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INTERNATIONAL STANDARDS FOR PROTECTION OF CULTURAL PROPERTY: IMPLEMENTATION IN CRIMINAL LEGISLATION OF UKRAINE

This article analyzes the international legal rules contained in international conventions and recommendations of UNESCO concerning the protection of cultural property, their mandatory implementation in domestic criminal law.

The analysis of existing criminal law is carried out in line with international standards. It is suggested to borrow the experience of neighboring countries for further improvement of the criminal law that meets international standards.

The author provides an example of such neighboring countries, which are similar mentally and given the construction of legal structures (Russia, Belarus, etc.) and some European countries (Spain, Poland, Lithuania). The above countries successfully work on the implementation of international law in its criminal laws, especially those relating to the commission of assault or management of such attacks on cultural values, causing them significant damage if the values are not located in the vicinity of military ob-

jectives or unused by enemy for warfare; illegal use of distinctive signs protected by international treaties in case of usage while warfare in spite of international agreements; violation of the prohibition on illicit import, export and transfer of ownership of cultural property, failure to return in reasonable time in the territory of the state of exported objects and documents of artistic, historical, cultural and archaeological heritage of the peoples of this state and foreign countries, if such return is obligatory required.

It is necessary to benefit from the experience of countries that already contain such provisions and implement international provisions in domestic legislation, as this will effectively protect irreproducible cultural property and emphasize the importance of such facilities, turn relation of Ukrainian legislators to the cultural values from their perception as the usual public facilities to unique irreproducible heritage of the Ukrainian people and all mankind.

