

**RECOMMENDATION 80/2004\***  
**on “Preservation and Enhancement of Cultural Heritage of the BSEC Member States”**

1. The Parliamentary Assembly of the Organisation of the Black Sea Economic Cooperation considers that contemporary civilisation and its further development rest upon, among other elements, the cultural traditions of the peoples. Cultural property is the product and witness of the different traditions and of spiritual achievements of the past and thus the essential element in the personality of the peoples.
2. The Assembly notes that the extremely rich cultural heritage of the Black Sea region, is directly threatened by decay, demolition or disinterest because of the lack of appropriate legislation and its implementation, as well as because of inadequate resources for conservation and repair.
3. The Assembly expresses serious concern that the cultural heritage is increasingly threatened with destruction not only by the traditional causes of decay, but also by changing social and economic conditions which aggravate the situation with even more formidable phenomena of damage or destruction.
4. At the same time the Parliamentary Assembly underlines that intentional destruction of cultural heritage belonging to any people, in cases of political tension between the states or armed conflicts, means damage to the cultural heritage of all mankind, since each people makes contribution to the culture of the world.
5. The Assembly considers that deterioration or disappearance of any item of the cultural heritage constitutes a harmful impoverishment of the heritage of all the nations of the world and reaffirms its firm stand that the cultural heritage needs to be preserved as a part of the world heritage.
6. In this respect, the Parliamentary Assembly shares the principles enshrined in the main international legal instruments in the field of protection of cultural heritage: the UNESCO Convention concerning the Protection of the World Cultural and Natural

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\* *Rapporteur: Mr. Shaitdin Aliyev, member of the Committee (Azerbaijan).*

*The Assembly debate on 25 November 2004 (see Doc. GA24/CC23/ REP/04 – Report on “Preservation and Enhancement of Cultural Heritage of the BSEC Member States” discussed by the Cultural, Educational and Social Affairs Committee at its Twenty Third Meeting in Chisinau on 29 September 2004; Rapporteur: Mr. Volodymyr Anishchuk - Ukraine).*

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Heritage (Paris 1972); the European Cultural Convention of the Council of Europe (Paris, 1954); the Convention for the Protection of the Architectural Heritage of Europe of the Council of Europe (Granada, 1985); the European Convention on the Protection of the Archaeological Heritage of the Council of Europe (Valetta, 1992); the UNESCO Convention on the Means of Prohibiting Illicit Import, Export and Transfer of Cultural Property (Paris, 1970); the European Convention on Offences relating to Cultural Property (Delphi, 1985); UNESCO Convention for the Protection of the Cultural Property in the Event of Armed Conflict (the Hague, 14 May 1954).

7. The Assembly fully recognises the difficulties faced by the administrations involved and underlines that following the collapse of totalitarianism, new legislation, structures and policies have to be developed for the protection of the cultural heritage. Within this framework the Assembly recalls its Recommendations: *16/1994 on Protection of Cultural Heritage of the PABSEC Member Countries* and *18/1996 on the Guidelines for the Programme of the Protection of the Cultural Heritage in the Black Sea Region*, stressing the imperative need for comprehensive legal, economic and social actions with a view of preserving the cultural heritage of the region.
8. The Assembly recalls also that the issue of bilateral and multilateral cooperation among the BSEC member states for the protection and enhancement of cultural heritage in the region lies within the scope of the 1993 *Black Sea Convention on Cooperation in the Fields of Culture, Education, Science and Information*.
9. Realising that today the cultural heritage is also a factor of development, the Assembly recalls its *Recommendation 70/2003 on the Role of Culture in the Development of the BSEC Region*, which reaffirms that because of its socio-economic dimension, preservation of the cultural heritage is an essential resource capable to contribute significantly to job creation and to improving the quality of life of people and ensuring sustainable development.
10. The Parliamentary Assembly welcomes adoption by the PABSEC Member Countries of relevant legislation and establishment of institutional framework, and at the same time emphasises that further legislative work is necessary to fill the gaps in preservation and enhancement of cultural heritage.
11. **Therefore, the Parliamentary Assembly recommends** the Parliaments and Governments of the BSEC Member States:
  - i. to enact* or amend the existing legislation in order to ensure that no gaps or loopholes are left in legislation regarding the protection and enhancement of national cultural heritage;
  - ii. to harmonise*, whenever necessary, national legislation in the field of cultural heritage protection with international and European standards, as well as to join, if do not accessed yet, to the universally recognised international conventions and agreements in the field of protection of cultural heritage;

- iii.* **to develop** institutional framework dealing with the preservation of national cultural heritage which will work out comprehensive national programs on protection and enhancement of cultural heritage, evaluating the cultural heritage at risk, preparing and monitoring plans for protection, conservation and repair;
- iv.* **to ensure** that adequate budgets are available for the salvage and preservation of cultural property taking into consideration the fact that the cultural heritage is considered to be one of the major resources for future sustainable development;
- v.* **to take** appropriate steps and legislative measures to protect in advance the cultural property from natural disasters: earthquakes, floods, fires, etc., determining the probability of an event, evaluating vulnerability, assessing the risk and taking preventive and protective actions to minimise or eliminate vulnerability or risk;
- vi.* **to pass** legislation concerning museums, archives and libraries for better preservation of their objects;
- vii.* **to enact** necessary legislative measures to ensure the preservation of cultural property endangered by industrial development and urbanisation;
- viii.* **to refrain** from the politisation of the cultural sector and to abstain from using cultural values and property for political ends;
- ix.* **to ensure** the preservation of the cultural monuments of the national minorities, cooperating to this end with the countries concerned;
- x.* **to take** appropriate measures, when involved in an armed conflict, not to damage cultural heritage, in conformity with customary international law, the principles of international agreements and UNESCO recommendations concerning the protection of heritage during the hostilities;
- xi.* **to take** urgent measures to stop the illicit traffic of movable art objects, in particular, by criminal elements operating in the background of the international art market, who are depriving their countries of an incalculable richness for little immediate return;
- xii.* **to develop** sustainable cultural tourism as a factor for economic, social and cultural development. At the same time to establish general frameworks for managing the sensitive relationship between tourism and cultural heritage in order to safeguard the heritage and to restrict excessive tourist access which can damage the monuments;
- xiii.* **to give** protection to the architectural heritage of the twentieth century by including buildings or artifacts among lists of items to be protected or areas designated for conservation. To supplement the existing legislation by specific

measures where the recent heritage is not protected, or is inadequately protected;

- xiv. ***to develop*** greater cooperation among the national institutions and government departments concerned with the management of cultural property of the PABSEC member states, as well as with international and European organisations, encouraging joint research, mutual technical assistance, exchange of experts and experience in the field;
- xv. ***to repatriate*** monuments or their parts that have been violently and/or illegally been taken;
- xvi. ***to inscribe*** on the monuments the complete and accurate details of their identity;
- xvii. ***to equally protect*** all monuments, regardless of their links to particular historic moments of each countries;
- xviii. ***to refrain*** from archeological excavations on the temporarily occupied territories of the states;
- xix. ***to take*** necessary measures for preservation and protection of cultural monuments included in the World Heritage List of UNESCO.

12. **The Parliamentary Assembly** invites the BSEC Council of Ministers of Foreign Affairs to consider this Recommendation.