/328 failed 3 to 12, UN press release SC/6659, 26 March 1999); Iraq 2003 (no resolution or presidential statement, CRS RS21323); Grenada (US veto of S/16077/Rev.1, S/PV.2491; General Assembly Resolution 38/7, 108 to 9 with 27 abstentions per the UN Chronicle).
- Preparation time, sourced 5 October: Resolution 502 (3 April 1982), the task force sailing on 5 April and the San Carlos landings on 21 May (National Army Museum); Resolution 678 (29 November 1990) with its 15 January deadline and the air campaign of 16 January 1991 (President Bush, address of 16 January 1991). The text is corrected to these dates.
- Limit 2’s “eighteen months” horizon was anchored to no figure in the paper. Replaced on 5 October with the Section 9 window to 31 March 2027, within which a breakout attempt cannot be excluded.
- Exports “of up to 1.7 million b/d” on relief overstated the prompt return: production is near domestic demand and Mills expects about 70% of capacity promptly. Replaced on 5 October in the Section 6 table and Step 8 with exports returning “toward the pre-war 1.7 million b/d.”

- Accessible reserves: Capital Economics' estimate of three months of imports dates from late April; the period has passed and the current level is unknown. Section 5 so states; the paper draws no inference from the lapse.
- SP-1 as originally written was falsified by the August loading figure of about 250,000 b/d with the blockade in force from 14 July; re-based on 4 October to full calendar months from September 2026 (edit 9).

Author decisions.

- ☐ Confirm or amend the recovery schedule of 3, 5 to 6, and 7 to 8 months.
- ☐ Confirm or amend the six proposals in Section 6.
- ☐ Confirm or amend predictions SP-1 to SP-5.
- ☐ Add the author's note, language-model disclosure and conflict-of-interest statement used in the companion paper. Closed 5 October: the SSRN page of Asymmetric Denial carries no such text, and the series governance documents (Style Guide v3; SAM-01) set no standard disclosure language. The Disclosures section of this paper is adopted as the series text, to be carried into the next revision of Asymmetric Denial if its PDF differs.
- ☐ Confirm the conditional wording of the long-run trajectory in Section 4. The draft does not state that recovery is impossible or that decline is guaranteed.
- ☐ Confirm that the recovery-chain target set stays limited to links serving military sites.
- ☐ Confirm the three reversal findings in Section 8 and the evidence stated for each.
- ☐ Confirm the new title.
- ☐ Confirm the Conclusion, in particular the statement that pursuing settlement and regime change together undercuts both.
- ☐ Confirm the Conclusion's two closing paragraphs on verification asymmetry, including the decision to quote the 2026 Annual Threat Assessment with its "Prior to Operation Epic Fury" prefix intact rather than as a current-state finding.
- ☐ Confirm or amend the funding and financial-interests sentence in Disclosures. If the author holds energy, defence or Gulf-exposed positions, directly or through managed accounts, disclose them. A

paper arguing for the maritime interdiction of a major oil exporter, published under the author's name, invites the question whether it is answered or not.

- ☐ Decide whether to engage the State Department Legal Adviser's April 2026 release in Section 7 rather than citing around it. It is the executive's own published rationale and the strongest authority for the paper's position; leaving it unaddressed reads as avoidance.

Edits from the 4 October review, approved by the author on 4 October and applied (v0.2.5).

- ☐ 1. Section 6, proposal 5: mediation is not guarantee; downgrade to a mediator with standing in both capitals or specify the guarantee.
- ☐ 2. Section 6, proposals 3 and 6: add a sequencing sentence (cure period; violation finding by the monitor) so automatic relief and automatic snapback do not oscillate.
- ☐ 3. SP-5: split into SP-5a (survival) and SP-5b (termination by agreement, conditional on termination).
- ☐ 4. SP-1: add a discriminator (floating-storage drawdown; buyer behaviour) or state that confirmation does not establish causation.
- ☐ 5. SP-4: cite the 230 million m³/d baseline (MEES, 31 Jul; RFE/RL, 17 Aug).
- ☐ 6. Section 8, interceptor reversal row: attribute the 65% to CSIS via Defense News and mark the THAAD inventory as contested.
- ☐ 7. Conclusion: restate the recovery-chain target-set limit.
- ☐ 8. Section 8: add the central objection (an administration whose stated objective is regime change cannot make a credible settlement offer, so the Section 6 condition is unsatisfiable in practice) and the paper's answer.
- ☐ 9. SP-1: re-base to full calendar months from September 2026; as written it is falsified by August loadings of about 250,000 b/d.
- ☐ 10. Section 7 contraband paragraph and the matching Section 8 row: the contraband list reaches only cargo destined for Iran and cannot support capture of outbound crude on neutral hulls; the revenue mechanism rests on the blockade's effectiveness (San Remo para. 95), not on the list.
- ☐ 11. Sections 2 and 6: attribute the commitment problem to Powell (2006) and state that his result cuts both ways here.



12. Section 8, from the hostile review: (a) the compounding mechanism has no observation in any asset class; (b) the legal framing runs continuity and discontinuity at once; (c) the recommendation in the case where Congress does not act by 8 October; (d) Pape’s classification of the campaign as punishment, and the Sechser and Drezner commitment objections; and the decision-tree headline (“a response the executive asserts to be lawful”).

The author also confirmed on 4 October: the recovery schedule of 3, 5 to 6 and 7 to 8 months; the six proposals as amended by edits 1 and 2; SP-1 to SP-5 as amended by edits 3, 4, 5 and 9; the conditional wording of the long-run trajectory; the recovery-chain target-set limit; the reversal findings as amended by edit 6 and extended by edit 8; the title; the Conclusion; the two closing paragraphs with the “Prior to Operation Epic Fury” prefix intact; the funding and financial-interests sentence; and the abstract’s condition, narrowed to “as a settlement term” to match Section 8. On 5 October SP-6 was retained, limit 2’s horizon and the 1.7 million b/d export figure were amended (below), and the Disclosures text drafted for this paper was adopted in place of the companion paper’s, whose SSRN page carries none.

DISCLOSURE

Disclosures

Affiliation. The author is the sole principal of Sanctir LLC, an independent national security compliance consultancy (Redmond, Washington; CAGE 22H91). The views are the author’s alone and represent no client, agency or institution.

Funding and interests. No funding was received for this paper from any government, contractor, advocacy organisation or other party with an interest in its subject matter. The author holds no financial position whose value depends on the policies this paper evaluates. *See Section 10 for the record of this confirmation.*

Sources and method. The paper rests entirely on open sources. No classified or otherwise controlled information informed it, and no information obtained through prior government service was used. Every factual claim is cited to a document that was opened and read, or is identified in Section 10 as unverified, relayed or discarded. Where sources conflict, both figures are given rather than one chosen silently.

Drafting. A language model was used for source verification and for the formatting of this paper. Every citation was checked against the primary document, and each check that failed is recorded in Section 10, including figures removed for want of a named source. The analysis, the argument and the text are the author’s, and responsibility for the content is the author’s.

As of. The paper states the record as of 5 October 2026; the indicators in Section 1 were gathered on 3 October and verified on 4 and 5 October. The conflict and the blockade are ongoing, and developments after that date are not reflected.

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SUGGESTED CITATION

George, Collin B. *Iran's Declining Bargaining Range: Denial, Blockade and Restrike in the 2026 War*. Working paper, WP-2026 series, version 0.3. Sanctir LLC, 5 October 2026.

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