

PRESERVATION OF CULTURAL HERITAGE SITES: METHODOLOGY AND APPLICATION IN CASE STUDIES

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Abstract: *Cultural heritage is the social and economic, spiritual and cultural capital of irreplaceable value. Along with riches of nature, this is undoubtedly one of the main foundations of national self-esteem and recognition of the community around the world. The cultural heritage sites (CHS) are the monuments of history and culture. They are items of immovable property with associated works of art and other objects of material culture that have appeared as a result of historical events, which are valuable in terms of history, architecture, urban planning, economics and other sciences. The scientific novelty of the study lies in the fact that all over the world, primarily in economically developed countries, objects of cultural heritage are preserved or restored with great care. They are the history of any nation and the criterion of its spirituality. This requires not only large financial costs but also causes disagreements in society since objects of cultural heritage create difficulties for new constructions because architectural monuments must be preserved in their historical context, both large architectural ensembles and single objects. Different social groups value the objects of the past in different ways, the issue of demolishing the building causes public unrest. This is due to the fact that environmental protection and preservation of cultural heritage is a fairly new phenomenon. In the modern world, the preservation of cultural heritage is becoming one of the main priorities of socio-economic development in many cities of the planet. The practical significance of the study lies in the possibility of using the results of this paper as recommendations for improving the cultural heritage in all respects.*

Keywords: architecture, historical and cultural heritage, cultural monument, UNESCO, preservation of digital heritage.

The preservation of cultural and natural heritage is one of the key elements of the humanitarian policy of any civilised state and the basis for the nation's self-identification¹. This is especially true for countries facing crisis and tensions, with economies in transition and in post-conflict situations². In this case, cultural revitalisation, protection and preservation of cultural heritage are of great importance for creating conditions for regeneration by ensuring national identity, lasting peace and sustainable development³. The protection of cultural heritage is an immanent feature of the humanitarian component of the

¹ A. Belhi, A. Bouras, S. Foufou, "Digitization and preservation of cultural heritage: The CEPROQHA approach", in *International Conference on Software, Knowledge Information, Industrial Management and Applications*, 2017, p. 1-7; O.Z. Pankevych, "Multiculturalism as a political and legal concept", in *Journal of the National Academy of Legal Sciences of Ukraine*, 2019, vol. 26, no. 4, p. 119-132.

² F.G. France, W. Christens-Barry, M.B. Toth, K. Boydston, "Advanced image analysis for the preservation of cultural heritage", in *Proceedings of SPIE – The International Society for Optical Engineering*, 2010, vol. 7531, article number 75310E.

³ W.M.W. Isa, N.A.M. Zin, F. Rosdi, H.M. Sarim, "Digital preservation of cultural heritage: Terengganu brassware craft knowledge base", in *International Journal of Advanced Computer Science and Applications*, 2019, vol. 10, issue 6, p. 96-102.

principles of the development of a democratic society⁴. Therefore, the need to identify the state of cultural heritage protection in Russia in the context of reforming the state system⁵, integration into the European community⁶, as well as determining the role of the state in shaping heritage protection policy in accordance with world requirements based on borrowing European experience⁷. An important role is played by the implementation of the rules and regulations of international organisations into Russian legislation. This includes analysis of achievements, miscalculations, and mistakes in public policy, their consequences for the establishment of a qualitative area of heritage preservation⁸.

UNESCO's regulatory framework provides a unique global platform for international cooperation and dialogue⁹. They establish holistic cultural governance through a human rights-based approach with shared values, mutual obligations, respect for cultural diversity, free flow of ideas, and collective responsibility¹⁰. By complying with the requirements of conventions, various recommendations, declarations and intergovernmental programs, UNESCO engages states in cooperation at the international level, thereby promoting inclusive governance, sharing of knowledge and best practices at the policy level¹¹.

⁴ E. Santoro, "The acquisition, production & dissemination of geospatial data for emergency management & preservation of cultural heritage", in *International Archives of the Photogrammetry, Remote Sensing and Spatial Information Sciences*, 2017, vol. XLII-5/W1, p. 15-24.

⁵ D.V. Mosova, N.P. Dmitrenko, O.N. Kolchina, S.N. Averkina, A.G. Kalinina, "Train as a semantic space in Russian culture of the 19th-20th centuries", in *Rupkatha Journal on Interdisciplinary Studies in Humanities*, 2021, vol. 13, no. 1, article number A2.

⁶ Z. Zahidi, Y.P. Lim, P.C. Woods, "User experience for digitisation and preservation of cultural heritage", in *Proceedings – 2013 International Conference on Informatics and Creative Multimedia*, 2013, p. 13-16.

⁷ P. Zhou, "Towards a sustainable infrastructure for the preservation of cultural heritage and digital scholarship", in *Proceedings of the ACM/IEEE Joint Conference on Digital Libraries*, 2020, p. 3-4; Zh.A. Tusupbekov, N.O. Baygabylov, S.B. Balshikeev, N.A. Orynbasarova, A.A. Tusupbekov, "Formation of national culture in the context of cross-border societies development", in *Rivista Di Studi Sulla Sostenibilita*, 2020, vol. 1, p. 459-478.

⁸ S.-L. Lin, C.-S. Ting, "Instantiating the concept of restoration in the cultural heritage preservation act through the implementation of the repair and new construction of the erfeng irrigation canal system", in *Taiwan Water Conservancy*, 2019, vol. 67, no. 3, p. 74-98.

⁹ A.A. Aiman, N.M. Noor, A. Abdullah, "3D gis modeling techniques for documentation and preservation of cultural heritage for southeast Asian", in *Proceedings – 39th Asian Conference on Remote Sensing: Remote Sensing Enabling Prosperity*, 2018, p. 1287-1296.

¹⁰ C.-C. Chen, C.-C. Fu, "Globalization and localization of heritage preservation in Taiwan-an analysis perspective under the cultural heritage preservation act", in *International Archives of the Photogrammetry, Remote Sensing and Spatial Information Sciences – ISPRS Archives*, 2015, vol. XL-5/W7, p. 65-72.

¹¹ W.M.W. Isa, N.A.M. Zin, F. Rosdi, H.M. Sarim, "Digital preservation of intangible cultural heritage", in *Indonesian Journal of Electrical Engineering and Computer Science*, 2018, vol. 12, no. 3, p. 1373-1379.

One of the achievements of UNESCO is the development of generally accepted concepts, which was carried out by many commissions, working groups, committees, and other structural international entities¹². Numerous UNESCO conventions have made it possible to work out an integral international terminology system in the field of cultural property and cultural heritage, which is of methodological significance for the present study, in particular regarding documentary heritage¹³.

Let us first focus on the concepts of cultural heritage and cultural property¹⁴. The international community and legal researchers turned to the history of the interpretation of the concepts of “cultural property”, “cultural heritage”, “cultural monument” and studied the development of the international legal aspect of these concepts¹⁵. They mainly considered the concept of “cultural property”¹⁶ as a problem of the legal aspects of the restitution of displaced cultural property in international law and proved the subordination of the term “cultural property” to the “cultural heritage”¹⁷.

Therefore, the analysis of the content of these concepts and their relationship with the concept of “documentary heritage” is carried out on the basis of documents of UNESCO and other international organisations, legislation, and concepts of scientists¹⁸.

Clarification of the concept of “documentary heritage”, as well as its part – “unique documentary heritage” in the context of “culture”, “cultural heritage” and “cultural property”, the definition of their common and different is important for understanding the strategy for selecting documents for digitisation¹⁹. This contributes to the harmonization of the terminological

¹² D. Liu, F. Yan, S. Sun, “Research on the applications of Internet of Things technology in cultural heritage preservation”, in *Advanced Materials Research*, 2012, vol. 476-478, p. 371-374.

¹³ K. Themistocleous, C. Danezis, P. Frattini, G. Crosta, A. Valagussa, “Best practices for monitoring, mitigation, and preservation of cultural heritage sites affected by geo-hazards: The results of the PROTHEGO project”, in *Proceedings of SPIE – The International Society for Optical Engineering*, 2018, article number 107730Z.

¹⁴ T. Evens, L. Hautekeete, “Challenges of digital preservation for cultural heritage institutions”, in *Journal of Librarianship and Information Science*, 2011, vol. 43, no. 3, p. 157-165.

¹⁵ M. Maksimović, M. Cosović, “Preservation of cultural heritage sites using IoT”, in *2019 18th International Symposium INFOTEH-JAHORINA*, 2019, p. 1-4.

¹⁶ A. Singh, “Digital preservation of cultural heritage resources and manuscripts: An Indian government initiative”, in *IFLA Journal*, 2012, vol. 38, no. 4, p. 289-296.

¹⁷ A. Belhi, S. Foufou, A. Bouras, A.H. Sadka, “Digitization and preservation of cultural heritage products”, in *IFIP Advances in Information and Communication Technology*, 2017, vol. 517, p. 241-253.

¹⁸ F.G. France, “Non-invasive characterization for long-term preservation of cultural heritage”, in *Materials Research Society Symposium Proceedings*, 2011, vol. 1319, article number 105.

¹⁹ M. Zhou, G. Geng, Z. Wu, *Digital preservation technology for cultural heritage*, Springer, Berlin, 2012; V. Joshi, S. Kunwar, “Shakespearean and Brechtian drama and theatre: An audience response perspective”, in *Rupkatha Journal on Interdisciplinary Studies in Humanities*, 2021, vol. 13, no. 1, p. 1-11.

apparatus of concepts used in various areas of knowledge²⁰ and in the professional activities of archives, libraries and museums, as well as private collections, since they are also a part of the Archive Fund of the Russian Federation²¹.

Materials and methods

The specificity of the subject of the study determined the necessity for the integrated use of a number of approaches and methods that provided the study of the conceptual foundations of political and legal mechanisms for the preservation of the UNESCO cultural heritage in Russia. These approaches and methods of study are based on the principles of scientific objectivity and consistency, the general theory of scientific knowledge of socio-political phenomena, which made it possible to study the genesis of the political and legal mechanisms of this problem. The interdisciplinary approach helped to apply the knowledge of different areas: political science, international relations, law, economics, history, architecture, and cultural studies for the purpose of a comprehensive analysis of the identified problems in the paper, determined the further application of specific methods of research. The main approaches within the framework of the study are the institutional and systemic, which consist in considering UNESCO as a component of the UN institutional system, taking into account its relationship with other specialised institutions in the system of cultural heritage protection²². The use of the structural-functional approach made it possible to determine the structural features of UNESCO through the prism of studying its key functions.

The use of the basic cognitive principles of the neo-institutionalism contributed to the establishment of the ratio of formal institutional functions and informal aspects of the activities of political institutions in the process of implementing its main tasks. With the dialectical approach, a dynamic and interdependent set of recommendations, rules and procedures is considered due to which the sphere of protection and preservation of cultural heritage is adapted to the UNESCO regulations.

²⁰ R.-M. Ion, S. Teodorescu, R.-M. Stirbescu, I.A. Bucurica, O. Dulama, M.-L. Ion, "Nanomaterials for conservation / preservation of cultural heritage", in *ICAMS Proceedings of the International Conference on Advanced Materials and Systems*, 2016. Available at http://icams.ro/icamsresurse/2016/proceedings/V_Cultural_Heritage_04.pdf

²¹ L. Kotova, D. Jacob, J. Leissner, M. Mathis, U. Mikolajewicz, "Climate information for the preservation of cultural heritage: Needs and challenges", in *Communications in Computer and Information Science*, 2019, vol. 961, p. 353-359.

²² T. Mazur, "Development of conceptual and terminological apparatus of legal cultural heritage protection in Ukraine", in *Scientific Herald of the National Academy of Internal Affairs*, 2019, vol. 112, no. 3, p. 36-44; T.P. Mukhopadhyay, "Reflections on literature and art at a time of pandemic", in *Rupkatha Journal on Interdisciplinary Studies in Humanities*, 2020, vol. 12, no. 2, p. 1-3.

On the basis of a comparative analysis and modelling, a number of models of European state policy in the field of protection and preservation of cultural heritage have been identified that meet international UNESCO standards. The statistical method contributed to the identification of quantitative indicators (sites included in the UNESCO World Heritage List) as a result of the effective activities of local authorities in cooperation with UNESCO.

Results and discussion

Analysis of historical and cultural documentary heritage

At present, in international agreements, in national legislation, legal literature, and cultural studies, general concepts and relevant terms are used: “cultural property”, “cultural heritage”, “cultural assets”, “cultural monument”, “historical and cultural heritage”, “documentary heritage”, “unique document”²³. The present study examines the historical and cultural documentary heritage, which is the object of author’s interest and constitutes a significant part of the funds of archives, libraries, and museums (hereinafter – ALM), which are today the public domain, public heritage. The difference between these concepts requires some clarification, given the spread of the term “documentary heritage”, which appears in professional communication, in particular, of archivists and librarians²⁴.

Unfortunately, despite the huge interest of culturologists and historians in the definition of the concept of “culture” there is no unambiguous and universal understanding of this term in society²⁵. The reason for this is the objective polysemy of social activity, which can be interpreted as cultural in terms of material and spiritual culture. However, science and practice require in each case to outline the boundaries of this concept. An increase in the attention of international organisations, states, social groups, and scientists to

²³ G. Dautova, B. Azibayeva, Z. Aimukhambet, K. Sarekenova, R. Abilkhaitkyzy, “The image of defender-hero in historical eposes. (On the materials of the Kazakh epics)”, in *Ponte*, 2017, vol. 73, no. 10, p. 215-223; M. Poplavskiy, Y. Rybinska, T. Ponochovna-Rysak, “The specific of Synesthesia in contemporary American and English poetry and its impact on the reader”, in *Cogito*, 2020, vol. 12, no. 3, p. 297-315.

²⁴ M. Poplavskiy, “Entrepreneurship in the field of art business in the European union”, in *Journal of Entrepreneurship Education*, 2019, vol. 22, no. 6, p. 1-6; T. Shiryayeva, A. Gelyayeva, R. Alikayev, D. Huchinaeva, M. Toguzayeva, “A theory-driven framework for the study of language in business”, in *XLinguae*, 2018, vol. 11, no. 1, p. 82-90. T.A. Shiryayeva, A.G. Avsharov, “Socio-cognitive modeling as a methodological basis of business discourse analysis”, in *Issues of Cognitive Linguistics*, 2018, no. 1, p. 94-102.

²⁵ A.G. Pudov, M.I. Koryakina, E.P. Yakovleva, L.S. Efimova, N.S. Shkurko, “Construction of modern ethno-cultural identity by symbolic art forms as a condition for self-development of culture: On the example of Yakutia (Siberia, Russia)”, in *Rupkatha Journal on Interdisciplinary Studies in Humanities*, 2020, vol. 12, no. 4, article number 15.

the agreement regarding the concept of “culture”, its significance in the life of a person and national states became actual after the catastrophic consequences of world wars and armed conflicts of the 20th century²⁶. To a certain extent, this is due to the practical need to identify and generalise the concept of “cultural property” in connection with the destruction of cultural monuments and outright predatory activities, and the transfer of cultural objects from occupied countries to other states²⁷. The forced change of ownership raised the issue of legal aspects and legitimacy of transfer, compensation for losses and the mechanism for returning cultural objects to the owner (country of origin or individuals) and the development of principles of international legal norms, and, accordingly, the definition of the concept of cultural property as an object of legal action and such a concept that should be accepted by the international community²⁸.

One of the central spheres of UNESCO's activity was the introduction into the public consciousness of the great importance of culture and education, not only for the progress of mankind in general, and countries and peoples in particular, but also for the development of mutual understanding between people and the rapprochement of peoples. Archives, libraries, and museums became the basic public institutes of UNESCO, in the archival, library, and museum spheres, international organisations were created that are directly involved in the development of all fundamental documents of UNESCO. This refers to the International Council on Archives (ICA), the International Federation of Library Associations and Institutions (IFLA), the International Council of Museums (ICM).

It is necessary to dwell on the concept of “culture” and determine the place of documentary heritage in the cultural system. The process of clarifying the understanding and development of the concept of “culture” has developed

²⁶ D. Bhattacharya, “Post-enlightenment exploration and the aesthetic of information: Curious with a purpose”, in *Rupkatha Journal on Interdisciplinary Studies in Humanities*, 2021, vol. 13, no. 1, p. 1-10. M. Shahnawaz, “Tales of the horrors of war: Analysing select Indian fictions on World War I”, in *Rupkatha Journal on Interdisciplinary Studies in Humanities*, 2021, vol. 13, no. 1, article number A7.

²⁷ R.S. Turysbek, K.K. Sarekenova, K.M. Baitanasova, A.A. Myrzakhmetov, Z.A. Aimukhambet, “The role of historical figures and legend motifs in the modern prose structure in expressing the idea of statehood”, in *Astra Salvensis*, 2021, vol. 2021, p. 383–393; B. Derevyanko, L. Nikolenko, I. Syrmamiik, Y. Mykytenko, I. Gasparevich, “Assessment of financial and economic security of the region (based on the relevant statistics of the Donetsk region)”, in *Investment Management and Financial Innovations*, 2018, vol. 15, no. 4, p. 283-295.

²⁸ G. Shamborovskyi, M. Shelukhin, S. Allayarov, Y. Khaustova, S. Breus, “Efficiency of functioning and development of exhibition activity in international entrepreneurship”, in *Academy of Entrepreneurship Journal*, 2020, vol. 26, no. Special Issue 4, p. 1-7; Z.A. Kaskatayeva, S. Mazhitayeva, Z.M. Omasheva, N. Nygmetova, Z. Kadyrov, “Colour categories in different linguistic cultures”, in *Rupkatha Journal on Interdisciplinary Studies in Humanities*, 2020, vol. 12, no. 6, p. 1-13.

throughout the existence of UNESCO. Considering the subject, the most important is the World Conference in Mexico City on July 26 – August 6, 1982, which was devoted to the policy in the sphere of culture, where the main components of the concept of “culture” and policy in this sphere were determined. This made an effective contribution to the cause of rapprochement of peoples and the achievement of mutual understanding between people through the development of culture and cultural activities. The Declaration provided a broad understanding of culture and revealed its constituent parts, taking into account various general and special approaches to its definition. Culture was considered as a set of pronounced traits – spiritual and material, intellectual and emotional, characterising a society or social group. Culture was believed to encompass, in addition to art and literature, a way of life, basic human rights, value systems, traditions and beliefs²⁹. In addition, it was recognised that culture is the ability of a person to think, analyse himself and his environment. It is culture, according to the Declaration, “that turns people into humane, intelligent, critically thinking creatures with moral obligations, who know themselves, recognise themselves as an unfinished product of nature, critically reflect on their achievements, tirelessly seek a new meaning of existence and create something that reflects their essence”³⁰.

In the Declaration, the evolution of the concept of culture took place – the transition from the traditional understanding of culture as literature and art to a wider one, including a variety of ways of life, value systems, human rights, patriarchal traditions, and religious diversity. This understanding of culture led to the need to regulate cultural processes at the international level. Particular attention was paid to the establishment of the concept of “cultural identity”, which implies the protection of traditions, history, and spiritual, moral and ethical values of past generations, but it nevertheless does not mean adherence to traditionalism, a backward look and immobilism³¹. It was noted at the conference that, while appreciating the heritage of the past, culture also

²⁹ Z. Kokbas, Z. Aimukhambet, K. Kurmambayeva, N. Smagulova, M. Yesmatova, “Mythical cognition and artistic method”, in *International Journal of Criminology and Sociology*, 2020, vol. 9, p. 3198-3202; D.Y. Ermilova, “Costume as a form of visualization of ethnicity: From tradition to modernity”, in *Rupkatha Journal on Interdisciplinary Studies in Humanities*, 2020, vol. 12, no. 6, article number v12n620.

³⁰ Z.A. Aimukhambet, A. Zhumagazina, A. Dalelbeckyzy, S.Sh. Aituganova, A.K. Seiputanova, “Mythical symbolism in structure of meta-text”, in *Astra Salvensis*, 2021, vol. 2021, p. 199-210; S.K. Almukhanov, G.K. Zhapekova, A.I. Begimtayev, M.S. Kulakhmetova, A.K. Shabambayeva, “Existential foundations of the transcendental subject: Defense potential of Christianity”, in *Journal of Language and Literature*, 2015, vol. 6, no. 4, p. 370-376.

³¹ A. Ualzhanova, D. Zakirova, A. Tolymbek, J.J. Hernández G. de Velazco, A.C. Chumaceiro Hernández, “Innovative-entrepreneurial universities in the postmodern world concert: Possibilities of implementation”, in *Entrepreneurship and Sustainability Issues*, 2020, vol. 8, no. 1, p. 194-202.

includes, by virtue of the dynamics of any cultural and social life of the present, modern creativity, ultimate goals and values, inspiring the future. These value orientations of culture are associated with the characteristics of a particular civilisation in order to ensure the authentic, preserve the life and national cultural character of the people. The right to culture is, first of all, the right of the people to control their own destiny, the right to establish their political systems. It was emphasised that the legitimate requirement of identity does not mean closure, but presupposes the establishment of relations based on mutual enrichment through a dialogue of cultures within the framework of cooperation between free and equal partners³².

The Declaration drew attention to the need to protect “cultural identity” as unique and irreplaceable values, since it is through its traditions and forms of expression that each nation declares itself to the whole world”. All cultures constitute one whole in a common human heritage, therefore cultural policy should protect, develop and enrich the identity and cultural heritage of each nation, and ensure full respect for cultural minorities and other cultures of the world³³. The Declaration also includes such sections as: the cultural aspect of development; culture and democracy; artistic and intellectual creativity, and artistic education; relations of culture with education, science and means of communication; planning, administration and financing of cultural activities; international cultural cooperation; tasks and role of UNESCO. The Declaration includes a separate section “Cultural Heritage” which explains its content as creativity, which reflects the peculiarities of the art of the peoples, includes the works of artists, architects, musicians, writers, scientists, the heritage of folk art and the whole set of values that make up the meaning of human existence. It covers both material and non-material works that express the creativity of the people, its language, customs, beliefs; cultural heritage also includes historical sites and monuments, literature, works of art, archives, and libraries³⁴.

³² O. Romaniuk, “Feminine contact-establishing communicative tactic within the framework of romantic discourse”, in *Analele Universitatii din Craiova - Seria Stiinte Filologice, Lingvistica*, 2018, vol. 40, no. 1-2, p. 170-181; O. Romaniuk, “Effective self-disclosure within the masculine romantic discourse: variable communicative moves”, in *Analele Universitatii din Craiova - Seria Stiinte Filologice, Lingvistica*, 2019, vol. 41, no. 1-2, p. 139-156.

³³ J. Sabadash, I. Petrova, S. Oriekhova, L. Polishchuk, K. Haidukevych, M. Otrishko, “Historical, cultural and tourist monuments as a factor in the development of territories”, in *International Journal of Advanced Research in Engineering and Technology*, 2020, vol. 11, no. 6, p. 485-493.

³⁴ O.V. Hurko, “Intersection of affirmative meanings in the Ukrainian literary language (on the materials of contemporary fiction)”, in *Astra Salvensis*, 2020, p. 605-617; P. Mishra, S. Satpathy, “Genre of folk narratives as rich linguistic resource in acquiring English language competence for young learners”, in *Rupkatha Journal on Interdisciplinary Studies in Humanities*, 2020, vol. 12, no. 1, p. 1-10.

Thus, the declaration stated that cultural heritage is a fundamental concept of the culture of the people, which requires protection by the state and the international community. It constitutes material and spiritual values, which form the basis of the national and cultural individuality of each nation and are protected by laws and regulations of the state, reflecting cultural achievements that are inherited – from generation to generation³⁵. These statutory instruments regulate public relations in the field of culture, both in general and in relation to specific types and forms of cultural heritage that is preserved in the ALM. The concept of “cultural property” in the legal aspect has been introduced into international theory and practice in the 1950s, when the need for such a definition arose after the Second World War and related to the issues of movement of cultural property and, accordingly, changes in the form of ownership. Therefore, in some documents, the concept of cultural value in English sounds like a cultural property. Issues of international law in restorative processes regarding cultural property and cultural heritage, the analysis of these concepts were deeply studied by leading scholars who examined in detail the specifics of international law, conceptual apparatus and terminological conflicts in law in relation to concepts such as “monument”, “monument of history and culture”, “cultural heritage”, “cultural value” and the international legal status of the world cultural heritage³⁶.

Scientific literature on the history of the concept of “cultural property” is widely represented in the latest monograph by V. I. Akulenko, where the author, based on a generalisation of previous studies, shows the development of the problem and the means of its solution, draws on a wide list of references and historiography – both Russian and foreign, examines the conceptual framework and the concept of “cultural property”, “cultural heritage”, “cultural monument” and the like.

The branch of cultural heritage protection in the international law is still in the process of development, including the conceptual framework. This study presents a historical and legal outline of the development and establishment of international norms for the protection of cultural property, defines the concept of international law for the protection of cultural heritage and its place in the system of international law. Considerable attention is paid to the world cultural and natural heritage as a defining category of international law for the protection of cultural property, as well as to the international institutional system in this area. The study reflects the issues of cooperation between European states, the protection of cultural property during wars and armed

³⁵ Y. Kichuk, “The role of the university in the social and cultural creativity of the local society (Budzhak region)”, in *Danubius*, 2017, vol. 2017, no. 35, p. 313-320.

³⁶ Z. Zhakupov, L. Meirambekova, Z. Aimukhambet, M. Akhmetova, L. Yespekova, G. Syzdykova, “Linguistic representation of time and space in kazakh folklore genres [Representación lingüística del tiempo y el espacio en los géneros del folklore kazajo]”, in *Opcion*, 2020, vol. 36, no. 91, p. 523-535.

conflicts, the systematisation of international legislation, establishment and further development of the international legal position of Russia, as well as the implementation of international legal norms in the legal order, and the like. There is no single universal definition of the concepts of “cultural property” and “cultural heritage”, there are several definitions of them that are adopted in accordance with specific international legal documents, in particular in the UNESCO Convention for the Protection of Cultural Property in the Event of Armed Conflict (1954) and in the Convention UNESCO on measures aimed at prohibiting and preventing the illegal import, export and transfer of ownership of cultural property dated November 14, 1970. In international law, these concepts are used as synonyms and more correctly refer to the concept of “cultural property” as a clearer legal aspect.

Aspects of the legal protection of cultural heritage were deeply studied by T. Katkova, who analysed in detail the documents and considered the concept of cultural heritage in accordance with international and Russian legislation, issues of heritage protection, in particular, the development and proposals in this aspect, as well as the activities of the Internal Affairs Department (internal affairs bodies) of Russia for the protection of cultural heritage. The author also clarifies the features of the application of concepts and categories in the field of preservation of cultural heritage.

In the context of the international legal protection of the heritage of mankind, it is more correct to use the category “cultural property”, since cultural heritage is an integral part of this concept. To regulate the affairs and preserve the cultural heritage of Russia, it is necessary to develop and approve an appropriate long-term State programme. At the same time, the process of reforming the state policy of Russia in the sphere of culture should concern, first of all, state and administrative aspects: modernisation of state policy in the cultural sphere, approximation of administrative activities to the standards of European governance based on the principles of democracy and European values. Certain issues of the concept of “cultural property” in the context of the return and restitution of cultural objects were considered in the EU.

Within the framework of international law and the law of international organisations, only general information is provided on the activities of supranational institutions in this area of social and sociocultural relations. The materials provide analytical data on the practical activities of UNESCO in the field of cultural heritage protection. So, for example, an important problem in the application of the legal provisions of the international legal regime for the protection of cultural property is the elementary ignorance of the belligerents with its main provisions. Studied the role of UNESCO in the protection and preservation of cultural heritage in Russia.

At The Hague Conference in April-May 1954, where the UNESCO Convention on the Protection of Cultural Property in the Event of Armed

Conflict was adopted, cultural property and cultural heritage were recognised and concretised types of objects as cultural property (Figure 1)

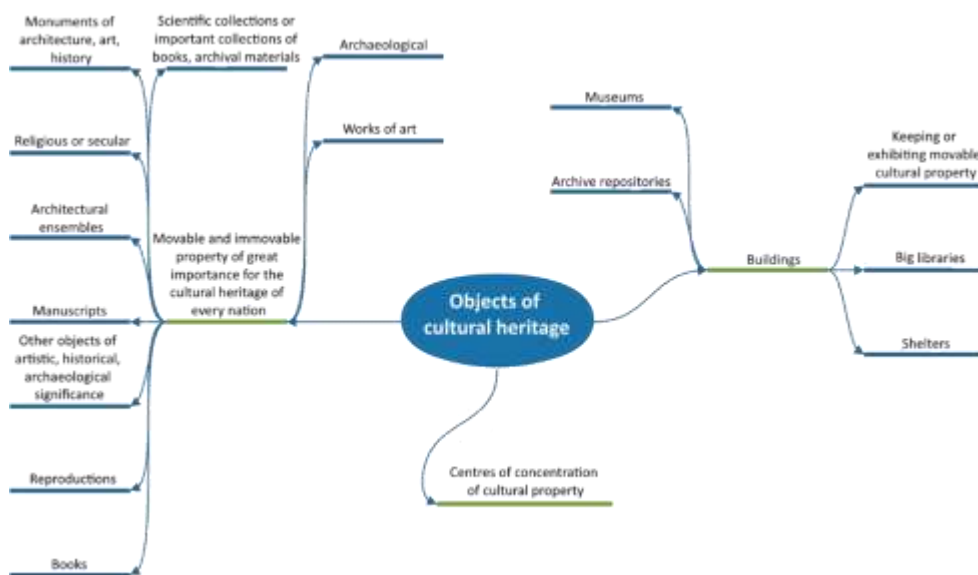


Figure 1: Classification of the objects of cultural heritage

Since then, the clarification and development of the concept and composition of cultural property were considered at further conferences organised by UNESCO, in particular in the UNESCO recommendation 1964, the 1968 recommendation, Convention on measures aimed at the prohibition and prevention of illegal import, export and transfer of ownership of cultural property (1970), offers a definition of the concept of “cultural property” as “property of a religious or secular nature, which are considered by each state as having significance for archaeology, prehistoric period, history, literature, art and science” (Art. 1). In addition to the general definition of cultural property, the 1970 Convention also establishes the categories of such property that are recognised as the cultural heritage of each state.

The Convention Concerning the Protection of the World Cultural and Natural Heritage, adopted at the General Conference at the 17th session of UNESCO on November 16, 1972 in Paris, expands the boundaries of the concept of “culture” and includes natural heritage as well. According to this concept, heritage is understood as a system of material and intellectual spiritual values created and preserved by previous generations and representing exceptional value for the preservation of the cultural and natural gene pool of our planet and its further development. Three groups of cultural heritage objects are distinguished: monuments, ensembles, and sights, while emphasising the importance of monuments as phenomena of history, art,

science of universal significance and value. Likewise, natural heritage that has outstanding universal value in terms of aesthetics and science. The convention emphasises the unity of natural and cultural heritage. This is the first international document where such a connection is clearly declared and the importance of the natural and sociocultural environment is emphasised.

The 41st session of the UN General Assembly in December 1986 announced the World Decade for the Development of Culture (1988-1997), the main goal of which was: highlighting the cultural aspect in the general development process, and, accordingly, establishing and enriching the identity of culture; expanding the participation of the peoples of all countries in the development of culture; strengthening international cultural cooperation. These were the very goals that were declared by UNESCO as the basis for cultural policy for all countries, starting with their discussion in 1967 in Monaco and then at all subsequent conferences and meetings on cultural issues.

The program for the implementation of the Decade for the Development of Culture included three areas of UNESCO's activities in this area: "International cooperation in the field of culture, preservation and enrichment of cultural identity", "Culture for development", "Preservation and revival of cultural heritage". Along these lines, UNESCO has developed numerous and varied projects on a wide range of topics. The development of the concept of culture from a common and universal national context found implementation in such a fundamental UNESCO normative act for humanity as the "Recommendations for the Preservation of Traditional Culture and Folklore", adopted at the UNESCO General Conference in 1989, where it was recommended to adopt legislative documents necessary for preservation of traditional culture and folklore, protection and development.

In 2000, the World Report was dedicated to cultural diversity, where ideas were expressed about the need to preserve it and respect for different cultures. In the next report "Formation and preservation of cultural heritage in the information society", the emphasis was made on the priorities of creating a digital resource. In 2003, intangible cultural heritage was also included in the content of cultural heritage. It is enshrined in the Convention for the Safeguarding of the Intangible Cultural Heritage, where such customs, forms of display and expression, knowledge and skills, as well as related tools, objects are considered, artifacts and cultural spaces recognised by communities, groups, and individuals as part of their cultural heritage. This heritage, passed down from generation to generation, is continually recreated by communities and groups influenced by their environment, their interactions with nature and their history, and gives them a sense of identity and continuity³⁷. It manifests

³⁷ O. Borshovskyi, H. Koznarska, H. Lukashchuk, Organization of the urban park of culture and recreation, in *Architectural Studies*, 2021, vol. 7, no. 1, p. 1-8.

itself in oral traditions and forms of expression, in particular in language, performing arts, customs, rituals, celebrations, knowledge and practice concerning nature and the universe, in traditional crafts.

Implementation of safeguarding intangible cultural heritage

Safeguarding intangible cultural heritage means a set of measures aimed at ensuring its viability, including its identification, documentation, research, preservation, protection, popularisation, enhancement of its role, in particular through formal and non-formal education, as well as the revival of various aspects of such heritage³⁸.

The evolution of the European information policy is reflected in such documents as: N. Bangemann Report “Europe and the Global Information Society: Recommendations for the European Council of the EU”, “Electronic Europe” and “Electronic Europe +”, “Initiative 2010”, “Europe 2020”, “Digital Agenda for Europe”, Europe and the World Summit on the Information Society (2003-2005): Transforming Strategies in the 21st Century.

The Charter on the Preservation of the Digital Heritage, adopted by the 32nd General Conference, is of outstanding importance. Information resources and creative works are increasingly being created, disseminated, made available and stored digitally, thus forming a new kind of heritage – digital heritage. The Charter established the content of the concept of “digital heritage” as unique resources of human knowledge and forms of expression related to the sphere of culture, education, science and management, as well as information of a technical, legal, medical and other nature that are created in digital form or are digitised by converting existing resources to analogue media. In the case of “digital origin”, resources can only exist as a digital original.

The Charter defines both forms and types of digital materials: they include text documents, databases, still and moving images, sound and graphic materials, software and websites, presented in a significant and continuously increasing number of formats. Most often, these materials are recorded for a short time and require the adoption of targeted measures aimed at their creation, preservation and management.

Many of these resources are of immense value and significance, and thus there is a legacy that must be preserved for future generations. This ever-increasing legacy can exist in any language, in any part of the world, and in any area of human knowledge and expression.

Article 2 of the Charter declares that the purpose of preserving digital heritage is to ensure its availability for the population, therefore access to

³⁸ A. Banerjee, “Critiquing 21st century creative violence: Tagore’s concord (milan) and harmony (samanjasya) imagining ‘one world’”, in *Rupkatha Journal on Interdisciplinary Studies in Humanities*, 2021, vol. 13, no. 2, p. 1-9.

digital heritage materials, especially those that are in the public domain, must be free from unreasonable restrictions. At the same time, protection against any form of encroachment on the security of confidential and private information must be ensured. It is also noted that there is a threat that the digital heritage of the world may be irretrievably lost to future generations. Factors that contribute to this include the obsolescence of equipment and programs that provide access to digital materials, uncertainty in resource provision, responsibility and preservation methods, and the lack of relevant legislation. The development of technology is ahead of the change in attitudes of behaviour. Digital evolution has proven too fast and expensive for governments and institutions to develop strategies for preserving digital heritage in a timely manner, based on comprehensive information. The threat to the socio-economic, intellectual and cultural aspects of heritage – the structure-forming elements of the future system is not fully understood.

Wishes were expressed in a non-judgemental manner regarding the selection of documents for digitisation. Selection principles may vary from country to country, although the main criteria in deciding which digital materials should be preserved should be their significance, cultural, scientific, documented or other value. Priority should certainly be given to materials of “digital origin”. Decisions regarding selection and any subsequent revisions are made in an accountable manner and based on defined principles, policies, procedures and standards. Article 8 invites the Member States to carry out the necessary appropriate legal and institutional arrangements, to include in the legislation of the countries the mandatory or voluntary deposit of the relevant digital heritage materials in ALMs and other public repositories. Access to legally deposited digital heritage material must be reasonably provided without prejudice to its normal use. Legal frameworks and practical mechanisms for determining their authenticity play a critical role in preventing digital heritage material from being tampered with or deliberately altered. Both require that the content, functionality of the files, and documentation are retained to the extent necessary to ensure the authenticity of the document. It is necessary to ensure the safety and availability of the digital heritage of all regions, countries and communities in order to gradually ensure the representation of all peoples, states, cultures, and languages (Figure 2).

Article 10 defines the role and responsibilities of the Member States and declares the wishes to identify one or more institutions that should be responsible for coordinating digital preservation and providing the necessary resources. When defining tasks and responsibilities, one can proceed from the existing distribution of roles and experience.

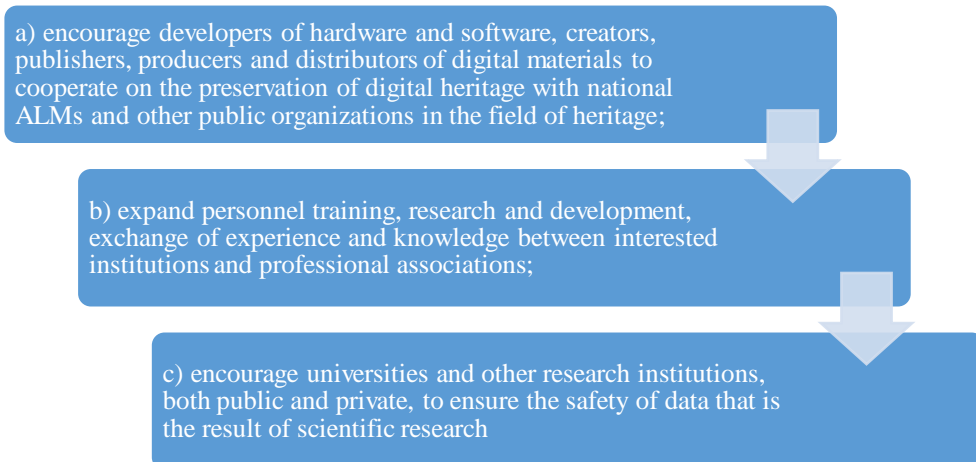


Figure 2: Action to protect cultural property

At the same time, the concept of “cultural industries” is being developed in the policies of UNESCO and the Council of Europe. It lays the foundation for further conceptualisation of the relationship between culture and socio-economic development both at the global and national levels. In particular, in the program publications of UNESCO (“Our Creative Diversity”, 1996) and the Council of Europe (“From the periphery to the spotlight”, 1997). Based on the results of research in selected countries, including France and the UK, there was a new concept of culture developed, the use of cultural means to achieve goals in other sectors not related to culture. In particular, it was determined that any cultural activity has a tangible socio-economic impact, therefore, the variety of forms of cultural products and cultural activities should not be limited, but, on the contrary, should be encouraged through technical development. The widespread dissemination of diverse cultural products and cultural activities, the exchange of cultural practices in general, can stimulate creativity. This contributes to the establishment of one of the most important concepts of cultural policy of international organisations – the creative industry. The need to develop national cultural industries has become the leading idea of “humanising the globalisation process”.

At the 18th General Conference of UNESCO in Paris on November 5-18, 2015, the issue of providing a recommendation to Member States (annex V., p. 193-198) on the need to ensure the preservation and access to documentary heritage, including in digital form, the relevant legal acts of states as a tool for harmonising policies and strategies in this area, strengthening international cooperation (Acts of the General Conference). To facilitate the optimal exchange of data, Member States are encouraged to develop and use the internationally recognised open-source software and standardised interfaces for managing documentary heritage in digital format, and to seek to collaborate

with software and hardware developers in obtaining data and content from using patented technologies. Likewise, their preservation agencies should strive for international standardisation and interchangeability of cataloguing methods and standards.

UNESCO has done significant work to improve intellectual property rights in content in the digital age. Recent documents include the 2016 UNESCO PERSIST project (a platform for promoting the resilience of the information society at the global level) and the publication of the Guidelines for Choosing Digital Heritage for Long-Term Preservation. It is program oriented. Memory of the world, “information for all” in the spirit of the UNESCO Digital Heritage Charter. Concerns regarding the proliferation of digital heritage on the Internet, particularly when it comes to electronic journals and articles, newspapers, photographs and other types of materials and documents, has prompted a need to highlight the introduction of new forms of cultural content on the web that complement traditional methods of classification of materials that need to be preserved. IFLA has recommended that such activities be carried out on institutions' websites. It is designed to preserve access to the variety of web content that has the potential to have long-term cultural value. Taking into account the need to reproduce photographic images in a historical context, the site is focused on the maximum preservation of digital originals so that future generations can receive them unchanged.

In the context of preserving cultural heritage sites, it is important to remember the complex layering of values that is contained in the object: urban planning, architectural, historical, social, cultural, emotional values. The renovation of a historic building can influence the renewal of the urban space in accordance with the time and functional purpose of the territory and individual objects. This is well understood in many modern countries and therefore the process of restoring architectural monuments is approached not only from the perspective of preserving historical authenticity.

An illustrative example is the renovation of the Neues Museum on Berlin Museum Island, which was destroyed during the Second World War and rebuilt in 2009 by the project of David Chapperfield. Originally built in the period from 1843 to 1855 according to the project of the then famous architect Friedrich August Stühler, it served as a historical museum from the very beginning. After working for almost a century, it closed in 1939 due to the outbreak of the war and was almost completely destroyed. In 1997, David Chapperfield's architectural firm won the competition for the restoration of the building. The focus of the project was on preserving the original volume and structure, so the facade and interior of the building underwent minimal changes. In particular, wide concrete stairs appeared, which in the original version were made of marble, and the roof was supplemented by a glass dome.

The main concept of the renovation: “The new should reflect the lost, but not imitate it”.

National Maritime Museum of Amsterdam (Amsterdam, Netherlands). A 17th century building conceived as a warehouse on the water and built in the tradition of Dutch classicism. Renovated in 2011, it houses the Amsterdam National Maritime Museum. The authors of the project, Dok Architecten, had to not only restore the building, but also modernise the existing historical structure to the needs of modern use, while preserving the cultural and historical integrity of the building.

The Cultural Heritage Agency of the Netherlands set clear and stringent requirements: to minimise interference with the building itself and create a semi-open climate zone in the courtyard. Thus, the facades were restored almost in an authentic form, while modern elements appeared in the interior of the building, the main of which were the staircase and the floor, and the main innovation was the atrium space, which made the courtyard area suitable for various events throughout the year.

Museum of San Telmo (San Sebastian, Spain) is located in the historical part of the old city, has dense buildings, and is adjacent to the green slope of the Monte Urgull. The project of renovation and expansion of the museum was aimed not only at showing the connection between the past and the present in an artistic and historical context, but also to harmoniously fit into the landscape. The solution was found in the completion of a modern pavilion in a minimalist style with a special technology for greening the walls. It was decided to restore the historical part of the building from the outside with practically no changes.

Moritzburg Museum (Halle, Germany). The 15th century castle in the German city of Halle is a very valuable example of Gothic military architecture. Thanks to its turbulent history, the building has been repeatedly destroyed and modified throughout its entire existence. From the 17th century, part of the castle complex was in ruins until 2008, when a general renovation was carried out by the architectural bureau Nieto Sobejano Arquitectos. The design of the restored building is based on a single and original architectural idea: to modernise and restore the castle, while partially preserving the state of ruin in which it existed for a long time. A new glass roof was built over the dilapidated walls, which is able to provide the interior space with plenty of natural light. Thanks to this design, a wide range of possibilities for using the interior space opens up, and at the same time, the feeling of being among the real castle ruins is preserved.

Cultural House of Pinhel (Pinhel, Portugal). It was decided to restore the Hall to its original form in order to preserve the character of the historic building, other rooms were modified and adapted to modern needs. The most significant innovation is the mirrored box in the courtyard of the building, where the cash desks are located.

In most cases, the restoration of the historical structure to its original form will not carry its authentic emotional value, which will lead to its obsolescence over time. Their reproduction is advisable only in exceptional cases, for example, if the object itself loses its compositional, architectural value without them. Replacing lost structures can make a historical object more attractive, functionally adapt it to modern conditions. An example of this is the redesign of a 16th century building into a new academic centre, jointly carried out by TwoBo Architecture and Luis Twose Architect in 2009-2011. The main attention of the architects was focused on two zones: the western facade and the old tower. The western facade, facing the square and serving as the main entrance to the building, is a modern glass and metal structure. The defensive tower was completely restored from the outside to its original form, and inside it underwent significant interventions.

Once again, it is important to note that the renovation of historical objects cannot be done without their adaptation to modern operating conditions and the needs of certain segments of the population of people with limited mobility, people with disabilities.

Conclusions

Recently, a new document reality is emerging – digital, which changes the methodological aspects of the activities of these institutions in the field of preserving the documentary heritage and access to documents and information that they contain, as well as the concept of “digital heritage”. As a rule, the terms “cultural property”, “cultural site”, “cultural heritage”, “cultural monument”, which are similar in meaning, are often used by researchers as synonymous, cover both stationary and moving objects of scientific, historical, and artistic value.

Safeguarding intangible cultural heritage means a set of measures aimed at ensuring its viability, including its identification, documentation, research, preservation, protection, popularisation, enhancement of its role, in particular through formal and non-formal education, as well as the revival of various aspects of such heritage. The Charter on the Preservation of the Digital Heritage, adopted at the 32nd General Conference, is of outstanding significance. Information resources are increasingly being created, disseminated, made available and stored digitally, thus forming a new kind of heritage – digital heritage. The Charter established the content of the concept of “digital heritage” as unique resources of human knowledge and forms of expression related to the sphere of culture, education, science and management, as well as information of a technical, legal, medical and other nature that are created in digital form or are digitised by converting existing resources to analogue media. The author would like to note that in the case of the building of the former Cadet Corps, there is no intention to impose radical

transformations that could violate the integrity of the architectural ensemble of Round Square. But there is no need to avoid general changes, strive for copying and falsification.

In the process of renovation, it is possible to come to any decision, but at least the building must be given a chance to turn into something better, relevant to our times, to avoid the possibility of repeated decline. It is important to adapt it for a new purpose and those functions that it will perform as a renewed object, which has managed to combine different eras and generations, our history and the spirit of our time.