



UKRAINIAN CULTURE UNDER ATTACK:

Erasure of Ukrainian Culture
in Russia's War Against Ukraine



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Cover: The Academic Regional Drama Theater in Mariupol after it was bombed on March 16, 2022, where hundreds of residents were sheltering. Credit: AP Photo / Alexei Alexandrov

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ON WAR AND CULTURAL ERASURE BY AYAD AKHTAR

In the first days of the Russian invasion of Ukraine, a missile struck the Ivankiv local history museum, setting it on fire. It was the only building in the village to be struck. The Mariupol Drama Theatre was sheltering hundreds of civilians, including children, when Russian aircraft dropped two bombs on it in March 2022. Amid that rubble and death is a stark casualty: Ukrainian culture, identity, and heritage.

PEN America and PEN Ukraine's new report, *Ukrainian Culture Under Attack: Erasure of Ukrainian Culture in Russia's War Against Ukraine* gathered evidence of intentional and indiscriminate attacks on Ukraine's cultural infrastructure, in cities and rural areas. The report is damning, undeniable evidence of a concerted campaign of erasure. Hundreds of cultural buildings, monuments, and places of worship have been destroyed. Museums looted. Language suppressed. Books destroyed. Poets, writers, journalists, and translators detained, tortured, and killed. Preserved cultural heritage sites uprooted.

The report makes clear that culture is not collateral damage in the war against Ukraine: it's a target, a central pillar of Russian President Vladimir Putin's justification for the war. Putin has repeatedly claimed that Ukrainian culture and language simply don't exist. By targeting art museums, music halls, libraries, theaters, and historical sites, he attempts to make it so.

Over the last three centuries, Russian Tsars and Soviet leaders have tried repeatedly to deny and eliminate Ukrainian culture - banning Ukrainian publications, prohibiting cultural societies, and exiling or imprisoning public intellectuals. Even this latest assault did not begin in February 2022 when the bombs began to drop, but eight years earlier with the illegal occupation of parts of Eastern Ukraine. Russian occupying authorities followed the same playbook, harassing and threatening writers and artists, quashing the use of Ukrainian and Tatar languages in schools and in the media, and damaging important cultural heritage sites.

Oleksandra Yakubenko, currently working on PEN America's efforts to support Ukrainian artists at risk, explained how her Ukrainian identity was "reawakened" in 2014 in the aftermath of the Maidan Revolution that ousted President Viktor Yanukovich—what Ukrainians call the Revolution of Dignity—and following Russia's occupation of Crimea and parts of the Donetsk and Luhansk regions. Since then, she said, "cultural life just bloomed and bloomed."

We as writers and artists - as humans - must support Ukrainian efforts to protect and advance their culture. Those behind this cultural destruction must be held to account, and as the global community looks to a post-war Ukraine, we must ensure support for the writers, artists, and cultural institutions that have sustained Ukrainian identity during the conflict, and that will be an essential part of rebuilding for the future.

SUMMARY

On October 10, Victoria Amelina, a prize winning author, sent out a series of urgent tweets. “I’m in Kyiv and alive,” she started off, explaining that she was filming Russian strikes on Kyiv as best as she could. She tweeted out a list of the buildings damaged or destroyed during the attack, including the Taras Shevchenko National University of Kyiv, the Khanenko Museum, Kyiv Picture Gallery, National Philharmonic of Ukraine, Maksymovych Scientific Library, and Kyiv City Teacher’s House. Her anguish at these losses and her understanding of why they had been targeted was crystal clear: “I know they want us, Ukrainian writers, to disappear. . . .they target Ukrainian culture.”

Culture—past, present, and future—is on the front lines of the brutal war on Ukraine and cultural erasure is a central tactic of Russia’s campaign of aggression and violence in Ukraine, which has gone on for over eight years. Russian President Vladimir Putin’s repeated false claims that a distinct Ukrainian history, language, and culture do not exist, serve as one of his central justifications for waging war on and occupying Ukraine. He seeks not only to control Ukrainian territory, but to erase Ukrainian identity and culture, and to impose Russian language, as well as a manipulated, chauvinistic, militaristic version of Russia’s culture, history, and worldview, on Ukrainian people.



“Our culture and our physical survival are intertwined—they go hand in hand.”

Oleksandra Yakubenko

Oleksandra Yakubenko, currently working on PEN America’s efforts to support Ukrainian artists at risk and an expert on Ukrainian culture, thinks that Putin’s efforts to destroy Ukrainian culture have had the opposite effect. She explained how her Ukrainian identity was “reawakened” in 2014 in the aftermath of the Maidan Revolution that ousted President Viktor Yanukovich—what Ukrainians call the Revolution of Dignity—and following Russia’s occupation of Crimea and parts of the Donetsk and Luhansk regions. Since then, she noticed “cultural life just bloomed and bloomed.” She ascribed this strengthening, in part, to the vitality of Ukraine’s cultural sector and their participation in and support for democracy and human rights, and later the war effort. She now believes that “our culture and our physical survival are intertwined—they go hand in hand.”¹

In an interview from July 2022, the Ukrainian novelist, poet, and essayist Yuri Andrukhovych shared similar

¹ Oleksandra Yakubenko, telephonic interview with staff of PEN America, October 31, 2022

views on Ukrainian writing and culture as a bulwark against Russian aggression: “It’s quite ironic that each attempt Russia has made to destroy Ukrainian culture has had the opposite effect. . . .There is now a widespread tendency among Ukrainians to speak entirely in Ukrainian. . . .New poems, novels, stories, essays, etc. will be written in Ukrainian, and of course they will be read and discussed. It is the best way to overcome the Russian aggressors and to survive in that humanitarian catastrophe they have brought upon us.”²

Russia has carried out extensive, coordinated actions to marginalize, undermine, and ultimately eliminate the tangible and intangible manifestations of Ukrainian culture since its illegal occupation of Crimea, and parts of Luhansk and Donetsk.³ Russia’s actions, which included damaging important cultural buildings and undermining the teaching of and in Ukrainian in those territories, now serve as a blueprint for their cultural erasure efforts in areas they have invaded and occupied since the full-scale war against Ukraine began on February 24, 2022. They have been supplemented by physical destruction of cultural infrastructure on a massive scale.

This is not the first time that the Russian government has sought to destroy Ukrainian culture. Ukrainian thinkers, writers, linguists, artists, and scholars over the last three centuries have faced Imperial Russian and Soviet efforts to deny, assimilate, and eliminate their culture and language. Olesya Khromeychuk, a historian and director of the Ukrainian Institute in London, detailed efforts by various Russian tsars to eliminate Ukrainian culture, including banning Ukrainian-language publications, prohibiting cultural societies, and exiling or imprisoning public intellectuals. She explained that “writers, poets, and artists became the figures who shaped national identity.”⁴

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Deliberate attacks on culture, including efforts to erase culture, by state and non-state actors, are not new.⁵ The bombing of Guernica, a Basque town in northern Spain, by the German air force in support of General Franco during the Spanish Civil War; the systematic destruction of Polish libraries and archives by the Nazis during World War II; attacks on cultural heritage sites, including Palmyra in Syria, by the Islamic State of Iraq and Syria (ISIS) are among the better-known efforts to destroy and erase culture during wars. In 2016, the International Criminal

2 Kate Tsurkan, “Writers Are the Middlemen Between the Human Race and Immortality”: A Conversation with Yuri Andrukhovych,” *Los Angeles Review of Books*, July 26, 2022, lareviewofbooks.org/article/writers-are-the-middlemen-between-the-human-race-and-immortality-a-conversation-with-yuri-andrukhovych/

3 In February 2014, unlawful, so-called self-defense units, aided by Russian security forces, seized administrative buildings and military bases across Crimea and installed a pro-Russian leadership. Also in 2014, Russia-backed armed insurgents seized control of many cities and towns in the Donetsk and Luhansk regions. Ukrainian government forces had been fighting against the separatists for control since 2014. See: “Conflict in Ukraine’s Donbas: A Visual Explainer,” International Crisis Group, accessed September 25, 2022, [crisisgroup.org/content/conflict-ukraines-donbas-visual-explainer](https://www.crisisgroup.org/content/conflict-ukraines-donbas-visual-explainer)

4 Olesya Khromeychuk, “Putin Says Ukraine Doesn’t Exist. That’s Why He’s Trying to Destroy It,” *The New York Times*, November 1, 2022, [nytimes.com/2022/11/01/opinion/ukraine-war-national-identity.html](https://www.nytimes.com/2022/11/01/opinion/ukraine-war-national-identity.html)

5 UN Special Rapporteur in the Field of Cultural Rights, “Report on the intentional destruction of cultural heritage as a violation of human rights” A/71/317, August 9, 2016, documents-dds-ny.un.org/doc/UNDOC/GEN/N16/254/44/PDF/N1625444.pdf?OpenElement



“War does not spare anyone, and the cultural front is just as important as the military one.”

Tamara Shevchuk, painter, graphic designer, and art teacher

Court (ICC) handed down its first conviction of a war crime “consisting in intentionally directing attacks against religious and historic buildings in Timbuktu, Mali.”⁶

The occupation and war have wrought an incalculable toll on Ukraine’s cultural voices, creators, and workers. They are amongst the thousands killed and injured by Russian attacks, or detained and threatened by Russian forces. Many have fled their homes and communities to reach safety; they have lost loved ones, homes, and precious possessions. They have been cut off from their creative communities and colleagues, and they have seen their studios, galleries, and exhibition spaces destroyed, damaged, and closed. The need

to focus on survival has frequently taken precedence over creative work and even when culture is not being deliberately targeted, the war has deeply disrupted creative production.

Russian bombardments and other attacks have destroyed and damaged hundreds of places where Ukrainians enjoy and experience culture, sites small and large, local and national, from community cultural houses to fine art museums. Some of these attacks were deliberate, targeted attacks, such as on Mariupol’s Academic Regional Drama Theater, which was sheltering hundreds of civilians, including children, when Russian aircraft dropped two bombs on it in March 2022. In the Kyiv region, in the first days of the Russian assault, a Russian missile struck the Ivankiv Historical and Local History Museum, setting it on fire, the only building in the village to be struck during that time.

Russian forces have also repeatedly and indiscriminately attacked densely populated areas using explosive weapons and cluster bombs, which have been banned by an international treaty. These attacks have caused widespread death and injury, as well as massive destruction and damage to civilian infrastructure, including cultural heritage sites, book printing houses, libraries, and places of spiritual interest. The damage and destruction cannot be seen as simply incidental, collateral damage resulting from Russian military operations targeting Ukrainian military targets. Rather, the magnitude of the destruction suggests a deliberate campaign to destroy civilian infrastructure, rendering some cities barely habitable, and an attempt to destroy civilian morale.

Both the targeted and indiscriminate attacks carried out by the Russian military against civilian infrastructure in Ukraine are violations of International humanitarian law (IHL) and, per the findings of the Independent International Commission of Inquiry on Ukraine, actions by Russian forces amount to war crimes.⁷ The

⁶ “ICC Trial Chamber VIII declares Mr. Al Mahdi guilty...” International Criminal Court,, September 27, 2016, [icc-cpi.int/news/icc-trial-chamber-viii-declares-mr-al-mahdi-guilty-war-crime-attacking-historic-and-religious](https://www.icc-cpi.int/news/icc-trial-chamber-viii-declares-mr-al-mahdi-guilty-war-crime-attacking-historic-and-religious)

⁷ “Report of the Independent International Commission of Inquiry on Ukraine (Advance Unedited Version),” A/HRC/49/71, October 18, 2022, [ohchr.org/sites/default/files/2022-10/A-77-533-AUV-EN.pdf](https://www.ohchr.org/sites/default/files/2022-10/A-77-533-AUV-EN.pdf)

conduct of Russia’s military and occupation forces also violates international human rights law, including Ukrainians’ right to culture.

Ukrainian writers, poets, artists, and cultural defenders demonstrate remarkable resilience and resistance in the face of this brutal conflict and attack against their culture. Many draw strength from their connections to Ukrainian culture and are actively seeking new ways to produce and promote culture. Writers are writing wartime diaries. There are literary readings in bookstores against the backdrop of air-raid sirens, and concerts in metro stations doubling as bomb shelters. “Good Evening (Where Are You From?),” also known by its popular name, “Good evening, we are from Ukraine,” is a song by the electronic duo ProBass and Hardi. It was released just before the start of the war, and it now plays in bomb shelters; the phrase is printed on T-shirts and trends on Twitter, and is often used by officials, including Vitaliy Kim, the governor of the southern region of Mykolaiv, when they address the Ukrainian people, signifying and strengthening Ukrainian resilience. Many believe that the survival of Ukraine as a country and people is inextricably linked with the survival of its culture, and they carry that burden with them. Tamara Shevchuk, a painter, graphic designer, and art teacher, works in a village in the Kyiv region that was occupied by the Russians for 24 days. She said: “War does not spare anyone, and the cultural front is just as important as the military one.”⁸

The Ukrainian government and civil society are working to protect and preserve culture, with the support of the international community, which has responded to Russia’s war with economic, political, financial, and military support for Ukraine, including notable efforts to protect cultural heritage and support cultural workers. However, traditional approaches to cultural preservation in wartime have focused mostly on tangible, physical manifestations of culture—protecting works of art or artifacts and prominent buildings. The 1954 Hague Convention includes a narrow definition of culture entitled to protection, namely *movable or immovable property*, and that which is specifically “of great importance to the cultural heritage of every people.”

However, culture comprises of significantly more than just the buildings we can visit and the objects we can admire. The concept of “heritage” is also a limiting one, in that it denotes a cultural past without reference to the present or future. Culture comprises peoples’ beliefs, customs, mythology, knowledge, traditions, and perspectives on the past, present, and future, as manifested in its art, literature, music, dance, religion, and other forms. Culture unites and gives words and expressions to shared feelings and experiences. As this report demonstrates, these crucial aspects of Ukraine’s culture are under direct attack and facing serious threats.

Ukraine’s international partners and anyone supporting Ukrainian efforts to survive as an independent, democratic nation must move beyond a narrow definition of cultural heritage, and instead take an expansive and people-centered view to ensure Ukrainian culture can flourish for generations to come. This means paying greater attention to the survival and well-being of those who create, inspire, and develop culture in all of its varied forms. Equally important are those who curate, care for, and preserve culture: museum workers, curators, archivists, librarians, and others.

⁸ Tamara Shevchuk, interview on file with PEN America

As the Ukrainian government, its international allies, and multilateral institutions plan for the future phases of this war and its aftermath, cultural vitality and continuity should be an explicit point of emphasis, aiming to ensure that Russia's war on Ukrainian culture does not succeed.



**Graffiti on a gate in Iziium: "Humans live here." October 9, 2022
Credit: Anton Shynkarenko**

A WAR OF CULTURAL ERASURE

President Putin, senior Russian officials, government think tanks, and pro-government public intellectuals have repeatedly denied that Ukraine exists as a nation or that Ukrainians have an identity and culture distinct from that of Russia and Russians. This claim has been used to justify the war and occupation and negate Ukraine's claim to sovereign nationhood. This rhetoric dates back to Russian Imperial and Soviet times. During Soviet rule Ukrainians were subjected to a deliberate attempt to destroy them as a nation that included efforts to suppress their language.

Marjana Varchuk, the director of communications at The Khanenko Museum in Kyiv, which was partially damaged in an airstrike on October 10, 2022, agreed. She said: "Destroying our culture is the purpose of everything the Russians are doing. Culture and language strengthen our nation, they remind us of our history. That's why the Russians are shelling our monuments, our museums, and our history. That's what they're fighting with. They want to destroy everything and substitute our history. In fact, the main problem is our common post-Soviet period heritage, when the Ukrainian language was banned for 70 years. At least 400 years before that, the Ukrainian language, literature, theater, everything associated with our history, was banned and destroyed by the Russians who substituted the truth with a lie."⁹

In the current context, Russian denialism re-emerged prominently 14 years ago, in relation to potential NATO membership for Ukraine, which the Russian government has always vehemently opposed. During a 2008 NATO Summit, Putin said, "Ukraine is not even a state! What is Ukraine? Part of its territory is Eastern Europe, and part, and a significant one, was donated by us."¹⁰

After Russia's occupation of Crimea in 2014, Putin justified the action by claiming Crimea is "an inseparable part of Russia" that reflects Russia and the region's "shared history and pride."¹¹ At the same time, the Russian Institute for Strategic Studies (RISS), a think tank under the Russian presidential administration, published a collection of essays titled *Ukraine is Russia*, which was "dedicated to the concept of unity of the Russian world" and describes "Ukrainian-ness" as "a peculiar South Russian" regional concept.¹²

⁹ Marjana Varchuk, in person interview with consultant of PEN America, October 11, 2022

¹⁰ "Блок НАТО разошелся на блокпакеты [The NATO Bloc broke up into bloc packages]," Kommersant, April 7, 2008, hkomersant.ru/doc/877224
For one compilation of relevant statements see: Clara Apt, "Russia's Eliminationist Rhetoric against Ukraine: A Collection," updated August 1, 2022, justsecurity.org/81789/russias-eliminationist-rhetoric-against-ukraine-a-collection/

¹¹ Vladimir Putin, "Address by President of the Russian Federation," Kremlin Website, March 18, 2014, en.kremlin.ru/events/president/news/20603

¹² "An Independent Legal Analysis of the Russian Federation's Breaches of the Genocide Convention in Ukraine and the Duty to Protect," New Lines Institute for Strategy and Policy and Raoul Wallenberg Center for Human Rights, May 2022, newlinesinstitute.org/wp-content/uploads/English-Report.pdf

In a July 2021 essay published on the Kremlin website, Putin claimed that there is no historic basis for the “idea of Ukrainian people as a nation separate from the Russians,” that Russians and Ukrainians are “one people,” and that no Ukrainian nation existed prior to Soviet Russia’s creation of it. In Putin’s view, everything and everyone identified as Ukrainian is effectively fiction, which must be eliminated, and Ukraine must be returned to the so-called “Russian World.”¹³

To further delegitimize Ukrainian national identity and culture and justify the invasion, Russia resorted to the demonization of Ukrainian culture by evoking Nazism. Putin and the pro-Putin ideological elite have described Ukrainian political leadership and Ukrainian people as “Nazis,” with Russia originally describing its military goal to “denazify the country.”¹⁴ In this grotesquely contorted framing, Ukrainian culture develops and nourishes “Nazism” by a so-called “systemic glorification of Nazism” through rituals, literature, history, culture, and media.¹⁵

Russia has made clear that the elimination of culture is an explicit target of its campaign in Ukraine and has used this specious charge of “Nazism” as justification: “Denazification of the mass of the population consists in re-education, which is achieved by ideological repression (suppression) of Nazi attitudes and strict censorship: not only in the political sphere, but also necessarily in the sphere of culture and education.”¹⁶ This will include “the withdrawal of Ukrainian educational materials, the establishment of pro-Russian memorials, commemorative signs, monuments, and imposition of a Russian information space. Ukrainians should be punished for understanding that they exist as a separate people and for participating in Ukrainian cultural life, including by death, imprisonment, or sentences in labor camps.”¹⁷

Russia’s leadership has further sought to justify its actions in Ukraine with false claims of widespread and pervasive attacks and discrimination against Ukraine’s Russian speakers, a population that Russia regards as ethnically Russian (of note, Putin’s claim that Ukrainian Russian speakers possess an ethnic identity distinct from their neighbors contradicts his assertion that all Ukrainians are ethnically indistinguishable from Russians). Putin has falsely alleged that the Ukrainian government sought to “root out the Russian language and culture” and that “people who identify as Russians and want to preserve their identity, language, and culture are getting the signal that they are not wanted in Ukraine.”¹⁸

13 Vladimir Putin, “On the Historical Unity of Russians and Ukrainians,” Kremlin website, July 12, 2021, en.kremlin.ru/events/president/news/66181

See also analysis by Maria Domańska, “Putin’s article: ‘On the historical unity of Russians and Ukrainians,’” Center for Eastern Studies, July 13, 2021, osw.waw.pl/en/publikacje/analyses/2021-07-13/putins-article-historical-unity-russians-and-ukrainians

14 Timofei Sergeitsev, “Что Россия должна сделать с Украиной?” [What Should Russia Do with Ukraine?], RIA Novosti, April 3, 2022, ria.ru/20220403/ukraina-1781469605.html “Address by the President of the Russian Federation,” Kremlin website, February 24, 2022, en.kremlin.ru/events/president/news/67843 See also the analysis by historian Timothy Snyder, “Russia’s Genocide Handbook,” April 8, 2022, snyder.substack.com/p/russias-genocide-handbook

15 Full text: “Осуществляется системная героизация нацизма и практикуется антисемитизм — и не только в форме ритуалов (например, известных гитлеровских факельных шествий с нацистской символикой), но и в качестве включения биографий нацистских преступников времен войны и их версии исторических событий в обязательные общеобразовательные программы, культурную политику, контент СМИ.” Timofei Sergeitsev, “Какая Украина нам не нужна [The Kind of Ukraine We Do Not Need],” RIA Novosti, April 10, 2022, ria.ru/20210410/ukraina-1727604795.html See also “Именно через культуру и образование была подготовлена и осуществлена глубокая массовая нацификация населения.” “The deep, massive Nazification of the population was carried out specifically through culture and education...” Timofei Sergeitsev, “Что Россия должна сделать с Украиной? [What Should Russia Do with Ukraine?].”

16 Ibid.

17 Ibid.

18 Vladimir Putin, “Address by the President of the Russian Federation,” Kremlin website, February 21, 2022 en.kremlin.ru/events/president/news/67828

CULTURAL DESTRUCTION AND ERASURE BETWEEN 2014 AND 2022

ATTACKS ON CULTURE IN CRIMEA

Russia's assault on Ukrainian territory did not begin in February 2022, but eight years earlier, with the illegal occupation of Crimea in February 2014. Its campaign against Ukraine's culture began then as well. Russia occupied Crimea after the Revolution of Dignity, also known as the Maidan Revolution, which led to the ousting of the Russian-backed Ukrainian President Viktor Yanukovich. These protests, which were part of the Euromaidan starting in November 2013, were catalyzed by President Yanukovich's decision not to enter into a free trade agreement with the European Union.

Russia now administers Crimea as a region of the Russian Federation, based ostensibly on a sham referendum held by local authorities that took place without the authorization of the Ukrainian government and that went unrecognized by the international community.¹⁹ It has installed Russian governance structures and the Russian ruble as the official currency. Crimea's residents were forced to accept Russian passports and residents were conscripted into the Russian armed forces. The Russian occupation has completely transformed political, civic, educational, and cultural life in Crimea.

The Russian authorities have taken various steps to eradicate Ukrainian and Crimean Tatar culture since 2014. They have harassed and threatened people who produce and protect culture, tried to quash the use of Ukrainian and Tatar languages in schools and in the media, and damaged important cultural heritage sites.

Russian authorities have repeatedly harassed and threatened people associated with the Ukrainian Cultural Center, an NGO established in Simferopol in May 2015 to support Ukrainian culture, history, and language. The Russian Federal Security Service (FSB) and prosecutors interrogated staff members, searched their homes, and, in some cases, confiscated their computers and books.²⁰ Many of those associated with the center have fled Crimea for their safety.²¹

¹⁹ "Rights in Retreat: Abuses in Crimea," Human Rights Watch, November 17, 2014, [hrw.org/report/2014/11/17/rights-retreat/abuses-crimea](https://www.hrw.org/report/2014/11/17/rights-retreat/abuses-crimea)

²⁰ Halya Coynash, "Russian FSB terrorizes another Ukrainian activist in occupied Crimea," Kharkiv Human Rights Protection Group, February 12, 2019, [khpg.org/en/1549897598](https://www.khpg.org/en/1549897598)

"Persecution of Ukrainian Cultural Center activist in Crimea," The Crimean Human Rights Group, August 29, 2018, <https://crimeahrg.org/en/persecution-of-ukrainian-cultural-center-activist-in-crimea/>

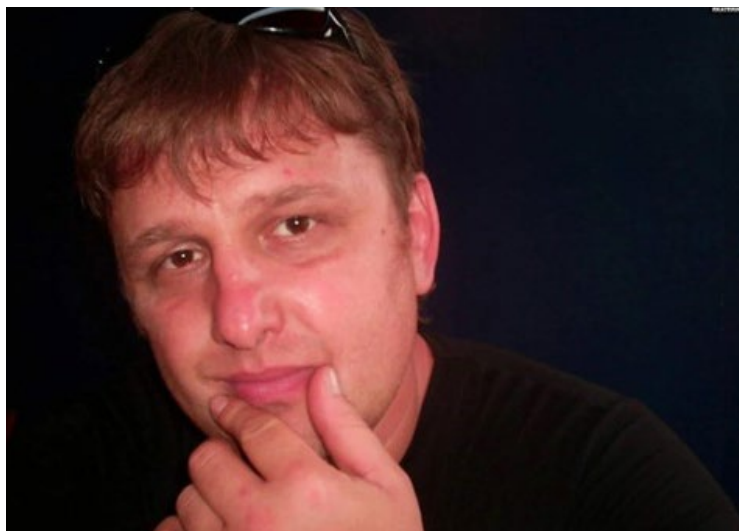
²¹ Coynash, Kharkiv Human Rights Protection Group.

Russia has further harassed, threatened, arrested, disappeared, and prosecuted writers, journalists, and others who voiced their opposition to its occupation. As of June 2022, Russia had imprisoned 162 Ukrainian journalists, activists, writers, and others on politically motivated charges and detained them in Crimea or illegally transferred them to the Russian Federation, according to the Mission of the President of Ukraine in Crimea.²² The majority, 103 people, are Crimean Tatar.²³

Vladyslav Yesypenko, a journalist and recipient of the 2022 PEN/Barbey Freedom to Write Award is among the imprisoned.²⁴ The FSB detained Yesypenko in March 2021 immediately after attending an event in honor of Ukrainian poet Taras Shevchenko in Simferopol. He was tortured in detention and, in February 2022, sentenced to six years in prison.²⁵

Yesypenko's arrest after participating in a Shevchenko memorial event links to a long history of resistance associated with the national poet. In the 1960s, Ukrainians peacefully demonstrated against the Soviet regime by gathering at monuments to Shevchenko on March 9 and 10 to commemorate his life.²⁶ They would read poems, sing Ukrainian songs, and lay flowers. These gatherings required courage as they could, and frequently did, lead to persecution.

In this spirit, residents of Crimea gathered near monuments to Shevchenko to mark the 200th anniversary of his life on March 9, 2014, and to protest the Russian occupation. Small protests have continued annually, although the Russian authorities prohibited the gatherings and prosecuted participants, including for flying the Ukrainian flag or singing the national anthem.²⁷ Occupying authorities eventually started organizing their own "official" events near the monuments in order to elevate Russian culture and preempt the Crimean cultural gatherings. They displayed Russian flags, gave speeches, and described Shevchenko as "a Russian



Vladyslav Yesypenko is a journalist and a blogger. He has been in detention since 2021.

22 Mission of the President of Ukraine in the Autonomous Republic of Crimea, "Freedom of Expression," on file with PEN America.

23 Ibid.

24 "2022 PEN/Barbey Freedom to Write Award Honoree Vladyslav Yesypenko," PEN America, accessed August 15, 2022, pen.org/2022-pen-barbey-freedom-to-write-award-honoree-vladyslav-yesypenko/

25 "2022 PEN/Barbey Freedom to Write Award Honoree," PEN America.

26 Shevchenko was born on March 9, 1814 and died on March 10, 1861. See: Yaro Bihun, "Washingtonians Honor Shevchenko with a Gathering at His Monument," *The Ukrainian Weekly*, March 13, 2020, ukrweekly.com/uwwp/washingtonians-honor-shevchenko-with-a-gathering-at-his-monument/

27 See, for example, Halya Coynash, "Ukrainian anthem prohibited as 'provocation' on Shevchenko anniversary in Russian-occupied Crimea," Kharkiv Human Rights Protection Group, March 10, 2020, khp.org/en/1583795393.

And Halya Coynash, "Honouring Ukrainian poet Taras Shevchenko banned in Russian-occupied Crimea," Kharkiv Human Rights Protection Group, March 3, 2016, khp.org/en/1456950004

writer" and "a unifying image of the three Slavic peoples."²⁸

Russian authorities have also attempted to suppress the use of Crimean Tatar and Ukrainian languages in schools. Officials have pressured children and their parents not to request Crimean Tatar- or Ukrainian-language instruction,²⁹ and instruction in these languages, especially Ukrainian, has decreased.³⁰ In 2017, the UN Committee on Economic, Social and Cultural Rights (CESCR) expressed concerns about "restrictions faced by Crimean Tatars and ethnic Ukrainians in exercising their economic, social, and cultural rights, particularly the rights to work, to express their own identity and culture, and to education in the Ukrainian language."³¹

Russian authorities have banned access to independent media and Ukrainian- and Crimean Tatar-language broadcasts, replacing the content with Russian programming and a pro-Russian Crimean Tatar-language station.³² The Crimean Human Rights Group has reported numerous efforts to block popular Ukrainian online media. In April 2021, they reported that 22 Ukrainian websites were completely unavailable in Crimea.³³ They have also documented various efforts to jam Ukrainian FM radio station signals, again limiting access to Ukrainian media in Crimea.³⁴

The Russian occupation has completely transformed political, civic, educational, and cultural life in Crimea.

Russian occupation authorities are also undertaking large-scale construction at the ancient archaeological complex of Tauric Chersonese located near Sevastopol, a landmark which Putin ordered to be put under direct Russian control in 2015. The site is a city founded by Greeks in the fifth century B.C., which stood until the 15th century, and contains ruins and artifacts from the Greek, Roman, and Byzantine periods.³⁵ It is included in the UNESCO World Heritage List.³⁶ Russian authorities have conducted illegal excavations, added buildings and infrastructure directly on top of some ruins, and developed entertainment venues at the site to attract visitors, in an effort to create "one of the largest [Russian] federal cultural centers," according to one of the officials involved in the development.³⁷ Putin has referenced the site as part of messaging aimed to falsely

28 "Under the tricolor and with "self-defense." In Simferopol, the memory of the Ukrainian Kobzar was honored (+ photo), *Krym Realii*, March 19, 2019, <https://ru.krymr.com/a/news-v-v-simferopole-pochtili-pamyat-ukrainskogo-kobzarya/29812137.html>

29 Halya Coynash, "Russia uses threats and intimidation to drive Crimean Tatar language out of schools in occupied Crimea," Kharkiv Human Rights Protection Group, May 21, 2019, khp.org/en/1558108888

30 "No Ukrainian-language media school has remained in Crimea," The Crimean Human Rights Group, March 14, 2019, crimeahrg.org/en/no-ukrainian-language-media-school-has-remained-in-crimea/

31 UN Committee on Economic, Social, and Cultural Rights, "Concluding Observations on the sixth periodic report of the Russian Federation," E/C.12/RUS/CO/6, October 16, 2017, documents-dds-ny.un.org/doc/UNDOC/GEN/G17/319/41/PDF/G1731941.pdf?OpenElement

32 "Pro-Russian Crimean Tatar TV Channel Starts Satellite Broadcasting," RFE/RL, April 1, 2016, ferl.org/a/crimea-pro-russian-tatar-tv-station/27648579.html

33 "At Least 12 Crimean Providers Blocking Ukrainian Websites in Crimea," The Crimean Human Rights Group, April 4, 2021, crimeahrg.org/en/at-least-12-crimean-providers-blocking-ukrainian-websites-in-crimea/

34 "Jamming of Ukrainian FM Radio Station Signal in North of Crimea Amplified Again," September 30, 2021, crimeahrg.org/en/jamming-of-ukrainian-fm-radio-station-signal-in-north-of-crimea-amplified-again/

35 "Ancient City of Tauric Chersonese and its Chora," UNESCO, accessed September 25, 2022, whc.unesco.org/en/list/1411/

36 "Ancient City of Tauric Chersonese and its Chora," UNESCO.

37 "Chersonese: "Orthodox Mecca" with opera and ballet on ancient ruins," *Krym Realii*, July 29, 2020, ru.krymr.com/a/hersones-pravoslavnyaya-mekka-s-operoj-i-baletom-na-drevnih-ruinah/30755245.html

suggest deep historical ties between Russian and Crimea, describing the site as a ““Russian Mecca” from which a unitary Russian national state, and, in fact, the Russian nation emerged.”³⁸

SPECIFIC EFFORTS TO ERADICATE CRIMEAN TATAR CULTURE

Russian efforts to eradicate culture in Crimea have included systematically eliminating the identity, language, and culture of the Crimean Tatar community.³⁹ The Crimean Tatars are indigenous Muslims who have suffered a long history of repression, violence, and persecution, including mass deportation from Crimea by the USSR after World War II. Alim Aliyev is a Ukrainian-Crimean Tatar human rights defender, journalist, deputy general director of the Ukrainian Institute, and a board member of PEN Ukraine. He provided a stark description of Russian efforts to destroy Ukrainian and Tatar culture: “Attempts are being made to turn the people of Crimea into speechless citizens of Russia by changing their identity. Languages have been banned and cultural heritage destroyed.”⁴⁰

Shortly after the occupation began, the authorities also banned⁴¹ the large public gatherings traditionally held by Crimean Tatars every year to remember and mark the anniversary of the *Sürgün*, or Stalin’s mass deportation of the Crimean Tatar people in May 1944.⁴²

Russian occupying forces have systematically attacked Crimea’s cultural heritage, taking over 4,095 sites of national and local importance and including them in Russia’s cultural heritage protection system. In some cases, this has resulted in significant harm to protected cultural sites.⁴³ The occupying authorities have also unlawfully transferred artworks and artifacts from Crimea for exhibitions in numerous cities in Russia, and undertaken unauthorized archaeological excavations or mounted construction initiatives on archaeological and cultural heritage sites, including some dating to medieval and ancient times.⁴⁴ These activities may infringe on the article 9 of Second Protocol to the 1954 Hague Convention, which prohibits such activity except where it is necessary to “safeguard, record or preserve cultural property.”

38 “... было создано «единое национальное Русское государство и, по сути, русская нация.» “Putin Proposes to Create a Russian Mecca in Chersonese,” Interfax, August 18, 2017, <https://www.interfax.ru/russia/575482>; “Irrecoverable losses of ancient Chersonese,” *Krym Realii*, October 8, 2019, <https://ru.krymr.com/a/bezvoznratnye-poteri-drevnego-hersonesa/30204032.html> (all accessed September 25, 2022). Putin’s claim is linked to the baptism of Kyivian prince Volodymyr the Great in Chersonese in 988, bringing Christianity to the Slavic people in Kyivan Rus, which is distinct from the development of Christianity in Muscovy, the predecessor to the Russian empire.

39 See for example, the extensive human rights monitoring of the situation in Crimea by Crimea SOS, including Persecutions in Crimea in the Context of a Full-Scale Russian Invasion of Ukraine, June 16, 2022, krymsos.com/en/represiyi-v-krymu-v-umovah-povnomasshtabnoyi-vijny-rosiyi-proti-ukrayiny/; ongoing documentation by the Kharkiv Human Rights Protection Group, khhpg.org/en/page_1; as well as, for example, “Ukraine: Fear and Repression in Crimea,” Human Rights Watch, March 18, 2016, [hrw.org/news/2016/03/18/ukraine-fear-repression-crimea](https://www.hrw.org/news/2016/03/18/ukraine-fear-repression-crimea) and other Human Rights Watch reports.

40 Alim Aliyev, “Halting the Wheel of History,” Eurozine, July 4, 2022, [eurozine.com/halting-the-wheel-of-history/](https://www.eurozine.com/halting-the-wheel-of-history/)

41 See Alexander Winning, “Crimean Tatars commemorate Soviet deportation despite ban”, Reuters, Reuters, May 18, 2014, <https://www.reuters.com/article/uk-ukraine-crisis-crimea-tatars/crimean-tatars-commemorate-soviet-deportation-despite-ban-idUKKBNODYOH320140518>

42 Yegveny Matyushenko, “Genocide of Crimean Tatar people: Ukraine honors memory of victims,” May 18, 2021, unian.info/society/genocide-of-crimean-tatar-people-ukraine-honors-memory-of-victims-11423263.html

43 Mission of the President of Ukraine in the Autonomous Republic of Crimea, “Informational and analytical note on the situation with cultural and archaeological heritage in the temporarily occupied territory of the Autonomous Republic of Crimea and the city of Sevastopol,” on file with PEN America.

44 “Cultural Heritage of Crimea,” Crimean Institute of Strategic Studies, culture.crimea.ua/ua/home.html (accessed September 25, 2022).

Among the architectural monuments on which Russian authorities have undertaken concerning construction work is the famous 16th-century Khan's Palace, or Hansaray, a significant emblem of Crimean Tatar culture. Experts have criticized the construction as threatening the monument's conservation. What Russian officials claim is "restoration" work to preserve the palace, instead, has involved the removal of original oak ceiling beams and handmade roofing tiles, and damage to wall frescoes.⁴⁵ Experts claim the contractors hired to do the work do not have restoration experience, and there is no evidence that necessary expert assessments were conducted.⁴⁶ In a media interview, Crimean Tatar rights lawyer Emil Kurbedinov described the construction as "an unjustified attack on the historical heritage of the Crimean Tatars, a site of cultural heritage."⁴⁷ In February 2022, Russian authorities jailed Crimean Tatar civic activist and architect Edem Dudakov, who had been following the construction work closely, after he posted messages on Facebook criticizing the construction work.⁴⁸

ATTACKS ON CULTURE IN DONETSK AND LUHANSK

Following the ouster of President Yanukovich and the unlawful occupation of Crimea, armed groups, backed by Russia, seized administrative buildings in several locations in the Donetsk and Luhansk regions. In April 2014, they announced the establishment of the "Donetsk People's Republic" ("DPR") and the "Luhansk People's Republic" ("LPR"), and took control of cities, towns, and villages in the regions.⁴⁹ Russia expanded its campaign to erase Ukrainian culture, history, and language to these occupied territories, and to forcibly replace them with Russian language and Russian and Soviet history and culture. This effort has taken place in tandem with unchecked human rights abuses, including unlawful arrests, torture, sexual violence, disappearances, and looting of private property; threats against local officials, journalists, activists, and citizens; severely restricted communication; as well as—since February 2022—targeted and mass killings.⁵⁰

As part of this campaign, Russian forces have attacked writers, artists, and cultural workers who have spoken out against Russian occupation; imposed restrictions on displays of Ukrainian art, music, and other forms of

45 Halya Coynash, "Renowned Crimean Tatar civic activist jailed after exposing Russia's destruction of 16th century Khan's Palace," Kharkiv Human Rights Protection Group, February 18, 2022, khp.org/en/1608810100

46 Elena Removskaya, "'Vandalism masquerades as restoration.' New contractors from Russia in the Khan's Palace," *Krym Realii*, February 17, 2021, ru.krymr.com/a/novye-podriadchiki-dla-hanskogo-dvorca-rossiyskaya-restavraciya/31106315.html?fbclid=IwAR3BKO3lJgyzZuGUlgoid78hDpUpleYeUw2CnJJk57C_pz_OgT-nhYgrsk

47 "Facelift Or Farce? 'Restoration' Of Palace Shocks Crimean Tatars," RFE/RL, February 18, 2018, rferl.org/a/crimea-khan-s-palace-restoration-bakhchisary-shock-tatars-persecution-unesco/29046866.html

48 Coynash, "Renowned Crimean Tatar civic activist jailed after exposing Russia's destruction of 16th century Khan's Palace."

49 "'You Don't Exist': Arbitrary Detentions, Enforced Disappearances, and Torture in Eastern Ukraine," Human Rights Watch, July 21, 2016, hrw.org/report/2016/07/21/you-dont-exist/arbitrary-detentions-enforced-disappearances-and-torture-eastern

50 Since February 2022, there has been extensive documentation of human rights abuses in Russian-occupied territories recaptured by Ukraine, carried out by Ukrainian and international human rights organizations, and news media. For example, "Ukraine: Apparent War Crimes in Russia-Controlled Areas," Human Rights Watch, April 3, 2022, hrw.org/news/2022/04/03/ukraine-apparent-war-crimes-russia-controlled-areas

For documentation beginning in 2014, see: above, "Raw Fear in Separatist-Controlled Donetsk," Human Rights Watch, November 28, 2016, hrw.org/news/2016/11/28/raw-fear-separatist-controlled-donetsk "Ukraine: Torture, Ill-Treatment by Armed Groups in the East," Human Rights Watch, July 5, 2021, hrw.org/news/2021/07/05/ukraine-torture-ill-treatment-armed-groups-east

Since 2014, Russian occupying forces have also blocked Ukraine's cellphone network, internet, and media in areas they control. See: Adam Satariano, "How Russia Took Over Ukraine's Internet in Occupied Territories," *New York Times*, September 9, 2022, nytimes.com/interactive/2022/08/09/technology/ukraine-internet-russia-censorship.html

culture; spread pro-Russian propaganda; deliberately destroyed cultural monuments; and controlled and manipulated the education system.

Repression of artists, writers, and cultural workers as a tactic of cultural erasure

Since the unlawful occupation in 2014, writers, artists, and other cultural figures, especially those who criticize the occupation or separatist forces, have been illegally detained, imprisoned, and tortured in an effort to silence them and to stop them from writing and producing creative works.

In July 2014, occupation forces in Donetsk detained Serhiy Zakharov, who has been dubbed “the Banksy of Donetsk” for his irreverent street art, after he created and displayed public art mocking and criticizing the local authorities. “DPR” militants detained him and held him captive in his studio for over a month. He was repeatedly beaten and subject to mock executions. He wrote and illustrated a graphic novel describing his experience and that of other captives.⁵¹ Donetsk occupiers also illegally detained poet, scientist, and public activist Ihor Kozlovsky for nearly two years from 2016 to 2017.⁵²

The Ukrainian author and journalist Stanislav Aseyev, who reported on local developments for international news outlets under a pen name, Vasin, was detained in Donetsk in 2017 and illegally held for nearly two and a half years.⁵³ He wrote a book, *The Torture Camp on Paradise Street*, about his detention and abuse, in which he described the prison as “akin to a concentration camp where torture, humiliation, rape of both women and men, as well as forced hard physical labor are the rules of the day.”⁵⁴

Russian forces have attacked writers, artists, and cultural workers who have spoken out against Russian occupation.

Since 2014, many writers, artists, and cultural workers have been forced to leave Russian-occupied territories or areas of active conflict for their own safety, escaping military conflict or repression or both, relocating to other locations in Ukraine and abroad.⁵⁵ Many have continued their creative work in very difficult circumstances,⁵⁶ but others have struggled to do so.

51 “‘Донецький Бенксі’ готує книжку-комікс про своє перебування в полоні бойовиків [‘Donetsk Banksy’ is preparing a comic book about his captivity by militants],” *Novoe Vremya*, August 25, 2016, <https://nv.ua/ukr/ukraine/events/donetskim-benksi-gotuje-knizhku-komiks-pro-svoje-perebuvannja-v-poloni-bojovikiv-65811.html> (accessed September 9, 2022).

52 Kozlovsky Ihor, PEN Member, PEN Ukraine, accessed September 16, 2022, <https://pen.org.ua/en/members/kozlovskij-igor>

53 Aseyev’s memoir is *The Torture Camp on Paradise Street*.

Andrew D’Anieri, “New book recounts prisoner torture in Russian-occupied eastern Ukraine,” Atlantic Council, November 16, 2021, <https://www.atlanticcouncil.org/blogs/ukrainealert/new-book-recounts-prisoner-torture-in-russian-occupied-eastern-ukraine/>

See also: “Militants of the People’s Republic of the People’s Republic of Ukraine are looting in the occupied center of modern art ‘Isolation,’” *Lb.Ua*, June 11, 2014, lb.ua/culture/2014/06/11/269435_boeviki_dnr_maroderstvuyut.html

54 Stanislav Aseyev and Andreas Umland, “‘Isolation’: Donetsk’s Torture Prison,” *Harvard International Review*, December 4, 2020, hir.harvard.edu/donetsks-isolation-torture-prison/

55 Blair A. Ruble, “Providing Humanitarian and Creative Sanctuary for Artists in Ivano-Frankivsk,” Wilson Center, September 9, 2022, wilsoncenter.org/blog-post/providing-humanitarian-and-creative-sanctuary-artists-ivano-frankivsk

56 Jane Arraf, “Lviv Reopens Galleries to ‘Show We are Alive,’” *New York Times*, May 7, 2022, [nytimes.com/2022/05/07/world/europe/lviv-art-galleries.html](https://www.nytimes.com/2022/05/07/world/europe/lviv-art-galleries.html)

Ilya Kiva, a poet, fled Donetsk in 2014 after the Russian invasion. She described being displaced in Ukraine and finding meaning as a writer during the war: “Left without a home, without property, without any prospects for the future, I realized that only one thing cannot be taken away from me by force: language and the ability to write. . . .The most difficult thing for me was to convince myself that words, voice, poetry, [and] literature are still important. That they have not lost their meaning, but rather changed their meaning. . . . The war speaks for itself so loudly and convincingly that all words next to it seem like incomprehensible noise. . . .However, this is actually the task of literature in war, to restore weight to words—words of peace and love, so that all our testimonies outweigh the language of war.”⁵⁷

From 2010 to 2014 the Izolyatsia Foundation: Platform for Cultural Initiatives operated on the site of a former insulating materials factory. During the first years of the foundation, more than 20 art projects were created. Well-known Ukrainian and foreign artists including Cai Guo-Qiang, Daniel Buren, Borys Mykhailov, and Lozano-Hemmer worked there, alongside promising young Ukrainian artists like Zhanna Kadyrova, Apl315, Roman Minin, Ivan Svitlychny, Hamlet Zinkivsky, and others.



“I realized that only one thing cannot be taken away from me by force: language and the ability to write. . . .”

Ilya Kiva, poet

On June 9, 2014, armed representatives of the “DPR” invaded the Foundation and converted it into a training facility for “DPR” fighters; a depot for automobiles, military technology, and weapons; a prison; and a secret torture facility. Former prisoners have remarked that the Izolyatsia buildings were not equipped to serve as a prison, and that its conditions more closely resembled those of a concentration camp. Prisoners were forced to work for the wardens, who regularly used physical violence, and were deprived of food, water, and medical care.⁵⁸

The manipulation of culture and identity through education

Russian and separatist forces use education as a key vehicle for Russification efforts in occupied regions. Following their takeover in the “DPR,” separatist authorities attempted to return the region to a Russian and Soviet system of education, prohibiting teaching in Ukrainian in schools.⁵⁹ Teachers were given the option of retraining to teach in Russian,⁶⁰ but teachers of Ukrainian language and literature in the “DPR” and “LPR” lost their jobs. At the university level, “DPR” authorities dismissed rectors of several universities and eliminated the department of Ukrainian history.⁶¹

⁵⁷ Ilya Kiva, interview with staff of PEN America, August 2022 (email).

⁵⁸ D’Anieri, “New book recounts prisoner torture in Russian-occupied eastern Ukraine,” Atlantic Council.

⁵⁹ Ilyia Trebor, “How Education is being Re-shoveled in Donetsk,” *Radio Svoboda*, September 23, 2014, <https://www.radiosvoboda.org/a/26602689.html> (accessed September 14, 2022).

⁶⁰ Halya Coynash, “Russia-controlled Donbas ‘republics’ remove Ukrainian language from schools,” *The Ukrainian Weekly*, September 27, 2019, ukrweekly.com/uwwp/russia-controlled-donbas-republics-remove-ukrainian-language-from-schools/

⁶¹ Ilyia Trebor, “How Education is being Re-shoveled in Donetsk,” *Radio Liberty*.

Seizure and destruction of books

The cultural erasure campaign has also involved seizing and destroying Ukrainian literature and Ukrainian-language books. Beginning in March 2022, occupying authorities seized or destroyed Ukrainian history books and literature they deemed to be “extremist” from public libraries in cities and towns in the occupied territories of Luhansk, Donetsk, Chernihiv, and Sumy, according to the Ministry of Defense of Ukraine. This included books about Ukraine’s Revolution of Dignity in 2013-2014, Ukrainian liberation movements, Ukraine’s military operations against separatists in the Donetsk and Luhansk regions, and, in some locations, the nonfiction book, *The Case of Vasyl Stus*, about a Ukrainian poet who was imprisoned by the Soviet regime.⁶²

Also in March, separatist authorities in the “DPR” announced the seizure of books on history, politics, Ukrainian national movements, state symbols of Ukraine, and religion in 70 libraries.⁶³

In the small town of Borova, in the Kharkiv region, local officials reported in July that “Ukrainian state symbols and Ukrainian textbooks are being destroyed in schools.”⁶⁴ Occupying forces replaced seized books with textbooks imported from Russia, including those that teach students that Russia is their homeland and that although many ethnic groups exist in Russia, there is no distinct Ukrainian cultural identity.⁶⁵

62 Jon Jackson, “Ukraine Claims Russian Military Police Are Destroying Their History Books,” *Newsweek*, March 24, 2022, [newsweek.com/ukraine-claims-russian-military-police-are-destroying-their-history-books-1691559](https://www.newsweek.com/ukraine-claims-russian-military-police-are-destroying-their-history-books-1691559)

“Russians Confiscating and Destroying Ukrainian Literature and History Textbooks,” *Chytomo*, March 25, 2022, <https://chytomo.com/en/russians-confiscating-and-destroying-ukrainian-literature-and-history-textbooks/>

On the Holodomor: “Worldwide Recognition of the Holodomor as Genocide, Holodomor Museum, holodomormuseum.org.ua/en/recognition-of-holodomor-as-genocide-in-the-world/

63 “Терористи «ДНР» вилучають «екстремістську літературу» з окупованих міст [‘DNR’ Terrorists Remove ‘Extremist Literature,’ from occupied territories], *Chytomo*, May 25, 2022, chytomo.com/terorysty-dnr-vyluchaiut-ekstremistsku-literaturu-z-okupovanykh-mist/

64 Borova Ukrainian local council, Telegram channel, July 25, 2022, t.me/borova_gromada/1115

65 Petro Andriushchenko, advisor to the Ukrainian mayor of Mariupol, Telegram channel, September 13, 2022, t.me/andriyshTime/2890

CULTURE ON THE FRONTLINES

Russia launched a full-scale military invasion of Ukraine on February 24, 2022. The war has caused untold suffering to the Ukrainian people, undermining their rights to life and physical security, and infringing on their access to housing, health care, education, food, and water. Russian attacks have also damaged vital infrastructure and inflicted enormous damage on Ukraine's environment. As of November 14, 2022, the Office of the United Nations High Commissioner for Human Rights (OHCHR) has verified a total of 16,631 civilian casualties, with 6,557 civilian deaths since February 24, 2022. The majority of civilian casualties were caused by the use of explosive weapons with wide area effects, "including shelling from heavy artillery, multiple launch rocket systems, missiles, and air strikes." OHCHR believes the actual number of casualties, including deaths, is likely much higher.⁶⁶

Since the outbreak of conflict in 2014 and particularly since the 2022 invasion, Ukraine has experienced massive population displacement: As of October 21, 2022, the United Nations High Commissioner for Refugees (UNHCR) estimates that more than 6.2 million Ukrainians are internally displaced, while 7.7 million more have fled the country, overwhelmingly to Poland, Slovakia, Moldova, and Romania.⁶⁷

The conflict has also had a devastating impact on the Ukrainian cultural community. Writers, artists, and cultural workers are among those killed and seriously injured. Others have given up their cultural work and joined the military forces to defend Ukraine, where some have lost their lives and others continue to fight.⁶⁸ PEN Ukraine's webpage, "People of Culture Taken Away by the War," most recently updated on October 24, 2022, documents 31 civilian artists, writers, and other cultural workers killed as a result of Russian military attacks as well as a number of cultural figures killed in combat while defending Ukraine.⁶⁹ Their loss is incalculable.

DAMAGE TO AND DESTRUCTION OF CULTURAL HERITAGE

The destruction of Ukrainian cultural infrastructure and cultural heritage sites has been a significant component

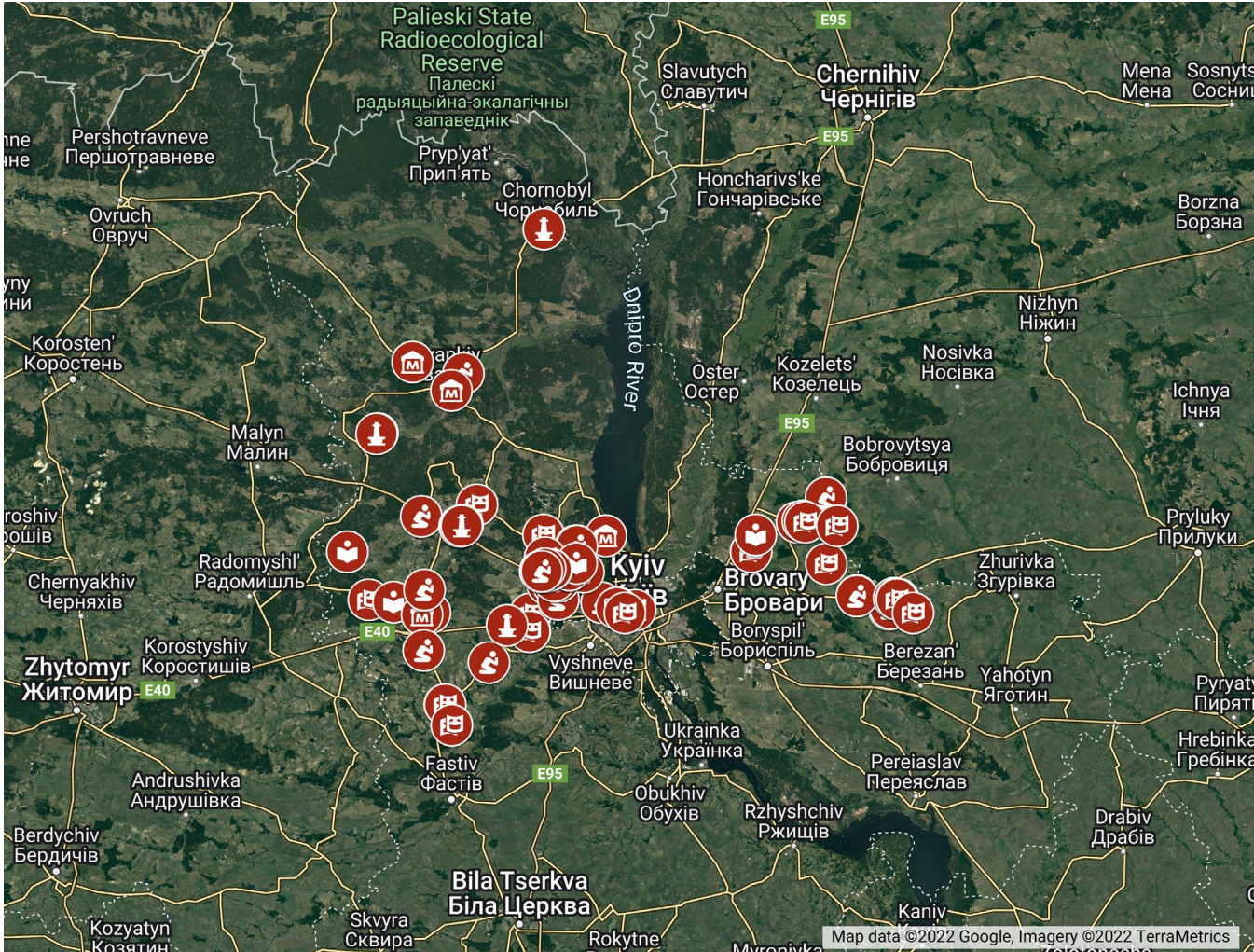
66 OHCHR, "Ukraine civilian casualty update," November 14, 2022, <https://www.ohchr.org/en/news/2022/11/ukraine-civilian-casualty-update-14-november-2022>
67 "Ukraine Situation Flash Update #33", October 21, 2022, <https://data.unhcr.org/en/documents/details/96361>

68 Kateryna Volkova, "Life As a Book Publisher in Wartime Ukraine," *Literary Hub*, May 12, 2022, lithub.com/life-as-a-book-publisher-in-wartime-ukraine/
"People of Culture Taken Away by the War," PEN Ukraine Last Updated October 24, 2022, pen.org.ua/en/lyudy-kultury-yakyh-zabrala-vijna,
Jason Farago, "The War in Ukraine is a True Culture War," *New York Times*, Updated July 17, 2022, [nytimes.com/2022/07/15/arts/design/ukraine-war-culture-art-history.html](https://www.nytimes.com/2022/07/15/arts/design/ukraine-war-culture-art-history.html)

69 "People of Culture Taken Away by the War," PEN Ukraine.

of Russia’s assault on Ukraine since February 2022. Russian military attacks have damaged or destroyed hundreds of cultural buildings and objects, including museums, theaters, monuments, statues, places of worship, cemeteries, historical buildings, libraries, archives, as well as schools and universities. Russian attacks have also damaged or destroyed local cultural centers (“houses of culture”), concert venues and stadiums, and other locations where people access culture in their communities.

As of November 17, 2022, the Ukrainian government has documented 529 damaged and destroyed “objects of cultural heritage and cultural institutions of Ukraine” in 11 regions.⁷⁰ As of October 31, UNESCO has verified damage to 210 sites, including 91 religious sites, 15 museums, 76 buildings of historic or artistic significance, 18 monuments, and 10 libraries.⁷¹



Map of damaged and destroyed objects of cultural heritage and cultural institutions in Ukraine.
Credit: Ministry of Culture and Information Policy of Ukraine

70 “Destroyed Cultural Heritage of Ukraine,” Ministry of Culture and Information Policy of Ukraine, regularly updated, accessed November 17, 2022, culturecrimes.mkip.gov.ua/

71 “Damaged cultural sites in Ukraine verified by UNESCO,” UNESCO, October 24, 2022, unesco.org/en/articles/damaged-cultural-sites-ukraine-verified-unesco It describes its methodology as: “UNESCO is conducting a preliminary damage assessment for cultural properties [as defined by the 1954 Hague Convention] by cross-checking the reported incidents with multiple credible sources.”

The United States-based Cultural Heritage Monitoring Lab (CHML) and the Smithsonian Cultural Rescue Initiative (SCRI) have been monitoring 28,000 cultural sites in Ukraine through a combination of remote sensing, open-source research, and satellite imagery.⁷² Researchers identified over 458 incidents of potential damage to cultural heritage sites from February 24 to May 9, 2022, including archaeological sites, arts centers, monuments, memorials, museums, places of worship, libraries, and archives. They found that memorials and places of worship have sustained the highest rates of potential impact and that incidences were most frequent in or near the cities of Mariupol and Kharkiv.⁷³ They subsequently confirmed damage to 104 sites through analysis of high-resolution satellite imagery and a review of open-source news and social media.⁷⁴

In some cases, the damage or destruction to cultural sites was likely a result of indiscriminate and disproportionate attacks by the Russian forces. Russia's military operation has been characterized as regular and repeated sweeping attacks on densely populated civilian areas resulting in massive damage to civilian houses, hospitals, schools, and other civilian infrastructure, as well as deaths and injury.⁷⁵ Russia has utilized explosive weapons with wide-area effects such as air-dropped bombs, missiles, heavy artillery shells, and multiple launch rockets. It has also used cluster munitions that typically open in the air and send dozens, even hundreds, of small bomblets over an extensive area.⁷⁶

These attacks, whether targeted or the result of indiscriminate assaults on civilian infrastructure, are prohibited under international law, and may constitute war crimes, as described in more detail below. Bellingcat, an independent forensic research organization, conducted an in-depth analysis of attacks on five cultural sites in Ukraine using open-source information. They determined that while "it is often hard to conclusively establish intent behind. . . attacks that have led to the damage or destruction of cultural sites. . . the sheer number of cultural sites damaged or under threat indicates that it is highly unlikely they are being excluded from Russia's bombardment."⁷⁷ The Organization for Security and Co-operation in Europe (OSCE) has also raised concerns about the "large-scale destruction of civilian objects."⁷⁸

72 "Ukrainian Cultural Heritage Potential Impact Summary," Virginia Museum of Natural History, Cultural Heritage Monitoring Lab, and Smithsonian Institution, Smithsonian Cultural Rescue Initiative, May 9 2022, hub.conflictobservatory.org/portal/sharing/rest/content/items/6b7c5f0225f64d82b33c2abf63fe72f5/data

73 "Ukrainian Cultural Heritage Potential Impact Summary."

74 "Ukrainian Cultural Heritage Potential Impact Summary."

75 As documented by Ukrainian and international human rights organizations. See for example, "No mercy for civilians: Troubling accounts from the MSF medical train in Ukraine," MSF, June 22, 2022, msf.org/data-and-patient-accounts-reveal-indiscriminate-attacks-against-civilians-ukraine-war

76 In a July report, an OSCE-appointed expert mission found: "the magnitude and frequency of the indiscriminate attacks carried out against civilians and civilian objects, including in sites where no military facility was identified, is credible evidence" that Russian armed forces disregarded "their fundamental obligation to comply with the basic principles of distinction, proportionality and precaution that constitute the fundamental basis of IHL." Organization for Security and Co-operation in Europe, "Report on Violations of International Humanitarian Law, War Crimes, Crimes against Humanity Committed in Ukraine April 1-June 25, 2022," July 14, 2022, osce.org/files/f/documents/3/e/522616.pdf

77 "Report on Violations of International Humanitarian Law, War Crimes, Crimes against Humanity Committed in Ukraine April 1-June 25, 2022,"

78 "Report on Violations of International Humanitarian Law, War Crimes, Crimes against Humanity Committed in Ukraine April 1-June 25, 2022,"

TARGETED ATTACKS

Local museums

In a June report, CHML, SCRI, and University of Maryland's Center for International Development and Conflict Management (CIDCM), identified 10 sites, including four local museums, that sustained damage that cannot be explained by their proximity to potential military targets,⁷⁹ suggesting that the sites may have been specifically targeted. The damage to and destruction of these small, local museums represent a particular cultural loss to local residents, which may be irreplaceable if their holdings are not fully cataloged.

One of the museums identified in the report by CHML, SCRI, and CIDCM is the Ivankiv Historical and Local History Museum, established in 1981 and located about 50 miles north of Kyiv. Their holdings include art and artifacts relevant to the history and culture of the village of Ivankiv. On February 26, Russian troops shelled the museum, and no other targets in Ivankiv. At the time of its destruction, the museum served as a repository for a collection of paintings by Maria Prymachenko, a Ukrainian painter and former resident of the Ivankiv district. Prymachenko's paintings were rescued by local citizens.

Similarly, a Russian missile strike on May 6 hit the Hryhoriy Skovoroda National Literary Memorial Museum in the Kharkiv region and caused a fire, according to CHML, SCRI, and CIDCM.⁸⁰

Skovoroda was an 18th-century Ukrainian poet, philosopher, and teacher, and he has a prominent legacy, with several Ukrainian universities named after him and his image appearing on the 500 hryvnia note. Volodymyr M. Lopatko is an assistant professor of civil engineering and architecture at Kharkiv National University of Civil Engineering and Architecture and was interviewed by a videographer working with PEN America. He described Skovoroda: "The point is. . . [in the 18th century] it was difficult to talk about rights. Skovoroda came up with a peculiar language. . . he wrote fables. And he could explain these relationships using allegory, birds, [and] animals. He had a mystical and religious belief in the equality of people. . . . And his idea that all unequal

Russian military attacks have damaged or destroyed hundreds of cultural buildings and objects, including museums, theaters, monuments, statues, places of worship, cemeteries, historical buildings, libraries, archives, as well as schools and universities. Russian attacks have also damaged or destroyed local cultural centers ("houses of culture"), concert venues and stadiums, and other locations where people access culture in their communities.

79 "[D]amaged cultural heritage sites distant (>3km) from ongoing conflict activity, Ukrainian bases or stationary military assets, and dual-use transportation infrastructure (e.g., train stations, railways, airfields, and airports) are unlikely to be damaged as a consequence of military activity. "Ukrainian Cultural Heritage Potential Impact Summary."

80 "Ukrainian Cultural Heritage Potential Impact Summary." See also the analysis by Bellingcat of the attack on the Skovoroda museum.

people should be equal became the basis of his religious and mystical idea of humanity.”⁸¹ Lopatko also explained the importance of the site: “There are not many places in the world where one can find so much information about Skovoroda.”⁸²

Although manuscripts and other items in the museum’s collection had been removed to protect them, the building sustained significant damage. Lopatko explained efforts to save the building: “There is no roof, but we are trying to cover the walls with cellophane.”⁸³ Poignantly, a statue of Skovoroda survived the attack almost unscathed.⁸⁴

The CHML, SCRI, CIDCM report also identified the City Museum in Rubizhne that houses a collection of art and artifacts relevant to local history and culture, as a targeted attack. It was struck by Russian forces during fighting in March 2022 in the Luhansk region.⁸⁵

Similarly, the Izyum Local Lore Museum in the Kharkiv region was struck in late February or early March. The museum was established in 1920 to “preserve the historical and cultural heritage and spread knowledge” through a collection of books, paintings, and works of art relevant to the history of the region.⁸⁶ According to the museum’s website, it was destroyed once before, during World War II, with significant losses to its collection.⁸⁷

Monument to Shevchenko in Borodianka

In Borodianka, a town near Kyiv, Russian shelling heavily damaged a monument to Taras Shevchenko. The statue remained standing despite the damage. Following the town’s liberation by Ukrainian forces in early April, Yaroslav Holubchuk, an artist from Kyiv, wrapped a big gauze bandage around the bust’s giant head as an impromptu art project called “The Healing of Shevchenko.”⁸⁸

Mariupol drama theater

From the start of Russia’s 2022 invasion, the Russian military has relentlessly shelled the port city of Mariupol.⁸⁹ On March 16, Russian aircraft dropped two 500kg bombs on the Academic Regional Drama

81 Volodymyr M. Lopatko, in person interview with videographer of PEN America, October 10, 2022

82 Lopatko, interview with PEN America.

83 Lopatko, interview with PEN America.

84 Torsten Landsberg, “Who was Ukrainian philosopher Hryhoriy Skovoroda?” *DW*, May 12, 2022 [dw.com/en/who-was-ukrainian-philosopher-hryhoriy-skovoroda/a-61760549](https://www.dw.com/en/who-was-ukrainian-philosopher-hryhoriy-skovoroda/a-61760549)

“Ukraine’s Zelenskiy ‘speechless’ after shelling destroys museum dedicated to poet,” *Reuters*, May 7, 2022, [reuters.com/world/europe/shelling-destroys-museum-dedicated-famous-ukrainian-philosopher-regional-2022-05-07/](https://www.reuters.com/world/europe/shelling-destroys-museum-dedicated-famous-ukrainian-philosopher-regional-2022-05-07/)

85 “Ukrainian Cultural Heritage Potential Impact Summary.”

86 “Ukrainian Cultural Heritage Potential Impact Summary.”

See also, the museum website: “Izyum Local Lore Museum named after M.V. Sibilova,” accessed September 12, 2022, kultura-izyum.gov.ua/uk/site/kraeznavchii-muzey.html

87 Izyum Local Lore Museum named after M.V. Sibilova.

88 Scott Detrow, Kat Lonsdorf, Noah Caldwell, and Nikolai Hammar, “This is what one town in Ukraine looks like after Russian troops withdrew,” *National Public Radio*, April 9, 2022, [npr.org/sections/pictureshow/2022/04/09/1091740132/ukraine-russia-borodyanka](https://www.npr.org/sections/pictureshow/2022/04/09/1091740132/ukraine-russia-borodyanka)

89 “Mariupol: Key moments in the siege of the city,” *BBC*, May 17, 2022, [bbc.com/news/world-europe-61179093](https://www.bbc.com/news/world-europe-61179093)



Volodymyr M. Lopatko in the ruins of Hryhoriy Skovoroda National Literary Memorial Museum which was destroyed after a missile strike on May 6, 2022. Credit: Anton Shynkarenko

Theater in Mariupol, where hundreds of residents were sheltering. The bombs caused the roof and large parts of the walls to collapse.⁹⁰ The Russian word for “children” appeared written twice in large Cyrillic script in front of and behind the theater, clearly visible to aircraft, indicating that children were sheltering in the building. According to the Mariupol City Council, approximately 300 people died in the attack.⁹¹ An expert mission under the auspices of the OSCE concluded that: “[T]his incident constitutes most likely an egregious violation of IHL and those who ordered or executed it committed a war crime.”⁹² In the context of other seemingly targeted attacks on cultural institutions, it seems likely that the theater was targeted for its cultural significance.

INDISCRIMINATE AND DISPROPORTIONATE ATTACKS

Indiscriminate attacks by Russian forces have decimated cultural infrastructure and heritage across Ukraine, causing destruction and damage to museums, libraries, and historically important buildings.

Kuindzhi Art Museum

One of the sites examined by Bellingcat was the Kuindzhi Art Museum in Mariupol. During the Russian siege of the city,⁹³ an airstrike damaged the landmark Art Nouveau building on March 20, 2022, destroying some artworks.⁹⁴ The museum commemorates the work and life of Arkhip Kuindzhi, a prominent landscape painter of Greek descent who was born locally. The museum contained works by other 20th-century Ukrainian painters as well as a library and historical archive. A nearby museum of local lore was also damaged by Russian attacks.⁹⁵

Attacks on buildings with religious or spiritual significance

Dozens of churches, mosques, synagogues, cemeteries, and other buildings with religious and spiritual significance have been damaged and destroyed since February 2022. The Ukrainian government has documented at least 160 attacks on religious sites.⁹⁶ The Sviatohirsk Lavra, a historic Orthodox Christian cave monastery complex built between the 17th and 19th centuries in the Donetsk region, came under

90 “Ukraine: Deadly Mariupol Theater Strike a Clear War Crime by Russian Forces,” Amnesty International, June 2022, [amnesty.org/en/latest/news/2022/06/ukraine-deadly-mariupol-theatre-strike-a-clear-war-crime-by-russian-forces-new-investigation/](https://www.amnesty.org/en/latest/news/2022/06/ukraine-deadly-mariupol-theatre-strike-a-clear-war-crime-by-russian-forces-new-investigation/)

91 Mariupol Ukrainian Local Council, Telegram Channel, March 25, 2022, [ht.me/mariupolrada/8999](https://t.me/mariupolrada/8999)

92 Organisation for Security and Co-operation in Europe, “Report on Violations of International Humanitarian Law, War Crimes, Crimes against Humanity Committed in Ukraine Since February 24 2022,” April 12, 2022, [osce.org/files/f/documents/f/a/515868.pdf](https://www.osce.org/files/f/documents/f/a/515868.pdf).

Amnesty International also determined the attack to be a war crime: Amnesty International, “Ukraine: Deadly Mariupol Theater Strike a Clear War Crime by Russian Forces.”

93 “Mariupol: Key moments in the siege of the city,” BBC, May 17, 2022, [bbc.com/news/world-europe-61179093](https://www.bbc.com/news/world-europe-61179093)

94 Tessa Solomon, “Mariupol Museum Dedicated to Ukrainian Painter Reportedly Destroyed in Russian Airstrike,” *ArtNews*, March 24, 2022 [artnews.com/art-news/news/kuindzhi-art-museum-destroyed-ukraine-war-1234622834/](https://www.artnews.com/art-news/news/kuindzhi-art-museum-destroyed-ukraine-war-1234622834/)

95 Maxim Edwards, “Clues to the Fate of Five Damaged Cultural Heritage Sites in Ukraine,” Bellingcat, June 7, 2022, [bellingcat.com/news/uk-and-europe/2022/06/07/clues-to-the-fate-of-five-damaged-cultural-heritage-sites-in-ukraine/](https://www.bellingcat.com/news/uk-and-europe/2022/06/07/clues-to-the-fate-of-five-damaged-cultural-heritage-sites-in-ukraine/)

96 “Places of Worship: Destroyed Cultural Heritage of Ukraine,” Ministry of Culture and Information Policy of Ukraine, as of September 17, 2022 (regularly updated) culturecrimes.mkjp.gov.ua/?paged=17&cat=3

repeated attacks between March and June.⁹⁷ According to the Ukrainian Orthodox Church, at the time of an air attack on March 12, 520 people were sheltering at the monastery and some were injured by shrapnel.⁹⁸ The historic wooden All Saints' church in the complex was burned completely, apparently having been struck by artillery.⁹⁹ Ukraine's Minister of Culture Oleksandr Tkachenko said that there were monks and nuns, as well as about 300 others, seeking shelter in the complex at the time of the strike.¹⁰⁰



The historic wooden All Saints' church in the Donetsk region before it was destroyed on March 12, 2022.
Credit: Oleksandr Rupeta / Alamy Stock Photo

In July 2022, occupying forces in Mariupol set fire to the book collection of the Russian Orthodox Church

97 Maxim Edwards, "Clues to the Fate of Five Damaged Cultural Heritage Sites in Ukraine."

98 Maxim Edwards, "Clues to the Fate of Five Damaged Cultural Heritage Sites in Ukraine."

99 Maxim Edwards, "Clues to the Fate of Five Damaged Cultural Heritage Sites in Ukraine."

100 OSCE, "Report on Violations of International Humanitarian Law, War Crimes, and Crimes Against Humanity Committed in Ukraine, April 1 to June 25, 2022."

of Petro Mohyla, which contained “several unique copies of Ukrainian-language publications.”¹⁰¹ The church served as an important center for Ukrainian culture, as well as a charitable center. The destruction and confiscation of books pose a particularly severe threat to unique, rare, and archival documents, which often exist only in their original.

Local cultural centers

Russian attacks have also damaged dozens of local cultural centers (“houses of culture”), music venues, and stadiums that function as important community and cultural spaces.

On May 20, 2022, the community cultural center in Lozova, near Kharkiv, called the Palace of Culture, received a direct hit. According to the government, at least seven people, including an 11-year-old child, were injured. The executive director of the center, Victor Haraschuk, had fortuitously sent most of his staff home an hour before the strike. He returned to the center after the attack and confirmed the number of injuries and said that “they were simply thrown back by the blast wave.”¹⁰²

The center, the only major cultural institution in the area, housed an auditorium, a lecture hall, three dance halls, a gym, a large library, and multiple rooms for classes and club meetings.¹⁰³ In an interview with a videographer working with PEN America,

Haraschuk described the importance of the center to the community: “It was a cultural center of our urban community, the heart of our city. There is not a single person who is not somehow connected with the Palace of Culture. Either their children studied here, or they themselves worked or studied here. Everyone knew the Palace of Culture. This is the soul of our city. . . .The Palace is important for the city; the city needs it very much. Now we have nothing, no halls or theaters. It was the crucial center of culture.”¹⁰⁴ Haraschuk estimated that about 70 percent of the center’s equipment had been damaged or completely destroyed, including stage



“Everyone knew the Palace of Culture. This is the soul of our city. . . .The Palace is important for the city; the city needs it very much. Now we have nothing, no halls or theaters. It was the crucial center of culture.”

***Victor Haraschuk, Executive Director,
Palace of Culture***

101 “In Mariupol, occupiers burned all the books from the library of the church of Petro Mohyla,” Holodomor Museum, June 27, 2022, holodomormuseum.org.ua/en/news/in-mariupol-the-occupiers-burned-all-the-books-from-the-library-of-the-church-of-petro-mohyla/
Petro Andriushchenko, advisor to the mayor of Mariupol, Telegram channel, June 25, 2022, t.me/andriyshTime/1593

102 Victor Haraschuk, interview with videographer of PEN America, October 9, 2022

103 “Strike Devastates Palace of Culture in Ukrainian City of Lozova,” Yahoo News, May 20, 2022, news.yahoo.com/strike-devastates-palace-culture-ukrainian-162610156.html

Taylor Dafoe, “Kharkiv’s Palace of Culture Was Destroyed by a Russian Missile Attack, Leaving Eight Injured,” *Artnet News*, May 24, 2022, news.artnet.com/art-world/a-ukrainian-palace-of-culture-in-kharkiv-destroyed-2120574

104 Haraschuk, interview.



Lozova Palace of Culture, damaged in a missile strike on May 20, 2022.
Credit: Anton Shynkarenko

and sound equipment. Staff members were also not able to save any books.¹⁰⁵

Haraschuk could not understand why the Palace of Culture was struck: “There was no military here, nothing related to the military. We had only a small tractor we used to transport scenery for Palace maintenance. That’s all. I don’t understand why this happened. Maybe because it is a very beautiful, freestanding building.”¹⁰⁶ PEN America could not confirm whether this was indeed a targeted attack.

Human Rights Watch documented two Russian strikes on the Derhachi cultural center. The first, on May 12, 2022, pierced the building’s roof and injured two volunteers who were preparing food and other aid for local residents. The second, in the early morning hours of May 13, 2022, struck while 21 people were sheltering there overnight.¹⁰⁷

Bellingcat recorded damage to several cultural centers in Mariupol in the Donetsk region on March 16,

¹⁰⁵ Haraschuk, interview.

¹⁰⁶ Haraschuk, interview.

¹⁰⁷ “Ukraine: Unlawful Russian Attacks in Kharkiv,” Human Rights Watch, August 16, 2022, [hrw.org/news/2022/08/16/ukraine-unlawful-russian-attacks-kharkiv](https://www.hrw.org/news/2022/08/16/ukraine-unlawful-russian-attacks-kharkiv)

2022; in Irpin on March 24, 2022; and in Chuhuyiv in the Kharkiv region on July 25, 2022.¹⁰⁸ The Ukrainian government has also documented dozens of strikes to cultural centers.¹⁰⁹

Libraries and archives

The Ukrainian government has documented damage and destruction to at least 49 libraries and archives.¹¹⁰ In an August media interview, Oksana Boyarynova, a member of the Ukrainian Library Association Board, reported that 2,475 libraries, out of about 15,000 across the country, are currently closed due to damage, funding, or staff being forced to leave their jobs and homes due to the war. She said that 21 libraries have lost their entire collections.¹¹¹

The city of Chernihiv was subject to an intense siege by Russian forces from February 24 until their withdrawal from northern Ukraine in early April.¹¹² Russian attacks decimated the striking Gothic Revival Youth Library, also known as the Tarnovsky Building, causing extensive damage to its roof and walls.¹¹³ The building formerly housed the Museum of Ukrainian Antiquities: Founded in 1902 by Vasyl Tarnovsky, it was one of the first and one of the most well-known museums in Ukraine. The collection had been transferred to the city historical museum and the building subsequently functioned as a library for children and youth, including at the time of the attack. The Ukraine Institute describes the damage as “an irreparable loss of the cultural and historical heritage of Ukraine.”¹¹⁴

Also in the Chernihiv region, Ukraine’s Ministry of Justice, citing the head of the State Archival Service of Ukraine, reported that Russian attacks destroyed the Security Service archives, which included the former Soviet secret police (NKVD) documents related to Soviet repression against Ukrainians.¹¹⁵ Approximately 13,000 files were destroyed, representing a devastating loss to historians and to the victims whose stories the documents held.¹¹⁶

Russian forces attacked Bucha, a small city outside of Kyiv, committing grave human rights abuses, including mass killings of civilians. They also destroyed the archives of the Ukrainian politician and Soviet-era dissident,

108 “Civilian Harm in Ukraine,” Bellingcat, as of September 19, 2022 (regularly updated), accessed September 17, 2022, ukraine.bellingcat.com/

109 “Destroyed Cultural Heritage of Ukraine,” Ministry of Culture and Information Policy of Ukraine, as of September 17, 2022, culturecrimes.mkip.gov.ua/

110 “Libraries, Destroyed Cultural Heritage of Ukraine,” Ministry of Culture and Information Policy of Ukraine, as of September 17, 2022, culturecrimes.mkip.gov.ua/?paged=4&cat=7

111 Jane Bradley, “How Ukraine’s Librarians Mobilized to Fight the Russian Culture War,” *The Scotsman*, August 7, 2022, scotsman.com/news/world/how-ukraines-librarians-mobilised-to-fight-the-russian-culture-war-3796419

112 Maxim Edwards, “Clues to the Fate of Five Damaged Cultural Heritage Sites in Ukraine,” Bellingcat, June 7, 2022, bellingcat.com/news/uk-and-europe/2022/06/07/clues-to-the-fate-of-five-damaged-cultural-heritage-sites-in-ukraine

Joshua Yaffa, “The Siege of Chernihiv,” *New Yorker*.com, April 15, 2022, [newyorker.com/news/dispatch/the-siege-of-chernihiv](https://www.newyorker.com/news/dispatch/the-siege-of-chernihiv)

113 “Chernihiv Library for Youth,” Ukrainian Institute, accessed September 17, 2022, ui.org.ua/en/sectors-en/museum-of-ukrainian-antiquities-2/

114 “Chernihiv Library for Youth,” Ukrainian Institute.

115 Denys Dratsky, ed., “Russian occupiers launch war on Ukrainian history, burning books, and destroying archives,” *Euromaidan Press*, April 2, 2022, euromaidanpress.com/2022/04/02/russian-occupiers-launch-war-on-ukrainian-history-burning-books-and-destroying-archives/

116 “Russians in Ukraine Burn Books, Destroys Libraries, Archives, Theaters,” *Poland Daily Live*, April 30, 2022, [youtube.com/watch?v=k-50Abxu7jo](https://www.youtube.com/watch?v=k-50Abxu7jo)



The Chernihiv Regional Youth Library, damaged by a bombing on March 11, 2022.
Credit: Celestino Arce / Alamy Stock Photo

politician, and publicist, Vyacheslav Chornovil.¹¹⁷ As a defender of Ukrainian cultural rights and free expression, Chornovil publicized the Soviet repression of Ukrainian intellectuals in 1966; headed the Ukrainian Helsinki monitoring group; edited the *Ukrainian Herald*, an illegal underground newspaper; and was head of the Ukrainian national-democratic liberation movement in the late '80s and '90s. Chornovil was sentenced to Soviet prison three times before emerging as a prominent political leader after Ukraine's independence.¹¹⁸ The National Union of Journalists reported that significant parts of Chornovil's archive were lost, as well as books from the Chornovil Foundation and 60 copies of the complete works of Chornovil. Nearly all of the archives of Mykola Plahotniuk, a fellow dissident, located in the same house, were also destroyed.¹¹⁹

The 19th-century Korolenko Kharkiv State Scientific Library, the largest library in Ukraine in size, and the second largest in terms of holdings, suffered significant damage on March 13, 2022. The Ministry of Culture and Information

117 "In Bucha, Russian invaders destroyed the Vyacheslav Chornovil Archive," *Ukrinform*, April 4, 2022, ukrinform.ru/rubric-culture/3462256-v-buce-rossijskie-zahvatciki-unictozili-arhiv-vaceslava-cornovila.html

SPIILKA News, "The occupiers attacked the archive of Vyacheslav Chornovil," Telegram Channel, April 19, 2022, t.me/spilkanews/669

118 Peter Marusenko, "Vyacheslav Chornovil obituary," *The Guardian*, April 15, 1999, theguardian.com/news/1999/apr/16/guardianobituaries

119 "In Bucha, Russian invaders destroyed the Vyacheslav Chornovil Archive," *Ukrinform*, and "The occupiers attacked the archive of Vyacheslav Chornovil," Telegram Channel.

Policy and the Korolenko Kharkiv State Scientific Library described the library as housing seven million copies of documents in different languages and serving as a digital education hub in Kharkiv. Russian attacks on the facility caused damage to two on-site book depositories, the main library building, stained glass windows, as well as a grand piano once played by Russian composer Sergei Rachmaninoff. The book collections in the library were not damaged by the attacks, but were exposed to the elements when the windows were blown out.¹²⁰

Attacks on historically important buildings

Russian forces struck the Babyn Yar Holocaust memorial complex in Kyiv on March 1, damaging a building which would have been the first Holocaust Memorial Center in Eastern Europe. The 140-acre site suffered extensive destruction and fire damage.¹²¹ Nazis killed at least 33,000 Jews over a 36-hour period in September 1941 at Babyn Yar. The site is adjacent to Kyiv's main television and radio tower, which appeared to be the main target.¹²² Russian shelling also damaged the Drobitsky Yar Holocaust Memorial outside of Kharkiv, which commemorates the site where Nazis killed an estimated 15,000 Jews during World War II. The complex's most prominent feature, a giant black menorah, was severely damaged.¹²³

ATTACKS ON CULTURE IN OCCUPIED TERRITORIES

Areas occupied by Russian and separatist forces faced human rights abuses, economic deprivation, and psychological hardship. In an interview with PEN America, Serhiy Shaulis, a sculptor, explained the challenges he faced trying to create art in an occupied area: "I have a studio in Kharkiv, but after February 24 it is almost impossible to stay and work in Kharkiv; it is very emotionally draining, depressing—the power is often off and power is very critical for my work. Also, my family is far and there is no support."¹²⁴

Looting of museums in occupied territories

Throughout the history of Russian rule over Ukraine, the Russian imperial as well as Soviet governments conducted systematic policies of appropriating precious Ukrainian cultural artifacts for museum collections in Russia. Unique and invaluable treasures, including articles of Scythian gold, masterpieces of ancient Greek art from southern Ukraine, icons and artifacts from the times of medieval Kyivan Rus', all the way to showpieces of Ukrainian modernist and avant-garde art, were seized and transported en masse to imperial holdings in Saint Petersburg and Moscow.

120 "Kharkiv State Scientific Library named after Korolenko," Ministry of Culture and Information Policy of Ukraine, restore.mkp.gov.ua/en/objects/harkivska-derzhavna-naukova-biblioteka-imeni-korolenka (accessed August 5, 2022).

121 Daniel Estrin, "How the memory of Nazi atrocities has come to play a role in Russia's war," *NPR*, March 2, 2022, <https://www.npr.org/2022/03/02/1084033875/how-the-memory-of-nazi-atrocities-has-come-to-play-a-role-in-russias-war>

122 Taylor Dafoe, "Russia Has Bombed Babyn Yar, Site of a Memorial to Ukrainian Jews Executed by Nazis," *ArtNews*, March 1, 2022, [artnet.com/art-world/babyn-yar-bombed-2079548](https://www.artnet.com/art-world/babyn-yar-bombed-2079548)

123 Tessa Solomon, "Russian Forces Reportedly Shell Holocaust Memorial in Eastern Ukraine," *ArtNews*, March 28, 2022, [artnews.com/art-news/news/drobitsky-yar-holocaust-memorial-ukraine-reportedly-shelled-russia-1234623072/](https://www.artnews.com/art-news/news/drobitsky-yar-holocaust-memorial-ukraine-reportedly-shelled-russia-1234623072/)

124 Serhiy Shaulis, interview with staff of PEN America, November 12, 2022

In keeping with this imperial-colonial tradition, Russian and separatist forces have appropriated and looted museums in the territories they illegally occupy. In the southern city of Melitopol in April, Russian soldiers oversaw the removal of at least 198 rare gold artifacts as well as silver coins and other precious objects from the Melitopol Museum of Local History. The gold objects date back to the fourth century B.C. and the Scythian empire. Soldiers also kidnapped museum workers.¹²⁵ The Russian-appointed de facto museum head made it clear the authorities do not regard the treasures as part of Ukrainian cultural legacy, but that they “are of great cultural value for the entire former Soviet Union.”¹²⁶

In late April, Ukrainian officials reported that Russian forces stole and moved more than 2,000 unique exhibit items from museums across southern Ukraine, as well as works by the 19th-century Mariupol native Arkhip Kuindzhi and the painter Ivan Aivazovsky who lived in Crimea for much of his life, as well as a unique handwritten Torah scroll, and the Gospel of 1811 made by the Venetian printing house for the Greeks of Mariupol.¹²⁷

Between October 31 and November 3, 2022, the Oleksiy Shovkunenکو Kherson Art Museum was looted by armed men dressed in civilian clothing, according to museum administrators. Russian occupying forces and Russian collaborators carried out “everything they saw, everything they could reach.”¹²⁸ The museum’s collection includes more than 10,000 pieces of art.

The Albin Havdzynskyi Picture Gallery, located in the temporarily occupied city of Nova Kakhovka in the Kherson region, was robbed by occupying Russian forces after the “evacuation of the population” was announced due to a possible counter-offensive by the Ukrainian army. The city’s mayor, Volodymyr Kovalenko, reported: “They are taking all the exhibits they can. A truck approached the gallery, and Russians started loading them. Locals saw this, but the occupiers did not let them come close. Over 1,000 artworks were exhibited in the gallery; of these, 297 paintings were gifted to Nova Kakhovka by Albin Havdzynskyi, Honored Artist of Ukraine.”

In November 2022, Russian forces were forced to retreat from Kherson. Media reports confirmed by the Ukrainian military’s National Resistance Center, indicated that Russian soldiers had looted 15,000 objects from the Oleksiy Shovkunenکو Kherson Art Museum, Kherson Regional Museum, and other cultural venues.¹²⁹ Media reports suggest that the Kherson Art Museum’s collection was taken to the Simferopol Museum of Local Lore in occupied Crimea.¹³⁰

125 Jeffrey Gettleman and Oleksandr Chubko, “Ukraine Says Russia Looted Ancient Gold Artifacts from a Museum,” *New York Times*, April 30, 2022, [nytimes.com/2022/04/30/world/europe/ukraine-scythia-gold-museum-russia.html](https://www.nytimes.com/2022/04/30/world/europe/ukraine-scythia-gold-museum-russia.html)

126 “Russian Soldiers Reportedly Looted Priceless Artifacts from Southern Ukrainian Museum,” REF/RL, May 1, 2022, [rferl.org/a/russia-ukraine-looting-scythian-gold/31829109.html](https://www.rferl.org/a/russia-ukraine-looting-scythian-gold/31829109.html)

127 Pjotr Sauer, “Ukraine accuses Russian forces of seizing 2,000 artworks in Mariupol,” *The Guardian*, April 29, 2022, [theguardian.com/world/2022/apr/29/ukraine-accuses-russian-forces-of-seizing-2000-artworks-in-mariupol](https://www.theguardian.com/world/2022/apr/29/ukraine-accuses-russian-forces-of-seizing-2000-artworks-in-mariupol)

128 “Russian Occupying Forces Loot Kherson Art Museum,” *The Kyiv Independent*, November 5, 2022, [kyivindependent.com/news-feed/russian-occupying-forces-loot-kherson-art-museum](https://www.kyivindependent.com/news-feed/russian-occupying-forces-loot-kherson-art-museum)

129 Taylor Dafoe, “Before Retreating from Kherson, Russian Troops Emptied One of Ukraine’s Top Museums of Nearly 15 000 Objects”, *Artnet News*, November 14, 2022,

130 “Russians stole 80% of paintings from the Kherson museum. The occupiers were assisted by specialists from Crimea,” *Babel*, November 21, 2022, <https://www.babel.ua/en/news/87308-russians-stole-80-of-paintings-from-the-kherson-museum-the-occupiers-were-assisted-by-specialists-from-crimea>

Education and culture

In territories occupied since February 2022, Russian forces have followed a similar playbook, when it comes to education, to the one they developed in Crimea, Luhansk, and Donetsk. In June 2022, the Russian Education Minister Sergei Kravtsov announced that, as was already the case in Luhansk and Donetsk, school children in occupied areas would be taught according to the Russian curriculum and in Russian, during the 2022-23 school year.¹³¹

Occupying forces have ordered the removal of Ukrainian textbooks and other books from school libraries. In September 2022, a Ukrainian journalist published photographs of decrees titled “On the Removal of Literature,” signed by occupying authorities in August 2022 in two villages in the Kharkiv region. The decrees ordered the removal and storage of hundreds of elementary and secondary school textbooks and books of Ukrainian literature, as well as posters, signs, and school documentation.¹³²

According to the Ukrainian Military Intelligence Directorate, occupying forces in Kherson instructed school principals to “gather their teachers and force them to re-register in compliance with Russian law, signing new contracts with the occupation administration.”¹³³ In March 2022, the occupying authorities detained educators for their refusal to implement the Russian curriculum, including the Melitopol head of the education department and local school directors. Families have also resisted, and authorities have threatened to remove children from their parents if they refuse to send them to school.¹³⁴ The Russian government has also reportedly recruited hundreds of teachers from Russia to work in occupied eastern Ukraine by offering lucrative pay and cheap accommodation.¹³⁵ Kherson was liberated on November 12, 2022.¹³⁶

Attacks on writers in occupied regions

On March 23, 2022, Russian occupying forces detained Ukrainian writer and activist Volodymyr Vakulenko and his son Vitaly, who is living with a disability, in their home village of Kapytolivka, near Izium, in the Kharkiv region. Vakulenko was beaten and then released with his son. The following day, members of the occupying force took Vakulenko off in the direction of Izium. None of his relatives have heard from him since

131 “Кравцов: Все школы освобожденных территорий Украины и Донбасса переходят на российские стандарты, [Kavtsov: All schools in the liberated territories of Ukraine and Donbas will move to Russian standards],” *New Day News*, June 17, 2022, newdaynews.ru/crimea/762464.html

132 Denys Kazansky, journalist, Telegram channel, September 11, 2022, <https://t.me/kazansky2017/4076>, and “Acts of Genocide: Evidence of genocide: Acts on the removal of Ukrainian literature from schools were found in the liberated Kharkiv Oblast,” *NV.ua*, September 11, 2022, <https://nv.ua/ukr/ukraine/events/nakharkivshchini-znayshli-akti-pro-viluchennya-zi-shkil-ukrajinskoji-literaturi-novini-ukrajini-50269287.html> (both accessed September 12, 2022).

133 “Moscow is forcing Kherson schools to switch to Russian curriculum,” *The New Voice of Ukraine*, June 7, 2022, english.nv.ua/life/russia-forces-kherson-schools-to-switch-to-russian-curriculum-ukraine-news-50248233.html

134 Halya Coynash, “Russia uses terror and abduction in attempt to force schools to collaborate in occupied Melitopol,” *Kharkiv Human Rights Protection Group*, May 5, 2022, khp.org/en/1608810509

135 “Most school students in occupied Melitopol will continue Ukrainian online education, says mayor,” *The New Voice of Ukraine*, September 2, 2022, english.nv.ua/nation/most-school-students-in-occupied-melitopol-will-continue-ukrainian-online-education-50267318.html

Robyn Dixon, “Russia Sending Teachers to Ukraine to Control What Students Learn,” *Washington Post*, July 18, 2022, [washingtonpost.com/world/2022/07/18/russia-teachers-ukraine-rewrite-history/](https://www.washingtonpost.com/world/2022/07/18/russia-teachers-ukraine-rewrite-history/)

136 Anastacia Galouchka and Michael E. Miller, “Kherson residents celebrate liberation and describe trauma of occupation,” *Washington Post*, November 12, 2022, [washingtonpost.com/world/2022/11/12/kherson-celebration-liberation-trauma-occupation/](https://www.washingtonpost.com/world/2022/11/12/kherson-celebration-liberation-trauma-occupation/)

then. Vakulenko is best known for writing for children, but his work also creatively fuses postmodernism, neoclassicism, and absurdism. Besides this, he is well-known and respected for his civic action and previous volunteering with the Ukrainian army against the Russian occupation forces in Eastern Ukraine that has been occupied by Russian separatist forces since 2014. His family believes he was specifically targeted for his pro-Ukrainian sentiments and support for the army.¹³⁷

Russian occupying forces have also threatened, detained, and disappeared museum and other cultural workers. In Melitopol, which came under Russian occupation on March 1, Russian forces burst into the home of Leila Ibrahimova, the director of the Melitopol Museum of Local History, held her at gunpoint, threw a black hood over her head, and kidnapped her.¹³⁸ They released her several hours later after she refused to show the soldiers where the museum's ancient gold collections were being stored. Subsequently, the museum's curator Halyna Kucher, was taken at gunpoint to the museum and asked to show a Russian "expert" where the gold was. She, too, refused to cooperate. Kucher was later abducted from her home on April 30, and her whereabouts remain unknown.¹³⁹

Russification, propaganda, and culture

Russia-backed separatists and Russian occupying forces have required that cultural events and expression at schools, universities, and local history museums reflect Soviet and Russian history and mythology, including "the heroism of Soviet soldiers, industrial workers, and the greatness of Russian history."¹⁴⁰ They have constructed monuments commemorating the Russian Empire and the Soviet Union, as well as writers, singers, and other artistic figures from Russian and Soviet history, in high-traffic public places.¹⁴¹

Ukrainian radio and television channels are no longer accessible and Russian and local channels broadcast Russian and Soviet propaganda and anti-Ukrainian propaganda.¹⁴² Ukrainian flags and state symbols have been removed and replaced with those of Russia;¹⁴³ Ukrainian location signage has been replaced with signs in Russian; and large video screens displaying propaganda have been placed in locations such as humanitarian aid distribution points or water collection sites in Mariupol.¹⁴⁴

137 'This Is My Country' The abduction of Volodymyr Vakulenko <https://pen.org.ua/en/ukrayinskogo-pysmennyka-volodymyra-vakulenska-ta-jogo-syna-vykraly-rosijski-okupanty> (accessed October 24 2022).

138 Gettleman and Chubko, *New York Times*.

139 "A Second Worker at the Melitopol Museum of Local History in Ukraine Has Reportedly Been Abducted by Russian Soldiers," Artnet, May 5, 2022, [artnet.com/art-world/ukraine-museum-kidnap-russia-2109092](https://www.artnet.com/art-world/ukraine-museum-kidnap-russia-2109092)

140 "Культурная жизнь в оккупации: город Донецк [Cultural life under occupation: the city of Donetsk," *Radio Liberty*, October 7, 2016, [radiosvoboda.org/a/28038333.html](https://www.radiosvoboda.org/a/28038333.html)

141 Damian Koropeczki, "Cultural Heritage in Ukraine: A Gap in Russian IO Monitoring," *Small Wars Journal*, January 21, 2022, smallwarsjournal.com/jrnl/art/cultural-heritage-ukraine-gap-russian-io-monitoring

142 Ibid., and *Окупанти запустили пропагандистський канал «Мариуполь 24»* [The occupiers released the propaganda channel "Mariupol 24,"] *Chytomo*, September 7, 2022, chytomo.com/okupanty-zapustyly-propahandystskij-kanal-maryupol-24/

143 See for example, In Kherson, occupation authorities returned Lenin monuments to their pedestals and hung Soviet red flags. "Glory to Ukraine Memorial," Ukrainian Institute, accessed September 16, 2022, <https://ui.org.ua/en/postcard/glory-to-ukraine-memorial/>

144 Halya Coynash, "Russia moves to eradicate Ukraine from schools in occupied Mariupol, Kherson, and Zaporizhzhia," Kharkiv Human Rights Protection Group, July 4, 2022 khp.org/en/1608810817
Petro Andriushchenko, advisor to the Ukrainian mayor of Mariupol, Telegram channel, May 26, 2022, t.me/andriyshTime/1073

Impacts on publishing

Kharkiv largely served as the center of Ukraine's publishing industry. The industry has been battered by damage to buildings, loss of staff (due to deaths related to the conflict and displacement), closures of printing houses, bookstores and other retail sales outlets, and supply chain disruptions.¹⁴⁵ There are over 250 publishers in Ukraine, located across the country, with a large part of the industry concentrated in Kharkiv, home to the three largest book printers.¹⁴⁶ A few months into the war, the Ukrainian Book Institute, a state institution affiliated with the Ministry of Culture and Information Policy, surveyed 258 publishers and found that 74 percent (191 publishers) were operational, while 11 percent remained unable to operate as of July 2022.¹⁴⁷ Vivat Publishing, also a large publisher, planned to proceed with all books scheduled for publication in 2022 and had also increased online-only content.¹⁴⁸

In March 2022, the director of one of the largest printing houses in Ukraine, Unisoft, reported that their building in Kharkiv was partially damaged by shelling.¹⁴⁹ Vivat Publishing reported having to find new printers near Kyiv and in western Ukraine, after the building housing their printer in Kharkiv was damaged by shelling.¹⁵⁰ According to the director of the Ukrainian Association of Publishers and Book Distributors and staff from a local publishing house, book printing completely stopped in Kharkiv from March to May.¹⁵¹

Book stocks have also been under threat, with millions of copies of books marooned in warehouses and publishers unable to access them due to the fighting.¹⁵² Vivat Publishing had books stranded in a warehouse in Kharkiv that they could not safely move because of the constant shelling in the early months of the war. They have subsequently made efforts to relocate books in small batches to safer areas.¹⁵³ Vivat also moved its warehouse to Lviv, and restarted distribution in May, primarily through digital books. On May 20, 2022 the publishing house reopened its bookstore in the center of Kharkiv. One of Ukraine's leading poets and

145 Ed Nawotka, "The War's Toll on Ukrainian Publishers," *Publishers Weekly*, May 27, 2022, publishersweekly.com/pw/by-topic/international/international-book-news/article/89463-the-war-s-toll-on-ukrainian-publishers.html

Jim Zarroli, "Russian invasion upends young, flourishing Ukrainian publishing industry," National Public Radio, April 19, 2022, [npr.org/2022/04/19/1092793826/russian-invasion-upends-young-flourishing-ukrainian-publishing-industry](https://www.npr.org/2022/04/19/1092793826/russian-invasion-upends-young-flourishing-ukrainian-publishing-industry)

146 "Director of UBI Koval: Books are weapons, either defensive or offensive," *Interfax*, May 23, 2022, <https://interfax.com.ua/news/interview/834181.html>, and "Without Paper, Orders, and With Destroyed Infrastructure: How are Ukrainian Printing Houses Living Now?" *Chytomo*, May 30, 2022, <https://chytomo.com/bez-paperu-zamovlen-i-zi-zrujnovanoiu-infrastrukturoiu-chym-zhyvut-ukrainski-drukarni-zaraz/> (both accessed September 20, 2022).

147 "74% of Surveyed Publishers Can Work," *Ukrainian Book Institute*, July 4, 2022, <https://book-institute.org.ua/uk/news/kategoriya-2/74-opitanih-vidavciv-mozhut-povnocinno-pracyuvati> (accessed August 3, 2022).

148 Anna Sergeeva and Olena Rybka, "Olena Rybka: Ukraine's Literary Identity," *Guernica*, August 2, 2022, [guernicamag.com/olena-rybka-ukraines-literary-identity/](https://www.guernicamag.com/olena-rybka-ukraines-literary-identity/)

149 "A Projectile Hit the Territory of the Largest Printing House in Ukraine," *Chytomo*, March 12, 2022, <https://chytomo.com/na-terytoriiu-najbilshoi-drukarni-ukrainy-potravyv-snariad/> (accessed September 17, 2022).

150 Anastassia Boutsko, "Ukrainian publisher makes books to survive," *Deutsche Welle*, May 24, 2022, [dw.com/en/ukrainian-publishing-house-makes-books-to-survive/a-61905254](https://www.dw.com/en/ukrainian-publishing-house-makes-books-to-survive/a-61905254)

151 Oleksandr Afonin, director of the Ukrainian Association of Publishers and Book Distributors, quoted in *Chytomo*, "Without Paper, Orders, and With Destroyed Infrastructure: How are Ukrainian Printing Houses Living Now?"

Kateryna Volkova, "Life As a Book Publisher in Wartime Ukraine," May 12, 2022, *Literary Hub*, lithub.com/life-as-a-book-publisher-in-wartime-ukraine/

152 Ed Nawotka, *Publishers Weekly*.

153 Kateryna Volkova, *LitHub*.

authors Serhiy Zhadan read new poems at the opening.¹⁵⁴ Despite the ongoing difficulties for the industry, Ukraine's largest literary festival, the Lviv BookForum, went ahead on October 6, 2022.¹⁵⁵ Vivat opened its first bookstore in Kyiv in October 2022.

CULTURAL DEFENSE AND RESILIENCY

ARTISTS AND WRITERS

Amidst the horror and hardships of war, often in desperate physical and economic circumstances, writers, artists, and cultural producers have continued to contribute to Ukrainian culture, including as forms of resistance to the war, in ways too numerous to detail in full.¹⁵⁶ Ordinary Ukrainians also seek solace and inspiration in their culture, and celebrate the ways that culture continues to thrive during the war. Hamlet Zinkivskyi, a painter and street artist from Kharkiv who continued to work in Kharkiv after the February invasion, provides a poignant example of the importance of culture in this period: "In Izium, in the city destroyed by 80 percent, three weeks after [the] liberation, people came up and asked when I would come and make new paintings."¹⁵⁷

According to Andriy Kurkov, one of Ukraine's most renowned authors and the president of PEN Ukraine from 2018 to 2022, many writers have paused their fiction writing since the invasion in February 2022, opting for nonfiction essays, diaries, and journalism. He stated that poetry had become more patriotic and declarative.¹⁵⁸

In his Arthur Miller Freedom to Write Lecture delivered at PEN America's World Voices Festival in New York earlier this year, Kurkov described his own experience: "I could not have imagined a situation in which I would decide not to write a novel. But it has happened. Reality is now scarier, more dramatic than any fictional prose. In this context, novels lose their meaning. Now it is necessary to write only the truth, only non-fiction. All those who can write are witnessing one of the worst crimes of the 21st century. The task of witnesses is to

154 Anastassia Boutsko, Deutsche Welle.

155 Ruth Comerford, "Zelensky Opens Lviv BookForum with support from Atwood and Gaiman," *The Bookseller*, October 6, 2022, thebookseller.com/news/zelensky-opens-lviv-bookforum-with-support-from-atwood-and-gaiman

156 For examples, see:

Ivan Shovkoplias, "How Art Became a Mirror of Ukrainian Resistance," Ministry of Foreign Affairs of Ukraine, April 18, 2022, <https://war.ukraine.ua/art-and-culture-during-the-war/how-art-became-a-mirror-of-ukrainian-resistance/>

"Ukraine diaries: art in the face of the war," *The Conversation*, June 5, 2022, <https://theconversation.com/ukraine-diaries-art-in-the-face-of-the-war-184199>

Jennifer Rankin, "Making Sense of the Senseless: War Art Exhibition Arrives in Brussels," *The Guardian*, July 31, 2022, <https://www.theguardian.com/world/2022/jul/31/ukrainian-war-art-exhibition-arrives-brussels-captured-house>

"The Ukrainian Women who Make Art in the Face of War," National Public Radio, August 2, 2022, <https://www.npr.org/2022/08/02/1114969355/the-ukrainian-women-who-make-art-in-the-face-of-war>

157 Hamlet Zinkivskyi, in person interview with videographer for PEN America, October 9, 2022.

158 Andriy Kurkov, video interview with PEN America consultant, September 1, 2022



Hamlet Zinkivskiy in front of a piece of his street art, Kharkiv, October 9, 2022
Credit: Anton Shynkarenko

record and preserve the evidence of the crime.”¹⁵⁹

In an interview conducted in July 2022, Volodymyr Rafeyenko, a writer, poet, and translator twice displaced inside Ukraine, first from Donetsk and then from Kyiv region, described his experience as a Ukrainian Russophone: “I positioned myself as a Ukrainian writer who also functions in the Russian cultural-linguistic sphere. It never entered my mind to write in Ukrainian. After [Russia’s invasion in] 2014, I learned Ukrainian and wrote a novel in Ukrainian, to show Russians and anyone else that even for a Russophone Ukrainian, learning Ukrainian is not a problem. . . .After February 24 . . . I’m simply unable to write in Russian any longer. . . .The trauma from what Russians have done to my country, to my life, is so deep that it may not ever heal. . . .Right now, being human means, above all, being with my own people.”¹⁶⁰

Ilya Kiva, a poet, also began to write more consistently in Ukrainian: “It was both a choice and a desire to be involved in the space of dialogue specifically with the Ukrainian-speaking culture of Ukraine, to the circle of meanings and

¹⁵⁹ “Writer Andriy Kurkov: Ukrainians Will Never Abandon Faith in Human Rights or Hope for Freedom,” PEN America, May 13, 2022, pen.org/press-release/writer-andriy-kurkov-ukrainians-will-never-abandon-faith-in-human-rights-or-hope-for-freedom/

¹⁶⁰ Volodymyr Rafeyenko interviewed by Marci Shore, “Writing Off Russia,” Project Syndicate, July 1, 2022, project-syndicate.org/onpoint/ukraine-war-impact-on-russian-writer-by-volodymyr-rafeyenko-and-marci-shore-2022-06

ideas with which the Ukrainian language works and which articulates a certain image of the world.”¹⁶¹

Zinkivskyi described how he grappled with his art during the early stages of the conflict in 2022: “When the war broke out, I did not understand why I should do this. But when I started drawing, I quickly understood why it was necessary. The [Ukrainian] military from Kharkiv who know me look at my paintings on Instagram. And when they meet other soldiers from Western Ukraine, they say that they are from Kharkiv and [they] show [them] my artwork. They look at my artwork, sitting in the trench, using Starlink! They thank me because it inspires them.”¹⁶²

Zinkivskyi has worked with a sculptor from Lviv, Serhiy Shaulis,¹⁶³ to make a series of sculptures in the form of broken skulls. Shaulis uses military detritus for his art and relies on the support of Ukrainian soldiers to provide him with materials. As Zinkivskyi explains, “I bring the military to him all the time. Soldiers collect shell casings, he melts them down and casts the skulls. All the battalions I help ask me what I need. I ask for brass cartridge cases to cast sculptures and we go to his workroom—it is very interesting for the guys. I always invite them to visit my house and the workroom of Serhiy Shaulis. This is the opportunity for them to touch the art.”¹⁶⁴

Tamara Shevchuk, a painter and graphic designer from the Kyiv region, also found her work influenced by the war and created a new series of paintings and illustrations featuring traditional Ukrainian dress, patterns, and symbols. Before the February invasions, she worked as an art therapist with Ukrainian children and soldiers who had left the Donetsk and Luhansk regions, helping them process the trauma they sustained from war into a creative outlet.¹⁶⁵

PRESERVING UKRAINE’S HERITAGE AND SUPPORTING THOSE WHO CREATE AND PROTECT CULTURE

Faced with the Russian onslaught, Ukrainian culture in all its forms requires urgent as well as sustained recovery and resilience support. Much of the support to date—domestically and internationally—has focused on what is known as cultural heritage, which covers physical buildings, objects, and artifacts, and provides, to some extent, support for cultural heritage workers. This is essential, but guaranteeing the survival and flourishing of a culture under threat also means ensuring the creators of culture can do their crucial work to sustain, expand, and carry a vibrant culture forward into the future.¹⁶⁶

The Ukrainian government has undertaken a number of steps to strengthen state cultural institutions since 2014. It established the Ukrainian Cultural Foundation, to provide state grants for arts and culture, and the

¹⁶¹ Kiva, interview PEN America.

¹⁶² Zinkivskyi, interview with PEN America.

¹⁶³ Serhiy Shaulis is a grantee of PEN America’s Artists at Risk Connection Emergency grant for Ukrainian visual artists.

¹⁶⁴ Zinkivskyi, interview with PEN America.

¹⁶⁵ Shevchuk, interview with PEN America.

¹⁶⁶ Suzanne Nossel, “How to Help Ukraine Fight Cultural Erasure,” *Foreign Policy*, May 16, 2022, foreignpolicy.com/2022/05/16/ukraine-russia-fight-cultural-erasure/

Ukrainian Book Institute to promote Ukrainian literature. It reorganized the Ukrainian State Film Agency and launched the Ukrainian Institute, under the Ministry of Foreign Affairs, that is tasked with promoting Ukrainian culture abroad.¹⁶⁷ Since the February 2022 invasion, the Ukrainian government has been collecting evidence on attacks on cultural heritage sites. It has also focused on protection of physical cultural heritage and cultural buildings and sites, and has allocated some emergency donations “to meet the needs of culture, arts, creative industries, protection and preservation of cultural heritage [and] cultural values.”¹⁶⁸ In its April-July monitoring reports on the war, the OSCE acknowledged “considerable Ukrainian efforts to protect and preserve cultural heritage,” consistent with the international humanitarian law requirement that the defending state safeguard cultural property.¹⁶⁹

Workers at museums and cultural sites across Ukraine have also worked to protect their holdings since the February invasion, for example by relocating movable objects to basements and safer areas. They have reinforced buildings, boarded up windows, and protected artifacts that cannot be easily moved with scaffolding, sandbags, and fire-retardant coverings.¹⁷⁰

PEN Ukraine provides much-needed financial support to Ukrainian writers, both PEN Members and non-Members. Since February 24, 2022, the organization has supported more than 80 requests through the PEN Ukraine Emergency Fund with the support of the PEN International community and their authors. In addition, PEN Ukraine has provided 120 scholarships for Ukrainian writers, translators, and critics to continue their creative work. The scholarships have been supported by the International Foundation Renaissance and the New Democracy Fund.¹⁷¹

The non-profit Museum Crisis Center emerged quickly after Russia’s February 2022 invasion to support local museums and staff, primarily in eastern Ukraine, near the front lines. The organization aims to provide support to grassroots initiatives and art projects that may not receive immediate attention from the Ukrainian government and international donors.¹⁷²

The Heritage Response Fund Initiative (HERI) is a small coalition of NGOs and one cultural reserve which also launched in early March. It undertakes a number of activities to support museums, libraries, and archives, including—according to its June 2022 report—assisting cultural institutions and employees; protection of

167 Maria Pesenti, “Cultural Revival and Social Transformation in Ukraine,” Chatham House, November 16, 2020, chathamhouse.org/2020/11/cultural-revival-and-social-transformation-ukraine

168 “On making changes to the procedures approved by resolutions of the Cabinet of Ministers of Ukraine dated April 19, 2022 No. 472 and dated May 17, 2022 No. 616,” Cabinet of Ministers Decree dated June 24, 2022 No. 713, kmu.gov.ua/npas/pro-vnesennya-zmin-do-poryadkiv-zatverdzhениh-postanovami-kabinetu-ministriv-ukrayini-vid-19-kvitnya-2022-r-472-i-vid-17-travnja-2022-r-616-i240622-713

169 “Report on Violations of International Humanitarian and Human Rights Law, War Crimes, and Crimes Against Humanity, Committed in Ukraine [April 1-June 25, 2022],” OSCE, July 14, 2022, 43-44, osce.org/files/f/documents/3/e/522616.pdf

170 Jane Recker, “Inside the Efforts to Preserve Ukraine’s Cultural Heritage,” *Smithsonian Magazine*, March 30, 2022, smithsonianmag.com/smart-news/inside-the-efforts-to-preserve-ukraines-cultural-heritage-180979840/

171 Information received from Tetyana Teren, Executive Director, PEN Ukraine on file with PEN America

172 Lisa Korneichuk, “This Group is Helping Museum Workers in Ukraine,” *Hyperallergic*, March 23, 2022, <https://hyperallergic.com/719347/this-group-is-helping-museum-workers-in-ukraine/>

museum collections; and collecting data on damage to cultural heritage. They also maintain a telephone hotline for museum workers and cultural institutions in need of assistance.¹⁷³

Another grassroots initiative launched shortly after the February invasion, The Center to Rescue Ukraine's Cultural Heritage, was started by several cultural workers based in Lviv. It has worked with partners in Poland and other countries to support museums across Ukraine with packaging, security materials, and finances.¹⁷⁴

Ukrainian cultural workers have made clear that support for Ukrainian cultural heritage must include the workforce. In a media interview, Sofia Dyak, director of the Center for Urban History in Lviv, said: "The nature of preservation focuses on material structures, but there are no structures without people. People who have lived and worked in them, the people who watch over them today." Another museum director highlighted the disproportionate impact of the war on culture on women: "Remember that the cultural field in Ukraine is basically a female profession. Every museum had a team [with] many women," noting that many had to flee to safety with their families.¹⁷⁵

Among initiatives that support the cultural workers and creators are:

Ukrainian Emergency Art Fund¹⁷⁶ created to deal with the consequences of the Russian invasion and threats the war poses to the Ukrainian art community. It was started by the Museum of Contemporary Art (MOCA) NGO in partnership with Zaborona, The Naked Room, and Mystetskyi Arsenal. With help from their international supporters such as Prince Claus Fund, they provide support for cultural actors from different sectors (independent artists, curators, arts managers, researchers, writers, etc) and cultural NGOs in Ukraine.

The Ukrainian Cultural Foundation is a state-funded organization, which, like many other cultural initiatives, experienced severe budget cuts after the February 24 invasion. Despite this, it was still able to allocate funding to support scholarships which support cultural restoration projects.

INTERNATIONAL SUPPORT INITIATIVES

PEN America's Artists at Risk Connection (ARC), with support from the Helen Frankenthaler and Andy Warhol Foundations, has launched a \$2.2 million fund that is providing emergency and resilience assistance to visual artists from Ukraine and the regions that are affected by the ongoing war.¹⁷⁷ ARC has also compiled global resources for artists, writers, and cultural practitioners from Ukraine, including emergency funds and residency

173 The National Museum of the Revolution of Dignity (Maidan Museum), the NGO "Maidan Museum," the NGO "Tustan," and the State Historical and Cultural Reserve "Tustan."

174 "The Cultural Heritage Rescue Centre in Lviv: Our Long Story Short," April 9, 2022, <https://photo-lviv.in.ua/tsentru-poriatnku-kulturnoi-spadshchyny-u-lvovi-nasha-kоротka-dovha-istoriia/> (accessed August 2, 2022).

175 Maxim Edwards, Bellingcat.

176 For more information, see: ueaf.moca.org.ua/

177 "Emergency and Resilience Funds for Ukrainian Visual Artists," Artists at Risk Connection (ARC), Accessed September 23, 2022, artistsatriskconnection.org/story/emergency-and-resilience-funds-for-ukrainian-visual-artists

opportunities supported by a number of foundations, funds, NGOs, museums, and others in Europe.¹⁷⁸

In September, the European Commission launched a € 5 million program to support “[Ukrainian] artists outside their country, cultural organizations in Ukraine, and preparation for the postwar recovery of the Ukrainian cultural and creative sector in the medium term.”¹⁷⁹

There are numerous international initiatives that are supporting Ukrainian museums and other cultural institutions and their employees with funding, in-kind donations of materials for emergency protection and preservation, support with cataloging, and the like. For example, important funding support comes from the Prince Claus Fund’s Cultural Emergency Response program, which supports artists and cultural practitioners¹⁸⁰ working in coordination with the Smithsonian Cultural Rescue Initiative.¹⁸¹ The International Alliance for the Protection of Heritage in Conflict Areas (ALIPH) is public-private partnership of heritage professionals, national authorities, NGOs, and civil society groups all over Europe, which has provided funding for protective materials, upgrading of storage facilities, and a heritage site monitoring system.¹⁸² The International Council of Museums (ICOM) in Poland has provided grants to museum personnel who sought refuge in the country and supported connections with Polish museums to help identify job opportunities,¹⁸³ and has also coordinated with museums in Germany and other locations to get protective materials and other supplies to museums in Ukraine.¹⁸⁴

The World Monuments Fund’s Ukraine Heritage Response Fund currently supports heritage professionals and provides supplies. Future physical conservation projects will stabilize and rehabilitate important cultural sites across Ukraine, according to its website.¹⁸⁵ Museums in Poland and elsewhere in Europe have also directly contributed supplies, tools, and funds.¹⁸⁶ The Network of European Museums Organizations (NEMO) has gathered information on a number of different local and international initiatives on its website.¹⁸⁷

178 “Resources for Ukrainian Artists,” Artists at Risk Connection (ARC), Accessed September 23, 2022, <https://artistsatriskconnection.org/story/resources-for-ukrainian-artists>

179 “Creative Europe: Commission publishes special call to support Ukrainian artists,” European Commission, September 13, 2022, culture.ec.europa.eu/news/creative-europe-commission-publishes-special-call-to-support-ukrainian-artists (accessed September 17, 2022).

180 “In Solidarity with Ukraine,” Prince Claus Fund, accessed September 17, 2022, princeclausfund.org/in-solidarity-with-ukraine

181 Richard Kurin, Saving Ukrainian Cultural Heritage in Times of War,” Smithsonian Center for Folklife and Cultural Heritage, accessed September 17, 2022, <https://folklife.si.edu/news-and-events/saving-ukrainian-cultural-heritage-war>

182 “Action Plan for the Protection of Heritage in Ukraine,” International Alliance for the Protection of Heritage in Conflict Areas (ALIPH), accessed September 23, 2022, aliph-foundation.org/en/projects/aliph-action-plan-for-ukraine

183 “ICOM Poland launches initiative to support Ukrainian Museum Professionals,” undated, <https://cultureincrisis.org/news-and-events/icom-poland-launches-initiative-to-support-ukrainian-museum-professionals> (accessed September 17, 2022).

184 Brian Daniels, director of research and programs for the Penn Cultural Heritage Center at the University of Pennsylvania Museum, telephonic interview with PEN America consultant, September 16, 2022

185 “Ukraine Heritage Response Fund,” World Monuments Fund, accessed August 2, 2022, (accessed August 2, 2022).<https://www.wmf.org/ukraine-heritage-response-fund>

186 Magdalena Pasikowska-Schnass, “Russia’s War on Ukraine’s Cultural Heritage,” European Parliament Research Service, April 22, 2022, [eprthinktank.eu/2022/04/22/russias-war-on-ukraines-cultural-heritage/](https://www.eprthinktank.eu/2022/04/22/russias-war-on-ukraines-cultural-heritage/)

187 “Museums Support Ukraine,” Network of European Museums Organizations (NEMO), accessed September 16, 2022, [ne-mo.org/advocacy/our-advocacy-work/museums-support-ukraine.html](https://www.ne-mo.org/advocacy/our-advocacy-work/museums-support-ukraine.html) (accessed September 16, 2022).

Digital preservation of historical and cultural treasures is also underway. The Saving Ukrainian Cultural Heritage Online (SUCHO) initiative launched on March 1 and, according to its website, has “web-archived more than 5,000 websites and 50TB of data of Ukrainian cultural institutions, to prevent these websites from going offline . . .from national archives to local museums.”¹⁸⁸ An initiative called Backup Ukraine creates detailed 3D models of cultural sites that will live permanently in a digital archive to be used in reconstruction of sites as necessary.¹⁸⁹

There have been efforts to ensure that refugees, especially children, have access to Ukrainian-language books and textbooks, in order to support their continued use of Ukrainian in reading even as they enter school systems and learn the languages of the countries where they currently reside. For example, the Ukrainian government sponsors a program called “Books without Borders” with information about where to find Ukrainian-language books in different countries. They are also printing children’s books for those who have fled abroad.¹⁹⁰

¹⁸⁸ Heather Stephenson, “Preserving Ukraine’s Cultural Heritage Online,” *Tufts Now*, March 22, 2022, now.tufts.edu/2022/03/22/preserving-ukraines-cultural-heritage-online

SUCHO, accessed August 2, 2022, sucho.org/

¹⁸⁹ Emma Tucker, “Ukrainians are using 3D technology to preserve hundreds of cultural artifacts in a digital archive, far away from Russia’s attacks,” CNN, June 12, 2022, [cnn.com/style/article/ukraine-uses-3d-technology-to-preserve-cultural-heritage/index.html](https://www.cnn.com/style/article/ukraine-uses-3d-technology-to-preserve-cultural-heritage/index.html)

¹⁹⁰ “Books Without Borders,” Ukrainian Book Institute, July 28, 2022, <https://book-institute.org.ua/uk/news/kategoriya-2/knizhki-bez-kordoniv-de-shukati-za-kordonom-ukra-nski-knizhki> (accessed August 2, 2022).

EXISTING INTERNATIONAL LEGAL STANDARDS

INTERNATIONAL HUMAN RIGHTS LAW

The right to culture

The International Covenant on Economic, Social, and Cultural Rights (ICESCR), ratified by both Ukraine and Russia, protects the right of everyone to take part in cultural life, without discrimination.¹⁹¹ States are prohibited from interfering with the exercise of cultural practices and, with access to cultural goods and services, must facilitate the development and preservation of culture.¹⁹²

The Committee on Economic, Social, and Cultural Rights (CESCR) states that culture is a “living process, historical, dynamic and evolving, with a past, a present and a future.” Culture exists in multitudes of forms through which individuals, groups of individuals, and communities express their humanity and the meaning they give to their existence, and build their worldview.¹⁹³ The committee also specifies that “respect for cultural rights is essential for the maintenance of human dignity and positive social interaction between individuals and communities in a diverse and multicultural world.”¹⁹⁴

The UN Special Rapporteur in the field of cultural rights, in a 2016 report on the intentional destruction of cultural heritage, has specified that cultural rights can be understood as: “human creativity and its development; the free choice, expression and development of identities; the right to participate, or not to participate, in the cultural life of one’s choice; the right to interact and exchange ideas, including across

¹⁹¹ International Covenant on Economic, Social, and Cultural Rights (ICESCR), General Assembly resolution 2200A(XXI), December 16, 1966, entry into force: January 3, 1976, art. 15.

Also: “Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts...” The Universal Declaration of Human Rights, art. 27. Other international human rights treaties refer specifically to the right to culture, including: the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD); the Convention on the Rights of Persons with Disabilities (CRPD); the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW); the Convention on the Rights of the Child (CRC), and the International Covenant on Civil and Political Rights (ICCPR), including arts. 17, 18, 19, 21, 22, and 27.

¹⁹² Committee on Economic, Social, and Cultural Rights (CESCR), General Comment 21 “Right of Everyone to Take Part in Cultural Life, art. 15(1) of the CESCR,” United Nations Economic and Social Council, 43rd Session, November 2-20, 2009.

¹⁹³ The CESCR considers culture to include ways of life, language, oral and written literature, music and song, non-verbal communication, religion or belief systems, rites and ceremonies, sport and games, methods of production or technology, natural and man-made environments, food, clothing and shelter and the arts, customs and traditions.

¹⁹⁴ CESCR, United Nations Economic and Social Council.

borders; and the rights to enjoy and have access to the arts, to knowledge ... and to an individual's own cultural heritage, and that of others".¹⁹⁵

Notably, the CESCR recognizes a close link between culture and education,¹⁹⁶ stating that "the right of everyone to take part in cultural life is also intrinsically linked to the right to education," through which communities pass on values, customs, language, and other cultural references, and which helps to foster mutual understanding and respect for cultural values.¹⁹⁷ Russia's co-opting of the education system in territories which it occupies to advance Russian and Soviet culture and traditions and Russian language is one aspect of its violations of the right to culture of Ukrainians.

The UN Special Rapporteur on cultural rights has also noted that cultural rights are firmly embedded in the universal human rights framework, and cannot be invoked to excuse human rights violations, discrimination, or violence.¹⁹⁸ The Russian government has abused the concept of the right to culture and weaponized it to justify its military campaign, occupation, and human rights violations, claiming that its actions are intended to protect Russian language speakers whose rights are being violated by Ukrainian authorities. In a May 2022 statement, the current UN Special Rapporteur on cultural rights Alexandra Xanthaki made clear that "the questioning and denial of the Ukrainian identity and history as a justification for war, is a violation of the Ukrainians' right to self-determination and their cultural rights," adding that the multi-layered violations of cultural rights in Ukraine will have devastating effects in the postwar era.¹⁹⁹

Cultural rights defenders

The UN Special Rapporteur on cultural rights has highlighted the importance of cultural rights defenders as a crucial yet often overlooked category of human rights defenders.²⁰⁰ The UN Human Rights Council has noted the "urgent need to respect, protect, promote, and facilitate the work of those defending economic, social, and cultural rights as a vital factor contributing towards the realization of those rights."²⁰¹ The Special Rapporteur offers a broad definition of cultural rights defenders, including those who seek to understand, protect, and develop cultural rights and ensure access to cultural life for all; use their cultural work to defend human rights; and act to ensure accountability for violations of cultural rights and secure remedies for victims.²⁰² Given the threats to culture posed by Russia's occupation and military operation, all of those

195 UN Special Rapporteur in the Field of Cultural Rights, A/71/317.

196 The right to education is guaranteed in the CESCR, art. 13, as well as in other international human rights treaties, including the CRC, CRPD, CEDAW, etc.
197 Ibid.

198 UN Special Rapporteur in the Field of Cultural Rights, Report.

199 UN Special Rapporteur in the Field of Cultural Rights, "Ukraine/Russia: Violations of cultural rights will impede postwar healing," May 25, 2022, ohchr.org/en/press-releases/2022/05/ukrainerrussia-violations-cultural-rights-will-impede-post-war-healing-un

200 UN Special Rapporteur in the Field of Cultural Rights, "Cultural rights defenders" A/HRC/43/50, January 20, 2020, documents-dds-ny.un.org/doc/UNDOC/GEN/G20/014/98/PDF/G2001498.pdf?OpenElement.

201 "Protecting human rights defenders, whether individuals, groups or organs of society, addressing economic, social and cultural rights," Resolution adopted by the Human Rights Council on March 24, 2016, A/HRC/ RES/31/32, documents-dds-ny.un.org/doc/UNDOC/GEN/G16/083/21/PDF/G1608321.pdf?OpenElement.

202 UN Special Rapporteur in the Field of Cultural Rights, A /HRC/43/50.

in Ukraine who work to create, promote, protect, develop, preserve, and conserve culture in all its forms, warrant protection, regardless of whether they consider themselves cultural rights defenders.

Civil and political rights

The International Covenant on Civil and Political Rights (ICCPR) guarantees the right to life; freedom from arbitrary detention and torture; and the right to freedom of expression, of thought, conscience, and religion.²⁰³ The European Convention on Human Rights also protects these rights.²⁰⁴

INTERNATIONAL HUMANITARIAN LAW

The Hague Convention

The 1954 Hague Convention for Protection of Cultural Property in the Event of Armed Conflict requires states to protect movable or immovable property, and that which is specifically “of great importance to the cultural heritage of every people.”²⁰⁵ As the convention currently stands, it does not protect all cultural property. It has a narrow definition of cultural property, namely as monuments of architecture, art or history; archaeological sites; works of art; manuscripts, books, and other objects; as well as buildings which preserve or exhibit cultural property.²⁰⁶

The Hague Convention and its Additional Protocols require that states engaged in an armed conflict do everything feasible to protect cultural property. They are not allowed to direct hostilities against cultural property,²⁰⁷ must verify that objects to be attacked are not cultural property, and avoid incidental damage to cultural property, including through the means of warfare and types of weapons.²⁰⁸ Theft, pillage, misappropriation of, or vandalism directed against cultural property are also prohibited.²⁰⁹ Military regulations should follow these principles and states should foster respect for the culture and cultural property of all peoples among their armed forces.²¹⁰

203 International Covenant on Civil and Political Rights, December 16, 1966, GA Resolution 2200A XXI, arts. 6, 7, 9, 18, and 19. Russia and Ukraine are both parties to the ICCPR.

See also the UN Human Rights Committee’s General Comment 34, referring to “cultural and artistic expression” as covered by Covenant Article 19, [ohchr.org/english/bodies/hrc/docs/gc34.pdf](https://www.ohchr.org/english/bodies/hrc/docs/gc34.pdf)

204 European Convention on Human Rights, September 3, 1953, as amended, arts. 2, 3, 5, 9, 10,

205 Convention for the Protection of Cultural Property in the Event of Armed Conflict (CCP), The Hague, May 14, 1954., art. 1. The convention has been ratified by both Russia and Ukraine.

For an expert analysis see: heritage.sensecentar.org/assets/Uploads/sg-7-05-gerstenblith-destruction.pdf

206 CCP, art. 1.

207 CCP, art. 4(1).

208 Second Protocol to the Hague Convention of 1954 for the Protection of Cultural Property in the Event of Armed Conflict, The Hague, March 26, 1999, entered into force in 2004, art. 7. Ratified by Ukraine but not by the Russian Federation. Proportionality is also significant, and states should “refrain from deciding to launch any attack which may be expected to cause incidental damage to cultural property . . . which would be excessive in relation to the concrete and direct military advantage anticipated.” The Second Protocol also allows for enhanced protection of particularly significant sites, see arts. 10-14.

209 CCP, art. 4 (3).

210 CCP, art. 7(1).

Governments should safeguard their own cultural property against armed attack, by protecting immovable objects, relocating movable cultural property away from military action, and by avoiding placing military objects near immovable property.²¹¹

The Geneva Conventions and their Additional Protocols

The 1949 Geneva Conventions and their Additional Protocols form the core of international humanitarian law and regulate the conduct of armed conflict and seek to limit its effects.²¹² Article 27 of the Fourth Geneva Convention states that civilians “are entitled, in all circumstances, to respect for their persons, their honor, their family rights, their religious convictions and practices, and their manners and customs.”²¹³ While the term culture is not specifically referred to, the obligation to respect manners and customs can be considered as an obligation to protect culture and cultural heritage.²¹⁴

Article 53 of Additional Protocol One prohibits any attacks of hostility directed against “the historic monuments, works of art, or places of worship which constitute the cultural or spiritual heritage of peoples.” States should also not use such objects for military purposes.²¹⁵

The Additional Protocols to the Geneva Convention prohibit targeting of civilian objects and require states to make every effort to minimize harm to civilians and civilian objects. This includes avoiding indiscriminate attacks which do not distinguish between legitimate military targets and civilian infrastructure, or that would cause disproportionate harm to the civilian population.²¹⁶ Other locations of culture, which do not fall under the narrower definition of the 1954 Hague Convention of cultural property, such as local history and culture museums, most libraries, local community and cultural centers, concert venues, sports arenas and the like, are protected as civilian objects. Like all civilian property, cultural property can only be a target if it becomes a military objective.²¹⁷

Serious violations of international humanitarian law committed with criminal intent—that is, deliberately or recklessly—are war crimes. There is not one single document in international law that codifies all war crimes. Lists of war crimes can be found in both international humanitarian law and international criminal law

211 CCP, art. 4. Preparatory measures taken in time of peace for the safeguarding of cultural property... shall include, as appropriate, the preparation of inventories, the planning of emergency measures for protection against fire or structural collapse, the preparation for the removal of movable cultural property or the provision for adequate in situ protection of such property, and the designation of competent authorities responsible for the safeguarding of cultural property. Second Protocol to the Hague Convention of 1954 for the Protection of Cultural Property.

212 Ukraine and Russia are parties to the 1949 Geneva Conventions and Protocol I.

213 Fourth Geneva Convention, art. 27.

214 “Cultural Heritage and IHL,” Diakonia International Humanitarian Law Center, accessed August 2, 2022, diakonia.se/ihl/resources/international-humanitarian-law/ihl-protection-cultural-heritage/

215 Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I), 8 June 1977, art. 53.

216 “Russia, Ukraine, and International Law: On Occupation, Armed Conflict, and Human Rights,” Human Rights Watch, February 23, 2022, [hrw.org/news/2022/02/23/russia-ukraine-international-law-occupation-armed-conflict-and-human-rights](https://www.hrw.org/news/2022/02/23/russia-ukraine-international-law-occupation-armed-conflict-and-human-rights)

217 Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I), June 8, 1977; International Committee of the Red Cross, “Protection of Cultural Property in the Event of Armed Conflict: Overview,” October 29, 2010.

treaties, as well as in international customary law.²¹⁸ War crimes, listed in the “grave breaches” provisions of the Geneva Conventions and as customary law in the International Criminal Court (ICC) statute and other sources, include a wide array of offenses: deliberate, indiscriminate, and disproportionate attacks harming civilians; hostage taking; using human shields; and imposing collective punishment, among others.²¹⁹

The ICC has jurisdiction over crimes against or affecting cultural heritage.²²⁰ In its 2021 policy guidance on cultural heritage, the Office of the Prosecutor recognizes both the tangible and intangible expressions of culture and that “crimes against or affecting cultural heritage have an impact on our shared sense of humanity and the daily lives of local populations.”²²¹

Atrocity Crimes

In 2014, the UN Office on Genocide Prevention developed a framework for assessing the risk of genocide, war crimes, and crimes against humanity (collectively referred to as atrocity crimes). Destruction of property of cultural and religious significance is considered a potential indicator of genocide.

The Office of the Prosecutor of the ICC, in recent guidance about prosecuting crimes against or affecting cultural heritage, has indicated that while attacks on cultural heritage do not per se constitute underlying acts of genocide, “the targeting of a group’s cultural heritage may constitute evidence of the perpetrator’s intent to destroy that group.”²²²

Occupation under international law

Under international law, including the Geneva Conventions, Russian troops in Ukraine are an occupying force and required to respect human rights and national law of the territory which it temporarily occupies.²²³ With regards to culture, occupying powers are required to “support the competent national authorities of the occupied country in safeguarding and preserving its cultural property,” and “take the most necessary measures of preservation of property damaged by military operations.”²²⁴ They should also prevent the exportation of cultural property from that territory²²⁵ and return anything that has been exported at the close of the hostilities.²²⁶ Occupying forces are prohibited from destroying cultural property as a means of

218 UN Office on Genocide Prevention and the Responsibility to Protect, “War Crimes,” accessed September 22, 2022, <https://www.un.org/en/genocideprevention/war-crimes.shtml>

219 Human Rights Watch, “Russia, Ukraine, and International Law: On Occupation, Armed Conflict, and Human Rights,” February 23, 2022, <https://www.hrw.org/news/2022/02/23/russia-ukraine-international-law-occupation-armed-conflict-and-human-rights> (accessed September 22, 2022).

220 Rome Statute, arts. 8(2)(b)(ix), 8(2)(e)(iv), arts. 8(2)(b)(ix), 8(2)(e)(iv), [legal-tools.org/doc/7b9af9/pdf/](https://www.legal-tools.org/doc/7b9af9/pdf/)

221 Office of the Prosecutor, International Criminal Court, “Policy on Cultural Heritage”, June 2021, [icc-cpi.int/sites/default/files/itemsDocuments/20210614-otp-policy-cultural-heritage-eng.pdf](https://www.icc-cpi.int/sites/default/files/itemsDocuments/20210614-otp-policy-cultural-heritage-eng.pdf)

222 Office of the Prosecutor, ICC “Policy.”

223 “Occupation and IHL,” Diakonia International Humanitarian Law Centre, [diakonia.se/ihl/resources/international-humanitarian-law/ihl-law-occupation/](https://www.diakonia.se/ihl/resources/international-humanitarian-law/ihl-law-occupation/)

224 CCP, art. 5.

225 Protocol for the Protection of Cultural Property in the Event of Armed Conflict. The Hague, 14 May 1954, para. 1.

226 Protocol for the Protection of Cultural Property in the Event of Armed Conflict, para. 3.

intimidating people under occupation or as a reprisal.²²⁷ Pillaging or illicit trafficking of artifacts and museums' collections also violate international humanitarian law and international human rights law.

Accountability for offenses against cultural heritage

Individual criminal responsibility arises from serious offenses against cultural heritage. Under the Rome Statute of the ICC, intentionally directing attacks against buildings dedicated to religion, education, art, and historic monuments—provided they are not legitimate military objectives—may be tried as war crimes.²²⁸ Under the 1954 Hague Convention, states should also strive to take, within the framework of their ordinary criminal jurisdiction, “all necessary steps to prosecute and impose penal or disciplinary sanctions upon those persons, of whatever nationality, who commit or order to be committed a breach” of the convention.²²⁹

²²⁷ CCP

²²⁸ Rome Statute of the International Criminal Court, article 8 (2) (b) (ix) and (e) (iv).

²²⁹ CCP, art. 28.

CONCLUSION

Cultural heritage is “a message from the past and . . . a pathway to the future.”²³⁰

Ukrainians are making herculean efforts to protect their cultural heritage amidst a war that is threatening and taking their lives, reducing their homes to rubble, and depriving them of the most basic necessities. Thousands have lived under occupation and lost loved ones to the conflict. Yet, ordinary citizens have transported priceless pieces of art to safety or filled hundreds of sandbags to place around museums and monuments. Volunteers from places far removed from a brutal war have found innovative ways to amplify and support their efforts.

But Ukrainians are not only desperately trying to protect their cultural heritage from obliteration. Writers, poets, artists, musicians, dancers, and other cultural producers continue to make music, literature, and art. Some focus on the war, others find joy in the soaring sounds of traditional instruments and in rediscovering and reimagining new aspects of their culture. They are supported by curators, librarians, publishers, teachers, architects, and students. In small towns, staff from cultural centers that housed precious artifacts documenting local history and life walk through burned-out buildings and shattered walls, salvaging what they can, making new arrangements to continue their work, and planning how they will rebuild when the war is over.

Their commitment is commensurate with the scale and magnitude of Russia’s attack on Ukrainian culture: Russia has mounted a multi-faceted attack on Ukraine’s culture and cultural infrastructure, from targeted attacks on the buildings that symbolize both culture and resistance to the suppression of the Ukrainian language in schools; attacks on writers; executions of artists; and the bombing of local cultural centers at the heart of villages and towns all over Ukraine. While Russia’s short-term goal may be to demoralize Ukrainians and undermine their resistance, the end game is the obliteration of Ukrainian culture. The pervasive and widespread nature of this attack implicitly recognizes the critical role that culture is playing in helping to fortify Ukrainians’ resolve to protect their identity, history, and language from Russian aggression. Their determination has inspired a global outpouring of empathy, humanitarian aid, and technical assistance, and this painful and epic endeavor to ensure that their culture survives is a profound and ultimately hopeful investment in Ukraine’s future.

²³⁰ UN Special Rapporteur in the field of cultural rights, “Cultural Rights,” A/71/317, August 9, 2016.

These attacks infringe on all aspects of the right to access and enjoy all forms of cultural heritage, rights that are guaranteed in the Universal Declaration of Human Rights and other binding international treaties. Of particular importance in the conflict in Ukraine, cultural rights are “an expression of and a prerequisite for human dignity.”²³¹ These rights allow people, as individuals and as part of a group, to develop and express their humanity and find meaning in their existence through their “beliefs, convictions, languages, knowledge and the arts, institutions and ways of life.”²³² As Serhiy Shaulis explained: “Culture forms people, it unites Ukrainians. It is a cultural code that ... is inside every Ukrainian and it is (still) there.”²³³

231 UN Special Rapporteur in the field of cultural rights, “Universality, cultural diversity and cultural rights,” A/73/227, July 25, 2018, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N18/237/65/PDF/N1823765.pdf?OpenElement>

232 Ibid.

233 Serhiy Shaulis, interview with PEN America.

RECOMMENDATIONS

TO THE GOVERNMENT OF UKRAINE

Support cultural preservation by:

- Providing financial and technical support for cultural institutions to catalog and digitize collections and inventories; update their emergency and evacuation plans; ensure the complete GPS marking of heritage sights
- Involving international heritage institutions and local heritage professionals as an integral component of the humanitarian and disaster response
- With the support of international partners, along with UNESCO and private funders, digitizing cultural archives that are vulnerable to destruction amid conflict. Once archived, copies of materials should be housed securely overseas so that their outright destruction cannot be achieved. Securing these cultural artifacts for posterity would help obstruct and even disincentivize efforts at cultural erasure
- Improving understanding of the importance of preserving cultural heritage objects by the military, looking to the Smithsonian Cultural Rescue Initiative and its Army Monuments Officer Training & Military Program for precedent and potential partnership
- Ensuring coordination of actions between various authorities, local government, military, and public initiatives on saving cultural heritage, analyzing its condition and providing supplies to protect sites from collateral damage
- Ensuring that cultural rehabilitation, vitality, and continuity are an integral part of postwar reconstruction and recovery efforts, including by engaging cultural leaders and producers at all stages of the reconstruction and restoration efforts
- Prioritizing the reopening and accessibility of cultural institutions in liberated territories
- Supporting cultural producers who have been displaced or forced to flee the country to return home and resume their cultural activities if they wish to do so
- With the support of international partners, doing a cultural human resource evaluation, including identifying cultural producers who are victims of war and quantifying the loss of cultural production

TO DONORS, GOVERNMENTS, AND INSTITUTIONS

Support cultural workers by:

- Providing targeted and tailored livelihood support for cultural workers who are displaced, have lost homes and work, are injured, or who have experienced other hardships related to the conflict, so that they are able to meet their basic needs and continue to work
- Providing for the means and opportunity for cultural producers to return to Ukraine, including through programs for “returning artists,” livelihood support, participation in restoration programs, and other cultural and social programs in Ukraine
- Providing support for research, scholarships, and exchange programs for cultural workers affected by the war. These programs should include support to complete and comply with relevant visa requirements, short-term housing and stipends, opportunities for research, and connection with other writers and artists, participation in literary events, and psychosocial support
- Directly supporting Ukrainian cultural organizations and Ukrainian organizations working to support cultural workers and creative production in Ukraine

Support the publishing industry by:

- Providing publishers with financial support, including in the forms of grants
- Providing paper to Ukraine for free or at reduced prices, allowing for deferred payment
- Offering publishers assistance in promoting the sale of foreign rights, including through the provision of pro bono legal assistance

Support accountability for violations of cultural rights by:

- Ensuring destruction of and attacks against culture are included as an integral component in national and international accountability efforts undertaken in relation to the war in Ukraine

TO CULTURAL INSTITUTIONS, DONORS, MULTILATERAL INSTITUTIONS, AND CORPORATE PARTNERS

Support publishers by:

- Providing financial and technical support for the development and sale of ebooks, audio books, and other innovations to make books in Ukrainian accessible in any location
- Supporting translations of Ukrainian books into other languages to expand purchases
- Supporting pro bono marketing campaigns to popularize Ukrainian authors and books

- Support the Ukrainian government's Books Without Borders program by funding the purchasing and printing of books, especially children's books, and funding the distribution of books in Ukraine and to refugees

Support libraries by:

- Replenishing collections, including of school libraries and children's books for libraries, that have been damaged or destroyed or from which books have been removed

TO THE INDEPENDENT INTERNATIONAL COMMISSION OF INQUIRY ON UKRAINE

- Ensure that alleged violations of cultural rights are included in the Commission's investigation
- Consider issuing a report on the violations of cultural rights in the war against Ukraine

METHODOLOGY

PEN Ukraine has monitored and recorded deaths of cultural figures in the war and Russia's crimes against cultural heritage, persecution of cultural figures in occupied territories as well as crimes against journalists and media since the Russian invasion of Ukraine in February 2022. This report also draws on the *People of Culture Taken Away by War Project* published by PEN Ukraine.

PEN America and PEN Ukraine did not forensically analyze individual cases of damage to or destruction of specific cultural heritage sites. Organizations with expertise in documenting these types of attacks have analyzed a number of cultural sites, and we reflect their findings in this report.

In addition, staff of PEN Ukraine and PEN American and consultants to PEN America conducted interviews with experts, cultural producers and cultural defenders. Where interviews were conducted in Ukrainian, these were translated into English.

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