The role of international organizations in the protection and restoration of the cultural heritage of Ukraine in the conditions of armed aggression: Financial, economic and legal aspects

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Abstract: The article attempts to analyze the role of international organizations in the protection and restoration of the cultural heritage during war conflicts. The case of Ukrainian ongoing conflict is considered, based on systematization of UNESCO documents and activities, as well as the case of Syria as a 'testing ground' for UNESCO in efforts on protection and restoration of cultural heritage damaged due to hostilities. It is claimed that UNESCO in fact showed its low efficiency in protecting cultural heritage, but is capable of providing reasonable steps of post-war restoration and preventing illegal trade of stolen cultural heritage. The expedience of developing international law grounds for protection of cultural heritage is emphasized, together with employing mechanisms of public-private partnership in restoration projects.

Keywords: Cultural heritage, Economics, Finance, International law, International organizations, Law, Protection, UNESCO, War.

1. Introduction

International humanitarian law is designed to reduce the negative consequences of wars and armed conflicts. In other words, even war as the personification of the worst human qualities has 'red lines. They refer, in particular, to objects of cultural heritage (values) as a product of a human creative civil activity. Actually, the protection of cultural heritage objects during war or armed conflict originates from the principles, customary and conventional norms of international humanitarian law regarding the prohibition of attacks on the civilian population and civilian objects.

Cultural heritage is the property of all mankind, a testament to the cultural diversity of the world, and a link between human generations (Kryshtanovych et al., 2022). Namely in cultural values, human identity and dignity are embodied, therefore the preservation of cultural heritage objects is crucially important, especially during war or armed conflict, when there is a great threat of their damage, destruction, or abduction by the enemy.

As of the end of 2023, UNESCO has confirmed damage to 345 cultural heritage sites of Ukraine since February 24, 2022. According to the Ministry of Culture and Information Policy, there are 945

monuments (Shydlovskyi et al., 2023). Therefore, the problems of protecting cultural heritage sites in Ukraine during the armed aggression of the Russian Federation are extremely urgent.

In order to protect cultural values, first of all, from bombings and other attacks, according to the Hague Convention, an identification marking of cultural values was created – a drawing of a blue shield (Arivazhagan et al., 2023). This emblem is applied both directly to cultural assets and to buildings where movable cultural assets are stored, and to vehicles used to transport cultural assets. Since the beginning of the war, UNESCO has been advising Ukraine and helping to mark the cultural values of the country with the blue shield emblem. However, it should be emphasized that the absence of such a marking on the object of cultural heritage in no way affects the application of the norms of international

time, one should understand that none of the international organizations guarantees the protection of cultural heritage from damage (Radio and Culture, 2023). The main value of these organizations is that they accumulate world experience and are already training specialists in Ukraine who will be able to correctly and timely respond to damage to cultural objects.

Public activists, local and central authorities are looking for different ways to preserve cultural values: they attract support from international organizations, build protective structures and evacuate moving monuments to safer places. However, due to hostilities, the occupation of some territories since 2014, and missile attacks by the aggressor country, no measures guarantee the preservation of the monuments.

Before the full-scale invasion, the UNESCO list included seven names, taking into account not only architectural objects, but also natural ones such as the forests of the Carpathians. Now there are eight of them – on January 25, 2023, UNESCO added the historical center of Odessa to the list of World Heritage, and immediately – to the list of objects under threat. However, this did not prevent Russia from shelling the city center and destroying the same sights. After the July 2023 missile attack, experts documented the destruction of 55 cultural heritage sites in Odessa, including the Transfiguration Cathedral, and in November, the Odessa Art Museum was damaged. Similarly, in 2015, Islamic State militants destroyed historic artifacts at a UNESCO world heritage site in Iraq with assault guns and sledgehammers, vowing to carry on their rampage against the nation's millennium-old history. Hatra's UNESCO World Heritage Site has been destroyed, according to an ISIS film (Isakhan & Meskell, 2019). Bearing in mind these events, a concern arises whether UNESCO is effective in protection of cultural heritage or one can talk only about its potential in restoration, and what is the overall role of international organizations in preserving cultural heritage, in particular in Ukraine during the current war.

2. Literature Review

Half a century has passed since the UNESCO General Conference adopted the Convention concerning the Protection of the World Cultural and Natural Heritage. The number of World Heritage sites is increasing every year: as of 2018 alone, the World Heritage List included 1092 sites (845 cultural heritage, 209 natural, 38 mixed) (Mekonnen et al., 2022). The annual number of nominated properties has also increased between 1972 and 2018.

To achieve representativeness, balance, and reliability of the List, since 2018, limits have been introduced on the number of nominations considered per year (45) and on the number of nominated properties per year per Member State (1) (Powers, 2020). Despite the restrictions introduced and the increased requirements for nomination documentation, the duration and cost of the nomination process, the States Parties to the Convention are actively promoting heritage sites on the World Heritage List: there is often a kind of "queuing" of cultural and natural heritage sites for admission to nomination, and an increase in the number of sites, with UNESCO World Heritage status, becomes a priority for long-term cultural policy (McCafferty, 2023).

Inclusion of a site on the UNESCO World Heritage List has both advantages and disadvantages. However, research regarding the long-term impact of World Heritage status has been repeatedly conducted in the field of conservation and sustainable development of specific sites or a specific category

of sites (Meskell, 2014), identifying certain aspects (socio-economic, cultural-political) of consequences (Labadi, 2012) of inscription on the World Heritage List internationally (Blake, 2015) or at the level of a State Party to the Convention (Frowe & Matravers, 2019).

Among the identified benefits of obtaining World Heritage status, it is necessary to note, first of all, the development and strengthening of cooperation between government authorities (national, regional, local), the private sector, NGOs, and the local community, which contributes to the sustainable development of the site and its wider environment. This effect is achieved due to the complex nature of the nomination process, which requires the coordinated work of government bodies for the protection of historical and cultural monuments, research institutions, and management organizations, local governments and other actors.

By inscribing a property on the World Heritage List, it is possible to meet the interests of the various stakeholders involved in the management of the property and its wider environment. In most cases, the reconciliation of stakeholder interests occurs at the stage of preparing the nomination dossier: since 2015, the required package of documents for inscription on the World Heritage List includes a management plan for the property, which must comply with the principle of strategic planning based on stakeholder participation (Lostal & Cunliffe, 2016). It is also required for properties that were designated World Heritage sites before to 2015 to create and implement management plans. This innovation frequently sets up the framework for examining current conflicts of interest in the site management system.

The status of a World Heritage site also provides an opportunity for the national scientific, expert, and professional community to broadcast its experience in the conservation and management of World Heritage at the international level.

Undoubtedly, World Heritage sites have priority in financial support, including budgetary support (at the national and regional levels). Moreover, it is possible to attract funding from the World Heritage Fund, which provides more than $4 million annually to enable targeted assistance to World Heritage sites, with priority given to sites exposed to threats (Joy, 2020). An illustrative example is the object "Cultural landscape and archaeological finds in the Bamiyan Valley" (2003, Afghanistan). In 2001, the Buddha statues of the valley's cultural landscape were destroyed by the Taliban. In response, UNESCO allocated more than $4 million to preserve the cultural landscape. Notably, the site also received private funding: approximately $120,000 was donated to develop a 3D modeling project of the destroyed statues, whose light projection appeared in the Bamiyan Valley (Lagrange et al., 2018). Other foundations are active in partnership with UNESCO, including the Rapid Response Fund, which provides grants to support natural world heritage sites in collaboration with the UNESCO World Heritage Centre, the United Nations Foundation and Fauna & Flora International (Powers, 2020).

Moreover, the inclusion of a heritage site on the World Heritage List provides access to a global system of resources for the sustainable development and management of cultural and natural heritage (Gaman et al., 2022). The system covers both thematic periodicals, information resources and training manuals, as well as international courses and seminars on various aspects of the management and sustainable development of World Heritage, adapted to regional and national contexts. Since 2017, an annual international forum of managers of World Heritage properties has been held on the sessions of the World Heritage Committee, where there is a formal and informal exchange of best management practices between practitioners and experts from ICOMOS and ICCROM. At the same time, the status of a World Heritage site makes it possible to invite advisory missions from ICOMOS and IUCN to the site itself to receive operational recommendations.

At the same time, among shortcomings of the status of a World Heritage Site, it is necessary to note the issue of preserving objects in conditions of military conflicts and terrorist threats (Gavkalova et al., 2022). Despite international protection, heritage sites continue to be subject to destruction during international or domestic military conflicts even after receiving World Heritage status. In some situations, World Cultural Heritage sites are subject to deliberate destruction due to special political or religious significance, as happened with the sites "Old City of Aleppo" (1986, Syria), "Old City of Bosra"

(1980, Syria), "Archaeological Sites of Palmyra" (1980, Syria), "The Historic City of Timbuktu" (1988, Mali) (Joy, 2018). The destruction of these objects was motivated by the political and economic motives of terrorist groups (Starrenburg, 2018). These tragic events are evidence of the phenomenon of politicization of World Heritage with the growing ineffectiveness of international instruments for its conservation.

The main efforts to mediate legal cross-border consolidation at the regional level rest with the UN and UNESCO, as well as related committees and structures, such as ICOM, ICROM, Interpol. At this level, cross-border associations of professionals in the field of cultural heritage protection operate; their activities are to draw attention to the conflict and document it.

Namely UNESCO is currently responsible for the preservation, reconstruction, restoration of historical monuments, financing restoration work around the world, and attracting the best specialists to this.

However, there is increasing criticism concerning the effectiveness of UNESCO' efforts in protecting cultural heritage – it is about namely the very mechanism of protection. In particular, Starrenburg (2018) calls cultural heritage protection "a truly global legal problem". The public's concern over the preservation of cultural heritage from destruction and looting has grown in recent years, first as a result of the conflicts in the former Yugoslavia, Afghanistan, and Iraq, and more recently as a result of the actions of the Islamic State in Iraq and Syria and Ansar Dine in Mali. These two developments appear to be at odds with each other, and have affected international legal efforts to protect cultural heritage (Gaievska et al., 2023). However, UNESCO, the UN organization tasked with safeguarding cultural heritage, has come under growing fire from academics and civil society in addition to its member states. Recent demands for the return of items taken during the colonial era - which aren't usually aimed at UNESCO - have exacerbated these criticisms and show how dissatisfied a variety of societal actors are with the existing legal system (Skovronska et al., 2023). Therefore, even while cultural heritage law has surely led to certain positive achievements, there are a number of tendencies that raise concerns about whether the current legal framework needs to be changed.

Back in 2015 Oliver Wainwright wrote an article for The Guardian, claiming the "after 43 years of bestowing its sought-after seal on the world's most precious landscapes, to many UNESCO is beginning to seem more ineffectual than ever. The gleeful destruction of ancient sites across Syria and Iraq by Isis may have brought home quite how powerless its committees are in the face of sledgehammer-wielding religious fanatics, but its impotence can also be felt closer to home, in battles of a less visible kind" (Wainwright, 2015).

Indeed, as it was mentioned above, the inclusion of the central part of Odessa on the UNESCO heritage list did not have any impact on the protection of cultural sites located there - in particular, the Transfiguration Cathedral, the House of Scientists, etc. Even before the full-scale invasion, UNESCO monitored the situation in Crimea after its annexation by Russia. In 2021, a report published by UNESCO described serious conservation problems, illegal excavations, and human rights violations in Crimea. However, this report did not lead to any changes in the situation for these sites. Of course, the UNESCO heritage status provides additional protection of the heritage from destruction if someone wants to build a shopping center on the site of this object (Gupta, M. et al., 2021). But, as the experience of the war in Ukraine and in the previous decade in Syria shows, this status is a very weak (or even non-existent) protection against destruction during hostilities, and even vice versa - the UNESCO cultural heritage status can become an additional incentive for the enemy to destroy an object, in order to demoralize the public. Alamsyah et al. (2022) rightly assert that in the last ten years, culture has become a major focal point of warfare, serving as a source of new harm as well as a direct objective for those who seek to destroy culture in order to incite greater violence, hatred, and retaliation (Avedyan et al., 2023). Thus, the question of the actual role of international organizations in the protection and restoration of the cultural heritage of Ukraine in conditions of armed aggression is very relevant for the scientific and expert community.

3. Methods

The object of the study is international legal relations on which the current international legal regime for the protection of cultural heritage is based. The general theoretical methods of cognition used in the article are the dialectical method, analysis and synthesis, induction and deduction (Byrkovych et al., 2023). The use of general theoretical methods made it possible to scientifically define the framework of the main categories of research, identify key conceptual aspects of the research topic and outline the trajectory of further development and strengthening of the international legal regime for the protection of cultural heritage (Deyneha et al., 2016). The main applied methods of the presented research are case studies and the comparative method.

4. Results

Conventional international humanitarian law, in particular, the Hague Convention, the Protocol to the Hague Convention of 1954 (Protocol I) and the Second Protocol to the Hague Convention of 1999 (Protocol II), created a general, special, and strengthened system of cultural values protection.

According to the general system established by the Hague Convention and Protocol I (Russia and Ukraine have ratified them), participants must refrain from using cultural property in a way that could lead to their damage or destruction during armed conflict, and refrain from any attacks against these objects (Isaieva et al., 2020). An exception to this rule is urgent military necessity - for example, when cultural value is used by the opposite side of an armed conflict for military purposes.

"Urgent military necessity" is detailed in Protocol II (Ukraine ratified it), which improved the general system of protection of cultural values. In fact, a deliberate attack on a cultural property is permissible in the event that the object is used for a military purpose and, at the same time, there is no alternative to obtain the same military advantage as from such an attack (Bazaluk et al., 2023). Importantly, the other party must be forewarned of the attack. In all other cases, the party must (a) ensure that the object attacked is not a cultural property, (b) minimize the risk of accidental damage to cultural property, (c) refrain from attacks that may cause damage that would be excessive in relation to the possible concrete and direct military advantage.

The Russian Federation is not a party to Protocol II, despite UNESCO's call to Russia to ratify Protocol II. However, in any case, Russia remains bound by a number of international treaties, in particular, the Hague Convention and the Additional Protocol to the Geneva Conventions of 1949 relating to the protection of victims of international armed conflicts, 1977 (Geneva Protocol I). Geneva Protocol I prohibits attacks on civilian objects and contains obligations to prevent accidental damage to civilian objects during hostilities. In addition, Russia is bound by numerous customary norms and principles of international humanitarian law.

Actually, parties to an armed conflict are obliged to comply (Lagrange et al., 2018):
- The principle of balance between military necessity and humanity;
- The principle of distinguishing between military and civilian objects, according to which only combatants and military objects can be a legitimate target of an attack;
- The principle of proportionality - accidental damage to civilian objects cannot be excessive in relation to a possible concrete and direct military advantage.

However, the problem is the lack of mandatory norms in the field of protection of cultural heritage, the absence of enforcement mechanisms. Russia' unpunished cynical attacks on civilian cultural objects in Ukraine is clear evidence of this.

A real test of UNESCO's strength and effectiveness was the tragic events in Syria and the capture of Palmyra, which belongs to six world cultural heritage sites.

Ninety-nine WHS (56 Cultural, 33 Natural, and 1 Mixed) have been listed as World Heritage in Danger since the World Heritage List's inception in 1972 until August 2021 (Patiwael, 2022). The dynamics of WHS inscribed on the World Heritage List in Danger is presented in Figure 1.
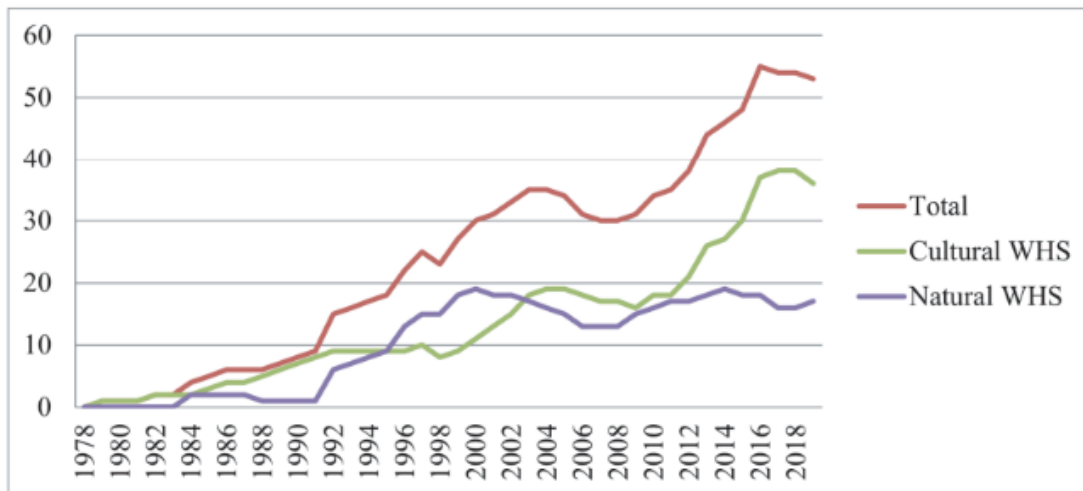
Figure 1.
WHS inscribed on the world heritage list in danger. based on UNESCO data for 2021 (Patiwael, 2022).

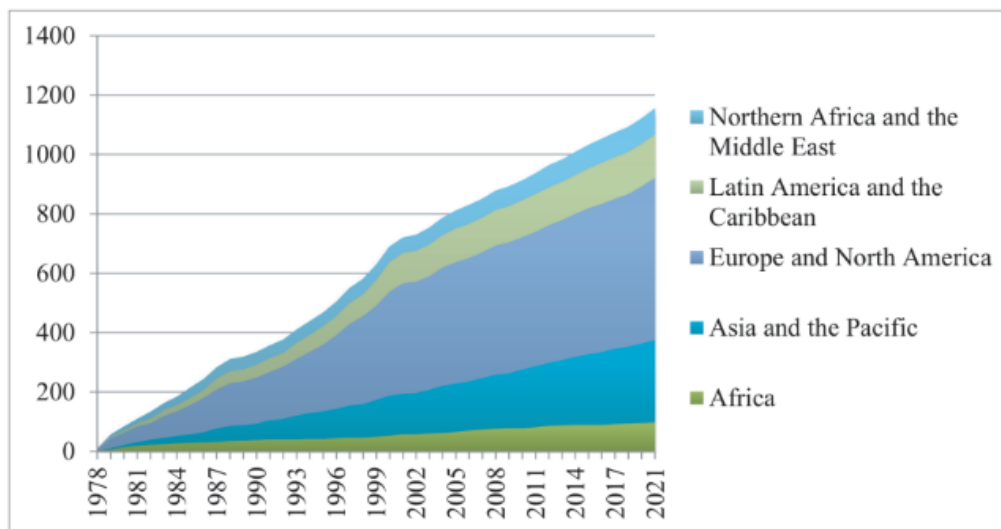Expansion of the World Heritage List by region is given in Figure 2.

Figure 2.
Expansion of the world heritage list by region. Based on UNESCO data for 2021 (Patiwael, 2022).

Dozens of new structures were added to UNESCO's World Heritage List in 2023. Furthermore, some sites were added to the List of World Heritage in Danger, such as the historic Ukrainian cities of Odesa and Lviv, as well as the Saint Sophia Cathedral and the adjacent monastic buildings in Kyiv (see Figure 3).

Figure 3.
UNESCO adding new European world heritage sites (Fleck, 2023).

When considering the role of international organizations in the protection and restoration of the cultural heritage of Ukraine in the context of armed aggression, it is very advisable to turn specifically to the example of the Syrian Arab Republic, a country that has been in a state of armed conflict and fierce fighting on its territory since 2011.

Syria is home to a huge number of archaeological sites and monuments of various ancient cultures and peoples: Assyrians, Sumerians, Hittites, Romans, Byzantines, Persians, Arabs, and many others. Also, on the territory of Syria there are a number of key monuments associated with the most important events in world history - the spread of Islam, the Arab conquests, and the Crusades (Panasiuk, I. et al., 2020). Due to its geographical location, the territory of Syria became a transit region in which mutual influence and "mixing" of cultures took place.

There are six World Heritage Sites on the territory of the Syrian Arab Republic: the fortresses of Qalat Salah el Din and Krak des Chevaliers, the Old City of Aleppo, the Old City of Damascus, the Monuments of Bosra, the Monuments of Palmyra, and the Ancient Settlements of Northern Syria.

The civil confrontation in the Syrian Arab Republic began in March 2011 with mass protests in major cities, which were accompanied by clashes between protesters and police forces, resulting in casualties. By the end of the summer of 2011, one could talk about an uprising, as a result of which the confrontation between the forces of the opposition and the government became an open armed conflict, as a result of which the danger to people and cultural heritage increased. Interestingly, the first organization to express concerns about the possible consequences of armed confrontation was the International Blue Shield Committee.

Blue Shield is an organization created in 1996, previously existing as a committee for the observance of the Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict of 1954 at the United Nations, bringing together specialists from various organizations associated with the preservation of cultural heritage and museums (Popovych et al., 2023). The organization is a volunteer international association of representatives of the academic community in

the field of history, archeology, art, and the protection of cultural and archaeological heritage (Ostapenko et al., 2023). The Blue Shield Network consists of organizations involved in museums, archives, libraries, monuments, and sites (Brosché et al., 2017).

At the outset of the conflict in Syria, the international Blue Shield Committee issued a statement on May 17, 2011, highlighting the possibility for destructive potential of armed confrontation (Bleibleh & Awad, 2020).

In a second statement on April 7, 2012, the international committee of the Blue Shield reiterated its concern about the ongoing conflict and the threat posed to cultural heritage and civilians (Kamel, 2020).

The American Blue Shield Committee issued a statement on the "Destruction of Syria's Cultural Heritage" on August 24, 2012. The statement focused on instances of militarization of World Heritage sites, comparing the Syrian crisis to the war in Yugoslavia in the 1990s. Separately, there was a provision regarding combatting the illegal trade in antiques and cultural heritage from Syria (De Cesari, 2015).

The warnings issued by the International Blue Shield Committee reflected the concerns of the Western professional community about the potential threat to civilians and cultural heritage (Zharovska et al., 2023). The next step was the creation in the West of information platforms to attract public attention to the problem of the destruction of cultural heritage in the context of armed confrontation on the territory of the Syrian Arab Republic.

The Association for Protection Syrian Archeology (APSA) was founded by a teacher at the University of Strasbourg, Ali Schakemus (PhD in Middle Eastern Archeology) in 2011. The association also includes a number of teachers from the University of Strasbourg, journalists, and civil activists. The association's stated goal is to document the destruction of archaeological heritage sites in Syria. The Association began to carry out its activities on the information platforms of the social network Facebook and the YouTube video service in 2012 (Munawar, 2021).

Subsequently, an Internet portal was created on which information about damage was grouped by territorial basis. The Association's Facebook community was created in 2012, and the first post in the community about the bombing of Sheikh Amnes is dated October 30, 2012. The first video on the issue of protecting cultural heritage, marked with the Association's watermark, dates back to August 20, 2012 (McCafferty, 2023). It is dedicated to the occupation of the museum in the city of Maara by Free Syrian Army rebels. Since that time, videos began to appear on the channel, dedicated exclusively to the problems of destruction of cultural heritage and drawing attention to this phenomenon.

UNESCO then Director-General Irina Bokova, in an address to the parties to the armed conflict in the Syrian Arab Republic on July 30, 2012, called on the parties to the armed conflict not to use objects of historical or cultural value for military purposes. She expressed particular concern about the old city of Aleppo, which, due to its strategic importance, could become the site of heavy fighting (Isakhan & Meskell, 2019).

The World Heritage Committee decided to include all six Syrian World Heritage Sites on the List of World Heritage in Danger at the 37th session of the World Heritage Committee held in Phnom Penh, Cambodia on 16-27 June 2013 (Kamel, 2020).

The next step to attract the attention of the public and trade, customs and police authorities was the Red Sheet, released with the support of UNESCO and ICOM (Lostal & Cunliffe, 2016). The press release for the publication of the Red Sheet was made in Paris, at the Louvre on September 23, 2013. The official presentation of the Red Sheet was held on September 25, 2013 at the Metropolitan Museum of Art in New York. In addition to listing certain artifacts taken from Syrian museums, the Red List of Stolen Cultural Property in Syria gives a general summary of the situation involving cultural property that has arisen as a result of the civil war.

The declared purpose of the Red Sheet is to provide the authorities with a tool in the search for stolen cultural heritage objects (Kovaliv et al., 2023). Red sheets only include items that have been reported stolen and have a description that can be used to identify them. Each Red List, depending on the specifics covered in it, provides descriptions of the general cultural and criminal context and

recommendations for combating illicit trafficking in cultural property. Specifically, treasures at museums must be given unique identifiers (ID objects). Interpol, on the other hand, lists the Red Lists as a source of updated data regarding pilfered items.

Attracting public attention and providing Interpol and national law enforcement agencies with information is a necessary condition for combating illicit trafficking in cultural heritage, but these measures are preventive in nature.

The Free Syrian Army, being a disparate (network) entity, represented an unusual structure for international legislation in the field of cultural heritage protection. In such conditions, normative attempts at regulation give way to direct or indirect contacts between members of the professional community and combatants (Gupta, S.K., et al., 2024). The purpose of this interaction is to correct the behavior of the parties to the conflict in relation to cultural heritage sites. Such an attempt includes the actions of the English Blue Shield Committee and the non-governmental organization Heritage for Peace.

The creation of informal connections between the combatants and the professional community of its most active members was supposed to be used as a tool for preserving cultural heritage (Panasiuk, O. et al., 2021). Heritage for Peace declares this tool to be fundamental in its activities. This international organization, founded in 2013 in Girona (Spain), aims to promote peaceful transit through cultural heritage conservation programs. It includes specialists in ethnic conflicts, intercultural communication, and political settlement.

The organization sets itself the task of forming a volunteer corps, as well as popularizing information about cultural heritage sites and knowledge on their restoration (Vinichuk et al., 2023). The main platform for disseminating this information is the organization's website.

The creation of such an organization and landscape seems appropriate in Ukraine.

ISIS's actions were unanimously criticized by the general public and the professional community. A non-military response to the destruction was the initiation of a number of projects related to the dissemination of information about Palmyra and conveying to the general public the importance of this World Heritage site through the creation of films and thematic exhibitions. Another direction was the creation of virtual models of both entire archaeological landscapes and individual objects. The main method for creating 3D models was the way of integrating photographs of the monument from different angles into a single three-dimensional model (Khomiuk et al., 2020). The creation of models was made possible thanks to international and transnational cooperation of private and government initiatives in this area.

It is surprising why this valuable experience is not used in Ukraine today.

The special ANQA project, launched in June 2015 with the participation of CyArk and ICOMOS, was created for the urgent documentation of cultural heritage in high-risk regions, i.e., in the Middle East and North Africa. The initiative is designed to train teams of international specialists, in collaboration with local experts, to document cultural heritage sites in 3D before they are damaged or completely destroyed. Yale University's Institute for the Preservation of Cultural Heritage (IPCH) joined the project in late 2015, participating in the gradual creation of an open database of scanned objects. The Institute organized a working group of graduate students from the departments of art history, architecture, Assyriology, and computer science to collaborate on a list of historical sites included in the ANQA project in Syria and Iraq, digitize photographs, plans and other relevant documentation, and make the materials publicly available. The ANQA team began documenting the conflict region by creating a virtual model of the Ziggurat of Ur (dating around 2100 BC), located in Iraq, in the former Mesopotamia (Kamel, 2020).

The interim result of legislative activity at the international level for the protection of cultural heritage in the context of the civil war in Syria was a resolution of the UN Security Council, adopted in close cooperation with UNESCO. Resolution 2347 (2017) on the protection of cultural heritage was adopted by the Security Council at its 7907th meeting on March 24, 2017 (Miznazi, 2023). The resolution notes the special role of non-state actors, especially terrorist groups, in generating damage to

cultural heritage through predatory excavations, targeted encroachments and illicit trade, including via the Internet.

The resolution recommends and calls on participating states to cooperate in efforts in the field of customs regulation, strengthen supervision over the trade in antiquities on their territory, and create special units within supervisory departments that, in close cooperation with museums, will develop and implement the necessary measures to combat illegal trade.

The importance of coordinating cultural institutions and organizations capable of carrying out mine clearance, including cultural heritage sites, is separately noted.

The resolution also notes that in some cases, attacks on cultural heritage sites constitute a form of war crime, as evidenced by the recent decision of the International Criminal Court, which convicted for the deliberate destruction of cultural heritage sites (Timbuktu).

In general, the resolution summarizes previously voiced calls and wishes to the participating countries, bringing them together in a single document. The resolution focuses on positive rather than normative measures to protect heritage (Kussainov et al., 2023). This shift reflects changes in international relations caused by the emergence of non-state actors who deny the norms of international humanitarian law, which must be counteracted directly through economic, cultural, and military levers of influence.

The war in Ukraine has shown that not only non-state, but also state actors represented by the Russian Federation in fact deny the norms of international humanitarian law, therefore the mechanisms described above seem very appropriate for use in Ukraine.

Differences in financial, organizational, and structural capabilities leave an imprint on the activities of organizations. Professional networks such as APSA, Heritage for Peace, and Blue Shield emerged early in the crisis by quickly documenting and monitoring the destruction and attempting to create cultural heritage protection guidelines for combatants (Klymenko et al., 2016). The advisory activities of these organizations are aimed primarily at the rebel forces, since they do not have special structures like the General Directorate for Museums and Antiquities of the Syrian Republic. Monitoring activities boil down to generating news reports about cases of destruction and encroachment on heritage sites (Kondur et al. 2024). News reports only partially reflect the problem of destruction, and do not give a holistic picture of the scale. Therefore, satellite photo documentation was in demand to obtain information about the damage.

The ability to obtain current and archived versions of satellite images is available only to financially secure organizations. Researchers from the American School of Oriental Research and the United Nations Research University have succeeded in this matter. Thanks to these photographs, it became clear not only the scale of the looting, but also its dynamics in the changing military-political landscape (Litvinova et al., 2020). Potentially, the results of satellite documentation can be useful in sharing with other developments in virtual reconstruction and liquidation of the consequences of war.

UNESCO's activities lay in the area of consolidating efforts around Syria by educating the security and customs authorities of countries bordering Syria regarding international law, namely the protection and illicit trade of cultural property. UNESCO's main objective during the initial period of the conflict was to keep the artifacts inside Syria by drawing the attention of the competent authorities to the importance of the problem.

Another of UNESCO's activities has been to raise awareness of the cultural heritage crisis by creating and distributing brochures, videos, holding exhibitions, and listing six Syrian World Heritage Sites as Monuments in Danger. Also, the UN Security Council and the UNESCO Assembly adopted a number of regulations aimed at prohibiting the trade in antiquities originating from Syria after March 2011.

In general, activities to preserve cultural heritage in conditions of armed conflict have three levels of implementation: the international, or rather supranational level, the level of interstate interaction, and the national level.

However, it should be understood that UNESCO is a purely humanitarian organization. Namely the system of international law was and remains the only effective tool for the protection of cultural heritage on the part of UNESCO. The World Heritage List is a recognition of the unique value of a certain object (Ortina et al., 2023). Therefore, evidence of damage to world heritage sites can be a vivid reinforcement of the accusations that will eventually be brought against the aggressor state, which violates the norms of international law not only in the field of culture.

Ukraine's election to the World Heritage Committee in November 2023 is seen as another opportunity to involve UNESCO's mechanisms for the protection of Ukrainian cultural heritage. This outstanding event took place for the first time since country's membership in UNESCO and shows a high degree of trust and respect on the part of the world community.

5. Discussion

Majorly damaged sites are almost always added to the danger list rather than being taken down completely - an extreme measure that has only been used for two sites in the history of the list. Occasionally locations are added to the list even after suffering significant damage. In 2003, the location of the Taliban's 2001 demolition of two Buddha statues in Afghanistan was added as "testimony to the tragic destruction".

Currently, in the context of ongoing military operations in Ukraine, it is difficult to take decisive measures to restore what was lost, but it is extremely necessary to analyze the condition of cultural monuments (Tsymbaliuk et al., 2023). To do this, it is necessary to connect all available information sources, including the local population, war correspondents, the capabilities of international humanitarian missions, etc. All this will make it possible to create the so-called "White Book" of the war, in which it would be possible to gradually collect in chronological order all the information about the destruction of cultural heritage.

Special attention should also be paid to raising awareness.

External training programs on the protection of cultural values in the conditions of armed conflict are provided by the UN, NATO, the Training Institute for Peacekeeping Operations for the Protection of Cultural Values in cooperation with UNESCO. The UNESCO Secretariat defines as a best practice the systematic theoretical and practical training on the protection of cultural values in the context of armed conflict for members of the armed forces, taking into account their ranks and duties.

In 2023, the Ukrainian military for the first time joined the American program of training officers for the protection of cultural heritage (Maksymenko et al., 2020). The event was organized by the joint efforts of the Smithsonian Cultural Rescue Initiative and the Civil Affairs and Psychological Operations Command of the US Army Reserve.

For Ukraine, in the context of the challenges of preserving cultural heritage in the course of Russian aggression and possible different scenarios of de-occupation of territories, including military ones, it is important to intensify the Ukrainian side in the relevant international military training programs. One of the priority directions may be cooperation between Ukraine and NATO in the protection of cultural heritage in the conditions of armed conflicts.

Appointment of persons or creation of special services in the armed forces for the protection of cultural values (Article 7 of the Convention) is an important element. Lack of resources and awareness is a common obstacle to the creation of a special unit for the protection of cultural values in the national armed forces of countries participating in the Convention. A special unit for the protection of cultural values in the national armed forces was created, in particular, in Great Britain, the USA, and Austria.

The creation of special units for the protection of cultural values in the Armed Forces of Ukraine will contribute to both the further implementation of the Convention and decreasing the scale of threats to the preservation of the cultural heritage of Ukraine in the conditions of Russian aggression.

In the context of funding cultural heritage restoration initiatives in Syria, the project's financial structure plays a crucial role in both assessing the project's impact and yielding useful outcomes. In Syria, public funds are typically utilized to fund heritage initiatives. Heritage projects are more

successful when they offer additional opportunities for private participation as an alternative to public funding (Zalyubovskii et al., 2024). This is because, despite the widespread recognition of the need for cultural heritage restoration projects, public financial resources for heritage activities are frequently limited. Budget constraints are a need in any nation, area, or city, but this is particularly true in less developed nations or regions. As a result, both public and private alternative financial instruments must be taken into account (Zilinska et al., 2022). Because it is still unclear how cultural projects relate to local or regional development, especially in terms of promoting tourism, banks and other financial institutions are hesitant to sponsor historical protection initiatives (Shamne et al., 2019). Because of this, banks and other global financial organizations have mostly concentrated their funding efforts on initiatives that hasten social and economic advancement, so long as they satisfy their technical, institutional, financial, and environmental requirements (Powers, 2020).

A common approach to project planning is to look at the value chain that links the entire project idea to the local economic activity around it. Following this approach, for Ukraine it is necessary to explore alternative funding models for funding heritage project activities (Shavarskyi et al., 2023). There are financing gaps throughout the value chain that place investments in investment stories, sometimes entirely, in public funds. However, with tight budget constraints, funding public finance projects becomes extremely difficult task and there is a clear need for financial innovation and the use of new financial instruments in a heritage project that attracts private sector funding (Chomous et al., 2023). The heritage sector offers unrivaled potential for partnerships. In actuality, public-private partnerships are still relatively new in the cultural sector, and many nations do not yet have the necessary laws or administrative frameworks in place to permit their use in heritage projects (Vorobei et al., 2021). Nevertheless, public-private partnerships have the potential to bridge the funding gap for government agencies and present lucrative investment opportunities for the private sector. However, in order to facilitate opportunities for capacity development, knowledge and best practice transfer, and local community stimulation of entrepreneurship, legal, institutional, policy, and administrative conditions must be developed (Yermachenko et al., 2023). Based on empirical evidence, well-crafted public-private partnerships enable the public sector to engage in the implementation of its own policies, procedures, and financial resources, while also enabling the private sector to draw in technical and financial resources as well as management expertise and know-how (Mekonnen et al., 2022).

As for sources, government funding, of course, is the first and main source of funding for projects in the field of restoration of cultural heritage. National and local funding opportunities often correlate with economic conditions at the national or local level. With the wide range of possible mechanisms, it is impossible to deal with them in detail. It is necessary to highlight the importance of government funding sources in each country as one of the leading sources of funding. Additionally, only with the active assistance of local or national government is international funding feasible. It should also be highlighted that operation and maintenance expenses need to be carefully taken into account during the planning stage because they can put a significant strain on local and national budgets over time. Therefore, money for expenditures is more likely to come from regional or local sources, even though investment assistance for cultural projects may come from national or even international sources.

Although most heritage projects come from national or local sources, private participation is also important. Heritage conservation is largely considered to be a purely public matter. But this attitude deprives the heritage sector of a very large amount of private sector funding that can complement or even replace public funds. In addition, there are European sources of funding for heritage projects in European Union member states, although some resources are available for candidate countries and neighboring countries.

Lastly, a heritage project's funding approach is intrinsically tied to its financial viability. The way historical projects are designed will determine whether or not they are successfully financed in Ukraine. It is obvious that models for conservation need to be created, ones that can get stronger with time and become self-sufficient. The complete backing of the community and heritage sites owners will be necessary for this.

6. Conclusions

Monuments of the past concentrate valuable knowledge about the traditions and ways of life of many generations of people, and therefore the world community is responsible for preserving these sources of information in order to pass them on to future generations. The preservation of globally significant cultural heritage found on the territory of a single country should be a direct area of interest for the entire world community, because the implementation of the Sustainable Development Concept lies, in particular, in creating conditions for the transfer of cultural heritage to future generations.

Cultural heritage restoration projects in Ukraine will have a better chance of success if they encourage cooperation between the public and private sectors in the financing and implementation of conservation projects. This can necessitate the public sector making modifications to laws and rules as well as making institutional roles and duties regarding heritage conservation clearer. Developing precise norms and guidelines pertinent to the preservation of cultural assets will also be necessary. Heritage criteria can be easily incorporated into environmental impact assessment processes that cities use to approve development projects. For the initiative to improve the environment, for the private sector, it needed to supply financial, technical, and other contributions. Private sector organizations may want to take into consideration the project's design as well as the gathering of background data.

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