Annex 3

Supplementary Information

(incl. text relating to protective designation, copies of property management plans or documented management systems and extracts of other plans relevant to the property)

Annex 3.a Law on the Conservation of Cultural and Natural Property (*Kültür ve Tabiat Varlıklarını Koruma Kanunu*) No. 2863, 23/07/1983 as amended by the Law No. 5226, 14/07/2004.

Annex 3.b Protection and Use Provisions in Archaeological Sites, Decision No.658, 05/11/1999 of the High Council for the Protection of Cultural Properties

Annex 3.c Regulation on the Substance and Procedures of the Establishment and Duties of the Site Management and the Monument Council and Identification of Management Sites' (Alan Yönetimi ile Anit Eser Kurulus ve Görevleri ile Yönetim Alanlarının Belirlenmesine ilişkin Usul ve Esaslar Hakkında Yönetmelik) No.26006, 27/11/2005

Annex 3.d-1 Decision No.1096, 16/02/1990 of the Ankara Regional Council for Conservation of Cultural and Natural Properties

Annex 3.d- 2 Decision No.2738, 09/11/2007 of the Ankara Regional Council for Conservation of Cultural and Natural Properties

Annex 3.d- 3 Decision No.3404, 07/08/2008 of the Ankara Regional Council for Conservation of Cultural and Natural Properties

Annex 3.d- 4 Decision No.46, 30/09/2011 of the Ankara Regional Council for Conservation of Cultural Properties

Annex 3.d- 5 Decision No.467, 03/02/2012 of the Ankara Regional Council for Conservation of Cultural Properties

Annex 3.d- 6 Decision No.627, 18/04/2013 of the Ankara Regional Council for Conservation of Cultural Properties

Annex 3.d- 7 Decision No.2436, 10/06/2015 of the Ankara Regional Council for Conservation of Cultural Properties

Annex 3.d- 8 Decision No.2808, 12/11/2015 of the Ankara Regional Council for Conservation of Cultural Properties

Annex 3.d- 9 Decision No.3371, 26/05/2016 of the Ankara Regional Council for Conservation of Cultural Properties

Annex 3.d-10 Decision No.6674, 30/05/2019 of the Ankara Regional Council for Conservation of Cultural Properties

Annex 3.d-11 Decision No.7317, 05/03/2020 of the Ankara Regional Council for Conservation of Cultural Properties

Annex 3.e 1:100.000 scale Environmental Plan of Ankara (incl. in CD)

Annex 3.f 5.000 Scale Yassıhöyük (Gordion) Conservation Development Plan; 1:1.000 Scale Yassıhöyük (Gordion) Conservation Development Implementation Plan (incl. in CD)

Annex 3.g Gordion Management Plan, Jan. 2021 (incl. in CD)

Annex 3.h Map showing the Reconstruction of Phrygian Gordion's fortification system, showing the defensive circuits around the Citadel Mound, and the Lower Town and Outer Town zones. (incl. in CD)

Annex 3.a

Law on the Conservation of Cultural and Natural Property (*Kültür ve Tabiat Varlıklarını Koruma Kanunu*) No. 2863, 23/07/1983 as amended by the Law No. 5226, 14/07/2004.

This law ensures the national protection of cultural property.

According to Article 3(1), movable and immovable cultural property is regarded as property that is "pertaining to science, culture, religion and fine arts of before and after recorded history or that is of unique scientific and cultural value for social life before and after recorded history'. Article 3(2) also gives a definition of natural property, which refers to "all assets on the ground, under the ground or under the water pertaining to geological periods, prehistoric periods until present time, that is of unique kind or require protection due to their characteristics and beauty".

Articles 6 and 23 provide a list of natural property as well as movable and immovable property that are protected under this law.

This consolidated version of Law No. 2863 of July 21, 1983 incorporates all amendments up to 2017.

Law on the Conservation of Cultural and Natural Property

Law Number: 2863

Published in the Official Gazette on: 23/07/1983 number: 18113

CHAPTER ONE General Provisions

Aim:

Article 1 – The aim of this law is to define movable and immovable cultural and natural property to be protected, regulate proceedings and activities, describe the establishment and duties of the organisation that shall set principles and take implementation decisions in this field.

Scope:

Article 2 – This Law covers issues regarding movable and immovable cultural and natural property to be protected and the relevant duties and responsibilities of real and legal persons.

Definitions and abbreviations:

Article 3 - Definitions and abbreviations used in this law:

a) Definitions:

- (1) (Amended:14/07/2004 5226/1. article)"Cultural property" shall refer to movable and immovable property on the ground, under the ground or under the water pertaining to science, culture, religion and fine arts of before and after recorded history or that is of unique scientific and cultural value for social life before and after recorded history.
- (2) "Natural property" shall refer to all assets on the ground, under the ground or under the water pertaining to geological periods, prehistoric periods until present time, that are of unique kind or require protection due to their characteristics and beauty.
- (3) "Conservation site" shall be cities and remains of cities that are product of various prehistoric to present civilizations that reflect the social, economic, architectural a.s. characteristics of the respective period, areas that have been stages of social life or important historical events with a concentration of cultural property and areas the natural characteristics of which have been documented to require protection.
- **(4)** "Conservation" shall mean all conservation, maintenance, restoration works and function modification of immovable cultural and natural property and the conservation, maintenance, repair and restoration works of movable property.
- **(5) "Conservation zone"** shall mean an area to be protected mandatory with activities to conserve its cultural and natural property or its historical environment.
- **(6) (Amended: 17/06/1987 3386/1 article)** "**Evaluation**" shall mean the exhibition, organisation, use and scientific promotion of cultural and natural property.
- (7) (Added:14/07/2004 5226/1 article) "Archaeological site" shall mean an area where man-made cultural and natural property converges as the product of various prehistoric to present civilisations, that is adequately defined by topography and homogenous, at the same time historically, archeologically, artistically, scientifically, socially or technically

valuable, and exhibits partial structures.

- (8) (Added:14/07/2004 5226/1 article) "Conservation plan" shall mean the plan of a conservation site as defined by the law, of the scale prescribed for a master and implementation development plan comprising the entirety of objectives, tools, strategies, planning decisions, positions, planning notes, explanation reports, drafted in a way to entail strategies on job creation and value addition, principles of conservation, terms and conditions of use, settlement limitations, rehabilitation, areas and projects of renewal, implementation phases and programmes, open space systems, pedestrian walkways, vehicle transport, design principles of infrastructure facilities, densities and parcels of land designs, local ownership, participatory area management models on the basis of financial principles of implementation, improving the social and economic structure of households and offices situated in the conservation site on existing maps on the basis of field studies providing archaeological, historical, natural, architectural, demographic, cultural, socio-economic, ownership and settlement data taking into account surrounding interactive areas with the view of protecting cultural and natural property in line with the sustainability principle.
- **(9) (Added:14/07/2004 5226/1 article)** "Landscaping project" shall mean projects by the scale of 1/500, 1/200 and 1/100 taking into account the unique characteristics of each architectural site with the view of protecting the archaeological potential of the area, controlled opening of the area to visitors, promotion, solving existing problems related to use and circulation and meeting the area's needs through modern state-of-the-art facilities.
- (10) (Added:14/7/2004 5226/1 article) "Management site" shall mean an area that is delineated by the Ministry by obtaining the view of the relevant administrations to ensure coordination in planning and conservation with the competent central and local administrations and civil society organisations with the aim of effective protection, revitalization, evaluation, development of conservation sites, architectural sites and surrounding interactive areas in their natural beauty around a specific vision and theme and meeting the community's cultural and educational needs.
- (11) (Added: 14/07/2004 5226/1 article) "Management plan" shall mean a plan revised on a five-yearly basis drafted with the view of protecting the management area, ensuring its revitalization, evaluating, also indicating the annual and five-yearly implementation phases and budget for the conservation and development project prepared by taking into account the operational project, excavation plan and landscaping project or conservation plan.
- (12) (Added:14/07/2004 5226/1 article) "Junction point" shall mean cultural property not within the boundaries of the management area, but associated with the same in terms of management and development on the basis of archaeological, geographical, cultural and historical considerations or the same vision or theme.
- b) (Amended: 17/06/1987 3386/1 article) Abbreviations:
- (1) "Ministry" shall mean the Ministry of Culture and Tourism,
- (2) "Superior Council for Conservation" shall mean the Superior Council for the

Conservation of Cultural and Natural Property,

(3)(Amended:14/07/2004 – 5226/1 article) "Regional Council for Conservation" shall mean the Regional Council for the Conservation of Cultural and Natural Property.

Obligation to notify:

Article 4 – Persons that discover movable and immovable cultural and natural property, owners, proprietors or occupants that know or have recently found out about the existence of cultural and natural property on the land they own or use shall be obliged to notify the nearest museum directorship or the village headman or the local administrators of other places within at the latest three days.

If such property is in military garrisons and restricted areas, the relevant command levels shall be notified in line with the relevant procedure.

The village headman, the local administrator receiving such notification or the relevant authorities that are directly notified of such property shall take the necessary measures to protect and secure such property. The village headman shall notify the nearest local administrator as of the situation and the measures taken on the same day. The local administrator and other authorities shall notify in writing the Ministry of Culture and Tourism and the nearest museum directorship within ten days.

Upon receiving this notification, the Ministry and Museum Director shall instigate due proceedings as soon as possible in line with the provisions of this law.

Quality of state property:

Article 5 – Immovable property belonging to the state, public institutions and organisations and movable and immovable cultural and natural property to be protected that is known to exist or will be discovered on an immovable property owned by real and legal persons subject to civil law shall have the quality of state property.

Registered and annexed foundation property subject to a separate status due to its special qualities shall not be covered by this provision.

CHAPTER TWO

Immovable cultural and natural property to be protected

Immovable cultural and natural property to be protected:

Article 6 – The following is immovable cultural and natural property to be protected:

- **a)** Natural property to be protected and the immovable property built until the end of the 19th century,
- **b)** The immovable property created after the mentioned date that the Ministry of Culture and Tourism deems necessary to be protected considering its importance and characteristics,
- c) Immovable cultural property situated in the conservation site,
- **d)** Buildings that were stages of great historic events during the National War of Independence and the Foundation of the Republic of Turkey that are not subject to time and registration rules due to their importance for national history, areas to be identified as such and houses used by Mustafa Kemal ATATÜRK,

However, the immovable property not decided to be protected by the Conservation Councils on the basis of their architectural, historical, aesthetic, archaeological and other important characteristics shall not be regarded as immovable cultural property to be protected.

Rock-cut tombs, stones with inscription, painting, and relief, cave paintings, mounds (höyük), tumuli, archaeological sites, acropolis and necropolis, castle, fortress, tower, wall, historic barrack, bastion and fortification with their fixed weaponry, ruins, caravanserai, khan, public bath and madrasah, cupola, tomb and tablets, bridges, aqueducts, waterways, cisterns and wells, ancient road ruins, stones indicating distance, stones with holes delineating ancient borders, obelisks, altars, shipyards, quays, ancient palaces, pavilions, dwellings, waterside residences and mansions, mosques, masjids, musallahs, namazgahs, fountains and sebils, imarethane (communal kitchen), mint, şifahane (hospital), muvakkithane (room for the mosque timekeeper), simkeşhane (silver shop), tekke (dervish lodge) and zaviyahs, cemeteries, hazire (graveyard), arasta, bedesten, bazaar, sarcophagi, stelae, synagogue, basilica, church, monasteries, külliye (complex of buildings adjacent to a mosque), ancient monuments and mural ruins, frescoes, reliefs, mosaics, chimney rocks a.s. immovable are examples of immovable cultural property.

Historic rock shelters, tree and tree populations with special characteristics a.s. are examples of immovable natural property.

Identification and registration:

Article 7 - (Amended: 17/06/1987 - 3386/2 article)

(Amended first paragraph: 26/05/2004-5177/26 article) The identification of immovable cultural and natural property and natural sites shall be coordinated by the Ministry of Culture and Tourism by obtaining the view of the relevant institutions and organisations the activities of which will be affected.

Such identification shall take into account the history, art, region and other characteristics of the cultural and natural property. An adequate number of antiquities of exemplary nature reflecting the characteristics of the period they pertain to shall be identified as cultural property to be protected to the extent of the means of the state.

Following identification, the immovable cultural and natural property to be protected shall be registered with a decision to this end by the Regional Council for Conservation.

Procedures, principles and criteria regarding the identification and registration process shall be specified in the regulation.

Immovable cultural and natural property owned by registered and annexed foundations administered and controlled by the General Directorate for Foundations, mosques, tombs (türbe), caravanserais, madrasahs, khans, public baths, masjids, zaviyahs, sebils, mevlevihanes (lodge of Mevlevi dervishes), fountains a.s. immovable cultural and natural property to be protected owned by real and legal persons shall be identified and inventoried by the General Directorate for Foundations.

Publication and notification of these decisions and their entries into the title deeds register shall be specified in a regulation.

Decision-making powers related to the conservation site:

Article 8 – Conservation Councils shall identify the conservation site of the cultural and natural property to be protected that has been registered according to article seven, and make decision on whether or not to build and install in this area. The decision of the Conservation Councils can be objected to according to paragraph two of article 61.

An adequate area shall be designated for the conservation of cultural and natural property to be protected and the preservation of its appearance and cohesion with its surroundings. The related principles shall be specified in a regulation to be drafted by the Ministry of Culture and Tourism.

Prohibition of unauthorized intervention and use:

Article 9 – (Amended: 14/07/2004 - 5226/3 article)

Immovable cultural and natural property to be protected and conservation sites shall not be interfered with physically or by any way of construction, and used for service or modified for use contrary to the decisions of the Regional Conservation Councils within the framework of the resolutions of the Superior Council for Conservation. Substantial repair, construction, installation, sounding, partial or complete demolition, incineration, excavation or similar works shall be regarded as physical intervention and intervention by way of construction.

Authorities and methods:

Article 10 – The Ministry of Culture and Tourism shall be authorized to take the necessary measures or have others take the necessary measures to conserve immovable cultural and natural property, regardless of ownership or administration, control or have public institutions and organisations, municipalities and governorships carry out control. (1)

The Presidency of the Turkish Grand National Assembly shall guarantee the conservation of cultural and natural property administered and controlled by the Turkish Grand National Assembly.

To ensure conservation the Ministry of Culture and Tourism shall provide technical assistance and cooperation, if necessary.

The Ministry of National Defence shall conserve and evaluate cultural and natural property under its administration and control or along the borders and in restricted zones. Such conservation shall be agreed upon by protocol between the Ministry of National Defence and the Ministry of Culture and Tourism.

(Amended: 17/06/1987 - 3386/4 article) Immovable cultural and natural property owned by registered and annexed foundations administered and controlled by the General Directorate for Foundations, mosques, tombs (türbe), caravanseries, medreses, khans, public baths, masjids, zaviyahs, mevlevihanes, fountains a.s. cultural property owned by real and legal persons shall be conserved and evaluated by the General

Directorate for Foundations after the Conservation Council decides to conserve.

The conservation and evaluation of immovable cultural and natural property owned by other public institutions and organisations shall be under their responsibility in accordance with the provisions of this law.

The conservation of immovable cultural and natural property owned by public institutions and organisations shall be supported with an annual budget allocation to this end.

The Ministry of Culture and Tourism shall receive adequate budget appropriations each year to deliver this service.

(Repealed paragraph eight:14/07/2004 - 5226/4 article)

(Additional paragraph: 17/06/1987 - 3386/4 article) The Ministry shall be responsible for the conservation and evaluation of the area that is surveyed, excavated and sounded.

(Additional paragraph:14/07/2004 – 5226/4 article) Conservation, implementation and inspection offices composed of experts on art history, architecture, city planning, engineering, archaeology a.s. professions shall be established in metropolitan municipalities, governorships, municipalities authorized by the Ministry to process and implement various aspects of cultural property. Moreover, project offices shall be established in special provincial administrations to prepare and implement surveys, restitution, restoration projects with the aim of conserving cultural property and training units to provide certified training to construction masters.

(Additional paragraph:14/07/2004 – 5226/4 article) Municipalities shall be competent within their municipal boundaries and adjacent areas, governorships shall be competent outside municipal boundaries.

(Additional paragraph:14/07/2004 – 5226/4 article) The above offices shall be obliged to control the implementation of conservation plans, project and material changes and undertake building inspection as deemed appropriate by the Regional Conservation Council.

(Additional paragraph:14/07/2004 – 5226/4 article) The composition of experts, the operation and work of these offices and the related procedures and principles of permission shall be specified in a **regulation** to be preparedby the Ministry and the Ministry of the Interior according to the characteristics of the area.

Rights and obligations:

Article 11 –(Amended: 22/05/2007 - 5663/1 article) Provided that maintenance and repair done by the owners of immovable cultural and natural property is in compliance with the maintenance and repair orders and instructions of the Ministry of Culture and Tourism stipulated in this law, they shall exercise the rights and exemptions defined on their behalf in this law. However, cultural and

natural property to be protected and their conservation sites cannot be acquired by means of possession or occupation.

The owners shall exercise all their rights of ownership and powers pertaining to the property as long as these do not contradict with the provisions of this law.

The property of persons who fail to fulfil their responsibilities of maintenance and repair as defined by this Law shall be duly expropriated. Registered and annexed foundation property shall not be subject to this provision.

If deemed appropriate by the Ministry of Culture and Tourism, the General Directorate for Foundations, special provincial administrations, municipalities and other public institutions and organisations can assist the above-mentioned owners, if necessary, in conserving, maintaining and repairing the immovable cultural and natural property with technical expertise and allocation from their funds.

Aid for repair of immovable cultural property and contribution fee

Article 12 – The Ministry of Culture and Tourism shall provide aid in kind, in cash and technical assistance for the conservation, maintenance and repair of cultural and natural property to be protected and owned by real and legal persons subject to civil law.

(Repealed second and third paragraphs: 21/02/2001 - 4629/6 art.)

(Repealed 4. paragraph: 14/04/2004 - 5226/6 art.)

(Additional paragraph: 14/07/2004 - 5226/6 art.) The budget of the Ministry shall receive adequate appropriations to this end. The procedures and principles of such aid and assistance to be provided by the Ministry shall be specified in a regulation.

(Amended paragraph 6: 04/02/2009 - 5835/1 art.) A Contribution Share for Preservation of the Immovable Cultural Assets at a rate of 10 % of the real estate tax accruing on the tax payers as per Articles 8 and 18 of Law No 1319 of 29/7/1970 on the Real Estate Tax is accrued and collected by the relevant municipalities along with the real estate tax for use for the purpose of preserving and exploiting the cultural assets falling in the task areas of the municipalities and provincial special administrations.

(Amended paragraph 7: 04/02/2009 - 5835/1 art.) The sums collected accumulate in the special accounts to be opened by the provincial special administrations. Such sums are transferred by the Governors to the provincial special administration and municipalities in the provincial territories for use in expropriation, design, planning and implementation of the projects prepared by the provincial special administrations and municipalities for the purpose of preserving and exploiting the cultural assets and such shares are used under the supervision of the governors. The sum used for the projects carried out by the provincial special administrations may not exceed 30 % of the respective special

account.

(Additional paragraph: 14/07/2004 - 5226/6 art.) Contribution fees accruing as per this article shall be subject to the provisions of Law numbered 1319, chapter three.

The Ministry of the Interior and the Ministry shall determine procedures and principles regarding contribution fees.

(Additional paragraph: 28/12/2006 - 5571/22 art.) According to the foregoing provisions, the amounts collected as contribution fee for the protection of immovable cultural properties is paid to the special provincial administrations by declaring within the same period, with a declaration, until the evening of the tenth day following the month that was collected. The contribution fees, by imposing a late fee thereto according to the provisions of "Procedures for the Collection of Public Receivables Law" numbered 6183, are collected from the municipalities which have not been deposited the same they already collected, to the special provincial administrations, within the period specified above.

(Additional paragraph: 28/12/2006 - 5571/22 art.) The mayors are obliged to ensure the payment of the contribution fees being collected by the municipalities for the protection of immovable cultural properties have to be paid in full at the right time to the special provincial administrations thereby. Upon the claim of the concerned special provincial administration, the contribution fees unpaid are deducted from the portion of general budget tax revenues, which have been taken by the related municipality from iller Bank and sent to the claimed special provincial administration.

(Additional paragraph: 14/07/2004 - 5226/6 art.) Minimum 10% of the loans given according to the Housing Development Law numbered 2985 shall be allocated to the maintenance, repair and restoration of registered cultural property. The Ministry and the Housing Development Administration shall determine priority projects within this scope jointly.

(**related legislation:

- 1) regulation on the contribution fee for the conservation of immovable cultural property
- 2) regulation on aid and assistance in the repair of immovable cultural property

Prohibition of transfer:

Article 13 – No immovable cultural and natural property to be protected owned by the Treasury and other public institutions and organisations registered and declared duly and immovable property belonging to these that are within the designated conservation site can be sold and donated to real and legal persons without the permission of the Ministry of Culture and Tourism.

Use:

Article 14 –The transfer of usufruct rights pertaining to immovable cultural and natural property to be protected to state departments, public institutions and organisations for periodic use in public service, to national associations serving

the public interest or leasing such property to real and legal persons shall be subject to permission by the Ministry of Culture and Tourism.

Transfer of usufruct rights of the mentioned property of foundations that are registered and annexed foundations administered and controlled by the General Directorate for Foundations and the administration of which has been transferred to the General Directorate for Foundations as per the Law on the Transfer of Ancient Structures of Historical and Architectural Value That Have Been Originally Foundations to the General Directorate for Foundations numbered 7044 to state departments, public institutions and organisations for the purpose of rendering public services and national associations working in the interest of the public for certain periods of time or leasing these to real and legal persons on the condition that they be used without violation of their character shall be authorized by the General Directorate of Foundations.

The above users of cultural and natural property to be protected shall be obliged to maintain, repair and restore these in line with the principles defined in this Law and undertake the related expenses.

Expropriation:

Article 15 – Immovable cultural property and its conservation site shall be expropriated according to the below principles:

a) Immovable cultural and natural property to be protected and conservation sites partially or wholly owned by real and legal persons shall be expropriated according to the programmes of the Ministry of Culture and Tourism. To this end, the Ministry of Culture and Tourism shall receive adequate budgetary appropriations.

(Additional paragraph: 17/06/1987 - 3386/5 art.; Amended: 14/07/2004 – 5226/7 art.) Public institutions and organisations, municipalities, special provincial administrations and unions of local administrations can expropriate registered immovable cultural property provided these be used in line with the functions prescribed by Regional Conservation Councils.

- **b)** The expropriation of immovable cultural and natural property to be protected and its conservation site originally owned by a foundation, but presently partially or wholly owned by real and legal persons shall be undertaken by the General Directorate for Foundations. The General Directorate for Foundations shall receive adequate budgetary appropriations to this end.
- c) The expropriation of conservation sites of immovable cultural and natural property to be protected that conjoin with roads, parking lots, green space on the development plan shall be undertaken by the municipality. These shall undertake the expropriation of conservation sites of cultural property under the responsibility of other public institutions and organisations in terms of maintenance and repair or where these have usufruct rights.
- d) The appreciation of the cost of expropriation shall not be based on the age,

uniqueness and artistic value of the immovable cultural property.

e) (Amended: 17/06/1987 - 3386/5 art.) Expropriations proceedings shall be subject to the provisions of this Law and to such provisions of the Expropriation Law numbered 2942 that do not contradict with this Law.

f) (Additional paragraph: 17/06/1987 - 3386/5 art.) (Amended:25/6/2009 -**5917/24 art)**The parcels accommodating the immovable cultural and natural assets to be protected, which are declared as the preservation sites and subject to a definite ban for construction under the 1/1000 scale approved conservation plan, may be swapped by any other Treasury land plot or plots independently or in return for shares thereof upon an application by the owners of all of the parcels on the same block and their agreement on all the parcels offered as a consideration thereof. Any requests by those who later acquire any immovable property for which an annotation is incorporated on their title deed logs to the effect that such property is declared a preservation site except by way of dispositions due to heritage and death are not taken under evaluation. However, in the case of any parcels in the areas on which excavations permitted by the Ministry are under way, the condition for an application and agreement by the owners applies for a parcel and then, the condition for the 1/1000 scale approved conservation plan is not required. Upon an application by the owners of the buildings or facilities on these parcels, their current market value is determined and paid as per the provisions of Article 11 of Law No 2942. The procedures and principles related to this paragraph are determined by the Ministry upon receipt of the affirmative comments of the Finance Ministry.

The procedures and principles of this provision shall be specified in a regulation.

Prohibition of unlicensed building:

Article 16 – Unlicensed construction on immovable cultural and natural property to be protected and on the related conservation site is prohibited. Unlicensed construction on the property and building in contradiction with the terms and conditions of the conservation plans and, for conservation sites, in conflict with the terms and conditions of the conservation site shall be duly processed according to the land development legislation.

Conservation principles and terms of use during the transition period regarding conservation sites and conservation plans

Article 17 – (Amended: 14/07/2004 - 5226/8 art.)

a) The proclamation of an area as a conservation site by the Regional Conservation Council shall halt all kind of planning implementation of any scale in this area. If applicable, any planning decisions and notes of the scale of 1/25.000 pertaining to the surrounding interactive area of the conservation site shall be revised by taking into account the status of the conservation site and be approved by the relevant administration.

Until completion of the conservation plan, the Regional Conservation Council shall

determine the principles and terms of use to apply for the transition period within three months.

Municipalities, governorships and the relevant institutions shall hold meetings in the area with the participation of the relevant professional organisations, civil society organisations, and residents affected by the plan, have the conservation plan prepared, examined, finalized and submit it to the Regional Conservation Council. Unless the conservation plan is prepared in two years, the implementation of the principles of conservation and terms of use pertaining to the transition period shall be suspended until the conservation plan is completed.

Provided there is a forceful reason for not preparing the plan in two years' time, the Regional Conservation Council can provide extension for one additional year.

Conservation plans negotiated and deemed appropriate by the Regional Conservation Council shall be submitted to the relevant administrations for approval.

The relevant administrations shall negotiate the conservation plan within at the latest two months and, if any, submit alterations to the Regional Conservation Council. The Regional Conservation Council shall evaluate these alterations and, if deemed appropriate by the Regional Conservation Council, the plan shall be resubmitted to the relevant administration for approval. Plans not approved within sixty days shall be deemed final and put into force. With the enforcement of the conservation plan, the transition period principles of conservation and terms of use shall be invalid without requirement for any decision to affect it.

The Ministry shall undertake commission and approve the implementation and alteration of landscaping projects regarding archaeological sites with the consent of the relevant Regional Conservation Council.

Alterations of conservation plans and landscaping projects shall be subject to the above procedures.

Conservation plans shall be prepared by professional experts appointed by the Ministry from the disciplines of architecture, restoration architecture, art history, archaeology, sociology, engineering, landscaping architecture **the author being an urban planner** by taking into account the location of the area, conservation site status and characteristics.

Procedures and principles pertaining to the preparation, demonstration, implementation, control of conservation plans and landscaping projects and the qualification of persons preparing the plan, their duties, powers and responsibilities shall be specified in a **regulation** to be issued by the Ministry and the Ministry of Public Works and Settlement.

The General Directorate of the Bank of Provinces shall receive sufficient budgetary appropriations for transfer to municipalities to be used in the implementation of the conservation plan. Special Provincial Administrations shall allocate funds from their own budget to implement the conservation plan.

In areas declared conservation sites by the Regional Conservation Council, the

construction of buildings the subbasement level of which has been completed prior to the publication of the above decision in conformity with the building license and its attachments obtained in line with the development legislation and approved development plan shall be continued, however the relevant administrations shall have the authority to execute ex officio the transfer of the right to construction according to paragraph (c) of this article. The building license for structures the subbasement level of which has not been completed shall be cancelled. The provisions of this article shall not apply for conservation sites subject to absolute prohibition of building.

- **b)** Immovable property owned by real and legal persons of civil law in conservation sites with an absolute prohibition of building according to the conservation plan, can be bartered with immovable property belonging to the municipality and the special provincial administration upon request of the owner.
- c) For municipal boundaries and their adjacent areas, municipalities, outside such boundaries governorships shall have the authority to transfer ownership of registered immovable cultural property the building rights of which have been restricted or of the immovable property situated on its conservation site or the building right of which has been restricted through a conservation plan or parts thereof subject to building restriction to areas owned by them or by third parties that are marked as cleared for building in the development plans within the scope of a programme prioritizing exercising the rights from such transfer.

The transfer shall be based on the fair market value offset of a real estate valuation company that has been approved by the Capital Market Board. However, if the to be transferred right is related to the registered immovable cultural property the value of the structure shall not be considered.

The relevant administrations shall have the authority to issue documents to ensure that the right to build that has been restricted be enjoyed in other areas cleared for building and allocated as transfer areas within the scope of the development plan, this right is converted into securities registered in the name of the holder, and to present these documents to the eligible owners of the immovable property in areas where building rights are restricted with a due annotation in the title deed and to collect these to license areas allocated as transfer areas in the development plan with a due annotation in the title deed. The Bank of Provinces shall print, keep, approve the transaction of this change of hands, set up and monitor the database related to these securities.

If the right to build is completely transferred due to an absolute building prohibition in the area, the ownership of the immovable property where there is a restriction of right to build shall pass to the relevant administration along with its annexes and parcels, be registered in the name of the administration and never be sold.

If the owner has a protectable right to build in the parcel to be transferred, the right to build shall be deemed as partially transferred. Thus, his/her ownership in the area subject to a building restriction shall continue.

However, if the transferable right is related to a registered immovable cultural property, the owner shall be obliged following receipt of securities to commence and complete

maintenance, repair and restoration works necessary to conserve and revive the mentioned property in conformity with a protocol to be signed with the relevant administration. Otherwise, the relevant administration shall have the authority to collect from the owner the price and interest of the received security. This and the protocol shall be recorded in the title deed exempt from any kind of charges, fees and stamp duties before the delivery of the security by the relevant administration.

If it is not possible to determine the area to be transferred within the municipal boundaries where the restricted right exists, the relevant administrations shall have the authority to implement joint programmes.

Principles and procedures related to the implementation of the above paragraph shall be specified in a **regulation** to be prepared by the Ministry of Public Works and Settlement, Ministry of the Interior and the Ministry.

Principles of building:

Article 18 - (Amended: 17/06/1987 - 3386/7 art.)

The Regional Conservation Council shall group the immovable cultural property to be protected within three months following the application of the owners.

The grouped immovable cultural property shall be recorded under the declarations field in the title deeds registry. Repair and building principles cannot be determined without grouping.

(Additional paragraph: 14/07/2004 – 5226/9 art.) A restoration architect or an architect must be present during the survey, restoration and restitution projects and their implementation. The survey, restoration and restitution project implementation works of group 1 shall be undertaken by experts in engraving, wood, iron, stone and restoration based on the characteristics of the structure.

(Additional paragraph: 14/07/2004 – 5226/9 art.) Persons who are directly or indirectly involved in implementation outside the scope of approved plans and projects in conservation sites, cultural property to be protected and their conservation zones thereof shall be banned for five years from plans, projects and management of implementation of activities related to the Regional Conservation Councils. The relevant municipality or governorship shall supervise persons in charge of implementation. Contradictory acts shall be reported to the Ministry and the relevant professional chamber.

(Additional paragraph: 14/07/2004 – 5226/9 art.) Irrespective of the reason, if the person in charge of implementation leaves during the implementation phase of the project, the Ministry shall be informed and implementation suspended until a replacement is found.

(Additional paragraph: 14/07/2004 – 5226/9 art.) The building principles, inspection and procedures and proceedings of the implementation of this article shall be specified in a regulation to be prepared by the Ministry.

Local administrations cannot alter decisions of the Regional Conservation Councils regarding a new construction or an addition or auxiliary building on the parcel of the immovable cultural property or the approved cultural property projects. However, they shall check the conformity of the structure to be built with technical and health legislation.

The parcels of immovable cultural property to be protected cannot be divided and combined in a way to affect the cost of the immovable cultural property.

Obligation of the owners to give permission:

Article 19 – The owners of immovable cultural and natural property shall be obliged to permit and facilitate the work of experts assigned by the Ministry of Culture and Tourism, when necessary, to inspect, examine, prepare the map, plan and survey, photograph and copy of the property. However, officials shall perform their tasks without violating private property and life.

Transport of immovable cultural property:

Article 20 – Immovable cultural property and its components shall be conserved in-situ. However, if transporting the immovable cultural property to another location is mandatory or necessary due to its characteristics, the Ministry of Culture and Tourism can undertake the transport with the consent of the Regional Conservation Council by taking the necessary security measures. If the owner of the immovable property incurs damage because of the transport of the cultural property, compensation shall be determined by a commission formed by the Ministry of Culture and Tourism and paid to the aggrieved.

Exceptions and exemptions:

Article 21 - (Amended: 17/06/1987 - 3386/8 art.)

(Repealed first paragraph: 14/07/2004-5226/27 art.)

(Repealed first paragraph: 14/07/2004-5226/27 art.)

Immovable cultural property registered as "immovable cultural property to be protected" and classified as group I and II and parcels of immovable cultural and natural property in archaeological sites and natural sites with absolute building prohibition shall be exempt from all kind of taxes, duties and levies.

On the condition that they be used for identification, projects, maintenance, repair, restoration, excavation and security in museums aimed at conserving cultural property all kind of tools, equipment, machinery, technical materials and chemical substances, gold and silver leaf to be imported by the Turkish Grand National Assembly, the Ministry of National Defence, the Ministry and the General Directorate for Foundations shall be exempt from all kind of taxes, duties and levies.

Repair and construction works concerning immovable cultural property undertaken in line with the decisions of the Regional Conservation Council shall be exempt from taxes, duties, levies and expenditure contribution collected according to the Municipal Revenues Law.

(Additional paragraph: 14/07/2004-5226/27 art.) Immovable cultural property registered as per this Law shall not be subject to the provisions of the Law on Building Inspection numbered 4708 and dated 29/06/2001.

Article 22 – (Repealed: 17/06/1987 - 3386/18 art.)

CHAPTER THREE Movable Cultural and Natural Property to be Protected

Movable cultural and natural property to be protected:

Article 23 – The following shall be movable cultural and natural property to be protected:

a) (Amended: 17/06/1987 - 3386/9 art.) All kind of cultural and natural property from geological periods, prehistory and recorded history, having documentary value in terms of geology, anthropology, prehistory, archaeology and art history reflecting the social, cultural, technical and scientific characteristics and level of the period they belong to.

All kind of animal and plant fossils, human skeletons, firestones (sleks), volcanic glass (obsidian), all kind of tools made of bones or metal, tiles, ceramics, similar pots and pans, statues, figurines, tablets, weapons to cut, for defence and assault, icons, glassware, ornaments (hülliyat), ring stones, earrings, needles, pegs, stamps, bracelets a.s., masks, crowns (diadems), leather, cloth, papyrus, parchment or documents inscribed or described on metal, balances, coins, stamped or inscribed tablets, handwritten manuscripts or books with tezhip (gilding), miniatures, embossing of artistic value, oil or water colour paintings, reliques (muhallefat), arms (niṣan), medals, portable goods and their parts made of tiles, soil, glass, wood, textiles a.s.

Cultural property of ethnographic quality relating to science, religion and mechanical (mihaniki) arts including artefact tools and equipment reflecting the social mission of peoples.

Coins pertaining to the period of the Ottoman Sultans Abdülmecit, Abdülaziz, V. Murat, II. Abdülhamit, V. Mehmet Reşat and Vahdettin can be bought and sold domestically without being registered according to this Law.

Coins that do not fall under the scope of this article shall be subject to the general provisions of the Law.

b) Due to their importance for national history, documents and goods of historic value relating to the National Independence War period and the Foundation of the Republic of Turkey, personal belongings, documents, books, correspondences and similar movables of Mustafa Kemal ATATÜRK.

Management and supervision:

Article 24 – (Amended: 17/06/1987 - 3386/10 art.)

The State shall have the responsibility to ensure that movable cultural and natural property to be protected owned by the state (state property) is preserved by the state or in museums, is conserved and evaluated. The Ministry can buy such property from real

and legal persons by paying for their cost.

Buying, selling and transfer of ethnographic cultural property specified in paragraph (a) of article 23 shall be free within the borders of the country. To which period the ethnographic antiquities free to be bought and sold belong and other features thereof, terms and conditions for their record and registration shall be specified in a regulation.

The Ministry, Ministry of National Defence or the Higher Institute for Atatürk, Culture, Language and History can purchase movable cultural property relating to the National Independence War period and the History of the Republic of Turkey and Ataturk.

However, museums affiliated to the Ministry or specialist staff available at some of the customs exit gates can check the transport of such antiquities out of the country. A regulation shall specify the border gates where such specialists shall be available.

Antiquities that are not allowed to be taken out of the country resulting from the control shall be identified and returned to the owner on the condition that they be evaluated in the country.

The State's right to preference shall be reserved regarding antiquities that can be bought and sold freely as specified in this article.

Transfer to museums:

Article 25 – The Ministry of Culture and Tourism shall classify and register based on scientific principles movable cultural and natural property declared to the Ministry of Culture and Tourism according to article four and movable cultural and natural property to be protected as specified in article 23. Antiquities that need to be conserved in state museums shall be duly transferred to museums.

The criteria, procedures and principles for classification, registration and transfer to museums of movable cultural and natural property to be protected shall be specified in a regulation.

The historical features of all kind of weapons and materials concerning Turkish military history shall be surveyed, examined and evaluated by the General Staff at the location they are found or are reported to be found.

Antiquities excluded from the classification and registration and not needed to be placed in museums shall be returned with a document to their owners. The cultural property that has been returned with a document shall be at the discretion of their owner. Antiquities not taken back within one year by their owners can be kept at the museum or sold duly by the State.

Museum, private museum and making collection:

Article 26 – The Ministry of Culture and Tourism shall have the mandate to build and develop museums of cultural and natural property falling under the scope of this Law.

Ministries, public institutions and organisations, real and legal persons and foundations can create collections of all kind of cultural property to develop their service or fulfil their

purpose and establish museums, if they obtain permission from the Ministry of Culture and Tourism. However, the specialty and field of activity of museums to be established by real and legal persons and foundations, their declared interests shall be evaluated in their application and reflected in the permit to be issued by the Ministry of Culture and Tourism.

Museums to be established by real and legal persons can keep and exhibit movable cultural property provided that they remain within the field of activities recorded in the permit issued by the Ministry of Culture and Tourism. Museums that conserve movable cultural property shall have the status of state museums.

The aim of establishment, duties and management, supervision and control of the mentioned museums shall be specified in a regulation.

The General Staff shall have the authority to establish, revive, and identify the materials and field of activities of military state museums that are specialty and research museums. The duties, authorities, responsibilities and work of these museums shall be specified in a regulation to be jointly prepared by the Ministry of National Defence and the Ministry of Culture and Tourism.

Real and legal persons can create collections of movable cultural property to be protected by means of a permit issued by the Ministry of Culture and Tourism.

Collectors shall be obliged to report their activities to the Ministry of Culture and Tourism and record their movable cultural property in the inventory logbook according to the regulation.

Collectors can exchange and sell all kind of antiquities in their collection to each other by registering these in the relevant museum on the condition that they inform the Ministry of Culture and Tourism fifteen days in advance. The Ministry of Culture and Tourism shall be given priority in buying these.

**related legislation:

- 1) regulation on collections of movable cultural and natural property to be protected and their inspection
- 2) regulation on private museums and their inspection
- 3) regulation on military museums

Trade of cultural property:

Article 27 – Movable cultural property left out of the scope of classification and registration as per article twenty-five and not deemed necessary to be kept in state museums can be traded with a permit to be provided by the Ministry of Culture and Tourism.

Persons who want to engage in this trade shall be obliged to obtain a license from the Ministry of Culture and Tourism. These licenses shall be valid for three years. The license can be extended one month before its expiry. The licenses of persons acting in contradiction with the provisions of this Law shall be cancelled regardless of their duration.

(***related legislation: regulation on the trade of movable cultural property and the inspection of offices and storage areas used for this trade)

Prohibition to declare the residence as office:

Article 28 – Persons engaged in the trade of cultural property shall declare a place for their trade activities. However, they cannot declare their residence as office or storage area.

Inspection of offices and storage areas:

Article 29 – Officials from the Ministry of Culture and Tourism shall inspect the offices and storage areas of persons trading with cultural property in line with principles set forth in a regulation.

Obligation to inform:

Article 30 – Public institutions and organisations, (including municipalities and special provincial administrations), foundations, real and legal persons shall be obliged to, first of all, inform and show state museums movable cultural and natural property and collections that are commodities and estate for sale or objects for sale at an auction. The Ministry of Culture and Tourism can buy collections of cultural and natural property over the value appraised by a commission it shall establish. Among these, those that have been referred to the treasury and need to be included in the museum collection shall be transferred to the Ministry of Culture and Tourism according to the provisions of the Regulation on Official Goods.

Public institutions and organisations, foundations, real and legal persons mentioned above shall be obliged to inform and show the General Staff cultural property relating to our military history, weapons and collection of military materials that are for sale and among their estate or for sale at an auction. Among these, those that have been referred to the treasury and need to be included in the military museum collections shall be transferred to the Ministry of National Defence according to the provisions of the Regulation on Official Goods.

Article 31 - (Repealed: 17/06/1987 - 3386/18 art.)

Prohibition to take abroad:

Article 32 – Movable cultural and natural property to be protected in the country cannot be taken abroad. However, on the condition that, foreign officials provide guarantee and insurance against the possibility of all kinds of damage, loss, threat or violations, and in respect of national interests, the Council of Ministers shall make decision on a temporary exhibition abroad and the return of the property following the decision of the scientific council composed of the heads of archaeology and art history departments of higher education institutions and the proposal of the Ministry of Culture and Tourism.

Members of the diplomatic corps in Turkey can take abroad cultural property of foreign origin they brought with them, which was declared upon entry into the country.

The principles for transporting cultural and natural property for temporary exhibition abroad, procedures to apply at the entry and exit of property that is brought by the

diplomatic corps to Turkey, documents requested and all other relating issues shall be specified in a regulation to be jointly prepared by the Ministry of Culture and Tourism, the Ministry of National Defence and the Ministry of Foreign Affairs.

Bringing property into the country:

Article 33 – Cultural property can be freely brought into the country.

Copying:

Article 34 – The Ministry of Culture and Tourism shall have the authority to permit photographing and filming, making the impression and copy of movable and immovable cultural property at archaeological sites and museums affiliated to the Ministry of Culture and Tourism for the purposes of education, training, scientific research and promotion.

The principles thereof shall be specified in a regulation.

CHAPTER FOUR

Survey, Sounding, Excavation and Treasure Hunting

Permit to survey, sound and excavate

Article 35 – The Ministry of Culture and Tourism shall have the exclusive right to survey, sound and excavate with the view of recovering movable and immovable cultural and natural property subject to the provisions of this law. Permit to survey shall be given by the Ministry of Culture and Tourism to Turkish and foreign teams and organisations whose scientific and financial capacity has been appraised and approved by the Ministry. Permit to survey and excavate shall be given by the Council of Ministers upon proposal of the Ministry of Culture and Tourism. Survey, sounding and excavation undertaken by Ministry of Culture and Tourism officials or Turkish scientists assigned by the Ministry shall be bound to a permit by the Ministry of Culture and Tourism. A license for survey, sounding and excavation in restricted military zones shall be issued in the name of the experts that have been notified by the above mentioned teams and organisations upon permission of the General Staff. Unless a justification is provided to the Ministry of Culture and Tourism, the teams and organisations cannot change the names on this license.

The Ministry of Culture and Tourism shall determine regions underwater with a cultural and natural property to be protected with the cooperation of the relevant institutions and organisations and publish these via a Council of Ministers decision. In these regions, sports diving shall be prohibited and excavation and sounding shall be allowed provided that a permit be obtained according to the provisions of article two.

(**related legislation: regulation on survey, sounding and excavation of cultural and natural property)

Excavation on private property:

Article 36 – Survey, sounding, excavation to be undertaken by the owners of immovable cultural property on their own property with the aim of looking for cultural property shall be subject to the provisions of article 35 and 41 of this Law.

Procedure concerning the permit for excavation:

Article 37 – An excavation team or person cannot receive permits to excavate and sound at more than one location at the same time except for recovery excavations undertaken by the Ministry of Culture and Tourism. Permission, survey, sounding, excavation, terms and conditions of the preservation of cultural and natural property found, other rights concerning these findings to be granted to surveyors, sounders and excavators shall be specified in a regulation.

Non-transferable permit for excavation:

Article 38 – The license of excavation and sounding issued to Turkish and foreign scientific institutions or persons acting on the behalf of such and the permit of survey cannot be transferred without the consent of the Ministry of Culture and Tourism. These tasks cannot be delegated to other persons.

Invalidity of permits for survey, sounding and excavation:

Article 39 – If works are not commissioned within at the latest six months as of the date of issuing the license, the permits and licenses of survey, excavation and sounding shall be rendered null and void, unless a justification is presented to and accepted by the Ministry of Culture and Tourism. Survey, sounding and excavation works cannot be suspended for more than two months without justification. The permit and license of persons who exceed this period shall be deemed cancelled. Moreover, the permit and license of persons contradicting with the provisions of this Law shall be cancelled and not reissued.

Duration of the permit for survey, sounding and excavation:

Article 40 – The license of excavation and sounding and the permit for survey shall be valid for one year. Provided that at expiry of the license and permit the director of the excavation notifies in writing that excavation, sounding and survey works will continue, these rights shall be reserved for the next years on the condition that the applicant submit an application every year.

Transport of excavated antiquities to museums:

Article 41 – All movable cultural and natural property that has been excavated shall be transported by the excavation team or institution to a state museum to be determined by the Ministry of Culture and Tourism at the end of the excavation year. Human and animal skeletons and all fossils discovered during excavations and sounding can be given to natural history museums, universities or other Turkish scientific institutions, if deemed appropriate by the Ministry of Culture and Tourism. Moreover, all kinds of movable cultural property relating to military history discovered during excavation works and sounding shall be transferred to military museums by the Ministry of Culture and Tourism with the consent of the General Staff.

Obligation to compensate for damage:

Article 42 – If persons with a permit to excavate and sound undertake these works on private property, they shall be obliged to compensate the property owners for damage that occurs during the excavation, sounding and survey. Property owners shall be obliged to allow excavation, sounding or survey in return for a compensation, the amount of which shall be appraised by a commission to be formed by the Ministry of Culture and Tourism.

Such areas can be expropriated by the Ministry of Culture and Tourism, in case of necessity. If the excavation is undertaken by foreign scientific organisations, the excavation director shall pay the cost of expropriation. For the appraisal of the cost of expropriation of the areas to be registered in the name of the Treasury, general expropriation provisions shall apply. For the appraisal of the compensation and the cost of expropriation as per this article, the age, uniqueness and artistic value of the existing cultural and natural property determined before the excavation, sounding and survey activities take place and the value of the cultural property that will be determined as a result of these activities shall not be taken into account.

Right to publication:

Article 43 – According to the provisions of the Law on Intellectual and Artistic Works numbered 5846 persons actually managing the excavation, sounding and survey on behalf of teams and institutions that received permit for excavation, sounding and survey shall have the right to publicize the property discovered during the excavation, sounding and survey works. The directors of excavation shall be obliged to submit a scientific report to the Ministry of Culture and Tourism at the end of each excavation period. If the excavation teams do not publish scientific reports concerning the excavation periods at the latest within two years and the final scientific reports within five years' time as of the end of excavations, all kinds of publication rights regarding cultural and natural property discovered during the excavation, sounding and survey shall pass over to the Ministry of Culture and Tourism.

Scientific reports on the excavation, sounding and survey conducted on behalf of the Ministry of Culture and Tourism shall be prepared for publication by the directorship of excavation. The Ministry of Culture and Tourism shall publish reports it deems necessary.

Teams and persons not having their final reports published within the abovespecified period except for excuses accepted by the Ministry of Culture and Tourism shall not be given any license for a new excavation.

Expenses:

Article 44 – Wages and expenses relating to guards to be recruited temporarily to protect the excavation, sounding and survey site and the cultural property found during the survey, sounding and excavation, the expenses concerning the reassembling of the site, compensation for potential damage to arise during the excavation etc. expenses shall be paid through the money deposited to the revenues authority collected from the excavation directors according to a regulation, at the time the Ministry of Culture and Tourism issues the license or extends the period money deposited to the revenues authority. If the Ministry of Culture and Tourism provides funds, provisions for these expenses do not have to be deposited with the revenues authority.

Conservation and landscaping:

Article 45 – Maintenance, repair and landscaping of immovable cultural and natural property found during excavations that have been permitted by the Ministry of

Culture and Tourism and maintenance and repair of movable cultural and natural property shall be undertaken by the directorship of excavation.

Temporary and permanent suspension of survey, excavation and sounding:

Article 46 – Survey, excavation and sounding in contradiction with the provisions of this Law shall be suspended on a temporary or permanent basis by the Ministry of Culture and Tourism.

Transfer of facilities:

Article 47 – Storage areas, lodgings and similar facilities and materials acquired on various occasions or built to commence works or during ongoing works by persons carrying out the excavation, sounding and survey works on behalf of the team and institutions shall be transferred to the Ministry of Culture and Tourism free of charge. The Ministry of Culture and Tourism shall determine the purpose of use of these facilities.

Assignment to work in the survey, excavation and sounding:

Article 48 – One or more expert representatives from the General Directorate for Cultural Heritage and Museums affiliated to the Ministry of Culture and Tourism shall be present at the survey, excavation and sounding undertaken by foreign teams and institutions. An authorized expert shall participate in the survey, excavation and sounding works undertaken by Turkish teams and institutions on behalf of the Ministry of Culture and Tourism. The selection procedure and duties of the representative and experts shall be specified in a regulation.

The Ministry of Culture and Tourism shall cover the travel expenses, per diems and exigencies of representatives of the Ministry at excavations of Turkish teams and institutions according to the provisions of Allowance Law numbered 6245.

Travel expenses, per diems, representation allowance and underwater diving expenses of representatives of the Ministry of Culture and Tourism to be assigned to work in the survey, excavation and sounding undertaken by foreign institutions and teams shall be collected in advance by the Ministry of Culture and Tourism from the excavation directorship and deposited to a state bank. The amount of the representation allowance shall be determined every year by the Ministry of Culture and Tourism.

Prohibition of survey, excavation and sounding:

Article 49 – Members of embassies and consulates in Turkey shall not be given permission to survey, excavate and sound.

Treasure hunting:

Article 50 – The Ministry of Culture and Tourism can issue to interested persons a license to hunt for treasures except in areas defined as immovable cultural and natural property to be protected according to article 6 of this Law, and identified and registered as conservation sites and graveyards.

Persons interested in treasure hunting shall not be given permission to survey in more than one area at the same time. The permit to treasure hunt cannot be

transferred. This task cannot be delegated to other persons.

The hunter shall pay for the travel expenses, per diems and exigencies of persons sent to the area as representatives of the Ministry of Culture and Tourism and other public institutions and organisations. The necessary funds shall be collected in advance by the Ministry from the treasure hunter and deposited to a State bank.

Issuing the survey license, documents to be requested by the treasure hunter, surveying, rights for the hunter relating to the excavated treasure shall be specified in a regulation jointly prepared by the Ministry of Culture and Tourism and the Ministry of Finance.

CHAPTER FIVE

Superior Council for Conservation of Cultural and Natural Property and Regional Conservation Councils

Establishment, duties, authority and work:

Article 51 - (Amended: 17/06/1987 - 3386/11 art.)

A "Superior Council for the Conservation of Cultural and Natural Property" affiliated to the Ministry of Culture and Tourism and "Regional Councils for the Conservation of Cultural and Natural Property" determined by the Ministry shall be established to conduct the services regarding immovable cultural and natural property to be protected in the country and under the scope of this Law scientifically.

The following shall be the duties and powers of the Superior Council for Conservation of Cultural and Natural Property:

- **a)** To determine the principles to apply for the conservation and restoration regarding immovable cultural and natural property to be protected,
- b) To ensure the coordination among Regional Conservation Councils,
- c) To assist the Ministry by evaluating the general problems encountered in practice and presenting an opinion.

The Superior Council for Conservation shall meet at least twice a year. The Ministry shall summone the Council to an extraordinary session, in case of necessity.

The Superior Council for Conservation shall convene by absolute majority and decide with at least three fourth of the votes of the members present at the meeting.

Procedures, principles and other issues relating to the work of the Superior Council for Conservation shall be specified in a regulation.

Article 52 - (Repealed: 17/06/1987 - 3386/18 art.)

Membership to the Superior Council for Conservation: Article 53 – (Amended: 17/06/1987 - 3386/12 art.) The members of the Superior Council for the Conservation of Cultural and Natural Property shall be:

- (1) Undersecretary of the Ministry,
- (2) Deputy Undersecretary of the Prime Ministry,
- (3) The related Deputy Undersecretary of the Ministry,
- (4) Director General for Cultural Heritage and Museums,
- (5) Director General for Tourism,
- **(6)** The related Director General or Deputy Director General from the Ministry of Public Works and Settlement,
- (7) Director General or Deputy Director General for Forestry,
- (8) Director General or Deputy Director General for Foundations,
- **(9)** Six chairpersons of Regional Conservation Councils to be selected by the Ministry.
- (10) (Addition: 26/05/2004-5177/27 art.) General Director or Deputy Director General for Mineral Works,
- (11) (Addition: 26/05/2004-5177/27 art.) General Director or Deputy Director General for Nature Protection and National Parks.

The chairperson of the Superior Council for Conservation shall be the Undersecretary of the Ministry.

In the absence of the undersecretary, the deputy undersecretary shall chair the Council.

Qualifications of representative members

Article 54 – Representative members of the Superior Council for Conservation shall be the graduates of the higher education, recognised for one or more of the disciplines specified in Article 53,undertaken studies in these disciplines, preferably with published works nationally or internationally.

End and duration of membership to the Superior Council for Conservation and Regional Conservation Council and the right to attendance fee (honorarium) Article 55 – (Amended: 14/07/2004 - 5226/10 art.)

The Membership of members from the institutions to the Superior Council for Conservation and Regional Conservation Councils shall continue until the end of their function in their respective institutions.

(Amended: 04/02/2009 - 5835/2 art.) The tenure of the members of Regional Conservation Councils, who are selected by the Ministry and Higher Education Council, is three years.

Members of the Superior Council for Conservation and Regional Conservation Councils cannot be a direct or indirect party to a matter falling under their mandate and power and, on no account, pursue any interest. The Ministry shall terminate the membership of those contradicting this provision.

(Amended: 04/02/2009 - 5835/2 art.) Attendance remuneration to be found multiplying the monthly salary co-efficient for the civil servants by the indicator number (5000) is paid to the members of Superior Council for Conservation as well as to those members of the Regional Conservation Councils who are selected by the Ministry and Higher Education Council for each meeting provided that payment is limited to maximum six meetings per month; similarly, attendance remuneration to be found multiplying the monthly salary co-efficient for the civil servants by the indicator number (2000) is paid to the members of the Regional Conservation Councils, who are the representatives of the relevant institutions, for each meeting provided that payment is limited to maximum six meetings per month.

The membership to Regional Conservation Councils of members that do not attend four or two consecutive meetings in one year irrespective of the reason except for annual leave, illness and other legitimate excuse shall be terminated.

Article 56 - (Repealed: 17/06/1987 - 3386/18 art.)

Duties, powers and work of Regional Conservation Councils: Article 57 – (Amended: 17/06/1987 - 3386/14 art.)

Regional Conservation Councils shall have the following duties and powers bound to the resolutions of the Superior Council for Conservation:

- **a)** To register cultural and natural property to be protected as determined by the Ministry,
- b) To group cultural and natural property to be protected,
- **c)** To identify terms and condition for building in the transition period within three months after the registration of conservation sites,
- d) To examine and decide conservation plans and all kind of related alterations,
- **e)** To determine the conservation site of immovable cultural and natural property to be protected,
- **f)** To delete records of cultural and natural property to be protected that have lost their specific characteristics,
- g) To make decisions on implementation relating to immovablecultural and natural property to be protected and conservation sites. (1)

(Additional paragraph: 04/02/2009 - 5835/3 art.) The Regional Conservation Councils for Preservation of the Cultural and Natural Properties which are set up as per Law No 5366 to approve any renovation projects in the renovation zones declared pursuant to Law No 5366 of 16/6/2005 On Preservation by Renovation and Utilization by Revitalizing of Deteriorated Immovable Historical and Cultural Properties Law, have the task and

authorization to carry out the works which are specified by this article.

(Amended paragraph: 14/07/2004 - 5226/11 art.) The Council shall elect the chairperson and deputies of the Regional Conservation Council from among their members. In the absence of the chairperson, the deputy shall chair the Council.

(Amended paragraph: 14/07/2004 - 5226/11 art.) Regional Conservation Councils shall convene by absolute majority of the members that have to attend and decide by absolute majority of the members that attend the meeting. However, the quorum cannot be less than the absolute majority of the number of members elected by the Ministry and Higher Education Council. The decisions shall be recorded together with their scientific rationales and grounds related to this Law and resolutions.

(Amended paragraph: 04/02/2009 - 5835/3 art.) The technical and administrative services of the Regional Conservation Councils are carried out by the directorships of Regional Conservation Councils. The Coordination Directorship for the Regional Conservation Councils is set up to provide coordination over the technical and administrative works between the councils in the provinces where there are more than three Regional Conservation Councils. The directorships of Regional Conservation Council operate under the Coordination Directorship for the Conservation Regional Councils.

(Additional paragraph: 14/07/2004 - 5226/11 art.) The Regional Conservation Council shall decide conservation plans within at the latest six months and implementation projects within at the latest three months as of the date of presentation of complete documents to the Regional Conservation Council.

(Additional paragraph: 14/07/2004 - 5226/11 art.) Restoration and repair relating to immovable cultural and natural property and their conservation sites not licensed according to article 21 of the Land Development Law numbered 3194 shall be undertaken consistent with its unique shapes and materials with the permission and under the supervision of the administrations that have established in-house conservation, implementation and inspection offices. All other construction and physical interventions have to be permitted by the Regional Conservation Council.

(Additional paragraph: 14/07/2004 - 5226/11 art.) However, for conservation sites the conservation plan of which has been approved, construction and physical intervention in parcels other than immovable cultural and natural property parcels shall be subject to the permission and supervision of administrations that have in-house conservation, implementation and inspection offices in line with the provisions regarding conservation plans.

(Additional paragraph: 14/07/2004 - 5226/11 art.) Restoration andrepair of cultural property owned by registered foundations or annexed foundations administered and supervised by the General Directorate for Foundations that are not covered by the license as per article 21 of the Land Development Law numbered 3194 shall be undertaken by the General Directorate for Foundations in compliance with their unique shapes and materials.

(Additional paragraph: 14/07/2004 - 5226/11 art.) Reports and documents pertaining to

pre- and post repair and restoration works of immovable cultural and natural property and their conservation sites shall be submitted to the relevant Regional Conservation Council directorships by the administrations involved and the General Directorate for Foundations.

(Additional paragraph: 14/07/2004 - 5226/11 art.) Matters regarding the implementation of this article shall be determined in a regulation to be issued by the Ministry.

(**relating legislation:

- 1) regulation on the establishment, permit, working procedures and principles of conservation, implementation and inspection offices, project offices and education and training units
- 2) regulation on objections to the Superior Council for Conservation and the works of the Superior Council for Conservation of Cultural and Natural Property and Regional Conservation Councils)

The constitution of Regional Conservation Councils:

Article 58 - (Amended: 17/06/1987 - 3386/15 art.)

The members of Regional Conservation Councils shall be:

- **a)** five persons to be elected by the Ministry that are specialized in archaeology, art history, law, architecture and city planning, (1)
- **b)** two academicians not from the same discipline to be elected by the Higher Education Council from science disciplines such as archaeology, art history, architecture, urbanisation of the relevant institutions,
- c) If the subject of negotiation is within municipal borders, the mayor or his/her technical representative, if it is outside municipal borders a technical representative to be appointed by the governorship,
- **d)** If the subject of negotiation is related to the Ministry of Public Works and Settlement, a technical representative from the Directorate of Public Works and Settlement,
- **e)** If the subject of negotiation is related to the General Directorate for Foundations, the regional director for foundations or his/her technical representative,
- **f)** If the subject of negotiation is related to the Ministry of Environment and Forestry, the relevant technical representative.
- g) (Addition: 14/07/2004 5226/12 art.) If the issue is related to the museum directorship, the relevant museum director.

The Council can consult an expert who shall not have any right to vote.

(Additional paragraph: 14/07/2004 – 5226/12 art.) The relevant professional

organisations can attend the regional conservation council meetings as observers.

Article 59 - 60 - (Repealed: 17/06/1987 - 3386/18 art.)

Obligation to comply with the decisions

Article 61 – (Repealed: 17/06/1987 - 3386/18 art.; new regulation: 14/07/2004 – 5226/13 art.)

Public institutions and organisations, municipalities, real and legal persons shall be obliged to comply with the decisions of the Superior Council for Conservation and Regional Conservation Councils.

The decisions of the Superior Council for Conservation shall be published in the Official Gazette.

Public institutions and organisations, governorships and municipalities with planning authorities and powers can object within sixty days to the past and future decisions of the Superior Council for Conservation regarding the conservation site, its grading, principles of conservation and terms and conditions of use to apply during the transition period of the conservation site, conservation plans and their revision.

These objections shall be considered by the Superior Council for Conservation and decided within at the latest six months. Procedures and principles regarding objections to be made to the Superior Council for Conservation shall be specified in a regulation to be issued by the Ministry.

Travel expenses and per diems of Council Members:

Article 62 – The travel expenses and per diems of habitual members of the Superior Council for Conservation and Regional Councils for Conservation that are subject to general allowance provisions and travel outside their area of official service for the council meetings shall be covered by the institutions they work for and that of the other members by the Ministry of Culture and Tourism.

Council regulation:

Article 63 – Duties, powers and responsibilities of the Superior Council and Regional Council and their relation with the Ministry of Culture and Tourism shall be specified in a regulation.

CHAPTER SIX Prizes and Penalties

Prizes to persons finding cultural property:

Article 64 – For persons that report movable cultural property found on the ground, under the ground and under the water within the borders of the Republic of Turkey to the competent authorities within the periods mentioned in article 4 the following shall apply:

a) If the find is on their property, article 24 and 25 of this Law shall apply. No additional bonus shall be given.

- **b)** If the find is on the property of a person, 80% of the amount estimated by the Ministry of Culture and Tourism as the value of the property shall be divided equally as bonus between the person finding the property and the owner of the property.
- c) If the cultural property is found on land owned by the state,40 %of the appraised value shall be given to the finder as bonus.
- **d)** Irrespective of where it is found, if the reported cultural property does not have characteristics requiring protection, persons that report it shall be processed according to article 25 of this Law. No additional bonus shall be given.
- e) Irrespective of where it is found, persons reporting newly found cultural property that has not been declared until the deadlines in article 4 and public officials intercepting such property shall receive a bonus the value of which shall be determined over the rates indicated for movable goods according to the "Law on Bonuses to be Given to Persons Reporting Concealed Movable and Immovable Properties and their Usufruct Rights and Permanent Taxes" numbered 1905.
- **f)** If more than one person finds, reports or intercepts cultural property according to one of the above paragraphs the bonus shall be divided equally between them.
- g) Issues related to the accrual and payment of the above bonuses shall be specified in a regulation to be prepared jointly by the Ministry of Finance and the Ministry of Culture and Tourism.

Penalties:

Article 65 -(Amended: 23/01/2008 - 5728 /408 art.)

a) Persons who demolish, degrade, destroy, make disappear or, in any manner, damage immovable cultural and natural property to be protected or give rise to such acts by intent shall be punished with a prison sentence of two to five years and judicial fine up to five thousand days.

If such acts are committed with the intent of smuggling cultural and natural property to be protected out of the country the above penalties shall be increased one fold.

- **b)** Persons undertaking unlicensed construction and physical intervention in conservation sites contrary to the principles of conservation and terms and conditions of use pertinent to the transition period, conservation plans and prerequisites envisaged for the conservation sites identified by Regional Conservation Councils or persons soliciting such acts shall be punished a prison sentence of two to five years and judicial fine up to five thousand days.
- c) Persons allowing demolition or development irregularities not in line with the procedures covered in this Law shall be punished with a prison sentence of two to five years and judicial fine up to five thousand days.
- **d)** Persons who undertake repair and restoration works without the permission or contrary to the permission of the administration that has conservation, implementation and inspection offices according to paragraph six and seven of article 57 of this Law or

who undertake construction work and physically intervene without permission or who solicit such acts shall be punished with a prison sentence of six months to three years and judicial fine.

Irregularities in documents, declarations and notifications:

Article 66 – (Amended: 23/01/2008 - 5728 /409 art.) Persons who issue documents in contradiction with the prohibitions as per article 16 of this Law, shall be punished with a prison sentence from one to three years and judicial fine, if other laws do not foresee heavier penalties for this crime. Persons who intentionally do not declare and notify duly by the deadline as per article 7 of this Law shall be punished with a prison sentence of three months to one year and judicial fine.

Contradiction with the obligation to report and the prohibition to trade cultural property

Article 67 – (Amended: 23/01/2008 - 5728 /410 art.) Persons who contradict with the obligation to report about the cultural and natural properties intentionally and without excuse shall be punished with a prison sentence of six months to three years.

Persons who tender, sell, offer, buy, accept the cultural and natural properties which haven't been reported shall be punished with a prison sentence of two to five years and judicial fine up to five thousand days. However, in this case penalties will not be subjected for the crime defined in the first paragraph.

Persons who trade the movable cultural properties which trade hasn't been prohibited without permission shall be punished with a prison sentence of six months to three years.

Contradiction with the prohibition to take abroad:

Article 68 – (Amended: 23/01/2008 - 5728 /411 art.) Persons who take abroad the cultural and natural properties contradictory to this Law shall be punished with a prison sentence of five to twelve years and judicial fine up to five thousand days.

Opposition to examination and control:

Article 69 –(Amended: 23/01/2008 - 5728 /412 art.) Persons opposing examinations and controls as per article 29 of this Law and who contradict with the transport procedures as per article 41 of this Law shall be punished with a prison sentence of six months to one year and judicial fine.

Private ownership:

Article 70–(Amended: 23/01/2008 - 5728 /413 art.) Persons who act against article 24 of this Law shall be punished with a prison sentence of one to three years and judicial fine up to three thousand days.

Contradiction with provisions on excavation, sounding and survey:

Article 71 –(Amended: 23/01/2008 - 5728 /414 art.) Persons who contradict with articles 38, 42 and 43 of this Law shall be punished with judicial fine not less than hundred days.

Decisions relating to public staff:

Article 72 - Works and proceedings related to public staff tasked with the

implementation of this Law and all kind of decisions relating to them and objection to decisions relating to them shall be investigated and decided on priority basis.

Contradiction with provisions relating to private museums and collectors:

Article 73 –(Amended: 23/01/2008 - 5728 /415 art.) Persons who contradict with articles 26 and 30 of this Law shall be punished with a prison sentence of three months to one year and judicial fine, if this crime does not require a heavier penalty.

Unlicensed survey, excavation and sounding:

Article 74 – (Amended: 23/01/2008 - 5728 /416 art.) Persons who sound and excavate in order to find cultural properties without a license shall be punished with a prison sentence of two to five years. However, if the excavation or sounding location is not a preservation site or any other area to be protected according to this Law, one third of the penalty will be reduced.

Persons who hunt for treasures without permission shall be punished with a prison sentence of three months to two years. However, if these acts are committed with the aim of smuggling cultural properties out of the country or by the persons who have the duty to protect the cultural properties, the penalty will be increased up to two fold.

In case the person delivers the cultural property found by committing the crimes defined in this article to the local civil authority before the investigation starts, the court might reduce the penalty to two-thirds.

In case the person who hunts for treasures without license, explains the names of individuals who drive him to commit such a crime by ensuring the necessary equipments and makes them caught until the prosecution starts, the court might not only reduce the penalty, but also decide not to give any penalties.

Confiscation and delivery to the museum:

Article 75 – (Amended: 23/01/2008 - 5728 /417 art.)The movable cultural and natural properties confiscated because of the crimes according to this Law, will be delivered to museums.

CHAPTER SEVEN Other provisions

Repealed laws:

Article 76 – The "Law on the Expropriation of Antiquities and Historic Monuments Owned By Private Persons" dated 28/02/1960 and numbered 7463, "Law on Antiquities" dated 25/04/1973 and numbered 1710, "Law on the Establishment and Duties of the Superior Council for Immovable Antiquities and Monuments" dated 02/07/1951 and numbered 5805, "Law Amending the Law on the Establishment and Duties of the Superior Council for Immovable Antiquities and Monuments dated July 2nd,1951 and numbered 5805" dated 18/06/1973 and numbered 1741 have been repealed.

Additional article 1 – (is a provision of the article added through article 16 of Law numbered 3386 dated 17/06/1987 and has been numbered for sequencing purposes. Amended: 14/07/2004 - 5226/17 art.)

The term "Conservation Council" used in this Law has been changed as "Regional Conservation Council".

Site management, museum management and Monument Council.

Additional article 2 - (Additional paragraph: 14/07/2004 - 5226/17 art.)

For management sites and site management, for national museums a museum management and for monuments a Monument Council shall be established.

a) If more than one municipality is involved, the relevant municipalities under the coordination of the metropolitan municipality, if only one municipality is involved, the said municipality, in all other areas the Ministry shall prepare a draft management plan or have it prepared with the view of protecting, evaluating and developing management sites and their junction points in urban areas.

An advisory board shall be formed composed of persons with the right to property, professional chambers, non-governmental organisations and representatives of the related departments of universities to put forward proposals on the draft plan to be decided and implemented.

The municipality responsible for the urban conservation site, in other areas the Ministry shall appoint a site manager to coordinate efforts. Persons, who are site managers shall receive payment from the Central Directorate of the Revolving Funds of the Ministry of Culture and Tourism exempt from any taxes except for the stamp tax at the beginning of each month following work, the amount of which shall be determined by the Minister but which shall not exceed the amount calculated by multiplying the monthly coefficient for state officials (20000) with the indicative number.

A coordination and audit board shall be established composed of one representative of each administration the services of which are needed for the draft management plan and two members to be elected by the advisory board. The site manager shall be at the same time the chairperson of this board. The board shall be authorized to examine and approve by consensus this draft within six months and audit its implementation.

An audit unit can be established made of expert staff from the relevant institutions and inspection staff with the aim of performing the audit function of the board. This unit shall be authorized to request any type of information and document necessary for the management plan and its implementation from public institutions and organisations and third persons.

Public institutions and organisations, municipalities and real and legal persons shall be obliged to follow the management plan approved by the coordination and audit board and the relevant administrations shall be obliged to prioritise services envisaged in the plan and allocate the needed funds from their budget to this end.

b) For national museums determined by the Ministry, a museum management shall be established made up of the museum chairperson, the museum director affiliated to

him/her, the operations director and museum board.

In museums, the director of the museum shall be in charge of records, registration, inventory, and storage, all kind of maintenance and repair of exhibits, exhibitions and protection, cultural, educational and scientific activities. The operations director shall be in charge of promotion, sales unit management, event organisation, management of visitors, landscaping, maintenance, repair and housekeeping.

The chairperson of the museum shall be authorized to coordinate and audit the museum directorships and represent the museum at national and international level.

The Ministry shall appoint a chairperson of the museum from among persons with an education in archaeology, art history, anthropology, ethnology, economics, business administration, public administration to perform the function of chairperson of the museum.

Every museum shall form an exclusive museum board. The museum board members shall be academicians from the related departments of local universities, professional chambers, non-governmental organisations, local administration and sponsors of the museum approved by the Ministry. The museum board shall elect a chairperson from its members.

Guided by the opinion of the museum board, an annual and five-yearly conservation and development project entailing spatial and physical development, thematic development and vision, conservation and development of collections, promotion and exhibition shall be prepared. The museum board shall be authorized to supervise the implementation of the conservation and development project, to promote the museum, to collect donations for the museum, to extend honorary friend of museum awards. The museum board shall draft reports on museum activities and operations each year. The Ministry shall be obliged to take note of these reports.

c) A monument specific board shall be established for monuments that qualify as immovable cultural property. Boardmembers shall be academicians from the related departments of local universities, professional chambers, civil society organisations, local administrations and persons who donate money to conserve and develop the monument subject to approved by the Ministry and the administration that has discretionary powers with regards the monument. The representative of the relevant administration shall chair the board.

The board shall draft an annual and five-yearly conservation and development project entailing spatial and physical development, thematic development and vision, conservation and development of collections, promotion and exhibition of the monument. The monument board shall implement the conservation and development project, promote the monument, collect donations for the monument, and extend honorary awards. The board shall prepare annual reports on the conservation, revitalization and development of the monument. The relevant administrations shall be obliged to take note of these reports.

Procedures and principles related to the implementation of this article shall be specified

in a regulation to be prepared by the Ministry.

Additional Article 3 - (Additional paragraph: 14/07/2004 - 5226/17 art.)

The provisions of paragraph (a) of additional article 2 shall not apply for areas falling under the scope of the Decree to the Effect of Law on the Establishment of the Environmental Protection Agency for Special Areas numbered 383, Law on National Parks numbered 2873, Law on Hunting on Land numbered 4915, Law on the Historic National Park of Gelibolu Peninsula numbered 4533.

Provisional Article 1 – Owners of immovable cultural property pertaining to the period until the end of the 19th century can request from the Ministry to document that this property need not be protected during the identification and registration proceedings according to article 7 of this Law. The Ministry of Culture and Tourism shall task experts with examining these applications entailing information as per the regulation of the Ministry of Culture and Tourism and submit these to the Superior Council in at the latest three months. The Superior Council shall examine the issue and decide on it at the latest in six months.

Provisional Article 2 – Real and legal persons, collectors can sell movable cultural and natural property to be protected that they own to state museums according to article 24 and 25 within three months as of enforcement of the regulation to be issued according to this Law without having to declare the origin, or benefit from the provisions of article 24 of the Law on the condition they record the property in the inventory logbook and present it to the nearest museum for approval.

Provisional Article 3 – (Amended: 14/07/2004 - 5226/16 art.)

As of the enforcement of this Law, Conservation Councils for Cultural and Natural Property shall become Regional Councils for the Conservation of Cultural and Natural Property, and the Regional Council Chief Offices for the Conservation of Cultural and Natural Property shall become Regional Council for Conservation Directorships. Regulations referred to in the Law shall be issued within one year as of the publication of the Law. Until the regulations are drafted, the provisions of the current regulations that do not contradict with this Law shall apply.

Provisional Article 4 – (Repealed: 17/06/1987 - 3386/18 art.)

Provisional Article 5 – Regulations referred to in the Law shall be prepared and enforced at the latest within six months as of the publication of the Law.

These regulations shall be published in the Official Gazette.

Provisional Article 6 – Until the General Cadre Law is passed, the cadre sheet of Regional Councils attached to this Law shall apply.

Provisional Article 7 - (Additional paragraph: 22/05/2007 - 5663/2 art.) The provision of the first sub-clause of Article 11 of this Law is also applicable for demarcation and determination works of any immovable property for which cadastre registration is under way as well as any pending legal action in connection therewith. The minutes of cadastre

for those immovable properties for which demarcation and determination works have not yet been subject to public notice are rendered compliant with the first sub-clause of Article 11 of this Law by ensuring that they are forwarded to the cadastre commission. In the event that the persons or inheritors designated as the owners of possession or titles by the cadastre minutes for the immovable properties located on preservation sites except 1st and 2nd degree archeological sites, determined and registered in the name of the Treasury although the possession conditions occured, as a result of the cadastre works carried out since 27/7/2004, apply to the local financial organisations within 1 year from the date of the promulgation of this Law, their registration is made in the name of the relevant parties upon an application by the financial organisation without subject to any charges ex officio.

Provisional Article 8 – (Additional paragraph: 04/02/2009 - 5835/4 art.) Any immovable cultural assets acquired by the collectors through whatsoever methods before 11/3/2005, which are registered in the inventory books of the museum they are affiliated with, may in no way traded and sold by the collectors. However, as far as such immovable cultural assets are concerned, the Ministry of Culture and Tourism reserves the right to acquire at no cost any parts thereof which are found as complementary to the artifacts in the museums and archeological sites as well as any items found complementary to the collections in the museum.

Enforcement:

Article 77 – This Law shall be enforced as of the date of its publication.

Execution:

Article 78 – The provisions of this Law shall be executed by the Council of Ministers.

Annex 3.b

Protection and Use Provisions in Archaeological Sites, Decision No.658, 05/11/1999 of the High Council for the Protection of Cultural Properties

Protection and Use Provisions in Archaeological Sites

Principle Decision No. 658, 05/11/1999 of the High Council for the Protection of Cultural Properties

PRINCIPLE DECISION PROTECTION AND USE PROVISIONS IN ARCHAEOLOGICAL SITES

Archaeological Sites: are the settlements and areas where all kinds of cultural products on the ground, underground and underwater that reflect the social, economic and cultural characteristics of the ancient civilizations that have reached today from the existence of mankind.

Protection and Use Provisions in Archaeological Sites: The Principle Decision No.658 specifies the legal protection system for archaeological sites and the regulations relating to each protection status. The statutory protection of archaeological sites follows a graded system determined according to their significance and characteristics as: 1st, 2nd and/or 3rd degree.

1) 1st Degree Archaeological Sites: are areas that should be preserved in-situ except for scientific studies towards their protection.

These areas are to be determined as conservation area to be preserved in-situ in the 1:5.000 Development Plans. Development of anykind including excavation apart from scientific purposes are prohibited, but;

- a) Compulsory infrastructrure (electric, water, etc.) can be implemented with the consent of the related Regional Council for the Protection of Cultural Properties with advice from the Museum Directorate, and the head of excavation,
- **b)** Land reclamation is forbidden, only existing seasonal agricultural activities are permitted and existing greenhouse cultivation can be continued with the consent of the Regional Council for the Protection of Cultural Properties,
- c) Agricultural activities based on the cultivation of soil and afforestation at mounds and tumuli are strictly prohibited,
- **c)** It is not allowed to convey stone soil, sand, etc.; to open quarry sites for lime, stone, brick, marble, sand, mine, etc.; and to dump sand, slag, waste, industrial waste and similar material,
- **d)** Tourism infra. projects (i.e.walkways, car and coach parking areas, ticket office, WC etc.) can be implemented with the consent of the related Regional Council for the Protection of Cultural Properties,
- **e)** Only burial procedures are permitted in cemeteries which are still in use today and open to the general public located within these sites,
- f) Incorporation and sub-division of the land can be made provided that it does not negatively effect the significance of the cultural property and consent is obtained from the relevant Regional Council for the Protection of Cultural Properties,

Additional Parag. Principle Decision No.562, Published in the Offical Gazette on 27/04/2016 – 29696

- **g)** It is stipulated that the projects which are prepared in such a way that minimum intervention of the timetable or security may be intervened in the temporary applications which are obliged to be done in places where normal life is stopped or disrupted or where natural disasters are experienced, the applications can be made under the supervision of the scientific committee to be formed by the Ministry of Culture and Tourism,
- **2) 2nd Degree Archaeological Sites:** are areas that should be protected in-situ except for scientific studies. Terms of conservation and usage are defined by the Regional Council for the Protection of Cultural Properties. New building activities are prohibited, however;
- **a)** Minor maintainance of unregistered buildings that are still in use can be done within the scope of related principle decision.
- b) (Amended parag. Principle Decision No.562, 07/04/2016 Pub. in the Official Gazette on 27/04/2016 29696) Protection and use provisions defined in parag. a,b,c,ç,d,e,f,g for the 1st Degree Archaeological Sites are also valid for the 2nd Degree Archaeological Sites.
- **3) 3rd Degree Archaeological Sites**: archaeological areas where new development may be allowed in accordance with the protection use conditions determined by the related Regional Council for the Protection of Cultural Properties.

In these areas;

a) principles and terms of use to apply for the transition period (the time between designation decision and the time that conservation plan will be prepared) shall be identified,

These terms of use are identified to offer solutions to conserve and use the existing and unearth/unknown archaeological assets considering the issues defined below;

- The proposed spatial density should not exceeded the spatial density defined in the approved development plan,
- The harmony of the suggested spatial functions,
- Necessary infrastructure implementations,
- Proposed templates/allowed building heights,
- Building methods and materials.
- **b)** In the areas that are designated as residential zones by an approved environmental plan and development plan, conservation plans shall be prepared considering the preservation of archaeological values,
- c) In 3rd Degree Archaelogical sites where Conservation plan has been prepared before this Pirinciple decision has come into force, the conditions stipulated by the Conservation

plan are valid.

- c) (Amended parag. Principle Decision No.663, 29/12/2016 published in the Official Gazette on 18/01/2017 29952) Before related Municipality or Governership give the construction permit in the 3rd Degree Archaeological Site, sounding shall be undertaken by the related Directorship of Museum and report of the sounding results shall be delivered to the related Regional Council for the Protection of Cultural Properties with the views of the head of the excavation. If related Regional Council for the Protection of Cultural Properties gives proper opinion for the new construction, implementation can begin.
- **d)** In the areas that are designated as 3rd Degree Archaeological Sites, Regional Council for the Protection of Cultural Properties can decide the general survey for the areas where sounding excavation will be done.
- **e)** Land amalgamation and parcelling can be performed with the consent of related Regional Council for the Protection of Cultural Properties.
- **f)** It is not allowed to convey stone soil, sand, etc.; to open quarry sites for lime, stone, brick, marble, sand, mine, etc.; and to dump sand, slag, waste, industrial waste and similar material.
- g) Considering the contribution to the energy generation and public interest, wind power stations can be built with the the permission of the related Regional Council for the Protection of Cultural Properties.
- **h)** The terms defined for mariculture facilities in the related Principle Decision are valid for these areas.
- 4) (Amendment parag. Decision No.416, 26/03/2015 of the High Council for the Protection of Cultural Properties) Archaeological Sites which coincide with the Prohibited Areas for Diving: In case the places declared as prohibited area for diving in the scope of article 35 of the Cultural and Natural Assets Protection Law No. 2863 coincide with the archaeological sites, the abovementioned interventions can be made according to the degree of the sites.

Annex 3.c

Regulation on the Substance and Procedures of the Establishment and Duties of the Site Management and the Monument Council and Identification of Management Sites' (Alan Yönetimi ile Anıt Eser Kuruluş ve Görevleri ile Yönetim Alanlarının Belirlenmesine ilişkin Usul ve Esaslar Hakkında Yönetmelik) No.26006, 27/11/2005

Regulation on the Substance and Procedures of the Establishment and Duties of the Site Management and the Monument Council and Identification of Management Sites

Published in the Official Gazette on:27.11.2005 Number:26006

CHAPTER ONE

Aim, Scope, Legal Ground and Definitions

Aim:

Article 1 — The aim of this regulation is to ensure that archaeological sites, conservation sites, their interactive areas and junction points be conserved and evaluated within the scope of a sustainable management plan in coordination with public institutions and organisations, civil society organisations, and put forward the substance and procedures for the identification and development of management sites, preparation, approval, implementation and supervision of management plans and the determination of the duties, powers and responsibilities of the advisory board, site manager, coordination and audit board, audit unit and monument council that will have the function of managing the site.

Scope

Article 2 — This regulation covers the substance and procedures regarding the identification of the management sites of conservation sites, archaeological sites and interactive areas and junction points, the drawing up, approval, implementation and supervision of management plans and the terms of reference of the advisory board, site manager, coordination and audit board, audit unit and monument council that will manage the site.

Legal ground

Article 3 — This regulation is based on additional article 2 of the Law on the Conservation of Cultural and Natural Property numbered 2863 and dated 21/07/1983.

Definitions

Article 4 — In this regulation the following shall mean:

Ministry: Ministry of Culture and Tourism,

Law: the Law on the Conservation of Cultural and Natural Property numbered 2863

General Directorate: General Directorate for Cultural Property and Museums,

Competent authority: the Ministry or the relevant municipality authorised to identify a Management Site within the scope of this Law and Regulation,

Civil society organisation: Representatives of the Union of Chambers of Turkish Engineers and Architects (TMMOB), Turkish Union of Chambers and Commodity Exchanges (TOBB), Turkish Bar Association, Turkish Medical Association, Chamber of Tradesmen and Artisans, and if applicable, relevant associations, foundations and universities,

Interactive area: Areas integral to conservation sites, envisaged to be and develop in harmony with conservation sites in terms of density and settlement, completing, affecting or affected by

the conservation site and connecting the conservation site with areas not under the scope of the conservation plan,

Monument: Immovable cultural property identified by the Ministry by taking into account its state of use, location, function, concentration of visitors, historical and artistic characteristics,

Monument Council: A board set up exclusively for an immovable cultural property that has the quality of a monument,

Urban conservation site: The area of a city or the area of the remains of a city that is product of various civilizations before and after recorded history and reflects the social, economic, architectural a.s. characteristics of the periods of these civilizations,

Archaeological conservation site: Area with concentrated cultural property that has been the stage of social life or important historic events,

Natural conservation site: Area to be protected due to its documented characteristics,

Advisory Board: Board set up to present proposals to assist decision-making and implementation of the draft management plan of the site management,

Coordination and Audit Board: Board authorised to approve and supervise the implementation of the management plan,

Audit unit: Unit of the coordination and audit board that executes audit, if deemed necessary,

Proposed management site: An area proposed as such where the powers of the site management are yet to be determined,

Management Site: Areas that have been delineated by the Ministry by obtaining the view of the relevant administrations to ensure coordinated planning and conservation between central and local government and civil society organisations with the aim of preservation the natural beauty, revitalization, evaluation, development around a specific vision and theme of conservation sites, archaeological sites and interactive areas and with the view of meeting the cultural and educational needs of the society.

Cultural property: All movable and immovable property on the ground, under the ground or under the water pertaining to science, culture, religion and fine arts of before and after recorded history or that is of unique scientific and cultural value for social life before and after recorded history.

CHAPTER TWO Principles of Site management

Objectives of site management

Article 5 — The following shall be the objectives of site management:

a) Accurate delineation of the area for conservation, development and evaluation in its historical, social, cultural, geographical, natural, artistic integrity, and of its interactive areas and associated

historical, cultural, geographical, natural, artistic junction points,

- **b)** within the scope of a management plan, demonstrating ways to find an appropriate balance between the needs for conservation, access, sustainable economic development and the interest of the local community,
- c) development of overall strategies, methods and tools to raise the value of the area to an international level, location of resources and fund raising,
- **d)** set up an active network of international cooperation and sharing with the view of developing cultural tourism,
- **e)** drafting implementation plans to develop regional cultural systems comprising conservation sites that have the potential to form a cluster by being associated with each other in a specific region,
- f) cooperation between public institutions and organisations, civil society organisations, persons with right to property in the area, persons and organisations working on a voluntary basis and the local community in conserving and evaluating management sites,
- g) in addition to conservation through maintenance, repair, restoration, restitution, exhibition, arrangement and landscaping of conservation sites, architectural sites and interactive areas in line with site management objectives within the framework of international principles of conservation and convention provisions, determination of principles and limits of use and development,
- **h)** Utilisation of high standards in the management of cultural property, site of conservation, design and implementation, expertise and equipment.

Identification of the management site

- **Article 6** The competent authority shall identify the Management Sites. The following shall be abided by in the identification of management sites:
- a) Studies shall be conducted to explore conservation sites, architectural sites and their interactive areas and junction points and evaluate the collected data. According to the study results, in line with the Law, Regulation and Resolutions, the proposed management site shall be delineated or demarcated. For the delineation of the proposed management site, the views of the relevant institutions and organisations, professional chambers, universities and civil society organisations and persons with right to property in the area shall be taken into account.
- **b)** The borders of the proposed management site shall be notified to the relevant public institutions and organisations the services of which are necessary for the area. The organisations shall forward their proposals and views within thirty days to the competent authority. A coordination meeting shall be organised to coordinate the planning and conservation of the area with central and local government and civil society organisations with the view to obtain their views.
- c) If the relevant civil society organisations submit their views on the identification of the management site, their views shall be evaluated by the competent authority in line with these

principles.

d) The final management site determined as a result of these studies shall be notified by the competent authority to the relevant institutions and organisations.

Management plan

Article 7 — The draft management plan shall be prepared by a team composed of experts and consultants from different professions depending on the characteristics of the area in coordination with the site manager appointed by the competent authority according to these principles.

Prior to and during the preparation of the draft plan by the competent authority, at least two meetings shall be organised and attended by stakeholders such as public institutions and organisations, local community, civil society organisations, professional chambers, universities, selected private sector representatives and persons with right to property in the area to give information and determine the issues that will constitute the data of the management plan. These meetings shall be announced to the public by means of posters attached by local governments and to the others by the competent authority.

Authority and methodology

Article 8 — The draft management plan of conservation sites, architectural sites and their interactive areas that have been delineated as management site shall be directly prepared by

- a) the municipality responsible for the urban conservation site,
- b) the Ministry for archaeological, natural and historic conservation sites,
- c) the Ministry, if the urban conservation site is not attached to any municipality,
- **d)** by the relevant municipality if urban conservation sites and other conservation sites are located together,
- **e)** by the relevant municipalities in a coordinated manner, if the urban conservation site borders extend into more than one municipality, by the Metropolitan Municipality if the area is within its borders; if the area is outside its borders by the Ministry in coordination with the relevant municipalities

Alternatively, the above shall be tendered out by these in line with the substance and procedures of the procurement legislation.

The General Directorate shall execute works undertaken by the Ministry with regards identification of the management site, preparation of the management plan and site management.

Preparation of the management plan

Article 9 — The content of the management plan of the management site shall be composed of the following parts:

a) Existing situation: needs analysis related to the management, function and conservation of the

area and contacts with relevant institutions and organisations.

- **b)** Site analysis: identification of the significance, problems, bearing capacity of the area and functional and managerial analysis of the area.
- c) Vision of the site and basic policies: Policies and strategies on management, conservation, use, presentation, promotion and visitors within the scope of the management plan that will point out the future vision of the area with the aim of presenting and promoting the area at the national and international level by putting forward operational, managerial, administrative and financial models.
- **d)** Work schedule, timing and generation of projects: Terms of reference of institutions and persons to participate in the site management, their work schedules and budget analysis, identification of financial resources, an action plan entailing short-term, medium and long-term activities to be carried out and promotion of projects.

The table to be used in the action plan shall be as follows:

Topic	Required activity	Institution in charge of activity	Financial resources	Target date
Topic 1				
Topic 2				
Topic 3				

e) Definition of monitoring, evaluation and training processes: drawing up programmes to monitor, evaluate and train stakeholders to implement the management plan.

Management plan team

Article 10 — If management plans are prepared by the competent authority or the competent authority tasks another party with preparing it, a team to draft the plan shall be set up under the responsibility of an expert consultant. The team shall have at least the following members:

- **a)** for urban conservation sites and historic conservation sites: graduates from architecture, urban and region planning, art history, public administration, business management and economic departments of universities,
- **b)** for archaeological conservation sites: graduates from architecture, urban and region planning, art history, archaeology, public administration, business management and economic departments of universities,
- c) for natural conservation sites: graduates from urban and region planning, public administration, business management, environmental engineering, depending on the nature and characteristics of the area graduates from forestry engineering, geology/geomorphology/geology engineering, agricultural engineering, landscaping architecture, hydrology, biology, zoology a.s. departments of universities.

Depending on the quality of the area, sociologists, anthropologists, historians, economists,

tourism business managers, advertisers, public relations managers, and communication experts and a management plan consultant may take part in the team.

Evaluation of the management plan

Article 11— The advisory board to be set up in line with the principles of this Regulation shall evaluate the preliminary draft of the management plan. The site manager shall be present at the evaluation meeting of the board.

The competent authority shall finalise the preliminary draft of the management plan by taking into account the proposals and decisions of the advisory board at the end of its meeting.

Approval of the management plan

Article 12 — The draft management plan shall be examined and submitted by the competent authority to the coordination and audit board for approval by consensus that is set up according to the principles of this Regulation.

The coordination and audit board shall examine the plan and, if necessary, shall instruct the plan drafting team to make the necessary corrections. The management plan shall be adopted with the votes of three forth of the board members attending the meeting. The adoption procedure shall be completed in six months at the latest.

After the adoption of the management plan, it shall be copied and disseminated to the relevant institutions and organisations. Management plans shall be open. The competent authority shall have the duty to ensure openness.

Objections before administrative courts against the decisions of the coordination and audit board can be raised in due time.

Implementation and control of the management plan

Article 13 — Public institutions and organisations, municipalities and real and legal persons shall be obliged to follow the management plan approved by the coordination and audit board. Competent authorities shall prioritise the services covered by the plan and be obliged to allocate funds from their budget to this end.

The site manager, institutions and organisations responsible for the implementation and the competent authority shall work in coordination to perform the tasks defined in the management plan.

The management referred to in the management plan shall make an annual performance assessment with the help of the audit unit regarding the work undertaken in the area in line with the strategies of conservation, presentation, promotion and visitor management, and shall prepare the work schedule and budget for the following year. The assessment reports shall be evaluated by the coordination and audit board and the work schedule and budget of the following year shall be adopted. In addition to the annual assessment, the audit unit shall review the objectives and policies once every five years and submit them to the coordination and audit board for consideration.

During the implementation process of the management plan by the coordination and audit board, the competent authority shall prepare a draft addendum to the management plan, if the audit

unit proposes a change in the vision, objectives and policies, and consult with the advisory board before the coordination and audit board adopts it.

The competent authority can form temporary project teams for technical assistance in project development and implementation regarding the works defined in the management plan.

All kinds of building and physical works and functional changes in immovable cultural and natural property and conservation sites of the management site to be undertaken within the scope of the management plan and the related plans and projects shall be decided by the Regional Council for the Conservation of Cultural and Natural Property.

CHAPTER THREE

Establishment and Duties of the Site Management Units

Site manager and his/her duties

Article 14 — A site manager, who has previously worked on the area, has adequate knowledge of the area, can develop a specific vision for the area, has knowledge on new approaches to cultural and natural property management, is experienced in management policies and implementations, is a graduate from university departments such as architecture, urban and regional planning, archaeology, art history, public administration, business management and economics shall be appointed by the relevant municipality to manage the area of urban conservation sites and shall be appointed by the Ministry to manage non-urban conservation sites.

Persons, who are site managers ipso facto shall receive payment from the Revolving Funds Operations Central Directorate of the Ministry of Culture and Tourism exempt from taxes except for the stamp tax at the beginning of each month following work, the amount of which shall be determined by the Minister, but which shall not exceed the amount calculated by multiplying the monthly coefficient for government officials (20000) with the indicative number.

The competent authority shall execute the secretariat work of the site management. The competent authority shall provide an appropriate place for the site management units to be able to do their work. It shall allocate a sufficient number of staff and adequate funds from its budget.

The duties of the site manager shall be as follows:

- **a)** Devise the work schedule together with the competent authority to attain the annual objectives set forth in the management plan, to raise funds,
- b) Prepare the annual budget proposal,
- c) Prepare together with the competent authority all kind of contracts and draft specifications regarding the procurement of services and equipment for the
- **d)** Ensure cooperation between institutions and persons involved in the management of the natural and cultural property of the area,
- e) Coordinate the preparation of the annual audit reports by the audit unit and the presentation

of these reports to the coordination and audit board.

Establishment and duties of the Advisory Board

Article 15 — The advisory board shall be composed of at least five members from persons with the right to property in the area, professional chambers, civil society organisations, relevant university departments, site manager and members to be determined by the competent authority. The advisory board shall elect a chairperson from among its members.

The advisory board shall meet at least once a year. If deemed necessary by the competent authority, and coordination and audit board, the advisory board can be summoned to an extraordinary meeting. The advisory board shall hold its meetings locally.

The advisory board shall examine the draft management plan and submit proposals for decision-making and implementation regarding the plan.

All issues and proposals negotiated by the advisory board shall be protocolled for submission to the coordination and audit board.

The Coordination and Audit Board and its duties

Article 16 — The coordination and audit board shall be composed of at least five members, one of them being the site manager, two members to be elected by the advisory board from among its own members and at least one representative from each of the administrations the services of which are needed within the scope of the management plan. The site manager shall be at the same time the head of the coordination and audit board.

The competent authority shall summon the coordination and audit board at least twice a year. The audit unit and the competent authority shall identify the agenda of the board meeting.

Upon request of the site manager or the competent authority, the board can be summoned extraordinarily. The board shall meet with absolute majority and decide based on at least three forth of the votes of the attending members. The coordination and audit board shall meet locally.

The coordination and audit board shall examine the draft management plan, approve it in six months and control its implementation.

Audit unit and its duties

Article 17 — An audit unit can be set up to perform the control function of the coordination and audit board.

The audit unit shall have at least five members who shall be the controlling officers taking part in the preparation and implementation process of the management plan and expert personnel with a university degree in architecture, urban and regional planning, art history, archaeology, public administration, business management and economics to be appointed by the competent authorities.

The audit unit shall supervise the implementation of the management plan. It shall make the annual performance assessment of the work undertaken by the unit in the area in line with the strategies of management, conservation, presentation, promotion and visitor management identified in the management plan and prepare the work schedule and the budget for the

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following year.

The audit unit shall be authorised to request any kind of information and documentation from the relevant institutions and organisations and third parties regarding the management plan and its implementation.

CHAPTER FOUR

Establishment, Duties and Working Principles of the Monument Council

Establishment of the Monument Council

Article 18 — Each immovable cultural property of monumental quality shall have a dedicated monument council. The monuments to have a dedicated council shall be determined by the Ministry with the approval of the administration having a right of discretion on the monument.

The monument council shall be composed of at least seven members with at least one of them an academic representing local universities, professional chambers, civil society organisations, local governments and donors contributing to the conservation and development of the monument as deemed appropriate by the Ministry and representatives of the administration with the right of discretion regarding the monument.

The tenure of the council members shall be five years as of appointment to the council. Members can be re-elected at the end of their tenure. If a member resigns, a new member shall be elected with the same procedure to substitute the former for the rest of the tenure.

The secretariat work of the monument council shall be undertaken by the administration that has right to discretion on the monument. The Ministry or the administration that has right to discretion on the monument shall provide a place to the monument council to be able to carry out its work. It shall allocate a sufficient number of staff to this work and adequate funds from its budget.

Duties of the Monument Council

Article 19 — The council shall perform the following duties:

- a) Prepare and implement annual and five-yearly conservation and development projects covering spatial, physical and thematic development and vision, conservation and development, promotion and exhibition of the monument.
- **b)** Promote the monument.
- c) Collect donations to conserve and develop the monument.
- **d)** Extend awards to honour persons who provide in kind, cash or in person aid and assistance to conserve and develop the monument.
- **e)** Prepare regular reports on the level of conservation and development of the monument, submit these reports to the relevant administration and have them implemented.

Chairperson of the Council and his/her duties

Article 20— A representative from the administration with the right to discretion shall chair the monument council.

The chairperson of the council shall assume the following duties:

- **a)** Execute activities aimed at conserving, maintaining, repairing the monument and visitor management.
- **b)** If necessary, summon the board extraordinarily.
- c) Organise the council meetings.
- **d)** Ensure coordination between the administration and real and legal persons.

Principles of the work of the Monument Council

Article 21 — The council shall meet at least twice a year with two third quorums. It shall decide with absolute majority of the quorum.

The bureau and secretariat work of the board shall be undertaken by the administration with the right to discretion on the monument.

All kind of physical intervention to the monument must be permitted and controlled by the regional council for conservation of natural and cultural property.

The administration with the right to discretion on the monument shall be obliged to take note of the council reports. The administration with the right to discretion on the monument shall justify in writing before the council issues related to activities referred to in the report that cannot be realised.

CHAPTER FIVE Final provisions

Enforcement

Article 22 — This regulation shall take effect as of its publication.

Execution

Article 23 — The provisions of this regulation shall be executed by the Minister of Tourism and Culture.

Decision No.1096, 16/02/1990 of the Ankara Regional Council for Conservation of Cultural and Natural Properties

Decision Date and Number: 16/2/1990 - 1096

Loc. of Decision: Ankara

The letter dated 12.2.1990 and numbered 690 / 9-593 of the Ministry of Culture, General Directorate of Protection of Cultural and Natural Assets regarding the area covering Ankara Province, Polatli District, Yassihöyük Village, Gordion Archaeological Site and its surroundings was read, its annexes were examined, and at the end of the negotiations;

Located in Ankara Province, Polatlı District, Yassıhöyük Village, Gordion and its surroundings, 3 mounds and 110 tumuli within necrapol areas, the locations are determined in attached 1/5000 scaled base map, and the 1/10.000 scaled cadastral sketches with attached lists, should be registered as immovable cultural assets required to be protected pursuant to the Laws numbered 2863 and 3386; in addition, the continuation of the registration of the previously registered tumulus numbered 74,

Registration of Yassıhöyük and Küçükhöyük, whose boundaries are determined on the attached base map with a scale of 1/5000, and their immediate surroundings as 1st Degree Archaeological Site,

Registration of the part of Yassıhöyük Village outside the 1st Degree Archaeological Site indicated on the attached 1/5000 scaled map as a 3rd Degree Archaeological Site,

Registration of 9 Archaeological Sites in the area where mounds and tumuli are collectively indicated in the attached 1/5000 scaled map and 1/10.000 scaled cadastral sketches,

Accordingly, the decision of the High Council for the Protection of Cultural and Natural Assets numbered 4.3.1988 and numbered 6 regarding the conditions for the protection of archaeological sites in these areas is valid,

The protection areas of the tumuli should be determined as at least 20 m from the 0 (zero) level, as indicated on the attached map,

It was decided that agricultural activities could be carried out outside the protected areas, but if any cultural assets were found, the relevant Museum Directorate should be informed.

Decision No.2738, 09/11/2007 of the Ankara Regional Council for Conservation of Cultural and Natural Properties

Decision Date and Number: 9/11/2007 - 2738

Loc. of Decision: Ankara

The letter of the General Directorate for Cultural Heritage and Museums dated 15.10.2007 and numbered B.16.0.KVM.0.12.01.00.222.02-173688 and the letter of Provincial Directorate of Culture and Tourism of Ankara Governorship dated 16.10.2007 and numbered 9846 regarding the expansion of the conservation site boundaries of Gordion Archaeological Site located within Yassıhöyük Village of Polatlı District of Ankara Province; transferring the conservation site boundaries marked on the map which was the annex of the overturned decision and the boundaries of Conservation Master Plan and Conservation Development Plan on 1/5.000 scaled base map; removing the debris creating visual pollution around tumuli within archeological site and preventing destructions were read, the annexes were examined, and at the end of the negotiations,

It was decided to evaluate the request of expanding the conservation site boundaries of Gordion located in Yassıhöyük Village, Polatlı District, Ankara Province, after transferring of locations of drilling excavations and the locations of unearthed artifacts as well as the mounds and tumuli within this area to a map by the Directorate of Anatolian Civilizations Museum and submission of it to the Council,

Since the existing maps on which the conservation site boundaries of Gordion Archaeological Site marked and approved with the decision dated 10.06.1990 and numbered 1096 and the boundaries of Conservation Master Plan and Conservation Development Plan marked and approved with the decision of our Council dated 7.10.2005 and numbered 976, were inaccurate and out of scale; the boundaries of 1st and 3rd Degree Archaeological Sites and the boundaries of Conservation Master Plan and Conservation Development Plan were deemed suitable as transferred to the 1/5.000 scaled base map,

As it was understood that the soil was taken from the skirts of the tumulus which was excavated across the Gordion Museum and Gendarmerie Station in previous years, those concerned should be warned, the necessary measures should be taken by the local administrative authorities for the protection of the archaeological site and the tumuli and mounds around it,

The debris and garbage that cause visual pollution in archaeological site and its environs should be removed by the Municipality under the supervision of Museum Directorate; in order to avoid these negative views occurrence necessary measures should be taken by District Governor of Polatli, Polatli Municipality and Yassihöyük Village Mukhtar,

The proposal regarding the salvage excavation of the Galatian Tumulus which was mentioned as facing extinction in the report of the excavation representative of the Gordion Archaeological Site, should be evaluated by the General Directorate for Cultural Heritage and Museums.

Decision No.3404, 07/08/2008 of the Ankara Regional Council for Conservation of Cultural and Natural Properties

Decision Date and Number: 07/08/2008 - 3404

Loc. of Decision: Ankara

The letter of the Provincial Directorate of Culture and Tourism, dated 10.07.2008 and numbered 5965 regarding the area decided to be considered as a 3rd Degree Archeological Site with the decision of the Ankara Regional Council for the Conservation of Cultural and Natural Assets on 01.02.2008 and numbered 2961, as a result of the drilling excavations carried out by the Directorate of Anatolian Civilizations Museum in Ankara province, Polatlı district, Yassıhöyük Gordion Archaeological Site, regarding was read, its attachments were examined. At the end of the negotiations;

In Ankara province, Polatlı district, Yassıhöyük Gordion Archaeological Site, the proposal made by the Directorate of Anatolian Civilizations Museum, in line with the decision of our Council dated 01.02.2008 and numbered 2961, for the part of the area on the edge of the Sakarya province and on the boundaries of the 3rd Degree Archaeological Site, including registered tumuli, should be endorsed;

It was decided to approve the 1/5.000 scaled map prepared for the Yassıhöyük Gordion Archaeological Site, on which the boundaries of the 1st and 3rd Degree Archaeological Sites and the boundaries of the Conservation Master Plan and the Conservation Development Plan were shown.

Decision No.46, 30/09/2011 of the Ankara Regional Council for Conservation of Cultural Properties

Decision Date and Number: 30/9/2011 - 46

Loc. of Decision: Ankara

The letter of the Public Works and Urban Planning Directorate of Polatli Municipality dated 08.07.2011 and numbered 2505 regarding the 1/5.000 scaled Conservation Master Plan and 1/1.000 scaled Conservation Development Plan prepared for the Yassihöyük Village - Gordion 1st and 3rd Degree Archaeological Conservation Sites and their environs which were located in the Polatli District of Ankara Province and which were registered as 1st and 3rd Degree Archaeological Conservation Site with the decision of Ankara Regional Council for the Conservation of Cultural and Natural Assets dated 16.02.1990 and numbered 1096 and boundaries of which were updated with the decisions of Ankara Regional Council for the Conservation of Cultural and Natural Assets dated 09.11.2007 and numbered 2738 and dated 07.08.2008 and numbered 3404, and the report of the experts of Ankara Regional Council for Conservation of Cultural Assets were read, the annexes were examined, and at the end of the negotiations,

It was decided that the 1/5.000 scaled Conservation Master Plan and 1/1.000 scaled Conservation Development Plan prepared for the Yassıhöyük Village - Gordion 1st and 3rd Degree Archaeological Conservation Sites and their environs, which were located in the Polatlı District of Ankara Province and which were registered as 1st and 3rd Degree Archaeological Conservation Site with the decision of Ankara Regional Council for the Conservation of Cultural and Natural Assets dated 16.02.1990 and numbered 1096 and boundaries of which were updated with the decisions of Ankara Regional Council for the Conservation of Cultural and Natural Assets dated 09.11.2007 and numbered 2738 and dated 07.08.2008 and numbered 3404, to be found appropriate as the plan scheme and to re-evaulate them after submission by revising the plan notes by taking into consideration the archaeological conservation status of the site.

Decision No.467, 03/02/2012 of the Ankara Regional Council for Conservation of Cultural Properties

Decision Date and Number: 03/02/2012 - 467

Loc. of Decision: Ankara

The letter of the Public Works and Urban Planning Directorate of Polatli Municipality dated 30.01.2012 and numbered 307 regarding the 1/5.000 scaled Conservation Master Plan and 1/1.000 scaled Conservation Development Plan prepared for the Yassihöyük Village - Gordion 1st and 3rd Degree Archaeological Conservation Sites and their environs which were located in the Polatli District of Ankara Province and which were registered as 1st and 3rd Degree Archaeological Conservation Site with the decision of Ankara Regional Council for the Conservation of Cultural and Natural Assets dated 16.02.1990 and numbered 1096 and boundaries of which were updated with the decisions of Ankara Regional Council for the Conservation of Cultural and Natural Assets dated 09.11.2007 and numbered 2738 and dated 07.08.2008 and numbered 3404 was read; its annexes were examined, and at the end of the negotiations:

The 1/5.000 scaled Conservation Master Plan, which notes were redeveloped in line with our decision dated 13.01.2012 and numbered 406, for Yassıhöyük Village - Gordion 1st and 3rd Degree Archaeological Conservation Sites and their environs, which were located in the Polatlı District of Ankara Province and were registered as 1st and 3rd Degree Archaeological Conservation Site with the decision of Ankara Regional Council for the Conservation of Cultural and Natural Assets dated 16.02.1990 and numbered 1096 and boundaries of which were updated with the decisions of Ankara Regional Council for the Conservation of Cultural and Natural Assets dated 09.11.2007 and numbered 2738 and dated 07.08.2008 and numbered 3404, was found appropriate and the 1/1.000 scaled Conservation Development Plan was found appropriate with the corrections made in plan notes as follows:

- "if there is no" phrase should be revised with the phrase "and" in the 4th article,
- The article 13.1 should be removed,
- After the "implementations" phrase in article 13.4 the phrase "under the Supervision of Museum Directorate" should be added,
- An article numbered 14.3 should be added as "The municipality has the authority in the development implementations related with ownership solutions within the area, in line with the decisions of Superior Council for the Conservation of Cultural Assets and with the opinion of related Regional Council for Conservation of Cultural Assets."
- After the "implementation" phrase in article 17 the phrase "within the framework of the development legislation, provided that the foundation excavation is carried under the supervision of Museum Directorate"
- "from the midpoint" phrase in article 24 should be replaced with the phrase "from the unaltered ground average".
- "original" phrase in article 35 should be replaced with the phrase "local".

It was decided that after the approval of plans by related institutions in accordance with the 8th article of the "Regulation on the Procedures and Principles of the Preparation,

Display, Implementation, Supervision and Authors of Conservation Plans and Landscaping Projects", they should be sent to the Board Directorate with their attachments

Decision No.627, 18/04/2013 of the Ankara No. I Regional Council for Conservation of Cultural Properties

Decision Date and Number: 18/04/2013 - 627

Loc. of Decision: Ankara

The letter of the Public Works and Urban Planning Directorate of Polatli Municipality dated 10.12.2012 and numbered 4046-4206 regarding the 1/5.000 scaled Conservation Master Plan and 1/1.000 scaled Conservation Development Plan prepared for Gordion 1st and 3rd Degree Archaeological Conservation Sites which were located in the Polatli District of Ankara Province and were registered as 1st and 3rd Degree Archaeological Conservation Sites with the decision of Ankara Regional Council for the Conservation of Cultural and Natural Assets dated 16.02.1990 and numbered 1096 and the evaluation report of the expert of the Directorate of Regional Council dated 16.04.2013 and numbered 1350 were read, the annexes were examined, and at the end of the negotiations;

It was understood that the revisions were made in line with the Council's decision dated 03.02.2012 and numbered 467 on 1/5.000 scaled Conservation Master Plan and 1/1.000 Conservation Development Plan which were found appropriate by the Council's decision dated 03.02.2012 and numbered 467 regarding Gordion 1st and 3rd Degree Archaeological Conservation Sites which were located in the Polatlı District of Ankara Province and were registered as 1st and 3rd Degree Archaeological Conservation Sites with the decision of Ankara Regional Council for the Conservation of Cultural and Natural Assets dated 16.02.1990 and numbered 1096, and it was understood that these plans were also approved with the decision of the City Council of the Polatlı Municipality dated 07.03.2012 and numbered 2012/63 and the Conservation Master Plan and Conservation Development Plan were submitted as a whole with the 1/5000 and 1/1000 scaled Yassıhöyük Master and Development Plans, it was decided that the section of the plans comprising the 1st and 3rd Degree Archaeological Sites within the scope of the Law numbered 2863 is appropriate and the implementations on the parts outside the conservation sites should be carried out by the relevant administrations within the framework of the legislation in force.

Decision No.2436, 10/06/2015 of the Ankara No. I Regional Council for Conservation of Cultural Properties

Decision Date and Number: 10/06/2015 - 2436

Location of Decision: Ankara

The report of the Directorate of Anatolian Civilizations Museum dated 08/06/2015 and numbered 70583208-166.99-837 as a result of the studies conducted in 2014-2015 by the experts of Ankara Anatolian Civilizations Museum, Ankara No.1 Regional Council for the Conservation of Cultural Assets and Ankara Survey and Monuments Directorate regarding the digitization of settlement areas and site boundaries of mounds and tumuli in Ankara Province, Polatlı District, Yassıhöyük District and its surrounding was read, its attachments were examined, and at the end of the negotiations;

It was understood that the mounds and tumuli in the lands of Ankara Province, Polatli District, Yassıhöyük District, Gordion and 8 neighborhoods around it were found to be digitized after the studies conducted in 2014-2015;

During the aforementioned studies, since the inventory number and numbering for tumuli and mounds in the list included in the annex of our decision numbered 1096, dated 16/02/1990, caused various confusion, renumbering mounds and tumuli as shown in attached list-1;

Since there is no evidence that these places might be tumulus in the geophysical studies carried out in tumuli number 61 (621 63), 62 (64) within the boundaries of Şabanözü District and in tumuli number 91 (102), 92 (106) in Yassıhöyük District, which were registered on dated 16/02/1990 and numbered 1096, their registrations should be cancelled;

After the geophysical studies conducted in tumuli numbered 59 (60), 60 (61) within the boundaries of Şabanözü District, no findings were found indicating that there was a grave in the area where the tumulus numbered 59 (60) was located, and it was determined that there may be a burial chamber in the tumulus numbered 60 (61); however, the tumulus numbered 60 (61), whose registration was cancelled with the decision of our Council on 15/10/2010 and numbered 5453, due to the confusion of the Tumulus numbers inadvertently in the report on the subject, should be registered and added to the newly prepared Tumulus List, the registration of the 59 (60) numbered tumulus without a burial chamber to be cancelled;

In the area registered as Tumulus 53 (54) and called Tekneli Höyük, the team that prepared the report and the survey conducted later by the Gordion Excavation Director found no evidence indicating that it was a tumulus or a mound; therefore, the registration of this tumulus should be cancelled;

The site number 66 (70) registered as a tumulus has been determined to be a mound, and its registration has to be changed as a mound, removed from the Tumulus List and shown in the Archaeological Sites List; and recommending the General Directorate of Cultural Heritage and Museums to carry out a salvage excavation urgently on this mound

due to its serious damage and damage;

Beyceğiz Tumulus, which is located within the boundaries of Beyceğiz village and excavated by the Directorate of Anatolian Civilizations Museum, has been added to the new list as Tumulus 124 and its boundaries shown on the map;

Since it was determined that the area registered as Tumulus 65 (69) and named as Kuşhöyük is a castle, it should be shown as a Castle on the map showing the new site boundaries and shown in the Archaeological Sites List;

Since it was determined that the area registered as Küçük Höyük and with the 3 inventory number in the old list is a castle, it should be marked as a Castle on the map showing the site boundaries and added to the Archeological Sites List;

In Çekirdeksiz Höyük, which is located at the crossroads of Çekirdeksiz neighbourhood, it was recommended to carry out a salvage excavation in the Mound as it was heavily damaged due to agricultural activities, as stated in our decision no.215 on 25/11/2011. Since the destruction on the mound increased in the period after our decision, salvage excavation was necessary, the issue of urgent salvage excavation in the mound should be forwarded to the General Directorate of Cultural Heritage and Museums;

As it was understood that the site boundaries of Kocaöz Höyük, which is located within the borders of the Çekirdeksiz neighbourhood, that was registered as the 1st Degree Archaeological Site on 08/01/1996 and numbered 4437, were marked incorrectly on the 1/5000 scale sheet due to the misalignment of the sheets; the registration of the boundaries shown on the 1/5000 scale map in the annex of the decision is appropriate;

It is appropriate to add the tumuli that were excavated from the 1900s to the 1960s and identified in the 2014-2015 studies, but were not included in the maps with the decision of our Council dated 16/02/1990 and numbered 1096;

In order to register the newly discovered Tumulus 120 in Beylikköprü Neighbourhood and the building that is likely to belong to the Eastern Roman Period in Şabanözü District, Höyük Locality, the registration request can be evaluated by our Board after taking the opinions of the institutions and organizations whose activities will be affected by the registration in accordance with Article 7 of the Law No. 2863 and Article 6 of the "Regulation on the Determination and Registration of Immovable Cultural Property and Sites to be Protected", which entered into force after being published in the Official Gazette No. 28232 on 13/03/2012;

As the vibration caused by heavy tonnage (combine harvester, truck, etc.) vehicles passing through Yassihöyük Neighborhood and the road in front of the MM Tumulus cause collapses in the tumulus, it is appropriate to initiate the necessary work by the Municipality of Polatli, speed bumps are placed on both sides of the road in the short term to enable vehicles to pass in front of the tumulus at low speed, and in the long term an alternative road route is determined in order to prevent heavy tonnage vehicles from entering the village by using this road;

In order to make the inventory and tumulus numbers more understandable by changing

the inventory and tumulus numbers given by the decision of our Council on 16/02/1990 and numbered 1096, it is appropriate that the lists created separately for tumuli and other archaeological sites;

Informing the General Directorate of Cultural Heritage and Museums that a salvage excavation is necessary urgently in Tumuli no.1 (20), 111 (78), 112 (79), 85 (107) where geophysical studies are carried out (especially in Tumulus 20 since the burial chamber is very close to the surface), and in other tumuli damaged by agricultural activities and other factors;

To stop the destruction of Gordion Archaeological Site and its surrounding tumuli and other archaeological sites damaged by agricultural activities; in the short term, local authoritie warn property owners for the protection of privately owned tumuli; in the long term, initiating the necessary studies for expropriation; in addition, since it was determined that the areas where the mounds and tumuli were given to the citizens as agricultural land in the previous land consolidation in the region, the relevant institutions and organizations should be informed in order to revise the said consolidation work;

Within the scope of 22/A, which is being carried out throughout the Polatli district, of the field roads passing over some tumuli, new road routes were determined during the studies to update the cadastre and map information and the existing routes were cancelled;

Since the cadastral and map information has been updated within the scope of 22/A in the neighborhoods of Polatli District, it is appropriate to process the digitized site areas and the settlement areas of the tumuli on the 1/5000 scale map, considering the possibility of shifting the existing parcel numbers, then, to determine which parcel or parcels are located in the coordinated site boundaries and the settlement areas approved by our Council and to inform our Council and to put an annotation on these parcels that they are immovable cultural assets;

In order not to disturb the ecological balance in the tumuli and to prevent destruction, work has been initiated in order to make an environmentally compatible fence that is suitable for the entry of small cattle, but which will prevent the entrance of cattle, tractors and construction machinery, and the designs created as a result of the studies are submitted to our Council;

The lists attached to the decision, regarding the Tumulus and Other Archaeological Sites, as well as the maps and scale sketches are appropriate and approved;

In order to protect and introduce Gordion Archaeological Site and its surroundings to future generations, it has been decided by the Council that the proposal to initiate studies by the relevant institutions and organizations to design this area as an "Archeopark" by a working group formed with the participation of different professional disciplines.

Decision No.2808, 12/11/2015 of the Ankara No. I Regional Council for the Conservation of Cultural Properties

Decision Date and Number: 12/11/2015 - 2808

Loc. of Decision: Ankara

Regarding the registration of archaeological sites identified in Ankara province, Polatlı district, Şabanozu District, Höyük and Beylikköprü District, Köyüstü Locations, letters of the General Directorate of Protection of Natural Assets dated 10/07/2015 and numbered E.8115, İller Bankası A.Ş. dated 09/07/2015 and numbered17528, Ministry of Culture and Tourism General Directorate of Investments and Enterprises dated 20/07/2015 and numbered 139464, Ankara Governorship Cadastre Directorate dated 15/07/2015 and numbered 756519, General Directorate of Mining Affairs' dated 28/07/2015 and numbered 254715, Ankara Governorship Provincial Directorate of Environment and Urbanization dated 15/07/2015 and numbered E.23625, Ankara Metropolitan Municipality, Department of Culture and Natural Heritage dated 19/08/2015 and numbered PP.1814-1961, Ankara Governorship Provincial Directorate of Food, Agriculture and Livestock dated 25/08/2015 and numbered 22238, 4th Regional Directorate of Highways dated 30/09/2015 and numbered 189496, and File Review Form dated 11/11/2015 and the numbered 5418 which was prepared by the expert of Ankara Regional Council for Conservation of Assets were read, its attachments were examined, at the end of the negotiations;

It is understood that opinions are requested from institutions whose activities are affected for the registration of the Tumulus identified in the Beylikköprü District, Köyüstü Location and numbered T120 and the building remains from the Eastern Roman Period identified in Şabanözü District, Höyük Location and numbered DY10 in line with the decision of our Council on 10/06/2015 and numbered 2436;

As it is stated that in the letter of the Ankara Governorship Cadastre Directorate dated 15/07/2015 and numbered 756519, T120 tumulus located in Beylikköprü Distr., Köyüstü Location, 550 parcel; DY10 the remains of the Eastern Roman Period building located in Şabanözü Distr., 345 block, 1-2-3 parcels as well as the road;

T120 Tumulus in Beylikköprü Distr. and DY10 East Roman Period building remains in Şabanözü Distr. are registered as 1st and 3rd Degree Archaeological Site with the coordinates and boundaries shown in 1/5000 scale maps, and to put an annotation stating to Beylikköprü Distr. 550 parcel and Şabanözü Distr. 345 block, 1-2-3 parcels that there is "Immovable Cultural Property That Should Be Preserved";

Until the conservation oriented development plan for the T120 Tumulus and the Eastern Roman Period Building DY10 was prepared, it was decided that the 1st and 3rd articles of the Decision No. 658 of 05.11.1999, which was taken by the High Council for the Protection of Cultural and Natural Properties, defining the conditions of protection and use in archaeological sites, were determined as transition period protection principles and conditions of use.

Decision No.3371, 26/05/2016 of the Ankara No. I Regional Council for Conservation of Cultural Properties

Decision Date and Number: 26/05/2016 - 3371

Loc. of Decision: Ankara

Regarding the tumulus, for which registration procedures were initiated in Ankara province, Polatlı district, Beylikköprü District, from the institutional opinions conveyed in accordance with the decision of the Ankara No.1 Regional Council for the Conservation of Cultural Assets, dated 03.03.2016 and numbered 3141, the letter of the General Directorate of Highways 4th Regional Directorate, dated 29.04.2016 and numbered 95386482-755.01 / E.102627, the letter of the Department of Development and Urban Planning of Ankara Metropolitan Municipality on 12.04.2016 and numbered 84171958-310.1401.02- (812 ND) İÇDP-1529-1582 / 6981-7179, the letter of the Department of Cultural and Natural Heritage of Ankara Metropolitan Municipality on 09.05.2016 and numbered 93544426.310.02.02 (812 ND) PP.930 / 1735, the letter of the Ankara Governorship Directorate of Environment and Urbanization, dated 11.05.2016 and numbered 73209981 / 347-404, were read, their attachments were examined, at the end of the negotiations,

It was decided that, registration of the tumulus proposed for registration as a 1st degree archaeological site in Ankara province, Polatlı district, Beylikköprü District, due to the completion of the procedure for "taking the opinions of the institutions and organizations related to the area subject to detection and whose activities are affected" in accordance with Article 7 of the Law on the Protection of Cultural and Natural Property No. 2863 and Article 6 of the "Regulation on the Identification and Registration of Immovable Cultural Property and Sites to be Protected", which entered into force after being published in the Official Gazette No. 28232 on 13.03.2012. Site boundaries and coordinates of site boundaries shown on the 1/5000 scale map are appropriate. It was also decided that, the archaeological sites and the conditions of conservation use in the 1st article of the principle decision dated 05.1.1.1999 and numbered 658 of the High Council for the Protection of Cultural Properties will be determined as the "Transitional Period Construction Condition".

Decision No.6674, 30/05/2019 of the Ankara No. I Regional Council for the Conservation of Cultural Properties

Decision Date and Number: 30/05/2019 - 6674

Loc. of Decision: Ankara

The views of the institutions regarding the registration of the mound determined on lot numbered 75, block numbered 151, Kıranharmanı Neighbourhood, Polatlı District of Ankara Province and the evaluation report of the expert of the Directorate of Regional Council dated 29.05.2019 and numbered E.253839 were read, its annexes were examined, and at the end of the negotiations;

It was understood that the views regarding the registration of the mound determined by the experts of the Anatolian Civilizations Museum Directorate on lot numbered 75, block numbered 151, Kıranharmanı Neighbourhood, Polatlı District of Ankara Province were asked to the institutions which will be affected by the registration decision, with the letter of the Directorate of Ankara Numbered 1 Regional Council for Conservation of Cultural Assets dated 02.04.2019 and numbered E.282898,

It was informed by the letter of Cadastral Directorate of Ankara Governorship dated 09.05.2019 and numbered E.2132022, the conservation site boundaries marked on 1.5000 scaled coordinated map stay within the lot numbered 75, block 151, Kıranharmanı Neighbourhood, Polatlı District,

It was decided to register the aforementioned mound as a 1^{st} Degree Archaeological Site with its boundaries marked on the 1/1.500 scaled coordinated plan and 1/25.000 scaled map which are the annexes of our decision,

It was decided that until the preparation of the Conservation Plan regarding the mound, the 1st Article of the Principal Decision of the Higher Council for the Conservation of Cultural and Natural Assets dated 05.11.1999 and numbered 658 which determines the conditions of conservation and use within archaeological sites, to be defined as the Transition Period Conservation Principles and Conditions of Use.

Decision No.7317, 05/03/2020 of the Ankara No. I Regional Council for the Conservation of Cultural Properties

Decision Date and Number: 05/03/2020 - 7317

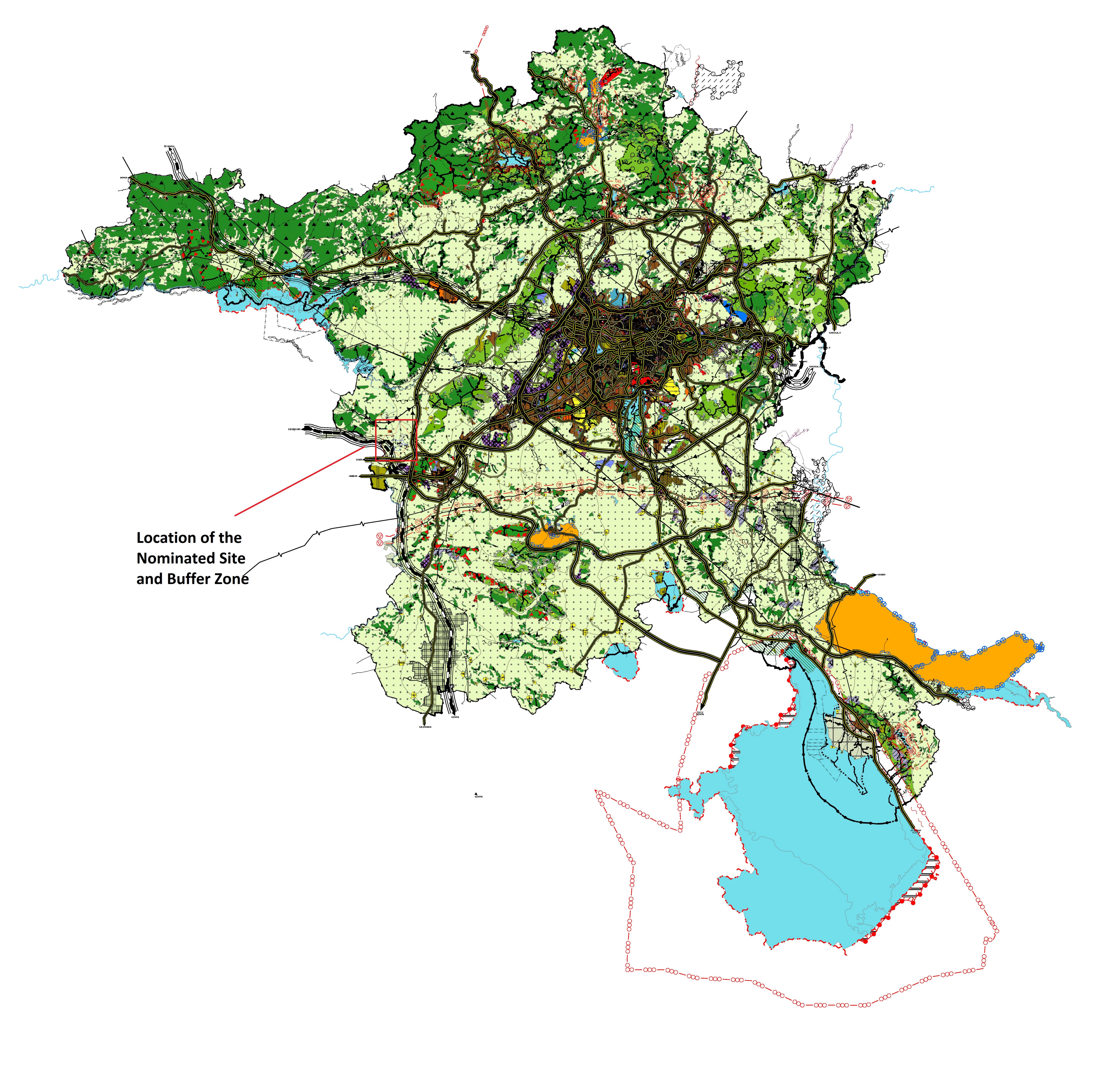
Loc. of Decision: Ankara

Regarding the digitization of the site boundary passing through the 14339.88 m2 area 157 block 12 parcel that is located Ankara Province, Polatlı District, Kıranharmani District, which is partly within the boundaries of the 1st Degree Archaeological Site Area, under the ownership of the Treasury, Partially remaining within the boundaries of Gordion1st Degree Archaeological Site, which was registered with the decision of Ankara Council for the Conservation of Cultural and Natural Properties dated 16.02.1990 and numbered 1096, having a decision regarding the implementation by the relevant administration within the framework of the legislation in force regarding the parts of Yassıhöyük 1/5000 scaled Conservation Master Plan, which was approved by the decision of Ankara No.1 Regional Council for the Conservation of Cultural Properties, dated 18.04.2013 and numbered 627, examined within the scope of the decision of the Ankara No.1 Regional Council for the Conservation of Cultural Properties, with the decision number 2436 dated 10.06.2015 regarding the suitability of the 1/5000 scale map sheets with the boundaries of the site area, the file examination report of the Ankara No.1 Regional Council for the Conservation of Cultural Properties dated 04.03.2020 and numbered 111955, which was prepared as the basis for the assignment letter of the Ankara No.1 Regional Council for the Conservation of Cultural Properties, dated 28.02.2020 and numbered 189614, was read, its attachments were examined, and at the end of the negotiations;

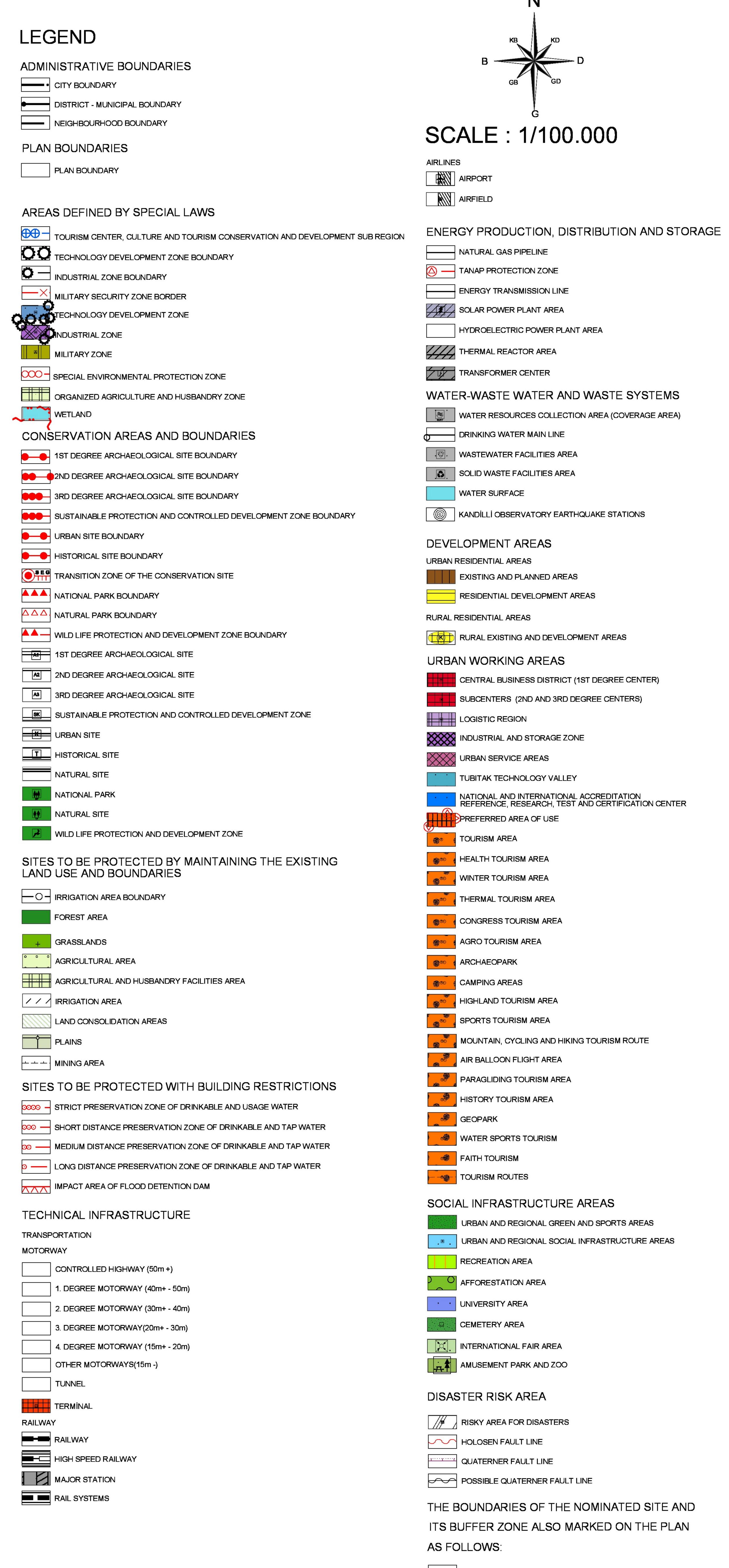
It is appropriate as it is understood that Ankara province, Polatlı district, Kıranharmani district, registered with the decision of Ankara Regional Council for the Conservation of Cultural Properties dated 16.02.1990 and numbered 1096, as well as having decision of the Ankara No.1 Regional Council for the Conservation of Cultural Properites dated 18.04.2013, number 627, regarding approval for Yassıhöyük 1/5000 scaled Conservation Master Plan, Gordion 1st and 3rd Degree Archaeological Site boundaries and site maps containing coordinate data were prepared in line with the site boundaries with the decision of the Ankara No.1 Regional Council for the Conservation of Cultural Properties, dated 10.06.2015 and numbered 2436, and the site boundaries in the approved 1/5000 scaled Conservation Master Plan Regarding the applications to be made regarding Polatli district, Kıranharmanı neighborhood, block 157, parcel 12, it was decided that in the applications to be carried out within the boundaries of the 1st Degree Archaeological Site, the provisions of the High Council for the Protection of Cultural Properties dated 05.11.1999 and numbered 658 and the approved 1/5000 scale Conservation Master Plan are valid, the applications in the parts outside the boundaries of the protected area will be carried out by the relevant administrations within the framework of the legislation in force.

Annex 3.e

1:100.000 Scale Ankara Environmental Plan [incl. in CD]



2038 ANKARA ENVIRONMENTAL PLAN



Annex 3.f

1:5.000 Scale Yassıhöyük (Gordion) Conservation Development Plan; 1:1.000 Scale Yassıhöyük (Gordion) Conservation Development Implementation Plan [incl. in CD]

Annex 3.g

Gordion (Yassıhöyük) and its Environs Management Plan, Jan.2021 [incl. in CD]

Annex 3.h

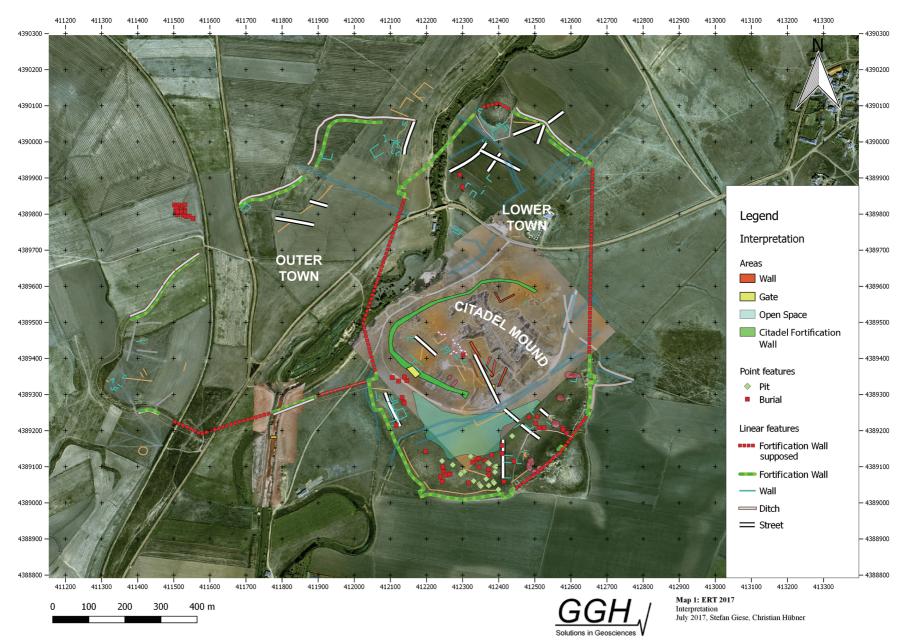
Map showing the Reconstruction of Phrygian Gordion's fortification system, showing the defensive circuits around the Citadel Mound, and the Lower Town and Outer Town zones.

[incl. in CD]

Info. Some sections of these long-buried fortification walls have been excavated by the Gordion Project, but the original course of the defensive circuits can be far more rapidly and extensively detected using remote sensing (ground penetrating radar and magnetic prospection), as shown by the green lines on the map.

Mapping by GGH.

(Source: Penn Museum Gordion Project Archives)



Annex 3.i

Map showing the Gordion (Yassıhöyük) 1st and 3rd degree archaeological conservation 'site' boundaries at 1:25.000 scale [incl. in CD]