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## DESTRUCTION OF CULTURAL HERITAGE AS EXEMPLIFIED BY THE CONFLICT IN UKRAINE

## ABSTRACT

*Wars and armed conflicts have a negative impact on the cultural heritage of countries where military operations are carried out. Cultural assets are important as a historical value for a given society, a scientific value due to their cognitive value or the preservation of identity and culture, among others. It is cultural identity that influences the sense of belonging to a given society, a given group and the values it adopts. Consequently, we can conclude that through the role of cultural assets in the context of social identity, we can also talk about building social resilience, which is supposed to lead to the capacity for survival, recovery and strong bonds. The article points to international regulations that are not effective enough to stop the destruction of cultural heritage in Ukraine. The aim of this article is to point out examples of the destruction and plundering of cultural property taking place in Ukraine and the actions of both the Ukrainian side and international efforts to preserve it. A very important process is the documentation and cataloguing of cultural property and the possibility of storing movable cultural property outside the area of war or armed conflict. In the years to come, the damage done in Ukraine will require considerable financial and personnel resources to reconstruct. There is also a risk that some cultural property will never be returned to the Ukrainian side.*

**KEYWORDS:** *conflict, Ukraine, UNESCO, destruction of heritage, international legal regulations*

## INTRODUCTION

It is assumed that wars and armed conflicts are waged primarily in pursuit of political and economic objectives. Meanwhile, attacks on civilians and civilian structures, while violating the principles of humanitarian law, also lead to loss of cultural property. The cultural identity of a nation, shaped over centuries, is linked not only to beliefs, traditions or culture, but also to tangible cultural heritage. Such heritage includes both movable property (e.g. paintings, stained glass, literary works) and immovable property (e.g. buildings). In spite of numerous legal regulations aimed at preventing the destruction of cultural property, it continues to be deliberately destroyed and looted during conflicts. An example of the destruction of cultural property can be seen in

the civil war in Syria. During the ongoing operations, not only was the ancient city of Aleppo destroyed, but the Great Mosque as well<sup>1</sup>. Another example is the National Library in Sarajevo, which was bombed by Serbian forces<sup>2</sup>. Destruction of cultural property was also perpetrated by the Taliban, who, in a bid to remove non-Islamic statues (among other monuments) in Afghanistan, destroyed the Buddha Statues in Bamiyan<sup>3</sup>. The conflict in Ukraine, which has been ongoing since 2022, continues to demonstrate the ineffectiveness of established international laws. Numerous acts of looting and destruction of cultural property are taking place within Ukraine, with the aim of, among others, threatening the cultural identity and, consequently, leading to assimilation of the Ukrainian people into the Russian nation. Despite the ongoing conflict, both the community in Ukraine as well as UNESCO and volunteers are working to protect cultural property.

## LEGAL REGULATIONS

Protection of cultural heritage required legal regulations. For this reason, numerous legal instruments were created, including, among others, the Hague Convention together with Regulations (1899, 1907). One of the fundamental documents is the Convention for the Protection of Cultural Property in the Event of Armed Conflict, signed in The Hague on 14 May 1954<sup>4</sup>. This is the first piece of legislation that defines cultural property by dividing it into movable and immovable cultural property, *buildings whose main and effective purpose is to preserve or exhibit movable cultural property* and *centres containing a large amount of cultural property*. Article 4 of the Convention lays down general principles regarding respect for cultural property, in particular obliging parties thereto to respect cultural property by *refraining from any use of the property and its immediate surroundings or of the appliances in use for its protection for purposes which are likely to expose it to destruction or damage in the event of armed conflict; and by refraining from any act of hostility, directed against such property, to prohibit, prevent and, if necessary, put a stop to any form of theft, pillage or misappropriation of, and any acts of vandalism directed against, cultural property* and to refrain from

*requisitioning movable cultural property (...)*. The Convention was expanded by, among others, the Second Protocol adopted in The Hague on 26 March 1999.<sup>5</sup> Article 7 of the document sets out precautions during an attack, which, among others, include a requirement to verify that the target of the attack is not *cultural property protected under (...) the Convention* and to *take all feasible precautions in the choice of means and methods of attack with a view to avoiding, and in any event to minimizing, incidental damage to cultural property*. Article 12 also defines the *Immunity of cultural property under enhanced protection*. It is agreed that *The Parties to a conflict shall ensure the immunity of cultural property under enhanced protection by refraining from making such property the object of attack or from any use of the property or its immediate surroundings in support of military action*. Other conventions that deal with protection of cultural heritage include: Convention Concerning the Protection of the World Cultural and Natural Heritage adopted in Paris on 16 November 1972 by the General Conference of the United Nations Educational, Scientific and Cultural Organization at its seventeenth session<sup>6</sup>, the 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property<sup>7</sup> and the 2003 Convention for the Safeguarding of the Intangible Cultural Heritage<sup>8</sup>.

Despite the fact that both Russia and Ukraine are parties to the 1954 Hague Convention, there is deliberate looting and destruction of cultural property within Ukraine. The Ministry of Culture and Information Policy of Ukraine has accused Russia of war crimes related to destruction of cultural property. The damage has been confirmed by UNESCO<sup>9</sup>. It can be assumed that Russia does not comply, among others, with Article 4 of the 1954 Hague Convention by destroying Ukrainian cultural sites. Vladimir Putin has admitted that this is a deliberate action meant to obliterate Ukrainian culture and language for the purpose of integration into Russian culture<sup>10</sup>.

## **THE CASE OF UKRAINE AS AN EXAMPLE OF DESTRUCTION OF CULTURAL HERITAGE IN THE THIRD DECADE OF THE 21ST CENTURY**

It is assumed, according to UNESCO data, that between 24 February 2022 and 2 October 2024, 451 cultural sites were destroyed in Ukraine. The highest number of destroyed sites – 120 – was reported in the Donetsk region. Destroyed cultural property includes the Church of St. Nicholas of Myrlikiysky Wonderworker, the Mariupol Museum of Local Lore, the Centre for Contemporary Art and Culture named after A. Kuindzhi in Mariupol (built in 2004), the Central City Library V.G.Korolenko in Mariupol, the Donetsk regional museum of Local Lore – Donetsk, the Bakhmut Museum of Local Lore – Bakhmut, the Folk History Museum of Avdiivka – Avdiivka, the House of Culture – Pervomais'ke (Donetsk region) and the Church of Jesus Christ of Latter-day Saints – Mariupol (Donetsk region). Another region where a high number of destroyed sites was reported is the Kharkiv region. Cultural property destroyed in that region includes the Kharkiv Art Museum – (Kharkiv), the Kharkiv National Academic Opera and Ballet Theater – (Kharkiv), the Kharkiv State Scientific Library (Korolenko State Scientific Library) – (Kharkiv), the Hryhorii Skovoroda National Literary Memorial Museum – Skovorodynivka – (Kharkiv region), the Chuhuiv House of Culture – Chuhuiv (Kharkiv region), the House of Culture – Prudyanka (Kharkiv region), the Historical and Archaeological Museum-Reserve *Verkhonii Saltiv* – Verkhonii Saltiv (Kharkiv region), the Kupyansk Local Lore Museum – Kupyansk (Kharkiv region), the Scientific Library of Kharkiv Petro Vasylenko National Technical University of Agriculture – Kharkiv (Kharkiv region) and the Vovchansk historical and local history museum – Vovchansk (Kharkiv region)<sup>11</sup>.

According to UNESCO report *In the face of war, UNESCO's action in Ukraine*, in the culture and tourism sector, especially with respect to cultural property, the damage amounts to approximately \$3.5 billion. According to data as at February 2024, \$9 billion will need to be spent on reconstruction over the next 10 years<sup>12</sup>. Since the beginning of the conflict in Ukraine, UNECSO has undertaken numerous actions related to, among others, documenting and cataloguing damage and protecting cultural heritage. Databases of sites

destroyed during the conflict have been created on the basis of satellite imagery, monuments and historical sites in Ukraine have also been marked with the Blue Shield emblem; there are ongoing actions to relocate movable cultural property to sites designated by the Government of Ukraine, grant enhanced protection or special protection for cultural sites and collect evidence of violations of the Hague Convention<sup>13</sup>.

**Table 1.** *Number of destroyed sites by type*

Number	Site type
142	religious sites
227	buildings of historical and/or artistic interest
32	museums
32	monuments
17	libraries
1	archive

**Source:** Own work based on: <https://www.unesco.org/en/articles/damaged-cultural-sites-ukraine-verified-unesco> (accessed on 7.10.2024).

**Table 2.** *Number of destroyed sites by region*

Region name	Number of destroyed sites	Region name	Number of destroyed sites	Region name	Number of destroyed sites
Chernihiv region	22	Zaporizhzhya region	23	Luhansk region	47
Kyiv region	42	Zhytomyr region	3	Sumy region	12
Kharkiv region	73	Donetsk region	120	Mykolaiv region	11
Vinnitsya region	2	Odesa region	50	Dnipropetrovs'k region	3
Kherson region	29	L'viv region	11	Poltava region	1

**Source:** Own work based on: <https://www.unesco.org/en/articles/damaged-cultural-sites-ukraine-verified-unesco> (accessed on 7.10.2024).

Cultural property, both public and private, is especially at risk in areas occupied by Russia. In spite of numerous measures taken by Directors of

museums and libraries, it is not possible to adequately protect cultural property. 2,000 exhibits were stolen from museums in Donetsk and Mariupol, while 1,700 exhibits were looted from the Melitopol Museum of Local History. Numerous acts of looting also occurred at the Kherson Art Museum<sup>14</sup>. Employees of the Kherson Museum identified more than 100 works of art looted by Russian forces during the ongoing conflict from Kherson and other museums, which were shown in a propaganda film prepared by a Crimean museum<sup>15</sup>.

It is understood that the force of the destruction of cultural property in northern, eastern and southern Ukraine is enormous. An example of this can also be found in the former Museum of the Antiquities of Ukraine named after Vasyl Tarnovsky in Chernihiv (UNESCO-listed) or the Orthodox Church of the Ascension of the Lord built in 1913 in Lukashovka, as well as damage to Boldyni Hory barrow complex<sup>16</sup>. The destruction is documented, for example, by the research group War Close UP. It is the initiator of the *war up close* project, which aims, among other things, to use the latest technology to record the destruction<sup>17</sup>.

Of particular note with regard to protection of cultural heritage is the Saving Ukrainian Cultural Heritage Online (SUCHO) initiative. It is an initiative of international stature comprising volunteers whose task is to protect digital cultural heritage in Ukraine. The initiative has also raised funds for equipment for digitising endangered objects. This will allow institutions dealing with protection of cultural property to digitise that property<sup>18</sup>. Another important initiative is the publication of the Emergency Red List of Cultural Objects at Risk – Ukraine. It identifies the objects that are most at risk. It urges museums, auction houses and collectors to specifically check the documentation of artworks, their origin and whether they are on the red list<sup>19</sup>. In addition, the Network of European Museum Organisations collects and monitors actions taken by European museums to help Ukrainian museums and citizens affected by the war<sup>20</sup>. Another initiative is the Committee for Ukrainian Museums, formed by 26 Polish museums, whose aims include providing assistance in documenting and digitising collections, as well as donating materials needed to protect and hide collections<sup>21</sup>.

Of note is also the initiative of the Latvian Ministry of Culture and Riga Technical University, whose representatives, in cooperation with Ukrainian representatives, carried out 3D scanning of monuments in Chernihiv and religious sites in, among others, Kyiv. The obtained data will allow the objects to be restored in the future. The Ministry of Culture of the Czech Republic, meanwhile, donated 80,000 euro and made storage facilities for cultural property available in order to help Ukrainian museums<sup>22</sup>.

## SUMMARY

Despite numerous legal regulations, the destruction of cultural property, mostly intentional, continues. There have been numerous examples of this over the centuries. Most often, they were met with criticism from the international community and led to actions on the part of, for example, UNESCO. The current conflict in Ukraine once again proves that cultural property is not properly protected. In the case of immovable cultural property, there is intentional damage or complete destruction. Movable cultural property, on the other hand, is most often looted and may take years to recover, provided it is at all possible. Both UNESCO and the European community are committed to helping Ukraine to ensure that its cultural heritage survives in the best possible condition. It is important to create a recovery plan for Ukraine based on the experience and assistance of the European community for, among others, restoration of immovable cultural property.



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