



**CRIMEA
HUMAN RIGHTS
GROUP**

Analytical review

**SITUATION OF TAURIC CHERSONESE
NATIONAL RESERVE
ACCORDING TO UNESCO NORMS AND
STANDARDS**

December 2015

Implementation of the resolution 'Follow-up by UNESCO of the situation in the Autonomous Republic of Crimea (Ukraine)' (adopted at three sessions of the UNESCO Executive Board: 194th in April 2014; 195th in October 2014, and 196th in April 2015) has been substantially complicated because a possibility of systemic research of the historical and cultural heritage in Crimea's territory has not been realized in full after the unlawful¹ establishment of the Russian Federation's control over the peninsula.

The OSCE and UNESCO experts and inspectors are now allowed to inspect the cultural heritage sites located in the territory of the Autonomous Republic of Crimea, including the Tauric Chersonese National Reserve. Ukraine's National Commission for UNESCO has repeatedly urged to conduct such necessary inspections.

Difficult is the current situation of the Tauric Chersonese National Reserve, a unique historical, archaeological and cultural complex, a major part of which – the ancient city of Tauric Chersonese and its chora – was included on the World Heritage List by the 37th session of the UNESCO World Heritage Committee². Analysis of the current situation indicates growing adverse trends in the field of research and development of this complex.

During the period from January through August 2015, some events have happened in the reserve's vital activities proving its unstable existence as a scientific, cultural and educational complex.

On 21 January 2015, the government of Sevastopol city established, with its Resolution No. 14-ПП, the state budget-funded cultural institution 'The united reserve museum of Sevastopol's history' (**Annex**) that comprises 12 city museums, including the National Museum of Heroic Defence and Liberation of Sevastopol, and Tauric Chersonese.

On 6 March 2015, the government of Sevastopol city issued a resolution excluding the reserve from the list of the facilities being part of the state budget-funded cultural institution 'The united reserve museum of Sevastopol's history'.

Importantly, sources of the modern international law on protection of cultural values prohibit misappropriation of property in occupied areas, particularly the property of religious, artistic, educational and scientific institutions, including museums and reserves. Article 56 of the 1907 Hague Convention treats the above-mentioned property categories as private property, thus emphasizing inviolability of such property.

On 29 July, Sevastopol Governor Sergey Menyaylo appointed archpriest Sergey Khalyuta³, rural dean of Sevastopol district, as a new director of the Tauric Chersonese, instead of Andrei Kulagin, the reserve's research fellow, who had worked on that post since February 2015.

On 1 August, under pressure from scientists, reserve staff, and the public response, RF President Vladimir Putin's decision was announced on including the reserve's memorials and territory in the Unified State Register of Cultural Heritage Sites of the Russian Federation Peoples and on preparing documents to transfer the reserve into the federal ownership. Sergey Khalyuta was dismissed from office. Larisa Sedikova, deputy director for research, was appointed as an interim acting director.

On 27 August, the government of Sevastopol officially announced, with its Resolution No. 707, the completion of all the measures for transfer of the Tauric Chersonese National Reserve into the federal ownership.

The continuous changes in the reserve's status and management indicate both an instable situation of the historical and cultural monument and possible further changes in the activity forms of the entire complex and its parts, even in federal ownership.

¹ [http://www.venice.coe.int/webforms/documents/?pdf=CDL\(2014\)019-e](http://www.venice.coe.int/webforms/documents/?pdf=CDL(2014)019-e)

² http://www.unesco.org/new/ru/media-services/world-heritage-37th-session/whc37-details/news/sites_in_ukraine_the_iran_and_the_democratic_peoples_republic_of_korea_inscribed_on_unescos_world_heritage_list/#.VjdjjRDhDUo

³ <https://sevastopol.gov.ru/info/news/8957/>

Risks exist of failure to comply with one of UNESCO's key requirements – the obligation of preserving the monument in the form in which it was included on the world heritage list.

Priorities in the development of the reserve as a scientific and research centre have been changing. In full compliance with the Russian Federation President's statement on the significance of Chersonese as a place sacred for the 'Russian statehood', as a 'cradle' of Rus Christianization and 'Russian' Orthodoxy, key focus in the development of the complex can be placed on the implementation of the project 'Sevastopol-Chersonese, a font of Christian Rus', rather than on continuing the antic and medieval vectors of scientific research.

This project provides for the arrangement of three zones in the reserve's protective zone – the reserve per se ('Chersonese ancient settlement'), the complex 'Necropolis of the holy' in Karantinnaya Balka, and a scientific and research centre and museum of the Christianity history in a military unit's area⁴.

The project remains relevant though the danger of its implementation is connected both with major building works, first of all in the chora lands, and with the growing religious (educational-religious) factor in the activity of the temporal historical and cultural complex when the pilgrimage centre, to be arranged there, will assume intellectual and ideological functions of a museum institution. A side evidence to that is provided by changing priorities of the reserve's cultural and educational work and its activity in the information space.

In the website of Chersonese, created a few years ago using international donor funds⁵, the message 'the site has moved' with its new address⁶ was placed on 14 May 2015. A superficial comparative analysis of the sites allows revealing demonstrative differences between them: the old one was in three languages whereas the new one is in Russian only.

Field-specific sections of the previous site, dedicated to K.K. Kosciushko-Valiuzhnic, founder of the Chersonese museum, and to archaeologists and photographers who had worked here in the century before last, and Bibliotheca chersonesitana presenting digital copies of ancient publications on Crimean history and archaeology designed with the assistance from Institute of Classical Archaeology, the University of Texas at Austin (USA), supported by the Packard Humanities Institute, have been mechanically moved to the new site.

Key sections of the new site's panel (Museum, Collections, Archaeology, etc.) as well as auxiliary sections – Photo Gallery, Playbill, Information for Media, Exhibitions – are still empty while the Sevastopol Rural Dean's District website, also presented here, is full of materials.

A serious problem for continuation of the activities of the Tauric Chersonese as a world heritage site consists of the breakdown of cooperation with foreign partners, termination of work of international archaeological expeditions, particularly excavations at Kadykovka chora in the territory of a Roman military settlement in cooperation with the Warsaw archaeological expedition, reduction in the number of expeditions: from 10 archaeological and 17 field studies in 2012 (as per the work plan⁷) and 24 expeditions in 2013 to 12 expeditions, mainly field ones, in 2015 (according to the number of the 'open letters' issued, as per information from the Russian Federation's Ministry of Culture⁸; however, according to an employee of the reserve who didn't mention his name, financial support for the research in 2015 is quite limited – 150 thousand roubles at most).

For the 2015 season, exploration work in the Tauric Chersonese is confined to the expeditions led by the reserve research fellows and by archaeologists from St. Petersburg and Moscow. This year, according to the reserve staff, only a 'minor Moscow expedition' was active in the reserve territory.

⁴ <http://primechaniya.ru/home/news/7152/7389/>

⁵ <http://www.chersonesos.org/?p=news&l=rus>

⁶ <http://chersonesos-sev.ru/>

⁷ <http://hersones.eu/2012-10-29-2/>

⁸ <http://mkrf.ru/dokumenty/order/>

The issue of archaeological excavations in Crimea is still quite acute. The IX session of UNESCO in 1956 adopted the Recommendation on International Principles Applicable to Archaeological Excavations. This document discloses an important aspect related to an occupying state's obligations concerning cultural value. According to the Recommendation, the UNESCO Member States should refrain from carrying out archaeological excavations in the territory occupied thereby. Later, in 1999, this provision was also enshrined in Article 9 of the Second Protocol to the 1954 Hague Convention⁹. At present, neither Ukraine nor the Russian Federation are parties or signatories of the 1999 Protocol but violations of the international law standard, namely the 1956 Recommendation, indicate the Russian Federation's bad faith in pursuing cultural policy.

Overall, winding down international activities, excluding Ukrainian scientists from professional contacts, and confining archaeological exploration and scientific cooperation to the work of scientists only from Crimea and the Russian Federation adversely affect the conditions of the national reserve's scientific and research potential.

The year of 2015 has seen a trend towards reduction of the Tauric Chersonese staff (by about 10 percent) and merger of the reserve departments. According to its employees, it is expected that the archaeological excavation department will be closed and its head, Oleg Savelya, will retire, although it is the department that conducts a necessary expert examination before any proposed construction.

The overall situation in the peninsula complicates the work of field expeditions, and there have been cases of attacks against archaeological excavation participants on the part of the so-called 'Crimean self-defence'. In 2014 near Fiolent mull, where archaeological excavations had been carried out since 1989, the persons attacking the archaeologists tried to challenge the legitimacy of documents permitting the research, referring to the fact that the Ukrainian authorities' symbols were present in the papers.

Hence, due to some objective circumstances, the condition of the Tauric Chersonese National Reserve World Heritage site shows a worsening trend. It should be taken into account, especially as Russia plans to nominate (complete what was started by Ukraine) the Khan's Palace complex in Bakhchisarai for inclusion on the UNESCO list, which can create a legally dangerous and scientifically inefficient precedent.

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⁹ http://portal.unesco.org/en/ev.php-URL_ID=15207&URL_DO=DO_TOPIC&URL_SECTION=201.html

Annex

Resolution of the Government of Sevastopol City No. 14-ПП of 21 January 2015

The United Reserve Museum of Sevastopol's History

GOVERNMENT OF SEVASTOPOL RESOLUTION

21.01.2015

No. 14-III

On the establishment of the state budget-funded cultural institution 'The united reserve museum of Sevastopol's history'

For the purposes of developing the system of state cultural institutions in the city of Sevastopol, shaping and meeting the population's cultural demands, guided by the Federal Constitutional Law of 21.03.2013 No. 6-ФКЗ 'On admission of the Republic of Crimea to the Russian Federation and establishment of new entities in the Russian Federation – the Republic of Crimea and the federal-level city of Sevastopol', the Statute of the city of Sevastopol, Laws of the city of Sevastopol of 30.04.2014 No. 5-3C 'On the Government of Sevastopol' and of 24.04.2014 No. 3-3C 'On former state property of Ukraine and on the determination of a procedure of stocktaking, management and disposal of Sevastopol city's property', and the Resolution of Sevastopol City Council of 17.03.2014 'On the status of Sevastopol hero city', the Government of Sevastopol decrees to:

1. Establish the state budget-funded cultural institution 'The united reserve museum of Sevastopol's history' (hereinafter referred to as the SBCI 'The united reserve museum of Sevastopol's history').

2. Specify that:

2.1. Goals and object of the activities of the SBCI 'The united reserve museum of Sevastopol's history' shall consist of activities in the fields of science and research, museums and exhibitions, and culture and recreation, according to the procedure set forth by Article 26.3(2)(9) of the Federal Law of 6.10.1999 No. 184-ФЗ 'On general principles of the organization of legislative (representative) and executive authorities of the Russian Federation entities', as regards culture and protection of cultural heritage.

2.2. Principal activity areas of the institution in question shall include, according to federal laws and other regulatory legal acts: implementation of the Presidential Programme for military and patriotic education; creation and development of the military-historical tourist and recreation cluster; realization of programmes of the Russian Military Historical Society; preservation, examination and popularization of the cultural heritage sites present in Sevastopol city; ensuring people's access to the cultural heritage sites in Sevastopol city; educational, excursion, tourist, scientific and research activities; detection, collection and storage of the items of exhibition expositions, museum pieces, and museum collections; examination and presentation to people of museum pieces and collection; popularization of museum pieces and collections.

2.3. The Government of Sevastopol shall be a founder and property owner of the SBCI 'The united reserve museum of Sevastopol's history'.

2.4. The functions and powers of the founder of the SBCI 'The united reserve museum of Sevastopol's history' shall be exercised, within the scope of its competence as set forth by Sevastopol city's regulatory legal acts, by the Chief Directorate of Culture and Protection of Cultural Heritage Sites of the Government of Sevastopol.

The SBCI 'The united reserve museum of Sevastopol's history' shall be in departmental affiliation of the Chief Directorate of Culture and Protection of Cultural Heritage Sites of the Government of Sevastopol (A.O. Litvinenko).

2.5. The SBCI 'The united reserve museum of Sevastopol's history' shall be established for an unlimited period of time.

2.6. The location of the SBCI 'The united reserve museum of Sevastopol's history' shall be the city of Sevastopol.

3. The Chief Directorate of Culture and Protection of Cultural Heritage Sites of the Government of Sevastopol (A.O. Litvinenko) shall be required to:

3.1. Approve the statute of the SBCI 'The united reserve museum of Sevastopol's history' as agreed upon by the Chief Directorate of Property and Land Relations, and ensure its registration in due course.

3.2. Appoint Konstantin Viktorovich Bocharov as the director of the SBCI 'The united reserve museum of Sevastopol's history' and authorize him to submit documents required for state registration of the establishment of the SBCI 'The united reserve museum of Sevastopol's history', including signing and submission to the registering authority the application on the state registration of the SBCI 'The united reserve museum of Sevastopol's history' at its establishment.

3.3. Enter into an employment agreement with the director of the SBCI 'The united reserve museum of Sevastopol's history'.

4. The Chief Directorate of Property and Land Relations of the Government of Sevastopol (S.F. Tavadyan) shall be required to:

4.1. Organize stocktaking and recording of property of the cultural heritage sites as per Annex 1 hereto.

4.2. Assign to the SBCI 'The united reserve museum of Sevastopol's history' the state property of the city Sevastopol, on the basis of operational management, without legalization of the right of ownership or use, according to stocktaking data, from 17 March 2014 through the stocktaking ending date.

5. The Department of the Office of the Governor and Government of Sevastopol (O.Yu. Roslyakov) shall be required to provide the authorized officials of the Chief Directorate of Property and Land Relations access to the immovable and movable property items specified in Annex 1 hereto for stocktaking, registration and implementation of measures to secure preservation of Sevastopol city's property.

6. Take into consideration that financing shall be provided to the SBCI 'The united reserve museum of Sevastopol's history' beginning from 2015 at the expense and within the limit of the appropriations envisaged in the budget of Sevastopol city for the Chief Directorate of Culture and Protection of Cultural Heritage Sites of the Government of Sevastopol for maintenance of institutions subordinated thereto.

7. Assign supervision to A.G. Pushkaryov, Acting Deputy Governor of Sevastopol, Deputy Chair of the Government of Sevastopol.

8. This resolution shall take effect at signing.

Governor of Sevastopol city
Chair of the Government of Sevastopol

S.I. Menyaylo