



United Nations
Educational, Scientific and
Cultural Organization

Organisation
des Nations Unies
pour l'éducation,
la science et la culture

World Heritage Patrimoine mondial

32 COM

Paris, 9 June /9 juin 2008

Original: English

Distribution limited / limitée

UNITED NATIONS EDUCATIONAL,
SCIENTIFIC AND CULTURAL ORGANIZATION
ORGANISATION DES NATIONS UNIES
POUR L'EDUCATION, LA SCIENCE ET LA CULTURE

CONVENTION CONCERNING THE PROTECTION OF THE WORLD
CULTURAL AND NATURAL HERITAGE

CONVENTION CONCERNANT LA PROTECTION DU PATRIMOINE
MONDIAL, CULTUREL ET NATUREL

WORLD HERITAGE COMMITTEE / COMITE DU PATRIMOINE MONDIAL

Thirty-second session / Trente-deuxième session

Quebec City, Canada / Québec, Canada
2 – 10 July 2008 / 2 – 10 juillet 2008

Item 7 of the Provisional Agenda: State of conservation of properties inscribed on the World Heritage List and/or on the List of World Heritage in Danger.

Point 7 de l'Ordre du jour provisoire: Etat de conservation de biens inscrits sur la Liste du patrimoine mondial et/ou sur la Liste du patrimoine mondial en péril

MISSION REPORT / RAPPORT DE MISSION

Um er-Rasas (Jordan/Jordanie) (C 1093)

24 – 27 March 2008 / 24 - 27 mars 2008

This mission report should be read in conjunction with Document:

Ce rapport de mission doit être lu conjointement avec le document suivant:

☐ WHC-08/32.COM/7A

☐ WHC-08/32.COM/7A.Add

☐ WHC-08/32.COM/7B

☒ WHC-08/32.COM/7B.Add

REACTIVE MONITORING MISSION TO THE WORLD HERITAGE SITE OF
UM ER-RASAS (JORDAN) – 24-27 MARCH 2008

MISSION REPORT



Karim Hendili – UNESCO/WHC
Angela Maria Ferroni – ICOMOS

REPORT OF THE JOINT UNESCO/ICOMOS MISSION FROM 24 TO 27 March 2008

ACKNOWLEDGEMENTS

The mission team, composed of Karim Hendili (UNESCO/WHC) and Angela Maria Ferroni (ICOMOS), benefited from the full cooperation of the Department of Antiquities (DoA) and the Ministry of Tourism and Antiquities (MoTA), as well as from the continuous support of the UNESCO Office in Amman. The members of the Mission wish to express their gratitude to the representatives of these institutions who contributed to the accomplishment of this mission.

EXECUTIVE SUMMARY AND LIST OF RECOMMENDATIONS

The mission aimed at assessing the evolution of the general situation at the World Heritage Site of Um er-Rasas (referred to as “the Site” in the present report), including its state of conservation and the progress of European Union funded project, since the last Reactive Monitoring Mission carried out in November 2006.

The following activities were carried out in the framework of the mission, during which the UNESCO and ICOMOS representatives were always accompanied and efficiently assisted by the responsible authorities in the coordination of the mission at the DoA:

- Visit to the Site with representatives of the DoA, of the MoTA, the site manager and his assistants in order to have an overview of the situation with a focus on the evolution of the issues raised following the last Reactive Monitoring Mission and relayed by the World Heritage Committee in its last decision (31 COM 7B.57);
- Meeting at the MoTA with the Assistant Secretary-General who provided details concerning the reinforcement of the support of the MoTA to the DoA and the agreement concerning the management of the Site;
- Meeting at the DoA with the Director-General for a first debriefing following the visit to the Site and the meeting at MoTA. The mission team received some additional information concerning the measures undertaken in view of the elaboration of the management plan, currently in process, as well as the conservation of the Site;
- Meeting at the Permanent Delegation of the European Commission to the Hashemite Kingdom of Jordan with the project coordinator. The discussion allowed the mission team to have the full background of the project, including the positive decision of the European Union to revise the initial project and adapt it to the conservation and protection constraints at the Site. It also allowed the mission team to better understand the difficulties faced by all parties since the inscription of the Site on the World Heritage List;
- Meeting at the DoA with Director-General and other staff members, including the manager of the Site and his assistant. This last meeting allowed the

mission team and the DoA to define a work plan in order to provide the World Heritage Committee with the details of all the corrective actions applied since the last Reactive Monitoring mission (November 2006) and show the accomplished progress. A series of future additional measures was also discussed.

The mission members agreed on the fact that the situation at the site has been substantially improved following the measures undertaken by the responsible authorities in order to address the main issues raised by the World Heritage Committee, notably the possible inscription of the site on the List of World Heritage in Danger, which seems not to be necessary anymore.

1 BACKGROUND TO THE MISSION

1.1 Inscription history

The World Heritage Committee inscribed the cultural site of Um er-Rasas (Kastrom Mefa'a), at its 28th session in 2004 (Suzhou, China) – Decision: 28COM 14B.22

1.2 Inscription criteria and World Heritage values

The site was inscribed under criteria (i), (iv) and (vi):

Criterion (i): Um er-Rasas is a masterpiece of human creative genius given the artistic and technical qualities of the mosaic floor of St. Stephen's church.

Criterion (iv): Um er-Rasas presents a unique and complete (therefore outstanding) example of stylite towers.

Criterion (vi): Um er-Rasas is strongly associated with monasticism and with the spread of monotheism in the whole region, including Islam.

1.3 Integrity issues raised in the ICOMOS evaluation report at time of inscription

The ICOMOS evaluation reported that the site *“kept its full authenticity”*. The only elements considered as ‘non authentic’ on site were *“the shelter over a mosaic and two reconstructed arches”*. The shelter was considered as having *“an important conservation role”* and *“its only possible negative impact”* was *“the integrity of the site”*. It was though considered as *“reversible”* and plans were *“being prepared for new shelters”*.

1.4 Examination of the State of Conservation by the World Heritage Committee and its Bureau

Since the inscription of the Site on the World Heritage List, the World Heritage Committee has been examining the State of Conservation of the property at each of its annual sessions, as follows:

29th session (Durban, RSA) in 2005 – Decision: 29COM 7B.41

30th session (Vilnius, Lithuania) in 2006 – Decision: 30 COM 7B.51

31st session (Christchurch, New Zealand) in 2007– Decision: 31 COM 7B.57

1.5 Justification of the mission (terms of reference, itinerary, programme and composition of mission team provided in Annex 1)

The joint WHC-ICOMOS Mission of March 2008 was carried out at the request of the World Heritage Committee (Decision 31 COM 7B.57 - see Annex 2), in order to assess the situation at the Site and consider whether the property should be inscribed on the List of World Heritage in Danger.

With reference to two of its previous decisions (29 COM 7B.41 and 30COM 7B.51) the World Heritage Committee identified three issues which needed to be particularly addressed. These were:

- 1) the revision of the European Commission funded projects in order to integrate priority measures aimed at addressing the main issues on the Site and to adapt its work-plan and schedule accordingly;
- 2) the implementation of the recommendations of the joint World Heritage Centre/ICOMOS mission of November 2006, concerning the following priority measures to be urgently carried out on the Site:
 - a) Clearly identify the boundaries of the area(s) to be protected and fenced if necessary, even temporarily;
 - b) Address the security issues, notably by prohibiting access of visitors to potential dangerous areas and carrying out the necessary works to cover the trenches and archaeological soundings;
 - c) Isolate and preserve the most endangered and damaged archaeological and architectural components by establishing a temporary restricted plan of visit paths;
 - d) Preserve the mosaics with adequate temporary and protective materials (special geo-textile layers and draining sand layers);
 - e) Consolidate the most endangered architectural elements using temporary but secure structures;
 - f) Stop restoration works and reconstruction of collapsed elements;
 - g) Resolve, when possible, using simple and temporary solutions, the humidity problems, notably for the mosaic floor of the sheltered St. Stephen Church;
 - h) Define the future management structure and financial system, which will be adopted in the management plan for the site.

- 3) the progress made in finalising a comprehensive management plan as well as a conservation plan¹.

2 NATIONAL POLICY FOR THE PRESERVATION AND MANAGEMENT OF THE WORLD HERITAGE PROPERTY

2.1 Protected area legislation

The lands forming the core zone of the WH Property are owned by the DoA. In addition to this measure of protection, the core zone is placed under the protection of the Law of Antiquities "Law N 21 for the year 1988" (see Annex 3).

The lands forming the buffer zone are partly owned by the DoA, therefore protected by the Law of Antiquities", and partly by private owners.

These private lands - which are adjacent to the boundary of the area owned by the DoA (including the core zone) - are partly protected by Article 13 of the Law of Antiquities which establishes restrictions to their development (see Annex 3). Other lands, located on the northern side of the Stylite Tower, seem to be devoted to agriculture use, according to the information obtained by the DoA from the authorities dealing with urban planning.

2.2 Institutional framework

The DoA is the responsible governmental body for the management and conservation of the property and administratively part of the MoTA.

2.3 Management structure

The mission was informed that an agreement between the MoTA and the DoA put the management of the Site under the responsibility of the DoA which appointed a site manager whose first and current task is to define the structure of the management unit which has been created to act under the supervision of the DoA.

3 IDENTIFICATION AND ASSESSMENT OF ISSUES / THREATS

3.1 Management effectiveness

¹ The expression "management and conservation plans" has been used by the World Heritage Committee in all its decisions since the inscription of the property on the World Heritage List (see Annex 3). The members of the mission would like to precise that they consider the "conservation plan" as one of the components of a whole system that is the "management plan". Therefore, the formulation which the members of the mission decided to use in this report, when referring to the "management and conservation plans" requested by the World Heritage Committee, is "Management Plan (including a comprehensive conservation plan)".

The situation has evolved since the last Reactive Monitoring mission (November 2006) which noticed that the management plan was still under study and elaboration (this made the Committee raise point 3 in item 1.5 of the present report).

The site manager appointed by the DoA is permanently present at the Site with his assistants, an architect and an archaeologist from the DoA, who work with him on the follow-up of the construction of the new shelter and of the visitor centre in addition to the daily management of the activities at the Site. Five guards from the local community have been hired to deal with the security issues and safety of the workers and visitors.

3.2 Nature and extent of threats to the property, taking into consideration the cultural values for which the property was inscribed and specific issues outlined by the World Heritage Committee

At the time of inscription of the Site, there was neither a management structure nor a management plan. This lack created a situation which was not favourable to sustainable protection and conservation.

Since the first ICOMOS evaluation (2003) basic problems have been pointed out regarding the responsibilities: the first draft of Management Plan for Um er-Rasas, which the DoA prepared showed evidence of lack of involvement of this institution in the planning and decision making process, as well as a lack of cooperation between the two main stakeholders (MoTA and DoA). The DoA had also to deal with a lack of adequate human resources and sufficient funding while facing the most urgent conservation and security problems, and trying to be involved in the discussions on the key issues relating to the EU project.

Other threats to the property had been already identified at the time of inscription, concerning excavations and exposure of walls and mosaic floors which increased the risk of deterioration and damage.

Another risk was represented by the conservation works which were carried out without proper planning and specifications. Moreover incorrect materials were used in restoration works, conducted without proper archaeological supervision and in the absence of adequate equipment.

Many structures, such as plaster and mosaics were not stable and needed consolidation. Most excavated mosaics were covered, for their protection, with a thin layer of sand.

Finally, the site was considered as dangerous for visitors, due to lack of signage, many open trenches and unstable structures.

Additional threats to the property - not evaluated at the time of inscription - were underlined in the first reactive monitoring mission report (2005), concerning:

- Earthquake risk. The Site, which is close to the Dead Sea Transform fault, belongs to seismic 'zone 3' with intensity VIII on the Modified Mercally Scale, which corresponds to 6.2-6.9 on the Richter magnitude. There are many structures at Um er-Rasas Site which need to be given suitable attention in order to increase their earthquake resistance, such as the Stylite tower and reconstructed arches.
- Environmental risk. Um er-Rasas area is subject to particular climatic conditions characterized by important temperature ranges, winter rains and violent winds blowing from west and bringing dust, all factors likely to cause serious erosion phenomena, particularly on some types of limestone such as the one forming several architectural elements of the Site.
- Lack of clear boundaries of core area and its buffer zone, and lack of signs and/or panels identifying the WH Site on the spot. An evident definition of boundaries is indispensable to assure a stronger level of protection especially with respect to land uses and to possible urban development.
- Shortage of surveillance personnel on the spot. This situation, in addition to the lack of fences, has made vandalism, theft and illegal digs possible.
- Lack of a correct methodology in making archaeological excavations, carried out without an appropriate strategy and/or planning and without proper supervision from the DoA.

With regard to the nature and extent of threats to the property pointed out at the time of inscription and during the first monitoring mission, no improvements were noticed by the joint ICOMOS/World Heritage Centre mission to the Site carried out in November 2006.

- No measures had been taken by the state Party to face up the protection, security and conservation issues at the Site. The general situation appeared to be more worrying: new illegal digs and vandalism could be noticed – spreading the dangerous areas - and the ancient ruins showed more and more evidence of the lack of maintenance and conservation interventions.
- The EU project progress was developed without taking the real needs of the Site into account. The new project aimed at exploiting the Site from the economic point of view, focusing on the building of the visitor centre – oversized compared with effective tourist demands - and the carrying out of the new shelter to cover the S. Stephen complex – incorrectly planned both from the conservation and the aesthetic points of view.
- The draft Management Plan (including a comprehensive conservation plan) elaborated by the DoA's experts – identifying the main conservation issues and giving correct guidelines to future conservation activities - did not seem to be shared by all stakeholders and financially supported.
- No evolution in terms of management was noticed and problems regarding responsibilities for the Site were not defined yet.

3.3 Positive or negative developments in the conservation of the property since the last report to the World Heritage Committee

The mission team had a general positive impression while either visiting the Site or discussing with the stakeholders during the different meetings.

- Main conservation problems have been faced up with correct and suitable interventions in order to prevent worsening in damage and losses of archaeological elements. The structures at the risk of collapsing have been isolated with temporary measures in waiting for a comprehensive and proper conservation plan (see below 4.2 - *item 2 c-g*).
- The component dealing with the construction of a new shelter within the EU project has been revised and adapted according to the protection and conservation needs raised by the Committee, and works are being carried out, with an additional financial contribution of the MoTA, under the supervision of archaeologists and other technicians from the DoA and from the management team that is being composed (see below 4.2 - *item 1*).

3.4 Information on any threat or damage to or loss of outstanding universal value, integrity and/or authenticity for which the property was inscribed

The Outstanding Universal Value of the Site, defined at its inscription under criteria (i), (iv) and (vi), has been threatened since then by the numerous issues pointed out by point 3 in item 1.5 of the present report. However, no irreversible damage, likely to lead to the loss of the OUV, has been noticed.

Integrity has been under real threat since the inscription of the Site but the new measures undertaken are an appropriate first response to this major issue and the situation should continue to be improved if the plan elaborated by the DoA is pursued.

Concerning authenticity, no important works have been carried out to restore the archaeological elements defining the OUV therefore avoiding any threat to the authenticity in case of incorrect approaches or implementation. No restoration should be foreseen by the DoA until the Management Plan (including a comprehensive conservation plan) is operational and its application effectively launched.

4 ASSESSMENT OF THE STATE OF CONSERVATION OF THE PROPERTY

4.1 Review whether the values, on the basis of which the property was inscribed on the World Heritage List, and the conditions of integrity are being maintained

Despite being exposed to conservation issues, the mosaic floor of St Stephen's Church is still representing an exceptional creation.

There is an ongoing conservation and restoration plan for the Stylite Tower which currently benefits from a stabilizing structure also allowing the examination of its entire surface.

The intangible aspect of the OUV, linked to monasticism and the history of monotheism, depends on the preservation of the two previous components, in addition to other areas of the Site and of an appropriate general level of conservation of the Site which has been improved.

Therefore, and by taking the statement relating to the inscription of the Site on the World Heritage List as a reference, it is relevant to say that the OUV of this property is still being maintained.

4.2 Review any follow-up measures to previous decisions of the World Heritage Committee on the state of conservation of the property and measures which the State Party plans to take to protect the outstanding universal value of the property

This part of the report can be taken as the main tool for the assessment of the evolution of the situation at the Site, since the last monitoring mission of November 2006. It has been decided to textually mention the three main issues as they were raised in the last decision of the Committee (31 COM 7B.57) and to provide the information collected during the mission in response to each of them.

- 1) *the revision of the European Commission funded projects in order to integrate priority measures aimed at addressing the main issues on the Site and to adapt its work-plan and schedule accordingly:*

The project implemented by the European Commission has always been a “tourism oriented” initiative.

The elements which have already been realized or are currently being implemented partly confirm this assessment. The size of the paved pathway leading to the churches complex could become an issue if its use is not strictly controlled and if the site manager has not the necessary authority to apply the restriction measures regarding the access of vehicles to the Site. This pathway was conceived like a road which, apart from being a potential threat if cars are massively allowed to enter the Site, can potentially give a wrong “reading” of the latter. Indeed, the impression given by the design and proportions of this pathway is that the most important part of the Site deserving a visit is the church complex with its mosaics, hence the possibility to use a “road” to reach it directly from the entrance and the visitor centre. The risk is that the rest of the Site be not considered as it should be .i.e. as a whole archaeological site defining outstanding universal value.

The design and size of the visitor centre, which hasn't been revised, could have been foreseen in a way to highlight the quality of the landscape formed by the Site and its surrounding environment. In addition, it is located outside the perimeter delineated by the fence which somehow “excludes” it visually and physically from the Site.

However, the project was substantially revised in order to include more consideration for the conservation issues, as raised by the Reactive Monitoring mission of November 2006. One important decision was the abandonment of the road initially foreseen to link the two main archaeological areas, notably by using “buggies”. This part of the project has been cancelled.

With regard to the new shelter to cover St. Stephen Church, the structure that is being built consists of a protective roof only, planned in a simple design evoking the characteristic roof of an ancient basilica.

Unlike the old and removed hangar-like shelter, the new one covers the whole complex, including St. Sergius Bishop Church and the Church of the Courtyard. Therefore, not only biological deterioration phenomena affecting mosaics in the apse of St. Sergius Bishop Church will be solved, but this approach also clearly marks the difference between the structures of the ancient walls and the new roof. This stresses the value of the complex as an entity.

Furthermore, taking into account potential negative microclimatic effects, the idea of an enclosed shelter – with glass walls – has been removed from the project, in agreement with the DoA and the MoTA. Accordingly, the new shelter does not include a ventilation system anymore. The sides of the protective structure will be left open and the roof shape will favour natural ventilation which can reduce efflorescence phenomena on mosaics.

Finally, the new shelter has the advantage of having the load-bearing structure outside the perimeter of the churches and not leaning on the ancient walls. It is based on foundation pillars surrounding the St. Stephen complex walls. The foundation trenches were excavated under the supervision of the responsible archaeologist at the Site.

Before the dismantlement of the old shelter and the construction of the new protective structure, the mosaics of the complex were cleaned and then protected by temporary reburial which consists of different layers: a saw-dust layer used to cover the mosaic surfaces to absorb humidity; polythene sheets laying on it and finished with a 40 centimetre thick sand layer. A floor of wooden planks covering these layers is used as building yard level.

2) *the implementation of the recommendations of the joint World Heritage Centre/ICOMOS mission of November 2006, concerning the following priority measures to be urgently carried out on the Site:*

a) Clearly identify the boundaries of the area(s) to be protected and fenced if necessary, even temporarily:

With the support of the MoTA, the DoA acquired an important number of lands around and between the two main archaeological areas of the Site, thus creating a homogenous area delineated by a fence which has been recently built. This is an important achievement which preserves the Site from any kind of intrusion and gives the possibility to the DoA to work on a global Management Plan (including a comprehensive conservation plan) for the whole area which it now owns.

The DoA informed the mission that a request has been submitted to the municipality of Um er-Rasas in order to obtain some specific regulations to be applied to the lands which are adjacent to the new boundary marked by the fence. These regulations would allow the DoA anticipating and mitigating possible negative impacts resulting from changes in the zoning plan defining land use. Once an agreement is reached between the two parties, the concerned surrounding lands could become part of the buffer zone which has somehow to be redefined since the core zone itself could be considered as

different from its original shape and surface, corresponding today to the area owned by the DoA.

The State Party should therefore envisage a revision of the boundaries of the Site according to the above-mentioned achievements.

b) Address the security issues, notably by prohibiting access of visitors to potential dangerous areas and carrying out the necessary works to cover the trenches and archaeological soundings:

Several measures have been undertaken at the Site to secure the most dangerous areas for visitors. Restricted areas have been defined using picks and coloured strips. Trenches and soundings have been either refilled using sand or covered by planks. All open wells have also been covered by big stones and/or wooden planks.

The work on the security issues has still to be pursued and completed, notably by using more “strict” barriers in some areas and a clear signage system, even temporary, but the improvement since the last monitoring mission can be considered as substantial.

c) Isolate and preserve the most endangered and damaged archaeological and architectural components by establishing a temporary restricted plan of visit paths:

The creation of clearly delineated and visually integrated pathways is an important step towards the preservation of the most fragile parts of the Site since it allows the visitor “to read” the area and understand where access is foreseen and where it is prohibited. A signage system, possibly the same as the one to be used to secure some areas, could be an asset.

d) Preserve the mosaics with adequate temporary and protective materials (special geo-textile layers and draining sand layers):

Most of mosaic floorings on the site have been already preserved by using thin earth or sand layers. Plastic sheets, which were used in the past, had to be removed and substituted with more suitable materials. The use of geo-textile, nets and grit - instead of polythene sheets – was not possible due to their high cost.

With regard to St. Stephen complex mosaics, temporary protective layers have been used to preserve them during the works (see above 4.2 *item 1*). The construction of the new shelter – built to preserve the famous mosaics – should be completed by end of April. Cleaning interventions and documentation works on mosaics will have to be carried out by summertime. After that phase, conservation interventions are foreseen.

Qualified workers from Madaba Mosaic School have been involved in this important conservation activity by the DoA.

e) Consolidate the most endangered architectural elements using temporary but secure structures:

The DoA formed a team to address this issue in collaboration with the manager of the Site and his assistants. The first consolidation works consisted in fixing the plaster of the “villa” and consolidating its fragile walls. Also in this case two professional workers from Madaba have been involved.

These conservation treatments have been carried out using only traditional lime-based mortars, according to the most recent conservation trend and taking into account the recommendations of the joint World Heritage Centre/ICOMOS mission of November 2006.

The Stylite Tower had already a stabilizing structure which will remain until the restoration plan is elaborated and approved.

f) Stop restoration works and reconstruction of collapsed elements:

The restoration and reconstruction of collapsed elements have been halted and should be addressed in the future according to a plan developed by the management team.

g) Resolve, when possible, using simple and temporary solutions, the humidity problems, notably for the mosaic floor of the sheltered St. Stephen Church:

In view of the dismantlement of the old shelter and the construction of the new one, the mosaic floors have been covered by a protective system as described above (see 4.2 *item 1*). It hasn't been therefore possible for the mission team to assess the state of conservation of the mosaics, but the DoA explained that this was documented just before covering the floors. These documents will be made available in a report to the World Heritage Centre.

With particular focus on the problems relating to humidity rising, it has to be noticed that a saw-dust layer has been put just in contact with mosaic surfaces in order to absorb humidity. However, the organic origin of saw-dust, in addition to the impermeability of polythene sheets laid on that layer and in absence of a preventive biocide treatment, could eventually cause worse biological damage.

However, the shelter currently under construction should improve humidity problems in the future thanks to its open design, which will favour natural ventilation and to a correct rainwater drainage system.

It could be useful to have a second documentation work upon removal of the protective layer in order to establish a reference for the future monitoring of the state of conservation of the mosaics. The site manager could rely on the mosaic school of Madaba which has already been contacted to provide expertise.

h) Define the future management structure and financial system, which will be adopted in the management plan for the site:

The DoA presented to the mission team a draft of the management structure from the functional point of view. A site manager has been appointed to deal with the establishment of the management structure by identifying the staff to be hired or appointed from other services of the DoA in order to complete his team. An architect and an archaeologist have already joined him as well as five guards from the local community of Um er-Rasas.

The main tasks of the established management team are:

- organizing the management structure, defining function responsibilities and jobs descriptions, identifying training needs, equipment and other requirements, financial resources needed to manage and preserve the Site;
- finalizing a Management Plan (including a comprehensive conservation plan) for Um er-Rasas ensuring the preservation of the Site;
- monitoring the state of conservation of the Site;
- raising the awareness of the local population.

During the meeting with the MoTA, the mission team mentioned the importance to define a financial system that foresees an annual minimum budget, apart from the regular management budget of the DoA, with the possibility of increasing the allocated funds in case of exceptional activities, such as urgent conservation plans, future restoration works, etc. The DoA would therefore be able to efficiently deal with the management of the Site and the manager and his team would be able to plan their interventions and activities with a global approach and on a long term basis.

- 3) the progress made in finalising a Management Plan (including a comprehensive conservation plan):

The mission team recalled the necessity to have a management plan which includes a comprehensive component dealing with conservation as a priority and not a management plan focusing on tourism development. It is nevertheless understood that managing tourism is important.

It was also noticed that it is important to consider the institutional aspect in the current development of the Management Plan (including a comprehensive conservation plan) and its future implementation. This frame was partly defined by the fact that the MoTA made sure that the responsibility of the management be officially transferred to the DoA. And according to the information provided by the MoTA, it seems that this measure should concern all the archaeological sites of the country in the near future, apart from two particular cases. This information is important since it is related to a decision taken at a high governmental level, revealing a clear policy. The clarification of the institutional role of each of the governmental stakeholders MoTA, DoA and JTB, should be recommended in order to make sure that the DoA has the legal authority to efficiently manage the Site.

Furthermore the mission members suggested that the conservation plan, already drafted by the experts of the DoA as a good practices guidance, be finalized and implemented following a methodology identifying an intervention schedule and funding needs. This methodology will have to be based on a

global approach, taking the state of conservation of the Site into account, as well as the risk factors and the final destination and presentation of each archaeological structure and element.

4) Additional information:

In addition to the responses to the abovementioned three issues raised by the Committee in its last decision, the following information could complete the assessment of the situation:

- A NGO for the development of the city of Um er-Rasas has been created at the initiative of the DoA with the local community. This NGO aims at raising awareness among the inhabitants regarding the importance of the archaeological site as well as reviving some traditions and therefore creating new job opportunities.

- All archaeological excavations have been stopped by the DoA until the Management Plan (including a comprehensive conservation plan) is finalized and agreed upon by all parties involved in the site.

- The maintenance of the Site has been improved and most of the areas are very clean.

- The DoA expressed its will to launch the restoration of the Stylite tower, using the funds allocated by the World Heritage Fund, on the basis of the International Assistance request submitted, to hire a high level expert who would travel to Jordan to assess the state of conservation of the tower and implement the necessary works. The DoA would cover the costs relating to the materials and equipment to be used to that end.

5 CONCLUSIONS AND RECOMMENDATIONS

5.1 Recommendations for any additional action to be taken by the State Party, including draft recommendations to the World Heritage Committee:

To the State Party:

To prepare and submit a technical document to the World Heritage Centre, containing the following information:

- a clear map showing the boundaries of the Site after acquisition of lands by the MoTA for the benefit of the DoA and documents showing this achievement;
- a map showing the delineation of the newly constructed fence, as well as technical drawings and pictures;

- a document about the new shelter including: technical drawings; pictures showing the state of conservation of S. Stephen mosaics before the launching of the works aiming at replacing the old shelter by the new one; the progress of these works and a description of its advantages in comparison with the old one and the one initially foreseen in the development project;
- a description of the measures adopted to protect the mosaics of the churches complex during the dismantlement of the old shelter and construction of the new one, including pictures showing the different phases of implementation of these protection measures;
- the interventions carried out in terms of conservation to stop the collapse of structures and decorative elements in the Site;
- the consolidation works carried out at the Site;
- the security measures undertaken, including the creation and clear delineation of visitor pathways;
- the cancellation of the project of road aiming at linking the two main archaeological areas of the Site using buggies;
- the official agreement between the MoTA and the DoA recognizing the responsibility of the latter in the management of the Site;
- the adopted draft management structure and the appointment of a site manager, his assistants and five guards from the local community;
- the establishment of a NGO with the local community;
- the progress on the development of the conservation plan;
- the ongoing discussions with the Municipality of Um er-Rasas regarding the specific regulations requested by the DoA to be applied to the lands which are adjacent to the Site.

To the World Heritage Committee:

- To request from the State Party a progress report by 1 Feb 2009 concerning the establishment of the management structure (financial and human resources and equipment), the completion of the visitor centre and the beginning of its functioning (notably the exhibition area and museum), the definitive set up for the pathways (signage, etc.), the elaboration of the Management Plan (including a comprehensive conservation plan);
- To request the State Party to make a financial system available to ensure the effectiveness of the actions undertaken by the management structure. This financial system has to foresee a minimum annual budget to be used exclusively for the Site;
- To invite the State Party to envisage a possible revision of the limits of the property.

5.2 Whenever further action is needed, clear benchmarks indicating the corrective measures to be taken in order to achieve significant improvement of the state of conservation and a timeframe within which the benchmarks will have to be met:

- In order to achieve significant improvement of the state of conservation of the Site, it appears indispensable to finalize the conservation, maintenance and monitoring plans over the coming months and start carrying out necessary interventions and treatments.
- It is necessary to plan definitive or long term solutions to address the security issues with particular focus on the open trenches and soundings and to collapsing structures. These solutions have to be planned taking archaeological and conservation needs into account and in accordance with the tourist development plan.
- A policy for archaeological research has to be developed soon.

5.3 Recommendation as to whether the level of threats to the property warrants the property being placed on or removed of the List of World Heritage in Danger:

The positive evolution of the situation at the Site, thanks to the measures undertaken by the State Party allowing the preservation of the OUV and ensuring the Site still meets the conditions of integrity and authenticity. There is therefore no need to envisage the inscription of the Site on the List of World Heritage in Danger.

6 ANNEXES

- 1 Terms of reference and composition of the mission team
- 2 Programme of the mission
- 3 Decisions of the World Heritage Committee
- 4 Photographs
- 5 Law of Antiquities "Law N 21 for the year 1988"

Annex 1

Terms of reference and composition of the mission team

The joint WHC/ICOMOS monitoring mission came as a follow-up to decision 31 COM 7B.57 of the World Heritage Committee taken at its 31st session (Christchurch, New Zealand, 2007) with the following main objective: to *"assess the situation, assist in evaluating solutions and consider whether the property should be inscribed on the List of World Heritage in Danger"*.

The members of the team were Mr. Karim Hendili (UNESCO/World Heritage Centre) and Ms. Angela Maria Ferroni (ICOMOS).

Annex 2

Programme of the mission

24 March Arrival of the members of the mission team in Amman and transfer to Orchid Hotel (ensured by the DoA), Karim Hendili at 15:00 and Angela Maria Ferroni at 18:30.

20:00 Mission team's preparatory meeting.

25 March

9:30-12:30 Visit to Um er-Rasas with Ms. May Shaer, architect at Department of Antiquities (DoA), Ms. Tamara Teneishvili, Culture Programme Specialist for Iraq, Jordan and Syria at UNESCO Iraq Office.

- meeting at the Site with Mr. Bassem Al-Mahmid, Site Manager of Um er-Rasas, Eng. Nadia Okasheh, Responsible for Conservation at Um er-Rasas, Mr. Ali Khayyat, Inspector at Madaba Region Office (DoA) and Eng. Ayman Abu Kheyarah, Head of Tendering Department at the Ministry of Tourism and Antiquities (MoTA);

- visit of the Visitor Centre, currently still under construction;

- assessment of the redesigned shelter together with the responsible technicians and the contractor;

- on the spot assessment of the progress in the implementation of the priority measures requested by the World Heritage Committee.

14:00-15:00 Meeting with Mr. Ihab Hani Amarin, Assistant Secretary General for Technical Affairs at the Ministry of Tourism & Antiquities (MoTA), in presence of Mr. George Iskandar, Head of Site Management and Architectural and Urban Heritage Unit (MoTA), Ms. May Shaer and Ms. Tamara Teneishvili.

Discussions took place on the following points:

- the agreement reached by the MoTA and the DoA concerning the management of the Site;

- the legal, institutional and financial implications of this agreement;

- the revision of the EU project.

15:30 Working lunch with Mr. Bassem Al-Mahmid, Site Manager of Um er-Rasas, Ms. May Shaer and Ms. Tamara Teneishvili.

The discussion focused on the future management structure and needs for the management team to get the necessary authority and financial resources to implement an efficient management plan.

17:00-19:00 Meeting at the Department of Antiquities (DoA) with Dr. Fawwaz Al-Khraysheh, Director-General.

First general debriefing and discussion about the future implementation of the management plan, on the basis of the additional information provided by the Director-General, notably regarding the definition of the conservation priorities at the Site.

26 March

10:00-11:30 Meeting with Mr. Omar Abu-Eid, Environment & Energy focal point of the Permanent Delegation of the European Commission to the Hashemite Kingdom of Jordan, in presence of Ms. May Shaer and Ms. Tamara Teneishvili.

The meeting was the opportunity to get the full background of the EU project and see the different steps which led to its revision in order to better fit the needs at the Site in terms of management and conservation.

12:00-15:15 Meeting at DoA with Dr. Fawwaz Al-Khraysheh, Ms. May Shaer, Mr. Bassem Al-Mahmid, Mr. Ali Khayat, Ms. Nadia Okasheh and Arch, Amer Qimish, Director of Conservation and Restoration.

The main outcomes of the mission were discussed as well as future actions to be undertaken, notably the preparation of a report to be sent to the World Heritage Centre before the next session of the World Heritage Committee (July 2008) showing the accomplished progresses. The maps of the Site were also examined in order to assess to what extent a revision of the boundaries of the core and buffer zones would be relevant in the future.

17:30-19:30 Mission members' debriefing and discussion of the content of the report.

27 March

10:30 Departure of Mrs. Ferroni for Rome

11:00 Meeting of Mr. Hendili at UNESCO Office with Ms. Anjum Haque, Director, Ms. Tamara Teneishvili and Mr. Robert Parua, Programme Specialist for Education. Presentation of the main outcomes of the mission and discussion concerning the future follow-up.

15:30 Departure of Mr. Hendili for Bahrain

Annex 3

Decisions of the World Heritage Committee

28COM 14B.22 - Nominations of Cultural Properties to the World Heritage List [Um er-Rasas (Kastrom Mefa'a)]

Decision Text

The World Heritage Committee,

1. Inscribes the site of Um er-Rasas (Kastrom Mefa'a), Jordan on the World Heritage List on the basis of cultural criteria (i), (iv) and (vi):

Criterion (i): Um er-Rasas is a masterpiece of human creative genius given the artistic and technical qualities of the mosaic floor of St. Stephen's church.

Criterion (iv): Um er-Rasas presents a unique and complete (therefore outstanding) example of stylite towers.

Criterion (vi): Um er-Rasas is strongly associated with monasticism and with the spread of monotheism in the whole region, including Islam.

2. Requests the State Party to submit to the World Heritage Centre its annual work plan for the first year following the inscription of the site, the complete management and conservation plans and to organise two monitoring missions to review the progress of the implementation of these plans;

3. Further requests the World Heritage Centre, in consultation with ICOMOS, to submit a report on these monitoring missions for the consideration of the Committee at its 29th and 30th sessions, in 2005 and 2006, respectively.

29COM 7B.41 - Um er-Rasas (Kastrom Mefa'a) (Jordan)

Decision Text

The World Heritage Committee,

1. Having examined Document **WHC-05/29.COM/7B.Rev** and the **Draft Decision 29 COM 7B.41.Rev, 29 COM 7B.41.Rev**,

2. Having noted the additional information presented by the World Heritage Centre,

3. Recalling Decision **28 COM 14B.22** taken at its 28th session (Suzhou, 2004),

4. Commends the State Party of Jordan for the steps taken towards the establishment of management and conservation plans for the property;
5. Requests the State Party to provide the World Heritage Centre and ICOMOS, as soon as possible, with detailed information regarding the foreseen visitors centre, parking and shelter(s) prior to any decision making, as per paragraph 172 of the *Operational Guidelines*;
6. Requests the World Heritage Centre and ICOMOS to undertake the second foreseen joint monitoring mission, in close consultation with the State Party, and to report on such mission at its 30th session (Vilnius, 2006), notably as regards the progress made towards the establishment of an operational management plan and structure.

30COM 7B.51 - State of Conservation (Um er-Rasas (Kastrom Mefa'a))

Decision Text

The World Heritage Committee,

1. Having examined Document *WHC-06/30.COM/7B*,
2. Recalling Decision **29 COM 7B.41**, adopted at its 29th session (Durban, 2005),
3. Commends the State Party on its commitment for the protection and conservation of the World Heritage Property;
4. Notes that several unforeseen constraints led to delays in the elaboration and finalization of the management and conservation plans for the property;
5. Recommends that the State Party concentrate its efforts on the implementation of priority measures, in close consultation with ICOMOS and the World Heritage Centre. These priority measures include:
 - a) Clearly identify the boundaries of the area(s) to be protected and fenced if necessary, even temporarily;
 - b) Address the security issues, notably by prohibiting access of visitors to potential dangerous areas and carrying out the necessary works to cover the trenches and archaeological soundings;

- c) Isolate and preserve the most endangered and damaged archaeological and architectural components by establishing a temporary restricted plan of visit paths;
- d) Preserve the mosaics with adequate temporary and protective materials (special geo-textile layers and draining sand layers);
- e) Consolidate the most endangered architectural elements using temporary but secure structures;
- f) Stop restoration works and reconstruction of collapsed elements;
- g) Resolve, when possible, using simple and temporary solutions, the humidity problems, notably for the mosaic floor of the sheltered St. Stephen Church;
- h) Define the future management structure and financial system, which will be adopted in the management plan for the site.

6. Requests the State Party to engage, possibly with the support of the World Heritage Centre, in discussions in order to make sure that the European Commission funded project be redesigned so as to integrate the above mentioned priority measures and adapt its work-plan and schedule accordingly;

7. Also requests the State Party to organize the second monitoring mission, to be carried out by ICOMOS and the World Heritage Centre, by **30 November 2006**;

8. Further requests the State Party to submit, by **1 February 2007**, a progress report on the recommendations made in points 5 and 6 above as well as on the elaboration of the draft of the management and conservation plans, for examination by the World Heritage Committee at its 31st session in 2007.

31 COM 7B.57 Um er-Rasas (Kastrom Mefa'a) (Jordan) (C 1093)

Decision:

The World Heritage Committee,

1. Having examined Document WHC-07/31.COM/7B,
2. Recalling Decisions 29 COM 7B.41 and 30 COM 7B.51, adopted at its 29th (Durban, 2005) and 30th (Vilnius, 2006) sessions respectively,

3. Notes the communication of the State Party regarding the progress report and the suspension of the works of the planned shelter pending consultation with the World Heritage Centre;
4. Requests the State Party to give urgent consideration to the recommendations of the joint World Heritage Centre/ICOMOS mission of November 2006 and accelerate their implementation;
5. Urges the State Party to finalise the management and conservation plans in consultation with the World Heritage Centre and ICOMOS;
6. Also requests the State Party to invite a joint World Heritage Centre/ICOMOS mission in order to assess the situation, assist in evaluating solutions and consider whether the property should be inscribed on the List of World Heritage in Danger;
7. Further requests the State Party to submit a progress report to the World Heritage Centre by 1 February 2008 on the above issues for consideration by the World Heritage Committee at its 32nd session in 2008.

Annex 4

Photographs

Picture 1: Pathway starting from the entrance to the Site



Picture 2: View of the visitor centre from the middle of the pathway



Picture 3: End of the pathway at the level of the churches complex



Picture 4: The visitor centre seen from the parking area



Picture 5: The Site seen from the terrace of the visitor centre



Picture 6: The visitor centre (left) is physically outside the fence



Picture 7: Sandy road (top - left), initially foreseen to become a track for buggy cars



Picture 8: The new shelter



Picture 9: The new shelter will cover the whole churches complex



Picture 10: The new shelter clearly appears as an independent structural element



Picture 11: Load-bearing structure outside the perimeter of the ancient walls



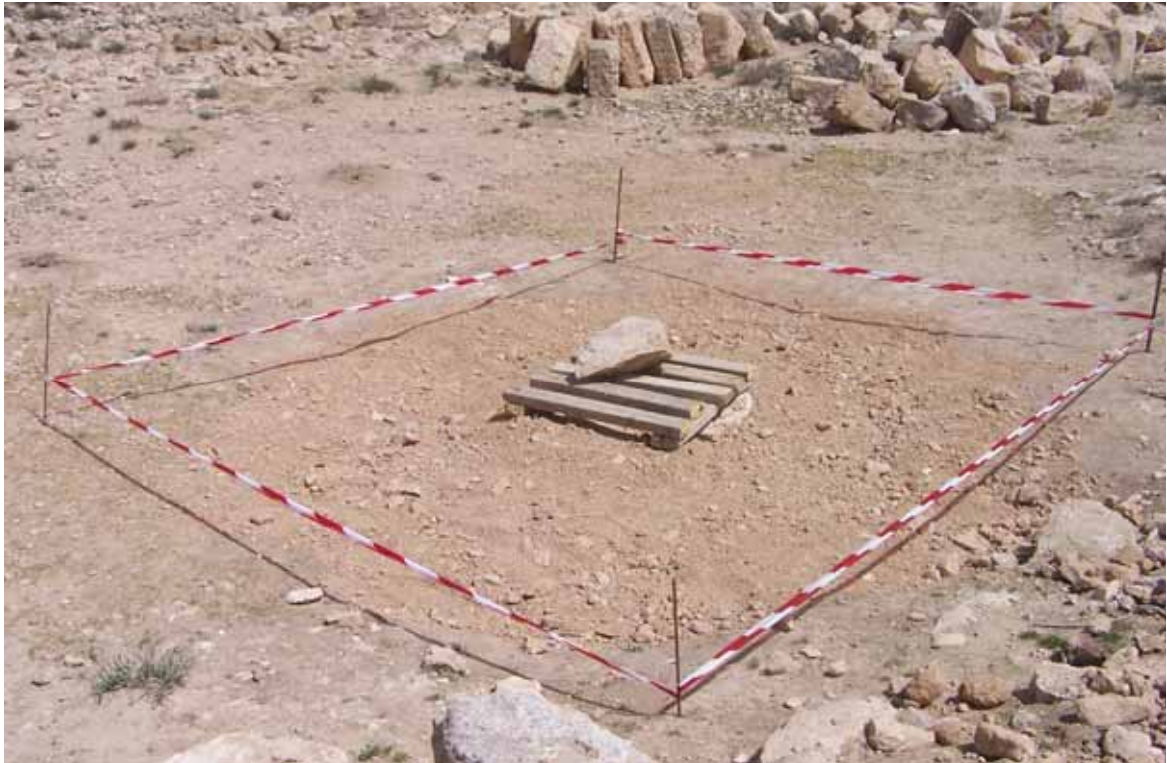
Pictures 12 and 13: Mosaics protective system at churches complex



Pictures 14 and 15: Fences surrounding the Site and marking its limits



Picture 16: Temporary delineation of the potentially dangerous areas



Picture 17 and 18: Covering stones and wooden planks





Picture 19: New pathways clearly marking the itinerary of the visitor



Picture 20: Recent intervention on plasters



Annex 5

Law of Antiquities “Law N 21 for the year 1988”

The Antiquities Law

Law no. 21 for the year 1988

(Provisional Law No. 12 for the year 1976 – 1989)

Chapter One

Definitions and General Provisions

Article 1

This law shall be cited as the antiquities Law, 1976, and shall come into force from the date of its publication in the Official Gazette.

Article 2

The following words and expressions shall have the meanings hereinafter assigned to them, unless the context otherwise requires:

- 1- 1- Minister: The Minister of Tourism and Antiquities
- 2- 2- Department: The Department of Antiquities
- 3- 3- Director: The Director General of Antiquities
- 4- 4- Antiquity:

A- Any object, whether movable or immovable, which has been constructed, shaped, inscribed, erected, excavated, or otherwise produced or modified by humankind earlier than the year 1700 A.D. including caves, sculpture, coins, pottery, manuscripts and all sorts of artefact that indicate the rise and development of sciences, arts, manufactures, religions, and traditions relating to previous cultures, or any part added thereto, reconstructed or restored at a later date.

B- Any object, movable or immovable, as defined in the previous subsection referring to a date subsequent to the year 1700 A.D., which the Minister may declare to be antique by order published in the Official Gazette.

C- Human, plant and animal remains going back to a date earlier than the year 600 A.D.

5-Archaeological Site:

- A- A- Any area in the Kingdom which has been held as a historical site in accordance with previous laws.
- B- B- Any other area which the Minister decides contains antiquities, or is associated with important historical events; provided such decision is published in the Official Gazette.

6- Immovable Antiquities:

Are the stable antiquities which are connected to the earth, whether constructed thereon or buried therein including those under inland and territorial waters.

7- Movable Antiquities:

Are the antiquities which are disconnected from the earth or from immovable antiquities and can be displaced without damaging it or damaging the antiquities linked therewith or the place where it was discovered.

8- Excavating:

Is the act of digging, exploring, and investigating with the aim of finding movable or immovable antiquities. Accidental finding of antiquities does not constitute excavation.

9- Dealer:

Any person, whether natural or legal, who trades with antiquities.

10- The Season:

A certain period of the year within which it is conditional that excavations should proceed and terminate in accordance with the provisions of this law, excavations should proceed and terminate in accordance with the provisions of this law.

Article 3

A. The Department shall assume the following missions and responsibilities:

- 1- 1- To execute the archaeological policy of the State.
- 2- 2- to estimate the archaeological value of antiquities and sites and to evaluate the importance of each antiquity.
- 3- 3- To administer antiquities in the Kingdom, supervise, protect, maintain, record, beautify the vicinities thereof and exhibit them.
- 4- 4- To propagate archaeological culture and establish archaeological institutes and museums.
- 5- 5- To excavate for antiquities in the Kingdom.
- 6- 6- To assist in the organization of the various museums attached to governmental activities in the Kingdom; including historical, technical and folkloric museums.
- 7- 7- To co-operate with local, Arab and foreign archaeological institutions for the service of national archaeological culture and consciousness; in accordance with current laws and regulations.
- 8- 8- To supervise the possession and disposition of antiquities in accordance with the provisions of this law, and the regulations, decisions, and instructions which are issued in accordance therewith.

B- The Director may decide that an antiquity is an immovable antiquity, if it is part of an immovable antiquity, or complementary thereto, connected with it, or ornamental to it.

Article 4

A- A- The Minister may, upon the recommendation of the Director, and in co-operation with the Department of Lands and Surveys, decided on the names and boundaries of archaeological sites, which are to be registered in the archaeological register for immovable antiquities; including the limitation of servitude's pertaining thereto.

B- B- Such decisions shall be notified to all authorities and governmental departments concerned and the archaeological sites shall be marked and their relative servitudes shall be recorded in the registers and maps of the Department of Lands and Surveys.

Article 5

A- The Government shall be the sole owner of immovable antiquities and no other authority shall by any means whatsoever, appropriate these antiquities or raise any defences against the State by way of right of ownership, prescription or other defences.

B- Ownership of any movable antiquities, possession and disposition thereof shall be governed by the provisions of this law.

C- Ownership of the land does not vest its owner with the right to ownership of the antiquities existing thereon and therein, or disposing with it, and does not entitle him to excavate for antiquities therein.

D- The Government may expropriate or buy any land or antiquity if it is in the interest of the Department to expropriate or buy it.

E- All the archaeological sites, hitherto registered in the name of the Treasury alone, shall be registered in the name of the Treasury/Antiquities. Likewise shall all unregistered archaeological sites which may be expropriated, or purchased, be registered.

Article 6

The Minister shall, with the approval of the Director, publish in the Official Gazette a list of the names and boundaries of the archaeological sites in the Kingdom. This list is to be exhibited at the office of the district, region, subdistrict, or village in which the archaeological site is situated. No land on such sites shall be sold, let or delegated to any authority without the approval of the Department.

Article 7

Any person who is in possession of any antique objects shall submit to the department, within a period of two months from the date of the coming in force of this law, a list containing the number and other details connected therewith and a short description of each of them.

Article 8

A- A- The Department may buy all, or any, of the antique objects referred to in the previous article, provided that their prices are all estimated according to the previous article, provided that their prices are all estimated according to the provisions of this law. The remaining antiquities which have not been bought by the Department, shall remain in the possession of the owner who shall have no right to dispose of them by any means whatsoever, except with the permission of the Department.

B- B- Any person may donate to the Department any antique objects in his possession, and such shall be preserved by the Department in its Museums in the names of the persons who donated them.

Article 9

It is forbidden to destroy, damage, disfigure or cause any harm to antiquities, including causing change in features, disconnecting and part thereof, altering it, sticking advertisements or attaching any plates to them.

Article 10

The Council of Ministers shall have the right to lend, exchange or donate antiquities to official, educational, or archaeological institutions and museums provided the Department of Antiquities has similar examples.

Article 11

The Director may determine the prices of books, publications, photos, maps, reproductions, or casts which are issued by the Department or which fall under its control or within its scope.

Article 12

The Minister may, upon the recommendation of the Director, exempt any person, institution or organization from all taxes or prices provided for in this law.

Article 13

No permit should be granted for any construction project, including buildings and fences, unless a distance of 5 - 10 metres is left between them and any antiquity, according to the Director's decision.

Article 14

Notwithstanding the provisions of any previous law, it is forbidden for any person, legal or natural, to excavate in any archaeological site; in search of gold or other objects buried therein.

Article 15

- A- Any person, who discovers or finds any antiquity without being granted a license to excavate, or has knowledge of such discovery or finding, must give notice to the Director or the nearest General Security Center within 10 days from the date of the discovery, finding, or having knowledge of it.
- B- the Director may, within his discretion, grant a reasonable compensation to any person who discovers, finds or informs about any antiquity, according to the provisions of this law.

Article 16

- A- Only the Department may excavate for antiquities in the Kingdom, and allow by a special permission organizations, committees, scientific societies, and archaeological missions to excavate; according to the provisions of this law, and after ascertaining their abilities and qualifications; provided the excavation is carried out according to conditions set by the Director.
- B- Subject to the provisions of item (A) of the article, it is forbidden for any person, whether natural or legal, to excavate for antiquities in any location in the Kingdom, even if it were his own private property.

Article 17

- A- the Department, or any party licensed to excavate, may excavate in government property or any other; on condition that the property is to be restored to the state in which it was before the excavation commenced, and the excavators shall be bound to compensate the owners of these properties for any damage caused to their property as a result thereof, and the Department shall guarantee such compensation and shall be made to stand security for it.
- B- The compensation referred to in the previous subsection of this article, shall be estimated by a committee consisting of three specialized officials, appointed by the Minister upon the recommendation of the Director.

Article 18

The Institution which has been licensed to excavate as well as the committees and missions delegated by them, shall be bound by the excavating instructions issued by the Department, and shall execute their work according to the arrangements and procedure specified by the said instructions.

Article 19

- A- If an organization, licensed to excavate, or designated group delegated by it, violated the instructions issued in accordance with the provisions of this law, the Department may, in addition to the procedure determined by the law, stop the excavation immediately until the violation of the regulation is removed. The Minister may upon the recommendation of the Director, cancel

the permit.

- B- B- The Minister may, upon the recommendation of the Director, stop the excavation if he considers that the safety of the excavating mission or normal safety measures so demand.

Article 20

If the excavations do not start within one year from the date of the permit, or are stopped during two seasons within two consecutive years without reason; the Minister may, upon the recommendation of the Director, cancel the permit and may grant an excavation permit in the same area to any other organization without violating, by so doing, any rights to the first party whose permit is cancelled.

Article 21

All antiquities discovered during excavations carried out by any party shall be considered the property of the State. The Department may grant any licensed party some of the movable antiquities found in the excavation, in cases where other similar objects are found in the excavation where these were discovered, subject to the conditions and obligations imposed by the Department.

Article 22

The Department may exclusively, or in co-operation with any scientific party, excavate in any Arab or foreign country, if the Council of Ministers, upon the recommendation of the Minister, finds it necessary to do so in the public interest.

Article 23

Trading in antiquities is forbidden in the Kingdom, and all trading licenses are considered cancelled with the coming into force of this law.

Article 24

Subject to the provisions of article (23) of this law, it is forbidden to export movable antiquities abroad except with the consent of the Department, subject to the approval of the Minister allowing such sale or export.

Article 25

All those who previously dealt with antiquities, by virtue of a valid license, should hand over to the Department within two months from the date of the coming into force of this law, the registers provided for in subsection (1) of article 37 of the Antiquity law No. 26, 1968, provided they fulfil the conditions set forth in article 338 of the said law.

Article 26

- A- A- The Department may buy some of all of the antiquities in the possession of the holder thereof, the price of which can be agreed upon with the Minister. If no agreement is reached, the price would be estimated by two experts; one of whom to be appointed by the Department and the other by the owner of the antiquities. If the two experts do not reach an agreement, they then should appoint a third expert as an umpire.
- B- B- If the Department refrains from buying the antiquities, the owner may transfer its ownership to others; provided that such transfer takes place with the knowledge of the Department, and within a period not exceeding four months from the date of the notification of the Department's decision not to

purchase the antiquity.

Article 27

A punishment by imprisonment of not less than one and not more than three years plus a penalty of 200 Dinars shall be imposed on:

- A- A- Anyone who excavates without obtaining an excavation permit according to the provisions of this law.
- B- B- Anyone who trades with antiquities.

Article 28

A punishment by imprisonment of not less than two months and not more than two years and a penalty of not less than thirty Dinars and not more than two hundred shall be imposed on:

- A- A- Anyone who fails to submit to the Department a list of the antiquities in his possession on the execution of the provisions of this law, or fails to present a record of the antiquities in his possession within the period prescribed by this law
- B- B- Destroys, damages, disfigures any antiquity, including the changing of its features, or separating a part thereof, or changing its figure or sticking any advertisement thereon, or placing plates thereon, or adding anything to its surface.
- C- C- Falsifies any antique or attempts to forge it.
- D- D- Forges an antique or deals with forged antiques without the permission of the Department.
- E- E- Makes casts, or reproductions of antiques and makes use of them without the permission of the Department.
- F- F- Discovers or finds any antique, or has knowledge of the discovery or the finding thereof without reporting it according to the provisions of this law.
- G- G- Presents any false record, or information, or incorrect documents or vouchers for the purpose of obtaining any license or permit according to the provisions of this law.
- H- H- Refuses, or detains to deliver to the Department the antiquities which he has discovered or found; whether he is in possession of an excavation license, of not.
- I- I- Exports or deals with any antique contrary to the provisions of this law; including hiding it or smuggling it.

Article 29

In addition to the penalties provided for in articles (27) and (28) of this law:

- 1- 1- any antiquities shall be confiscated, if the contravention is committed in connection therewith, and they become the property of the Department.
- 2- 2- Any construction, building, or other things which have been constructed, made or planted, contrary to the provisions of this law, or any regulation issued thereunder, shall be destroyed and removed at the expense of the offender, including the cost of repairing any damage caused to the antiquity.

Article 30

For the purposes of fulfilling the provisions of this law and all regulations issued thereunder, the Director, his assistants, heads of sections, inspectors of antiquities, and the directors of museums in the Department shall be vested with the powers

pertaining to prosecutors as provided for in the Code of Criminal Procedure in force.

Article 31

A reasonable pecuniary reward shall be granted to any person who:

- A- A- Helps in the confiscation of any antique found or in circulation contrary to the provisions of this law, rules, regulations, instructions and decisions, issued thereunder.
- B- B- Offers information which leads to the discovery of a violation to the provisions of this law, rules, regulations, and instruction, and decisions issued thereunder.

Article 32

A- A- The rewards provided for in this law shall be granted in the following manner:

- 1- 1- By virtue of a decision by the Director if it does not exceed 50 Dinars, or by virtue of a decision of the Minister, upon the recommendation of the Director, if it exceeds 50 Dinars but does not exceed 100 Dinars.
- 2- 2- By virtue of a decision by the Prime Minister, upon the recommendation of the Minister, if it exceeds 100 Dinars.
- B- B- The rewards shall, in all cases, be estimated by the committee provided for in article (17) of this law or by any other committee which the Minister may appoint for the purpose.

Article 33

The Council of Ministers may issue any necessary rules for the execution of the provisions of this law including conditions and taxes for excavation, and any entry fees to museums and archaeological sites, museum guide permits, and the constitution of councils and advisory committees.

Article 34

The antiquity law No. 26 for the year 1968 is hereby repealed as well as any other law or legislation to the extent to which its provisions may be contradictory to this law; provided that regulations, decisions, schedules, and proceedings which were issued or taken under any law or previous legislation, shall remain in force until they are amended, repealed, or substituted, according to the provisions of this law.