

Israel's Lawful Self-Defence Against Hezbollah in Lebanon – Implications for EU Policy

Factsheet No 2

Claims that Israel's military operations in Lebanon constitute an "illegal war of aggression" misrepresent both the facts and international law. Israel's actions constitute **lawful self-defence** against Hezbollah's violations of the ceasefire resulting from the MOU signed by President Trump with Iran. The EU's strong commitment to the rules-based order is an asset, but recent statements risk misapplying core legal principles.

Legal Basis for Israel's Actions

1. Ongoing International Armed Conflict

- Despite the ceasefire from the Trump-Iran MOU, which does not bind Israel, Hezbollah continues breaking it by **rearming with Iranian weapons**, refusing to withdraw north of the Litani and launching further attacks.
- Hezbollah has fired thousands of **rockets, missiles and drones** at Israel since October 2023, killing dozens of civilians and displacing tens of thousands from northern communities.
- As Iran's proxy, Hezbollah (proscribed by c46 countries) receives weapons, funding and direction **to destroy Israel** while embedding military infrastructure among Lebanese civilians.

2. Necessity of Response to Ongoing and Imminent Threats

- Hezbollah - proscribed as a terrorist organisation by many states - has violated ceasefires and launched renewed assaults on Israel. These actions constitute ongoing armed attacks, requiring a **proportionate defensive response** to halt them and prevent further escalation
- Explicit threats by Hezbollah leaders and its massive arsenal meet the necessity test under **customary law**.
- Israel's targeted operations degrade Hezbollah capabilities threatening northern Israel. States are not required to absorb **repeated violations** indefinitely.

3. Inherent Right of Self-Defence (UN Charter Article 51)

- Article 51 recognises the **inherent right of self-defence** following an armed attack.
- **No prior UN Security Council authorisation is required**. Israel has notified the UNSC. The right applies to armed attacks by non-state actors when the host state is unable or unwilling to prevent them.
- The MOU and resulting ceasefire do not extinguish this inherent right.

4. Hezbollah's Unlawful Conduct & Israel's Lawful Response

- **Hezbollah** fires rockets **indiscriminately** at Israeli **civilians** and uses Lebanese civilians as **human shields** by embedding launchers and tunnels in populated areas - **war crimes**.
- **Israel's** precision strikes target military objectives with extensive warnings, evacuation orders and precautions, **meeting jus in bello requirements of distinction, proportionality and precaution**.

The EU's Position and Risks

Equivocal EU positions that downplay Hezbollah's ceasefire violations and Iranian role while criticising Israeli responses risk undermining the **inherent right of self-defence**. Such stances ignore Hezbollah's breaches of the ceasefire resulting from the Trump-Iran MOU and UNSC Resolution 1701 embolden terrorist groups and their state sponsors, weaken the rules-based international order, and ultimately undermine European security by encouraging further aggression, regional instability and the spread of Iranian influence closer to Europe's borders.

Recommendations for EU Leaders

EU policymakers need to:

- **Affirm** Israel's right to defend itself against Hezbollah's ceasefire violations and threats;
- **Prioritise** full implementation of UNSC Resolution 1701, including Hezbollah disarmament and withdrawal north of the Litani;
- **Support** sanctions against Hezbollah, Iran and entities enabling rearmament or violations of human rights.