

International Responsibility for Violating the Rules for Protecting Civilian and Cultural Objects During Armed Conflicts - Iraq as a Model

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Abstract

Civilian objects and cultural property are among the most important axes that have attracted attention in international relations, and having been human life and the need to protect it among the priorities in the field of research and study when an armed conflict erupted, civil and cultural objects have also become important for the protection that must be have during the period of war, and the violation of its rules entails the recognition of international responsibility, including what it includes when the violation is proven and the damage has occurred, and that it must be fixed and repaired. The approach used in this study was descriptive with the analytical method through extrapolating the texts contained in international conventions, which determined the reasons for the emergence of international responsibility when the circumstances of the abuse required it. One of the most important findings that we reached was that despite the establishment of rules and provisions that regulate the conduct of military operations, it is often aimed at civilian objects, and cultural property is exposed to all forms of violation, including destruction, theft and export under the pretext of military necessity, and the armed conflicts that Iraq fought, especially the second Gulf War in 1991, and then the US invasion in 2003, is unquestionable evidence of breaching the rules of protection granted to civil and cultural objects. Therefore, it is assumed that the country that in its armed conflict intends to bypass the rules of protection established for civil and cultural objects and

which have been defined by international treaties and conventions, such as the Geneva Conventions of 1949 and the two Protocols thereto, and the Hague of 1954 and its two Protocols, to bear the consequences of its actions that violate international obligations and is obligated to compensate the aggrieved party regardless of its position and its military and political weight in the world.

Key words: armed conflict, civilian and cultural objects, International responsibility, Iraq.