

## Statement on potential specific targeting of cultural sites in Iran

Blue Shield International<sup>1</sup> notes with grave concern the recent statements by the President of the United States of America that he is seriously contemplating targeting cultural sites in Iran if Iran reacts to the killing of General Qasem Soleimani.

The intentional targeting of cultural and religious sites (that are not legitimate military objectives and have no imperative military necessity), is prohibited specifically, under any circumstances, in international humanitarian law, most notably in the 1954 Hague Convention on the Protection of Cultural Property in the Event of Armed Conflict and its Second, 1999, Protocol. The USA ratified this Convention in 2009. Cultural property protection is also an integral part of the 1977 Additional Protocol I to the 1949 Geneva Conventions (arts 53 and 85(4)(d)); the 1998 Rome Statute of the International Criminal Court (arts 8(2)(b)(ix) and 8(2)(e)(iv)); and United Nations Security Council Resolution 2347. The protection of cultural property in the event of armed conflict is regarded as Customary International Law.

The current situation is additionally problematic and unfortunate as the USA was the first country to enshrine the protection of cultural property in the event of armed conflict in the 1863 Lieber Code<sup>2</sup> during the American Civil War. More recently, individuals were found guilty and imprisoned for deliberate crimes against cultural property under the remit of the International Criminal Tribunal for the Former Yugoslavia; and, in 2016, Mr Al Mahdi, a member of the extremist group Ansar Dine, was sentenced to nine years imprisonment and given a €2.7 million fine by the International Criminal Court under the Rome Statute, for the destruction of nine mausolea and a mosque in Timbuktu, Mali.

It would be a major undermining of international humanitarian law, and a significant set-back for the international community, if the USA, especially given its historic leadership, had to be added to those responsible for the deliberate, calculated, illegal destruction of cultural heritage.

We ask the President to remove any cultural sites from his target list so as to avoid the USA committing war crimes and to stop threatening cultural sites in Iran in any way.

For further information please contact:

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<sup>1</sup> The Blue Shield is an International NGO established under Dutch Law. It advises UNESCO on the protection of cultural property in the event of armed conflict and has as its mission to protect the world's cultural property, and is concerned with the protection of cultural and natural heritage, tangible and intangible, in the event of armed conflict, natural- or human-made disaster. See <https://theblueshield.org/>

<sup>2</sup> The 'Lieber Code', officially *General Order 100, Instructions for the Government of Armies of the United States in the Field* see <https://uscbs.org/1863-lieber-code.html>