

# Protecting cultural heritage from armed conflicts in Ukraine and beyond


[See the full study](#)

This study examines what the EU and its Member States can do to protect cultural heritage from the effects of armed conflicts, in Ukraine and beyond. It includes an impression of what is happening in terms of threats to cultural heritage in Ukraine, an analysis of the applicable international law and policy frameworks, and a survey of the current practice of key international actors in Ukraine. It also provides some lessons learnt with regard to cultural heritage rehabilitation in post-conflict contexts.

The legal protection of cultural heritage in armed conflict is covered by international humanitarian law, human rights law, cultural heritage law and criminal law. Specific EU law and policy instruments also apply. This implicates that the EU and its Member States are required to take measures to protect cultural heritage from the effects of armed conflict, even if those conflicts are beyond EU borders. The war in Ukraine poses unique challenges which need to be addressed.

## Main observations

Since Russia's invasion of Ukraine hundreds of cultural heritage sites have been damaged, museums looted, and occupied territories are being "russified". In combination with the questioning by Russia of Ukrainian identity and history, all these acts demonstrate that destruction and plunder of cultural heritage is often about much more than damage to the physical objects.

### The study

examines how cultural heritage can be better protected from the effects of armed conflicts, in Ukraine and beyond.

Cultural heritage includes tangible heritage - such as heritage sites, built monuments and artefacts - and intangible (living) heritage - such as customs and traditions. It is also a vehicle of cultural identity. Hence, whilst cultural heritage may be damaged or destroyed for military

purposes, it may also be targeted for ideological reasons. Breakdowns in the rule of law during armed conflict also lead to looting for economic gain. All these types of threats and destruction cause great harm to the people whose heritage is at stake, and also have profound regional and global impacts that last beyond the duration of the conflict. Destruction and looting of cultural heritage are therefore widely acknowledged as threats to international peace, security and the sustainable development of societies, calling for international action.



Source: ICOM Emergency Red List of Cultural Objects at Risk – Ukraine


[Access this note](#)

## Conclusions and recommendations

To better protect cultural heritage from armed conflicts, states should take preparatory measures. These aim to protect *domestic* cultural heritage (e.g., by preparing inventories and emergency plans) as well as *foreign* cultural heritage (e.g., the training of law enforcement and armed forces, and the adoption of laws to address unlawful transfers of cultural objects from occupied territories). In addition, cultural heritage protection needs to be (better) integrated within the international system for humanitarian aid and peacekeeping mechanisms. Furthermore, independent monitoring of the impact of armed conflicts on cultural heritage would enhance accountability, as well as post-conflict peacebuilding efforts.

In this regard the following specific actions by the EU and its Member States are recommended:

- **Address emergencies in Ukraine**

Additional measures should be taken to: support the safeguarding of cultural heritage in Ukraine; intercept cultural objects unlawfully exported from Ukraine; and protect the cultural rights of Ukrainian refugees in EU Member States.

- **Close the accountability gap**

Support the independent monitoring of attacks to cultural heritage to enable the prosecution of crimes against cultural heritage, and ensure the consideration of heritage-related crimes by (e.g.) the Joint Investigation Team. Consider adopting measures that prevent entities to support, directly or indirectly, the unlawful removal of cultural objects or excavations of archaeological sites.

- **Coordinate measures and policies at the EU level**

Fragmentation of the relevant law, policies and actors call for the setting up of a dedicated EU body for the protection of cultural heritage. Consider integrating cultural heritage protection into the broader field of

humanitarian aid, and strengthening the coordination of measures addressing the illicit trade. Consider regulating safe havens for the temporary safeguard of collections from conflict zones.

- **Ensure preparatory measures are in place in EU Member States**

Preparatory measures include: the (further) setting-up of inventories of cultural heritage and their digitisation; the development of (emergency) preparedness policies; and the setting-up of (sizeable) dedicated units in the military and law-enforcement, including border control.

- **Address the illicit trafficking in cultural objects from conflict zones**

Raise awareness and ensure the introduction of mandatory due diligence standards for the trade in cultural goods, and support an open access database of national legislation pertaining to cultural heritage, to mitigate the risks of looted cultural objects from war zones being traded on the EU market.

- **Focus on community participation and memorialisation in the recovery phase**

Projects to safeguard or restore conflict-affected cultural heritage have major social impacts, and therefore participation of local communities at all stages is key and should be ensured. Consider including peacebuilding actions in all recovery projects.



**Disclaimer.** The content of this At a glance note is the sole responsibility of its authors and any opinions expressed therein do not necessarily represent the official position of the European Parliament. Reproduction and translation for non-commercial purposes are authorised, provided the source is acknowledged and the European Parliament is given prior notice and sent a copy. © European Union, 2023.

The present note is based on the study *Protecting cultural heritage from armed conflicts in Ukraine and beyond*, authored by: Campfens, E., Jakubowski, A., Hausler, K., Selzer, E., published in: March 2023

© Image on page 2 used under the licence from Adobe Stock

Responsible for this At a glance note: Kinga OSTANSKA & Kristiina MILT

Contact: [Poldep-cohesion@ep.europa.eu](mailto:Poldep-cohesion@ep.europa.eu); Further information: [www.research4committees.blog/cult](http://www.research4committees.blog/cult). Follow us: [@PolicyCULT](https://twitter.com/PolicyCULT)

This document is available at: [www.europarl.europa.eu/supporting-analyses](http://www.europarl.europa.eu/supporting-analyses)