

AMNESTY INTERNATIONAL PRESS RELEASE

AI Index: MDE 14/044/2003 (Public)
News Service No: 068
26 March 2003

Iraq: Fear of war crimes by both sides

There are reports giving rise to concerns that war crimes may have been committed by both sides in the recent fighting, Amnesty International said today.

Coalition forces have confirmed attacking the main Iraqi television station early on Wednesday. According to reports from the BBC, US Central Command in Qatar has said that missiles struck Iraq's main TV station. The Pentagon is reported to have said that the purpose of the operation was to counter the command and control abilities of the Iraqi regime, and also to deal with propaganda and the disinformation campaign of Baghdad.

"The bombing of a television station simply because it is being used for the purposes of propaganda is unacceptable. It is a civilian object, and thus protected under international humanitarian law," said Claudio Cordone, Senior Director for International Law at Amnesty International.

"To justify such an attack Coalition forces would have to show that the TV station was being used for military purposes and that the attack properly balanced the concrete and direct military advantage anticipated with the incidental risk to civilian life."

"Attacking a civilian object and carrying out a disproportionate attack are war crimes. The onus is on the Coalition forces to demonstrate the military use of the TV station and, if that is indeed the case, to show that the attack took into account the risk to civilian lives."

"At times of war many civilian activities can be seen as supporting, in a general way, the war effort. But to accept that all such activities can be targeted is to accept the logic of 'total war'. Preventing the devastation of such 'total wars' has been one of the key underpinnings for the development of the rules of war in recent decades," Claudio Cordone added.

Iraqi forces are reported to have deliberately shelled civilians in Basra and to placing military objectives in close proximity to civilians and civilian objects. There have also been reports of Iraqis dressed in civilian clothes in order to allow surprise attacks on coalition troops.

"Any direct attack on civilians is a war crime. Those who blur the distinction between combatants and civilians undermine the very foundations of humanitarian law," said Claudio Cordone.

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