

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

Blue Shield United Kingdom<sup>1</sup> notes with grave concern the recent statements by the President of the United States of America that he is contemplating targeting cultural sites in Iran if Iran reacts to the killing of General Qasem Soleimani, and possible support for his actions from the UK Government.

We support the legal analysis of Blue Shield International: 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<sup>2</sup>. 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 USA was the first country to enshrine the protection of cultural property in the event of armed conflict in the 1863 Lieber Code<sup>3</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 and the UK had to be added to those responsible for the deliberate, calculated, illegal destruction of cultural heritage.

We ask Her Majesty's Government to immediately raise the issue of illegitimate targeting of cultural sites with the White House, and to encourage them to remove all cultural sites from the list to be targeted. Targeting such sites will be regarded as a war crime. We further ask HMG to confirm to Parliament and the country that no UK personnel or assets will be used to support action that would be seen as a war crime.

For further information please contact:

**Professor Peter G Stone, Chair, Blue Shield United Kingdom** - [Peter.stone@ncl.ac.uk](mailto:Peter.stone@ncl.ac.uk)

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<sup>1</sup> Blue Shield United Kingdom is the UK Branch of the Blue Shield. Our mission is to protect the world's cultural property- cultural and natural, tangible and intangible - in the event of armed conflict, natural- or human-made disaster. See <https://ukblueshield.org.uk/>

<sup>2</sup> 1954 Hague Convention ratified by the USA in 2009, and the UK ratified the Convention and both Protocols in 2017. Geneva Convention Additional Protocols I and II 1977 ratified by the UK in 1998; Rome Statute ratified by the UK in 2001.

<sup>3</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>