

UNCOSA

Extraterritorial Power and Hidden Wars: Evaluating the Legal and Ethical Implications of Cross-Border Strikes, Assassinations, and Covert Operations by State Actors

Israel's strikes in Syria and Iran, U.S. drone killings in Somalia and Yemen, Russia's poisonings abroad: defend or condemn state-sanctioned operations on foreign soil?

I. Introduction: When Borders Are Ignored

In an era where drones can hover silently over distant deserts and poisons can be slipped into hotel teacups, the old rules of war seem increasingly irrelevant. Today, conflict doesn't always come with a declaration, a battlefield, or a uniform. It comes with data, coordination, and deniability.

Modern statecraft has embraced the invisible strike: actions that occur without formal war, often far from a nation's territory, and frequently without the knowledge or consent of the state being targeted. From the precision drone strikes of the U.S. in Somalia to the sophisticated assassinations carried out by Russian operatives in European cities, covert operations have become tools of foreign policy - not just in wartime, but as routine acts of national defense, deterrence, or even geopolitical theater.

These actions raise immediate questions: Who gave the green light? What laws apply? Can a state kill someone outside its borders simply because it deems them a threat?

The international community has struggled to define where legality ends and impunity begins. Traditional laws of war are based on concepts like armed conflict, territory, and state responsibility. But what happens when war isn't declared, the battlefield is secret, and the actor is masked behind intelligence agencies or proxy militias?

This committee will grapple with the blurred boundaries of legality and legitimacy. Delegates must analyze not only what has happened, but what should be allowed: Is a drone strike on a suspected terrorist in Yemen an act of legitimate defense or a violation of sovereignty? Is killing a nuclear scientist on foreign soil a preventive measure or an assassination under international law? Is coercing dissidents abroad a form of repression, or the extension of domestic law enforcement?

UNCOSA exists to confront these difficult questions. Delegates will not be writing a traditional resolution: they will be building a legal and ethical framework for actions that operate in the shadows, where power is often unchecked, and the consequences (civilian deaths, diplomatic fallout, regional instability) ripple far beyond the moment of the strike.

II. Legal & Diplomatic Dimensions

The legal frameworks governing covert operations are, at best, fragmented. While international law offers clear restrictions on the use of force, assassination, and sovereignty violations, enforcement is often limited, and states engaged in covert actions typically operate in legal grey zones, shielded by secrecy and plausible deniability.

Under international law, extraterritorial use of force is generally prohibited unless justified by self-defense (Article 51 of the UN Charter) or authorized by the UN Security Council. Yet in practice, many covert operations occur without meeting either condition. Legal justifications tend to be retroactive, framed after the fact by invoking national security, terrorism, or anticipatory self-defense - a doctrine not universally accepted under customary law.

One major point of contention lies in sovereignty versus security. States targeted by covert operations, such as Iran, Syria, or the UK, often view them as violations of their territorial integrity. Meanwhile, the acting states frame their actions as legitimate and necessary to prevent greater harm. This clash has exposed how unevenly international norms are applied and how powerful states often operate outside legal accountability.

Assassinations, in particular, pose legal contradictions. They are explicitly banned under U.S. Executive Order 12333 and are considered illegal under most interpretations of international humanitarian law, especially in peacetime. However, when classified as part of an armed conflict, even undeclared, targeted killings are sometimes reframed as lawful acts of war. This legal ambiguity is exacerbated by technological developments like drones, remote weapons, and cyber-espionage, which allow states to act without deploying conventional forces or triggering formal declarations of conflict.

The diplomatic consequences are also significant. Covert actions regularly trigger expulsions of diplomats, ruptures in intelligence-sharing agreements, and retaliatory measures, yet rarely lead to full breakdowns in relations. This suggests that while covert operations are condemned publicly, they are often tolerated privately as a tool of realpolitik. Moreover, when the responsible state denies involvement or blames rogue actors, it becomes nearly impossible to pursue legal recourse.

International courts have struggled to address these challenges. Cases brought before the International Court of Justice (ICJ) or European Court of Human Rights (ECHR) often stall due to lack of cooperation, jurisdictional limits, or state immunity. The norm of non-intervention, while foundational, has little force when enforcement mechanisms are weak or politicized.

This topic demands nuanced thinking: not just about whether an action is legal, but why the law seems to apply selectively. Are international legal standards still relevant in a world of proxy warfare and intelligence politics? Should there be stricter global regulations or new frameworks to address extraterritorial operations? Or would such efforts only formalize what is better left in the shadows?

III. Ethical and Philosophical Tensions: Means, Ends, and the Quiet Cost of Power

1. The Problem of Justification

One of the most challenging ethical questions is whether a covert operation can ever be morally justified. Take the example of a drone strike that eliminates the leader of a terrorist cell. The strike may be surgical in execution, but it may also kill civilians nearby, provoke retaliation, and violate the airspace of a sovereign state. Does preventing a future attack excuse a present violation? How do we define the value of lives potentially saved versus lives definitely lost?

This is the central tension between consequentialism and deontological ethics. The former argues that actions are justified if their outcomes are beneficial (if fewer lives are lost overall for example). The latter insists that some actions are wrong in and of themselves, regardless of the outcome (for instance, assassinating someone without due process or consent from the host state). Governments tend to lean on the consequentialist logic when justifying covert operations.

2. The Ethics of Impunity

Covert actions often occur without formal accountability. Operatives remain unnamed, chains of command are classified, and mistakes or abuses are buried in bureaucracy or protected by national security exemptions. This leads to what ethicists call the problem of impunity: when actions with serious consequences are carried out without transparent decision-making or consequences. Even democratic states struggle with this. Internal review mechanisms (such as FISA courts in the U.S.) exist, but often defer to intelligence agencies. Parliamentary oversight is limited, and the public is rarely informed - sometimes for legitimate operational reasons, but often as a way to avoid scrutiny altogether.

3. Realism vs. Idealism

The ethical debate is also political. Realists argue that states have one moral duty: survival. From this perspective, it is naïve to expect nations to forgo tools like espionage, sabotage, or targeted killings if those tools protect national interests. Realists believe that power, not morality, governs international affairs, and that ethical arguments are often a smokescreen for self-interest.

Idealists, by contrast, argue that international norms and human rights are fragile, and that abandoning them in the name of expediency leads to long-term instability. When powerful states break the rules, they encourage weaker states to do the same. The result is a world with no meaningful standards, only shifting lines of what is “tolerated.”

4. The Civilian Cost

Beyond state strategy and legal abstraction lies the reality of those most affected. Covert operations often ignore civilian dignity in favor of tactical success. And yet, modern war increasingly takes place in civilian spaces: city centers, refugee camps, diplomatic zones. As the lines between battlefield and home blur, so do the lines between collateral damage and civilian targeting. Delegates must consider: who is counted in the cost-benefit analysis of covert action? Whose lives are weighed, and whose are ignored?

5. The Slippery Slope of Normalization

What begins as an “exception” in extreme cases, like targeted killing of an imminent threat, can quickly become standard operating procedure. States that first justified drone strikes as rare interventions now deploy them routinely. Assassinations once condemned have become “strategic eliminations.” Cyberattacks that once shocked the global community are now accepted tools of influence and coercion. This is the normalization problem: the more covert operations are used, the less shocking they become. Eventually, the public forgets they were ever controversial.

IV. Case Study I: Israel’s Covert Operations in Syria and Iran

Over the past decade, Israel has developed a consistent policy of using covert and extraterritorial force to prevent the expansion of Iranian military and nuclear capabilities. This strategy has played out most visibly in Syria, where Israel has targeted Iranian-backed militias and infrastructure, and in Iran itself, where nuclear scientists have been assassinated in operations widely attributed to Israeli intelligence.

In Syria, Israeli airstrikes have become a regular occurrence. Since the early years of the Syrian Civil War, Israel has claimed that its objective is to prevent Iran and its proxies, especially Hezbollah, from establishing a permanent military presence near Israel’s northern border. According to multiple monitoring organizations, including the Syrian Observatory for Human Rights, Israel has carried out over 1,000 airstrikes on Syrian territory since 2013. These attacks have focused on weapons convoys, intelligence hubs, and Iranian or Hezbollah-linked sites. While Israel rarely comments on individual strikes, it has broadly acknowledged its ongoing campaign, often referring to it as a matter of regional stability and preemptive security.

The pace of these operations has only intensified in recent months. Following the outbreak of the Israel– Hamas conflict in October 2023, regional tensions escalated, and Israel reportedly expanded its targeting to include sites in Lebanon, Iraq, and Yemen. A June 2025 analysis by Al Jazeera mapped over 35,000 Israeli strikes across the Middle East since the start of that conflict.

Meanwhile, within Iran, Israel has been linked to a number of high-profile assassinations targeting scientists involved in the country’s nuclear program. The most notable was the 2020 killing of Mohsen Fakhrizadeh, a senior nuclear physicist, who was shot with a remote-controlled weapon in an operation Iranian officials immediately blamed on Israel. Earlier killings between 2010 and 2012 followed a similar pattern - magnetic bombs placed on vehicles, targeted shootings - resulting in the deaths of at least five nuclear experts. While Israel has never confirmed its involvement, former officials have hinted at the state’s willingness to act decisively, including former Defense Minister Moshe Ya’alon, who once stated, “We will act in any way, and are not willing to tolerate a nuclear-armed Iran.”

The legal status of these actions remains deeply contested. Israel often frames them as necessary and limited uses of force, justified under Article 51 of the UN Charter, which permits self-defense against armed threats. Critics, however, argue that assassinations and repeated strikes inside sovereign territory, especially when not in the context of a declared war, violate international law, particularly the principles of sovereignty and proportionality. The fact that many of these attacks occur without transparent evidence or oversight only deepens the debate.

The strategic impact is also mixed. Analysts agree that Israel's actions have disrupted Iran's operations and delayed progress in key military sectors. But they have also led to repeated escalations, civilian deaths, and a broader normalization of preemptive, extraterritorial violence. This case presents a difficult balancing act: understanding how a state's security concerns can justify illegal or opaque measures, while also asking where those justifications might cross a line, from defense into impunity.

IV. Case Study II: U.S. Drone Strikes in Yemen and Somalia

The United States has become the most prominent and sustained user of unmanned aerial vehicles (UAVs) for targeted killings outside declared war zones. Nowhere is this more evident than in Yemen and Somalia, two countries where U.S. drone operations have aimed to eliminate suspected members of al-Qaeda in the Arabian Peninsula (AQAP) and al-Shabaab, respectively. These campaigns reflect a major evolution in modern warfare: one where lethal force is projected across borders without troops, trials, or declarations.

In Yemen, the drone program began under President George W. Bush but expanded significantly under the Obama administration. The most controversial strike occurred in 2011, when the U.S. killed Anwar al-Awlaki, an American citizen, in a drone strike in northern Yemen. The government argued he was a key operational leader in AQAP. Two weeks later, a separate strike killed Abdulrahman al-Awlaki, his 16-year-old son, also a U.S. citizen. These cases sparked a wide legal debate over due process, citizenship rights, and executive authority.

In Somalia, the U.S. began targeting al-Shabaab leaders with drones around 2007. Strikes were justified under the 2001 Authorization for the Use of Military Force (AUMF), a law passed after the 9/11 attacks. Between 2007 and 2024, the U.S. conducted hundreds of drone strikes in Somalia, particularly in the southern regions. One 2020 strike reportedly killed over 20 suspected militants near Jilib, but local sources claimed civilian casualties, including three farmers and a child.

Under President Trump, drone operations were loosened further, with lower thresholds for approval and fewer reporting obligations. President Biden reinstated tighter rules, requiring high-level authorization for strikes outside active war zones, but by 2023, many of those restrictions were again relaxed in response to rising regional threats and lobbying from the Pentagon and CIA.

Civilian casualties remain one of the most contentious aspects of this program. Independent watchdogs, such as Airwars and the Bureau of Investigative Journalism, have consistently found that civilian deaths are underreported by U.S. military sources. A 2021 report from The New York Times revealed that in several cases, drone operators mistook civilians for insurgents, often relying on flawed intelligence or pattern-of-life analysis with limited on-the-ground confirmation.

Legally, the U.S. maintains that it has the right to act under both domestic law and Article 51 of the UN Charter, citing self-defense against terrorist threats. However, the lack of host country consent, particularly in loosely governed areas, and the absence of judicial oversight have led many legal scholars to describe the drone program as an example of "extrajudicial killing" on a global scale.

This case study offers a complex web of dilemmas: the tension between security and legality, the role of technology in lowering the threshold for lethal force, and the implications of setting precedents for borderless warfare. While drones offer strategic reach and minimal risk to the attacker, they also raise questions that no algorithm or satellite feed can answer: Who decides who is a threat? And what safeguards exist when the battlefield has no borders?

IV. Case Study III: Russia's Poisonings Abroad

Unlike targeted airstrikes or drone operations, Russia's approach to covert action abroad often relies on personalized, deniable, and symbolic forms of violence. The use of chemical agents and toxins to target individuals, often dissidents or defectors, is one of the most well-documented features of Russia's extraterritorial operations. These actions, frequently conducted on the soil of Western countries, raise fundamental questions about state responsibility, the reach of domestic security services, and the normalization of assassination as foreign policy.

One of the most prominent cases occurred in London in 2006, when Alexander Litvinenko, a former FSB officer and outspoken critic of the Kremlin, was poisoned with radioactive polonium-210. The substance was slipped into his tea at a hotel, and he died three weeks later. A UK inquiry concluded in 2016 that the killing was "probably approved" by then-FSB director Nikolai Patrushev and "also by President Putin." The radioactive trail left across London turned the case into a diplomatic crisis. Despite the evidence, Russia denied involvement.

A similar pattern emerged in 2018, again in the UK, when Sergei Skripal, a former Russian military intelligence officer turned British informant, and his daughter Yulia were poisoned with a military-grade nerve agent known as Novichok. The attack occurred in Salisbury, triggering an emergency response and hospitalizing several bystanders. British authorities identified two Russian GRU operatives as suspects. The Kremlin denied any connection, but the incident led to a coordinated expulsion of over 150 Russian diplomats by the UK, U.S., and EU countries.

Another high-profile case was the 2020 poisoning of Alexei Navalny, Russia's most prominent opposition figure, during a domestic flight. Navalny survived and was transferred to Germany for treatment, where lab results confirmed the presence of Novichok. Investigative journalists later traced the operation to a team of FSB agents who had been tailing Navalny for months. While this incident occurred within Russian borders, it shares a common method and motive with the international poisonings: the silencing of dissent, often with plausible deniability and long-term psychological impact.

What makes these cases particularly controversial is their location: the Litvinenko and Skripal attacks occurred in NATO-member states, directly violating their sovereignty and threatening civilian safety. Furthermore, the use of chemical weapons, even in microdoses, contravenes international law, particularly the Chemical Weapons Convention, which Russia is a signatory to.

Yet, accountability has been elusive. In each case, the Russian government denied responsibility. Extradition requests were ignored, and trials were held in absentia or not at all. This has led to growing concerns about state impunity: when powerful nations conduct lethal operations abroad without consequence, it risks undermining global norms against assassination and chemical warfare.

This case highlights a grave problem: is deterrence effective if attribution is always denied? Can traditional legal responses (sanctions, expulsions, UN resolutions) curb this kind of behavior? And when the line between intelligence work and state-sanctioned violence becomes increasingly blurred, what tools are left to hold perpetrators accountable?

IV. Case Study IV: China's Transnational Policing Operations

While many covert operations focus on targeted killings or sabotage, China's approach has increasingly centered on control through surveillance, coercion, and enforced repatriation. Rather than eliminating adversaries, the goal is often to silence dissent, prevent defection, and extend domestic authoritarian control beyond national borders. These operations are part of what China frames as law enforcement and anti-corruption efforts - but critics argue they constitute a new form of extraterritorial repression.

One of the most significant programs is Operation Fox Hunt, launched in 2014. Officially, it targets corrupt Chinese officials and economic fugitives living abroad. However, human rights organizations such as Safeguard Defenders and Human Rights Watch have documented cases in which the targets were not criminals, but political dissidents, exiled activists, and asylum seekers. Many of these individuals had fled China due to fear of repression, and some were legally residing in countries such as the United States, Canada, France, and Australia.

Rather than relying solely on legal extradition processes, Chinese agents have been accused of using coercive tactics: pressuring family members in China, threatening property seizures, sending unofficial operatives to surveil or harass targets abroad, and even luring individuals back under false pretenses. In several cases, Chinese nationals were approached by alleged law enforcement officials on foreign soil, despite China having no jurisdiction in those countries.

In one 2020 case, a Chinese student living in Canada received repeated threats against his parents after publicly criticizing the Chinese government online. In another case, reported by the FBI in 2022, U.S. residents were allegedly told to return to China or face retaliation against their families. These are not isolated incidents: the U.S. Department of Justice has brought multiple charges against individuals accused of acting as unregistered agents of the Chinese government.

What makes China's operations especially complex is the legal grey area they inhabit. These are not overt acts of violence like drone strikes or poisonings. Instead, they rely on intimidation, digital surveillance, and family leverage. They often operate under the guise of anti-corruption campaigns or public security missions - narratives that are harder to challenge diplomatically.

At the same time, China has promoted initiatives like extraterritorial "police service stations" in cities like Dublin, New York, and Madrid, allegedly to help Chinese nationals with bureaucratic tasks abroad. However, reports suggest some of these outposts have been used for surveillance or pressure operations against members of the diaspora. Following media and governmental investigations, several of these "stations" have been shut down or subjected to inquiry by host governments.

From a legal standpoint, such activities may violate both sovereignty and international human rights protections, particularly the right to seek asylum and be free from transnational repression. Yet they are difficult to prove, prosecute, or even define, as they often blur the boundaries between diplomacy, law enforcement, and intimidation.

The challenge is to assess where law enforcement ends and covert repression begins. What obligations do states have to protect exiled dissidents or political refugees? How should the international community respond when a state projects surveillance and coercion across borders without using overt violence? And what limits, if any, should apply to transnational policing in a globalized world?

V. Accountability, Oversight, and the Future of Covert Operations

You must navigate a complex paradox: the same covert operations that might be legally murky or morally ambiguous are, in many states' eyes, necessary instruments of national security, strategic deterrence, and even survival. Your role in this committee may require you to defend policies your assigned country has officially denied, to argue in favor of actions it cannot acknowledge, or to challenge decisions that have reshaped the global balance of power - all under the strict veil of realism and diplomacy.

From a pro-operational standpoint, covert action offers critical advantages. It allows states to neutralize threats preemptively, avoid the political fallout of conventional warfare, and act swiftly in response to fast-moving threats. Nations with broad intelligence capabilities, such as the United States, Israel, Russia, China, the UK, or Iran, may argue that covert operations have prevented terrorist attacks, disrupted rogue nuclear programs, or protected their citizens when no other options were available. These delegates may find themselves defending targeted killings, surveillance networks, or extraterritorial arrests not as rogue actions, but as strategic necessities in a lawless or ineffective global system.

Others, particularly smaller or non-aligned states, may take a restrained or regulatory stance, pushing for international mechanisms to review covert actions, strengthen state consent, and uphold the principle of sovereignty. These delegates may raise concerns about impunity, technological overreach, and the precedent that unchecked operations create. From this point of view, what is framed as national security by one country can easily be experienced as foreign aggression by another.

Yet true accountability remains elusive. There is no permanent international body to review or regulate covert operations, and international courts face political barriers and jurisdictional gaps. Even states that champion international law rarely submit their own intelligence services to full scrutiny. You must therefore think tactically: Is it better to push for new enforcement mechanisms, or to negotiate informal codes of conduct? Should covert actions be disclosed post-facto under agreed circumstances, or remain in the shadows entirely?

Moreover, as the committee simulates high-level negotiations, delegates will be expected to adopt their country's worldview. For some, this means defending actions that have drawn international outrage (drone strikes, assassinations, or secret renditions) by citing domestic law, counterterrorism imperatives, or allied cooperation. For others, it may involve calling out hypocrisy: Why are some states punished for covert actions while others face no consequences? Does international law protect all states equally, or only those with global leverage?

This is not a committee of clear answers. It is a forum where delegates must confront uncomfortable truths, defend strategic interests, and imagine what accountability could look like in a world that thrives on secrecy. Your position paper, and your speeches, should reflect not only legal arguments, but also the strategic logic your country would use to act, deny, and justify.

FURTHER RESOURCES

Covert Action: A State Perceived Necessary Evil Shifting International Norms

<https://bpb-us-w2.wpmucdn.com/wp.towson.edu/dist/b/55/files/2025/05/FITZ-TRUTH-SPRING-2025.pdf>

Civics 101 Podcast: The CIA

<https://www.civics101podcast.org/civics-101-episodes/ep114>

Covert Action Magazine

<https://covertactionmagazine.com/>

What Constitutes Successful Covert Action?

<https://www.cambridge.org/core/journals/review-of-international-studies/article/what-constitutes-successful-covert-action-evaluating-unacknowledged-interventionism-in-foreign-affairs/96615329CBFA35271CD04AE12FBFEEA0>

Balancing Power & Ethics: Human Rights Concerns In Military AI

<https://arxiv.org/pdf/2411.06336>

Secret US Spying Program Targeted Top Venezuelan Officials, Flouting International Law

<https://apnews.com/article/venezuela-dea-drugs-cocaine-maduro-spying-law-fbf37f94207d05fb45dca1b75bf04d41>

UN Accountability Mandates In International Justice

<https://academic.oup.com/jicj/article/21/3/551/7328884>

Responsibility To Protect: 20 Years Of Commitment To Principled & Collective Action

<https://www.globalr2p.org/resources/sg-2025-report/>

What We Know About Israel's Attacks On Iran's Nuclear Sites

<https://www.youtube.com/watch?v=P4KUKC8hDRo>

Diplomatic Dialogue: Iran Talks Amid Nuclear Striked Unfold

https://www.youtube.com/watch?v=kr2xIS__8TA

Does China Have Secret Police Stations In Europe?

<https://www.youtube.com/watch?v=6grNYvxRa5I>