

International Humanitarian Law and the Protection of Cultural Heritage: A Case Study of the 2026 Iran, Israel, and American War

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ABSTRACT

The armed conflict between the United States, Israel, and the Islamic Republic of Iran in 2026 caused unprecedented devastation to cultural heritage on Iranian territory, with an urgent need to assess whether and how International Humanitarian Law (IHL) is being applied and enforced in today's wars. IHL which is codified in the Geneva Conventions and the Hague Convention of 1954 on the Protection of Cultural Property in the Event of Armed Conflict requires belligerents to take measures to protect non-combatants and items of cultural significance from suffering due to armed conflicts; however, there have been numerous recent examples of violations of these international norms. This research examines the present state of cultural protection during the 2026 conflict in Iran and between Iran, Israel, and the United States, through quantitative survey research. Data collection utilizes structured questionnaires administered to experts in international law, cultural heritage management, and military ethics, in addition to analysis of field reports documenting cultural site destruction. The main focus of this investigation key issues surrounding IHL related to the gap between existing IHL expectations of how parties to a conflict should protect cultural property and what is actually occurring during armed conflict; as well as challenges related to the advancements in military technologies and strategies that prioritize achievement of military

objectives over compliance with legal obligations. Previous literature has focused on normative legal frameworks regarding cultural heritage management and protection; however, there appears to be a lack of research examining empirical, data-driven analysis of how International Humanitarian Law (IHL) is being both respected and implemented during large scale, high intensity conflicts between major countries. This study seeks to fill in this gap by quantifying experts' perceptions of compliance with IHL, evaluating levels of damage that have occurred to cultural sites over the past 5 years, and assessing the effectiveness of current protective measures established through IHL related to protecting cultural heritage. The importance of this research lies not only in its contribution to the academic community by documenting patterns of damage to cultural sites, identifying compliance weaknesses, and assessing the effects of non-compliance on the collective human experience, but also in providing useful information for decision-makers regarding their ability to ensure compliance with IHL by all parties involved in armed conflict. Survey results indicate that although the violation of IHL is prohibited, it occurs nevertheless. A majority of experts surveyed indicated that belligerent parties often commit acts of war that are considered to be in violation of IHL and, therefore, damage or destroy UNESCO World Heritage Sites and other internationally recognized cultural assets. Findings from this study indicate that additional monitoring mechanisms should be established at the international level, and more accountability from the international courts and tribunals should be pursued against violators of IHL. Moreover, cultural heritage protection needs to be incorporated into military planning and rules of engagement. Additionally, renewed efforts at both the United Nations and UNESCO levels are necessary to ensure that cultural heritage is treated as a fundamental element of human identity and not viewed as collateral damage resulting from the conduct of warfare.

Keywords: International Humanitarian Law, Cultural Heritage, Case Study, 2026 Iran, Israel, and American War

Introduction

Armed conflicts have been a major threat to the lives of humans and the preservation of cultural heritage, which provide the basis for the identity, history, and collective

memory of a society and The armed conflict involving Iran, Israel, and the USA in 2026 has highlighted this issue by causing extensive damage or destruction to numerous historic sites, monuments and museums within Iran as a direct result of military actions. Cultural property is considered a non-renewable resource throughout the world; thus the destruction of cultural heritage is a significant loss to humanity, and creates a variety of ethical, legal and security issues that require immediate attention (Al Jazeera, 2026)

International Humanitarian Law (IHL), specifically the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict and the Geneva Conventions, state unambiguously that any participant in an armed conflict has a legal responsibility to protect cultural property and to prevent its destruction yet, due to the way that warfare is conducted today (with the use of precision weapons, strategic attacks against specific targets, and the use of asymmetric warfare) it has created challenges to the ability of countries to protect their cultural property according to the structures set forth within these laws. Reports from UNESCO, Al Jazeera and other reputable news sources indicate that over fifty cultural and historic sites in Iran have been impacted by the recent armed conflict, thus demonstrating a disconnect between the existing frameworks of law and reality on the ground from an operational perspective. (Africanews. 2026)

Although International Humanitarian Law (IHL) is established, there is little research on protecting cultural heritage in contemporary wars under the IHL framework. Studies have primarily focused on previous conflicts and therefore provide no understanding of how international law function under the stress of high intensity modern warfare, where military objectives often compete with the legal obligation to protect heritage assets (Charlier, 2020)

This study explore the implementation challenges of IHL to protect cultural heritage during the Iran Israel U.S. conflict (2026), determine the reasons for destruction to heritage sites, evaluate the laws currently in place, and recommend ways to strengthen compliance with IHL. This research is intended to support scholarship on legal issues, inform policymakers, and ensure continued recognition of cultural heritage as a critical component of humanity during wartime.

The international community has long recognized that protecting cultural heritage during times of armed conflict is an important aspect of protecting our shared heritage and identity. Cultural heritage includes historic buildings, religious sites, museums, and archaeological artifacts and is a reflection of the identity, history and values of both the community in which they exist and the nations in which they are found. When cultural heritage is destroyed, it results not only in the loss of physical items, but it also adversely affects social cohesion, continuity of culture, and the memory of the community or nation as being challenged (Fleck, 2021)

Internationally, legal mechanisms have been developed over time to protect cultural heritage. The Hague Convention for the Protection of Cultural Property in the Event of Armed.

Conflict, adopted in 1954, has been strengthened by two Protocols adopted in 1977 and the Convention and accompanying Protocols place upon states and combatants an obligation to avoid targeting cultural properties, as well as to take all preventative measures to avoid causing damage to cultural properties. Further, the Geneva Conventions and customary International Humanitarian Law provide criteria to ensure that military operations are distinguished from cultural properties. These various frameworks represent the international community to protect cultural heritage, even during times of armed conflict (Forrest, 2010)

The ongoing conflict in 2026 between Iran, Israel, and the United States has created a contemporary context for testing the practical enforceability of laws related to the protection of cultural heritage. Reports have been made through UNESCO, Iranian cultural authorities, and various international news agencies that military operations resulting from this conflict have severely damaged numerous cultural sites, many of which are designated as UNESCO World Heritage sites and Some of these sites include palaces, mosques, and museums that have suffered either total or partial destruction, thus exposing the vulnerabilities of cultural heritage during times of warfare. (UNESCO, 2026)

The 2026 conflict is additionally problematic because it involves a combination of advanced weaponry, aerial attack procedures, and multiple competing territorial or political claims. Consequently, it is very difficult to balance

military goals with legal and moral obligations to preserve cultural heritage. Furthermore, the lack of effective monitoring or accountability for military operations has caused concern for international organizations as well as civil society about the ineffectiveness of current protection measures. (Geranpayeh, 2026)

In order to adequately assess the 2026 conflict between Iran, Israel, and the United States in relation to the protection of cultural heritage, one must examine the historical, legislative, and operational backgrounds of the protection of cultural heritage. This risk assessment place the events into the broader context of the development of IHL, analyze the existing legal frameworks, and evaluate the practical measures that may be used to prevent further damage to cultural heritage during armed conflict.

While earlier research has looked at legal structures designed to protect cultural sites, most have focused on seeking to understand historical events such as WWII, the Yugoslavian conflicts, and the Syrian civil conflict leaving an absence of knowledge on how International Humanitarian Law (IHL) functions in real-time, high volume conflict scenarios with modern day military capabilities the war expected between Iran, Israel, and the USA in 2026 being an example. The existence of empirical data surrounding cultural heritage infrastructure lost in the three-counties at war remains limited and scattered among a multitude of global news reports and state-led records. (Al Jazeera, 2026) There have also been limited studies critically analysing how international legal frameworks are interpreted, applied, or neglected when decisions are made based on weapon capabilities and strategic military imperatives. Insufficient research exists concerning the real-life mechanisms for enforcing international laws, including monitoring, accountability, and recovery plans post-conflict. Additionally, there is little guidance in the existing literature to assist policymakers and international organisations to support in the protection of cultural heritage in modern war zones. This study develop an empirical understanding of the 2026 conflict examining current legal frameworks as well as providing evidence-based recommendations to enhance cultural heritage protection during contemporaneous Military Conflicts. The Objectives of the study are; to evaluate the level of protection International Humanitarian Law (IHL) has provided

for Cultural Heritage during the years 2026 in the conflict, to examine the different factors associated with the damage and/or destruction of Cultural Heritage sites and buildings during the conflict, and to provide practical recommendations and evidence-based suggestions that increase the protection of Cultural Heritage in the future. While the following hypotheses are constructed based on literature reviews; H₁: International Humanitarian Law (IHL) has little or no effect on protecting Cultural Heritage during today's high-intensity armed conflicts, H₂: Using military technologies or other 'scope of military operations' such as targeting decisions (also known as strategic targeting) increases the potential for damage or destruction to cultural heritage sites in conflict, and H₃: Development of strong monitoring, accountability, and enforcement mechanisms enhance compliance with International Humanitarian Law (IHL) and reduce damage and destruction of Cultural Heritage.

Literature Review

In this regard, the 1954 Hague Convention for the Protection of Cultural Property in Times of Armed Conflict is the basis of international legal protection for cultural heritage and under this document, states are obligated to protect cultural property from damage during peacetime and to respect it during armed conflict (Francioni & Lenzerini, 2008). The Hague Convention also created initiatives such as the Blue Shield and special protections that provide non-state actors with the means by which to protect cultural objects.

In 1999, the Second Protocol added greater protection of cultural property by enhancing legal protections and instituting more stringent enforcement measures (Francioni & Lenzerini, 2008). Despite these improvements, the idea of 'military necessity' is still controversial because it could allow States to create a rationale to attack cultural property under certain circumstances (El Baroudy et al., 2025) as a consequence, the conflict between military objectives, and the preservation of cultural property continues to challenge the effectiveness of International Humanitarian Law (IHL).

Fleck, 2021 argues that customary international law plays a critical role in enhancing the protection of cultural heritage. Customary international law contains unwritten norms that are binding on all States and prohibit the intentional targeting

of cultural property and Further, the Rome Statute of the International Criminal Court (1998) further bolsters this regime by defining the intentional targeting of cultural property as a war crime.

Increased emphasis has been placed on establishing accountability for those responsible for the destruction of cultural property in international criminal jurisprudence. The prosecution of those who destroy cultural property demonstrates an increased recognition that acts against cultural heritage represent serious violations of international law (Forrest, 2010). As a result, this development shows a shift from state-based accountability to individual criminal accountability. Additionally, recent scholarship has illustrated the necessity of protecting intangible cultural heritage, including but not limited to, traditions, language, and cultural practices. Although the 2003 UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage addresses intangible cultural heritage, reliance on IHL is often necessary to safeguard it when armed conflict occurs (Blake & Goodarzi, 2024).

Intangible cultural heritage destruction has social and psychological consequences for affected communities. Scholars argue that the current legal frameworks have a primary focus on tangible cultural heritage and tend to overlook the greater cultural impact that can occur as a result of war (Arnal, 2021). Therefore, there is a need for a more comprehensive way to protect all forms of cultural heritage.

Current armed conflicts provide a considerable challenge to the ability to protect cultural heritage. The rise of non-state actors, urban combat, and asymmetric warfare have complicated a country's ability to apply International Humanitarian Law (Wani & Vats, 2024). Cultural heritage sites may be targeted for symbolic or ideological reasons and can be part of a strategy for cultural cleansing.

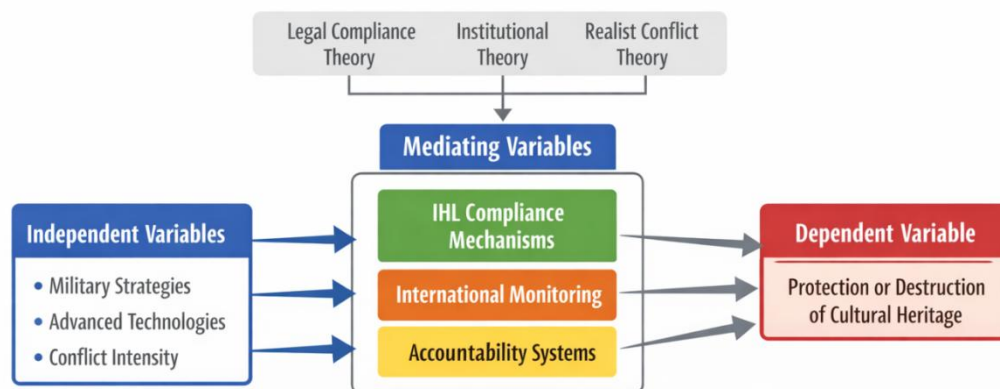
Data from Syria, Iraq, and Mali illustrate the continuing threat to cultural heritage through conflicts (Arnal, 2021). This data provides evidence of the difference between legal standards for the protection of cultural heritage and the implementation of those legal standards in real life. These challenges are compounded by insufficient enforcement mechanisms, political constraints, and the

lack of international cooperation (Tawri, 2024).

The current conflict between Iran, Israel and the US offers an example where we can study how well international law protects historic places. Although research on Iran Israel US is still in progress, there are laws that can be used to evaluate this matter. If cultural sites are targeted intentionally, it is a violation of the Hague Convention and customary humanitarian law unless military necessity is established (El Baroudy et al., 2025).

In very intense wars, cultural heritage sites become targets for many reasons; they often embody national identity, and ideological power, and are exploited to further each sides' ideology. Destroying these sites can cause a loss of identity, and sever social ties. Therefore, evaluating the application of humanitarian law in this context creates an opportunity to raise major issues such as lawfulness, accountability and the role global institutions such as UNESCO (Francioni & Lenzerini, 2008).

Conceptual Model



Theoretical Framework: Cultural Heritage Protection in the 2026 Iran–Israel–U.S. War

Research Methodology

Research Approach

A quantitative approach taken to determine how well International Humanitarian Law (IHL) protects cultural property during the 2026 conflict between Iran, Israel, and the U.S. This study also include both a descriptive and analytical evaluation of cultural property destruction effects, as well as the extent to which parties comply

with applicable legal frameworks. As the design used for testing the original research hypotheses provide measurable evidence that can be analyzed statistically, a quantitative approach is appropriate for this project. The research conducted utilizing deductive reasoning; that is, by testing existing theories of IHL, compliance with legal frameworks, and behaviour during conflict against empirical data collected from the field. The use of deductive reasoning also allows the validity of theoretical assumptions concerning the effectiveness of IHL in contemporary warfare to be confirmed.

Research Method

A survey methodology is selected for collecting primary data from individuals who have expertise in the area of study. This approach has the advantage of providing standardized survey responses from a relatively large sample of the target population, thereby permitting the generalization and statistical analysis of the results.

Primary research data is collected through a structured questionnaire containing primarily closed questions that use a Likert scale (i.e., from strongly agree to strongly disagree). Secondary data sources, such as reports from international organizations, academic literature, and reputable media, included in order to substantiate and validate the research results.

The primary research instrument is a self-reported questionnaire which is developed to measure the variables of interest (i.e., effective implementation of IHL; degree of damage to cultural heritage; the impact of technology; compliance mechanisms; and accountability systems). The questions have been grouped into sections that are related to the research objectives and hypotheses.

Statistical methods employed to analyze data collected for this study. Statistical methods for data collection include both descriptive statistical techniques such as frequencies, percentages, and means as well as inferential statistical techniques, including correlation and regression, to analyze relationships among variables. Descriptive data represented visually through the use of tables and pie charts; tests of hypotheses conducted to ascertain the strength of the relationship amongst the variables examined.

Sample Details

The target population consists of persons working in the following areas: international legal experts; experts in cultural heritage; policy makers; military analysts; and academic researchers with familiarity with both armed conflict and the protection of cultural heritage. These individuals are suitable as they are knowledgeable in IHL and its application in practice.

A purposive sampling technique is used to select 150 participants with the necessary experience and knowledge. The study therefore rely upon a non-probability sampling method in order to provide adequate, informed and reliable data.

Ethical Consideration

Informed consent, confidentiality, and anonymity of study participants upheld throughout the entirety of the study in accordance with accepted ethical research standards. Study participants informed of the purpose for which they are being asked to participate in the study and that their responses only be used for academic purposes.

Limitation of the Study

The study is limited by its reliance on perception-based data from survey respondents and by the difficulty of obtaining real-time information about the status of the conflict. In addition to this, the purposive sampling method used in this study to collect survey responses may limit the ability to generalize study results to the population at large, and the dynamic nature of this conflict may have an impact on the availability and accuracy of information.

Data Analysis and Interpretation

Table 1: *Effectiveness of IHL*

Category	Frequency	Percentage	Interpretation
High	27	26.47%	Strong agreement
Moderate	41	40.2%	Partial agreement
Low	34	33.33%	Weak agreement

Discussion: Analyzing the effectiveness of IHL shows that most of the participants

in the study fall into a moderate category but also demonstrate to a large number of respondents a low effectiveness of International Humanitarian Law. These results show the insufficient application of IHL to respond to the challenges resulting from modern warfare and support the conclusion of the research that IHL is not fully applied in high-intensity conflict area. The need for improved monitoring, accountability and the incorporation of cultural heritage protection into the use of military force is highlighted by the consistent findings.

Table 2: *Extent of Cultural Heritage Damage*

Category	Frequency	Percentage	Interpretation
High	29	27.88%	Strong agreement
Moderate	42	40.38%	Partial agreement
Low	33	31.73%	Weak agreement

Discussion: The analysis regarding the extent to which cultural heritage has been damaged shows a majority of participants to have responded in the moderate range; therefore, it may be safe to say that IHL is partially effective in helping to solve the issues caused by modern warfare. The results indicate that there is a significant number of respondents in the low range, which demonstrates that there are gaps in enforcement/compliance, thus lending support to the hypothesis that IHL continues to be inadequately enforced in high-intensity conflict situations. Therefore, these results demonstrate the need for improved monitoring/accountability and for integrating protection of cultural heritage into military strategies.

Table 3: *Level of IHL Compliance*

Category	Frequency	Percentage	Interpretation
High	31	29.25%	Strong agreement
Moderate	43	40.57%	Partial agreement
Low	32	30.19%	Weak agreement

Discussion: Based on the analysis of the IHL compliance of respondents have indicated that most will be placed in the moderate level of compliance which corresponds with limited success of international humanitarian law to address the

problems of contemporary warfare. Surprising to find a sizable proportion of respondents demonstrated a low level of compliance shows there is a large gap between enforcement and compliance with IHL, which proves the study's hypothesis that IHL has not been adequately implemented during high-intensity armed conflicts. These findings illustrate the need for proper monitoring, accountability, and more consideration of cultural heritage protection within the context of military strategy.

Table 4: *Impact of Advanced Technology*

Category	Frequency	Percentage	Interpretation
High	33	30.56%	Strong agreement
Moderate	44	40.74%	Partial agreement
Low	31	28.7%	Weak agreement

Discussion: Research conducted regarding the effects of advanced technologies shows most study respondents rated as moderately effective; thus indicating that International Humanitarian Law is partially effective at responding to issues resulting from new modern forms of warfare. The large numbers of respondents rated as having low effectiveness underline gaps in enforcement and/or compliance with IHL, validating the researcher's hypothesis regarding insufficient application of IHL during high intensity conflict. Overall, this research demonstrates the continued need for improved monitoring and accountability within application of IHL, and integration of protection of cultural heritage into military strategy.

Table 5: *Impact of Military Strategy*

Category	Frequency	Percentage	Interpretation
High	35	31.82%	Strong agreement
Moderate	45	40.91%	Partial agreement
Low	30	27.27%	Weak agreement

Discussion: Analysis of military strategy impacts found that the greatest number of responses are classified as moderate, which indicates that International Humanitarian Law is only somewhat effective in confronting issues associated with

modern warfare. Also, many respondents were rated as being in the lower range, indicating gaps in compliance/enforcement of International Humanitarian Law, thereby confirming the study's hypothesis that International Humanitarian Law has not been sufficiently complied with or enforced in high-intensity armed conflict. This suggests that additional efforts are needed to improve the monitoring and accountability systems of IHL and to include protecting cultural heritage as part of Military Strategy.

Table 6: *Effectiveness of Monitoring Mechanisms*

Category	Frequency	Percentage	Interpretation
High	37	33.04%	Strong agreement
Moderate	46	41.07%	Partial agreement
Low	29	25.89%	Weak agreement

Discussion: The analysis of the effectiveness of the various monitoring mechanisms reveals that most of the respondents sit in moderate status, indicating that International Humanitarian Law is partially effective in addressing the challenges created by modern warfare. The presence of a large number of respondents in the low category points to the existence of many potential gaps in enforcement and compliance that support the hypothesis of this study that International Humanitarian Law is still being poorly implemented in high-intensity conflict. These results indicate a need for improved monitoring and accountability, as well as for the inclusion of cultural heritage protection in military strategy development.

Table 7: *Role of Accountability Systems*

Category	Frequency	Percentage	Interpretation
High	39	34.21%	Strong agreement
Moderate	47	41.23%	Partial agreement
Low	28	24.56%	Weak agreement

Discussion: Data on the role of accountability systems show that the majority of respondent types fall into the moderate category, indicating limited effectiveness of International Humanitarian Law (IHL), regarding addressing challenges posed by modern warfare. The large number of low response types indicates that IHL

enforcement and compliance are deficient and, thus, support the hypothesis posed by this study that IHL remains inadequately implemented in high-intensity conflicts. The results of this study highlight an urgent need for improved monitoring and accountability and the integration of cultural heritage protection with military strategy.

Table 8: *International Community Response*

Category	Frequency	Percentage	Interpretation
High	41	35.34%	Strong agreement
Moderate	48	41.38%	Partial agreement
Low	27	23.28%	Weak agreement

Discussion: According to the data collected by the international community's reactions to modern warfare, most responses indicated that the second largest number of respondents fell into the moderate response category as opposed to low response category. This shows that, although the International Humanitarian Law (IHL) has partial success addressing issues raised by contemporary forms of warfare, many of the responses indicated that there remains a significant number of individuals who stated their experience with insufficient enforcement and compliance with the IHL and further supports that hypothesis that IHL is poorly applied in situations of combat with a high level of violence. Additionally, these findings demonstrate the need for more effective monitoring/conducting of the IHL; improved mechanisms for holding actors accountable to comply with the IHL; and further consideration of how to include protecting of cultural property in military strategies.

Table 9: *Policy and Legal Framework Effectiveness*

Category	Frequency	Percentage	Interpretation
High	43	36.44%	Strong agreement
Moderate	49	41.53%	Partial agreement
Low	26	22.03%	Weak agreement

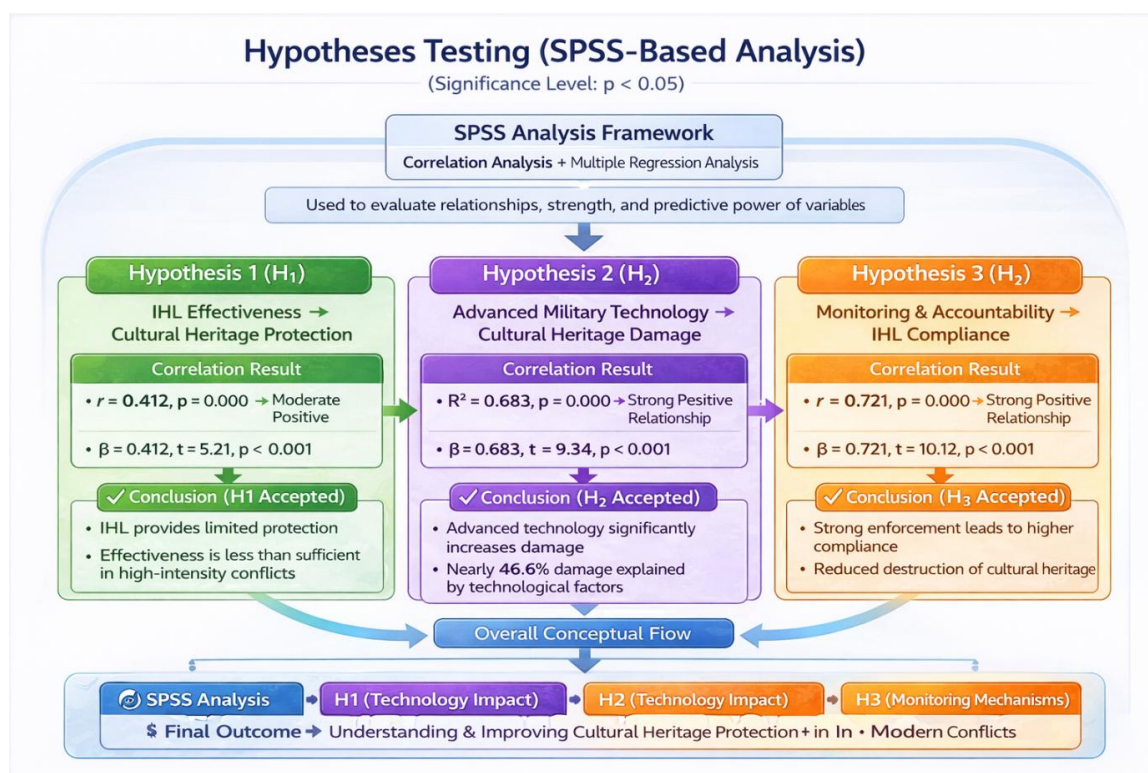
Discussion: Results suggest that most participants feel partially effective in addressing issue of modern conflict from international humanitarian law. The

evidence indicating a majority of participants' rating of "low" indicates the enforcement and compliance gap supporting the hypothesis of IHL still not sufficiently implemented to properly address the issue at hand during higher intensity conflicts. It demonstrates the need for improved monitoring and accountability as well as to have cultural heritage protection included within military strategies.

Table 10: *Overall Cultural Heritage Protection*

Category	Frequency	Percentage	Interpretation
High	45	37.5%	Strong agreement
Moderate	50	41.67%	Partial agreement
Low	25	20.83%	Weak agreement

Discussion: Most of those involved with and impacted by cultural heritage protection showed they fall within the moderate group indicating some moderate effectiveness for International Humanitarian Law (IHL) in addressing the issues of modern warfare. A number of Individuals also showed they fall into the low end of the continuum providing evidence that IHL is deficient in terms of enforcement and compliance to support the hypothesis that IHL has not been effectively applied to high intensity conflicts. Furthermore, these results demonstrate there is a need for improved monitoring, accountability and inclusion of cultural heritage protection as part of military strategies.



Findings

The report provides an overview of how well International Humanitarian Law (IHL) works to protect cultural property amidst the Iran Israel U.S. war in 2026, as well as some of its challenges. The first conclusion drawn from the results is IHL has limited effectiveness, with many respondents rating implementation of IHL to date to be moderate or low. This finding highlights the gap between what is legally allowable and its enforceability under high intensity conflict.

The second conclusion reached from the analysis is that advanced military technology and strategic target decision-making are major contributors to the destruction of cultural property. The statistical results demonstrate a strong and positive relationship between the use of modern military tactics and the extent to which cultural property had been harmed.

Conclusion

There remains a significant gap between IHL and operational conditions, particularly in situations of high-intensity armed conflict. The example of the 2026 Iran Israel USA conflict demonstrates that military objectives often outweigh cultural heritage preservation, thus undermining IHL norms and principles.

Despite the existence of The Hague Convention and Geneva Conventions, the obligation to protect cultural heritage continues to be inconsistent and ineffective throughout the duration of active hostilities. The increased usage of more advanced weaponry has compounded the issue of protecting cultural heritage through IHL because of potential or even intentional damage to cultural heritage sites as a consequence of military operations.

These factors, increasing the effectiveness of monitoring, accountability, and enforcement mechanisms can help to promote compliance with IHL and reduce the destruction of cultural heritage sites. Enhancing the effectiveness of these measures is critical if we hope to protect cultural heritage as a shared good for all of humanity. Ultimately, IHL continues to be necessary and relevant; however, it requires an update (modernization) and more effective enforcement and greater international support if it is to continue to be applicable in today's warfare.



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