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**THE FOURTH SESSION OF THE GENERAL ASSEMBLY
CULTURAL, EDUCATIONAL AND SOCIAL AFFAIRS COMMITTEE**

REPORT

ON

**“PRESERVATION AND ENHANCEMENT OF CULTURAL HERITAGE OF
THE BSEC MEMBER STATES”**

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I. INTRODUCTION

1. Since the very beginning of its activities the Parliamentary Assembly of the Organisation of the Black Sea Economic Cooperation has been attaching particular attention to the protection and enhancement of the cultural heritage in the region. The Third and Seventh Meetings of the Cultural, Educational and Social Affairs Committee discussed the subjects of “Protection of the Cultural Heritage of the PABSEC Member Countries” and “Guidelines for the Program of the Protection of the Cultural Heritage in the Black Sea Region” and adopted corresponding recommendations 6/1994 and 18/1996.
2. To value the cultural heritage and to care for it as a treasure bequeathed to us by our ancestors, as well as to transmit it as wholly as possible to our children, is our duty. The Parliamentary Assembly of the Organisation of the Black Sea Economic Cooperation must therefore encourage each member state to become actively involved in the conservation and enhancement of their cultural heritage which is at the same time the heritage of all humanity.
3. It should be recalled that this issue lies within the scope of the Black Sea Convention on Cooperation in the Fields of Culture, Education, Science and Information of 1993.
4. Since the subject continues to be actual for the BSEC Member States, the Twenty Second Meeting of the Cultural, Educational and Social Affairs Committee, held in Yerevan on 24 March 2004 decided to take up the subject of “Preservation and Enhancement of Cultural Heritage of the BSEC Member States” as the main item of the agenda of the Twenty Third Meeting in Chisinau on 29-30 September 2004.
5. Contribution for the Report and Recommendation has been received from the national delegation of Bulgaria. Reference materials used for the preparation of the Report were obtained by the International Secretariat mainly through the Internet from the web-sites of international organisations dealing with the issue, particularly UNESCO, ICOMOS, etc.

II. CULTURAL HERITAGE OF THE BLACK SEA REGION: TRENDS, THREATS AND RISKS

6. The Black Sea geo-cultural region, bridging Europe and Asia, at the cross-roads of many civilisations and cultures, is an example of a culturally diversified area, characterised by a variety of historical roots, traditions and religions. The ancient and very rich cultural heritage of the Black Sea region refers to monuments, groups of buildings and sites with historical, aesthetic, archaeological, scientific, ethnological or anthropological value. It is expressed in many different forms, both **tangible** (monuments, landscapes, objects) and **intangible** (the performing arts, music, languages, know how, etc.).
7. Many monuments from this area are inscribed on the **World Heritage List** which is continuing to be enriched regularly by the World Heritage Committee.

8. The majority of the BSEC member states are facing the difficult consequences of protracted transition to the market economy and democracy, as the whole region undergoes a painful and multiple process of transformation and restructuring. At present, these countries remain devastated by the lasting economic crisis, but are seeking ways for revival: cultural heritage is considered to be one of the major resources for future sustainable development. However, for a number of reasons, this process is slow. The major among these are the extremely **scanty financial resources**, as well as a lack of necessary skills in cultural-heritage conservation planning and management. In addition, officials and the public are unaware of the acuteness of the problem, or of the potential significance of cultural heritage for the socio-economic development of the country. Consequently, and without exaggeration, it can be stated that the entire cultural heritage of the transition countries is endangered at present.

In Albania after 1990 state funds allocated for the restoration of the monuments of culture were negligible. Consequently, for the past 10 years, for example, the ensemble of Korça Bazaar, which has been placed under state protection as a monumental trade complex, has been neglected in terms of restoration and preservation. This means that nowadays the condition of the complex has deteriorated and the damage suffered by it, due to lack of restoration work, may be irreversible. A further deterioration of the ensemble might be harmful not only to Albanian cultural heritage, but also to that of the Balkans.

The Ibrahim Pasha Mosque in the town of Razgrad, north-eastern Bulgaria, was built in 1614. It is one of the most remarkable examples of Islamic architecture in Bulgarian territory, exhibiting high historical, architectural and artistic merit. It was proclaimed a monument of national importance. Initial preservation works have been carried out, but were discontinued due to the lack of finance.

A significant part - virtually every tenth monument in Ukraine - is in an unsuitable technical condition and some of them are even in a state of devastation. More than 200 architectural monuments of national importance (approximately 10%) require urgent work in order to avert destruction, as well as basic conservation work. The existing unsatisfactory state of architectural and urban monuments, especially those that are used by budget-funded offices and institutions, is the result of cuts in the financing of restoration work by the State (seven times from 1995 to 2000).

9. Besides the financial constrains, the types of threats to the cultural and historical monuments are very diverse. On the one hand, humankind's built historic heritage has always been threatened by **natural disasters**: by the consequences of earthquakes, floods and fires, etc.

The church of Saint Astvatsatsin (Virgin), known also as Saint Mariam, dated V-VI centuries, located in Artik in the Republic of Armenia represents an architectural monument which suffered during its existence from natural calamities: earthquakes (the monument is found in the high seismic zone), winds, high level of underground waters etc. The situation has especially deteriorated because of the earthquake of Spitak in December 1988. Because of the above mentioned reasons, as well as human

made damages, the monument is in a decayed situation with numerous and expanding cracks, bent walls, stones fallen from mortar, settling of basements, and deformation of the structural system. If the monument continues to decay without any urgent restoration, in some years it will be lost forever from the history of Armenian architecture.

The set of Rock Chapels at Ivanovo village in Bulgaria, declared a cultural monument of national importance and in 1979 inscribed on the World Heritage List (No. 45) includes monasteries, churches, chapels and monks' cells, situated in reworked natural cavities in rock massifs. Especially valuable are the wall paintings that have been preserved to a different extent in five of the churches. The ensemble dates back to the Middle Ages - 8th and 9th centuries. Throughout the ages the ensemble has suffered continuous damage under the destructive effect of the environment. Severe problems are evident at present. The wall paintings are partially damaged by the destructive effect of the environment and human wrongdoing, and through partial destruction of the rock massif.

10. On the other hand, the cultural heritage is threatened by **human-made** disasters. Human made disasters include consequences of pollution of air, water and land - including the pollution-linked destruction of monuments of metal and stone, which in some cases have deteriorated faster in the last decades than they have in previous centuries. The rapid **development**, taking place under the pressures of world population growth and progressive industrialisation, leads to ever-greater consumption of land - destroying not only archaeological evidence under the earth but entire historic cultural landscapes.

Vernacular architecture in Albania has a unique value and constitutes an authentic testimony of European cultural heritage. Taking into account the fragility of the material and the techniques of rural habitations, their age, and the way in which their owners have tended to transform and adapt them to cope with new living conditions, these monuments are at risk of becoming either totally altered or destroyed.

Tbilisi Historic District is endangered due to socio-economic changes and development pressure, directly linked with the lack of specific skills in the field. Nomination of the Tbilisi Historic District for inscription on the UNESCO World Heritage List in December 1999 testifies to the recognition of its significance. But at present there is no adequate conservation strategy or policy, nor is there a conservation and management plan.

Urban development in the towns of Greece, mainly sea ports, was based on urban plans respecting the surviving historic buildings and monuments. Athens was a separate case. Its original urban plans were repeatedly altered as a result of economic pressure. New industries were established in and around Athens and in some other major cities. That proved rather destructive for the architectural heritage. Entire building areas of the center of the city were replaced by contemporary apartment blocks. In more advanced areas historic towns and villages are threatened with various factors connected with development.

11. Besides the very wide range of daily threats to the cultural heritage, **wars and ethnic confrontations** are still leading to tremendous losses. There is an obvious and urgent need of inspection and recording the state of heritage currently in conflict zones, which is threatened or neglected because of conflict. Armed conflicts cost thousands of lives, not to mention the resulting political and economic weakness and moral and cultural damage. Here the cultural heritage falls victim to the ever-present ethnic and political confrontation.
12. In some cases, however, not only are the financial resources unavailable to protect the cultural heritage, but the **political will** is also missing. This is demonstrated, for instance, by the absence of a state preservation organisation with appropriate experts, by the lack of preservation laws, or by legal statutes that exist but are not put to use. The continuous loss of the historic heritage is pre-programmed if there is not a certain amount of public-sector protection in the interest of the general public.

The ancient city of Avan-Arinj is dated II-I centuries B.C. and located on the territory of Yerevan in Armenia. That archaeological monument represents the missing before ancient link in the chronological cycle of the development of Yerevan. But the missing political will and connivance of the authorities, accompanied by earth-moving works, robbery, laying out kitchen-gardens on the territory of the monument by the population living nearby, brought the monument to a miserable condition.

13. Looting archaeological sites, stealing artworks from museums and ethnological objects from rural areas is another threat to the cultural heritage. Without sufficient protection, the criminal elements operating in the background of the international art market continue to develop. Many archaeological sites are still plundered by **illegal excavations**, and the **illicit traffic** of works of art represents a continuous loss of cultural goods that, from a preservation perspective, should be preserved in their original context. Not only paintings, sculptures and artefacts from cultural sites are being decimated through this theft, but art monuments are actually being destroyed in order to gain fragments for the market.

In 1992, archaeological items of great value, two marble tombstones and the capital of a column were illicitly removed from a site in Anavarza in Turkey. In November 1992, seventeen ancient manuscripts in Arabic were taken from a public library in Amasya Beyazit in Turkey. In September 1992, thieves stole several icons and a Bible from a church in Siatista in Greece. An estimated three hundred and eighty-five icons were stolen from Bulgaria during the same period. This list can be continued.

14. In some countries the **tourism industry** apparently provides the only reason to protect monuments, at least as sightseeing objects. A community-based soft tourism naturally would have its positive effect on preservation. But mass tourism, to which entire cultural landscapes have fallen victim over the last decades, today still represents a danger. It remains a disappointment that, despite the many assurances at countless conferences on the theme of tourism and preservation, there is a lack of commitment by the tourism industry, which by now with its sales in the billions is the most important branch of industry world-wide. The tourism industry exploits the cultural heritage through over-use which is sometimes ruinous, but does not render

any serious financial contribution to the protection and preservation of the cultural heritage.

In March 2002, ICOMOS (International Council on Monuments and Sites) Romania prepared a report in response to the threat of the construction of a theme park (Dracula Park) in the vicinity of the World Heritage listed City of Sighisoara, as a part of the Special Tourist Development Programme of the Sighisoara Area (STDPSA) initiated by the Romanian Government. The park creation was seen as a complementary action to the prime objective of the STDPSA, of the “rehabilitation and revitalisation of the City of Sighisoara, a World Heritage Site, and the establishment in that area of an exclusive tourist and cultural area”. The ICOMOS report expressed a great deal of concern as no legal provision concerning the protection of the architectural heritage was respected in the implementation of the STDPSA, even though it involved a World Heritage Site (WHS).

Archaeological sites in Turkey are suffering from tourism. Encroachment of tourist facilities and holiday villages near or on archaeological sites is a pressing issue on the western and southern coasts of Turkey. The visual pollution created by extensive building on archaeological sites such as Side obscures the significance of the ancient sites. The re-use of some of the ancient theatres for performances exerts a lot of pressure on these structures. The cases of the theatres in Ephesus and Side are striking examples. The installation of modern stage facilities and lighting equipment, as well as great numbers of spectators, impose serious risks for sensitive old structures.

15. Over the last decades, the **modern architectural heritage** appeared more at risk than during any other period. Over the last years there has been increased interest in conserving the heritage of the 20th century. However, the conservation of 20th-century buildings poses new challenges for those responsible for their management and for conservation practitioners. Lack of recognition, the absence of comprehensive research frameworks for identification of 20th-century heritage and correspondingly poor protection, have resulted in the loss of many places that will be lamented in the near future.

Protection and conservation of the 20th-century heritage in Russia is one of the most complicated and contradictory problems faced by the architectural community. “Russian Constructivism” with its iconic, world-renowned images is collapsing. Moscow, the centre of Soviet avant-garde architecture of the late 1920s-30s, represents a sad chain of degrading structures. The last decade, with all its complexities, marked by entry to a market economy, brought new realities for recent heritage. The questions of legal status, ownership, territories, new functions and investments have sharpened the situation to its extremity. Oblivion, neglect, crude repair, attack of new constructions, legal violation, and mechanical destruction - are not even the full list of factors leading to a hastened demise of a precious layer in the history of 20th-century architecture.

16. Finally, in the development of an increasingly **globalised world** dominated by the strongest economic forces, the tendency to make all aspects of life uniform represents

an obvious risk factor for cultural heritage. With the new global 'lifestyle', attitudes to historic evidence of the past naturally also change. However, there is a hope that in some places this very globalisation is causing a renewed consciousness of the significance of the monuments that embody regional and national identity.

17. In addition it is important to mention, that in all the countries of the region there are historical and cultural monuments created by other peoples: either ethnic minorities or peoples who lived continuously on the territory of that countries for centuries, which could be threatened either because of political aims or simply because the priority for heritage care is going into the heritage of the majority populations. Cooperation between the respective countries would contribute to the preservation of such monuments.

The sites connected with the Bulgarian history and culture outside the country's territory are protected under the legislation of the country on whose territory they are located and in compliance with concrete bilateral international agreements. In this context it is necessary to mention the Agreement on Cooperation in the Sphere of Culture, Education and Science, signed between the Republic of Bulgaria and the Republic of Turkey. This Agreement also regulates the implementation of the Programme for Cooperation in the Sphere of the Preservation of the Immobile Cultural Heritage between the Ministries of Culture of the two states.

III. LEGAL AND INSTITUTIONAL FRAMEWORK FOR THE PROTECTION AND ENHANCEMENT OF CULTURAL HERITAGE

18. The most important role in preservation of cultural heritage is played by UNESCO. The European Union and the Council of Europe are also dealing with that matter. Besides there is a number of specialised international organisations working for the preservation and enhancement of cultural heritage: International Centre for the Study of the Preservation and the Restoration of Cultural Property (ICCROM), the International Council of Museums (ICOM), the International Council on Monuments and Sites (ICOMOS), etc.
19. The main international legal instruments in this field are: the UNESCO Convention concerning the Protection of the World Cultural and Natural 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).
20. Today, the biggest challenge facing by UNESCO is to make the public authorities, the private sector and civil society as a whole realise that the cultural heritage is also a factor of development. The issue of integrating the cultural dimension in the concept of human and sustainable development is also one of the main aims of the cultural policy of the Council of Europe and the European Union.

21. The PABSEC also appealed to that important subject and worked out the Report on “The Role of Culture in the Development of the BSEC Region” and Recommendation 70/2003. There are numerous examples in which a new approach to the management of the cultural heritage has promoted economic growth by creating employment opportunities for local population, whether through crafts, cultural tourism and the emergence of new trades or through new forms of activity.
22. ICOMOS came out with Heritage at Risk initiative, concerning the monuments and sites in the broadest sense: not only individual monuments but also different types of immovable cultural properties such as archaeological sites, historic areas and ensembles, cultural landscapes and various types of historic evidence from prehistory up to the modern movement of the 20th century, as well as monument-related collections and archives.
23. Given our cultural diversity, the threats and dangerous trends outlined in the chapter above naturally have different effects in the different countries of the region. Cooperation among the countries in the field of protection of cultural heritage could make a serious contribution for its enhancement.
24. The issue of cooperation in protection and enhancement of cultural heritage lies within the scope of the 1993 Black Sea Convention on Cooperation in the Fields of Culture, Education, Science and Information, Article 4 of which runs as follows: “The Parties will promote cooperation and joint projects in the fields of music, theatre, fine arts, museums, research and development and publication of scientific works on archaeology, ethnology, history and art, historical and cultural monument protection, libraries and archives, by encouraging and facilitating:
 - a) visits to exchange information and collect materials on protection of cultural and historical values and conservation and cooperation aiming at the preservation of historical and cultural values;
 - b) organisation of exhibitions of fine arts and historical heritage;
 - e) exchange of exhibits, information as well as experts among museums and other cultural institutions and organisation of joint scientific projects in archaeology and studying ancient civilisations;
 - f) measures to simplify the access of experts of the Parties archives, library and museum stocks”.
25. In the period of 1993-1995 all the Signatory States ratified the Convention and it entered into force. The Ministry of Foreign Affairs of Turkey is the Depository State of the Convention.
26. Speaking about the national legislation, Turkey and Greece, which have acceded to most international conventions in the field of cultural heritage protection, have developed and enacted a significant national legislation. The transition countries of the region have already adopted new legislation regarding the cultural heritage protection and establishment of institutional framework, but further legislative work

is necessary, aiming to bring regulations more into line with the European laws and standards.

The Albanian legislation for cultural heritage, which is based on that from the 1920s, has been modified and improved, particularly in recent years.

Bulgaria has a big legislative tradition for protecting its cultural heritage. The existing legislative system in this sphere includes norms and regulations drafted at four legislative levels: the Constitution of the Republic of Bulgaria, the Protection of the Development of Culture Act, and the Monuments of Culture and Museums Act, together with the secondary legislation in this sphere, the Spatial Development Act, and – the last but not least – the international legal instruments ratified by the Republic of Bulgaria. Amendments are currently being introduced in the three specialised legislative levels cited, creating real opportunities for formation of a legislative framework that is harmonised with the European legislation. The system of factors involved with the protection and preservation of the cultural heritage comprises the state authorities, notably the Ministry of Culture and the National Institute on Monuments of Culture, the local governments, the persons and institutions responsible for specialised conservation and restoration interventions, the owners and the users of monuments of culture, professional associations and unions, and nongovernmental organisations.

Georgia's Law "On Cultural Heritage Protection" (N 2209, June 25, 1999) is based on Georgia's Constitution, acting laws and other normative acts functioning within the cultural sphere. The conception of the Law is based on the traditions of protection of Georgia's cultural heritage, recommendations of international organisations and international agreements in the sphere of culture.

In Romania, after 1990, the new agency responsible for the protection of historic monuments decided that the new list of monuments should be promulgated at the same time with the new legislation regarding historical monuments. But the repeated postponement of the adoption of the law resulted in the absence, over the last 11 years, of any legal means to sanction the demolition of buildings listed by the Ministry of Culture. At long last, the law N 422 'Law regarding the Protection of Historic Monuments' was adopted on 17 July 2001.

Under valid Ukrainian legislation a wide range of objects are subject to State registration and protection. Issues of the protection of objects of cultural heritage have been designated as priorities. These cover a whole range of measures associated with the protection and preservation of the traditional character of the environment of historically inhabited places and environments in the Ukraine, which has acceded to the Convention on the Preservation of World Cultural and Natural Heritage.

IV.CONCLUSIONS

27. The risks to which cultural heritage is being exposed at present can still be classified into two main categories: socio-economic and physical.

28. From the above mentioned we have seen that there are many causes generating threats to the cultural heritage. The main danger to the preservation of heritage in the transition countries during the last decade was the extremely insufficient budget for preservation and enhancement of the monuments of culture, as well as for the compilation of a database and network of bodies concerned with threatened heritage.
29. At the same time, although new laws were adopted, effective legislative mechanisms for the protection of cultural heritage are still lacking in many transition countries.
30. Among the other threats the most important are: lack of monitoring and control; risks of natural disasters; development pressure; military conflicts; lack of political will and the mismanagement of preservation by the authorities; vandalism and lack of maintenance; over-use by the tourism industry; insufficient specialist training, etc.
31. Under these conditions, in order to save their cultural heritage, the BSEC member states must become more actively involved in the conservation and enhancement of their cultural monuments, since the current losses cannot be compensated in the future. International cooperation, and international aid in this field are also very important.

ADDITION
presented by the National Delegation of Turkey to the Report on
“Preservation and Enhancement of Cultural Heritage of the BSEC Member States”

*The restoration works for the Ibrahim Pasha Mosque in the town of Razgrad in Bulgaria mentioned in **paragraph 8** section 3, is to be launched within the framework of the bilateral Agreement between Turkey and Bulgaria on “Cooperation Program for Protection of Immovable Cultural Heritage” concluded in 2002. Recently, following the talks with the Bulgarian side, a group of technical experts leading preparatory work in Bulgaria together with the Turkish Embassy have agreed that a tender is to be announced for restoration works of the mosque in the beginning of 2005.*

As for the issues raised in the last section of **paragraph 9**, as a result of the earthquake disaster affecting Turkey in 1999 the restoration of cultural monuments are conducted according to urgency list and in the framework of budget possibilities. Nevertheless, having fifty thousand registered cultural monuments, apart of those located in Istanbul, it is rather difficult to conduct relevant work in a desired pace. At the same time, the restoration works has been started in the Mosque of Küçük Ayasofya located on a Historical Peninsula area in Istanbul (*old Istanbul*).

The major engineering and development projects as stated in the last section of the **paragraph 10**, especially, the process of the dam construction in the Southeastern Anatolia region endanger some sites of antique times to be covered by the waters of the dam. The international rescue excavations of the ancient city of Zeugma renown for its mosaics have been launched along with thorough appraisal of the site with movable monuments already been relocated. Coordination work is on its way for other ancient settlements and movable heritage.

For preservation of the historical sites in Istanbul listed in the UNESCO World Heritage List, the elaboration of the Reconstruction Plan for Preservation of Historical Peninsula is being considered and can be viewed as the initial and most important step. With participation of related partners “Museum City Project” has been launched and within the framework of this under this program many cultural monuments have been restored by the public, NGOs and the owners of the immovable property.

As stated in the last section of **paragraph 15**, many 20th-century buildings have been preserved with due regard to their significance and specificities (*evaluations are made according to the historic, aesthetic and authenticity criteria*). However, following the negative impact upon the 20th century cities character by the speedy process of urbanization and migration of working force it is believed that the amendments introduced in the local authorities legislation increasing the powers and budget resources shall lead to securing facilitation and flexibility in the process of modern city construction.

As for the changes in the national legislation referred in the **paragraph 26**, Turkey has made relevant modifications. In the current 2004 year some changes were made to the Law on Protection of Cultural and Natural Heritage. Entering into force of the Law on Promotion of Cultural Investments and Initiatives introduced various changes in terms of rational planning, management and use of resources.

Following these changes the authorities, both central and local, have been equipped with technical and administrative modalities for addressing the problems of protection of national heritage. On the other hand, the Ministry of Culture and Tourism of the Republic of Turkey aims at finding solutions to the financial problems experienced by the local preservation programs through donations and accumulation of additional financial resources such as 10% of property taxes, at least 10% of credits issued by the Prime Ministry Housing Development Administration, etc.

In conclusion, following the latest modifications in national legislation as well as adoption of legislative, administrative, organizational and financial measures for protection of the cultural heritage along with growing public awareness, it is expected that willingness, patronage and tendency for preservation of cultural heritage will raise on the whole territory of Turkey.