

KOMENTARZE

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Emergency Red List for Ukraine

Summary: Emergency Red List of Cultural Objects at Risk–Ukraine is now part of the 19th Red List and the 8th Emergency Red List of Cultural Objects at Risk. The Red List is one of the key tools for combating the illicit traffic of cultural heritage objects, which ICOM has been publishing since 2000. In the case of Ukraine, the creation of the Emergency Red List was a response to the high threat of illegal trafficking of cultural heritage posed by Russian military aggression, beginning in February 2022 and currently ongoing.

Keywords: cultural heritage, illicit trafficking, Ukraine, Crimea, military aggression

Russia's war in Ukraine began in 2014 with the annexation of Crimea. Since then, a direct attack on Ukrainian cultural heritage by the Russian Federation has now begun. Many actions of the Russian occupying authorities regarding the cultural heritage of Ukraine in Crimea violate international law. Such violations include the mass appropriation of Ukrainian museums, archives, libraries, and research institutions; as well as the illegal transfer of Ukraine's cultural heritage to the Russian territory and within occupied Crimea. The appropriation of cultural heritage and the manipulation of historical narratives in Crimean

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museums is also a tool for the implementation of Russia's neo-imperial policy towards Ukraine and Crimea, forming an integral part of its overall strategy. The Russian Federation seeks to downplay the significance of the Crimean Tatar history of Crimea and strengthen the narrative of the dominant and defining Russian identity in the past, present, and future of the Ukrainian territory¹. This policy has also been implemented by the Russian Federation since 2014 in the temporarily occupied territories of Donetsk and Luhansk. The museum collections in these areas were captured and, just like in Crimea, are still used for anti-Ukrainian propaganda.

After a full-scale invasion by the Russian Federation in February 2022, the loss of Ukrainian cultural heritage has reached catastrophic proportions². In addition to the fact that cultural heritage is under fire from artillery and missiles, museum collections are being illegally transferred by the Russian army, in particular to the Crimean territory and could later be transferred to the mainland territory of the Russian Federation, as has been the case since 2014. Throughout the war, the Ukrainian Museum Fund was reduced by at least 20%.

The work on drawing up the Emergency Red List for Ukraine by the ICOM Ukraine chapter and museum experts in cooperation with the Department of Heritage Protection within ICOM began at the beginning of April 2022. From the Ukrainian side, we acted immediately after the Russian troops retreated from the suburbs of Kyiv and the region overall as a result of the defensive actions of the Armed Forces of Ukraine.

It is worth a reminder that the Red List is one of the key tools to combat the illegal trafficking of cultural heritage items, which ICOM has been publishing since 2000³. The list includes categories of cultural objects from a certain region that can potentially be stolen, removed, looted, smuggled, and sold in the future. Such a tool is designed to help authorities, police and customs officials, museum professionals, individuals, or organizations involved in one way or another in the art market, identify objects at risk and prevent their illegal sale or export. It is important to note that the Red List is not a list of stolen items that have already been stolen. The photos in these lists of objects from museum collections serve as an illustration of the categories most vulnerable to illegal trafficking. Red Lists are created in cooperation with national and international experts.

¹ *Porushennya norm mizhnarodnoho humanitarnoho prava v umovakh zbroynoho konfliktu: zakhyst kul'turnoyi spadshchyny*, Kryms'kyy instytut stratehichnykh doslidzhen' [Violation of norms of international humanitarian law in conditions of armed conflict: protection of cultural heritage, Crimean Institute of Strategic Studies), <https://culture.crimea.ua/ua/porushennya-norm-mijnarodnogo-gumanitarnogo-prava-v-umovah-zbronogo-konfliktu-zahist-kulturnoi-spadschini.html> [accessed: 1.04.2023].

² *Protecting cultural heritage from armed conflicts in Ukraine and beyond*, Research for CULT Committee, March 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) [accessed: 14.04.2023].

³ Red Lists, International Council of Museums, <https://icom.museum/en/red-lists/> [accessed: 1.04.2023].

The Emergency Red List of cultural objects at risk – Ukraine is exceptional⁴. This is the eighth Emergency Red List prepared by ICOM. However, this is the first occasion where a Red List was prepared not after the army conflict concluded, but rather while a large-scale war was still ongoing. Moreover, it was created in a very short time, under difficult conditions. Let us hope that this Red List will be the last Emergency Red List created during and in connection with a war.

In light of these circumstances, the Ukrainian experience and approaches to compiling the Red List may not be relevant to everyone.

Yet there are certain aspects that all producers of a Red List will agree upon, regardless of their particular circumstances. Undoubtedly, the Red List of Ukrainian Heritage is based on three key tenets: cultural heritage under threat, safeguarding by both national and international law, and illicit market demand. Obviously, as in previous cases where Red Lists were created, we also had enormous difficulty choosing typical samples of items. However, we had selection criteria, both general and for quite exceptional objects:

1. Our focus was on museum collections in the temporarily occupied territories, what was stored there, and what had already been removed at that time by the Russians with the support of their military forces (these are the museums of Mariupol, and Melitopol, etc.) and what was looted by separate Russian military forces (partially in March 2022 in the central part of Ukraine), focusing on those Ukrainian territories that were liberated in the spring of 2022 by Ukrainian troops. We also focused on those museum objects that were of interest to Russian museum experts and which were exported to Russian museums from the collections of Crimean museums since 2014 and until the present.
2. Ukraine has a rich, and complex history. Other countries that have prepared previous Red Lists were clearly faced with a similar issue.
3. National diversity. Ukraine is a large, multicultural, and multi-ethnic country. This was also reflected in the Ukrainian Red List.

The Ukrainian Red List presents objects from the three main faiths whose communities live in Ukraine: Judaism, Islam, and Christianity.

It also presents objects from the cultural heritage of different ethnic groups. Ukrainians are the main and autochthonous indigenous population of Ukraine and the largest ethnic community in its territory. At the same time, indigenous peoples in Ukraine have traditionally included the Crimean Tatars (Muslims), Karaims (Turkic-speaking, practicing a kind of Judaism), and Krymchaks (an ethnolinguistic community of the Jewish population, also Turkic-speaking). This status is determined by Ukrainian legislation. Their homeland, Crimea, is currently occupied, and their heritage has been under severe threat since 2014. Since the Crimean Tatars do not

⁴ Emergency Red List of cultural objects as Risk – Ukraine, ICOM, <https://icom.museum/wp-content/uploads/2022/11/Emergency-Red-List-Ukraine-%E2%80%93-English.pdf> [accessed: 1.04.2023].

have an ethnically connected state (i.e., they do not have their own state), unlike other ethnic minorities in Ukraine, no other country would act to protect their interests. It was crucial to showcase objects from these groups and draw attention to their cultural heritage, which is gravely at risk. It is Ukraine's responsibility to save the Crimean Tatars' cultural history, which is also part of the global heritage.

It was vital to display pieces of Ukrainian culture, particularly folk and naive art as well.

4. Archaeological artifacts received special attention. There is a worldwide trend on the black market, where archeology goods are in high demand. There have been cases of illicit trafficking of archaeological artifacts from Ukraine in the past. Now, the risks of illicit trafficking of archaeological artifacts have increased dramatically since Ukraine does not control a part of its territory where there is a strong archaeological and cultural layer.
5. An additional group consists of paintings, which are also very popular on the worldwide black market.

Working with other museum and library experts at such an extreme time presented a particular challenge. At the beginning of the process, they were dispersed, and some were moved to other parts of the country, or even abroad at that time. In addition, the collections were packed and prepared for evacuation, while other photographic objects that were accessible possessed an inadequate quality for publication. It was necessary to quickly solve such problems in difficult conditions. I express my thanks to my colleagues who, in such an extremely difficult time, participated in the creation of the Red List. At a time when they themselves were threatened by a real danger to their lives and persons on the Ukrainian territory, they had to spend all their time caring for and preserving the collections of their institutions. This includes the heads and representatives of over 10 institutions, comprising research institutes, libraries, and museums.

We are grateful to the ICOM Foundation and the ICOM Secretariat for their financial and organizational support. A great contribution was made by colleagues from the Department of Heritage Protection, who turned to the Ukrainian National Committee of ICOM to start the process of compiling the list and provided organizational support throughout this entire time.

ICOM cooperates with national and international law enforcement agencies, including Interpol and the World Customs Organization. Coordinated international cooperation is crucial to combating the illegal circulation and transfer of cultural heritage.

At the same time, we, as Ukrainian experts, support the goal of using these measures to limit the illegal traffic of Ukrainian cultural heritage and the entry of Ukrainian cultural artifacts into the international black market in uncontrolled volumes.

This is also one way to inform the world about the great dangers and risks that threaten Ukrainian cultural heritage due to Russia's military aggression in Ukraine.