Violation of the Principles of International Humanitarian Law and War Ethics in the Dynamics of the Iran-Israel Shadow War Conflict

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Abstract: This study examines violations of international law and the principles of just war ethics within the shadow war dynamics between Iran and Israel. This conflict unfolds through covert actions such as the assassination of scientists, cyberattacks on nuclear facilities, and other clandestine operations aimed at undermining Iran's strategic capabilities. The research is motivated by the lack of comprehensive studies that integrate international humanitarian law and ethical frameworks in the context of undeclared conflicts. Using a qualitative approach through literature review, this study identifies various violations of international law, including breaches of sovereignty, extrajudicial killings, and disproportionate attacks. Ethically, these actions violate the principles of just cause, proportionality, precaution, and distinction. The findings indicate that the nature of shadow war presents a serious dilemma for the enforcement of international legal norms due to its secrecy, lack of verification, and persistent denial by state actors. This study aims to offer a new normative perspective on how the international community interprets and responds to asymmetric conflicts such as the Iran–Israel case, while encouraging a re-evaluation of the application of legal and ethical standards in contemporary geopolitical landscapes.

Keywords: Shadow War, International Humanitarian Law, War Ethics

INTRODUCTION

The Iranian revolution that occurred in 1979 was one of the biggest turning points in the changing course of Iranian foreign policy, especially in relation to Israel. Prior to the revolution under Shah Mohammad Reza Pahlavi, Iran had relatively good relations with Israel. The good relations that the two countries have even gone so far as to have cooperation in the fields of security, economic and intelligence, military, and economic with Israel see Iran as part of it."*Periphery Doctrine*" to compensate for the threats that can come from Arab countries. However, after the 1979 revolution, the nascent Islamic Republic under the leadership of Ayatollah Ruhollah Khomeini adopted a widespread and open attitude of hostility towards Israel, a form of hostility by declaring Israel an "Illegal Zionist Regime" and calling for resistance to its existence.(Kaye et al., 2011) The 1979 Iranian Revolution not only changed the domestic political structure but also defined Iran's foreign identity based on anti-

imperialism and rejection of western hegemony. In the context of relations with Israel, Israel is seen as part of the "Western Proxies" in the Middle East, mainly because of the support the US and Europe have given to Israel since its founding in 1948. (Farzanegan, 2023) The dynamics of the conflict between Iran and Israel are not just a matter of frozen or held diplomacy, but include a shadow war (*Shadow War*), targeted assassination of key figures, cyberattacks on vital infrastructure, and support for proxy armed groups. Concept *Shadow War* Iran and Israel engaged in a series of covert operations designed to weaken Iran's nuclear capabilities while avoiding direct escalation. One of the most controversial movements in the *Shadow War* This was a targeted assassination of Iranian nuclear scientists that took place between 2007 and 2012, at least five Iranian scientists involved in the nuclear program were killed in a highly coordinated attack in which these scientists included Ardeshir Hosseinpur (Electromagnetism), Massoud Ali-Mohammadi (Nuclear Physicist), Majid Shahriari (Nuclear Engineer), Darioush Rezaeinejad (Electronics Expert), and Mostafa Ahmadi-Roshan (Chemical Engineer). Shadow Wars can also include cyberattacks against Iranian Nuclear facilities, such as Operation the most famous is *Stuxnet,* Sophisticated malware jointly developed by the U.S. and Israel successfully slowed the development of Siemens' industrial control system used at the Natanz uranium enrichment facility, causing centrifugal to spin out of control until it shattered. (Vielhaber & Bleek, 2012)

Operation Shadow War between Iran and Israel led to a series of measures and actions such as targeted assassination and sabotage, which are often stated to have violated the boundaries of international law and the principles of war ethics, both explicitly and implicitly. For example, the murder of Iranian nuclear scientists described earlier can be said to have violated international law, more precisely the violation of international law. *Extrajudicial Killing* (extrajudicial killings) which are expressly prohibited in international legal instruments including *International Covenant on Civil and Political Rights* (ICCPR) Article 6 which regulates the protection of the right to life and prohibits arbitrary killings and *UN General Assembly Resolution 34/169* (1980) which states that extrajudicial killings by the state are gross human rights violations. By Legal Implications, the act of intentional homicide can be classified as *Sponsored Assasination*, which is contrary to the principles of state sovereignty and respect for human rights. (Ofek, 2021) Meanwhile, based on the principles of war ethics, acts of murder such as those experienced by Senior Scientist of the Nuclear program Mohsen Fakhrizadeh who was killed in the 2020 attack can be considered a violation of several principles of war ethics and international norms. Ethical violations include the Principle of Individuality in the ethics of war, violations of the Global Citizenship Ethics, violations of the Just Cause principle, and violations of the Last Resort principle. (Eisenstadt, 2021).

However, the critical point in this study is the lack of studies that combine aspects of international law and ethics simultaneously. Many previous studies have addressed this conflict from purely geopolitical, ideological, or international relations aspects, without delving deeply into how the actions were contrary to (or colored by) the principles of international humanitarian law and the norms of war ethics. In the context of an international system that claims to uphold global rules of law and ethics, the Iran–Israel conflict challenges the consistency of the application of these values. Thus, this study is important to explore the extent to which the Iran-Israel conflict reflects the crisis in the application of international law and ethical principles in armed conflict, as well as how the international community responds to these violations. This study is expected to provide a new perspective that is more normative and reflective of the dynamics of this ever-evolving conflict. It should be emphasized that this study takes the perspective of Iran as a deceived party, this leads to the purpose of the research which is to identify and analyze the violations of law and ethics that occur in the conflict and provide a normative understanding of the dynamics of the conflict. This research also aims to provide a broader and deeper understanding of the dynamics of the Iran-Israel conflict,

especially in the context of the escalation that will occur in 2025. With the continued occurrence of violations of international law and ethics that accompany the latest developments in conflicts, this research is expected to be able to present a more reflective and normative perspective on how the international community interprets modern armed conflict. This understanding is important so that the Iran-Israel conflict is not only seen from the geopolitical aspect, but also through the lens of justice, law, and moral and ethical values that apply globally.

Problem Formulation

In this research, there are a series of problem formulations that should be aimed at solving in completing this research. Problem formulation such as:

1. What is the violation of international humanitarian law in the Iran-Israel conflict?
2. how are the principles of war ethics violated by the Israeli side in the dynamics of the shadow war conflict with Iran?

METHOD

This research uses a qualitative approach, The qualitative research method is an approach that focuses on a deep understanding of social or human phenomena through the collection of descriptive and contextual data. Qualitative research begins with the identification of problems that are open and flexible. These problems often arise from complex social phenomena or are not fully understood. This is because the qualitative method prioritizes the observation of phenomena and examines the substance of the meaning of the phenomenon. The qualitative method is based on the concept of going exploring which involves in-depth and case-oriented study or a number of cases or single cases.(Fadli, 2021)

In making this work, the author uses a data collection method using the library research method. In the literature study method itself, it is an activity in the form of data collection by reading, recording, and analyzing materials related to written works. Research materials can be in the form of books, journals and scientific articles, as well as reports and internet websites. The definition of literature study according to Susanto, in his work entitled "Technique for Examining the Validity of Data in Scientific Research" is a data collection technique carried out by researchers by examining theories, opinions, and main ideas contained in the media. The researcher searches and collects various sources of writing, such as trusted websites, scientific journals, and other publications to obtain information related to the dynamics of the Iran-Israel conflict, International Humanitarian Law, the Ethics of War, and various phenomena, events, or statements that may still be related.(Susanto & Jailani, 2023)

RESULTS AND DISCUSSION
1. Case Analysis of the Stuxnet Cyberattack and the Assassination of Iranian Nuclear Scientist

As the name implies, Shadow War (Shadow war) which means a conflict that is carried out secretly, without official recognition, and often uses unconventional methods such as cyberattacks, sabotage, and intelligence operations. Cyberattacks Stuxnet is a clear example of this shadow war, cyberattacks Stuxnet Which was even only discovered in 2010, it is one of the most sophisticated and impactful cyber operations in history. This malware is specifically designed to target a uranium enrichment facility at Iran's Natanz with the aim of disrupting its centrifugal operations. Stuxnet itself is a computer worm (Worm) which is capable of self-propagating over networks and USB devices, but only activates its attacks when it detects certain Siemens industrial control systems used at Natanz. The attack caused physical damage to the centrifuges by manipulating the pressure and speed of the rotors, causing about 1,000 of

Iran's 9,000 IR-1 centrifuges to be damaged. (R. Porche et al., 2011) Attack events Stuxnet this then led Iran to respond in a multidimensional manner, covering technical, military, and political aspects. In the field of cybersecurity, Tehran significantly improved its digital defense capabilities by establishing the Cyber Unit of the Revolutionary Guard Forces (IRGC Cyber Command) and developed offensive malware such as Shamoon which was later used to attack Saudi Arabia's Aramco oil company in 2012. At the policy level, this attack deepens Iran's suspicion of the West and triggers a more confrontational approach in its nuclear diplomacy. Although it has never formally accused a specific country, Iran has conducted various counter-operations through proxies and increased cyber cooperation with countries such as Russia and China. Meanwhile, the United States and Israel, which are widely believed to be the masterminds behind the Stuxnet attack, maintain official denial policies but show different attitudes in practice. U.S. officials such as former cybersecurity adviser Richard Clarke have issued statements that indirectly hint at American involvement, while Edward Snowden's leaked documents reveal an offensive cyber weapons development program by the NSA. Israel, through unofficial statements from former officials such as Ehud Barak, showed veiled pride in the operation, although it has always officially declined to comment. (Van Dine, 2017)

Stuxnet as part of the Israeli-Iranian shadow war shows the dynamics of a hidden and avoided war, as a Worm which is set to attack Siemens PLC in Natanz, Stuxnet does not damage other infrastructure which can cause more attention and controversy. Stuxnet nor can it be directly and instantly proven with respect to Israel/the US, although the results of the analysis may draw answers that those behind it are. Besides Stuxnet which is relatively neat and without a clear trace in the context of the shadow war, another event that is part of the Iran-Israel shadow war is the murder of a nuclear scientist that continued in the range of 2007 to 2012 which then ended in 2020. The victims of this targeted assassination claimed the lives of five Iranian scientists involved in the nuclear program who were killed in a highly coordinated attack in which these scientists included Ardeshir Hosseinpur (Electromagnetism), Massoud Ali-Mohammadi (Nuclear Physicist), Majid Shahriari (Nuclear Engineer), Darioush Rezaeinejad (Electronics Expert), and Mostafa Ahmadi-Roshan (Chemical Engineer) in the timeline from 2007 to 2012, the peak and continuation of this chain of events occurred in 2020 where the great Iranian figure Mohsen Fakhrizadeh who was so respected died during his tenure. The murder of Iranian nuclear scientists, especially those that have occurred in recent years, has triggered a complex and multidimensional response from Tehran. This series of killings, which began in 2007 and continued until 2020 with the death of Mohsen Fakhrizadeh, are considered part of a systematic effort to disrupt Iran's nuclear program. Although Israel has never formally acknowledged its involvement, Iran has consistently accused Israel and the United States of being behind these attacks. Iran's response includes security measures, symbolic retaliation and efforts to bolster its nuclear program amid international pressure. In responding to this phenomenon, Iran should indeed move very selectively and carefully, this could be due to the imbalance of power between two different blocs. (Ofek, 2021)

Attack Stuxnet and the continued murder of Iranian nuclear scientists are two prime examples of shadow warfare strategies that aim to run the dynamics of conflict without triggering conventional war. Attack Stuxnet can be recognized as part of a shadow war because there is a denial in the form of the reluctance of Israel and the US to recognize this operation even though the results say otherwise, it also does not have a major direct fatal impact, without a bomb attack or invasion that could trigger a regional war, an operation that could paralyze the enemy's infrastructure without firing a shot. Meanwhile, in the case of the murder of scientists, the murder was actually carried out with magnetic bombs, mysterious shooters, or even the perpetrators of proxy and sabotage of premeditated murder. This can still be said to be part of the shadow war because the scientists themselves are basically not legitimate military targets in the laws of war. In addition to eliminating technical expertise, this assassination

created a climate of fear among Iranian scientists. Both Operations reflect a consistent pattern in Israeli-Iranian relations, avoidance of direct conflict, the use of proxies and technology, and tacit escalation. (S. Bell, 2020) However, actions in this shadow war actually raise big question marks or mistakes, especially how the role and position of the response should be carried out when considered from the point of view of International Humanitarian Law and War Ethics.

2. Violations of the Principle of Sovereignty, International Humanitarian Law, and the Ethics of War

Shadow War, or shadow war, is a concept that describes military operations conducted in secret, often involving special forces (Special Operational Force), advanced technologies such as drones, and intelligence networks, and take place out of public view. From the perspective of international humanitarian law (HHI), such operations pose significant challenges regarding adherence to basic principles such as distinctiveness (distinction between combatants and civilians), proportionality, and military necessity. For example, the use of drones for targeted killings is often carried out in areas of countries that are not in open conflict, so the legal status of such operations becomes ambiguous. Does the operation fall within the framework of the "armed conflict" regulated by the HHI, or is it closer to law enforcement subject to human rights law? This ambiguity can erode accountability and trigger violations of the principle of proportionality if civilian casualties are not adequately avoided. (Andreas et al., 2017) (Geovanie et al., 2022) Additionally, the secrecy aspect in Shadow War has the potential to reduce transparency and oversight, which are key elements in ensuring compliance with HHI. Without supervision, it is difficult to assess whether an operation adheres to the principle of differentiation or whether the force used is proportionate to military objectives. From the point of view of war ethics (Jus ad bellum and Juice in Bello), shadow wars test the balance between national security and morality. By jus ad bellum, this kind of operation is often justified as an act "Self-defense" against asymmetric threats such as terrorism. However, the expansion of the definition of "threat" and the use of force on the territory of another country without consent can be considered a violation of the principles of sovereignty and the legitimacy of war. Meanwhile, jus in bello, the secrecy of operations makes it difficult to enforce the principles of accountability and non-combatant immunity. For example, the use of drones that rely on inaccurate intelligence data risks causing civilian casualties, which is contrary to the ethics of protecting the lives of non-combatants. (Kahn, 2018) The main challenge in assessing Shadow War is the tension between operational effectiveness and legal/ethical compliance. On the one hand, covert operations are considered necessary to deal with non-traditional threats such as global terrorism networks. On the other hand, the lack of transparency and accountability has the potential to undermine legal and moral legitimacy.

If we return to the focus on the violation of International Humanitarian Law and the Ethics of War in the Israeli-Iranian shadow war, then in Humanitarian Law we will be nudging the Violation of the Principle Distinction, Proportionality, and Caution. Principle Distinction (The differentiator) can be attributed to Additional Protocol I to the 1977 Geneva Convention, Articles 48-50 which in principle regulate combatants and military targets that may be attacked, while civilians and civilian objects must be protected. The serial murder of Iranian Nuclear Scientists can be said to have violated this protocol, where the scientists should still be classified as Iranian civilians and not directly involved in the fighting, although there are allegations related to the involvement in the development of nuclear weapons facilitation, but it is still not possible to validate how the position of the scientists is determined as part of the combatants. (Ofek, 2021) In a global context, the Principles Distinction should apply to all parties to the conflict, both state and non-state actors (such as rebel groups or terrorist organizations). Although non-state actors may not have the same legal authority as states, they remain bound by humanitarian principles. However, this is different from what has been done

by Israel, which is clearly a state actor. Although it has never been acknowledged, research and investigation have yielded the results of Israel's guilt. The measurement of strategic advantage in the history of the application of the principle of proportionality has indeed become a challenge that continues to decline, related to how to compare the lives of civilians with strategic advantages? How to determine the "excessive" limit? In the end, it all depends on how the national interest is in the action and how the security principle can be achieved by the action taken. (Schmitt, 2008)

Furthermore, the Principle of Proportionality in the Ethics of War and International Humanitarian Law govern how military force can be lawfully used in conflicts identified as armed conflicts. In other words, the existence of this principle should serve as a balance between the operational needs of the military and the protection of life and human rights in the status of legitimate fighting and war. (W. Lango, 2014) Meanwhile, the attack Stuxnet can be widespread and potentially cause uncontrolled damage to the civil industrial system. Although at the beginning Stuxnet designed to target Natanz's industrial control system (Siemens PLC) in a specific way without endangering humans and the environment, the virus still spreads to computer networks outside of Iran via USB and internet connections. If Stuxnet infects the control system in a power plant or medical facility, it could result in power outages, industrial accidents, or even fatalities. Meanwhile, civilian nuclear facilities (such as nuclear power plants) often use similar technologies. A disproportionate attack on these facilities may violate the principle of discrimination (Distinction) between military and civilian targets. (Van Dine, 2017) Last in principle Caution (Caution/Warning) means all measures must be taken to avoid or minimize civilian harm. Supposedly, this principle can nudge the serial murder of nuclear scientists or viruses Stuxnet, This is because one of the main examples of violations of this principle is the absence of notification or evacuation before the operation or action is carried out. Moreover, if the principle of precaution and shadow warfare is harmonized, the two will appear opposite, this lies in the nature of the operation itself which often relies on the element of secrecy and the unwillingness of a party to admit its actions. Operations such as the premeditated assassination of Iranian nuclear scientists or cyberattacks Stuxnet clearly shows this contradiction. The principle of prevention requires transparency and accountability, while shadow war relies on structured secrecy and denial. In the case of Stuxnet For example, malware is specifically designed to disguise itself as a common technical problem, evade detection, and work covertly, an approach that is at odds with the obligation to provide warnings or minimize incidental impacts. (Chavannes et al., 2020) (Diamond, 2014)

CONCLUSIONS
Conclusion

The hidden conflict between Iran and Israel clearly demonstrates how complicated the application and enforcement of the principles of international humanitarian law (IH) and the ethics of war can be in today's unconventional war dynamics. Shadow *Wars*, with their closed, undeclared nature, and often carried out by state actors or proxies, create a gray space in the international legal system. On the one hand, actions such as the killing of scientists, cyberattacks on vital infrastructure, and the use of force on the territory of other countries appear to be forms of planned political violence that have an impact on civil security and regional stability. But on the other hand, these actions are carried out outside the context of an official declaration of war and are often claimed as a form of preventive self-defense, making them difficult to legally define within the framework of classical armed conflict.

The main dilemma in law enforcement lies in the incompatibility between the increasingly hidden forms of conflict and the normative framework of international law that is still based on conventional models of war. International humanitarian law demands clarity about who is fighting, where the conflict is going, and how combatants and civilians are treated.

But in the context of the Iran-Israel shadow war, that clarity is fragmented: the perpetrators are often not officially recognized, the area of operation spreads across countries, and the impact extends into the digital and economic spaces. This makes it difficult for international bodies to effectively classify, assess, and take action against violations. Further, ethical dilemmas arise when states use strategic justification to cover up acts of violence that substantially violate basic moral principles, such as respect for life, proportionality in the use of force, and caution against civilian repercussions. Shadow war creates an illusion of control in which the state feels capable of carrying out precision military operations without having to account for it in front of the public or international institutions. This is not only a legal challenge, but also a moral crisis in contemporary international relations practice. Thus, this study not only shows that violations of law and ethics occur in the practice of the Iran-Israel shadow war, but also highlights how fragile the international system is in responding to non-transparent and unconventional forms of political violence. This condition demonstrates the importance of updating an international legal approach that is more adaptive to contemporary realities as well as the urgent need to expand the scope of normative protection, even beyond the officially recognized battlefield.

Suggestion

Given the complexity and hidden nature of the shadow war conflict between Iran and Israel, a more adaptive and reflective legal and ethical approach is needed in responding to the dynamics of modern conflicts. One of the most urgent is the need for the international community to reformulate and expand the framework of international humanitarian law to clearly include non-conventional military actions that are not in the context of official war, such as cyberattacks, targeted killings, and support for proxy actors. International legal instruments that have relied on formal categorizations of "war" become less relevant when violence is perpetrated in a systemic but covert manner. The reformulation must involve a comprehensive integration of humanitarian law, international human rights law, and the principles of war ethics. Any act that impacts civilian lives, damages vital infrastructure, or violates the sovereignty of another country should be subject to universal principles such as precaution, distinction, proportionality, and just cause, regardless of whether the act occurred in peacetime or war. In this way, acts of political violence cannot take refuge behind the legal loopholes created by modern forms of asymmetric conflict.

In addition to reforming legal norms, there is also a need to strengthen international surveillance and accountability mechanisms that can reach covert operations that are cross-border and cross-domain (physical and digital). Academic research should also be directed to bridge the gap between geopolitical practice and global ethical demands, by encouraging an interdisciplinary approach between law, technology, and morality. Through these measures, it is hoped that law and ethics will not only become a symbolic document, but also become a living and fairly applied fence of values in the face of the challenges of contemporary conflicts such as the Iran-Israel shadow war.

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