In international law, this term covers, irrespective of origin or ownership, movable or immovable property constituting the cultural heritage of all mankind, to which each people makes its contribution. In view of the importance of cultural property to all peoples of the world, international law has attempted to ensure its protection in case of armed conflict.

Protected cultural property comprises: historic monuments, works of art, buildings and places of worship, archaeological sites, museums and depositories, libraries, archives, scientific collections, etc.

These must be respected and safeguarded against the foreseeable effects of an armed conflict. They must not be used for purposes which are likely to expose them to destruction or damage or be the objects of hostility or pillage, theft, misappropriation or vandalism. Protection extends to the transportation of movable cultural property. Protection may be standard or special, depending on the importance of the property.

Reprisals against cultural property are prohibited. Cultural property must be marked with a special distinctive emblem.

General protection:

Special protection:
OUTLINE

Chapter 9, b. aa) Cultural objects [8]

LEGAL SOURCE

HR, 27 [7]

PI, 52-53 [8]

PII, 16 [9]

CIHL, 38 [10]

CIHL, 39 [11]

CIHL, 40 [12]


France, Accession to Protocol I (para 13) [16]

CASES

Israel, Taking Shelter in Ancient Ruins [17]

Israel/Lebanon/Hezbollah, Conflict in 2006 [18] (Part I, paras 188-192 [19])

Iran/Iraq, UN SC Assessing Violations of IHL (A. Annex, para 50) [20]


ICTY, The Prosecutor v. Strugar (B. paras 229-233 and 298-329) [22]

Afganistan, Destruction of the Bamiyan Buddhas [23]

Georgia/Russia, Independent International Fact-Finding Mission on the Conflict in South Ossetia (Paras 52-55) [24]

Cambodia/Thailand, Border Conflict around the Temple of Preah Vihear [25]
Mali, Destruction of World Cultural Heritage [26]

Mali, Accountability for the Destruction of Cultural Heritage [27]

Syria, Destruction of Cultural Heritage [28]

Eastern Ukraine, Attacks Against and Military Use of Schools [29]

Central African Republic, No Class: When Armed Groups Use Schools [30]

ICTY, The Prosecutor v. Prlić et al. [31]

BIBLIOGRAPHIC RESOURCES

Suggested readings:


Further readings:


