

CREATING SECURITY ZONES AROUND THE LAND OF HISTORICAL AND CULTURAL SIGNIFICANCE

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Problems features on establishment of protection zones around the lands of historical and cultural significance are overlooked in this article. An order of development projects on land management restrictions and encumbrance's protection zones around the lands of historical and cultural significance is offered, followed by their inclusion in the database of the State Land Cadastre (SLC). State cadastre of historical - cultural lands of Ukraine must be formed on the basis of Land Cadastre. It will allow to form the legal, socio - economic factors for Land Management in security zones of historical and cultural significance by local governments and state bodies.

Keywords: *conservation area attractions, lands of historical and cultural significances, land projects and encumbrances.*

Formulation of the problem

The problem has been occurred together with land reform in the conservation and protection of lands of historical and cultural significance. It is necessary to develop projects to establish land boundaries in nature of protection zones of historical and cultural lands, followed by registration in the database of the State Land Cadastre. Formation of protected areas of historical and cultural lands envisages drafting of land use in order to install them under the law. In order to preserve lands of historical and cultural significance, the monuments protection zones are created with the prohibition of activities that adversely affect or may affect the compliance regime for the use of these lands. Approval of land usage within the protection zones attractions is due

to the need for conservation and protection of land of historical and cultural significance.

Analysis of recent research and publications

The problem of creation security zones of the lands of historical cultural significance has been the subject of research, indicating that a sufficient number of jobs in relation to lands of historical and cultural significance.

From the standpoint of legal maintenance of lands of historical and cultural regimes and their use of a particular issue dedicated their scientific works by such scholars as Akulenko VI [7] Andreytseva VI [8], Barabash NA [9] Bondar LO . [10] A. Donets [11], chickens T. In [13], Katkov TG [12].

But in our view the Ukrainian scientific literature is not enough actively discussed issues concerning establish-

ment of security lands zones of historical and cultural significance, as well as regimes of land ownership and land use within these areas and their inclusion in the database of land cadastre.

The legal regime of use of protection monuments areas defined by the appropriate scientific and project documentation and approved by the central executive body in the sphere of cultural heritage or the authorized body of cultural heritage. However, now both in law and in Ukrainian science there are no clear regulations which establishes protection zones attractions lands of historical and cultural significance. Although security zones attractions lands of historical and cultural significant impact on land use and the mode of using land holdings that fall within the boundaries of these zones.

However, the improvement in land management within the areas of protection of monuments requires further study, especially with the development of land market in Ukraine.

Purpose of the article - the analysis and systematization of the problems on delineating zones of attractions for special treatment of land use and preservation of land of historical and cultural significance. On the basis of the legislation on the protection of cultural heritage, archaeological heritage, Nature Reserve Fund of Ukraine, burial and funeral business, museums and museum business, environmental, sanitary norms and rules of construction, urban planning documentation and land process to develop projects of land for the establishment of protection zones attractions and entering their data into the database of the State Land Cadastre. To create territorial and legal factors that properly manages the land.

Teaching basic material

In order to preserve lands of historical - cultural significance, current legislation relates them to the most valuable land in Ukraine, which should be under state protection. For example, in the Transcarpathian region according to these lands of historical and cultural significance include 62 facilities with a total area of 54.8 hectares, reflecting different stages of the history and culture of the region, places of worship and memorial parks. The largest area is occupied by historical and cultural sites and places of worship in the city of Mukachevo, Mukachevo convent is - 7,43 hectares castle "Palanok" - 1.47 ha in Uzhhorod Transcarpathian Museum, Castle "Fortress" - 2 4 hectares. Currently the zone of protection around these historical monuments and cultural sites is not set.

Lands of historical and cultural significances are defined by the Law of Ukraine "On Protection of Cultural Heritage" [2], which are subject to special protection and conservation. However this law does not contain the detailed regulation of land relations, it is made to perform a large number of subordinate regulations. Daily use of lands of historical and cultural significance as determining the provisions of the Law of Ukraine "About archaeological heritage protection" [6] "On Nature Reserve Fund of Ukraine" [3] "On the burial and funeral business" [4] "On museums and museum case" [5]. Daily use of specific sites (lands of historical and cultural significance) is determined by the relevant scientific and project documentation and announced acts.

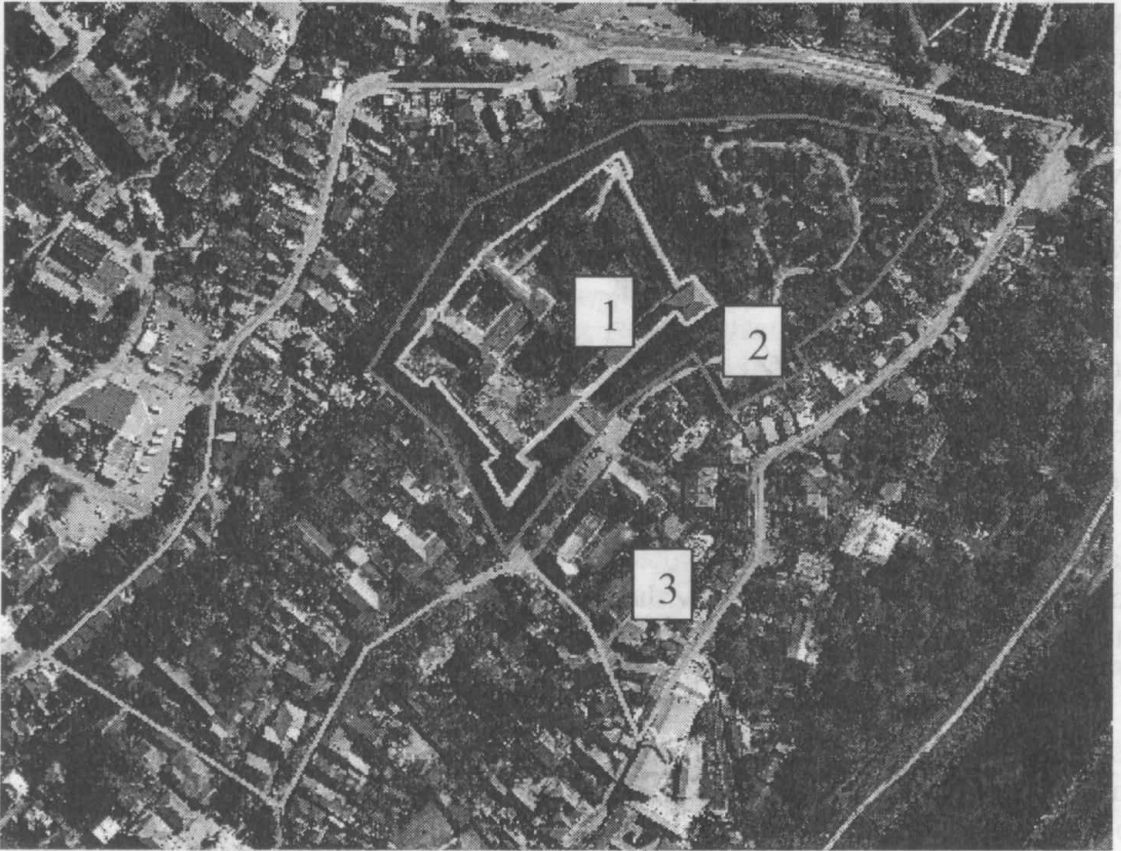
Some lands of historical and cultural at the same time can be a part of land of natural reserve fund because

they are subject to restrictions and modes of use, as the land of natural reserve fund.

In accordance with Clause 1 of Article 112 of the Land Code of Ukraine

created around valuable natural objects of cultural heritage (land of historical and cultural) create security zones to protect and protect them from adverse anthropogenic influences [1].

1. The protection zone around the lands of historical and cultural city of Uzhhorod, Transcarpathian Museum, Castle "Fortress"



1. **Castle "Fortress"**
2. **Transcarpathian Museum**
3. **Protection zone around the lands of historical and cultural**

The composition of these lands and their division into types depending on the nature of the objects to which they are located, determined in Article 53 of the Land Code of Ukraine.

Lands of historical and cultural purpose include land on which located:

a) historical and cultural reserves, museums, parks, memorial parks, memorial (civil and military) cemetery, graves, historical or memorial estates, buildings, construction and memorable

places associated with historical events;

b) settlements, burial mounds, old burials, memorable sculptures and megaliths, rocks with painted images, fields of ancient battles, remains of fortresses, military camps, settlements and basements, areas of historical cultural layer of fortifications, production, canals, roads;

c) architectural ensembles and complexes, historical centers, blocks,

squares, remnants of ancient planning and development of cities and other human settlements, construction of civil, industrial, military, religious architecture, folk architecture, garden and park complexes, construction background [1].

This division is derived from the classification of cultural heritage under the Law of Ukraine - "On Protection cultural heritage" on Dec 16, 2004, Article 2.

1. According to the types of cultural heritage sites are divided into:

- Building (works) - architecture and engineering art, works of monumental sculpture and monumental painting, archaeological sites, caves with existing evidence of human activity, building or premises in them that have preserved the authentic witness of the Points of historical events, the life and work of famous people;

- Complexes (ensembles) - topographically defined of individual or combined together objects of cultural heritage;

- Landmarks - areas or landscapes, natural and man-made creations that brought to our time value from the archaeological, aesthetic, ethnological, historical, architectural, artistic, scientific or artistic point of view.

2. Types of cultural heritage sites are divided into:

- Archaeological - remains of human life (still cultural heritage: settlement, burial mounds, remains of ancient settlements, sites, fortifications, military camps, industries, irrigation facilities, roads, cemeteries, places of worship and buildings, their remains or ruins, megaliths, caves, rock pictures, areas of historical cultural layer, fields of ancient battles, and the associated moving objects) contained beneath the

earth's surface and under water and is irreproducible source of information about the origin and development of civilization;

- Historical - buildings, constructions and their complexes (ensembles), individual burials and cemeteries, places of mass burial of the dead and the dead (dead) soldiers (including foreigners) who have died in wars, because of deportation and political repressions in Ukraine, location hostilities, place of death warships, sea and river vessels, including the remnants of military equipment, weapons, ammunition, etc., landmarks associated with important historical events of the life and work of famous people, culture and life of people;

- Objects of monumental art - works of fine art as independent (separate) and those associated with architectural, archaeological or other monuments or formed their complexes (ensembles);

- Objects of architecture and urban planning - individual architectural and related works of monumental, decorative and fine arts, which are characterized by certain differences of culture, age, certain styles, traditions or authors; natural and architectural complexes (ensembles), historic centers, streets, neighborhoods, squares, remnants of the old plan of development and that is the carrier of certain urban ideas;

- Objects of landscape architecture - a combination of park construction with natural or man-made landscapes;

- Landscape - natural areas that have historical value;

- Objects of science and technology - a unique industrial, manufacturing, scientific, industrial, engineering, transport engineering, mining facilities, determining the level of science and

technology of a certain age, certain scientific fields or industrial sectors [2]. According to Paragraph 1 of Article 32 of the Law of Ukraine "On Protection of Cultural Heritage", in order to protect the traditional nature of the environment of some of monuments, complexes (ensembles,) the zone of protection of monuments, protected zones, control zone area, protected landscape areas, areas of archaeological cultural layer should be installed around them.

The scope and modes of use monuments protection zones defined by the appropriate scientific and project documentation and approved by the relevant body of cultural heritage.

The procedure for determining and approving limits and usage modes zones of protection of monuments and amendments to them are defined by the central executive body in the field of cultural heritage. (Article 32 of the Law N 2245-IV of 16.12.2004) [2].

According to Clause 2 st.54 Code of Ukraine land around historical and cultural reserves, historical and cultural protected areas, open-air museum, memorial museums, mansions, cultural heritage, their complexes (ensembles) established zones of protection of monuments ban activities that adversely affect or may affect the compliance regime for the use of land [1].

Land ownership and land use that are located within zones of protection of monuments fall under the restrictions and encumbrances on their mode of use, which are governed by the law of the Law of Ukraine "On Protection of Cultural Heritage", established by the central executive body in the field of cultural heritage. Restrictions on the use of and encumbrances on the land that spread requires

registration of easements and submit them to the database of the State Land Cadastre followed.

Conclusion

It should be noted that at present there is no established boundaries of zones of land monuments of historical and cultural significances which are defined under the Laws of Ukraine "On Protection of Cultural Heritage", "On Land Management" and "On the Land Cadastre".

With a view to preserving and protecting lands of historical - cultural and requirements of the Land Code of Ukraine and the Law of Ukraine "On Protection of Cultural Heritage" should provide delineating zones of monuments on the basis of land management projects for their installation. It should be noted that the scope of protection zones attractions lands of historical and cultural significance not developed and not installed.

We believe that this subject indicates the need to develop projects on land management, to establish the boundaries of zones of protection of monuments of historical land - as well as cultural modes of their use in accordance with land management process and making their data into the database of the State Land Cadastre - as the basis to conduct inventories of all cadastres is the State Land Cadastre.

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Розглянуто проблеми ЩОДО особливості встановлення охоронних зон навколо земель історико-культурного призначення. Запропоновано порядок розробки проектів землеустрою щодо обмежень та обтяжень охоронних зон навколо земель історико-культурного призначення з подальшою внесення їх в базу даних Державного земельного кадастру (ДЗК). На основі даних земельного кадастру необхідно формувати Державний кадастр земель історико – культурного призначення України. Дозволить сформувати правові, соціально – економічні чинники для управління земельними ресурсами в охоронних зонах земель історико-культурного органами місцевого самоврядування та органами державного управління.

Ключові слова: охоронні зони пам'яток, землі історико-культурного призначення, проекти землеустрою, обмеження та обтяження.

Рассмотрены проблемы об особенностях установления охранных зон вокруг земель историко-культурного назначения. Предложен порядок разработки проектов землеустройства относительно ограниченной и обремененной охранных зон вокруг земель историко-культурного назначения с последующей внесения их в базу данных Государственного земельного кадастра (ГЗК). На основе данных земельного кадастра необходимо формировать Государственный кадастр земель историко - культурного назначения Украины. Позволит сформировать правовые, социально - экономические факторы для управления земельными ресурсами в охранных зонах земель историко-культурного органами местного самоуправления и органами государственного управления.

Ключевые слова: охранные зоны памятников, земли историко-культурного назначения, проекты землеустройства, ограничения и обременения.