
Contemporary Missile Warfare and the Use of Force: A Legal Evaluation of the Iran–Israel Escalation

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The escalation of missile warfare between Iran and Israel has intensified legal debates concerning the regulation of armed conflict under international law. This article examines these challenges through the Iran–Israel confrontation, with a particular focus on the large-scale missile exchanges in June 2025 and the renewed escalation in February 2026. The study demonstrates how contemporary warfare methods, including ballistic and cruise missiles, armed drones, and cyber operations, strain existing legal frameworks. It evaluates the legality of these developments under the United Nations Charter, particularly the prohibition on the use of force under Article 2(4) and the right of self-defense under Article 51, alongside the application of international humanitarian law principles of distinction, proportionality, and precautions in attack. By analyzing these developments, the article identifies

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doctrinal and operational gaps in current legal regimes and argues for adaptive legal mechanisms to address the challenges of modern missile warfare.

Keywords

Missile Warfare, Iran–Israel Conflict, Use of Force, Self-Defense, Article 51 UN Charter, International Humanitarian Law, Armed Conflict

1. Introduction

The increasing use of ballistic missiles, cruise missiles, and armed drones has transformed contemporary warfare. Missile technology enables rapid long-distance strikes, strategic deterrence, and precision targeting of strategic objectives without conventional troop deployment.¹ However, their deployment raises profound legal questions under *jus ad bellum* (the law governing the resort to force) and *jus in bello* (international humanitarian law governing the conduct of hostilities).² The June 2025 and February 2026 escalations between Iran and Israel provide a critical case study for evaluating the legality of international law-enforced missile warfare of today.³

The conflict intensified significantly on February 28, 2026, following a joint strike by the US and Israel on targets in Tehran. The operation resulted in the assassination of Ayatollah Ali Khamenei and the deaths of several senior military officials, including commanders of the Islamic Revolutionary Guard Corps (IRGC).⁴ Furthermore, the strikes occurred in proximity to civilian infrastructure, including primary girls' schools in Minab and other urban centers,⁵ raising serious concerns regarding compliance with the principles of distinction and proportionality under international humanitarian law (IHL).⁶ In response, Iran

1 Michael Schmitt, *War, Technology, and the Law of Armed Conflict*, 82(1) INT'L L. STUD. 137-82 (2006).

2 Alexander Blanchard & Mariarosaria Taddeo, *Autonomous Weapon Systems and Jus ad Bellum*, 39 AI & Soc'Y 705 (2024), <https://doi.org/10.1007/s00146-022-01425-y>.

3 Francesco Sandrini, *The Evolving Israel-Iran Conflict*, Amundi Research Center (June 25, 2025), <https://research-center.amundi.com/article/evolving-israel-iran-conflict>.

4 *Ali Khamenei Killed in US-Israeli Attacks, Iranian State Media Confirms*, AL JAZEERA (Feb. 28, 2026), <https://www.aljazeera.com/news/2026/2/28/irans-supreme-leader-ali-khamenei-killed-in-us-israeli-attacks-reports>.

5 Human Rights Watch, *US/Israel: Investigate Iran School Attack as a War Crime* (Mar. 7, 2026), <https://www.hrw.org/news/2026/03/07/us/israel-investigate-iran-school-attack-as-a-war-crime>.

6 Rawan Ahmad & Christiaan Triebert, *Iran Attack Live Updates: Khamenei, Trump and the Expanding Conflict*, N.Y. TIMES (Mar. 2, 2026), <https://www.nytimes.com/live/2026/03/01/world/iran-attack-khamenei-trump>; *World Reacts to Killing of Iran's Khamenei by U.S.—Israel Forces*, AL JAZEERA (Mar. 1, 2026), <https://www.aljazeera.com/news/2026/3/1/world-reacts-to-killing-of-irans-khamenei-by-us-israel-forces>.

reportedly initiated large-scale retaliatory operations against Israeli territory and the US military installations in Bahrain, Kuwait, Qatar, and the United Arab Emirates (UAE) using ballistic and hypersonic missiles and armed drones. These developments substantially expanded the geographical scope of hostilities and heightened the risk of broader regional escalation.⁷

A similar large-scale confrontation had already occurred in June 2025 when Israel launched strikes against Iranian military and nuclear facilities. The operation reportedly killed at least 610 individuals, including senior military officials and nuclear scientists, and injured thousands. On the same day, Iran retaliated with hundreds of ballistic missiles and armed drones targeting Israeli territory, causing casualties and infrastructural damage before a ceasefire was brokered by the US President Donald Trump. Subsequent missile exchanges on June 19, 20, and 22 of 2025 intensified the hostilities and generated significant legal debate as to whether Israel's initial strike constituted lawful anticipatory self-defense under Article 51 of the United Nations Charter (UN Charter) or an unlawful use of force prohibited by Article 2(4).⁸

These developments raise fundamental legal questions regarding the application of international law to modern missile warfare, particularly whether Israel's strike against Iranian territory can be justified as anticipatory self-defense under Article 51 or constitutes an unlawful use of force prohibited by Article 2(4):⁹ (1) whether Iran's subsequent missile attacks, including the deployment of ballistic and hypersonic missiles and armed drones, may be justified as lawful self-defense in response to an armed attack;¹⁰ and (2) whether the targeted killing of Iran's Supreme Leader could constitute an unlawful military operation under IHL in the absence of an imminent armed attack.¹¹

This research analyzes the February 2026 war escalation and the earlier June

7 'Reprehensible': New Wave of Iranian Missiles, Drones Target Gulf Nations, AL JAZEERA (Mar. 9, 2026), <https://www.aljazeera.com/news/2026/3/9/reprehensible-new-wave-of-iranian-missiles-drones-target-gulf-nations>.

8 Alia Chughtai, *Visualising 12 Days of the Israel–Iran Conflict*, AL JAZEERA (June 26, 2025), <https://www.aljazeera.com/news/2025/6/26/visualising-12-days-of-the-israel-iran-conflict>; David Makar & Tyodzer Pillah, *Twelve Days of Escalation: Analyzing the June 2025 Israel-Iran War and U.S. Precision Strikes on Nuclear Infrastructure*, 2(7) IRASS J. ARTS HUMAN. & SOC. SCI. 1-12 (2025).

9 U.N. Charter arts. 2(4) & 51.

10 UNSC, *Iran Strikes Could Trigger Wider Conflict in Middle East, Secretary-General Warns*, as Security Council Speakers Call for Urgent Restraint, Return to Talks, U.N. Doc SC/16307 (Feb. 28, 2026), <https://press.un.org/en/2026/sc16307.doc.htm>; *Is Iran Violating International Law by Striking US Bases in Gulf States?*, PALESTINE CHRON. (Mar. 4, 2026), <https://www.palestinechronicle.com/is-iran-violating-international-law-by-striking-us-bases-in-gulf-states>.

11 Edmarverson Santos, *Assassination of Ali Khamenei: Is It Legal?*, DIPL. & L. (2026), <https://www.diplomacyandlaw.com/post/assassination-of-ali-khamenei-is-it-legal>.

2025 missile exchanges to evaluate the legality of these events under the UN Charter, customary international law, and the Geneva Conventions, particularly the principles of distinction, proportionality, and military necessity.¹² In the circumstances of this confrontation, questions arise as to whether there was any “immediate need” to attack Iranian territory through large-scale missile strikes or aerial bombardment.¹³ Therefore, the confrontation illustrates how technological developments in missile warfare, including ballistic missiles, hypersonic missiles, and unmanned aerial systems, together with cross-border strikes and the involvement of external actors, challenge existing legal frameworks governing the use of force and hostilities.¹⁴

2. Historical Background of the Iran–Israel Conflict

The strategic rivalry between Iran and Israel developed over several decades and is closely linked to broader geopolitical changes in West Asia (Middle East). Before 1979, under Shah Mohammad Reza Pahlavi, Iran maintained cooperative relations with Israel, including cooperation in intelligence and coordination of regional security. This relationship changed following the 1979 Iranian Revolution, which established the Islamic Republic under Ayatollah Ruhollah Khomeini and adopted an openly anti-Israel position as a central element of its foreign and regional policy.¹⁵

Tensions between the two states have intensified since the revolution due to ideological rivalry, regional power competition, and security concerns. Israel has consistently viewed Iran’s nuclear ambitions and expanding missile capabilities

12 U.N. Charter arts. 2(4), 51; Protocol Additional to the Geneva Conventions of 12 August 1949, arts. 48, 51 & 52; MARCO SASSOLI & PATRICK NAGLER, INTERNATIONAL HUMANITARIAN LAW: RULES, CONTROVERSIES, AND SOLUTIONS TO PROBLEMS ARISING IN WARFARE 190-200 (2019).

13 Charlie Walker, *How Legal Are the US-Israeli Strikes on Iran?*, POL. U.K. (Mar. 11, 2026), <https://politicsuk.com/news/how-legal-are-the-us-israeli-strikes-on-iran/>; Emad Mekay, *Airstrikes on Iran: Necessity or Choice?*, International Bar Association (July 28, 2025), <https://www.ibanet.org/airstrikes-on-iran-necessity-or-choice/>; Roderick Kefferpütz, *Experts React: How the World Is Responding to the US-Israeli War with Iran*, Atlantic Council (Mar. 3, 2026), <https://www.atlanticcouncil.org/dispatches/experts-react-how-the-world-is-responding-to-the-us-israeli-war-with-iran/>.

14 Cian O’Meara, *Reconceptualising the Right of Self-defense Against ‘Imminent’ Armed Attacks*, 9(2) J. USE FORCE & INT’L L. 278-323 (2022); STEPHEN WATTS ET AL., PROXY WARFARE IN STRATEGIC COMPETITION: STATE MOTIVATIONS AND FUTURE TRENDS 42-50 & 107-38 (2023), https://www.rand.org/content/dam/rand/pubs/research_reports/RRA300/RRA307-2/RAND_RRA307-2.pdf; Stephanie Barbour & Zoe Salzman, “*The Tangled Web*”: *The Right of Self-Defense Against Non-State Actors in the Armed Activities Case*, 40 (Special Issue) J. INT’L L. & POL. 53-106 (2008).

15 DALIA KAYE ET AL., ISRAEL AND IRAN: A DANGEROUS RIVALRY 1-89 (2011), https://www.rand.org/content/dam/rand/pubs/monographs/2011/RAND_MG1143.pdf.

as major strategic threats,¹⁶ while Iran has criticized Israel's military posture and policies toward the Palestinian territories. Iran's support for non-state militant actors, including Hezbollah in Lebanon and other armed groups in the region, has further exacerbated these tensions, which Israel considers part of a broader strategy of indirect confrontation.¹⁷

Disputes over Iran's nuclear program have further intensified tensions among Iran, Israel, and Western states. International concerns regarding Iran's uranium enrichment activities led the United Nations Security Council (UNSC) and several Western governments to impose economic sanctions.¹⁸ Diplomatic negotiations culminated in the 2015 Joint Comprehensive Plan of Action, under which Iran agreed to limit aspects of its nuclear program in exchange for sanctions relief. However, the US's withdrawal from the 2015 Action Plan in 2018 and the subsequent reimposition of sanctions significantly weakened the framework and contributed to renewed regional instability.¹⁹

Meanwhile, the International Atomic Energy Agency (IAEA) continued to monitor Iran's nuclear activities through inspections and verification mechanisms under the Nuclear Non-Proliferation Treaty (NPT)'s safeguards system.²⁰ Although Iran has accumulated enriched uranium to levels approaching weapons-grade purity, enrichment alone does not constitute a nuclear weapon, and the existence of an operational Iranian nuclear weapons program has not been definitively confirmed by international monitoring bodies.²¹ These mechanisms illustrate the continuing role of international institutions in addressing proliferation concerns through diplomatic and legal processes rather than unilateral military action.

In addition to the nuclear dispute, missile development has become a central element of Iran's strategic deterrence doctrine. Iran has one of the largest ballistic missile arsenals in the Middle East, including the systems capable of reaching

16 *Id.* at 19-53.

17 *Id.* See also Jonathan Whittall, *The End of Iran's Strategic Patience*, AL JAZEERA (Mar. 6, 2026), <https://www.aljazeera.com/opinions/2026/3/6/the-end-of-irans-strategic-patience>.

18 Mostafa Salem et al., *Everything You Need to Know About Iran's Nuclear Program*, CNN (June 13, 2025), <https://edition.cnn.com/2025/06/13/middleeast/iran-nuclear-program-explainer-intl-dg>; Kali Robinson, *What Is the Iran Nuclear Deal?*, Council on Foreign Relations (Oct. 27, 2023), <https://www.cfr.org/backgrounders/what-iran-nuclear-deal>.

19 UNSC, *Don't Allow Missile Programme Concerns, United States Pull-out to Erase Benefits of Iran Nuclear Deal*, U.N. Doc. SC/13615 (Dec. 12, 2018), <https://press.un.org/en/2018/sc13615.doc.htm>.

20 IAEA, *IAEA Director General's Introductory Statement to the Board of Governors* (June 9, 2025), <https://www.iaea.org/newscenter/statements/iaea-director-generals-introductory-statement-to-the-board-of-governors-9-june-2025>; Treaty on the Non-Proliferation of Nuclear Weapons, art. I.

21 Parham Ghobadi, *Iran Nuclear Deal: What Is It and Why Does It Matter?*, BBC NEWS (May 31, 2025), <https://www.bbc.com/news/articles/c1mg7kx2d45o>.

Israeli territory.²² Israel has simultaneously invested heavily in missile defense systems, such as the Iron Dome, David's Sling, and Arrow interception systems, while maintaining a policy of strategic ambiguity (NCND) regarding its nuclear capabilities.²³

For many years, direct military confrontation between the two states was limited and often occurred through indirect engagements involving regional proxies. However, tensions have significantly escalated in recent years. In April 2024, Iran launched a large-scale drone and missile attack against Israeli targets following an Israeli strike on Iranian diplomatic facilities in Damascus. Although most incoming projectiles were intercepted, the incident marked an unprecedented direct exchange of long-range attacks between the two countries.²⁴

The confrontation intensified further in June 2025 when Israel launched strikes on Iranian military installations, missile facilities, and nuclear-related infrastructure.²⁵ Iran responded with large-scale missile attacks on Israeli territory, resulting in civilian casualties and significant infrastructural damage.²⁶ These exchanges marked one of the most direct and sustained episodes of hostilities between the two countries.

The hostility escalated again in February 2026 following a joint US-Israel operation targeting facilities associated with Ayatollah Ali Khamenei, the

22 Sam McNeil, *Why Hypersonic Missiles Are Stirring Fears in the Conflict between Israel and Iran*, PBS NEWS (June 18, 2025), <https://www.pbs.org/newshour/world/why-hypersonic-missiles-are-stirring-fears-in-the-conflict-between-israel-and-iran>.

23 Bilal Saab & Darren White, *Lessons Observed from the War Between Israel and Iran*, War on the Rocks (July 16, 2025), <https://warontherocks.com/2025/07/lessons-observed-from-the-war-between-israel-and-iran/>; Andie Parry et al., *Iran Update Special Edition: Israeli Strikes on Iran*, June 13, 2025, Institute for the Study of War (June 13, 2025), <https://understandingwar.org/research/middle-east/iran-update-special-edition-israeli-strikes-on-iran-june-13-2025>; Israel Aerospace Industries, Barak MX: Real-Time Defence, Proven Performance, <https://www.iai.co.il/iai-action/barak-mx-real-time-defence-proven-performance>; Seth Frantzman, *Lasers in the field: Iron Beam clears last test before operational use*, Breaking Defense (Sept. 17, 2025), <https://breakingdefense.com/2025/09/lasers-iron-beam-iron-dome-israel-pew-pew>.

24 David Smith, *Israel Under Fire as Iran Launches Extensive Drone Strikes*, GUARDIAN (Apr. 13, 2024), <https://www.theguardian.com/world/2024/apr/13/israel-under-fire-as-iran-launches-extensive-drone-strikes>.

25 Gawdat Bahgat, *Iran's Ballistic-Missile and Space Program: An Assessment*, 26(1) MIDDLE E. POL'Y 31-45 (2019), <https://www.hayadan.org.il/images/content3/2024/10/Bahgat-Irans-Missiles.pdf>; Global Conflict Tracker, *Iran's Conflict with Israel and the United States*, Council on Foreign Relations (Oct. 7, 2025), <https://www.cfr.org/global-conflict-tracker/conflict/confrontation-between-united-states-and-iran>; Sam Mednick et al., *US inserts itself into Israel's war with Iran, striking 3 Iranian nuclear sites*, ASSOCIATED PRESS (June 22, 2025), <https://apnews.com/article/israel-iran-war-nuclear-talks-geneva-news-06-21-2025-a7b0cdaba28b5817467ccf712d214579>; *Missile Strikes Hit Tel Aviv and Haifa as Iran Retaliates against Israel*, GUARDIAN (June 16, 2025), <https://www.theguardian.com/world/2025/jun/16/israel-iran-conflict-tel-aviv-haifa-missile-strike>.

26 Ezeanya Vincent et al., *Israel-Iran Nuclear Contestation and Narrative of Existential Threat*, 21(9) J. XI'AN SHIYOU U. NAT. SCI. ED. 76-96 (2025).

Supreme Leader of Iran.²⁷ The strikes resulted in the assassination of Khamenei and the deaths of several senior Iranian military officials and prompted further Iranian missile and drone attacks against Israeli and US military installations in several Gulf states.²⁸ These developments transformed the confrontation into a broader regional crisis and raised complex legal questions concerning the use of force, the doctrine of self-defense, and the protection of civilians under IHL.

Against this historical and strategic background, the Iran–Israel missile confrontations between 2024 and 2026 provide a significant case through which to evaluate how international law regulates the use of force in an era of advanced missile technology and rapidly escalating hostilities.

3. Legal Framework governing the Use of Force in the Israel-Iran Conflict

The missile exchanges between Iran and Israel must be assessed within the framework of international law governing the use of force. The UN Charter establishes a general prohibition on the use of force in international relations while recognizing limited exceptions, most notably the inherent right of self-defense.²⁹ The escalations between 2025 and 2026, including large-scale cross-border missile strikes and leadership-targeting operations, provide a contemporary context in which these legal principles must be applied.³⁰

Article 2(4) of the UN Charter prohibits states from using force against another state's territorial integrity or political independence. Cross-border missile strikes fall within this prohibition's scope.³¹ The International Court of Justice (ICJ) confirmed the customary international law status of this rule in *Military and Paramilitary Activities in and against Nicaragua* (Nica. v U.S.), emphasizing that the prohibition of the use of force constitutes a fundamental principle of international

27 Gordon Corera, *Months of Planning Behind US-Israeli Mission to Target Iran's Supreme Leader*, BBC NEWS (Mar. 1, 2026), <https://www.bbc.com/news/articles/c86y5540vnno>.

28 Santos, *supra* note 11; *Iran Launches 'Revenge' Missile Attack on Israel After Assassinations*, AL JAZEERA (Mar. 18, 2026), <https://www.aljazeera.com/news/2026/3/18/iran-launches-revenge-missile-attack-on-israel-after-assassinations>.

29 U.N. Charter art. 51.

30 Davit Khachatryan, *Israel's Rising Lion: Toward a Preventive Jus ad Bellum?*, *Völkerrechtsblog* (July 17, 2025), <https://voelkerrechtsblog.org/israels-rising-lion>; Stephen Brodsky, *Israel's Operation Rising Lion: The Right of Self-Defense?*, *Lieber Institute for Law & Peace* (June 15, 2025), <https://lieber.westpoint.edu/israels-operation-rising-lion-right-of-self-defense>; Security Council, *In Hindsight: The Increasing Use of Article 51 of the UN Charter and the Security Council* (Sept. 30, 2025), <https://www.securitycouncilreport.org/monthly-forecast/2025-10/in-hindsight-the-increasing-use-of-article-51-of-the-un-charter-and-the-security-council.php>.

31 U.N. Charter art. 2(4).

law.³² Accordingly, both the June 2025 Israeli strikes on Iranian military and nuclear-related infrastructure, including the targeting of senior military officials such as General Hossein Salami and Major General Mohammad Bagheri, and the February 2026 joint US-Israel operation targeting Iranian leadership and strategic facilities, constitute uses of force that are *prima facie* unlawful unless justified under an applicable exception³³

The principal exception to this prohibition is the inherent right of self-defense recognized in Article 51 of the Charter, which permits states to use force in response to an armed attack.³⁴ The ICJ in the *Nicaragua* case clarified that the exercise of self-defense should satisfy the requirements of necessity and proportionality.³⁵ In the context of the 2025-26 escalations, the central legal question is whether either the Israeli and US actions can be justified as anticipatory self-defense, or they instead constitute preventive uses of force falling outside the scope of lawful justification.

In practice, some states have invoked anticipatory or pre-emptive self-defense, arguing that force may be used when an armed attack is imminent.³⁶ Under customary international law, the permissibility of such action is generally assessed through the standard articulated in the *Caroline* correspondence of 1837,³⁷ which requires that the necessity of self-defense be instant and overwhelming, leaving no choice of means and no moment for deliberation.³⁸ In addition to necessity, the responding state must also demonstrate proportionality, i.e., the scale and effects of the defensive action must be limited to what is required to repel or prevent an imminent attack.³⁹ Applying this standard to the Israeli strikes, the

32 Military & Paramilitary Activities in & Against Nicaragua (Nicar. v. U.S.), Judgment, 1986 I.C.J. 14, ¶¶ 176-201 (June 27).

33 Ahmad & Triebert, *supra* note 6; Brodsky, *supra* note 30; Vincent et al., *supra* note 26; Ali Bagheri Dolatabadi, *The June 2025 Israeli War*, 32(3) MIDDLE E. POL'Y 16-35 (2025), <https://onlinelibrary.wiley.com/doi/epdf/10.1111/mepo.70008>; David Albright & Spencer Faragasso, *Post-Attack Assessment of the First 12 Days of Israeli and U.S. Strikes on Iranian Nuclear Facilities*, Institute for Science and International Security (June 24, 2025), https://isis-online.org/uploads/isis-reports/documents/Israel-Iran-Post-Attack-Battle-Damage-Assessment_Edit-FINAL.pdf; Frank Gardner, *Iran is Reeling from Israel's Unprecedented Attack*, BBC NEWS (June 13, 2025), <https://www.bbc.com/news/articles/cvg72ny4xeyo>.

34 U.N. Charter art. 51.

35 I.C.J., *supra* note 32, at ¶ 194.

36 Michael Schmitt, *Preemptive Strategies in International Law*, 24(2) MICH. J. INT'L L. 520-6 (2003).

37 See Letter from Daniel Webster, U.S. Sec'y of State, to Lord Ashburton (Aug. 6, 1842), in 2 JOHN MOORE, A DIGEST OF INTERNATIONAL LAW 412 (1906), <https://ia801406.us.archive.org/11/items/digestofinternat02mooriala/digestofinternat02mooriala.pdf>.

38 Ashley Deeks, *Taming the Doctrine of Pre-Emption*, in THE OXFORD HANDBOOK OF THE USE OF FORCE IN INTERNATIONAL LAW 661-5 (Marc Weller ed., 2015).

39 David Kretzmer, *The Inherent Right to Self-Defence and Proportionality in Jus Ad Bellum*, 24(1) EUR. J. INT'L L. 235-82 (2013).

absence of clear and publicly available evidence demonstrating an imminent Iranian armed attack raises serious doubts as to whether the requirement of imminence has been satisfied.⁴⁰ In such circumstances, the operations are more appropriately characterized as preventive uses of force, which are generally considered unlawful under Article 2(4).⁴¹

Under contemporary international criminal law, unlawful uses of force may also fall within the concept of aggression. Article 8 *bis* of the Rome Statute of the International Criminal Court defines the crime of aggression as the “planning, preparation, initiation, or execution, by a person in a position effectively to exercise control over or to direct the political or military action of a State, of an act of aggression which, by its character, gravity and scale, constitutes a manifest violation of the Charter of the United Nations.”⁴² An act of aggression thus includes the use of armed force against another state’s sovereignty, territorial integrity, or political independence, including bombardment or attacks against another state’s territory.⁴³ Given the scale of the 2025 and 2026 operations, including coordinated strikes on military infrastructure and leadership targets, these actions may, depending on further factual determination, engage the legal framework governing the crime of aggression.

These principles provide the legal framework through which Israeli strikes on Iranian territory and subsequent Iranian missile responses must be assessed, particularly in determining whether the operations constitute lawful self-defense or unlawful uses of force. In this regard, the UNSC practice further illustrates the limits imposed on unilateral military action against nuclear infrastructure. Following Israel’s 1981 attack on Iraq’s Osirak nuclear reactor, the Security Council adopted Resolution 487, condemning the strike. It emphasized that concerns regarding nuclear proliferation should be addressed through international mechanisms rather than unilateral force.⁴⁴ This precedent remains relevant when assessing contemporary attacks on nuclear-related facilities.

If Israel’s June 2025 strike is assessed as reaching the threshold of an armed attack under international law, Iran may invoke its inherent right of self-defense,

40 Michael Schmitt, *Israel’s Operation Rising Lion and the Right of Self-Defense*, Lieber Institute of West Point (June 16, 2025), <https://lieber.westpoint.edu/israels-operation-rising-lion-right-of-self-defense>.

41 Kretzmer, *supra* note 39. See also Eric Yong Joong Lee, *Can the PSI be Legitimate for the Nonproliferation Regime? A Critical Analysis*, 3(1) J. E. ASIA & INT’L L. 29-47 (2010).

42 Rome Statute art. 8 *bis*(1).

43 *Id.* See also Yoram Dinstein, *Aggression*, in MAX PLANCK ENCYCLOPEDIA OF PUBLIC INTERNATIONAL LAW 42-3 (Rüdiger Wolfrum ed., 2015), <https://opil.ouplaw.com/display/10.1093/law:epil/9780199231690/law-9780199231690-e236>; Nikola Hajdin, *The Actus Reus of the Crime of Aggression*, 34(2) LEIDEN J. INT’L L. 489-504 (2021).

44 U.N. Doc. S/RES/487, ¶ 1 (June 19, 1981).

which exists under customary international law and Article 51 of the UN Charter.⁴⁵ Given the scale and effects of the Israeli operation, including strikes on nuclear facilities, military infrastructure, senior personnel, and civilians, the attack is capable of meeting the threshold of an armed attack, thereby entitling Iran in principle to exercise its right of self-defense. In this context, the involvement of the US may also be examined under the doctrine of collective self-defense, which permits a third state to use force in support of a state that has been the victim of an armed attack, provided that such action is undertaken at the request or with the consent of that state and remains subject to the requirements of necessity and proportionality.⁴⁶

It is, however, essential to distinguish between self-defense and retaliation. While Iranian missile strikes against Israeli cities were framed by Iranian authorities as defensive responses, international law does not recognize forcible retaliation or reprisals as lawful measures outside the strict confines of self-defense. Accordingly, the legality of Iran's actions must be evaluated exclusively within the framework of self-defense, which requires compliance with the conditions of necessity and proportionality, so that the response is limited to what is required to repel or prevent further armed attacks and does not exceed that objective in its scale, scope, or effects.

These rules also apply to the 2026 escalation involving the targeted killing of Iran's Supreme Leader in a joint US-Israel operation. The legality of such an operation depends not only on *jus ad bellum*, but also on *jus in bello*.⁴⁷ If the operation occurred within the context of an international armed conflict, the principle of distinction would govern the targeting of individuals, which permits attacks only against combatants or individuals directly participating in hostilities.⁴⁸ IHL further requires that attacks comply with the principles of proportionality and precautions in attack.⁴⁹ Nevertheless, missile strikes directed

45 Dolatabadi, *supra* note 33.

46 The principle of necessity requires that force be used only when it is strictly required to repel or prevent an armed attack and no reasonable peaceful alternatives are available. The principle of proportionality further requires that the scale and intensity of the defensive response must not exceed what is reasonably necessary to address the threat. See Nehaluddin Ahmad et al., *Islamic Laws of War and Contemporary International Humanitarian Law: Discrimination and Proportionality*, 16(1) J. E. ASIA & INT'L L. 105-24 (2023).

47 Protocol Additional to the Geneva Conventions of 12 August 1949 and Relating to the Protection of Victims of International Armed Conflicts (Additional Protocol I), arts. 48 & 51(3). See also Fadi Farhat, *Can a Head of State Be Targeted for Assassination Under International Law?*, ARAB WKLY. (Mar. 11, 2026), <https://thearabweekly.com/can-head-state-be-targeted-assassination-under-international-law>.

48 Article 48 of Additional Protocol I establishes the principle of distinction, requiring parties to distinguish between civilians and combatants and to direct attacks only against military objectives. See ABDUL HAMID, *PUBLIC INTERNATIONAL LAW: A PRACTICAL APPROACH* 453-7 (2007).

49 Ahmad et al., *supra* note 46.

at military objectives may violate international law if they are expected to cause excessive civilian harm relative to the anticipated military advantage.⁵⁰ The missile exchanges between Iran and Israel, particularly those affecting densely populated urban centers such as Tel Aviv, Haifa, and Beersheba, raise serious concerns regarding the protection of civilians.⁵¹

4. The Israel–Iran Escalations of 2025 and 2026: Self-defense, Targeted Killing, and the Escalation of Hostilities

A. June 2025 Escalation: Israeli Strikes and Iranian Response

On June 13, 2025, Israeli forces attacked several sites in Iran, including uranium enrichment facilities at Natanz and strategic missile bases.⁵² The operation reportedly killed senior Iranian military officials and nuclear scientists and caused significant damage to Iranian military infrastructure.⁵³ From an international law perspective, the Israeli operation constitutes a use of force within the meaning of Article 2(4) of the UN Charter. Therefore, the core legal question is whether the strike can be justified as an exercise of self-defense under Article 51 or it represents an unlawful use of force.⁵⁴ Applying the legal framework outlined above, the justification of anticipatory self-defense depends on whether the requirement of imminence is satisfied.⁵⁵ In the absence of clear evidence demonstrating an imminent Iranian armed attack, the Israeli strike is more appropriately characterized as a preventive use of force, rather than a lawful exercise of anticipatory self-defense, thereby raising serious concerns regarding its compatibility with Article 2(4) and engaging the prohibition of aggression as reflected in Article 8 *bis* of the Rome Statute.⁵⁶

The strikes also reportedly resulted in the deaths of senior Iranian military

50 Aurel Sari, *Indiscriminate Attacks and the Proportionality Rule: What Is Incidental Civilian Harm?*, 30(2) J. CONFLICT & SEC. L. 203-39 (2025).

51 Bahgat, *supra* note 25.

52 *Id.*

53 *Supra* note 33. See also Federica Marsi, *Israel kills nuclear scientist, strikes on sites in Iran: Who did it target?*, AL JAZEERA (June 13, 2025), <https://www.aljazeera.com/news/2025/6/13/israel-kills-nuclear-scientists-strikes-sites-in-iran-who-did-it-target>.

54 Kretzmer, *supra* note 39.

55 John Psaropoulos, *Are Israel's Attacks Against Iran Legal?*, AL JAZEERA (June 20, 2025), <https://www.aljazeera.com/news/2025/6/20/are-israels-attacks-against-iran-legal>.

56 Dolatabadi, *supra* note 33.

officials and nuclear scientists, questioning the legality of targeted killings.⁵⁷ Under IHL, members of the armed forces of a party to an international armed conflict constitute lawful military objectives and may be thus targeted at any time.⁵⁸ However, such individuals as scientists or technical experts do not automatically qualify as lawful targets unless they directly participate in hostilities. Absent such participation, their targeting may violate the principle of distinction.⁵⁹

On the same day, meanwhile, Iran responded by launching a large-scale barrage of ballistic missiles and armed drones against Israeli territory. Reports indicate that more than 370 missiles were directed toward major Israeli urban centers.⁶⁰ Although Israel's missile defense systems including the Iron Dome, David's Sling, and Arrow intercepted many incoming projectiles, several struck populated areas, causing civilian casualties and damage to civilian infrastructure.⁶¹ During the confrontation, Israeli defenses actually intercepted a large proportion of incoming Iranian missiles, illustrating the role of integrated missile defense systems in contemporary missile warfare.⁶²

Iran justified these missile attacks as an exercise of its inherent right of individual self-defense under Article 51. If Israel's initial strike constitutes an armed attack,⁶³ Iran would be entitled to respond with defensive force. Nevertheless, in case of exercising self-defense, the scale and effects of the response must be limited to what is required to repel or deter the attack.⁶⁴

In addition to the *jus ad bellum* framework that governs the resort to force, missile exchanges must be evaluated under IHL. Once an armed conflict exists between states, the Geneva Conventions and customary IHL apply regardless of which party initiated the conflict.⁶⁵ In particular, missile attacks directed toward

57 Marsi, *supra* note 53.

58 Additional Protocol I art. 48.

59 Nils Melzer, *Interpretive Guidance on the Notion of Direct Participation in Hostilities under International Humanitarian Law* (ICRC, 2009), at 43-68, <https://www.icrc.org/sites/default/files/external/doc/en/assets/files/other/icrc-002-0990.pdf>. See also Michael Schmitt, *Attacking Scientists and Law of Armed Conflict*, *Articles of War* (Jun. 18, 2025), <https://lieber.westpoint.edu/attacking-scientists-law-armed-conflict>.

60 *Iran Attacks Israel with Over 300 Drones, Missiles: What You Need to Know*, AL JAZEERA (Apr. 14, 2024), <https://www.aljazeera.com/news/2024/4/14/iran-attacks-israel-with-over-300-drones-missiles-what-you-need-to-know>.

61 Bahgat, *supra* note 25.

62 Vincent et al., *supra* note 26.

63 Security Council, *supra* note 30.

64 Nicholas Tsagourias, *Assessing the Legality of Israel's Action Against Iran Under International Law*, *Articles of War* (June 20, 2025), <https://lieber.westpoint.edu/assessing-legality-israels-action-iran-international-law>; Marko Milanovic, *The Illegal Israeli-American Use of Force Against Iran: A Follow-Up*, *EJIL: TALK!* (June 23, 2025), <https://www.ejiltalk.org/the-illegal-israeli-american-use-of-force-against-iran-a-follow-up>.

65 Additional Protocol I, arts. 48 & 51-2.

urban areas therefore raise serious concerns under the principles of distinction and proportionality,⁶⁶ as attacks must be directed only against military objectives and must not cause excessive civilian harm.⁶⁷ Although Israel characterized its 2025 strike as “pre-emptive,” necessary to prevent an emerging threat including the approaching nuclear capability, this may be characterized as anticipatory self-defense.⁶⁸ Such justification is accepted only in extremely limited circumstances, namely where “an armed attack is already in the process of being launched but has not yet reached the territory of the target state.”⁶⁹ Without such imminence, the legality of the strike remains highly questionable. Conversely, although Iran may invoke self-defense in response to an armed attack, the scale and targeting of its missile response raise serious concerns under both *jus ad bellum* and *jus in bello*.⁷⁰

The UN Secretary-General called for restraint to Israel,⁷¹ while the IAEA warned that attacks on nuclear-related sites could create serious nuclear safety risks and undermine monitoring mechanisms associated with the nuclear non-proliferation regime.⁷² Former IAEA officials similarly criticized the strikes, asserting that suspicion alone does not justify pre-emptive military action.⁷³ In addition, several regional governments warned that the confrontation could

66 ICRC, Urban Warfare and the Protection of Civilians, <https://www.icrc.org/en/law-and-policy/urban-warfare-and-violence>.

67 Additional Protocol I, art. 48. See also ICRC, Explosive Weapons with Wide Area Effects: A Deadly Choice in Populated Areas (2022), at 22, https://www.icrc.org/sites/default/files/document_new/file_list/ewipa_explosive_weapons_with_wide_area_effect_final.pdf; Kretzmer, *supra* note 39.

68 Alexander Cornwell et al., *Israel Says It Strikes Iran Amid Nuclear Tensions*, REUTERS (June 14, 2025), <https://www.reuters.com/world/middle-east/israel-says-it-strikes-iran-amid-nuclear-tensions-2025-06-13>; Schmitt, *supra* note 40.

69 Webster Letter, *supra* note 37 (stating that self-defense requires a necessity that is “instant, overwhelming, leaving no choice of means, and no moment for deliberation”). See also I.C.J., *supra* note 32, at 14, ¶ 194.

70 Vincent et al., *supra* note 26.

71 United Nations Secretary-General, Concerned about Israeli Attacks on Iran’s Nuclear Installations, Secretary-General Asks Both Sides to Show Maximum Restraint (June 12, 2025), U.N. Doc. SG/SM/22683, <https://press.un.org/en/2025/sgsm22683.doc.htm>.

72 IAEA, Statement on the Situation in Iran (June 13, 2025), <https://www.iaea.org/newscenter/statements/statement-on-the-situation-in-iran-13-june-2025>. See also IAEA warns Israel-Iran conflict threatens nuclear facilities, diplomacy, AL JAZEERA (June 16, 2025), <https://www.aljazeera.com/news/2025/6/16/iaea-warns-israel-iran-conflict-threatens-nuclear-facilities-diplomacy>.

73 Agence France-Presse, *EU Cites Right to Self-Defense for Israel*, VOA AFR. (Oct. 15, 2023), <https://www.voaafrica.com/a/eu-cites-right-to-self-defense-for-israel/7311996.html>; Hamidreza Azizi & Erwin Veen, The EU’s Response to Israel’s Assault on Iran: The Justified, the Hypocritical and the Vacuous, Clingendael (July 1, 2025), <https://www.clingendael.org/publication/eus-response-israels-assault-iran-justified-hypocritical-and-vacuous>; Shona Murray & Eleonora Vasquez, *EU Divided over Israel’s Right to Bomb Iran*, EURONEWS (June 19, 2025), <https://www.euronews.com/my-europe/2025/06/19/eu-divided-over-israels-right-to-bomb-iran>; Alexandra Brzozowski, *Europe Urges Restraint over Israeli Strikes on Iran Nuclear Sites*, EURACTIV (June 13, 2025), <https://www.euractiv.com/news/europe-urges-restraint-over-israeli-strikes-on-iran-nuclear-sites>.

destabilize the broader Middle East,⁷⁴ while major powers, including China and Russia, cautioned that further military escalation would widen the conflict.⁷⁵ European responses were even more divided. Some governments emphasized Israel's security concerns, while others questioned whether international law could justify anticipatory military action.⁷⁶

The potential involvement of non-state actor armed groups aligned with Iran raises broader legal questions on the expansion of the conflict beyond the initial interstate confrontation. If such groups become directly involved in hostilities, the conflict could expand geographically and operationally, transforming a bilateral conflict into a wider regional armed conflict.⁷⁷

B. The War of February 2026: Targeted Killing, Self-defense, and Conflict Expansion

Although the June 2025 confrontation subsided after several days of exchanges, tensions between Iran and Israel did not diminish. Instead, the conflict escalated again in February 2026 when a joint US-Israel operation targeted the political and military leadership of Iran.⁷⁸ The strikes raise the following three central legal issues:

1. whether the strike can be justified as anticipatory self-defense under Article 51;
2. whether subsequent Iranian missile attacks constitute lawful self-defense; and
3. whether the killing of Iran's Supreme Leader could amount to an unlawful military operation under IHL in the absence of an imminent armed attack.

74 Ikrame Kouachi, *Arab nations condemn Israeli strikes on Iran*, ANADOLU AGENCY (Oct. 26, 2024), <https://www.aa.com.tr/en/middle-east/arab-nations-condemn-israeli-strikes-on-iran/3375245>.

75 Holly Chik, *China's Xi calls on Israel, Iran to 'de-escalate', says Beijing ready to play peacemaker*, S. CHINA MORNING POST (June 17, 2025), <https://www.scmp.com/news/china/diplomacy/article/3314808/chinas-xi-calls-israel-iran-de-escalate-says-beijing-ready-play-peacemaker>; *Putin, Xi criticize Israel's attacks on Iran, urge de-escalation*, AL JAZEERA (June 19, 2025), <https://www.aljazeera.com/news/2025/6/19/putin-xi-criticise-israels-attacks-on-iran-urge-de-escalation>.

76 Kouachi, *supra* note 74.

77 Kali Robinson & Will Merrow, *Iran's Regional Armed Network*, Council on Foreign Relations (Apr. 15, 2024), <https://www.cfr.org/article/irans-regional-armed-network>; Hüseyin Şimşek, *Iran's Proxy War Paradox: Strategic Gains, Control Issues, and Operational Constraints*, 36(6) SMALL WARS & INSURGENCIES 997-1024 (2025).

78 *Supra* notes 6.

From the perspective of *jus ad bellum*, any military strike constitutes a use of force within the meaning of Article 2(4), which establishes a general prohibition on the use of force in international relations, subject only to limited exceptions, most notably self-defense under Article 51.⁷⁹ The joint US–Israel strike therefore falls within the scope of Article 2(4) and must be justified under Article 51 as an act of individual or collective self-defense.⁸⁰ Israel and the US may contend that the February 2026 operation constitute part of a continuing exercise of self-defense following the 2025 hostilities and Iran’s ongoing development of missile capabilities. Contemporary strategic analyses describe the February 2026 strikes as the opening phase of a broader campaign targeting the Iranian leadership, missile infrastructure, and command-and-control systems, suggesting that the operation was framed as a continuation of the earlier confrontation rather than an isolated use of force.⁸¹ In the absence of demonstrable imminence, the operation is more appropriately characterized as a preventive use of force falling outside the scope of lawful anticipatory self-defense.⁸² If the joint US–Israel operation cannot be justified as anticipatory self-defense under Article 51, it would constitute an unlawful use of force in violation of Iran’s territorial sovereignty, thereby entitling Iran in principle to invoke its right of self-defense.⁸³ Depending on its character, gravity, and scale, such conduct may also amount to an act of aggression under contemporary international criminal law.⁸⁴

Another question is the targeted killing of Ayatollah Ali Khamenei. Even during the war, political or religious leaders do not automatically become lawful military objectives merely by virtue of their authority.⁸⁵ As the Supreme Leader of Iran, he exercised ultimate authority over the Iranian armed forces and the IRGC. Some interpretations of IHL suggest that political leaders who exercise direct operational control over military strategy may lose civilian protection while

79 U.N. Charter art. 2(4).

80 Ali Harb & Brian Osgood, *Are US-Israeli Attacks Against Iran Legal under International Law?*, AL JAZEERA (Mar. 3, 2026), <https://www.aljazeera.com/news/2026/03/03/are-us-israeli-attacks-against-iran-legal-under-international-law>.

81 Sascha Bruchmann et al., *The US–Israel Campaign in Iran*, International Institute for Strategic Studies (Mar. 2, 2026), <https://www.iiss.org/online-analysis/online-analysis/2026/03/the-us-israel-campaign-in-iran>.

82 Shannon Brincat & Juan Cáceres, *Neither Preemptive nor Legal, US-Israeli Strikes on Iran Have Blown Up International Law*, CONVERSATION (Mar. 1, 2026), <https://theconversation.com/neither-preemptive-nor-legal-us-israeli-strikes-on-iran-have-blown-up-international-law>.

83 Marko Milanovic & Michael Schmitt, *Was Targeting Ayatollah Khamenei and Other Iranian Leaders Lawful? What Precedents Does It Set?*, JUST SECURITY (Mar. 4, 2026), <https://www.justsecurity.org/133171/ayatollah-khamenei-leadership-strike-law>.

84 Rome Statute art. 8 *bis*(1).

85 Milanovic et al., *supra* note 83; Santos, *supra* note 11.

performing such functions.⁸⁶ Conversely, where a leader's role remains primarily political or supervisory, targeting that individual may violate the principle of distinction.⁸⁷ Without clear evidence demonstrating that Ayatollah Ali Khamenei exercised continuous combat function or direct operational control over specific military operations at the time of the strike, his targeting would more likely fall outside the category of lawful military objectives. Accordingly, such an operation may constitute an unlawful attack under IHL.⁸⁸

The escalation also generated allegations of significant civilian harm arising from subsequent missile and air strikes during the same operational campaign. Evidence indicated that a missile strike destroyed the *Shajareh Tayyebeh* Primary Girls' School in Minab, southern Iran, on February 28, 2026, resulting in civilian casualties, including schoolgirls.⁸⁹ Attacks affecting educational institutions is a serious violation of IHL as schools constitute civilian objects protected under the principles of distinction and proportionality. Even where military objectives are located near civilian infrastructure, attacking forces must take all feasible precautions to minimize civilian harm.⁹⁰ Where no military objective is present in the vicinity, such an attack cannot be justified under the rules governing the conduct of hostilities. In these circumstances, the strike would amount to a direct attack against a civilian object in violation of the principle of distinction and may give rise to responsibility for serious violations of IHL.

Investigative findings by international media, corroborated by United Nations human rights assessments, indicate that strikes directed at military or state-affiliated targets have produced effects extending far beyond their intended objectives, thereby raising concerns under IHL.⁹¹ In multiple incidents across

86 Additional Protocol I, art. 51(3); ICRC, Interpretive Guidance on the Notion of Direct Participation in Hostilities Under International Humanitarian Law (2009), at 46-64, <https://www.icrc.org/sites/default/files/external/doc/en/assets/files/other/icrc-002-0990.pdf>; NILS MELZER, TARGETED KILLING IN INTERNATIONAL LAW 293-306 (2008); Michael Schmitt, *The Interpretive Guidance on the Notion of Direct Participation in Hostilities: A Critical Analysis*, 1 HARV. NAT'L SEC. J. 5 & 19-25 (2010); Aurel Sari, *Killing Khamenei: Did the Law of Armed Conflict Apply?*, Verfassungsblog (Mar. 9, 2026), <https://verfassungsblog.de/killing-khamenei>. This interpretation remains contested, particularly where individuals exercise predominantly political or strategic authority rather than direct operational control over specific military operations.

87 Milanovic et al., *supra* note 83; Santos, *supra* note 11.

88 *Id.*

89 Elizabeth Melimopoulos, *Who Bombed the Iranian Girls' School, Killing More Than 170? What We Know*, AL JAZEERA (Mar. 10, 2026), <https://www.aljazeera.com/news/2026/03/10/who-bombed-the-iranian-girls-school-killing-more-than-170-what-we-know>.

90 Human Rights Watch, *supra* note 5.

91 Nawal Al-Maghafi et al., "My Daughter Is Under the Rubble": Inside Tehran as Civilian Toll of Strikes Rises, BBC NEWS (Mar. 28, 2026), <https://www.bbc.com/news/articles/cn0w1qzsd4xo>; Faren Taghizadeh, *Checkpoints Everywhere and Internet Blackouts: Life in Iran as US-Israeli Strikes Intensify*, BBC NEWS (Mar. 6, 2026), <https://>

Tehran, including residential districts such as *Resalat*, attacks targeting facilities associated with the *Basij* and other security structures resulted in the destruction of adjacent civilian buildings and significant loss of life. The scale of blast impact, reportedly consistent with the use of high-yield munitions such as the Mark 84, suggests that the effects of these operations were not spatially confined, with damage extending across surrounding residential areas and affecting civilians located in close proximity to military objectives.⁹²

This pattern is not isolated. Additional strikes targeting police stations, militia-linked facilities, and administrative buildings situated within civilian neighborhoods have reportedly produced similar outcomes, including civilian casualties, displacement, and widespread destruction of housing.⁹³ Independent assessments further indicate that a significant number of civilian sites, including schools and healthcare facilities, have been affected during the course of hostilities, thereby giving rise to potential violations of the protected status of civilian objects under IHL.⁹⁴ Moreover, the humanitarian consequences extend beyond immediate physical destruction. Sustained bombardment has disrupted essential services, including electricity supply, healthcare access, and the availability of food and fuel, while civilians are exposed to compounded risks arising from limited civil defense measures, absence of effective warning systems, and restrictions on communication.⁹⁵ These developments reflect a convergence of direct and indirect harm characteristics of contemporary urban warfare.

Crucially, public statements by Donald Trump further reinforce concerns regarding intent, escalation, and foreseeability of civilian harm. In multiple instances, he explicitly threatened to target civilian infrastructure, including bridges and electric power plants, and warned of severe destruction if Iran failed to comply with the US demands. Statements referring to the potential destruction of an entire “civilization” extend beyond narrowly defined military objectives and, when issued contemporaneously with ongoing strikes affecting civilian areas and infrastructure, may be relevant in assessing intent or, at minimum,

www.bbc.com/news/articles/cj4zze5ljzpo.

92 Al-Maghafī et al., *supra* note 91.

93 Taghizadeh, *supra* note 91.

94 International Federation for Human Rights, *Israel/US Attacks on Iran: FIDH Calls for Protection of Civilians, Respect of International Law* (Mar. 2, 2026), <https://www.fidh.org/en/region/asia/iran/israel-us-attacks-on-iran-fidh-calls-for-protection-of-civilians>; OHCHR, *Civilians bear brunt of reckless war in the Middle East, says Türk* (Mar. 19, 2026), <https://www.ohchr.org/en/press-releases/2026/03/civilians-bear-brunt-reckless-war-middle-east-says-turk>; Al-Maghafī et al., *supra* note 91; Taghizadeh, *supra* note 91.

95 OHCHR, *id.*

recklessness with respect to the foreseeable consequences of military operations.⁹⁶

From an international legal perspective, these developments engage the core principles of IHL. The principle of distinction requires that attacks be directed only against military objectives, while the principle of proportionality prohibits attacks expected to cause incidental civilian harm excessive in relation to the concrete and direct military advantage anticipated.⁹⁷ In circumstances where high-explosive munitions are deployed in densely populated areas, the foreseeability of extensive civilian harm becomes central to assessing legality. Furthermore, the obligation to take feasible precautions in attack requires the selection of means and methods that minimize civilian harm.⁹⁸ The apparent use of heavy munitions in urban environments, combined with repeated strikes, would be a point at issue as to whether such precautions have been adequately implemented. Taken together, the cumulative pattern of attacks affecting residential areas, schools, healthcare facilities, and infrastructure indispensable to civilian survival may constitute serious violations of IHL and, where the requisite intent or knowledge is established, may amount to war crimes under Article 8 of the Rome Statute.⁹⁹

The legal situation becomes more complex when responsive missile strikes claimed as acts of self-defense occur within the territory of a third state. The US military bases targeted by Iranian missiles are located in third states, such as Bahrain, Kuwait, Qatar, and the UAE, which are not parties to the conflict. Strikes conducted within their territory may therefore violate territorial sovereignty under Article 2(4), unless the territorial state has consented to such operations. Iran framed its response as an exercise of its inherent right of self-defense under Article 51, a position consistent with its earlier statements following Israeli strikes in 2025.¹⁰⁰ Because the US participated directly in the February 2026 strikes in Iran alongside Israel, Iran's reactions directed at the US military facilities along the Gulf region should be framed as acts of self-defense against a co-belligerent

96 Kanishka Singh, *Trump Threatens Strike on Iran's Bridges and Electric Power Plants*, REUTERS (Apr. 3, 2026), <https://www.reuters.com/world/middle-east/trump-threatens-strike-irans-bridges-electric-power-plants-2026-04-03/>; Ali Harb, *Trump on Iran: 'A whole civilisation will die tonight,'* AL JAZEERA (Apr. 7, 2026), <https://www.aljazeera.com/news/2026/4/7/trump-on-iran-a-whole-civilisation-will-die-tonight>; Dan Sabbagh & Saeed Shah, *Trump Warns Iran to Reopen Strait of Hormuz by Tuesday or Face "Hell,"* GUARDIAN (Apr. 5, 2026), <https://www.theguardian.com/world/2026/apr/05/trump-warns-iran-to-reopen-strait-of-hormuz-by-tuesday-or-face-hell>.

97 Additional Protocol I, arts. 48 & 51(5)(b).

98 *Id.* art. 57.

99 Rome Statute art. 8(2)(b)(ii), (iv) & (xxv).

100 Ministry of Foreign Affairs of Islamic Republic of Iran, *The Islamic Republic of Iran invoking its inherent right of self-defense under Article 51 of the UN Charter*, Speech by Reza Najafi, Ambassador and Permanent Representative of the Islamic Republic of Iran (June 13, 2025), <https://viennaun.mfa.gov.ir/en/newsview/768344/The-Islamic-Republic-of-Iran-invoking-its-inherent-right-of-self-defense-under-Article-51-of-the-UN-Charter>.

state.¹⁰¹

The February 2026 war demonstrates how contemporary missile warfare can quickly expand beyond the initial parties to a conflict involving additional states. The legality of the escalation ultimately turns on the characterization of the initial strike under the law governing the use of force.¹⁰² Any such response must remain within the established limits governing the exercise of self-defense, including necessity and proportionality. These developments illustrate the continuing tension between evolving military technologies and the legal constraints governing the use of force and the conduct of hostilities.¹⁰³

5. Conclusion

The Iran–Israel missile confrontations of June 2025 and February 2026 illustrate how modern missile warfare challenges the legal framework governing the use of force.¹⁰⁴ However, beyond illustrating these challenges, the analysis shows that many cases of the use of force examined in this study are difficult to reconcile with the existing legal standards under the UN Charter and customary international law. In particular, the characterization of the February 2026 operation as anticipatory self-defense lacks sufficient evidence of imminence, so that it is more appropriately understood as a preventive use of force, falling outside the scope of lawful justification.

At the same time, while Iran may invoke its inherent right of self-defense in response to an armed attack, the legality of its missile operations depends on strict compliance with necessity and proportionality, particularly where strikes are directed toward densely populated urban areas. The analysis further demonstrates that the targeted killing of political leadership, including the Supreme Leader of Iran, cannot be presumed lawful without clear evidence of continuous combat function or direct operational control, thereby reinforcing the continued relevance of the principle of distinction in contemporary conflicts.

The escalation also highlights the challenges posed by contemporary missile warfare. The speed and range of missile and drone systems increase the risk of

101 Tarek Chouiref, *Netanyahu Says Joint Israel-US Operation to Reshape Iran's Future*, ANADOLU AGENCY (Feb. 28, 2026), <https://www.aa.com.tr/en/middle-east/netanyahu-says-joint-israel-us-operation-to-reshape-irans-future>.

102 Harb et al., *supra* note 80.

103 Tsagourias, *supra* note 64; Milanovic, *supra* note 64.

104 SCHMITT, *supra* note 1.

rapid escalation,¹⁰⁵ while attacks conducted near civilian populations complicate compliance with the principles of distinction, proportionality, and precaution under IHL. Therefore, ongoing debates regarding anticipatory self-defense continue to test the limits of the prohibition on the use of force under the UN Charter.¹⁰⁶ The documented pattern of civilian harm, including strikes affecting residential areas, schools, and critical infrastructure, underscores the heightened risk that highly sophisticated methods of warfare may lead to violations of IHL where operations are conducted without adequate regard to these principles.

Taken together, these findings suggest that the existing legal framework is not inherently deficient, but rather that its effectiveness is increasingly undermined by both expansive interpretations of self-defense and operational practices that blur the distinction between military and civilian targets. The critical challenge, therefore, lies not in reformulating the law, but in ensuring its consistent and good faith application.

Ultimately, these escalations showcase that although the core legal principles governing the use of force and the protection of civilians remain applicable, contemporary missile warfare and complex alliance structures increasingly strain their interpretation and enforcement. As missile and drone technologies continue to reshape interstate conflict, the consistent application of the rules on self-defense and hostilities remains essential to preserving the integrity of the international legal framework regulating the use of force. These developments are reflected in the expanding reliance on anticipatory and collective self-defense claims, the increasing use of rapidly evolving long-range missile and drone technologies in densely populated environments, and the resulting patterns of rapid escalation and reciprocal strikes. If these trends continue, there is a risk that the prohibition on the use of force under Article 2(4) may be progressively weakened through practice. Accordingly, reaffirming the limits of self-defense, strengthening accountability mechanisms, and reinforcing compliance with international humanitarian law remain essential to preserving the integrity of the international legal order.

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¹⁰⁵ *Id.*

¹⁰⁶ SASSÖLI & NAGLER, *supra* note 12.