


“Inter Arma Silent Musae”. Destroying Museums, Historical Buildings, and Monuments during the War in the Ukraine as War Crimes within the Meaning of International Law


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Keywords:

international law,
museum,
destroying
monuments,
war crime,
Hague Convention

Abstract: The article summarizes the situation related to the armed conflict in Ukraine in the context of the destruction of monuments and cultural objects as a war crime. The considerations relate to the provisions of international and European law, as well as to the positions developed by international case law. The stands of the international organization and community alongside the bodies of the European Union have been indicated. Poland’s efforts to help Ukrainian monuments are also discussed. Reference is made to the activities of the Polish Support Center for Culture in Ukraine established in Poland, within the structure of the National Heritage Institute and the Committee for Aid to Museums of Ukraine.

1. Introduction

“Inter arma silent Musae”, said Cicero. Targeting and plundering cultural property during armed conflicts have been noted all over the world for centuries, from the time of the ancient wars, through the crusades and medieval conflicts, to the most recent bloody battles of the First and the Second World Wars. Particularly during the last-mentioned war, an extensive

rescue of monuments took place. Hardly was the mentioned quote relevant when the next huge conflict started. On February 24, 2022 Russia launched a full-scale invasion of Ukraine.

The ongoing aggression of Russia against Ukraine has compelled people to face the need to rescue not only their lives and possessions, but also their heritage and identity. Rarely has any government faced such a challenge. Although it is commonly known that rescuing people is the most important task during armed conflicts, it should be considered what would happen to the cultural heritage when it was endangered by wars and terrorism. This question is much more topical and relevant in the context of the aggression of Russia against Ukraine. People connected with the art society, such as museum workers and volunteers, have been working so far on evacuating and hiding works of art and movable monuments. There is such a huge ongoing dilemma about what to do with historical buildings. It is not new that buildings such as libraries, archives, or museums are destroyed during war conflicts, either deliberately or unintentionally. It is significant to emphasize that destroying monuments and historical buildings can be perceived as a war crime, especially when they are not military objects.

Such issues were already being considered by the International Criminal Court (hereinafter: ICC or the Court),¹ e.g. in the *Prosecutor v. Ah-*

¹ The United Nations Rome Statute of the International Criminal Court. International Organizations [hereinafter Rome Statute or Statute], Preamble, para. 1: The Court was founded on the recognition “that all peoples are united by common bonds, their cultures pieced together in a shared heritage and concern,” and “that this delicate mosaic may be shattered at any time.” The Statute confers upon the Court jurisdiction over crimes against or affecting cultural heritage, complementing international law governing the protection of cultural heritage and associated human rights (Statute, Articles 8(2)(b)(ix), 8(2)(e)(iv)). See, e.g., Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I), 8 June 1977: Article 53; International Committee of the Red Cross (ICRC), Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II), 8 June 1977, 1125 UNTS 609, accessed July 23, 2023, <https://www.refworld.org/docid/3ae6b37f40.html>, Article 16; Convention for the Protection of Cultural Property in the Event of Armed Conflict with Regulations for the Execution of the Convention (“1954 Hague Convention” as amended), Article 4; 1999 Second Protocol to the Hague Convention of 1954 for the Protection of Cultural Property in the Event of Armed Conflict (“1999 Second Protocol”), Article 15.

mad Al Faqi Al Mahdi case.² The Court’s decision was a landmark in gaining recognition for the importance of heritage for humanity as a whole. The judgment would be a starting point for further discussion of war crimes under the rules of international law connected with cultural heritage protection.³ Moreover, the first binding international obligations for the protection of cultural heritage were held in 1899 and 1907. The Regulations annexed to the Convention (II) with Respect to the Laws and Customs of War on Land (1899 Hague II Convention) and Convention (IV) respecting the Laws and Customs of War on Land (1907 Hague IV Convention). Owing to those documents, the comparable case occurred in 1941, in accordance with the Hague Convention of 1907.⁴

First of all, it is essential to provide a definition of the term *cultural heritage* for a better understanding of the issue of the manuscript. There are two crucial documents for this issue, signed in the Hague and in Paris respectively. The provisions of the Convention for the Protection of Cultural Property in the Event of Armed Conflict with Regulations for the Execution

² International Criminal Court, Judgement and Sentence of 27 September 2016, the Prosecutor v. Ahmad Al Faqi Al Mahdi, Case ICC-01/12–01/15. On September 27, 2016, Ahmad Al Faqi Al Mahdi was convicted by the Trial Chamber of the International Criminal Court of the crime of intentionally directing an attack against buildings dedicated to religion and historic monuments, including nine mausoleums and a mosque in Timbuktu, Mali, which were not military objectives (pursuant to Article 8(2)(e)(iv) of the Rome Statute), in June and July 2012. See: “ICC Case Information Sheet,” accessed March 16, 2022, <https://www.icc-cpi.int/CaseInformationSheets/al-mahdiEng.pdf>; also: William Schabas, “Al Mahdi Has Been Convicted of a Crime He Did Not Commit,” *Case Western Reserve Journal of International Law* 49, no. 1 (2017): 75–102, accessed March 16, 2022, <https://scholarlycommons.law.case.edu/jil/vol49/iss1/7>; Katherine Lessing, “Commencement of Cultural Destruction Reparations Orders in Criminal Warfare: Precedence of the ICC Al Faqi Al Mahdi Judgment,” *City University of Hong Kong Law Review* 6, no. 99 (2017), <http://dx.doi.org/10.2139/ssrn.3111924>; Katarzyna Stanik-Filipowska, “A Crime against Cultural Heritage in the Aspect of the Intangible Value of a Monument,” *Gdańskie Studia Prawnicze* 50, no. 2 (2021): 242–3, accessed June 15, 2023, https://scholar.archive.org/work/grhrk5v14bchfn2qerie6dzun/access/wayback/https://czasopisma.bg.ug.edu.pl/index.php/gdanske_studia_prawnicze/article/download/6066/5311.

³ Birgitta Ringbeck, “World Heritage and Reconciliation,” in *50 Years World Heritage Convention: Shared Responsibility – Conflict & Reconciliation*. *Heritage Studies*, eds. Marie-Theres Albert, Roland Bernecker, Claire Cave, Anca Claudia Prodan, and Matthias Ripped (Cham: Springer Nature, 2022), 21–30.

⁴ “Trial of Karl Lingensfeldter,” accessed June 15, 2023, <https://www.legal-tools.org/doc/69fe7b/pdf/>.

of the Convention (The Hague, 14 May 1954, hereinafter: the Hague Convention) indicated that

the term “cultural property” shall cover, irrespective of origin or ownership:

(a) movable or immovable property of great importance to the cultural heritage of every people, such as monuments of architecture, art or history, whether religious or secular; archaeological sites; groups of buildings which, as a whole, are of historical or artistic interest; works of art; manuscripts, books, and other objects of artistic, historical, or archaeological interest; as well as scientific collections and important collections of books or archives or of reproductions of the property defined above;

(b) buildings whose main and effective purpose is to preserve or exhibit the movable cultural property defined in sub-paragraph (a) such as museums, large libraries, and depositories of archives, and refuges intended to shelter, in the event of armed conflict, the movable cultural property defined in sub-paragraph (a);

(c) centres containing a large amount of cultural property as defined in sub-paragraphs (a) and (b), to be known as “centres containing monuments.”⁵

Preliminarily, “cultural heritage” is defined in the Convention Concerning the Protection of the World Cultural and Natural Heritage adopted by the General Conference at its seventeenth session (Paris, 16 November 1972, hereinafter as: the Paris Convention) as:

- monuments: architectural works, works of monumental sculpture and painting, elements or structures of an archaeological nature, inscriptions, cave dwellings and combinations of features, which are of outstanding universal value from the point of view of history, art or science;
- groups of buildings: groups of separate or connected buildings which, because of their architecture, their homogeneity or their place in the landscape, are of outstanding universal value from the point of view of history, art, or science;

⁵ Full text of the Hague Convention, accessed March 16, 2023, https://en.unesco.org/sites/default/files/1954_Convention_EN_2020.pdf.

- sites: works of man or the combined works of nature and man, and areas including archaeological sites which are of outstanding universal value from the historical aesthetic, ethnological or anthropological point of view.⁶

The above provisions clarify the broad scope of the concept of cultural heritage, which should be a facilitation for classifying buildings or works of man as a part of cultural heritage. Nevertheless, in the past few years it has become clearer that the international conventions relating to the preservation of the heritage are, in their current form, not efficient enough.⁷ It has not been possible to enforce the norms and prove that attacks against historic buildings are war crimes, although they lead to irreparable loss of cultural and national heritage.

It is crucial to make clear in this essay that the Russians’ attacks and acts against Ukrainian cultural objects are war crimes. The article is divided into five parts. In the introduction the author clarifies what a monument and the cultural heritage are and why the issue should be considered. The second part explains the term “war crime.” The author indicates whether acts such as destroying monuments, and plundering and destroying museums could be classified as war crimes. The concept was explained based on the examples from the Russian-Ukrainian war. The next two parts concern the ongoing war in the Ukraine and a few cases associated with the cultural heritage destruction there, as well as the Committee for Aid to Museums of Ukraine recently established in Poland. At the end of the article there is a conclusion summarising all the considerations and providing some assumptions.

2. Destroying Monuments and Museums as a War Crime – The Position of International Communities

World heritage has become a privileged category. The intentional attacks have gained attention from the international community and tribunals. It is

⁶ Full text of the Paris Convention, accessed March 16, 2023, <https://whc.unesco.org/archive/convention-en.pdf>.

⁷ Gideon Koren, “Limitations in enforcement of international conventions: implications for protection of monuments and sites,” in *Estrategias relativas al patrimonio cultural mundial. La salvaguarda en un mundo globalizado. Principios, practicas y perspectivas*. 13th Icomos General Assembly and Scientific Symposium. Actas (Comité Nacional Español Del Icomos, 2002), 90–3, accessed March 16, 2023, <https://www.icomos.org/madrid2002/actas/90.pdf>.

not only about the potential of heritage attractive for tourism and the popularity of the country, but also about the increasing awareness of the public on the subject of the preservation of monuments.⁸ This is one of the reasons why communities and international organizations have adopted definitions of war crimes, classifying the destruction of heritage as one of them in order to protect monuments from the consequences of armed attacks.

First, “war crime” is defined in Article 8 of the Statute. It can be explained as a violation of the international law that acquires individual criminal responsibility under terms of the international law. A war crime must take place during an armed conflict, contrary to the crime of genocide. It must also contain the intent and knowledge of the belligerent party. There is no doubt that the Russian invaders are deliberately destroying Ukrainian monuments. According to the Ukrainian Ministry of Culture, the Russians have so far destroyed or damaged so many historical objects that it cannot be a coincidence. It should be indicated that this is a deliberate action, and, what is more, intensifying action. The premeditation of these acts may be evidenced by the least understandable destruction discovered by Ukrainian soldiers, when they liberated the Iziium area. On Mount Kremenets stood massive stone figures, dated from the 9th to the 13th century, called “The Polovtsian Stone Babas.” They are stone figures which represent warrior men and women and they are a part of the memorial cult of ancestors. The sculptures are placed in the resting place of the Polovts tribal chiefs. Their faces are looking east, and from this side they were fired. One of them was smashed into a fine powder. The Russians fled the city to the east and it was they who probably shot the thousand-year-old figures. The act cannot be rationally explained.⁹ Similarly, the National Museum of Literature and Memory of G. S. Skovorod, which was located in the Kharkiv region, in the middle of the park and was not associated with any military objective, was brutally trampled and destroyed.

⁸ Oumar Ba, “Contested Meanings: Timbuktu and the prosecution of destruction of cultural heritage as war crimes,” *African Studies Review* 63, no. 4 (2020): 743–62. <https://doi.org/10.1017/asr.2020.16>.

⁹ Tetiana Fram, “Cumans Stone Women of IX–XIII Centuries Destroyed Near Iziium,” accessed June 15, 2023, <https://gwaramedia.com/en/polovtsian-stone-women-destroyed-near-izium/>.

There are a few categories in Article 8 that constitute war crimes, mostly connected with grave breaches of the Geneva Conventions of 12 August 1949.¹⁰ War crimes can be divided into five categories: a) war crimes against persons requiring particular protection; b) war crimes against those providing humanitarian assistance and peacekeeping operations; c) war crimes against property and other rights; d) prohibited methods of warfare; and e) prohibited means of warfare.¹¹ Crimes against monuments can be classified as acts relating to the last three points.

It is crucial to mention that such actions of the Russian army should qualify as war crimes in accordance with Article 8 (2)(b)(ix) of the Rome Statute, not only because of the definition, but also for the elements of the crime that they include. Firstly, the perpetrator has struck. Crimes committed by the Russians on monuments have been confirmed, not only by Ukraine, but also by other states and international organizations. Secondly, one or more buildings intended for religious purposes, education, art, science, or charity, historical monuments, hospitals, or places of mass gathering of the sick and wounded, provided that they are not military facilities, were the aim of the attack. There is a list prepared by UNESCO indicating all the losses and destroyed buildings. This topic will be further discussed in the following section of the article. Then, the perpetrator deliberately chose such sites for the attack. However, it can be admitted that some of the attacks were unintentional, made by coincidence. As an example, there can be indicated the destruction of paintings by the Ukrainian artist Maria Prymachenko, which were burned as a result of an attack by Russian forces on the Ivankiv museum. Although, the missile attack was initially targeted at the TV tower in Kyiv, it can be considered that it could only have been a change of trajectory. Most of them, though, were carried out intentionally, with great premeditation, just to destroy cultural objects (e.g. the Polovtsian Stone Babas or stolen pieces of art) or to destroy buildings which were shelters for civilians (e.g. the dreadful bombing of the Mariupol drama theatre, in which several hundred people were sheltering). Obviously, the attack

¹⁰ Full text of the Conventions, accessed June 15, 2023, <https://www.icrc.org/en/doc/assets/files/publications/icrc-002-0173.pdf>.

¹¹ “War Crimes,” United Nations, accessed June 15, 2023, <https://www.un.org/en/genocideprevention/war-crimes.shtml>.

took place in the context of an international armed conflict and was related to it and the offender was aware of those circumstances.

Thirdly, the Security Council of the United Nations (UN) in Resolution 2347 from 24 March 2017 reminded the UN member states that “unlawful attacks against sites and buildings dedicated to religion, education, art, science, or charitable purposes, or historic monuments,” are war crimes.¹² It also emphasizes, that illicit trafficking of cultural property may constitute a serious crime.¹³ The resolution was adopted unanimously. The resolution was particularly the result of the ISIS attacks and destroying historical buildings in Syria.

Finally, it is essential to mention that the members of the European Parliament’s Committee on Culture and Education have no doubts that attacks against Ukrainian monuments contain all of the mentioned elements. The European Parliament adopted the Resolution of 20 October 2022 on cultural solidarity with Ukraine and a joint emergency response mechanism for cultural recovery in Europe.¹⁴ In this document, Parliament convicts Russia of deliberate destruction of Ukraine’s cultural heritage and defines it as war crimes under the 1954 Hague Convention. Both countries, Russia and Ukraine, are signatories of the Convention. “Russia’s war against Ukraine is an attempt to erase the identity and culture of a sovereign nation, including through strategic and targeted acts of destruction of cultural heritage sites,” said Sabine Verheyen MEP, Chair of the European Parliament’s Committee on Culture and Education.¹⁵

In order to prove that such acts against monuments and historical buildings are war crimes, it is crucial to provide evidence that targeting the buildings intended for religious purposes and historical monuments

¹² Para. 9, full text of The Resolution: <https://www.un.org/securitycouncil/s/res/2347-%282017%29>, accessed June 15, 2023.

¹³ David Crowe, *War Crimes, Genocide, and Justice: A Global History* (New York: Palgrave Macmillan, 2014), 291.

¹⁴ Full text: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52022IP0374>, accessed June 15, 2023.

¹⁵ “Destruction of Cultural Heritage Is a War Crime,” EPP Group, accessed June 17, 2023, <https://www.eppgroup.eu/newsroom/news/destruction-of-cultural-heritage-is-a-war-crime>.

was deliberate, provided that they were not military targets,¹⁶ as they may be if they are weapons stores or military shelters.

At the same time, it is impossible not to mention the theft of works of art, which Russian soldiers commit not only for themselves, but also on commission. Some of the stolen collections from the looted museums in Mariupol, Melitopol, or Kherson are in Russian museums in Crimea.¹⁷ The documented damage to Ukraine’s infrastructure after February 24, 2022 is estimated at total USD 137.8 billion. Russia bears full responsibility for the great damage in Ukraine that has been committed due to its unjustified and unprovoked act of aggression. Moreover, according to international precedent, there is a general obligation to make full reparations for the injury caused by an internationally wrongful act.¹⁸

The protection of monuments has a solid basis in the international legal system. It is significant to indicate that Russia is a signatory to almost all the conventions connected with the protection of the heritage. Violation of the provisions of the Convention will result in sanctions against the conflicting party which has committed the prohibited acts. It is forbidden not only to destroy monuments, but also to detain them and take them outside the occupied territory. After the end of the occupation, according to the Hague Convention of 1957, all objects must be returned. Although the President of Russia sanctioned the looting of Ukraine’s cultural heritage,

¹⁶ There is a documentary film that should be mentioned: *Erase the nation*, directed by Tomasz Grzywaczewski. In the production there were shown the deliberate destruction of Ukrainian monuments from Lviv, through Chernikhov, Ivanov, Kiev, Kharkiv, to Izium and Bohorodiche in the east of Ukraine; accessed June 17, 2023, https://www.youtube.com/watch?v=K8_uyckc6qE.

¹⁷ Hanna Arhirova, “War Crime: Industrial-Scale Destruction of Ukraine Culture,” *The Associated Press*, accessed June 19, 2023, <https://apnews.com/article/russia-ukraine-kyiv-travel-museums-7431f2190d917f44f76dff39b4d5df54>.

¹⁸ Brooks Newmark, “Crime and Punishment? Financing Ukraine’s Reconstruction with Russian State Assets,” in *Designed in Brussels, Made in Ukraine. Future of EU–Ukraine Relations*, ed. Maria Alesina (Elf Study 5, 2023), 59–67, <https://doi.org/10.53121/ELFTPS5>; Ana Filipa Vrdoljak, “The Criminalisation of the Intentional Destruction of Cultural Heritage,” accessed June 17, 2023, https://www.ohchr.org/sites/default/files/Documents/Issues/CulturalRights/DestructionHeritage/NGOS/A.P.Vrdoljak_text1.pdf; Europa Nostra, “Europa Nostra Strongly Condemns the Ongoing Deliberate Destruction of Cultural Heritage in Ukraine,” May 13, 2022, accessed June 19, 2023, <https://www.europanostra.org/europanostra-strongly-condemns-deliberate-destruction-of-cultural-heritage-in-ukraine/>.

allowing its “evacuation” from the temporarily occupied territories in Ukraine, there are no negotiations connected with the methods, time, or way of evacuation. Any damage to cultural objects during the evacuation cannot be documented.¹⁹

Destruction of heritage should be treated as a war crime also for another reason. The right of access to monuments is an inalienable human right and part of humanitarian law. It has been so named by the UN General Assembly. Elements of the national heritage are evidence of the identity and achievements of a given nation. National heritage consists of the cultural heritage of mankind. It is the duty of every country to ensure respect and protection for such sites. This is particularly important after the tragic experiences of the Second World War, when the national heritage of all countries involved suffered terrible consequences in the form of destruction, looting, and deportation. International organizations are focusing on preventing such a scenario from happening again. Unfortunately, every subsequent armed conflict carries the same consequences for monuments. Sabine von Schorlemer, Chair of International Law, EU Law and International Relations at the Technical University of Dresden, and a former Minister of Saxony in Germany, indicates that thoughtful and regular acts against cultural heritage have spread to a significant range since the destruction of the Bamiyan Buddha statues by the Taliban in Afghanistan in March 2001.²⁰ Every subsequent conflict causes such destruction.

The European Parliament argues that since Russia’s invasion of Ukraine on February 24, 2022 the Russian army has targeted cultural assets intentionally to erase Ukrainian culture. Therefore, international initiatives to safeguard the cultural heritage in Ukraine are numerous and focused not only on the monitoring of damages, but also on supporting the cultural sector in Ukraine by delivering protective or storage materials to cultural institutions. However, at present the aid system is not enough.

¹⁹ Evelien Campfens et al., “Research for Cult Committee – Protecting Cultural Heritage from Armed Conflicts in Ukraine and Beyond, European Parliament,” Policy Department for Structural and Cohesion Policies, Brussels 2023, accessed June 19 2023, [https://www.europarl.europa.eu/RegData/etudes/STUD/2023/733120/IPOL_STU\(2023\)733120_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2023/733120/IPOL_STU(2023)733120_EN.pdf).

²⁰ Nicole Winchester, “Targeting Culture: The Destruction of Cultural Heritage in Conflict,” House of Lords, accessed June 19, 2023, <https://lordslibrary.parliament.uk/targeting-culture-the-destruction-of-cultural-heritage-in-conflict/>.

3. Destroyed Cultural Property in Ukraine since May 2023

In a report published by the Ukrainian Ministry of Culture and Information Policy on November 21, 2022, eight hundred objects of cultural heritage are listed as damaged by occupants since the beginning of the war.²¹

Collection of Scythian gold from Melitopol Local History Museum was looted. More than 2 000 unique items from museums in Mariupol were robbed. In November 2022, the Oleksiy Shovkunenko Kherson Art Museum lost nearly 15 000 artworks that accounts for 80% of the museum’s collection. Another museum in Kherson, the Kherson Regional Museum, was emptied by the withdrawing Russian troops. According to preliminary estimates, around 40 museums have been looted since the beginning of the war. Yet, the damage for culture is much bigger. By way of example, nearly 12 000 documents related to Stalinist repressions against the Ukrainian people were burnt in Ukraine’s Archives of the Security Service in the Chernihiv region. Through resorting to a scorched earth strategy, unique archaeological resources that provide scientific evidence of the ancient cultures were depleted or permanently destroyed. On 6 September 2022, the Mariupol City Council reported that the Russians had destroyed the “Kalmius Settlement” archaeological site and published pictures of the ruins. The ruins bring back the memories of the World War II – we are again irreparably losing a part of our European heritage and sources of knowledge about our past.²²

The Ministry of Culture and Information Policy of Ukraine collects information on the damage to monuments on an ongoing basis, for example via the portal <https://culturecrimes.mkip.gov.ua>. By clicking on the appropriate link, everyone can go to the page with the losses, where not only monuments, but also objects of historical value and sacral buildings are registered. It is possible to add a photo of the destroyed object. The government of the occupied state has also created an online platform through which all crimes committed by the Russian aggressors can be reported, including crimes against heritage.²³ Furthermore, the Ukrainian Cultural

²¹ Accessed May 20, 2023, <https://culturecrimes.mkip.gov.ua/>.

²² Katarzyna Zalaszińska and Aleksandra Brodowska, “Saving Ukraine’s Culture. Polish Support Center for Culture in Ukraine. Activity Report February 2022 – December (2022),” 21, accessed May 20, 2023, <https://ukraina.nid.pl/wp-content/uploads/2023/03/saving-ukraines-culture-pscreport.pdf>.

²³ More information: accessed May 27, 2023, <https://dokaz.gov.ua/>.

Foundation has created an internet map of destruction, on which it places updated reports of places deliberately destroyed by the Russians.²⁴ Another action aimed at documenting the crimes committed is the map of destroyed sacral buildings, divided into religions, created by the State Service of Ukraine for Ethnic Policy and Religious Freedom.

Irrespective of the activities of the Ukrainian side, research on damage and losses in cultural heritage is conducted by UNESCO.²⁵ On May 17, 2023, a report appeared on the UNESCO website containing a list of verified damage done by Russian troops. Since 24 February 2022, one hundred and ten sacral sites, twenty-two museums, ninety-two buildings of historical and/or artistic significance, nineteen monuments, twelve libraries, and one archive have been damaged. “UNESCO is also developing, with its partner organizations, a mechanism for independent coordinated assessment of data in Ukraine, including satellite image analysis, in line with the provisions of the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict.”²⁶ UNESCO has verified losses in thirteen regions. Most of them, as many as seventy-one, were recorded in the Donetsk region. One of the most affected cities is Mariupol. Ukrainian President Volodymyr Zelensky said in an interview that 95–98 percent of all Mariupol buildings, including temples, museums, historic houses, and streets, as well as cultural and sports centres, had been destroyed. The list of destroyed cultural property is long, for example: the Church of St. Nicholas of Myrlikiysky Wonderworker, Chapel of the Holy Martyr Tatiana, Church of Christ the Saviour (Tserkva Khrysta Spasytelya), The Drama Theatre in Mariupol, Our Lady of Kazan Orthodox Cathedral in Marinka, Monument to Metropolitan Ignatium of Mariupol in Mariupol, St. Archangel Michael Church in Mariupol, Church of the Icon of the Mother of God “Joy of All Mourners”, Palace of Culture “Molodizhny” in Mariupol (built between 1887–1910), Volodymyrska Baptismal Church, Mariinsky Women’s

²⁴ More information: accessed May 27, 2023, <https://uaculture.org/culture-loss/>

²⁵ United Nations Educational, Scientific and Cultural Organization.

²⁶ “Damaged Cultural Sites in Ukraine Verified by UNESCO,” UNESCO, accessed May 20, 2023, <https://www.unesco.org/en/articles/damaged-cultural-sites-ukraine-verified-unesco?hub=66116>.

Gymnasium (built in 1894) and others.²⁷ To date, no UNESCO World Heritage site appears to have been damaged.

On March 23, 2023, the World Bank posted a report on its website titled “Updated Ukraine Recovery and Reconstruction Needs Assessment” which shows that:

A new joint assessment released today by the Government of Ukraine, the World Bank Group, the European Commission, and the United Nations, estimates that the cost of reconstruction and recovery in Ukraine has grown to US \$411 billion (equivalent of €383 billion). The estimate covers the one-year period from Russia’s invasion of Ukraine on 24 February 2022, to the first anniversary of the war on 24 February 2023. The cost of reconstruction and recovery is expected to stretch over 10 years and combines both needs for public and private funds.²⁸

Unfortunately, the war is still going on, and will result in further destruction, entailing even greater financial needs related to the reconstruction of Ukraine.

4. The Committee for Aid to Museums of Ukraine

In order to protect the national heritage of Ukraine, collections that are part of the culture of Ukraine and the whole world, Polish cultural institutions have taken a step to create a committee that will support Ukrainian museums in protecting and securing museum exhibits. On March 3, 2022, the Warsaw Rising Museum’s website published an announcement about the establishment of the Committee for Aid to of Museums of Ukraine.²⁹ Polish cultural institutions have decided to join forces “to prevent a disaster and support colleagues from Ukraine.”³⁰ It included nearly fifty representatives of Polish cultural institutions. As the creators of the Committee point out:

²⁷ Ibid.

²⁸ “Updated Ukraine Recovery and Reconstruction Needs Assessment,” World Bank Group, accessed May 20, 2023, <https://www.worldbank.org/en/news/press-release/2023/03/23/updated-ukraine-recovery-and-reconstruction-needs-assessment>.

²⁹ Hereinafter: Committee.

³⁰ “Komitet Pomocy Muzeom Ukrainy,” Muzeum Powstania Warszawskiego, accessed May 19, 2023, <https://www.1944.pl/artykul/komitet-pomocy-muzeom-ukrainy,5251.html>.

Right now, Ukrainian museums are confronted with extreme challenges. What can be done to protect and save collections that reflect the heritage of past generations? In Poland we understand it all well enough. The acts of looting and destroying our cultural property were unprecedented during WWII. The finale of pillage and annihilation of Warsaw took place during the Warsaw Rising and right after its end. No other nation and state should ever have to face such loss again. Today, unfortunately, such a threat hangs over Ukraine.³¹

Pawel Ukielski, Deputy Director of the Warsaw Rising Museum, emphasizes:

It is no coincidence that the Committee was established in Poland and that it was the Poles who were the first to think about this aspect of the war, which is the safeguarding of cultural property and heritage. At the Warsaw Rising Museum, just a few days after the outbreak of war, we realized that the experience of what happened to Polish cultural goods and national heritage during the occupation and the Warsaw Uprising could be useful in supporting Ukrainians for the preservation of their cultural heritage³².

The Office of the Committee is open at the Warsaw Rising Museum at 79 Grzybowska Street in Warsaw.

The Committee's primary tasks include:

- to support all the museums and cultural institutions in Ukraine to protect their collections, most valuable items and the monuments of the Ukrainian culture,
- to provide materials needed to protect and hide the collections,
- to provide support when it comes to document, digitalize and take stock of their collections,
- to share experiences with Ukrainian partners,
- to document the acts of looting and destruction of Ukrainian cultural property.³³

Polish museum professionals established contact with their Ukrainian counterparts just days after the Russian aggression began. The Committee

³¹ Ibid.

³² Ibid.

³³ Ibid.

responds on an ongoing basis to the needs of Ukrainian museums, both the largest ones and those local ones. In early March 2022, the Committee organized the collection and purchase of materials for packing, protecting, and preserving collections. Local coordinators who are committed to helping distribute these funds to cultural institutions that have expressed a need for support.³⁴

At the same time, the Paweł Włodkowic Institute has launched a fundraising campaign on behalf of the Committee. The money raised is being used by the Institute to purchase cardboard boxes, security film, tape, and other packaging materials.³⁵ To date, more than one hundred and forty thousand zlotys have been donated, with the money primarily used to purchase computer equipment, as well as to rebuild the Chernigov Regional Museum.³⁶ A communication of December 29, 2022, posted on the website of the Warsaw Rising Museum, indicated that since the inception of the Committee for Aid to Museums of Ukraine, eighty tons of specialized accessories for packing collections, dehumidifiers, digitizing equipment, plastic and cardboard packaging, conservation tools and other equipment have been donated to help secure exhibits. A total of 155 pallets of needed aid went to Ukraine. More than ninety museums from all over the country were assisted, including the National Museum in Kiev, the Natural History Museum in Lviv, the National Historical and Cultural Reserve “Hetman’s Capital” in Baturyn, the Museum of Folk Art of Hutsul and Pokutia, the National Historical Museum in Dnipropetrovsk, and the the National History Museum in Vinnitsa.³⁷

In supporting Ukrainian cultural institutions, the Committee for Aid to Museums of Ukraine cooperates with various institutions, such as the European Parliament, the International Council for the Preservation of Monuments and Historic Sites (ICOMOS), the Metropolitan Museum of Modern Art, Stiftung für Kunst, Kultur und Geschichte, the National

³⁴ Ibid.

³⁵ Ibid.

³⁶ “Podsumowanie prac Komitetu Pomocy Muzeom Ukrainy w 2022 r.,” Muzeum Powstania Warszawskiego, accessed May 19, 2023, <https://www.1944.pl/artykul/podsumowanie-prac-komitetu-pomocy-muzeom-ukrainy,5349.html>.

³⁷ Ibid.

Library of Estonia, the National Library of Latvia, the University Museum of Bergen and Blue Shield Denmark.³⁸

On the Ukrainian side, the Centre for the Salvage of National Heritage in Lviv was established, which, working with the Committee, is responsible for distributing the collected aid to institutions that have registered to receive it.

The Committee is also active in social media, especially on Facebook and Twitter (Platform X). Posts are published in three languages, Polish, Ukrainian, and English, which relate not only to sharing information about the donated aid, but above all promote Ukrainian culture, inform about the activities of Ukrainian artists and creators, inform about important dates in Ukraine's cultural calendar, such as the day celebrated on May 19, "Wyszywanka Day," the traditional costume of Ukrainian citizens.

The Committee for Aid to Museums of Ukraine is not the only entity dedicated to providing assistance to endangered cultural institutions in Ukraine. Another noteworthy one is the Polish Support Center for Culture in Ukraine, established by the Ministry of Culture and National Heritage in Poland at the National Heritage Institute, whose task is to coordinate all initiatives taken to save Ukraine's cultural resources.³⁹ It is a governmental entity coordinating assistance to the cultural sector in Ukraine, including conducting information and educational activities about Ukrainian cultural heritage, its threats and losses to date. The Polish Support Center for Culture in Ukraine consists of staff responsible for coordinating aid activities for cultural assets located on Ukrainian territory. The Institute supports such cultural centres as museums, libraries, archives, cultural reserves, and religious sites. The Institute's website published in English the report "Saving Ukraine's culture. Polish Support Center for Culture in Ukraine. Activity report February 2022 – December 2022," summarizing aid activities, with the additional goal of strengthening awareness of the threat of deliberate destruction of Ukrainian culture by Russian troops.⁴⁰

³⁸ Ibid.

³⁹ "Centrum Pomocy dla Kultury na Ukrainie," Narodowy Instytut Dziedzictwa, accessed May 19, 2023, <https://nid.pl/centrum-ukraina/>.

⁴⁰ For more information on aid and the damage done as a result of Russian aggression against Ukraine, see the report "Saving Ukraine's culture. Polish Support Center for Culture in

“Heritage is the memory of generations”⁴¹ – all the measures taken are aimed at protecting and safeguarding the cultural assets located on Ukrainian territory, which are the legacy of Ukrainian and European culture, as well as saving from oblivion the enormity of the losses and suffering inflicted on the Ukrainian people by the Russian invaders.

It is worth mentioning that on the initiative of the Polish foundation Gremi Personal the Museum of War Trophies was established in Gdańsk. Tomasz Bogdziewicz, the general director of Gremi Personal and a member of the board of the Gremi Personal Foundation, indicated in an interview that the idea of opening such a museum arose spontaneously:

The Foundation has been helping Ukrainian soldiers since the first day of the war. We focus on permanent assistance, for which we have spent over PLN 4 million so far. We buy, among other things, night vision goggles, drones, but also SUVs. Over time, we have begun to receive return gifts from Ukrainian soldiers in the form of war trophies. One of the first was part of a K-52 helicopter - a supposedly indestructible flying tank. We didn't know what to do with it at first, but more trophies started coming in and there are a lot of them.⁴²

Among the exhibits are uniforms, helmets, rocket launchers, downed drones, as well as military food kits. All exhibits are put up for auction, the proceeds of which are used to support the Ukrainian army. At the moment, the War Trophies Museum houses about a hundred exhibits from the war front. One of the most spectacular is a part of K-52 helicopter, a part of a burst Iskander missile, as well as a parachute from which cluster munitions were dropped, which are prohibited for use by international organizations. This is another initiative that allows for the documentation of the ongoing war in Ukraine.

5. Conclusion

War – this is a word that makes everyone shudder. Every war brings heavy losses. It disturbs peace, and takes away hope and a sense of security. Every

Ukraine. Activity report February 2022 – December 2022,” accessed May 20, 2023, <https://ukraina.nid.pl/wp-content/uploads/2023/03/saving-ukraines-culture-pscreport.pdf>.

⁴¹ Author unknown.

⁴² Aleksandra Nietopiel, “Trofea z wojny rosyjsko-ukraińskiej do kupienia w mini-muzeum,” June 6, 2023, accessed June 28, 2023, <https://www.trojmiasto.pl/wiadomosci/Muzeum-Trofeow-Wojennych-otwarto-w-Gdansk-u-n178866.html>.

war destroys everything that generations of people have worked for. The effects of the war are felt at all levels: economic, moral, as well as those that build culture and national heritage. Armed conflicts threaten human life and health, but not only. The silent victim of war is cultural heritage that is difficult to protect against missile attacks, bombings, or artillery shells. Almost every day Russian missiles attack Ukrainian territory. Every day there are battles on the front, which cause huge losses. The targets of Russian aggression are not only Ukrainian strategic military facilities, but above all civilian facilities, such as houses, residential buildings, educational institutes, universities, as well as memorial sites and cultural institutions.

Historical, religious and cultural objects located in the territory of Ukraine, are an integral part of the World and European heritage. Before the Russian aggression, Ukraine had carried out a lot of activities aimed at organising the protection of its national, cultural heritage. The scale of the destruction of Ukrainian monuments shows how drastic and terrible the crimes committed by the Russians in the ongoing war are. The destruction of monuments is a war crime, following the example of the Russian-Ukrainian war. Violation of the provisions of the Hague Convention, the Geneva Conventions, and other provisions of international law entails the responsibility of the invader and should be stigmatized by the international community. UNESCO, realizing the scale of the destruction of Ukrainian cultural objects, has implemented a strategy of reconstruction of the heritage of Ukraine. The activities consist primarily of ongoing financial support, material support, and training of staff who are supposed to take care of the monuments. These activities are carried out in cooperation with other organizations such as ICCROM, ALIPH, SCRI⁴³.

It should be emphasized that just as the crimes committed against monuments in Syria were considered war crimes, the actions of the Russian army should also be categorically considered war crimes within the meaning of international law. The violation of the provisions of the Convention, to which Russia is also the party, must be condemned and it must be hoped that the international courts and the international community will take action against the invaders, starting with a trial before the ICC.

⁴³ Campfens et al., “Research for Cult Committee,” accessed June 19, 2023, [https://www.europarl.europa.eu/RegData/etudes/STUD/2023/733120/IPOL_STU\(2023\)733120_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2023/733120/IPOL_STU(2023)733120_EN.pdf).

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