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Research on Management Plan for the Preservation and Use of Buried Cultural Heritage and Surrounding Areas in Historical and Cultural Zones

김종범 Kim, Jongbum

심경미 Sim, Kyungmi

진태승 Jin, Teseung

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SUMMARY

Kim, Jongbum
Sim, Kyungmi

Chapter 1: Introduction

In June 2020, the “Special Act on the Maintenance of Historical and Cultural Zones” was established in South Korea for the protection and advancement of both designated and non-designated cultural heritage sites related to ancient Korean history, including Goguryeo, Baekje, Silla, Gaya, Mahan, Tamna, Jungwon, Yemaek, and Hubaekje. This legislation enabled the implementation of policies for the protection and promotion of historical and cultural environments, encompassing not just individual cultural heritage sites but also the surrounding areas. In April 2022, the Cultural Heritage Administration announced the “Master Plan for Maintenance of Historical and Cultural Zones(2022–2026)”. Following this plan, all local governments in the country were able to establish “Historical and Cultural Zone Maintenance Districts(hereinafter referred to as “Maintenance District”)” that include ancient sites(relic, ruins or remains), and comprehensively carry out cultural heritage study, investigate, discover, restore, maintenance, and spatial environmental improvements through the “Implementation Plan for the Maintenance of a Historical and Cultural Zone(hereinafter referred to as “Implementation Plan”)”. In February 2023, the Cultural Heritage Administration commenced the “Historic and Cultural Environment Maintenance and Promotion Pilot Project” to ensure the successful establishment of this policy.

A key feature of this policy is its shift from the previous approach centered on designated cultural heritage under the “Cultural Heritage Protection Act” to include non-designated cultural heritage and yet-to-be-excavated buried cultural heritage as protected entities, thereby expanding government support for them. However, the initial stages of implementing the policy encountered difficulties due to confusion over the concept of ‘Maintenance’ and a lack of support measures for the uncertain situation of buried cultural heritage. This study was planned to propose policy measures for the integrated maintenance of buried cultural heritage and everyday spaces.

The research investigated the policy demand for the protection and use of buried cultural heritage within Historical and Cultural Zone, identifying key issues in the policy implementation process and seeking alternatives. To do this, the spatial characteristics of “Areas of Buried Cultural Heritage” under the “Act on Protection and Inspection of Buried Cultural Heritage”, which forms the spatial background of the historic and cultural maintenance policy, were analyzed. Additionally, the conditions for policy implementation within the existing cultural heritage system were examined. Based on these analyses, short-term policy measures applicable within the period of the “Master Plan for Maintenance of Historical and Cultural Zones(2022–2026)(hereinafter referred to as “Master Plan”)” and overall

system improvement measures were presented.

Chapter 2: Analysis of Institutional Conditions for the Maintenance of Buried Cultural Heritage and Surrounding Areas in Historical and Cultural Zone

The maintenance projects under the “Special Act on the Maintenance of Historical And Cultural Zones(hereinafter referred to as “Act on the Maintenance”)”, to be implemented until 2026, and the policy targets of the “Act on Protection And Inspection of Buried Cultural Heritage(hereinafter referred to as “Act on Buried Cultural Heritage”)” coincide. The “Act on Buried Cultural Heritage” defines and protects archaeological traces considered valuable though not yet excavated, as “Areas of Buried Cultural Heritage”, whereas the “Act on the Maintenance” considers these buried cultural heritages as subjects for conservation and use. Therefore, a detailed analysis of the policy implementation conditions under these two laws is necessary.

Chapter 2 of this study traced the development path from the “Cultural Heritage Protection Act” to the “Act on Buried Cultural Heritage” and conducted a comprehensive investigation of the system related to buried cultural heritage. Subsequently, it analyzed the national “Master Plan”, the “Implementation Plan” established by local governments, and the institutional status of maintenance districts and projects under the “Act on the Maintenance”. Through this process, the study identified conflicting and complementary relationships between the two laws.

This research also investigated international trends related to the maintenance of buried cultural heritage. The systems of the United Kingdom, Japan, and China regarding buried cultural heritage were reviewed, examining how these countries manage their buried cultural heritages. The UK has established a public database that enables the identification of the existence of buried cultural heritage before development, integrating discovered heritages into the national management system. Japan operates a regional plan that integrates the management of buried cultural heritage, including non-designated ones, at the regional level, establishing a collaborative system between regional and local governments. China has introduced the concept of ‘mutual use’ of archaeological sites, exploring policies that seek the coexistence of preservation and development of buried cultural heritages.

Additionally, the study explored the principles and directions of buried cultural heritage maintenance in World Heritage sites. It was found that World Heritage uses and manages heritage under the philosophy of non-destructive and original preservation, which is the fundamental principle of the “Act on Buried Cultural Heritage” in South Korea, stating “buried cultural heritage should not be excavated”.

Chapter 3: Analysis of the Current Status of Preserved Relic or Remains for “Areas of Buried Cultural Heritage”

While buried cultural heritage is recognized as existing, unlike designated cultural heritage, its cultural heritage value is not clearly established. Under the current system, excavation is considered a change in the state of cultural heritage; thus, excavations accompanying construction activities are merely local and piecemeal solutions. On the other hand, the “Act on the Maintenance” sets its policy spatial scope up to the territory of the unified Silla, which once united the Korean Peninsula, virtually considering the entire country as a subject for maintenance. This presents a situation that conflicts with the previous system of buried cultural heritage protection.

Such buried cultural heritage preservation areas constitute about 20.5% of the national territory. However, the spatial characteristics of these areas are not clearly defined. Until now, only salvage excavations due to construction activities were permitted, and most buried cultural heritages, once recorded, were destroyed, with the actual spaces disappearing. The current “Act on Buried Cultural Heritage” preservation measures system plays a supporting role in protecting buried cultural heritage in situ or in adjacent spaces. This study identified 228 non-designated sites(preserved relic or remains) nationwide and analyzed their situations and issues in Chapter 3.

As historic and cultural districts maintenance progresses, the number of preserved relic or remains is expected to increase significantly. The current Maintenance Projects policy has declared government support only outside designated cultural heritage areas, making “Areas of Buried Cultural Heritage” outside designated cultural heritages the key space for maintenance. This could lead to excavations of buried cultural heritage as maintenance actions take place. Unlike the “Act on Buried Cultural Heritage”, which minimized excavation surveys, the likelihood of an increase in preserved sites due to active excavation activities is high in the future.

The study analyzed the preserved sites through field surveys and interviews with stakeholders. During this process, these sites were understood and approached as potential targets and space characteristic reconnaissance subjects for historic cultural districts maintenance. As a result, the currently existing 228 preserved relic or remains are mostly in unpredictable conditions, with the characteristic that non-designated sites are mainly located on private property. The current system’s difficulty in actively utilizing these sites and the absence of a continuous management system were also identified.

Preserved sites exhibit the representative characteristics of buried cultural heritage preservation areas. These sites are generally in a state where accurate judgment of cultural heritage value has not been made. If additional excavation surveys are needed, the time and spatial scope of the investigation may vary depending on the situation. These issues accompany regulatory actions, and setting ‘Maintenance Districts’ at the plot level, characteristic of ‘Maintenance Projects’, is deemed to potentially cause difficulties in project implementation.

Chapter 4: Status and Issues of “Areas of Buried Cultural Heritage” within Planned “Maintenance Districts”

Chapter 4 analyzed 14 pilot projects for the maintenance of historic cultural districts based on the characteristics of “Areas of Buried Cultural Heritage” identified in Chapter 3. These cases were categorized into those that include designated cultural heritages or preserved sites within “Areas of Buried Cultural Heritage”, and those that establish maintenance areas solely with non-designated cultural heritage. In particular, 7 distinctive cases were selected for more detailed investigation of their current status and conditions.

The analysis, conducted through field surveys and stakeholder interviews, examined the impact of buried cultural heritage preservation areas on the establishment of “Areas of Buried Cultural Heritage”. Among the 7 cases, two directly influenced the “Maintenance District” due to the spatial characteristics of “Areas of Buried Cultural Heritage”, one was partially influenced, and the remaining four did not consider “Areas of Buried Cultural Heritage” in the setting of “Maintenance Districts”.

Subsequently, workshops were held with policy makers from 14 local governments and 4 metropolitan

cities/provinces. These workshops identified key issues in setting “Maintenance Districts” and conceptualizing “Maintenance Projects” in “Areas of Buried Cultural Heritage”. The analysis focused on the methods of conducting archaeological surveys and the possibility of changing the current state and maintenance in “Areas of Buried Cultural Heritage”. This process generated data to support policy alternatives, considering the composition of ongoing pilot projects and factors to be considered in future “Implementation Plans”.

The study identified 5 key issues related to the maintenance of historic cultural districts. First, the ambiguity of the concept of historic cultural districts maintenance; second, the difficulty of setting “Maintenance Districts” for excavation surveys under the current system; third, the effectiveness of “Maintenance Projects” under the “Act on Buried Cultural Heritage”; fourth, the challenges of integrated management of “Areas of Buried Cultural Heritage”; and fifth, the need for further examination of the relationship between the “Cultural Heritage Protection Act” and the “Act on the Maintenance”. These issues are considered important benchmarks for exploring future policy improvements and implementation strategies.

Chapter 5: Conclusion

The conclusion section presented short-term and medium-to-long-term policy recommendations. Considering that the pilot projects are ongoing and the “Basic Plan” will be in effect until 2026, the focus was on policy proposals that maintain the existing system framework while offering alternative approaches.

Short-term policy recommendations included the following:

- Suggesting appropriate types of areas for setting “Maintenance Districts”: Prioritizing sites with preservation measures in areas adjacent to or near “Historic Sites(史蹟)” and in “Areas of Buried Cultural Heritage”. This minimizes the uncertainty in “Areas of Buried Cultural Heritage” while aligning with the fundamental purpose of the law.
- Proposing a two-track approach to excavation projects: Suggesting conducting excavation projects without setting “Maintenance Districts”, due to the effective period and regulatory actions of “Maintenance Districts” under the current system making it difficult to conduct excavation surveys in non-designated sites simultaneously with the setting of “Maintenance Districts”.
- Suggesting a distinction between setting “Maintenance Districts” and conducting excavation maintenance projects: Differentiating between the possibilities of setting “Maintenance Districts” and conducting excavation maintenance projects for spaces adjacent to, near, or within preserved relic or remains. This is in anticipation that from 2024, the historical cultural environment surrounding historical sites will likely be included under the “Cultural Heritage Protection Act”, and to prevent historic cultural districts maintenance from becoming overly focused on excavation projects.
- Proposing the activation of “Strategic Plans for Historical and Cultural Zone”: Emphasizing the need for strategic plans, which are non-statutory plans recommended as appendices when establishing “Implementation Plans”, considering the characteristics of “Areas of Buried Cultural Heritage”. The necessity of strategic plans was detailed to evaluate the impact of activities such as changes to non-designated cultural heritage on surrounding cultural heritage and to include the direction of “Maintenance Projects” implementation in stages.

· Suggesting alternative methods for setting “Maintenance Districts” of current projects: Proposes alternative methods for setting maintenance areas of the current project nature: Suggests a linked approach using ‘Districts’ (here, ‘Districts’ refer to a broader spatial concept commonly used in urban planning, encompassing a more comprehensive area than the current maintenance areas) and ‘Clusters’ to avoid problems arising from regulatory actions and to complement the setting of maintenance areas. This approach aims to create a more integrated and effective framework for maintaining historic cultural districts by connecting larger space planning units (‘Districts’) with focused areas of cultural significance (‘Clusters’).

Medium-to-long-term policy recommendations included:

- Proposing amendments to the “Act on the Maintenance”: Suggesting institutional improvements to evolve historic cultural maintenance from a national-level leading project to a means of integrated management of historical cities.
- Proposing revisions to the conditions for lifting maintenance areas: Suggesting a reform of the conditions for lifting “Maintenance Districts” to enable more flexible and effective “Maintenance Districts”.
- Proposing the specification of conditions for deferring archaeological surveys under the “Act on Buried Cultural Heritage”: Suggesting the specification of conditions for deferring archaeological surveys for more practical and efficient management of buried cultural heritage.
- Proposing amendments to the regulatory provisions of the “Act on the Maintenance”: Suggesting a complete revision of provisions related to regulatory actions to adjust the status of the law, ensuring that the maintenance of “Maintenance Districts” complements the “Cultural Heritage Protection Act” and the “Act on Buried Cultural Heritage”.

These policy suggestions are expected to contribute to resolving issues surrounding the maintenance of historic and cultural zones and related laws and policies, ultimately presenting a compromise for the protection and appropriate use of cultural heritage.

Keywords :

Historical And Cultural Zones, Buried Cultural Heritage, Historical and Cultural Zone Maintenance District, Historical and Cultural Zone Maintenance Project, Areas of Buried Cultural Heritage, Preserved Relic or Remains