

No. ΥΠΠΟΑ/ΑΤΝΕΚΕ/97550/263 (4)

Definition of archaeological field research, conditions and procedure for granting a permit for systematic archaeological research and regulations for [the conduct of] systematic excavations.

THE MINISTER FOR CULTURE AND SPORTS

Taking into consideration:

1. The provisions:

- a) The provisions of para. 3 of Article 38 of Law 3028/2002 "For the Protection of Antiquities and Cultural Heritage in general" (A153), as currently in force.
- b) Articles 35, 36, 37 and 38 of Law 3028/2002 "For the protection of Antiquities and Cultural Heritage in general" (A153), as currently in force.
- c) Law 3378/2005 "Ratification of the Convention for the protection of Archaeological Heritage (revised)" (A203, as currently in force.
- d) Presidential Decree 99/1992 "Study and execution of archaeological works in general" (A46), as currently in force.
- e) Presidential Decree 4/2018 "Organisation of the Ministry of Culture and Sport" (A7), as currently in force.
- f) Presidential Decree 70/2015 "Combination of the Ministries of Culture and Sport etc." (A14).
- g) Presidential Decree 125/2016 "Appointment of Ministers, Deputy Minister and Under Minister" (A210).
- h) Article 90 of the Law Code for the Government and Governmental organisations which was ratified by the first article of the Presidential Decree 63/2005 (A98).

2. No. ΥΠ.ΠΟ.Α./ΓΔΑΜΤΕ/304782/29409/31-7-2017 document of the Commission for Legal and Administrative support for the Implementation of the provisions of Law 3028/2002.

3. No. ΥΠ.ΠΟ.Α./ΓΡΥΠ/467915/11111/8-11-2017 regulation of the Office of the Minister of Culture and Sport.

4. No. ΥΠ.ΠΟ.Α./ΓΔΟΥ/491330/43788/21-11-2017 (definitive version published on 26.2.2018). Report by the Head of the General Directorate of Financial Services of the Ministry of the Interior, according to which, since the adoption of the above decision, no extra expenditure will be incurred to the State Budget, as it regulates the process of excavations by the Ministry of Culture and Sports, it has been decided:

Article 1

Concept of archaeological field research (article 35 in conjunction with Articles 36, 37 and 38 of Law 3028/2002)

Archaeological field research is the investigation of the soil, subsoil, seabed or lake or river bed, for the purpose of identifying or revealing ancient monuments and all kinds of remains relating to human activity.

Archaeological Field Excavations are:

- a) systematic excavation
- b) rescue and investigative excavations carried out by the [Archaeological] Service,
- c) all kinds of survey and scientific research with an archaeological purpose carried out with geophysical, geological or other methods
- d) the exploration of alluvial, lake or river antiquities
- e) research in caves and palaeontological remains outside caves where there is evidence that it is associated with human existence/activity.

Systematic excavation is the planned and scientifically-targeted excavation research for the discovery, documentation and interpretation of movable and fixed monuments, as well as the organic and environmental remains which are associated with human presence and activities, in a particular location, either on land or underwater, with the aim of complete study and publication.

Archaeological 'cleaning' for the removal of wash levels {επίχωση} are the substance of archaeological field research and are subject to the same procedures for granting a permit.

Article 2

Entities carrying out archaeological field research, pre-conditions and procedure for granting a permit.

Entities carrying out archaeological field research, the conditions for the decision to carry out systematic excavation, survey or other form of archaeological research and the procedure for granting a permit are regulated by Articles 36 and 38 of Law 3028/2002.

Particularly:

For the initiation of systematic excavation, survey or other form of archaeological research an application should be made by the entities seeking to carry out research to the relevant Ephorate of Antiquities with copy to the relevant central Directorate of the Ministry of Culture and Sport (ΥΠ.ΠΟ.Α.) (Directorate of Prehistoric and Classical Antiquities and/or Directorate of Byzantine and post Byzantine Antiquities, according to the chronological scope of the research) by 30 November of the preceding year at the latest. The application must include the overall schedule of the research project for a period of up to five (5) years, the work [scheduled] for the first year and an indication of work [planned] for the following years, as well as all the information required to establish that the conditions of Article 36, para. 3 of Law 3028/2002 have been met.

The prerequisites to take on the direction of systematic excavation, survey or other form of archaeological research are regulated by Article 36, paras. 4 & 5 of Law 3028/2002.

The direction of systematic archaeological research which is carried out by the Service may, by decision of the Minister of Culture and Sport be taken on by an archaeologist who has retired, provided he meets the above conditions.

The entities of Article 36 para. 1 with specialization in palaeontological research may carry out excavations with the aim of uncovering finds exclusively from the period to which the discipline of Palaeontology relates.

Collaborative projects are those which are conducted by the Service in collaboration with foreign archaeological schools or missions or with [Greek] National educational and research institutions, as defined in Article 36, para. 1 of Law 3028/2002.

For the purpose of carrying out collaborative systematic archaeological research, it is necessary to draw up the protocol for collaboration, which must include the following elements and be governed by the following principles:

1. It must set out the aim, the content, the duration and the cost of the research.
2. It must clarify the research field of each party as well as the rights to study and publish the finds. A protocol with more specific terms concerning the study and publication of the finds must be compiled during the last year of field work.
3. Collaboration is based on the principle of parity of the collaborating entities at a scientific level.
4. The research is considered the research of the Greek State and is subject to the state regulations concerning excavation and archaeological research.
5. Care must be taken to preserve the antiquities with necessary studies, protective works, conservation, consolidation and possible restoration.
6. Each year a report in Greek must be filed for publication in the *Archaiologikon Deltion* on the progress and results of the research, independently of other Greek or foreign publications.
7. The protocol for collaboration must include the reasons and terms for its termination and its duration.
8. The protocol for collaboration must be signed by the collaborating entities and by the directors of the research project.

Article 3

Duration of archaeological research (Article 36, para. 11-14 of Law 3028/2002)

The planning of a systematic excavation, survey or other archaeological research may be approved in the first instance for a period of up to five (5) years in accordance with the procedure set out in Article 2 above. Within the time frame of the approved program an annual report must be submitted for approval, which must contain the following elements:

1. The results of the preceding period of excavation as well as the program of work for the following year.
2. Compliance with the requirements of Article 2 above and paras. 2 & 3 of Article 39 of the Law 3028/2002.
3. Any changes in the composition of the scientific team.
4. The adequacy of the technical infrastructure.
5. An account of care for the protection, conservation and consolidation of the antiquities uncovered, which is the responsibility of the excavating entities and the excavator. Failure to address justifies the revocation/withdrawal of the permission granted.

For the authorisation of work each year within the framework of the approved programme, in addition to the above-mentioned report of work from the preceding year, a request must be submitted to the responsible Ephorate of Antiquities with copy to the relevant central Department of YΠ.ΠΟ.Α. (Department of Prehistoric and Classical Antiquities and/or Department of Byzantine and post Byzantine Antiquities, according to the chronological scope of the research) by the 30th November of the previous year at the latest and a permit will be issued by the General Directorate of Antiquities and Cultural Heritage.

In the event that the entity carrying out the archaeological research is the General Directorate of Antiquities and Cultural Heritage the permit will be issued by the General/Administrative Secretary of the YΠ.ΠΟ.Α.

Extension of the excavation within the framework of a new programme requires the issue of a new decision under the conditions/provisions of para. 11 of Article 36. This extension is for a period of five (5) years.

Article 4

Requirements for the directors of systematic excavations

The directors of the programme of archaeological research must monitor and coordinate fieldwork in person and have responsibility for, in consultation with ΥΠ.ΠΟ.Α, the following:

1. The carrying out of the research project within the timetable.
2. Choosing as far as possible, non-destructive methods to carry out the research.
3. The in-situ preservation of the fixed finds and their long-term {διαφύλαξη} protection.
4. The enlistment, taking into account the nature of the finds and the scientific aim of the excavation, of an interdisciplinary research team, the distribution of the material for study and the coordination of the team for a timely submission of results and their publication.
5. Securing sufficient funding for archaeological research and for the preservation, consolidation and protection of the excavated remains, the landscaping of the site which has been excavated as well as the restoration and display of the antiquities, if necessary, in collaboration with specialists.
6. The provision of safety measures for the participants in the research and for third parties.
7. The collection and documentation of every type of organic or inorganic remains which are evidence resulting from the research.
8. Adequate and appropriate documentation of the archaeological material of the research, the safe storage of the relevant records, both conventional and digital, and the timely submission to the Service of copies of the diaries and general documentation.
9. Carrying out the essential preservation, securing and consolidation in the context of each year's work. Measures for the protection of the excavated remains from weathering and human impact (e.g. temporary covering and reburial, drainage) until a final decision on the management of the [structures found] is taken.
10. Compliance with deadlines and obligations relating to the reporting and publication of the results of the research.
11. Providing updates to the owners when research teams pass through or carry out work on private property as well as the cost of any compensation to the individuals or reinstatement of the research area.
12. Ensuring that no environmental impact is caused by the nature of the work of any kind within the framework of the research.

Article 5

Special requirements

Before the launch of new archaeological programmes adequate and appropriate facilities {χώρος} for the storage and study of the finds must be secured. It is possible within this context to identify or rent, at the expense of the excavating entity suitable facilities, which will be under the direct supervision and responsibility of the appropriate Ephorate of Antiquities and which will meet the security requirements applicable to facilities for the storage of antiquities. Participants in the excavation must be associated with the discipline of archaeology or those disciplines which support archaeological work.

Before work commences, it is the responsibility of the director of the work to file with the appropriate Ministries of ΥΠ.ΠΟ.Α, the names of the members of the scientific team with their specialism, as well as the names of other participants and students with their exact status and their relation to the research programme.

This ministerial decree concerns systematic archaeological field work (excavations, surface survey, or other forms of archaeological research) and applies to programmes to be carried out from the 1.1.2019.

This decision is to be published in the *Εφημερίδα της Κυβερνήσεως* (Bulletin of the Government).

Athens, 5th March 2018

The Minister
LYDIA KONIORDOY