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## The Unlawful Israeli-U.S. Attacks on Iran in 2025: A Doctrinal Legal Analysis under International Law

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### Abstract

The fundamental norms of the United Nations Charter, particularly the prohibition on the use of force and the inviolability of state sovereignty, have been repeatedly challenged in the modern security landscape. The June 2025 military attacks by Israel, with direct support from the United States, on Iranian territory and its safeguarded nuclear facilities represent a critical juncture in this historical context, testing the resilience of the international legal order. This article aims to provide a comprehensive legal assessment of the legality of these actions under international law. Employing a doctrinal legal research methodology, the study conducts a systematic analysis of primary legal sources, including the UN Charter, ICJ jurisprudence, and non-proliferation treaties, integrated with secondary scholarly commentaries and institutional reports. Findings demonstrate that the attacks constitute a manifest act of aggression in violation of Article 2(4) of the UN Charter and the *jus cogens* rule prohibition on the use of force, as they were undertaken without Security Council authorization or a valid claim to self-defense under Article 51. Furthermore, the targeting of IAEA-safeguarded nuclear facilities breached the NPT and the Convention on the Physical Protection of Nuclear Material, eroding the global non-proliferation regime. The study also concludes that Iran's defensive response was a legitimate exercise of its inherent right to self-defense. In conclusion, the attacks underscore a profound crisis in the UN collective security system, exacerbated by the Security Council's paralysis. The article ends with normative recommendations for upholding accountability and reinforcing the integrity of international law against unilateral militarism.

**Keywords:** Doctrinal Legal Analysis, International Law, International Criminal Responsibility, Iran, Israeli-U.S. Attacks

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## 1. Introduction

The prohibition of the use of force—widely recognized as a *jus cogens* norm—and the principle of state sovereignty constitute the foundational pillars of the contemporary international legal order, enshrined in Article 2(4) of the Charter of the United Nations (UN<sup>1</sup>, 1945a). While only the prohibition of the use of force has attained *jus cogens* status, both norms are designed to maintain international peace and security by outlawing acts of aggression and protecting the territorial integrity and political independence of states (Pak et al., 2022). Despite this robust normative framework, the international system continues to grapple with flagrant violations that challenge the authority of international law and the efficacy of its enforcement mechanisms.

The military actions undertaken by Israel, with the support of the United States, against the Islamic Republic of Iran in June 2025 represent a critical case in point. On 13 June 2025, Israel launched a large-scale aerial assault on the Iranian territory, targeting civilian infrastructure, residential areas, and—most alarmingly—peaceful nuclear facilities under the full-scope safeguards and supervision of the International Atomic Energy Agency (IAEA). These attacks, which resulted in significant civilian and military casualties, were not only unprovoked, but were executed amidst ongoing diplomatic negotiations concerning the Iranian nuclear program (Rasheed et al., 2025). In an official statement on 20 June 2025, United Nations experts unequivocally condemned these strikes, describing them as “a flagrant violation of fundamental principles of international law and a blatant act of aggression in breach of *jus cogens* norms”. The experts stressed that the Israeli operations—targeting nuclear

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1. United Nations

facilities, media buildings, and civilian infrastructure—constituted clear violations of Article 2(4) of the UN Charter, the principles of proportionality and distinction under international humanitarian law, and the inviolability of safeguarded nuclear installations. They further warned that such unlawful unilateral actions threaten to collapse the international legal order and endanger global peace and security. This act of aggression represents a multifaceted assault on core international legal principles, including the prohibition of the use of force, the inviolability of safeguarded nuclear installations, and fundamental rules of international humanitarian law (United Nations Experts, 2025).

This article posits that the Israeli-U.S. attacks constitute an unlawful use of force, a violation of *jus cogens* norms, and a grave breach of the international legal frameworks governing nuclear non-proliferation and civilian protection. Consequently, it seeks to provide a comprehensive doctrinal legal analysis of these events through the lens of international law. The central research questions guiding this inquiry are: first, to what extent do these military actions violate the United Nations Charter, specifically Article 2(4) and the limited exceptions under Article 51? Second, what is the legal status of Iran's subsequent response under the right to self-defense? Third, how do these attacks contravene the specialized regimes of international nuclear law, particularly the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and the Convention on the Physical Protection of Nuclear Material (CPPNM)? Finally, what do these events reveal about the systemic failures of the UN Security Council and the broader crisis within the international collective security system?

To address these questions, this study employs a rigorous doctrinal legal methodology, systematically analyzing primary

sources such as the UN Charter, ICJ jurisprudence, and relevant treaties, alongside secondary sources including scholarly commentaries and institutional reports. The analysis is structured within a conceptual framework that integrates *jus ad bellum*<sup>1</sup>, *jus cogens* norms, and international nuclear law. The article proceeds by first establishing the relevant legal frameworks, then applying them to a detailed examination of the attacks, their legality, the legitimacy of Iran's response, the implications for nuclear security, and the attendant individual criminal responsibilities. Ultimately, this analysis aims not only to identify clear violations of international law but also to propose normative recommendations for reinforcing accountability and restoring the integrity of the international legal order in the face of such aggression.

## 2. Review of Literature

The 2025 Israel–Iran conflict, as a recent and rapidly evolving phenomenon, has not yet developed a robust body of scholarly literature, with existing studies primarily focusing on political, ideological, and strategic dimensions rather than rigorous legal analysis. For instance, Ahmadi and Dehshiri (2025) applied constructivism to examine how identity, narrative power, and ontological security shaped the discursive confrontation between Iran and the Israeli regime, emphasizing legitimacy over military aspects. Similarly, Chempayil (2025) explored information warfare, analyzing deepfakes and AI-generated propaganda within

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1. *Jus ad bellum* refers to the body of international law that governs the conditions under which states may lawfully resort to war or the use of armed force. It is a critical component of the broader field of international humanitarian law, but distinct from *jus in bello*, which regulates how war is conducted.

a post-truth framework. These works highlight sociopolitical and communicative elements, but lack a legal focus. From an international relations perspective, Ameli and Mohseni Ahooei (2025) critiqued U.S. support for the Israeli regime, arguing it erodes international law through hegemonic self-legitimation. In international law, Fathi (in press) offered a rare legal analysis, reassessing legitimate military intervention under *jus ad bellum* and highlighting tensions with preemption and hybrid warfare doctrines. Kashiri and Karami (2025) argued that Israel's claim of preemptive self-defense lacks justification under Article 51 of the UN Charter and violates peremptory norms. However, their study focused on Israel's actions without addressing U.S. involvement or nuclear safeguard violations. Collectively, these studies provide interdisciplinary insights, but lack a comprehensive legal analysis integrating *jus ad bellum*, *jus cogens*, and nuclear protection regimes to evaluate the joint Israeli-U.S. actions against Iran's nuclear facilities.

This article addresses this gap by providing a systematic doctrinal legal analysis of the 2025 Israel-U.S. attacks on Iran. Its originality lies in unifying legal frameworks such as the UN Charter, ICJ case law, and the Vienna Convention (1969), the NPT (1968), CPPNM (1980), and the Rome Statute (1998), while analyzing state and individual responsibility through the lens of ARSIWA (2001) and international criminal law on aggression and command responsibility. The study expands beyond *jus ad bellum* to encompass nuclear law, humanitarian law, and human rights obligations, highlighting the illegality of attacks on safeguarded nuclear facilities under non-proliferation and environmental protection norms. Additionally, it proposes normative recommendations to address the systemic failure of collective

security and enhance legal accountability, advancing legal scholarship from descriptive and theoretical discussions to a comprehensive doctrinal assessment that reaffirms the inviolability of international legal norms.

### 3. Methodology

This study adopts a doctrinal legal research methodology, a cornerstone of international legal scholarship. The approach entails a systematic examination and hermeneutic analysis of primary legal sources—including international treaties, institutional charters, norms of customary international law, and jurisprudence from international courts and tribunals such as the International Court of Justice (ICJ)—to deduce and articulate normative principles. This foundational analysis is synthesized with a critical engagement of secondary sources, encompassing scholarly literature, institutional reports from bodies such as the International Atomic Energy Agency (IAEA) and various United Nations entities, as well as documented state practice. The integrated use of these sources facilitates a rigorous legal assessment of specific state actions, which in this context pertains to the alleged military cooperation between the Israeli regime and the United States against Iran. The methodology is characterized by its emphasis on structured legal reasoning and the comparative analysis of seminal legal doctrines, notably *jus ad bellum*, peremptory norms (*jus cogens*), and obligations under international non-proliferation regimes. By applying these doctrinal frameworks to a concrete case study, the research aims to: identify potential breaches of international law, assign legal responsibility, and subsequently advance normative recommendations for the consolidation of the relevant legal framework.

## 4. Conceptual–Legal Framework

### 4. 1. The Principle of the Prohibition of the Use of Force in Contemporary International Law

The principle of the prohibition of the use of force, enshrined in Article 2(4) of the Charter of the United Nations (1945a), constitutes one of the most fundamental and foundational rules of contemporary international law. This provision obliges states to refrain from the threat or use of force against the territorial integrity or political independence of any state (UN, 1945a). Over time, this rule has evolved from a contractual norm into a customary one, and it is widely regarded in international jurisprudence and scholarship as having attained the status of a *jus cogens* norm (Pak et al., 2022). The interpretation and implementation of this principle in international practice demonstrate that the prohibition on the use of force is nearly absolute, admitting only two exceptions: first, coercive measures adopted by the Security Council under Chapter VII of the Charter<sup>1</sup>; and second, the right of self-defense as provided for in Article 51<sup>2</sup> (UN, 1945b). Apart from these instances, any political, security or ideological justification for the

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1. Under Chapter VII of the UN Charter (Articles 39–42), the Security Council is empowered to determine the existence of any threat to or breach of the peace and to adopt binding coercive measures, ranging from non-military sanctions under Article 41 to military enforcement actions under Article 42, in order to maintain or restore international peace and security.
  2. Article 51: “Nothing in the present Charter shall impair the inherent right of individual or collective self-defence if an armed attack occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security. Measures taken by Members in the exercise of this right of self-defence shall be immediately reported to the Security Council and shall not in any way affect the authority and responsibility of the Security Council under the present Charter to take at any time such action as it deems necessary in order to maintain or restore international peace and security”.

use of force is legally inadmissible (Goodin & Ratner, 2011). This understanding finds strong support in the jurisprudence of international courts and tribunals. The International Court of Justice, in *the Nicaragua v. United States* case (ICJ, 1986), emphasized that the prohibition of the use of force is one of the cornerstones of the international legal order, and that its violation cannot be justified as a reprisal or on political grounds (International Court of Justice, 1986). Therefore, any military attack outside the framework of self-defense or Security Council authorization constitutes an act of aggression and a breach of international law (Kreß, 2016).

#### **4. 2. The Right of Self-Defense and Its Limits**

Article 51 of the UN Charter provides that: “Nothing in the present Charter shall impair the inherent right of individual or collective self-defense if an armed attack occurs against a Member of the United Nations” (UN, 1945b). However, this right is subject to several conditions:

- Occurrence of an armed attack: The existence of an actual armed attack is the primary condition for invoking self-defense. The ICJ, in the Nicaragua case, clearly stated that only attacks reaching a certain level of gravity may trigger the right of self-defense. Minor border incidents or verbal threats do not fall within this scope (Posner & Sykes, 2004; Drumbl, 2003).
- The principle of necessity: Defensive measures are lawful only when no effective peaceful or non-military alternative exists (Drumbl, 2003; Li, 2024).
- The principle of proportionality: Defensive measures must be confined to repelling the attack and should not escalate into large-

scale offensive operations or efforts to alter another state's political regime (Steinhoff, 2017; Statman, 2011).

- The reporting requirement: Article 51 explicitly mandates that defensive measures must be reported to the Security Council to ensure collective oversight by the international community (Sefriani & Erlangga, 2022; Little, 2021).

In state practice, many governments have attempted to broaden the notion of self-defense to encompass 'anticipatory' or 'pre-emptive' self-defense. For example, the United States invoked the existence of an imminent threat from weapons of mass destruction to justify its 2003 invasion of Iraq. However, this argument was neither endorsed by the Security Council nor accepted in the legal doctrine, and it was widely regarded as a clear violation of Article 2(4). This demonstrates that the international community continues to adhere to a narrow and restrictive interpretation of Article 51 (Drumbl, 2003, p. 410).

#### 4. 3. Peremptory Norms and Obligations Erga Omnes

The concept of *jus cogens* norms holds a distinctive position within the framework of international law. According to Article 53 of the Vienna Convention on the Law of Treaties, *jus cogens* norms are those principles recognized by the international community as a whole as peremptory in nature, from which no derogation is permitted and with which no treaty may conflict<sup>1</sup> (UN, 1969).

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1. Article 53: "A treaty is void if, at the time of its conclusion, it conflicts with a peremptory norm of general international law. For the purposes of the present Convention, a peremptory norm of general international law is a norm accepted and recognized by the international community of States as a whole as a norm from which no derogation is permitted and which can be modified only by a subsequent norm of general international law having the same character".

Examples of such norms include the prohibitions of aggression, genocide, slavery, and torture (Handayani, 2019). Acts of aggression—particularly those involving military attacks against the sovereignty of an independent state—constitute a direct violation of these norms and entail grave legal and political consequences. Furthermore, *erga omnes* obligations require that all states, even those not directly affected by a breach, bear a collective responsibility to respond to such violations and to refrain from recognizing or legitimizing them (Jaffal, 2024). This underscores the global dimension of serious breaches and highlights that violations of *jus cogens* norms, which threaten the entire international community, not simply the immediate victim. The International Court of Justice, in the *Barcelona Traction* case (ICJ, 1970), explicitly recognized the existence of *erga omnes* obligations, describing them as duties owed to the international community as a whole (International Court of Justice, 1970). Violations of norms such as the prohibition of aggression thus constitute breaches of *erga omnes* obligations, obligating all states to refrain from recognizing or supporting any situations arising from such violations (Qu, 2011; Tams, 2005). This principle was reaffirmed in the *Wall Advisory Opinion* (ICJ, 2004), where the Court emphasized that all states have a duty not to recognize the legality of situations resulting from unlawful occupation or annexation (Tams & Tzanakopoulos, 2010, p. 794).

#### 4. 4. The Nuclear Dimension of International Law

Another critical aspect of the present legal framework pertains to the sensitive field of nuclear law. Numerous treaties and

instruments in this domain have sought, on the one hand, to curb the development and proliferation of nuclear weapons, and on the other, to facilitate the peaceful use of nuclear energy under well-defined legal parameters. The Treaty on the Non-Proliferation of Nuclear Weapons (NPT) (UN, 1968), concluded in 1968, constitutes the cornerstone of this regime. It prohibits non-nuclear-weapon states from acquiring nuclear arms, while obligating nuclear-weapon states to pursue disarmament. This is also the case of the Treaty on the Non Proliferation of Nuclear Weapons that considers in its preamble, without making a prescription, that the devastation that a nuclear war might cause upon all mankind implies that we should unify all efforts to prevent the risk of such a war and to take measures to safeguard the security of peoples (Kilo & Nyazungu, 2021, p. 391). Nevertheless, persistent failures to effectively implement disarmament commitments, coupled with multiple instances of non-compliance, have undermined the legitimacy of this regime (Tannenwald, 2024; Masni, 2021; Selezneva, 2024). The Convention on the Physical Protection of Nuclear Material (CPPNM) was adopted to safeguard nuclear materials and facilities against theft, sabotage, or armed attack. Subsequent amendments have broadened state obligations under this framework<sup>1</sup>. In this regard, the

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1. Although Iran is not a party to the Convention on the Physical Protection of Nuclear Material (CPPNM), its non-membership does not prevent the country from defending them. International law, including the United Nations Charter, recognizes the sovereignty of states and prohibits the use of force against them without proper authorization. Moreover, customary international humanitarian law ensures the protection of civilian populations and critical infrastructure. The CPPNM primarily sets standards for the physical protection of nuclear materials and facilities for its members; therefore, non-participation does not negate a state's inherent rights to protect its nuclear installations and ensure the safety of its people.

International Atomic Energy Agency (IAEA) plays a crucial role in ensuring compliance and verifying the exclusively peaceful use of nuclear energy. Military actions targeting nuclear facilities of member states constitute not only violations of the CPPNM and broader treaty obligations, but also infringe upon the United Nations Charter, which mandates respect for state sovereignty and the principles of international law. Such military operations present significant threats to civilian health and global security, coupled with the potential for substantial environmental devastation (Lebedeva, 2024).

In this regard, it is important to clarify what is meant by 'peaceful nuclear facilities' when referenced by the United Nations Security Council (UNSC) or the International Atomic Energy Agency (IAEA) in assessing the wrongfulness of attacks on nuclear installations. According to the UNSC (UN Digital Library Record 22225, 1981a) and the IAEA General Conference Resolutions GC(XXIX)/RES/444 and GC(XXXIV)/RES/533, the term 'peaceful facilities' refers to nuclear installations, materials, and activities used exclusively for civilian, non-military purposes and placed under IAEA safeguards. These documents emphasize that any armed attack on safeguarded peaceful nuclear facilities constitutes a serious violation of international law, poses grave risks to civilian populations, and undermines the integrity of the international nuclear security regime.

#### **4. 5. Crime of Aggression under International Criminal Law**

The crime of aggression occupies a pivotal place in international criminal law, particularly within the jurisdiction of the International Criminal Court (ICC). The inclusion of Article 8 *bis* in the Rome

Statute<sup>1</sup> represents a landmark development, defining the conditions under which individuals—especially state leaders—can be held criminally responsible for acts of unlawful aggression (Wong, 2021). This evolution builds on the legacy of *the Nuremberg Trials*, where leaders were first prosecuted for waging wars of aggression (Ferencz, 2010). However, as Gillett (2013) notes, defining and proving aggression within the ICC framework remains legally complex, given the high threshold of evidence required. The Kampala Amendments (UN, 2010) expanded the ICC’s jurisdiction over aggression, yet tensions persist between the court’s mandate to deliver justice and the political realities constraining its operations (Khan et al., 2021). While the ICC has jurisdiction over the crime of aggression for its member states, enforcement remains limited for non-party states, including Israel and the United States. State cooperation remains essential for the ICC’s effectiveness, as national authorities bear the responsibility to investigate and arrest individuals accused of aggression (Akanke & Tzanakopoulos, 2018). Nonetheless, issues of sovereignty and immunity—particularly regarding sitting heads of state—continue to impede the enforcement of arrest warrants (Masumbe, 2023). Selective prosecutions and geopolitical influences further challenge the Court’s legitimacy (Endoh, 2020). The recognition of individual criminal responsibility for aggression marks a transformative shift in international criminal jurisprudence,

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1. Article 8 bis—inserted into the Rome Statute through Resolution RC/Res.6 (11 June 2010) adopted at the Kampala Review Conference—defines the crime of aggression as the planning, preparation, initiation, or execution by a person in a position of control over a State of an act of aggression constituting a manifest violation of the UN Charter. The definition draws directly on UN General Assembly Resolution 3314 (XXIX) of 1974, which enumerates acts such as invasion, bombardment, blockade, and the use of armed force against another State as qualifying forms of aggression.

reinforcing both moral and legal imperatives to deter unlawful warfare (Avdić, 2021; Lingaas, 2015). However, as the ICC lacks its own enforcement mechanisms and depends on state cooperation; its capacity to ensure accountability therefore remains limited (Zhou, 2006; Garkawe, 2001). Moreover, resistance from non-party states, such as the United States, continues to undermine the universality of the Court's authority (Koh & Buchwald, 2015). Ultimately, incorporating the crime of aggression into the Rome Statute serves both preventive and normative purposes: deterring state leaders from unlawful military actions and safeguarding the collective security framework of international law. Despite its practical and political challenges, the ICC's evolving jurisdiction over aggression represents a significant step toward strengthening global accountability and the rule of law (Wang, 2024).

## 5. Discussion

The Israeli regime's attacks on Iran constitute a violation of Article 2(4) of the UN Charter and a blatant act of aggression against the Islamic Republic of Iran. In accordance with Article 51 of the UN Charter, Iran used its legitimate and legal right to respond to this aggression. As a member of the United Nations – an organization whose very purpose is to prevent aggression, breaches of law, and threats to peace– the Islamic Republic of Iran underscored the Security Council's obligation to take immediate action against this violation of international peace and security, stemming from the Zionist regime's blatant aggression and to swiftly condemn this criminal aggression and take urgent and collective measures to counter this reckless adventurism, which has undeniably placed global peace and security under unprecedented threat. The deliberate attacks on Iran's nuclear facilities under the

Comprehensive Safeguards Agreement have not only directly threatened the lives of Iranian civilians but have also risked an irreparable radiological disaster in the region. It constitutes a clear violation of the Convention on the Physical Protection of Nuclear Material, as well as a challenge to the foundation of the global non-proliferation regime and to the credibility of the IAEA's mission. It poses a serious threat to global collective security.

### **5. 1. Violation of the United Nations Charter and the Principle of Non-Use of Force**

The prohibition of the threat or use of force represents one of the most fundamental pillars of the contemporary international legal order. Article 2(4) of the Charter of the United Nations (UN, 1945a) enshrines this principle by requiring all Member States to “refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state”. This provision, originally conceived as a contractual obligation, has gradually evolved into a customary rule and ultimately attained the status of a *jus cogens* norm, from which no derogation is permitted (Pak et al., 2022). The International Court of Justice (ICJ) has repeatedly reaffirmed that this rule constitutes a cornerstone of the international legal order. Under contemporary international law, the prohibition of the use of force is nearly absolute, with only two narrowly defined exceptions. The first is collective enforcement action authorized by the Security Council under Chapter VII of the Charter, aimed at maintaining or restoring international peace and security. The second is the exercise of the inherent right of individual or collective self-defense in response to an actual ‘armed attack’ as stipulated in Article 51 of the Charter

(UN, 1945b; Goodin & Ratner, 2011). Any resort to military force outside these two circumstances constitutes an unlawful act of aggression and a breach of the UN Charter.

The Israeli regime's recent attacks on the territory of the Islamic Republic of Iran clearly violate these fundamental rules. Conducted without authorization from the Security Council and in the absence of any armed attack by Iran that might trigger Article 51, these operations fall entirely outside the permissible scope of self-defense. As the ICJ clarified in Nicaragua (1986), only an actual and significant armed attack may justify recourse to self-defense (Posner & Sykes, 2004; Drumbl, 2003). Minor incidents or perceived threats—such as alleged nuclear developments—do not meet this threshold. Furthermore, the principles of necessity and proportionality limit lawful defensive measures strictly to those required to repel an ongoing attack (Drumbl, 2003; Li, 2024; Steinhoff, 2017; Statman, 2011). Israel's claim of acting pre-emptively to prevent a supposed Iranian threat thus lacks any legal foundation and directly contradicts the established interpretation of Article 51. The argument for 'anticipatory' or 'pre-emptive' self-defense has been consistently rejected in state practice and doctrine, including after the United States' 2003 invasion of Iraq—an action widely condemned as incompatible with Article 2(4) (Drumbl, 2003, p. 410). In line with this legal framework, the International Commission of Jurists (ICJ) has officially condemned Israel's June 2025 strikes on the Iranian territory as a grave breach of the UN Charter and a serious threat to international peace and security (ICJ, 2025). The Commission emphasized that "nothing under international law may justify these armed attacks. Israel's claim of 'pre-emptive self-defense' therefore lacks any legal basis and stands in direct contradiction to established international law.

By launching unilateral and unprovoked strikes against Iran's civilian and nuclear infrastructure, the Israeli regime has not only breached the UN Charter but also undermined the principle of sovereign equality and non-intervention. Such conduct amounts to an act of aggression within the meaning of the Rome Statute's Article 8 bis, which defines aggression as "the use of armed force by a State against the sovereignty, territorial integrity or political independence of another State" (Wong, 2021, p. 965). These acts also violate *jus cogens* norms and *erga omnes* obligations that bind the entire international community (Handayani, 2019; Jaffal, 2024; Tams, 2005). As emphasized in Barcelona Traction (1970) and reaffirmed in the Wall Advisory Opinion (Tams & Tzanakopoulos, 2010, p. 794), all states have a collective duty not to recognize, aid, or legitimize situations arising from serious breaches of peremptory norms. Furthermore, Israel's attacks on Iran's nuclear facilities constitute a grave violation of the legal framework governing nuclear energy and non-proliferation. The 1968 Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and the Convention on the Physical Protection of Nuclear Material (CPPNM) establish clear obligations for all States to prevent the misuse of nuclear materials and to protect related facilities from sabotage or armed attack (Kilo & Nyazungu, 2021, p. 391; Lebedeva, 2024). The assault on nuclear installations not only contravenes these instruments but also endangers civilian life, public health, and the environment, in direct opposition to the Charter's commitment to the maintenance of international peace and security (Tannenwald, 2024; Masni, 2021; Selezneva, 2024). In addition to violating the UN Charter, Israel's actions constitute serious breaches of international humanitarian law (IHL). The ICJ, in its Advisory Opinion on the Legality of the Threat or Use of Nuclear Weapons (1996), affirmed that States must "never make civilians the object of attack and must

consequently never use weapons that are incapable of distinguishing between civilian and military targets”. However, since 13 June 2025, the Israeli regime has conducted numerous indiscriminate attacks against civilian populations and objects, including residential buildings, hospitals, airports, and educational institutions (IRNA, 1404a [2025 A.D.]; Tabnak, 1404a [2025 A.D.], 1404b [2025 A.D.]; IRIB, 2025; Mehr News Agency, 1404a [2025 A.D.]). These acts have resulted in extensive civilian casualties and destruction of property, constituting ‘willful killings’ and ‘wanton destruction’, prohibited under the Geneva Conventions of 1949 (ICRC, 1949; Henckaerts & Doswald-Beck, 2005a). The International Committee of the Red Cross (ICRC) confirms that the protection of civilians and civilian objects, as well as the prohibition of indiscriminate attacks, form part of customary international law<sup>1</sup> (Henckaerts & Doswald-Beck, 2005b; ICRC, 1949). Similarly, attacks on medical units, personnel, and transport facilities—including hospitals in Tehran and Kermanshah, ambulances, and buildings of the Iranian Red Crescent Society—constitute grave breaches of the Geneva Conventions (Arts. 24–27, 36, 39–44 GC I; Arts. 42–44 GC II; Arts. 18–22 GC IV) (Tasnim News Agency, 2025; Tabnak, 1404c [2025 A.D.]; Henckaerts & Doswald-Beck, 2005b). Israel's deliberate targeting of journalists and media centers—most notably the bombing of the Iranian State TV headquarters (IRIB) in Tehran on June 16, 2025—constitutes a grave breach of international humanitarian law, which requires that journalists engaged in professional duties during armed conflicts be respected and protected (Henckaerts & Doswald-Beck, 2005c). The

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1. Rule 1: ‘The parties to the conflict must at all times distinguish between civilians and combatants. Attacks may only be directed against combatants. Attacks must not be directed against civilians’; Rule 10: ‘Civilian objects are protected against attack, unless and for such time as they are military objectives’.

International Federation of Journalists (IFJ) and the National Union of Journalists (NUJ) have both condemned the attack as a war crime and a flagrant violation of the UN Charter and customary IHL (IFJ, 2025; NUJ, 2025). The IFJ emphasized that “journalists are civilians under international law, and deliberate attacks against them constitute war crimes”, urging international accountability. Furthermore, the targeting of civilian infrastructure essential for survival—such as water supplies, energy grids, and financial systems—violates the customary prohibition against ‘attacking, destroying, removing or rendering useless objects indispensable to the survival of the civilian population’ (Henckaerts & Doswald-Beck, 2005d)<sup>1</sup>. Cyber-attacks on Iran’s banking and exchange systems (Fararu, 1404a [2025 A.D.], 1404b [2025 A.D.]) also constitute unlawful uses of force under the *Tallinn Manual* principles when they result in physical or economic harm equivalent to kinetic attacks.

The Israeli regime’s acts of terrorism and assassinations of senior Iranian officials, military commanders, and scientists—including Major Generals Mohammad Bagheri, Hossein Salami, Gholam Ali Rashid, and others—constitute further violations of international law and the right to life protected under international

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1. *Rule 54* of the ICRC Customary International Humanitarian Law Study establishes that “attacking, destroying, removing or rendering useless objects indispensable to the survival of the civilian population is prohibited”. This norm, applicable in both international and non-international armed conflicts, derives from Article 54(2) of Additional Protocol I and Article 14 of Additional Protocol II. It prohibits any attack intended to deprive civilians of essential sustenance—including food, water, agricultural areas, livestock, or medical supplies—and is recognized as a customary rule of international law. The International Criminal Court further classifies the intentional deprivation of such objects as a war crime (ICC Statute, Art. 8(2)(b)(xxv)). See: (ICRC, 2005, Rule 54)

human rights instruments (IRNA, 1404b [2025 A.D.]–f; Entekhab News, 2025; Mehr News Agency, 2025b, 2025c; Tehran Times, 2025). Such targeted killings outside active hostilities are unlawful under both international humanitarian law (IHL) and international human rights law, amounting to extrajudicial executions prohibited by Article 6 of the International Covenant on Civil and Political Rights (ICCPR), which guarantees the inherent right to life and limits the death penalty only to the most serious crimes committed under law (OHCHR<sup>1</sup>, 1966). Likewise, under Article 51 of Additional Protocol I to the Geneva Conventions, the deliberate targeting of civilians or combatants hors de combat is strictly prohibited (ICRC, 1977a). The UN Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions has repeatedly emphasized that targeted killings outside situations of active hostilities constitute unlawful extrajudicial executions under international law (OHCHR, n.d.).

The participation and complicity of the United States — Israel’s principal ally and sponsor — in these operations further engages its international responsibility. Under the law of state responsibility, a State that aids or assists another in the commission of an internationally wrongful act incurs responsibility if it knows the circumstances of the wrongful act and if its assistance contributes to that violation (Koh & Buchwald, 2015; ILC, 2001)<sup>2</sup>. Recent

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1. Office of the United Nations High Commissioner for Human Rights

2. According to Article 16 of the International Law Commission’s *Articles on Responsibility of States for Internationally Wrongful Acts (2001)*, “A State which aids or assists another State in the commission of an internationally wrongful act by the latter is internationally responsible for doing so if (a) that State does so with knowledge of the circumstances of the internationally wrongful act; and (b) the act would be internationally wrongful if committed by that State (ILC, 2001, *Draft Articles on Responsibility of States for Internationally Wrongful Acts*, Article 16).

reporting confirms this concern: Iran's Permanent Representative to the UN stated that President Trump publicly admitted he "was very much in charge" of Israel's June assault, which Iran describes as direct U.S. involvement in the attacks (Press TV, 2025; Harb, 2025). The U.S. military strikes on Iranian nuclear facilities during this period further underscore the tangible manifestation of this support and command responsibility. Such statements and actions provide concrete evidence of U.S. oversight and involvement, demonstrating that its role extended beyond mere support and thus falls squarely within the scope of complicity under international law. Accordingly, U.S. logistical and intelligence support for Israeli operations constitutes a derivative breach of Article 2(4) of the UN Charter and undermines the collective security framework established therein. As Finucane (2025) incisively observes in his analysis of the U.S. Article 51 letter justifying its strikes on Iran, Washington's invocation of collective self-defense on behalf of Israel lacks any credible legal foundation under the Charter. The letter neither demonstrates the necessity nor the immediacy of an armed attack that could lawfully justify the use of force, instead offering a post hoc rationalization for actions already coordinated with Israel. This conduct confirms that U.S. involvement in Israeli military operations extends beyond political support to constitute a legally significant form of assistance in the violation of the prohibition on the use of force. In light of Finucane's critique, U.S. operational, logistical, and intelligence contributions, lack a lawful basis in self-defense, clearly engage its derivative responsibility under the ILC Articles on State Responsibility and reinforce the conclusion that Washington's actions represent a breach of the collective security regime established by the UN Charter.

In summary, the Israeli-U.S. attacks against Iran constitute a

multifaceted violation of the United Nations Charter, *jus cogens* norms, and customary international law. These actions represent an unlawful use of force, devoid of Security Council authorization or lawful justification under Article 51. They undermine the collective security system, violate the sovereignty and territorial integrity of a UN Member State, and inflict severe humanitarian consequences on civilians and civilian infrastructure. As reaffirmed by international jurisprudence and doctrine, such breaches of peremptory norms engage *erga omnes* obligations, requiring all States to refrain from recognizing or assisting the resulting situation and to pursue accountability through international mechanisms (Avdić, 2021; Akande & Tzanakopoulos, 2018; Masumbe, 2023; Endoh, 2020; Wang, 2024). Ultimately, this aggression represents not only a direct violation of the UN Charter but also an assault on the foundations of the international legal order built upon the principle of the non-use of force.

## **5.2. Legitimacy of Iran's Response under Article 51 of the UN Charter**

The Israeli regime's large-scale attacks against the Islamic Republic of Iran constitute a manifest act of aggression under international law. The bombardment of the Iranian territory—including residential areas, hospitals, energy infrastructure, and IAEA-supervised nuclear facilities—violates the prohibition on the use of force in Article 2(4) of the UN Charter (UN, 1945a) and meets the definition of aggression under General Assembly Resolution 3314 (XXIX) (1974). Consequently, these acts amount to an armed attack sufficient to activate Iran's inherent right of self-defense under Article 51 (ICJ, 1986). To assess the legality of Iran's response, it is necessary to consider the legal parameters

governing the exercise of self-defense under the Charter and customary international law. The following analysis examines Iran's conduct through the core criteria of an armed attack, necessity, proportionality, reporting obligations, and related *jus cogens* norms and the implications of attacks on nuclear facilities.

### **5. 2. 1. Existence of an Armed Attack and Activation of the Right to Self-Defense**

The occurrence of a direct and large-scale armed attack is the *sine qua non* condition for invoking Article 51 (Drumbl, 2003; Posner & Sykes, 2004). The intensity, duration, and scale of the Israeli offensive—combined with its targeting of both military and civilian installations—clearly surpass the threshold established in international jurisprudence. As confirmed in the *Nicaragua* case, only attacks reaching a certain level of gravity may justify using force in self-defense (ICJ, 1986). Therefore, the attacks launched on 13 June 2025 qualify as an armed attack in the legal sense, granting Iran the inherent right to defend itself individually against further aggression.

### **5. 2. 2. Necessity of Defensive Measures**

Under customary international law, self-defense is conditioned upon the principle of necessity—that is, the absence of reasonable non-military alternatives to repel the attack (Li, 2024; Drumbl, 2003). In this case, the immediacy and scale of Israeli aggression, occurring during ongoing nuclear negotiations, rendered diplomatic recourse ineffective in halting further attacks. Iran's defensive operations were thus undertaken as a last resort to protect its

territorial integrity and civilian population. The resort to military force under such circumstances satisfies the classic *Caroline* formulation of necessity: instant, overwhelming, and leaving no choice of means (Goodin & Ratner, 2011; Little, 2021).

### **5. 2. 3. Proportionality and the Conduct of Defensive Operations**

The principle of proportionality governs the scope and intensity of defensive measures, requiring that any use of defensive force be limited to repelling the armed attack and preventing its recurrence, without escalating into punitive or offensive action (Steinhoff, 2017; Statman, 2011). In accordance with this rule, Iran's military response was conducted in a manner consistent with the requirements of proportionality and necessity. Reports indicate that Iranian strikes were directed against military objectives and infrastructures directly linked to the initial aggression, and were confined to areas under the control of the Israeli regime. As reaffirmed by the International Court of Justice in its 1996 *Advisory Opinion on the Legality of the Threat or Use of Nuclear Weapons*, states are obligated to distinguish at all times between combatants and civilians, and to refrain from the indiscriminate use of force (ICJ, 1996). By adhering to these principles and avoiding disproportionate harm to civilians, Iran's defensive operations remained within the bounds of international humanitarian law and consistent with the requirements of Article 51 of the UN Charter.

### **5. 2. 4. Reporting to the United Nations Security Council**

Article 51 of the United Nations Charter expressly requires that any measures taken in self-defense be reported 'immediately' to the

Security Council, thereby ensuring transparency and collective oversight by the international community (UN, 1945b). In full conformity with this procedural obligation, the Islamic Republic of Iran submitted an official communication to the Secretary-General and the President of the Security Council on 16 June 2025 (UN Doc. S/2025/379). In this letter, Ambassador Amir Saeid Iravani, Iran's Permanent Representative to the United Nations, affirmed that Iran had undertaken 'necessary and proportionate defensive operations' strictly targeting military objectives and infrastructures located within the territories under the illegal occupation of the Israeli regime. The letter emphasized that Iran's actions were conducted in direct response to Israel's unlawful use of force in violation of Article 2(4) of the Charter, and were fully consistent with the principles of necessity and proportionality in international law (IRNA, 1404c [2025 A.D.]). By formally notifying the Security Council of its defensive operations, Iran has demonstrated its adherence to the procedural requirements of Article 51 and its commitment to act within the framework of the Charter. This notification enhances the legitimacy of Iran's position, evidences its transparency regarding the scope and purpose of its military response, and underscores its call for the Council to fulfill its primary responsibility for maintaining international peace and security.

### **5. 2. 5. *Jus Cogens* Norms, *Erga Omnes* Obligations, and State Responsibility**

The prohibition of aggression has long attained the status of *jus cogens*, a peremptory norm from which no derogation is permitted (Handayani, 2019; Jaffal, 2024). Acts of aggression generate *erga*

*omnes* obligations, imposing on all States a collective duty not to recognize, aid, or assist in maintaining a situation created by such unlawful conduct (Tams & Tzanakopoulos, 2010). Within this framework, the direct involvement of the United States in coordinated airstrikes against Iranian nuclear facilities on 21–22 June 2025—alongside Israel—constitutes a grave breach of these peremptory norms. The joint ‘Midnight Hammer’ operation, which targeted safeguarded sites at Natanz, Fordow, and Isfahan, represents not only a flagrant violation of Article 2(4) of the UN Charter but also of the international regime protecting peaceful nuclear installations under IAEA supervision. By providing military and logistical support to the Israeli regime, including intelligence sharing, aerial refueling, and the use of B-2 strategic bombers and cruise missiles, the United States has become complicit in an unlawful use of force. Under the Articles on Responsibility of States for Internationally Wrongful Acts (ARSIWA, 2001), such assistance engages derivative responsibility when a State knowingly aids or assists another in the commission of an internationally wrongful act. Third States’ complicity in aggression—especially through direct participation in hostilities—thus breaches their *erga omnes* duty of non-assistance and undermines the collective security system established by the Charter (Hamshahri Online, 1404 [2025 A.D.]). Iran’s exercise of the right of self-defense, by contrast, operates not merely as an act of sovereignty protection but as a reaffirmation of the *jus cogens* prohibition on aggression as well as the integrity of the international legal order. The ongoing failure of other States and the Security Council to condemn or halt these acts of aggression exacerbates the erosion of fundamental norms that safeguard international peace and the rule of law.

### 5. 2. 6. The Nuclear Dimension and Collective Security Implications

The targeting of Iran's safeguarded nuclear facilities represents an aggravated violation of international law. Under the Convention on the Physical Protection of Nuclear Material (CPPNM) and the Non-Proliferation Treaty (NPT), States Parties must ensure the physical protection and peaceful use of nuclear installations (Lebedeva, 2024; Tannenwald, 2024). Attacks on such sites not only endanger civilian lives but also risk catastrophic environmental and radiological consequences, thus threatening international peace and security. Iran's defensive measures, directed at preventing further attacks of this nature, therefore align with its obligations to protect the civilian population and prevent regional destabilization.

In light of the foregoing analysis, Iran's use of force in response to the Israeli regime's aggression can be regarded as a lawful exercise of its inherent right to self-defense under Article 51 of the UN Charter (Drumbl, 2003; Sefriani & Erlangga, 2022; ICJ, 1986). The defensive operations aimed at deterring further attacks and restoring territorial integrity do not constitute retaliation or reprisal, but rather legitimate acts of collective and individual self-defense. This interpretation is consistent with the International Court of Justice jurisprudence and the established corpus of customary international law. Ultimately, the legality of Iran's response must be evaluated not in isolation but within the broader context of the peremptory prohibition of aggression and the systemic obligation of all States to preserve international peace and security. The invocation of Article 51, grounded in necessity and proportionality, underscores Iran's adherence to the international legal order, even amidst unprecedented violations of its sovereignty.

### 5.3. Ineffectiveness of the UN Security Council and the Crisis of Collective Security

The recent Israeli aggression against the Islamic Republic of Iran has once again exposed the systemic deficiencies of the United Nations' collective security mechanism. The UN Charter, particularly in Articles 24 and 39–51, entrusts the Security Council with the primary responsibility for maintaining international peace and security (UN, 1945a). However, the Council's repeated inaction in the face of Israel's large-scale armed attacks against Iran reveals a profound legitimacy and functionality crisis within the collective security system (Thakur, 2016). The Council's paralysis has not only enabled the continuation of aggression but has also eroded confidence in the UN's capacity to act as an impartial guardian of international law when confronted with the political interests of its permanent members. Since the outbreak of hostilities, the Security Council has convened multiple emergency sessions. However, no binding resolution has been adopted to condemn or halt Israel's violations of Article 2(4) of the UN Charter. The persistent obstruction by veto-wielding powers—most notably the United States—has effectively shielded the aggressor from accountability, rendering the collective security framework subordinate to unilateral geopolitical interests. This selective application of the Charter's enforcement mechanisms underscores the asymmetrical nature of international law, where compliance often depends less on legal merit than on power politics. As a result, the Council's credibility as a neutral adjudicative and enforcement body has been fundamentally undermined. The structural defect of the veto system lies at the core of this crisis. While the veto was originally intended to preserve consensus among great powers and prevent confrontation, it has evolved into an instrument of impunity (Morris & Wheeler, 2007). The Israeli

attacks against the Iranian territory—including strikes on residential zones and nuclear facilities under IAEA safeguards—constitute clear violations of *jus cogens* norms, yet the Council’s inability to act demonstrates that the enforcement of international law remains hostage to political discretion (Gray, 2018; Jaffal, 2024). Such paralysis contravenes the *erga omnes* duty of all States and international institutions to ensure respect for fundamental norms, including the prohibition of aggression. Moreover, the Security Council’s failure has been compounded by the passive stance of other international bodies. The IAEA’s muted reaction to attacks on safeguarded nuclear installations and the General Assembly’s reluctance to invoke the *Uniting for Peace* (UNGA<sup>1</sup>, 1950) mechanism further exemplify the erosion of collective accountability. This institutional inertia not only weakens the global non-proliferation regime but also signals a dangerous normalization of aggression when committed by or with the support of major powers. The direct participation of the United States in the so-called ‘Midnight Hammer’ operation against Iranian nuclear sites on 21–22 June 2025 illustrates this dynamic vividly. By aiding and abetting Israel’s unlawful use of force, the United States has itself engaged in a serious breach of *jus cogens* obligations. At the same time, the Council’s silence further legitimizes such violations through omission. The legal consequences of this failure extend beyond Iran’s case. Under the International Law Commission’s Articles on State Responsibility (ARSIWA, 2001), third States have a duty of non-recognition and non-assistance in the face of serious breaches of peremptory norms. However, many European States and U.S. allies have continued to cooperate with Israel militarily or diplomatically, contrary to the principles articulated in the *Namibia* (ICJ, 1971) and *Wall* (ICJ,

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1. United Nations General Assembly

2004) advisory opinions of the International Court of Justice. Such complicity not only violates the obligation *erga omnes* but accelerates the disintegration of the international legal order into spheres of selective legality (Tams & Tzanakopoulos, 2010; Akande & Tzanakopoulos, 2018). The broader implication is the emergence of a crisis of confidence in the collective security system itself. When the Security Council fails to act against manifest aggression, states must rely on unilateral or regional measures to safeguard their sovereignty. This trend risks fragmenting the post-1945 international order and substituting law with ad hoc coalitions, thus undermining the universality of the Charter system (Thakur, 2016). In the long run, the perception that the UN applies international law selectively—depending on the violator's identity—threatens to render its foundational norms obsolete. Ultimately, the Israeli aggression against Iran epitomizes the disjunction between the legal ideals of the UN Charter and the political realities of its enforcement. The Security Council's inaction not only delegitimizes the UN as an institution but also emboldens future aggressors by signaling that power, rather than law, determines accountability. Unless the veto system is reformed and the principle of sovereign equality is restored in practice, the United Nations will continue to face a deepening crisis of legitimacy that jeopardizes both the credibility of international law and the stability of the collective security order itself.

#### **5.4. Illegality of Attacks on Nuclear Facilities under International Law**

The coordinated attacks of the United States and the Israeli regime against Iran's safeguarded nuclear facilities at Fordow, Natanz, and Isfahan on 21–22 June 2025 constitute a flagrant violation of international law. These facilities, operating under the supervision

of the International Atomic Energy Agency (IAEA), and protected by Iran's Comprehensive Safeguards Agreement (INFCIRC/214), were dedicated solely to peaceful purposes. The strikes—carried out without provocation and publicly claimed by U.S. President Donald Trump—violate Article 2(4) of the UN Charter, the fundamental prohibition on the use of force, as well as the principles of sovereignty and territorial integrity of States. They also contravene Iran's rights under the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), the Statute of the IAEA, and UN Security Council Resolutions 487 (UNSC, 1981b) and 2231 (UNSC, 2015), which collectively protect the peaceful use of nuclear energy and condemn any military attack on nuclear installations under safeguards. Under Article 56 of Additional Protocol I to the 1949 Geneva Conventions, attacks on works and installations containing dangerous forces, such as nuclear plants, are strictly prohibited (ICRC<sup>1</sup>, 1977b). Attacking such sites risks widespread, long-term, and severe harm to civilians and the environment, and is therefore absolutely prohibited. The Convention on the Physical Protection of Nuclear Material (CPPNM, 1980) and its 2005 Amendment further forbid armed attacks on nuclear facilities. As reaffirmed by the IAEA General Conference in its 1985 and 1990 resolutions (GC (XXIX)/RES/444; GC (XXXIV)/RES/533), armed attacks against peaceful nuclear installations constitute a violation of the UN Charter and international law (IAEA<sup>2</sup>, 1985, 1990). As previously noted, and in line with the clarifications regarding IAEA resolutions, 'peaceful nuclear installations' refer to nuclear facilities, including reactors, laboratories, enrichment plants, and storage sites that are solely used for non-military purposes such as

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1. International Committee of the Red Cross

2 International Atomic Energy Agency

energy production, medical applications, research, or other civilian activities, and are not involved in the development, testing, or deployment of nuclear weapons.

The Israeli and U.S. strikes thus represent a double illegality: an act of aggression and a grave breach of humanitarian and environmental protection norms. They also undermine the very foundations of the global non-proliferation regime. The NPT guarantees the inalienable right of all member states to develop nuclear energy for peaceful purposes; yet the attack targeted a program repeatedly verified by the IAEA as peaceful. By striking safeguarded facilities, the aggressors have jeopardized international confidence in the IAEA's verification system and encouraged a perception that only nuclear-armed states can ensure their own security. This erosion of trust poses a structural threat to global security and to the future of the non-proliferation framework itself. Accordingly, such attacks must be recognized as serious violations of international law, giving rise to state responsibility and potential individual criminal liability. The international community, particularly the IAEA and the United Nations, must act decisively to ensure accountability, reaffirm the inviolability of safeguarded nuclear facilities, and prevent repetition of such unlawful acts. Failure to do so will not only weaken the credibility of international institutions but may also trigger a dangerous wave of nuclear rearmament and distrust in the global legal order.

### **5. 5. Individual Criminal Responsibility for Aggression: The Case of Israeli Leadership**

The Israeli military aggression against Iran, orchestrated under the leadership of Benjamin Netanyahu, exemplifies a case of individual criminal responsibility for acts of aggression under international

law. Netanyahu, who was subject to an International Criminal Court (ICC) arrest warrant issued in December 2024 for war crimes committed in Gaza, authorized and coordinated a series of premeditated attacks that targeted civilian infrastructure and safeguarded nuclear facilities in Iran. These actions constitute crimes of aggression within the meaning of Article 8 bis of the Rome Statute, encompassing the planning, preparation, initiation, or execution of armed force in violation of the UN Charter (ICC, 1998). The fact that these offenses were directed by an individual already indicted for grave international crimes underscores the persistence of criminal conduct and strengthens the legal imperative for enforcement. Under Article 25 of the Rome Statute, responsibility extends not only to those who personally commit acts of aggression but also to those in positions of authority who order, plan, or facilitate such conduct. Netanyahu's direct involvement in approving and managing operations against Iranian territory, including nuclear facilities under International Atomic Energy Agency (IAEA) safeguards, clearly demonstrates both intent and command responsibility. These attacks breached Article 2(4) of the UN Charter, numerous Security Council resolutions, customary international law, and the principles of international humanitarian law (IHL) that protect civilian infrastructure and nuclear installations. ICC member States, currently numbering 124, are generally obligated to cooperate fully in the execution of arrest warrants; however, with respect to the crime of aggression, this obligation is limited to those States that have ratified the relevant instruments or accepted the Court's jurisdiction over this crime. This case illustrates the dual nature of accountability under international law. While the State bears responsibility for acts of aggression, individual leaders who orchestrate and execute these acts are personally criminally liable.

The European Union has explicitly confirmed that its member States are obligated to implement the ICC arrest warrant against Netanyahu, emphasizing that political office or status cannot shield an individual from legal accountability. Accordingly, Netanyahu's leadership in the aggression against Iran constitutes not only a violation of the sovereignty of a UN Member State but also an actionable case of individual criminal responsibility for aggression. Failure to enforce accountability in such instances undermines the normative force of *jus cogens* prohibitions against the use of force and erodes the credibility of international criminal law. Netanyahu's case demonstrates that without effective enforcement mechanisms, the deterrent effect of the Rome Statute is significantly weakened, emboldening other leaders to commit similar acts with impunity. The international community's decisive action in apprehending and prosecuting indicted leaders is therefore essential both for upholding justice and for preserving the integrity of the global legal order and the principles of international peace and security.

## **6. Broader Implications and Policy Discussion**

The recent coordinated military actions by the Israeli regime and the United States against the Islamic Republic of Iran, including direct attacks on nuclear facilities and civilian infrastructure, carry profound implications for the international legal and security order. One immediate consequence is further destabilizing the Nuclear Non-Proliferation Treaty (NPT) regime. Iran's nuclear program, conducted under comprehensive IAEA safeguards and explicitly endorsed by UN Security Council Resolution 2231, represents a legitimate and peaceful effort in compliance with international law. The deliberate targeting of these facilities by a nuclear-armed State

not only undermines Iran's sovereign rights but also signals that nuclear non-proliferation obligations can be selectively disregarded, thereby eroding global trust in the NPT framework. If such attacks remain unchecked, other States may perceive independent nuclear development as a necessary means of deterrence, leading to the proliferation of nuclear weapons and a weakening of collective security guarantees. Beyond the non-proliferation regime, these events illustrate a significant erosion of *jus cogens* norms, particularly the prohibition of aggression and the inviolability of State sovereignty. The failure of the UN Security Council to respond decisively, coupled with the backing of major powers for the aggressor, highlights the selective application of international law in favor of strategic interests. Such precedent diminishes the normative force of *jus cogens* and erodes the expectation that all states will uphold fundamental principles of international conduct. Moreover, the inaction of supervisory bodies, including the IAEA and the Security Council, risks delegitimizing institutions designed to uphold global order, weakening the rule of law and creating space for unilateral uses of force. These developments collectively point toward the gradual onset of an anarchic international order. When states observe that violations of the Charter, attacks on peaceful nuclear programs, and breaches of collective security can occur with impunity; confidence in multilateral dispute resolution therefore erodes. Regional security dynamics may increasingly rely on ad hoc coalitions, military alliances, or self-help strategies rather than the frameworks established by the UN. The international system risks fragmenting into spheres of influence dominated by powerful States, undermining the universality of international law and destabilizing the balance of global security. The case of Israeli and American aggression against Iran thus serves as a cautionary example:

without a robust enforcement of legal norms and equitable responses to violations, the foundations of international order are at severe risk, and the principle of collective security may transition from a binding obligation to a nominal ideal.

## 6. Conclusion

Since the dawn of June 2025, the military aggression carried out by the Israeli regime without any prior provocation or imminent threat from Iran, constitutes an unequivocal violation of the United Nations Charter, fundamental principles of international law, and human rights. These actions, including attacks on the safeguarded peaceful nuclear facilities in Natanz, Qom, Arak, and Isfahan, not only amount to war crimes but also undermine the legitimacy of the international order and seriously threaten regional peace and security. Given that Iran's nuclear program operates under the strictest IAEA supervision. It has been endorsed by UN Security Council Resolution 2231. The international community, including the IAEA Board of Governors, bears a legal and moral responsibility to condemn this aggression in the strongest terms. The involvement of the United States, supporting these unlawful strikes during an ongoing diplomatic process, further exacerbates the breach of international law and reinforces Iran's exercise of its legitimate right to self-defense under Article 51 of the UN Charter. This situation underscores the urgent need for the international community to reaffirm the inviolability of IAEA-protected nuclear facilities, ensure compliance with international humanitarian law, and hold the aggressor states accountable. The Security Council and all relevant international bodies must act decisively to prevent further violations, safeguard civilian lives, and restore the authority of international law to maintain global peace and security.

### **6.1. Policy Recommendations for Restoring International Law and Security**

The UN Secretary-General, the Security Council, the IAEA, and all member states have an urgent duty to condemn Israel's aggression against Iran for violating international law, humanitarian law, and the protection of nuclear facilities. The Security Council is responsible for demanding the immediate cessation of attacks and for taking measures to ensure accountability for breaches of sovereignty and territorial integrity, in accordance with its powers under the UN Charter. While the Secretary-General plays a key role in reporting violations and facilitating the Council's work, the relevant provisions do not confer direct enforcement authority to the Secretary-General. Any action by the Secretary-General must be taken under Article 99 of the UN Charter, such as appointing a special representative and forming fact-finding missions. The first mission should assess the impact on Iran's peaceful nuclear facilities under IAEA safeguards, highlighting violations of Article 56 of Additional Protocol I and Security Council Resolution 487. The second mission should examine the initial attacks on residential areas and military personnel off duty, documenting potential crimes against humanity and violations of Article 51 of the UN Charter. These findings must inform prompt legal and political action. Third, states are bound by international law not to recognize or support Israel's unlawful actions, in line with Article 41 of the ILC Draft Articles on State Responsibility (ARSIWA) and ICJ jurisprudence. This includes refraining from military, logistical, or financial assistance to the aggressor. All states must ensure respect for IHL, prevent violations, and avoid actions that facilitate breaches, including arms transfers. Decisive collective action is essential. The Security Council must strengthen monitoring mechanisms, enforce compliance with NPT and IHL

obligations, and hold the Israeli regime accountable. Member states must act in concert to prevent escalation, safeguard civilians and nuclear facilities, and reinforce the authority of international law to restore international peace and security.

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All authors contributed equally to the conceptualization of the article and writing of the original and subsequent drafts. All authors have seen and approved the final version of the manuscript.

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This article was not authored by artificial intelligence. The authors used Grammarly in order to improve the level of writing and correct editing of the text. After using this tool/service, the authors reviewed and edited the content as needed and take full responsibility for the content of the publication.

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