

Yes, the Minab school case investigation is “complex”

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In the war against Iran, U.S. forces struck over [13,660 targets](#), but attention has focused on the allegation that one of those strikes hit the Shajareh Tayyebbeh Elementary School, which was located on an [“active IRGC \[Islamic Revolutionary Guard Corps\] cruise missile base.”](#) Sadly, scores of civilian deaths, many of them children, resulted.

This tragedy clearly requires a thorough, objective, and independent investigation. The Pentagon [reported](#) in March that one is underway and it’s led by a “U.S. general officer from outside of U.S. Central Command, which is overseeing operations against Iran.” The Secretary of War adds, correctly in my experience, that “[s]uch a move is typically taken by the U.S. military to ensure greater independence for investigators.”

The Secretary of War said the “command investigation will take as long as necessary to address all the matters surrounding this incident.” In testimony before Congress in mid-May, Admiral [Brad Cooper](#), who commands U.S. forces in the Middle East, told lawmakers questioning him that the investigation into the Minab school case was [“complex”](#) and not yet complete.

The notion that an investigation in the midst of ongoing combat operations and involving, as Admiral Cooper pointed out, a building on an [“active IRGC \[Islamic Revolutionary Guard Corps\] cruise missile base,”](#) could be “complex” and lengthy seems to befuddle not just some in Congress, but also the media, pundits, and academics.



Despite the absence of key facts, many critics are nevertheless casting war crime allegations.

Too many people apparently think everything that needs to be known about the case is, as one collection of self-described “international law experts,” [put it](#), “[easily accessible](#) [from] [online information](#) and commercially available satellite imagery.”

The reality is that figuring out the cause of this heartbreaking tragedy may be harder than it evidently appears to those already convinced they have the all answers before all the questions are addressed. An old military axiom warns to [be wary of first reports as they are usually wrong](#). That's worth remembering.

The purpose of this post is not to exonerate or condemn anyone with respect to this tragedy, nor is it an exhaustive discussion of “all the matters” the investigation may need to address. Rather, it aims to illustrate why a meticulous investigation is required before drawing conclusions and, particularly, why getting that kind of a thorough examination is, as Admiral Cooper said, a complex process.

Was the building exclusively a “girls” school? Were the casualties “mainly schoolgirls”?

The *New York Times* has preened about its supposed “verification” of various “facts” about the incident, including repeatedly claiming it was a “girls’ school” (see e.g., [here](#) and [here](#)). It also insisted there were [175 deaths](#).

The [UN](#), citing its own “experts,” also insisted that it was a “girls’ primary school,” and further asserted that “at least 165 schoolgirls” were killed. This claim was picked up by academics who declared the victims were “[mainly schoolgirls](#)” and who were also saying, as recently as May 25th – that the strike “[killed almost 200 Iranian girls](#).”

How accurate were they? Decide for yourself, but if Amnesty International’s 16 March account is to be believed, it was *not* exclusively a “girls” school, but rather one that “[\[b\]oth girls and boys attended...and were taught on separate floors](#).” This could be why the *Los Angeles Times* [reported](#) on May 6th that Iranian authorities concluded that a significant majority of the students who died were, in fact, *boys*:

Iranian state media have put the death toll at 168 or higher, but Ebrahim Taheri, the prosecutor of Minab, provided a breakdown of the [156 deaths](#) local authorities counted.

Among the students, there were [73 boys and 47 girls](#). All 26 teachers were women. Also counted were seven parents, a school bus driver, a pharmacy technician from an adjacent clinic and the 6-month-old fetus Shahriyari had been carrying.

One would hope that the loss of schoolboys would be equally saddening, but it does seem the constant references to “girls’ school” and “schoolgirls” are

deliberately intended to heap additional emotionalism to what is already a profoundly heartrending incident.

What are some of factors could have contributed to misidentification of the building?

As Admiral Cooper pointed out, the Iranians chose to locate the school on an [“active IRGC \[Islamic Revolutionary Guard Corps\] cruise missile base.”](#) (And there is no evidence that the IRGC ever forfeited its jurisdiction over the site.)

The school had previously not been just any building on the cruise missile base, but instead it had been a significant *military* one. Amnesty International [points out](#):

According to Shiva Amelirad, the school building previously served as the **command headquarters of this IRGC compound** before being converted into a school several years ago. Amnesty International has **not been able to determine the date on which the building was converted into a school.** (Emphasis added.)

Another source claims [“\[o\]n certain maps, the site of the school is marked as the ‘Sayyid al-Shuhada Barracks’.”](#)

A wall does not signify a school

[Human Rights Watch \(HRW\)](#) claims the school was “walled off” from the base, but it would hardly be surprising that a military organization would construct a barrier to secure a sensitive command headquarters, even within a military base. **In other words, a wall doesn’t automatically signal that the building within the now fully enclosed compound is necessarily a non-military building, not to mention a school.**

In fact, it might be interpreted as a blast wall meant to shield a key facility like a command headquarters from explosions occurring in the base’s interior. Such blast walls were found on the *interiors* of many U.S. bases in the Middle East and they had did not have watch towers. (Some critics claim that the absence of watch towers on the Minab walls showed the building to be a school).

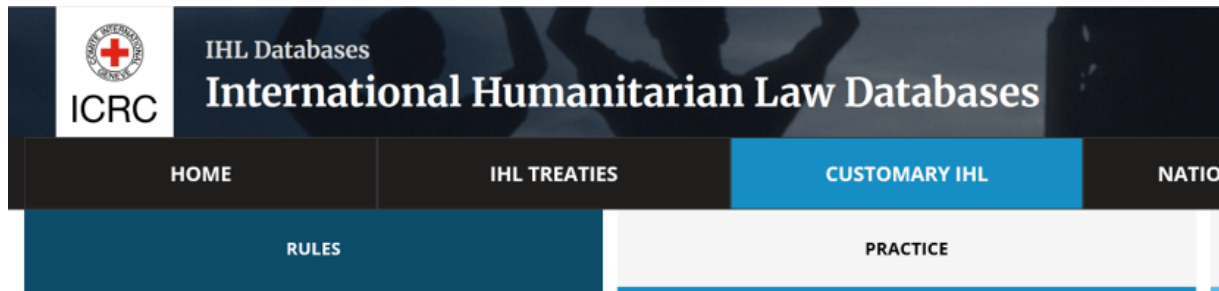
Yes, there are schools on U.S. bases, but I never heard of one that had been a command headquarters, nor one surrounded by concrete, military-style walls. If the investigation confirms HRW claims, the existence of the wall might actually *support* the reasonableness of a belief that the building was still a command headquarters.

What else might cause the school to be mistaken for a lawful target? Amnesty says the school was attended by the children of IRGC personnel. Thus, if **uniformed IRGC people were seen entering then leaving what had been the the IRGC’s**

command headquarters and that could invite observers to conclude it still had that military use.

Did Iran violate international law with respect to the school and its students?

The unique circumstance of the conversion of a command headquarters into a school raises other questions. Specifically, the International Committee of the Red Cross (ICRC) cites the following as a [“norm of customary international law applicable in international...armed conflicts.”](#)



Rule 24.

Removal of Civilians and Civilian Objects from the Vicinity of Military Objectives

Rule 24. Each party to the conflict must, to the extent feasible, remove civilian persons and objects under its control from the vicinity of military objectives.

No evidence exists or is even suggested that it wasn't "feasible" for Iran to remove the children from the base itself and, more than that, from the *vicinity* of a base that was a lawful [military objective](#). By using a former command headquarters as a school, the Iranians arguably knew or reasonably should have known that the children could be imperiled in the event of conflict.

After all, as one scholar [puts it](#):

“Authorities defending urban areas often find themselves in a better position to protect the civilian population than the attacking party. They may have at their disposal more comprehensive information about the location of civilians. They should have a better understanding of civilian needs and infrastructure vulnerabilities.”

Notably, international law generally permits a naval base to be treated as a single lawful target. This is why the [Department of Defense Law of War Manual](#) (§ 5.6.4) “categorically” recognizes certain locations as lawful military objectives as a whole, including “military bases, such as army, air, and naval bases ... whether used for training, billeting, or staging, or offensive or defensive purposes.”

Iran's militarization of schoolchildren

A further complicator that might have understandably confused targeteers is that Iran has long-militarized children, particularly into the Basij Resistance Force. It is [“a volunteer paramilitary organization operating under the Islamic Revolutionary Guards Corps \(IRGC\)”](#) and [“include\[s\] women as well as men, old as well as young.”](#)

In **2018** the U.S. warned that Basij militia’s [“activities include indoctrinating schoolchildren and providing combat training to children as young as 12-years-old.”](#) Indeed, Iranian schoolboys have been seen wearing [military-style uniforms](#).)

Consequently, the investigation needs to determine whether Basij militiamen trainers were active at the school, to include whether *combat training was ever conducted there as it might help to explain why targeteers did not understand it to be an elementary school building.*

There is no question that Iranians are willing to militarize their children. The BBC [reported](#) in March that Iran was using children in security roles, and this resulted in the death of an **11-year-old manning a checkpoint**. Amnesty International says:

On 26 March 2026, a deputy of the IRGC Mohammad Rasoul Allah Corps of Greater Tehran, Rahim Nadali, [announced](#) that a recruitment campaign called the **“Homeland-Defending Combatants for Iran”** is **“open to volunteers”** aged 12 and above, encouraging registrations at Basij bases in mosques across Tehran to join “combatants defending the homeland.” **Eyewitness accounts and verified audiovisual evidence show child soldiers having been deployed at IRGC checkpoints and patrols, armed with weapons, including AK47 pattern rifles.** (Emphasis added.)

To reiterate, the investigation needs to determine if there were Basij or other militarization activities at the Minab school (which had students up to [age 12](#)) which could have led to a misidentification of the building.



To be clear, however, even if the school children were receiving combat training, they should not be considered targetable but rather as victims of a heartless and exploitative regime willing to put them at unnecessary risk.

Still, if the investigation proves the presence of Basij or IRGC personnel and/or military vehicles/gear at the school as part of a regimen to train children for combat, that would be the kind of behavior that could account for a misunderstanding about the status of the building as an elementary school.

Were the Iranians illegally using the school and its students as shields for the IRGC naval base?

Needless to say, the use of human shields is flatly [prohibited by international law](#). Would Iran use their own children as human shields? Actually, Iran has a long history of using children as weapons of war. Consider this 2001 UN analysis of Iran's action during the Iran-Iraq war of the 1980s: "[Boys as young as nine were reportedly used in human wave attacks and to serve as mine sweepers in the war with Iraq](#)."

More recently (26 Mar 26), in an article entitled "[Iran Is Using Its Citizens As Human Shields](#)," the Foundation for Defense of Democracies explicitly cites the use of schools for military purposes.

Videos sent to Persian-language diaspora media [show](#) armored security [vehicles](#) and military [personnel](#) stationed in [schools](#) throughout the [country](#), while other [clips](#) depict a destroyed missile launcher positioned in a non-military storage shed in the densely populated city of Tehran. (Emphasis added.)

In a similar report, the *New York Times* articulated the obvious rationale: the Iranians were using schools (and other civilian sites) for military purposes because such use would make their troops and equipment "[less likely to be struck by missiles](#)."

The Iranian regime has very recently reinforced the fact it has no compunction about using young people as human shields. In April, when attacks on Iranian power plants were being discussed, the Guardian [reported](#):

"Alireza Rahimi, identified by Iranian state television as the secretary of the Supreme Council of Youth and Adolescents, issued a video message in a newscast **calling on young people to form human chains** around power plants in the country." (Emphasis added.)

As repulsive as it may be to many Americans and others, the truth is that history shows it is not beyond the ken for the Iranian regime to use children – even their own – in ways that put them at deadly risk.

Consequently, the investigation needs to determine if the Iranians converted the command headquarters into a school in the hopes of deterring lawful attacks on their military assets. Even if an attack on the base occurred, if the school wasn't struck because of its protected status, the Iranians would know they could readily reconvert it into a command headquarters. In either event, the Iranians would benefit from having the school on their base.



Importantly, if it is shown the Iranians were trying to use the school to shield their military activities, then legally, Iran assumes responsibility for the deaths and injuries. The [DoD Law of War Manual](#) explains:

5.16.5 Responsibility for Harm to Human Shields. The party that employs human shields in an attempt to shield military objectives from attack assumes responsibility for their injury, although the attacker may share this responsibility if it fails to take feasible precautions.⁵⁵⁹

Concluding observations

None of this is to suggest that the loss of the Iranian children was anything but a horrible tragedy. That said, if the investigation shows the destruction of the school was the result of American missiles [as appears to be the case](#), then the investigation needs to examine how such an error could have occurred. And, steps need to be taken to ensure such a situation doesn't happen again.

But, such an investigation likely will take time. Consider that the National Transportation Safety Board says that it "tries to complete an [aircraft crash] investigation within 12 to 24 months" — and those cases don't involve a wartime incident occurring in enemy territory.

If the investigation does reveal wrongdoing, then accountability should follow. In the context of this case, a war crime, according to [Article 8 of the Rome Statute of the International Criminal Court \(ICC\)](#), is where evidence proves beyond a reasonable doubt that a party was:

- (i) **Intentionally directing attacks against the civilian population** as such or against individual civilians not taking direct part in hostilities;
- (ii) **Intentionally directing attacks against civilian objects,** that is, objects which are not military objectives;

Even the harshest critics have not produced any evidence to support the intentionality these war crimes require.

If it is true that the supporting intelligence was in error as many have claimed, has a crime occurred? Not necessarily. The law of war does not require perfection; rather, it requires reasonableness and good faith. The [DoD Law of War Manual](#) explains (§ 5.3.1):

The special circumstances of armed conflict often make an accurate determination of facts very difficult. For example, combatants must make decisions while enemy forces are attempting to attack them and while enemy forces are seeking to deceive them. In addition, the importance of prevailing during armed conflict often justifies taking actions based upon limited information that would be considered unreasonable outside armed conflict.

What about the requirement to take [“feasible precautions”](#) to protect civilians? The [DoD Law of War Manual](#) notes (§ 5.2.3.2):

The standard for what precautions must be taken is one of due regard or diligence, **not an absolute requirement to do everything possible**. A wanton disregard for civilian casualties or harm to other protected persons and objects is clearly prohibited. {Emphasis added.}

Depending upon what the investigation finds, including about the matters discussed above, it is not impossible to imagine that there are facts *in this particular case* show that the exercise of due diligence under the circumstances might nevertheless have reasonably led to a belief that the building struck was still the command headquarters or other military facility and not a school.

Keep in mind that over [1,000 targets were struck the first day of the war](#) by the U.S., and the harsh reality of war is that prior to an attack not every target can be given the intense scrutiny that this one received after the fact. It is remarkable that even though the media and others have had a luxury of time that the warfighters did not, they are still—*months* after the incident—erroneously characterizing the site as exclusively a “girls’ school” and wrongly

saying the victims were “[mainly schoolgirls.](#)” Do you think they will they ever correct themselves?

It seems that the critics are engaging in what Professor Geoff Corn [calls](#) “effects-based” accusations, that is, assuming a war crime has occurred simply by observing the results of an attack. As he correctly observes, “[t]he presence of damage to civilian structures or death or injury to civilians does not alone constitute a war crime.” He adds:

It can be tempting to come conclusions about the legality of actions taken in other conflicts by also focusing on visual evidence—pictures of [destroyed buildings](#) and [lifeless bodies](#). However, while a picture may speak a thousand words, it is rare that it can provide conclusive evidence of war crimes.

Rather, it is necessary to have a careful assessment of what was reasonably known at the time of the attack, not what was discovered later about the target. And as the ICC statute makes clear, discerning the intent of the attacker is essential.

It is simply unconscionable to paint anyone—and especially those in America’s military— as a war criminal before the investigation is even completed. And these cases are, indeed, “complex,” and their proper resolution requires more than scrolling through some websites. If anyone suggests otherwise to you, take that into account as you assess their credibility.

At the same time let’s take a moment to acknowledge the enormous loss the families of the children have suffered, and hope that the conflict will quickly come to a just end.

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