

URBAN BOMBARDMENT AND HUMAN RIGHTS: A CRITICAL ANALYSIS OF LEGAL AND ETHICAL IMPLICATIONS OF USING WARFARE IN DENSELY POPULATED AREAS

Abstract:	<p><i>The paper examines the interaction between bombing urban areas in contemporary warfare and the competing discourses on human rights, considering the perspectives of international institutions, state actors, civil society, and victims. It explores not only the international legal frameworks governing armed conflict and human rights when urban space become the target of military operations, but also the ethical and humanitarian implications of bombardments in tightly inhabited areas, drawing attention to civilian victims, infrastructure destruction, displacement, and long-term collective trauma. It further investigates the need for a change to protect civilians more effectively in urban settings.</i></p> <p><i>Eager to contribute to ongoing legal, ethical, and policy debates on contemporary warfare and human rights, the paper leverages different methods to address the issue. It uses case study analysis, looking at recent examples of urban bombing campaigns to understand their impact on human rights. It also uses a multi-perspectival analysis of the competing discourse on the issue examining legal documents, government statements or reports by human rights organizations. Finally, the paper uses normative argumentation to advance a more cosmopolitan view on human rights on the international agenda.</i></p>
Keywords:	Urban Warfare; aerial and artillery Bombardments; human rights; cosmopolitan law; urban security
Contact details of the authors:	E-mail: ciprian.nitu@e-uvt.ro
Institutional affiliation of the authors:	West University of Timișoara, Romania
Institutions address:	Vasile Pârvan, no. 4, Timișoara, 300223, Romania

Introduction

The urban is the new geography of war. The most prominent military conflicts in the twenty-first century have unfolded in densely populated urban areas¹. Though cities have always been crucial in warfare throughout history, recent conflicts have highlighted that urban areas have become today the central strategic battlegrounds, militarily and geopolitically². The proliferation of bloody urban wars is an effect of fusion of the international, regional or domestic issues into the urban space³. Grozny, Aleppo, Baghdad, Mariupol, Gaza are just a few cases of sites encapsulating the problem of our world that, in a systematic and planned manner, became the targets of military violence. These cities suffered heavy aerial and artillery bombardments causing significant loss of life, destruction of built environment, and humanitarian crises.

This paper discusses the legal, ethical, and humanitarian dimensions of the warfare in densely populated areas arguing that the recent evolutions in urban geopolitics are not followed by an adequate response to protect individuals inhabiting urban space viewed as a frame for human rights substantiation. The

¹ Anthony King, *Urban Warfare in the Twenty-First Century*, Polity Press, Cambridge and Medford, 2021, pp. 4-8

² Sofia T. Shwayri, *Modern Warfare and the Theorization of the Middle Eastern City*, "Urban Theory Beyond the West: A World of Cities", Routledge, London and New York, 2012, p. 264

³ Stephen Graham, *Postmortem City*, "City", Vol. 8, No. 2, 2004, p. 168

growing trend of bombing densely populated urban centers, the evolving “strategies of deliberately attacking the systems and places that support civilian urban life”, the growing organized violence to “attack, destroy or annihilate urban life”¹, though not something new, are a renewed offense to human rights and dignity that has to be properly addressed and countered.

The paper answers the question how bombing campaigns in densely inhabited urban areas are addressed by international law, states and human rights advocacy, investigating the competing discourses on the issue and putting them in a new perspective that considers the city as the site of human rights realization. Hoping to contribute to ongoing legal, ethical, and policy debates on the contemporary warfare and human rights, the paper embraces a critical and normative approach arguing in support of understanding the cities as the key sites of nurturing human rights in our globalized world. Attacks on cities through aerial or artillery attacks should be seen as direct attacks on human rights.

The paper proceeds as follows. The first section discusses the theoretical background, and the methods used. After that, three recent cases of aerial and artillery bombardments are discussed to see how contemporary urban warfare raises human rights, ethical and humanitarian concerns. The subsequent section analyses the competing perspectives on civilian attacks and their protection during aerial or artillery strikes in urban areas. The analysis of these discourses is then used to assess the adequacy of international humanitarian and human rights regime in protecting individuals in urban warfare and to examine the need for a new approach.

Theory and approach

Recently, urban theory has registered a renewed interest in the city as a war space². Particularly, the critical urban theory³ looks at how urban policies and political violence intertwine resulting in well planned attack against urban sites through actions like widespread demolition of houses, strategic control of urban areas, creation of military surveillance and movement spaces, or ethnic cleansing of selected zones⁴. As a result of “a new military urbanism” the everyday urban spaces and their inhabiting civilians rendered as “threats” have become targets within a combat zone⁵. Mostly, under the slogan of “war on terror” that used to be “a kind of moral mask behind which lurk cruelty and oppression”⁶, serious damage to integrity of urban space and human rights have been happening.

The extensive violence against the urban environment was referred to as “urbicide”⁷. “Urbicide” was used firstly to describe and explain the extensive devastation of Middle Eastern cities, particularly the demolition of Palestinian urban areas by the Israeli Defense Forces⁸, but can be generalized to cover other cases such as destruction of cities by the Russian Federation army in the ongoing war in Ukraine. The current wars in Ukraine and Gaza have a huge impact on civilian residents, residential areas, and public spaces. The use of artillery and air strikes as a strategy of urbicide, a planned strategy to scare and kill resident population and destroy elements of urban life can be considered both urbicide and genocide, “urbicide” not being different from genocide but one of its forms⁹.

¹ Stephen Graham, *Op. cit.*, pp. 167-171

² Michael Evans, *War and the City in the New Urban Century*, “*Quadrant*”, January 1, 2009, [https://quadrant.org.au/magazine/uncategorized/war-and-the-city-in-the-new-urban-century/\(26.10.2024\);](https://quadrant.org.au/magazine/uncategorized/war-and-the-city-in-the-new-urban-century/(26.10.2024);) Stephen Graham, *Op. cit.*, pp. 165-166, 179

³ *Ibidem*, p. 169; Stephen Graham, *Introduction: Cities, Warfare, and States of Emergency*, “*Cities, War, and Terrorism: Towards an Urban Geopolitics*”, Wiley-Blackwell, Malden, Oxford and Carlton, 2004, pp. 24-25; Sofia T. Shwayri, *Op. cit.*, pp. 271-272

⁴ Stephen Graham, *Postmortem city*, “*City*”, Vol. 8, No. 2, 2004, pp. 170-174

⁵ Stephen Graham, *Cities as Battlespace: The New Military Urbanism*, “*City*”, Vol. 13, No. 4, 2009, pp. 383

⁶ Conor Gearty, *Human Rights in an Age of Counter Terrorism*, in *War on Terror*, Manchester University Press, Manchester, 2009, p. 95

⁷ Stephen Graham, *Postmortem City*, “*City*”, Vol. 8, No. 2, 2004, pp. 177-178; Dorota Golańska, *Slow Urbicide: A New Materialist Account of Political Violence in Palestine*, Routledge, London, 2023; Martin Shaw, *New Wars of the City: Relationships of Urbicide and Genocide*, in *Cities, War, and Terrorism: Towards an Urban Geopolitics*, Wiley-Blackwell, Malden, Oxford, Carlton, 2004, pp. 141-153

⁸ Nurhan Abujidi, *Urbicide in Palestine: Spaces of Oppression and Resilience*, Routledge, London, 2019; Stephen Graham, *Lessons in Urbicide*, “*New Left Review*”, Vol. 19, 2003, pp. 63-67

⁹ Martin Shaw, *Op. cit.*, p. 141

Because of perceived human rights transgressions of artillery and air bombardments and the overwhelming humanitarian consequences of urban warfare, a new strand of scholarship emerged to challenge the relevance of international humanitarian law's provisions applications and interpretations¹. Bombing urban settlements was a strategic use of air power to determine war outcomes even since the Second World War, but despite of huge changes in strategy and means over the last decades, the condition of bombarded civilians has changed little². Even though highly inconclusive militarily, bombing is chosen "to avoid combat while terrorizing non-combatants"³ as, on the ground, the humanitarian law principle of distinction is pretty much discredited through non-enforcements by international courts⁴ or non-balancing military necessity with humanitarian considerations⁵. Because the humanitarian law, when it comes to protecting civilians from bombardment, is weak and confusing, an "amalgam of morality, meta-legal processes, prophecy, terror and jurisprudential theories"⁶, a new approach has been advocated, a shift that will rely more on the human rights jurisprudence and that will prove being "both more protective of victims and more politically viable than that of humanitarian law"⁷.

This paper links the topic of human rights preservation with the topic of conflicts in urban zones using an approach rooted in critical urban theory that conceptualizes the city as a framework for human rights. Considering the city as a center for human rights realization, the paper looks beyond the representations of cities merely as densely populated areas, hubs of political leadership, cultural heritage spots or zones of interconnected infrastructures and services⁸ to underscore the urban environment's role as a crucial space where individual rights are exercised, negotiated, and protected. Urban spaces provide the necessary infrastructure for all sorts of rights, from access to housing and learning to public health and civic participation, urban governance directly influencing quality of life and equity. As such, cities serve as practical sites for the actualization of universal human rights principles being pivotal to advancing and upholding human rights in tangible, everyday ways⁹.

The paper puts forward the idea that attacks on the city in the form of aerial and artillery attacks that target urban infrastructure sustaining public life in the city, is an attack at the human rights as abilities of individuals to have a good life. Therefore, the paper will answer the question how adequate the response is this type of aggression against human rights has received thus far. To do that, it will investigate how the human rights, ethical and humanitarian issues caused by bombing campaigns in densely inhabited urban areas are addressed by international law, states and human rights advocacy. Using a multi-perspectival approach, the research focused on the most prominent international legal instruments and decisions, human rights advocacy's releases and reports, official communications by governments, and secondary literature presenting personal accounts and testimonies of individuals affected by urban warfare.

Bombarding urban areas. Human rights, ethical issues, humanitarian concerns

The artillery and aerial attacks on urban areas raise serious human rights, ethical, and humanitarian concerns. Bombardment of cities often result in high civilian casualties, destruction of residential buildings, collapse of infrastructure, and forced migration, which are a significant assault on human rights. The

¹ Mirko Sossai, *The Place of Cities in the Evolution of International Humanitarian Law*, "The Italian Yearbook of International Law Online", Vol. 31, No. 1, 2022, pp. 227-252

² Kenneth Hewitt, *Proving Grounds of Urbicide: Civil and Urban Perspectives on the Bombing of Capital Cities*, "ACME: An International Journal for Critical Geographies", Vol. 8, No. 2, 2009, p. 340

³ *Idem*

⁴ Jochen von Bernstorff, Enno L. Mensching, *The Dark Legacy of Nuremberg: Inhumane Air Warfare, Judicial Desuetudo and the Demise of the Principle of Distinction in International Humanitarian Law*, "Leiden Journal of International Law", Vol. 36, No. 4, 2023, pp. 1117-1118

⁵ Wolff H. von Heinegg, Michael N. Schmitt (Eds.), *The Conduct of Hostilities in International Humanitarian Law*, Vol. I, Routledge, London and New York, 2023, pp. xi-xii

⁶ Paul J. Goda, *The Protection of Civilians from Bombardment by Aircraft: The Ineffectiveness of the International Law of War*, "Military Law Review", Vol. 33, 1966, p. 93

⁷ William Abresch, *A Human Rights Law of Internal Armed Conflict: The European Court of Human Rights in Chechnya*, "European Journal of International Law", Vol. 16, No. 4, 2005, p. 767

⁸ Mirko Sossai, *Op. cit.*, pp. 227

⁹ Henri Lefebvre, *Writings on Cities*, Blackwell, Oxford and Malden, 2000, pp. 147-159; David Harvey, *Rebel Cities: From the Right to the City to the Urban Revolution*, Verso, London and New York, 2012, pp. 3-25

indiscriminate nature of such attacks transgresses international humanitarian law that commands the safeguard of civilians during military conflicts. Targeting densely populated areas rises ethical concerns through the physical and long-term psychological harm it produces, as well as humanitarian issues caused by disruption of essential services, such as food provision, sanitation or healthcare. In the following, three recent cases of cities devastated by aerial and artillery attacks will be briefly discussed.

Aleppo has encountered massive destruction of its built environment from 2012 to 2016 during the Syrian Civil War when government forces, backed by Russian airstrikes, and opposition groups engaged in heavy combat. Aerial and artillery strikes led to widespread devastation, with entire neighborhoods reduced to ruins, particularly in rebel-held eastern Aleppo, and with water, electricity, and medical services disrupted. Civilian casualties were documented to be around twenty thousands and five hundred, with allegations of war crimes such as targeting hospitals and schools. Though all parties involved violated human rights, the indiscriminate bombings by pro-government forces contributed to higher civilian casualties¹. Official documents by international organizations as well as academic research proved widespread human rights violations and destruction of the urban landscape. The indiscriminate military actions of the Syrian government, the use of imprecise short-range ballistic missiles and high-yield bombs in densely populated residential districts whose use had rather punitive aims than precise military objectives, are clear breaches of the international law on the rights of civilians in warfare².

Mariupol, a strategic port city in Ukraine, was heavily bombarded in the early months of Russia's full-scale invasion in 2022. Russian forces laid siege to the city, employing airstrikes and artillery, which destroyed critical infrastructure, including the drama theater where civilians had sought refuge. An estimated 20,000 civilians died during the siege, 200,000 citizens migrated due to loss of their homes, and the other 200,000 remaining facing a humanitarian disaster as continuing life in the city was practical impossible³. A report by several human rights advocacy organizations documented the devastation of Mariupol by Russian forces and called for prosecution of Russian decision makers for violations of the humanitarian law, including indiscriminate shelling and possible forced deportations of civilians⁴.

Gaza City has suffered repeated cycles of violence, aerial and artillery strikes particularly, during conflicts between Israel and Palestinian armed groups. The last cycle started on October 2023 when Hamas squadrons attacked and killed civilians in the border region of Israel. As a reaction, the Israeli government started a renewed military offensive "against terror" in Gaza. Since then, Israeli airstrikes in response to Hamas rockets attacks from Gaza contributed to the continuous "brutalization"⁵ of Palestinian civilians inflicting huge human casualties and infrastructure damage. As in the previous cycles of violence, civilians have paid the heavier price, with reports of residential and critical buildings being hit. Human rights organizations, media, and official authorities documented potential war crimes for all sides, both in the case of Israeli Defense Forces for disproportionate and indiscriminately hits, and Hamas for launching rockets attacks from densely populated areas. The Israeli Defense Forces's intervention in the new context might be seen in terms of continuing its uricide policies in Gaza⁶.

These are only a few, probably the most known, cases of urban warfare where aerial and artillery attacks contributed decisively to the destruction of the city and the civic life within it. For 2016, which coincides with the end of the siege of Aleppo, nearly 50 million people were believed to have been impacted by urban conflict and many of them suffered because of bombardments⁷. This represents a colossal task for

¹ Keith A. Grant, Bernd Kaussler, *The Battle of Aleppo: External Patrons and the Victimization of Civilians in Civil War*, "Small Wars and Insurgencies", Vol. 31, No. 1, 2020, pp. 1-33

² Andrew J. Marx, *Detecting Urban Destruction in Syria: A Landsat-Based Approach*, "Remote Sensing Applications: Society and Environment", Vol. 4, 2016, p. 30

³ Anna Balazs, *The War on Indeterminacy: Rethinking Soviet Urban Legacy in Mariupol, 2014–2022*, "Focaal", No. 96, 2023

⁴ Human Rights Watch, SITU Research, Truth Hounds, *Beneath the Rubble: Documenting Devastation and Loss in Mariupol*, <https://www.hrw.org/feature/russia-ukraine-war-mariupol> (11.10.2024)

⁵ Stephen Graham, *Postmortem city*, "City", Vol. 8, No. 2, 2004, p. 180

⁶ Stephen Graham, *Lessons in Urbicide*, "New Left Review", Vol. 19, 2003, p. 67; Sofia T. Shwayri, *Op. cit.*, pp. 264-265

⁷ Vincent Bernard, *War in Cities: The Spectre of Total War*, "International Review of the Red Cross", Vol. 98, No. 901, 2016, p. 9

humanitarian organizations and should be a prime concern for international organizations that have responsibilities in this issue area.

Considering the ethical and humanitarian implications of bombardments within urban areas, as well as their impact on the urban infrastructure that upholds urban citizenship and rights¹, a question arises about how to properly see them in ethical terms. Though some justify them in terms of necessity in certain circumstances, and though there is a general agreement that bombardment carried out for the purpose of terror is unlawful², the view of this paper is that bombardment by artillery or from the air in urban areas is a terror act by itself and there should be a general interdiction as regards its use during urban conflicts. The recommendation is made based on the observation that, on the ground, bombardments targeting civilians to undermine their morale and loyalty was frequently used by bombing nations as strategic action, which constitutes an act of terrorism³.

International humanitarian law and human rights law

There are two strands of international law aimed at protecting individuals that apply in different contexts and have distinct drives, the international humanitarian law and human rights law. International humanitarian law (or the “law of war”) governs the actions of parties in armed conflicts with the objective of mitigating the impact of war on civilian populations. Key legal instruments of international humanitarian law are the *Hague Conventions* (1899, 1907)⁴, *Geneva Conventions* (1949)⁵ and their *Additional Protocols* (1977)⁶. Art. 27 of *The Hague Convention* (1907) required a certain level of care both from the attacking and defending side in case of urban bombardments and protection of non-military public buildings that are harboring civilians. Articles 48, 51, and 57 of *Additional Protocol I* deal specifically with protecting civilians from attacks, aerial and artillery included. Articles 48 and 51 establish the principle of “distinction” and prohibit indiscriminate attacks (parties must differentiate between civilians and combatants, targeting only the latter). Article 57 requires precautions to be taken to avoid civilian casualties. However, the rules against attacking civilians and civilian buildings are expressed rather in terms of simple prohibitions, without specifying the degree of care expected from the bomber, which will remain mostly a matter of subjective determination⁷.

Another important instrument is *The Rome Statute of the International Criminal Court*⁸ that criminalizes certain actions related to aerial bombardments like purposely directing attacks against the civilian population, strikes that cause excessive incidental civilian damage and destruction of civilian infrastructure that is not justified by military necessity, or attacks that are part of a larger plan of committed to such crimes. Besides, the customary international humanitarian law⁹, which underscores rules that apply universally, like precautions (warnings, target selection and verification) or humanity in attacks is an significant additional legal basis.

Jurisprudence from international courts and tribunals is another source of humanitarian law. Court decisions from international bodies provide interpretive guidance on how aerial bombardments are framed under international law and, occasionally, judges’ specific allegations of crimes against humanity. To exemplify, the International Criminal Tribunal for the Former Yugoslavia has addressed the legality of aerial bombardments during the Balkans conflict and provided specific judgments on war crimes associated with aerial bombardments in urban areas. *Case no. IT-01-42 (The Prosecutor vs. Strugar et al)* refers to charges

¹ Henri Lefebvre, *Op. cit.*, pp. 147-159; David Harvey, *Op. cit.*, pp. 3-25

² Hans Blix, *Area Bombardment: Rules and Reasons*, in *The Conduct of Hostilities in International Humanitarian Law*, Vol. I, Routledge, 2023, pp. 267-305

³ Beau Grosscup, *Strategic Terror: The Politics and Ethics of Aerial Bombardment*, Zed Books, London and New York, 2006, pp. 185-186

⁴ *The Hague Convention of 1899*, <https://docs.pca-cpa.org/2016/01/1899-Convention-for-the-Pacific-Settlement-of-International-Disputes.pdf>, (01.11.2024); *The Hague Convention of 1907*, <https://ihl-databases.icrc.org/assets/treaties/195-IHL-19-EN.pdf> (01.11.2024)

⁵ *The Geneva Conventions of 1949*, <https://www.icrc.org/sites/default/files/external/doc/en/assets/files/publications/icrc-002-0173.pdf>, (01.11.2024)

⁶ *The Additional Protocols to the Geneva Conventions (1977)*, https://www.icrc.org/sites/default/files/external/doc/en/assets/files/other/icrc_002_0321.pdf (01.11.2024)

⁷ William H. Boothby, *The Law of Targeting*, Oxford University Press, Oxford, 2012, p. 180

⁸ *The Rome Statute of the International Criminal Court (1998)*, <https://www.icc-cpi.int/sites/default/files/2024-05/Rome-Statute-eng.pdf> (15.10.2024)

⁹ *ICRC’s Customary International Humanitarian Law Database*, <https://ihl-databases.icrc.org/>, (15.10.2024)

issued by the Tribunal in 2001 against four high-ranking officers of the Yugoslav People's Army, for offenses perpetrated during the occupation of the Dubrovnik region and the siege of Dubrovnik in 1991. In 2008, two of them were sentenced to 7.5 and 7 years of imprisonment, respectively, for unlawful attacks on civilians and civilian property, devastation not justified by military necessity, and destruction of religious, educational, cultural and commemorative buildings¹. Through such decisions, the Tribunal affirmed the principle of proportionality and restrictions on attacks in urban areas and punished grave breaches of international and customary humanitarian law.

International human rights law also aims to protect individual rights, but in a broader sense. Key instruments of the human rights law such as the *Universal Declaration of Human Rights* (1948)², the *International Covenant on Civil and Political Rights* (1976)³, or other regional human rights covenants like the *European Convention on Human Rights* (1953)⁴ have been interpreted within the scope of military operation. The European Court of Human Rights has heard cases related to military operations, interpreting the right to life under Article 2 of the *European Convention on Human Rights* in the context of aerial bombardments affecting civilians. In its rulings, as we will see below, it has balanced international humanitarian law with human rights obligations.

Though in the context of armed conflicts both strands of international law may be applicable, international humanitarian law generally takes precedents underscoring the idea that certain human rights remain inviolable even during wartime. However, it seems there is a structural ambiguity or inconsistency within international humanitarian law. On the one hand, it affirms the non-derogability of the civilians "right to life" in wartime, on the other hand it doesn't make illegal or illegitimate aerial and artillery attacks on civilians. It only vaguely imposes some limits on these attacks, which, on the ground, may actually give the bombarding party an ample room for maneuverability. This also adds to the frequently mentioned in the academic literature of the low effectiveness of humanitarian international law in addressing use of bombardments in urban space due to "its limited substantive scope and poor record of achieving compliance in armed conflicts"⁵. As an example, though United Nations have been involved in investigating breaches of international humanitarian law in Syria since 2011 (see UN Syria Commission of Inquiry) and have been asking the Syrian government to take every possible action to prevent human rights abuses, Syria is not a party to *The Rome Statute*, the founding treaty of the International Criminal Court, and thus the Court lacks territorial jurisdiction over crimes committed within Syria.

Civil society framing of urban bombing as human rights violations

To assess the view of human rights advocacy groups on urban bombing, reports by Human Rights Watch, Amnesty International, and Doctors Without Borders on bombardments in Aleppo, Mariupol, and Gaza have been researched. These organizations have documented and condemned various strikes in the respective zones highlighting the extensive civilian harm and questioning the legality of that strikes. As regards Aleppo, Human Rights Watch reported the use of incendiary and cluster bombs in rebel-held eastern Aleppo, resulting in civilian casualties and damage to essential infrastructure⁶. Doctors Without Borders documented the impact of the bombings on medical facilities in Aleppo, including a 2016 report on the destruction of

¹ International Criminal Tribunal for the former Yugoslavia, *Case No. IT-01-42 (The Prosecutor Vs. Strugar Et Al)*, <https://cld.irmct.org/assets/filings/Judgement-Strugar.pdf>, (02.11.2024)

² *The Universal Declaration of Human Rights* (1948), https://www.ohchr.org/sites/default/files/UDHR/Documents/UDHR_Translations/eng.pdf, (02.11.2024)

³ *International Covenant on Civil and Political Rights* (1976), <https://www.ohchr.org/sites/default/files/Documents/ProfessionalInterest/ccpr.pdf>, (02.11.2024)

⁴ *The European Convention on Human Rights* (1953), https://www.echr.coe.int/documents/d/echr/convention_ENG (02.11.2024)

⁵ William Abresch, *Op. cit.*, p. 741

⁶ Human Rights Watch, *Russia/Syria: War Crimes in Month of Bombing Aleppo*, <https://www.hrw.org/news/2016/12/01/russia/syria-war-crimes-month-bombing-aleppo> (12.11.2024)

Aleppo's hospitals by aerial bombardments¹. These attacks were only part of a broader and systematic assault on the civilian population².

At Mariupol, Amnesty International's report on the Mariupol Drama Theater bombing asserted that the attack amounted to a "war crime" due to its intentional targeting of a known civilian shelter³. Human Rights Watch also covered the situation in Mariupol extensively, highlighting the Russian airstrikes and their effects on civilians and civilian infrastructure. A March 2022 report investigates Mariupol's siege and makes allegations of war crimes⁴. Doctors Without Borders reports as well on the ongoing humanitarian crisis in Mariupol detailing the conditions and suffering faced by civilians amid aerial bombardment⁵. In Gaza, as well, with the ongoing 2023 escalations, reports from Human Rights Watch document airstrikes that destroyed hospitals and residential buildings, including cases where there was no clear military target nearby. An April 2024 report by Human Rights Watch specifically labeled the October 31, 2023, strike on a civilian apartment building in Gaza, which killed over 100 people, as an "apparent war crime" due to the absence of a military target and failure to provide warning⁶.

These sources collectively document the human rights abuses and discuss the legal implications of aerial bombardments on civilian populations in these areas, with consistent calls for international investigations, including the involvement of the International Criminal Court, to hold responsible parties for attacks that violate the laws of war and to improve protections for civilian population in such conflict zones. Generally, the human rights advocacy groups, consider that the global community and international organizations need to adopt a firmer stance on serious human rights violations in recent cases of aerial and artillery bombardments of urban areas⁷. Human rights groups often find the humanitarian law inadequate in protecting vulnerable population in armed conflicts, based on a principled and normative understanding of universality and inviolability of human rights⁸. Anyway, on the ground, humanitarian protection greatly depends on the "sound and informed" actions of the belligerent parties that, in turn, are significantly dependent on other elements like military doctrine, political will, public scrutiny or resources available⁹.

The bombing states' perspective

Typically, the bombing countries describe their aerial attacks in urban areas as being legitimate, necessary and precise. In both Syria and Ukraine, Russia describes its strikes as legitimate military actions focused on "neutralizing terrorist" or "extremist" threats, protecting Russian interests, and defending the sovereignty of allied regimes such as Syria's Assad government. Russian officials claim that their actions conform to international law by focusing on military targets. In Ukraine, Russia has argued that its air strikes are aimed at degrading Ukrainian military capabilities, infrastructure, and communication networks necessary

¹ Doctors Without Borders, *Eastern Aleppo Hospitals Damaged in 23 Attacks Since July*, <https://www.msf.org/syria-eastern-aleppo-hospitals-damaged-23-attacks-july> (12.11.2024)

² Amnesty International, *Syria: Human Slaughterhouse: Mass Hangings and Extermination at Saydnaya Prison, Syria*, <https://www.amnesty.org/en/documents/mde24/5415/2017/en/> (12.11.2024)

³ Amnesty International, *Ukraine: Deadly Mariupol Theatre Strike "A Clear War Crime" by Russian Forces – New Investigation*, <https://www.amnesty.org/en/latest/news/2022/06/ukraine-deadly-mariupol-theatre-strike-a-clear-war-crime-by-russian-forces-new-investigation/> (12.11.2024)

⁴ Human Rights Watch, *Ukraine: New Findings on Russia's Devastation of Mariupol: War Crimes Inquiry Needed into Massive Loss of Civilian Life, Infrastructure*, <https://www.hrw.org/news/2024/02/08/ukraine-new-findings-russias-devastation-mariupol> (12.11.2024)

⁵ Doctors Without Borders, *"We Are Calling for Respect for Human Life" in Ukraine*, <https://www.msf.org/human-dignity-and-life-must-be-respected-besieged-mariupol-ukraine> (12.11.2024)

⁶ Human Rights Watch, *Gaza: Israeli Strike Killing 106 Civilians an Apparent War Crime: Governments Should Suspend Arms to Israel, Support ICC Probe*, <https://www.hrw.org/news/2024/04/04/gaza-israeli-strike-killing-106-civilians-apparent-war-crime> (12.11.2024)

⁷ Anna Costa, *The Barriers and Limitations of the Modern Approach to Recognizing Genocide in Syria: A Case Study of the Sieges of Eastern Aleppo and Eastern Ghouta*, 2021, https://www.thealeppoject.com/wp-content/uploads/2021/04/Costa_Genocide_Syria_TheAleppoProject.pdf (12.11.2024)

⁸ Sean Watts, *Under Siege: International Humanitarian Law and Security Council Practice Concerning Urban Siege Operations*, https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2479608 (25.10.2024)

⁹ *Idem*

for what it frames as a “special military operation” for “denazification” and “demilitarization” of Ukraine¹. When attacks reportedly bombarded civilian densely populated zones in Aleppo, the justification was that of attacking “terrorist strongholds”². In Ukraine, similar tactics have been reported, including large-scale bombings of residential areas and civilian infrastructure such as power plants and hospitals, with Russia often attributing these to unintended collateral damage due to Ukraine’s alleged use of civilians as human shields³. In comparison, the Israeli Defense Forces also claim legal and ethical justifications for their air strikes in Gaza. In contrast, it spends much more time and attention in presenting its attacks in terms of precision, pre-attack warning, proportionality, discrimination and humanitarian impact, than Russia usually does.

The Israeli government (through official communications from the Ministry of Foreign Affairs and other sources) frequently characterizes its air attacks in Gaza as being conducted within the framework of international law, as being reasonable actions taken in self-defense and as being morally justified in response to what it describes as “indiscriminate attacks” and “war crimes” committed by Hamas, such as rocket attacks on Israeli civilians and the October 7 attack, which Israel describes as unprecedented in brutality and scale. Israel asserts that international law permits such operations as targeting dense urban areas in defense against threats to its civilian population and national sovereignty⁴.

The Israeli Defense Forces emphasizes that it takes measures to minimize harm to civilians in Gaza, highlighting its humanitarian and ethical concerns during bombardments. Israel presents its strikes as being highly targeted, focusing on “terrorist infrastructure” including weapons depots, tunnels, and operational command centers associated with Hamas. It asserts that it avoids civilian areas where possible and tries to limit unintended casualties by implementing “measured” strikes. However, Israel recognizes that some civilian casualties occur due to Hamas’s alleged placement of military targets within or near civilian infrastructure, thereby complicating the task of conducting precise military operations. As well, the Israeli government warns against misinformation and encourages the public to rely on official channels to counter propaganda and “psychological warfare” efforts by Hamas⁵. Besides, Israel claims that controlled humanitarian assistance is allowed to reach civilians when possible. The measures taken aim at ensuring that humanitarian assistance get directly to civilians and is not diverted for military use by Hamas⁶.

Generally, justification of aerial strikes points to shifts in contemporary urban warfare. Military strategies and technology confront now unconventional practices by the weaker side that chose cities as “places of refuge from orbital and aerial surveillance and killing”⁷, trying to address diverse asymmetries of military power⁸. In the view of bombing countries, though urban warfare is not like waging war on an open battlefield by two conventional armies, with strict planning, sound strategies as well as with the help of “smart” bombs, a proper balance between strategic military objectives and protection of civilians can be kept.

However, despite the deployment of “smart” bombs, aerial strikes have led to what many commentators regard as an excessively high number of civilian casualties, particularly when contrasted with the comparatively low combatant casualties among the attacking forces⁹. Moreover, various types of

¹ TASS Russian News Agency, *Putin Declares Beginning of Military Operation in Ukraine*, February 24, 2022, <https://tass.com/politics/1409329> (12.11.2024)

² TASS Russian News Agency, *Russian Aerospace Forces Destroy over 10 Terrorist Strongholds in Syria Killing 50 Gunmen*, February 24, 2016, <https://tass.com/defense/858644> (12.11.2024)

³ TASS Russian News Agency, *Nationalists Use Civilians as Human Shield in Kharkov Region - Russian Defense Ministry*, May 6, 2022, <https://tass.com/defense/1448157> (12.11.2024).

⁴ Ministry of Foreign Affairs of Israel, *Hamas-Israel Conflict 2023: Key Legal Aspects*, [https://www.gov.il/BlobFolder/news/hamas-israel-conflict2023-key-legal-aspects/en/English_Documents_Hamas-Israel%20Conflict%202023%20-%20Some%20Factual%20and%20Legal%20Aspects%20-%20Israel%20Ministry%20of%20Foreign%20Affairs%20\(2%20NOV%202023\).pdf](https://www.gov.il/BlobFolder/news/hamas-israel-conflict2023-key-legal-aspects/en/English_Documents_Hamas-Israel%20Conflict%202023%20-%20Some%20Factual%20and%20Legal%20Aspects%20-%20Israel%20Ministry%20of%20Foreign%20Affairs%20(2%20NOV%202023).pdf) (25.10.2024)

⁵ Israeli Government, *Swords of Iron – Updated National Talking Points*, <https://govextra.gov.il/media/tudhphlu/swords-of-iron-updated-national-talking-points-26-10-23.pdf>, (26.10.2023)

⁶ Israeli Government, *Humanitarian Efforts*, <https://gaza-aid-data.gov.il/main/> (11.11.2024)

⁷ Stephen Graham, *Postmortem City*, “City”, Vol. 8, No. 2, 2004, pp. 179–80

⁸ Stephen Graham, *Lessons in Urbicide*, “New Left Review”, Vol. 19, 2003, pp. 71–72

⁹ Christine Byron, *International Humanitarian Law and Bombing Campaigns: Legitimate Military Objectives and Excessive Collateral Damage*, “Yearbook of International Humanitarian law”, Vol. 13, 2010, p. 175

uncertainties make it challenging to condemn individual actions without clear evidence of intentional misconduct or severe negligence when performing aerial strikes¹.

The people and the need for a new approach

Whereas the international law and organizations, governments and civil advocacy groups are caught in a complex debate about legality, legitimacy or humanitarian effects of bombing campaigns in urban areas, the real people are those who suffer during aerial bombardments. Using the literature that collects autobiographical narratives and testimonials of affected people by warfare in urban areas, the paper looks at how they frame the aerial bombardments. Autobiographical narratives provide insights into the personal, material, and societal impacts of urban warfare while encouraging readers to empathize with the narrator. They challenge the normalized view of armed violence often presented in discussions of urban military operations, transforming these stories from mere survivor accounts into powerful political statements².

The testimony of individuals who have endured aerial bombardment offers a detailed and poignant portrayal of the traumatic damage inflicted by such attacks. The experiences of those affected by war and especially aerial bombardment are crucial as a way to influence and shape public opinion on this matter, to highlight the numerous detrimental effects of aerial bombardment on human beings, especially the mental health of individuals, to show how experiences of aerial and artillery bombardments instill an enduring sense of danger, and last but not least to demonstrate that “the importance of preventing threat from the air as an important human right designed to protect the safety and flourishing of individuals and communities”³.

With this last quotation comes a suggestion for reformation of international law along a cosmopolitan path⁴. That will integrate better the perspective of people affected by harm from above, their acute psychological trauma, and the limitations imposed on their liberties and their rights in urban warfare context. The normative desirability of such a new legal framework that integrates experiences of survivors of bombings and makes the option of bombarding urban areas more and more illegal seems unquestionable. Such an approach will change the balance of international law more towards the needs and interests of people than those of governments in armed conflicts. The current international humanitarian law was successful insofar it does not offer, or seem to offer, a chance for either party to gain a strategic upper hand over the other⁵. That is, international humanitarian law is still too dependent of states’ strategic interests. It is also too much dependent on other elements like reasonability and responsibility of governments. It has also low authority, specification and implementation that makes it very dissimilar when compared with the positive law⁶. Particularly problematic is the issue of how careful the attacking side has to be as “errors of judgement, mistakes, and momentary inadvertence do not constitute breaches of the international criminal law and generally do not constitute a breach of the law of targeting”⁷. Taking into consideration difficulties of maintaining the balance between humanitarian aspects and military necessity in the context of aerial warfare in modern combat operations⁸, and the abundance of legal and ethical contestation of individual air attacks and broader targeting practices⁹, the paper will advocate an approach that starts from a broader understanding of civilians as “citizens of urban space”. As observed in the literature, legal narratives surrounding aerial

¹ Michael W. Lewis, *The Law of Aerial Bombardment in the 1991 Gulf War*, “American Journal of International Law”, Vol. 97, No. 3, 2003, p. 508

² Rachel Woodward, *Narratives of Destruction and Survival: Writing and Reading About Life in Urban War Zones*, “Theory and Event”, Vol. 10, No. 2, 2007, http://muse.jhu.edu/login?auth=0&type=summary&url=/journals/theory_and_event/v010/10.2woodward.html (12.12.2024)

³ Zeinab Mir, Majid Rabet, Safdar Ahmed, *Testimonies of Aerial Bombardment and Communities of Self-Expression*, “Digital War”, Vol. 5, No. 1-2, 2024, pp. 94–95

⁴ Ciprian Nițu, *Cosmopolitismul. Către o nouă paradigmă în teoria politică*, Adenium, Iași, 2014, pp. 224-226

⁵ Hays W. Parks, *Air War and the Law of War*, in *The Conduct of Hostilities in International Humanitarian Law*, Vol. I, Routledge, 2023, p. 307

⁶ Paul J. Goda, *Op. cit.*, p. 93

⁷ William H. Boothby, *Op. cit.*, pp. 190–91

⁸ Sean Watts, *Op. cit.*, p. 22; Wolff H. von Heinegg; Michael N. Schmitt (Eds.), *Op. cit.*, pp. xi-xii

⁹ Christiane Wilke; Helyeh Doutaghi, *Legal Technologies: Conceptualizing the Legacy of the 1923 Hague Rules of Aerial Warfare*, “Leiden Journal of International Law”, Vol. 37, No. 1, 2024, p. 88

bombings tend to operate under a narrow conception of civilians, thereby providing numerous excuses and justifications for targeting them in bombings¹.

This proposal goes further than the calls for changing approaches to state's tactics in urban areas, like making warnings previous of an attack more effective and specific², and calls for designing mechanisms to prevent conflict or helping post-conflict transitions³. Whereas the first approach continues to legitimize urban aerial attacks, the latter does not tell too much about protecting civilians during attacks, the accent being on prevention and post conflict strategies. The approach of this papers supports the idea of re-evaluating the relationship between human rights and humanitarian law⁴. The International Court of Justice determined that humanitarian law serves as *lex specialist* in relation to human rights law, and consequently when a case refers to human rights abuses in armed conflicts, it must be addressed by humanitarian law. But, considering the humanitarian law limitations, a changed approach has been advocated. This approach directly incorporates human rights law into the regulation of hostilities. This was the path followed, for example, by the European Court of Human Rights in its rulings on Chechnya (2005). In military conflicts, it is usually accepted that the legality of a state's artillery attacks on citizens is determined by humanitarian law, rather than human rights law, especially given the limited guidance human rights treaties offer on hostilities. The European Court of Human Rights changed the doctrine directly applying human rights law to battles involving artillery attacks and aerial bombardments, "not only without reference to humanitarian law but also in a manner that is at odds with humanitarian law"⁵. Generalizing this approach may prove practically and normatively justified in armed conflicts where humanitarian law is inadequate and frequently disregarded⁶. This approach will normatively swing the balance more towards human rights, recognizing that human rights get prominence over the security interests of states and their rights to wage war and conduct aerial attacks in an urban setting. Besides, this swing will move international law more towards a cosmopolitan law of human rights.

A cosmopolitan law of human rights applied to urban warfare will go beyond a renewed humanitarian law that will address the need to strengthen civilian protection, to maintain essential buildings and facilities, to introduce stricter accountability mechanism for states and military leaders or to "take into account the interconnected nature of a city's infrastructure when making tactical decisions"⁷. Based on understanding of cities as frameworks of human rights realization *par excellence*, it will look by all means for ways to criminalize the aerial and artillery attacks *per se* in an urban context and to recognize the multicultural and cosmopolitan dimensions of the contemporary city⁸, the right of urban civilians "to live without physical or psychological threat from above" – which is something not adequately apprehended in the existing legal framework⁹.

Conclusions

The paper discussed the legal, ethical, and humanitarian dimensions of the warfare in densely populated areas arguing in favor of a new approach to protect civilians more effectively in urban settings. Based on the perceived limitations of international humanitarian law documented through a multi-perspectival analysis of competing legal, official, and advocacy discourses on the "responsibility to protect" civilians during armed conflicts, the paper proposed the criminalization of the aerial and artillery bombardments within urban settings.

¹ Christiane Wilke, *How International Law Learned to Love the Bomb: Civilians and the Regulation of Aerial Warfare in the 1920s*, "Australian Feminist Law Journal", Vol. 44, No. 1, 2018, p. 29; Christiane Wilke; Helyeh Doughty, *Op. cit.*, p. 88

² Sharvit Baruch Pnina, Noam Neuman, *Warning Civilians Prior to Attack Under International Law: Theory and Practice*, "International Law Studies", Vol. 87, No. 16, 2011, pp. 359, 393-394

³ Antônio Sampaio, *Before and After Urban Warfare: Conflict Prevention and Transitions in Cities*, "International Review of the Red Cross", Vol. 98, No. 901, 2016, p. 71

⁴ William Abresch, *Op. cit.*

⁵ *Ibidem*, p. 742

⁶ *Ibidem*, p. 767

⁷ Vincent Bernard, *Op. cit.*, p. 11

⁸ Stephen Graham, *Postmortem City*, "City", Vol. 8, No. 2, 2004, p. 184

⁹ Zeinab Mir, Majid Rabet, Safdar Ahmed, *Op. cit.*, p. 98

This proposal is normatively justified accepting the conceptualization of cities as multicultural and cosmopolitan spots, spaces that functions as frames *par excellence* for realization of human rights in the newly urbanization of politics, spaces that should become a prime concern for international organizations and institutions that have responsibilities in the issue area of protecting human rights.

Bibliography

Books

1. Abujidi, Nurhan, *Urbicide in Palestine: Spaces of Oppression and Resilience*, Routledge, London, 2019
2. Boothby, William, H., *The Law of Targeting*, Oxford University Press, Oxford, 2012
3. Golańska, Dorota, *Slow Urbicide: A New Materialist Account of Political Violence in Palestine*, Routledge, London, 2023
4. Grosscup, Beau, *Strategic Terror: The Politics and Ethics of Aerial Bombardment*, Zed Books, London&New York, 2006
5. Harvey, David, *Rebel Cities: From the Right to the City to the Urban Revolution*, Verso, London&New York, 2012
6. King, Anthony, *Urban Warfare in the Twenty-First Century*, Polity Press, Cambridge&Medford, 2021
7. Lefebvre, Henri, *Writings on Cities*, Blackwell, Oxford&Malden, 2000
8. Nițu, Ciprian, *Cosmopolitismul. Către o nouă paradigmă în teoria politică*, Adenium, Iași, 2014
9. von Heinegg, Wolff H.; Schmitt, Michael, N., (Eds.), *The Conduct of Hostilities in International Humanitarian Law*, Vol. I, Routledge, London&New York, 2023

Studies and Articles

1. Abresch, William, *A Human Rights Law of Internal Armed Conflict: The European Court of Human Rights in Chechnya*, “European Journal of International Law”, Vol. 16, No. 4, 2005
2. Balazs, Anna, *The War on Indeterminacy: Rethinking Soviet Urban Legacy in Mariupol, 2014–2022*, “Focaal”, No. 96, 2023
3. Baruch, Pnina, Sharvit; Neuman, Noam, *Warning Civilians Prior to Attack Under International Law: Theory and Practice*, “International Law Studies”, Vol. 87, No. 16, 2011
4. Bernard, Vincent, *War in Cities: The Spectre of Total War*, “International Review of the Red Cross”, Vol. 98, No. 901, 2016
5. Bernstorff, Jochen von; Enno, L., Mensching, *The Dark Legacy of Nuremberg: Inhumane Air Warfare, Judicial Desuetudo and the Demise of the Principle of Distinction in International Humanitarian Law*, “Leiden Journal of International Law”, Vol. 36, No. 4, 2023
6. Blix, Hans, *Area Bombardment: Rules and Reasons*, in *The Conduct of Hostilities in International Humanitarian Law*, Vol. I, Routledge, 2023
7. Byron, Christine, *International Humanitarian Law and Bombing Campaigns: Legitimate Military Objectives and Excessive Collateral Damage*, “Yearbook of International Humanitarian Law”, Vol. 13, 2010
8. Costa, Anna, *The Barriers and Limitations of the Modern Approach to Recognizing Genocide in Syria: A Case Study of the Sieges of Eastern Aleppo and Eastern Ghouta*, 2021, https://www.thealeppoproject.com/wp-content/uploads/2021/04/Costa_Genocide_Syria_TheAleppoProject.pdf
9. Gearty, Conor, *Human Rights in an Age of Counter Terrorism*, in *War on Terror*, Manchester University Press, Manchester, 2009
10. Goda, J., Paul, *The Protection of Civilians from Bombardment by Aircraft: The Ineffectiveness of the International Law of War*, “Military Law Review”, Vol. 33, 1966
11. Graham, Stephen, *Cities as Battlespace: The New Military Urbanism*, “City”, Vol. 13, No. 4, 2009
12. Graham, Stephen, *Introduction: Cities, Warfare, and States of Emergency*, in *Cities, War, and Terrorism: Towards an Urban Geopolitics*, Wiley-Blackwell, Malden, Oxford&Carlton, 2004
13. Graham, Stephen, *Lessons in Urbicide*, “New Left Review”, Vol. 19, 2003
14. Graham, Stephen, *Postmortem City*, “City”, Vol. 8, No. 2, 2004

15. Grant, A., Keith; Kaussler, Bernd, *The Battle of Aleppo: External Patrons and the Victimization of Civilians in Civil War*, “Small Wars & Insurgencies”, Vol. 31, No. 1, 2020
16. Hewitt, Kenneth, *Proving Grounds of Urbicide: Civil and Urban Perspectives on the Bombing of Capital Cities*, “ACME: An International Journal for Critical Geographies”, Vol. 8, No. 2, 2015
17. Lewis, Michael, W., *The Law of Aerial Bombardment in the 1991 Gulf War*, “American Journal of International Law”, Vol. 97, No. 3, 2003
18. Marx, J. Andrew, *Detecting Urban Destruction in Syria: A Landsat-Based Approach*, “Remote Sensing Applications: Society and Environment”, Vol. 4, 2016
19. Mir, Zeinab; Rabet, Majid; Ahmed, Safdar, *Testimonies of Aerial Bombardment and Communities of Self-Expression*, “Digital War”, Vol. 5, No. 1-2, 2024
20. Parks, Hays, W., *Air War and the Law of War*, “The Conduct of Hostilities in International Humanitarian Law”, Vol. I, Routledge, 2023
21. Sampaio, Antônio, *Before and After Urban Warfare: Conflict Prevention and Transitions in Cities*, “International Review of the Red Cross”, Vol. 98, No. 901, 2016
22. Shaw, Martin, *New Wars of the City: Relationships of Urbicide and Genocide*, in *Cities, War, and Terrorism: Towards an Urban Geopolitics*, Wiley-Blackwell, Malden, Oxford, Carlton, 2004
23. Shwayri, T. Sofia, *Modern Warfare and the Theorization of the Middle Eastern City*, in *Urban Theory Beyond the West: A World of Cities*, Routledge, London&New York, 2012
24. Sossai, Mirko, *The Place of Cities in the Evolution of International Humanitarian Law*, “The Italian Yearbook of International Law Online”, Vol. 31, No. 1, 2022
25. Watts, Sean, *Under Siege: International Humanitarian Law and Security Council Practice Concerning Urban Siege Operations*, 2014, https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2479608
26. Wilke, Christiane, *How International Law Learned to Love the Bomb: Civilians and the Regulation of Aerial Warfare in the 1920s*, “Australian Feminist Law Journal”, Vol. 44, No. 1, 2018
27. Wilke, Christiane; Doutaghi, Helyeh, *Legal Technologies: Conceptualizing the Legacy of the 1923 Hague Rules of Aerial Warfare*, “Leiden Journal of International Law”, Vol. 37, No. 1, 2024
28. Woodward, Rachel, *Narratives of Destruction and Survival: Writing and Reading About Life in Urban War Zones*, “Theory&Event”, Vol. 10, No. 2, 2007

Documente

1. Amnesty International, *Syria: Human Slaughterhouse: Mass Hangings and Extermination at Saydnaya Prison, Syria*, <https://www.amnesty.org/en/documents/mde24/5415/2017/en/>
2. Amnesty International, *Ukraine: Deadly Mariupol Theatre Strike “A Clear War Crime” by Russian Forces – New Investigation*, <https://www.amnesty.org/en/latest/news/2022/06/ukraine-deadly-mariupol-theatre-strike-a-clear-war-crime-by-russian-forces-new-investigation/>
3. Doctors Without Borders, *“We Are Calling for Respect for Human Life” in Ukraine*, <https://www.msf.org/human-dignity-and-life-must-be-respected-besieged-mariupol-ukraine>
4. Doctors Without Borders, *Eastern Aleppo Hospitals Damaged in 23 Attacks Since July*, <https://www.msf.org/syria-eastern-aleppo-hospitals-damaged-23-attacks-july>
5. Evans, Michael, *War and the City in the New Urban Century*, “Quadrant”, January 1, 2009, <https://quadrant.org.au/magazine/uncategorized/war-and-the-city-in-the-new-urban-century/>
6. Human Rights Watch, *Gaza: Israeli Strike Killing 106 Civilians an Apparent War Crime: Governments Should Suspend Arms to Israel, Support ICC Probe*, <https://www.hrw.org/news/2024/04/04/gaza-israeli-strike-killing-106-civilians-apparent-war-crime>
7. Human Rights Watch, *Russia/Syria: War Crimes in Month of Bombing Aleppo*, <https://www.hrw.org/news/2016/12/01/russia/syria-war-crimes-month-bombing-aleppo>
8. Human Rights Watch, SITU Research, Truth Hounds, *Beneath the Rubble: Documenting Devastation and Loss in Mariupol*, <https://www.hrw.org/feature/russia-ukraine-war-mariupol>
9. Human Rights Watch, *Ukraine: New Findings on Russia’s Devastation of Mariupol: War Crimes Inquiry Needed into Massive Loss of Civilian Life, Infrastructure*, <https://www.hrw.org/news/2024/02/08/ukraine-new-findings-russias-devastation-mariupol>
10. ICRC’s Customary International Humanitarian Law Database, <https://ihl-databases.icrc.org/>

11. *International Covenant on Civil and Political Rights* (1976), <https://www.ohchr.org/sites/default/files/Documents/ProfessionalInterest/ccpr.pdf>
12. International Criminal Tribunal for the former Yugoslavia, *Case No. IT-01-42 (The Prosecutor Vs. Strugar Et Al)*, <https://cld.irmct.org/assets/filings/Judgement-Strugar.pdf>
13. Israeli Government, *Humanitarian Efforts*, <https://gaza-aid-data.gov.il/main/>
14. Israeli Government, *Swords of Iron – Updated National Talking Points*, <https://govextra.gov.il/media/tudhphlu/swords-of-iron-updated-national-talking-points-26-10-23.pdf>
15. Ministry of Foreign Affairs of Israel, *Hamas-Israel Conflict 2023: Key Legal Aspects*, [https://www.gov.il/BlobFolder/news/hamas-israel-conflict2023-key-legal-aspects/en/English_Documents_Hamas-Israel%20Conflict%202023%20-%20Some%20Factual%20and%20Legal%20Aspects%20-%20Israel%20Ministry%20of%20Foreign%20Affairs%20\(2%20NOV%202023\).pdf](https://www.gov.il/BlobFolder/news/hamas-israel-conflict2023-key-legal-aspects/en/English_Documents_Hamas-Israel%20Conflict%202023%20-%20Some%20Factual%20and%20Legal%20Aspects%20-%20Israel%20Ministry%20of%20Foreign%20Affairs%20(2%20NOV%202023).pdf)
16. TASS Russian News Agency, *Nationalists Use Civilians as Human Shield in Kharkov Region - Russian Defense Ministry*, May 6, 2022, <https://tass.com/defense/1448157>
17. TASS Russian News Agency, *Putin Declares Beginning of Military Operation in Ukraine*, February 24, 2022, <https://tass.com/politics/1409329>
18. TASS Russian News Agency, *Russian Aerospace Forces Destroy over 10 Terrorist Strongholds in Syria Killing 50 Gunmen*, February 24, 2016, <https://tass.com/defense/858644>
19. *The Additional Protocols to the Geneva Conventions* (1977), https://www.icrc.org/sites/default/files/external/doc/en/assets/files/other/icrc_002_0321.pdf
20. *The European Convention on Human Rights* (1953), https://www.echr.coe.int/documents/d/echr/convention_ENG
21. *The Geneva Conventions of 1949*, <https://www.icrc.org/sites/default/files/external/doc/en/assets/files/publications/icrc-002-0173.pdf>
22. *The Hague Convention of 1899*, <https://docs.pca-cpa.org/2016/01/1899-Convention-for-the-Pacific-Settlement-of-International-Disputes.pdf>
23. *The Hague Convention of 1907*, <https://ihl-databases.icrc.org/assets/treaties/195-IHL-19-EN.pdf>
24. *The Rome Statute of the International Criminal Court* (1998), <https://www.icc-cpi.int/sites/default/files/2024-05/Rome-Statute-eng.pdf>
25. *The Universal Declaration of Human Rights* (1948), https://www.ohchr.org/sites/default/files/UDHR/Documents/UDHR_Translations/eng.pdf

Web Sources

1. <http://muse.jhu.edu/>
2. <https://govextra.gov.il/>
3. <https://ihl-databases.icrc.org/>
4. <https://papers.ssrn.com/>
5. <https://quadrant.org.au/>
6. <https://tass.com/>
7. <https://www.amnesty.org/>
8. <https://www.echr.coe.int/>
9. <https://www.hrw.org/>
10. <https://www.icc-cpi.int/>
11. <https://www.icrc.org/>
12. <https://www.msf.org/>
13. <https://www.ohchr.org/>
14. <https://www.thealeppoproject.com/>
15. <https://cld.irmct.org/>
16. <https://docs.pca-cpa.org/>