

**Ο περί της Ευρωπαϊκής Σύμβασης για την Προστασία της Αρχαιολογικής Κληρονομιάς (Αναθεωρημένη) (Κυρωτικός) Νόμος του 2000 εκδίδεται με δημοσίευση στην Επίσημη Εφημερίδα της Κυπριακής Δημοκρατίας σύμφωνα με το Άρθρο 52 του Συντάγματος.**

Αριθμός 9(ΙΙΙ) του 2000

**ΝΟΜΟΣ ΠΟΥ ΕΠΙΚΥΡΩΝΕΙ ΤΗΝ ΑΝΑΘΕΩΡΗΜΕΝΗ ΕΥΡΩΠΑΪΚΗ  
ΣΥΜΒΑΣΗ ΤΟΥ ΣΥΜΒΟΥΛΙΟΥ ΤΗΣ ΕΥΡΩΠΗΣ ΓΙΑ ΤΗΝ ΠΡΟΣΤΑ-  
ΣΙΑ ΤΗΣ ΑΡΧΑΙΟΛΟΓΙΚΗΣ ΚΛΗΡΟΝΟΜΙΑΣ**

Η Βουλή των Αντιπροσώπων ψηφίζει ως ακολούθως:

1. Ο παρών Νόμος θα αναφέρεται ως ο περί της Ευρωπαϊκής Σύμβασης για την Προστασία της Αρχαιολογικής Κληρονομιάς (Αναθεωρημένη) (Κυρωτικός) Νόμος του 2000. Συνοπτικός  
τίτλος.

2. Στον παρόντα Νόμο εκτός αν από το κείμενο προκύπτει διαφορετική έν- Ερμηνεία.  
νοια—

«Σύμβαση» σημαίνει την Ευρωπαϊκή Σύμβαση για την Προστασία της Αρχαιολογικής Κληρονομιάς (Αναθεωρημένη) η οποία έγινε στη Βαλέτα στις 16 Ιανουαρίου 1992 και η προσχώρηση της Κυπριακής Δημοκρατίας σ' αυτή εγκρίθηκε με την Απόφαση του Υπουργικού Συμβουλίου με Αρ. 47.409 και ημερομηνία 18 Φεβρουαρίου 1998.

3. Με τον παρόντα Νόμο κυρώνεται η Σύμβαση της οποίας το κείμενο στο αγγλικό πρωτότυπο εκτίθεται στο Μέρος Ι του Πίνακα, το κείμενο στο γαλλικό πρωτότυπο στο Μέρος ΙΙ του Πίνακα και σε ελληνική μετάφραση στο Μέρος ΙΙΙ του Πίνακα: Κύρωση της  
Συμφωνίας.  
Πίνακας.  
Μέρος Ι  
Μέρος ΙΙ  
Μέρος ΙΙΙ.

Νοείται ότι σε περίπτωση διαφοράς μεταξύ του αγγλικού ή γαλλικού και του ελληνικού κειμένου θα υπερισχύει το αγγλικό ή γαλλικό κείμενο.

ΠΙΝΑΚΑΣ  
(Άρθρο 3)

ΜΕΡΟΣ Ι

**European Convention  
on the Protection  
of the Archaeological Heritage  
(revised)**

**Convention européenne  
pour la protection  
du patrimoine archéologique  
(révisée)**

# Preamble

The member States of the Council of Europe and the other States party to the European Cultural Convention signatory hereto,

Considering that the aim of the Council of Europe is to achieve a greater unity between its members for the purpose, in particular, of safeguarding and realising the ideals and principles which are their common heritage;

Having regard to the European Cultural Convention signed in Paris on 19 December 1954, in particular Articles 1 and 5 thereof;

Having regard to the Convention for the Protection of the Architectural Heritage of Europe signed in Granada on 3 October 1985;

Having regard to the European Convention on Offences relating to Cultural Property signed in Delphi on 23 June 1985;

Having regard to the recommendations of the Parliamentary Assembly relating to archaeology and in particular Recommendations 848 (1978), 921 (1981) and 1072 (1988);

Having regard to Recommendation No. R (89) 5 concerning the protection and enhancement of the archaeological heritage in the context of town and country planning operations;

Recalling that the archaeological heritage is essential to a knowledge of the history of mankind;

Acknowledging that the European archaeological heritage, which provides evidence of ancient history, is seriously threatened with deterioration because of the increasing number of major planning schemes, natural risks, clandestine or unscientific excavations and insufficient public awareness;

Affirming that it is important to institute, where they do not yet exist, appropriate administrative and scientific supervision procedures, and that the need to protect the archaeological heritage should be reflected in town and country planning and cultural development policies;

Stressing that responsibility for the protection of the archaeological heritage should rest not only with the State directly concerned but with all European countries, the aim being to reduce the risk of deterioration and promote conservation by encouraging exchanges of experts and the comparison of experiences;

Noting the necessity to complete the principles set forth in the European Convention for the Protection of the Archaeological Heritage signed in London on 6 May 1969, as a result of evolution of planning policies in European countries,

Have agreed as follows:

## Definition of the archaeological heritage

### Article 1

- 1 The aim of this (revised) Convention is to protect the archaeological heritage as a source of the European collective memory and as an instrument for historical and scientific study.
- 2 To this end shall be considered to be elements of the archaeological heritage all remains and objects and any other traces of mankind from past epochs:
  - i the preservation and study of which help to retrace the history of mankind and its relation with the natural environment;
  - ii for which excavations or discoveries and other methods of research into mankind and the related environment are the main sources of information; and
  - iii which are located in any area within the jurisdiction of the Parties.
- 3 The archaeological heritage shall include structures, constructions, groups of buildings, developed sites, moveable objects, monuments of other kinds as well as their context, whether situated on land or under water.

## Identification of the heritage and measures for protection

### Article 2

Each Party undertakes to institute, by means appropriate to the State in question, a legal system for the protection of the archaeological heritage, making provision for:

- i the maintenance of an inventory of its archaeological heritage and the designation of protected monuments and areas;
- ii the creation of archaeological reserves, even where there are no visible remains on the ground or under water, for the preservation of material evidence to be studied by later generations;
- iii the mandatory reporting to the competent authorities by a finder of the chance discovery of elements of the archaeological heritage and making them available for examination.

### Article 3

To preserve the archaeological heritage and guarantee the scientific significance of archaeological research work, each Party undertakes:

- i to apply procedures for the authorisation and supervision of excavation and other archaeological activities in such a way as:
  - a to prevent any illicit excavation or removal of elements of the archaeological heritage;
  - b to ensure that archaeological excavations and prospecting are undertaken in a scientific manner and provided that:
    - non-destructive methods of investigation are applied wherever possible;

— the elements of the archaeological heritage are not uncovered or left exposed during or after excavation without provision being made for their proper preservation, conservation and management;

- ii to ensure that excavations and other potentially destructive techniques are carried out only by qualified, specially authorised persons;
- iii to subject to specific prior authorisation, whenever foreseen by the domestic law of the State, the use of metal detectors and any other detection equipment or process for archaeological investigation.

#### Article 4

Each Party undertakes to implement measures for the physical protection of the archaeological heritage, making provision, as circumstances demand:

- i for the acquisition or protection by other appropriate means by the public authorities of areas intended to constitute archaeological reserves;
- ii for the conservation and maintenance of the archaeological heritage, preferably *in situ*;
- iii for appropriate storage places for archaeological remains which have been removed from their original location.

### Integrated conservation of the archaeological heritage

#### Article 5

Each Party undertakes:

- i to seek to reconcile and combine the respective requirements of archaeology and development plans by ensuring that archaeologists participate:
  - a in planning policies designed to ensure well-balanced strategies for the protection, conservation and enhancement of sites of archaeological interest;
  - b in the various stages of development schemes;
- ii to ensure that archaeologists, town and regional planners systematically consult one another in order to permit:
  - a the modification of development plans likely to have adverse effects on the archaeological heritage;
  - b the allocation of sufficient time and resources for an appropriate scientific study to be made of the site and for its findings to be published;
- iii to ensure that environmental impact assessments and the resulting decisions involve full consideration of archaeological sites and their settings;
- iv to make provision, when elements of the archaeological heritage have been found during development work, for their conservation *in situ* when feasible;
- v to ensure that the opening of archaeological sites to the public, especially any structural arrangements necessary for the reception of large numbers of visitors, does not adversely affect the archaeological and scientific character of such sites and their surroundings.