

# Protection of Cultural Heritage During Armed Conflict

## Situation Report: The Aleppo No Strike List

### INTRODUCTION

The United Nations has confirmed the loss of 93 000 people in Syria since the beginning of the conflict, 13 000 of whom were in Aleppo alone due to the intense battles fought between the opposing forces and the Syrian army. Although the unrest began in March 2011, it was not until August 2012 that Aleppo witnessed massive destruction. Violence escalated through the use of aircrafts and heavy artillery, affecting the local population and creating not only a humanitarian disaster but also threatening the cultural heritage and authenticity of one of the most ancient parts of the civilized world. The Syrian regime now controls some strategic locations, several of which are historical sites. Others are under the control of the opposition, but many are on the fronts where daily clashes between both parties occur, such as the ancient citadel of Aleppo.

It has been reported that a major military assault is currently underway in Aleppo and its surroundings which will almost certainly lead to intense, and possibly protracted, fighting. This poses a grave risk to the heritage. Some sites are already directly threatened by the bomb shelling and intense battles fought in them: for example the famous minaret of the great Umayyad mosque in Aleppo collapsed in April 2013 after being targeted. Other places are at risk from systematic theft and sale of artefacts, crimes recognized by Syrian law yet committed by all parties.

With this in mind, Heritage for Peace and Blue Shield, in conjunction with Syrian colleagues, have created a list of 20 of the most important sites in Aleppo, which they urge all sides involved in the conflict to respect and avoid.

### THE SIGNIFICANCE OF ALEPPO

- Aleppo is one of the oldest continuously occupied cities in the world and has over 2000 archaeological and historical sites of importance.
- The city centre is a designated World Heritage Site called *the Ancient City of Aleppo*, parts of which date back more than 5000 years. This means it is significant not only to the people of Syria, but to all people.
- Some of the earliest mosques, oldest churches, and even oldest synagogues are to be found here, as well as landmarks such as the citadel
- There are also many different architectural styles which represent the numerous peoples who have lived here.

### CULTURAL HERITAGE PROTECTION: WHY IT MATTERS

1. It is a humanitarian principle to refrain in all circumstances from bombing non-military targets.
  2. It is a 'force multiplier' - a capability that, when added to and employed by a combat force, significantly increases the combat potential of that force and thus enhances the probability of successful mission accomplishment.
- ◆ Respect for and protection of cultural heritage by military forces will contribute to the integrity of those forces and will significantly influence the operational environment. It is

undoubtedly a force multiplier and will enhance force acceptance in the local area.

3. Respecting and implementing relevant international and national Cultural Heritage Protection regulations and laws is not only a national civilian and military task, but also an international obligation. There is an international legal framework which designates cultural property protection during conflict as a military responsibility.
  - ◆ In particular, the 1954 Hague Convention is very specific about this task. Where the local authorities cannot protect their heritage in a conflict zone the military must take on that responsibility.
  - ◆ With the recent changes in international criminal law the individual commander can be held personally accountable. He can be prosecuted and trialled before an international tribunal.
  - ◆ By complying with international humanitarian law and law of war, warring parties will avoid condemnation and international scandal, and avoid individual prosecution for a criminal act.
  - ◆ (For those unfamiliar with the international legal framework governing cultural heritage in conflict, Heritage for Peace have prepared a brief introduction.)
4. Not only do the military have the duty to protect the monuments and sites but also their content. It is known that the failure to protect heritage collections and archaeological sites with their buried finds will attract looters and stimulate illicit trade in artefacts.
  - ◆ Protecting archaeological and historical sites will therefore prevent looting and illicit trade
  - ◆ And put a stop to an illegal income source for arms.
5. As well as the intrinsic humanitarian benefit of protecting Syria's rich heritage for the future, site protection will also
  - ◆ safeguard possibilities for future development
  - ◆ 'failure to protect' will foster the conflict and enlarge the disagreements between the different communities into the future.

By stopping or mitigating the destruction of cultural heritage the commander not only abides by international law but also makes a valuable contribution to conflict resolution. Therefore we ask all parties to endeavour to restrict their attacks to legitimate military, communications, and armaments-related industrial targets.

## **PROTECTIVE TARGET PLANNING FOR RELIGIOUS, CULTURAL, AND CHARITABLE BUILDINGS AND MONUMENTS**

As long as an armed force does not use buildings and monuments devoted to religion, art, charitable purposes, or historical sites for military purposes, they may not be targeted. Combatants have a legal duty to identify such places with distinctive and visible signs. When forces use these buildings or monuments for military purposes, they may qualify as military targets. Lawful military targets located near protected buildings are not immune from attack. However, personnel must take precautions to limit collateral damage to the protected buildings. Attack or bombardment of undefended buildings, including cultural targets, is prohibited. An occupying power must act responsibly in administering all public institutions, including museums. All seizure or destruction

with an intention to damage institutions and historic monuments of art, religion, science and charity, or works of art or science is forbidden and subject to legal proceedings. The main international legal safeguard for historically and humanistically important institutions and sites is the Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict, signed on May 14, 1954. *It is binding for all states during armed conflicts whether they acceded or acknowledged the legal instruments and corpora, or not.*

## **THE NO-STRIKE TARGET LIST**

A no-strike list is a list of geographic areas, complexes, or installations not planned for capture or destruction. The list is designated by a commander of the military force. Destruction of targets on the list would interfere with or unduly hamper projected friendly military operations, or friendly relations with indigenous personnel or governments.

The military commander planning or executing the attack cannot be the final arbiter of whether the loss of civilian life and property is reasonably proportionate to the attacks military advantage. Only by the independent assessment of non-participating entities or organizations can the strict rules for the limitation of unnecessary suffering and destruction be upheld.

Ideally such a list would come from the affected country itself: the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict encourages parties to deposit a list of their most important cultural heritage to UNESCO, but in practice few actually do. In such cases, the task of compiling a list the military can use to avoid damage to sites falls to the cultural heritage community, ideally in consultation with cultural heritage colleagues inside the country in question, or if that is not possible, with expatriate colleagues and others who have expertise in the country in question. This information must include not only archaeological sites and museums, but scientific collections, historic buildings, archives, libraries, etc. This requires cross-disciplinary collaboration on both the national and international level.

Therefore Heritage for Peace and Blue Shield, in full consultation with Syrian colleagues, have prepared a list of the twenty most important archaeological and historical sites in Aleppo for use by all sides in the conflict.

## **SITES ON THE LIST**

The list details 20 of the most significant sites in Aleppo, which to some extent represent the many peoples, cultures, historical empires and religions which have contributed to the modern city of Aleppo. However, there are more than 2000 significant sites in Aleppo, and the entire old city is part of a UNESCO designated World Heritage Site. Even outside the ancient walls, numerous old buildings remain. We once more urge those involved in the conflict to respect these ancient sites, part of the identity and history of the people of Syria, and part of their future.

Some of these sites have already been damaged in the conflict. In these cases we urge all parties to continue to avoid the sites, preventing further damage. We also ask that they avoid disturbing or removing any parts which may have fallen or become detached as they could be used later in renovation and preservation efforts.

Further details about each site are available on request in the form of a spreadsheet (ALEPPO SITE LIST – FULL DESCRIPTIONS.xls) and Google Earth overlay (ALEPPO SITE LIST – GOOGLE EARTH POINTS.kmz).