

**LAW
UZBEKISTAN
13.10.2009
LRU N-229**

**On Protection and Use
Objects of archaeological
HERITAGE**

**Adopted by the Legislative Chamber of June 16, 2009
Approved by the Senate August 29, 2009 '**

CHAPTER 1. GENERAL PROVISIONS

Article 1. Purpose of this Law

The purpose of this Act is to regulate the relations in the field of protection and use of objects of archaeological heritage.

**Article 2. Legislation on the Protection and Use
objects of archaeological heritage**

Legislation on the protection and use of objects of archaeological heritage consists of this Law and other legislative acts.

If an international treaty of the Republic of Uzbekistan establishes rules other than those provided for by the legislation of the Republic of Uzbekistan on protection and use of objects of archaeological heritage, the rules of international treaty.

Section 3. Basic Concepts

In this Act, the following basic concepts:

archaeologist - researchers with relevant higher education;

State catalog of archaeological objects - an accounting document that contains basic information about each of archaeological objects;

archaeological objects - material residue identified in the implementation of archaeological investigations, archaeological excavations and archaeological supervision or in the process of economic and other activities, as well as discovered by chance (treasure) and the identification of the past;

archaeological monument - the archaeological site, included in the state cadastre of tangible cultural heritage;

objects of archaeological heritage - a set of archaeological sites and archaeological objects;

Archaeological supervision - kind of archaeological research carried out in order to preserve the archaeological site and establishing supervision over compliance with the conservation of cultural heritage during excavation, land surveying, construction, reclamation, utility, road and other works within the boundaries of the archaeological site;

archaeological site - the place construction (creation), the structure of the complex (ensemble), their parts, their associated territories on all forms of human activity and of archaeological, anthropological, ethnographic or other historical, scientific, artistic, cultural value, regardless of the state of safety;

archaeological research - activities carried out in order to obtain new knowledge by exploring archaeological sites, archaeological sites and archaeological objects;

archaeological site - kind of archaeological research at the archaeological site, carried out with the use of excavation works to study the cultural layers, architectural and other material residues;

Archaeological exploration - kind of archaeological research that is not associated with the destruction of the cultural layer (except limited shurfovaniya to determine the thickness of the cultural layer) archaeological site and implemented in order to identify, mapping, localization, interpretation, archaeological site inspection and obtain current data on previously identified archaeological the facility;

Research Report - a document that represents the full information on the results of archaeological investigations, archaeological excavations and archaeological supervision carried out in accordance with the open letter and resolution;

open letter - a document certifying the professional level of the archaeologist and giving him the right to conduct archaeological investigations, archaeological excavations and archaeological supervision;

resolution - a document granting an archaeologist, received a public list, the right to conduct archaeological investigations, archaeological excavations and archaeological supervision at the archaeological site.

Article 4. Ownership of objects Archaeological Heritage

Ownership of objects of archaeological heritage belongs to the state.

Archaeological objects can be assigned to the institutions of science, culture and education for the operational management.

Objects of archaeological heritage are among the sites of cultural heritage.

CHAPTER 2 GOVERNANCE In the protection and use Objects of archaeological HERITAGE

Article 5. Powers of the Cabinet of Ministers of the Republic Uzbekistan in the field of protection and use of Archaeological Heritage

The Cabinet of Ministers of the Republic of Uzbekistan:

implements the basic directions of state policy in the field of protection and use of objects of archaeological heritage;

approves state program for the protection, use of objects of archaeological heritage and support archaeological research;

approves regulations on State Catalogue of archaeological objects;

establishes the procedure for registration of archaeological objects in the State catalog of archaeological objects;

establishes the order of transfer to the State of archaeological objects and their assignment to institutions of science, culture and education;

establishes the procedure for the use of archaeological objects assigned to the institutions of science, culture and education;

defines a special authorized institution in the field of protection and use of the Archaeological Heritage (hereinafter - the specially authorized institution);

establishes the procedure for the organization of international archaeological research.

The Cabinet of Ministers may also exercise other powers in accordance with the law.

Article 6. Powers of the Ministry of Culture and Sports of the Republic of Uzbekistan in the field of protection and the use of objects of archaeological heritage

Ministry of Culture and Sports of the Republic of Uzbekistan:

participates in the development of state programs for the protection, use of objects of archaeological heritage and support archaeological research;

carries out state control over the protection, conservation and use of objects of archaeological heritage;

establishes the procedure for registration and storage of archaeological objects;

maintain the State catalog of archaeological objects;

records archaeological objects in the State catalog of archaeological objects;

shall decide on alienation of archaeological objects registered in the State Catalogue of archaeological objects;

establishes the procedure and conditions of the authorization;

issue a permit;

adopts scientific report for each permit issued;

collects archive of scientific reports.

Ministry of Culture and Sports of the Republic of Uzbekistan, and may exercise other powers in accordance with the law.

Article 7. Specially authorized institution in the field of protection and use of Archaeological Heritage

Specifically authorized institution:

coordinates archaeological research carried out by institutes of science, culture and education;

approve the procedure for the implementation of the archaeological investigations, archaeological excavations and archaeological supervision;

approve the procedure and conditions for the use of special equipment at archaeological sites;

issue special permits for the use of special equipment at archaeological sites;

provides registration and storage of archaeological objects assigned to them;

approve the procedure for drawing up, examination and use of the scientific report;
approve the procedure and conditions for issuing the open letter, samples of its forms;
provides an open list;
receives research report for each outstanding discoveries sheet;
collects archive of scientific reports;
participates in the historical and cultural examination of archaeological heritage.
Specifically authorized institution may exercise other powers in accordance with the law.

**Article 8. Powers of public authorities
on the ground in the field of protection and use of
Archaeological Heritage**

Public authorities in the field within their territories:

provide conditions for adequate protection and maintenance of archaeological heritage;

carry out state control over the state of conservation of the archaeological heritage;

assist archaeologist, has received permission to open the sheet and in the organization of archaeological investigations, archaeological excavations and archaeological supervision;

provide, in accordance with the laws of conservation compliance archaeological sites in the design of land allocation under excavation, land surveying, construction, reclamation, utility, road and other works;

attract voluntary self-government bodies, NGOs and citizens to conduct activities for the protection, preservation and promotion of the objects of archaeological heritage.

Public authorities in the field and may exercise other powers in accordance with the law.

**CHAPTER 3. PUBLIC HEALTH
And use of
ARCHAEOLOGICAL HERITAGE**

**Article 9. Provision of State Security
and the use of archaeological sites**

Ensuring public protection and use of archaeological sites are carried out in accordance with the legislation on the protection and use of cultural heritage.

**Article 10. The inclusion of an archaeological site in
State cadastre of objects of the material
Cultural Heritage**

The inclusion of an archaeological site in the state cadastre of tangible cultural heritage is carried out in accordance with the legislation on the protection and use of cultural heritage.

**Article 11. Exclusion of the archaeological site
State Cadastre material
Cultural Heritage**

Exception archaeological monument from the State Cadastre of tangible cultural heritage is carried out in accordance with the legislation on the protection and use of cultural heritage only after the final

archaeological research.

Article 12. State registration and storage archaeological objects

State registration of archaeological objects includes their identification, inventorying their detailed characteristics defined scientific and cultural values, provide scientific report, registration of archaeological objects in the State catalog of archaeological records of archaeological objects assigned to the institutions of science, culture and education.

Storage of archaeological material and provides for the creation of legal conditions to ensure their safety.

Registration and storage of archaeological objects assigned to the institutions of science, culture and education, carried out in the manner prescribed by the Ministry of Culture and Sports of the Republic of Uzbekistan.

Article 13. Maintenance of the State Directory archaeological objects

State catalog of archaeological objects maintained by the Ministry of Culture and Sports of the Republic of Uzbekistan.

Actions entities aimed at the establishment, modification or termination of civil rights and obligations of the archaeological objects are made only after their registration in the State catalog of archaeological objects.

Article 14. Registration of archaeological objects State catalog of archaeological objects

Register of archaeological objects in the State catalog of archaeological objects is carried out by the Ministry of Culture and Sports of the Republic of Uzbekistan.

Article 15. Alienation of archaeological objects, registered in the State Catalogue archaeological objects

Archaeological objects registered in the State Catalogue of archaeological objects, not subject to alienation, except in cases of loss, destruction or exchange to other archaeological objects.

The decision on the alienation of archaeological objects registered in the State Catalogue of archaeological objects, in cases specified in paragraph one of this Article shall be adopted by the Ministry of Culture and Sports of the Republic of Uzbekistan.

Article 16. Transfer of the state archaeological Objects and their consolidation of the institutions science, culture and education

Archaeological items to be transferred to the state and their subsequent consolidation of the institutions

of science, culture and education in the manner prescribed by the Cabinet of Ministers of the Republic of Uzbekistan.

Archaeologist, has received the open letter and p Allowing must ensure the preservation of archaeological objects before they are transferred to the state.

After transfer to the State of archaeological archaeologist, has received the open letter and resolution, issued a document confirming the transfer.

When deciding on the consolidation of archaeological objects for scientific, cultural and education must provide these facilities in material and technical base, including a room or space needed to store equipment, security equipment and fire fighting equipment.

In the case where archaeological objects remain in place to identify them, the archaeologist who received the open letter and resolution, together with the relevant bodies exercising state control in the field of protection and use of cultural heritage, should take measures to preserve them. The data archaeological items should be described, photographed and presented in a scientific report.

Article 17. The use of archaeological objects, assigned to the institutions of science, culture and education

Using archaeological objects assigned to the institutions of science, culture and education, allowed only for the following purposes:

scientific, cultural, educational and outreach activities;
publication of archaeological objects.

The procedure for using archaeological objects assigned to the institutions of science, culture and education, established by the Cabinet of Ministers of the Republic of Uzbekistan.

Article 18. Conservation measures archaeological objects

Measures for the conservation of archaeological objects include work on the conservation, restoration and reconstruction.

Preservation of archaeological objects - a complex scientific and technical research and production activities carried out in order to preserve the archaeological objects in its current form and to prevent deterioration of his condition.

Restoration of archaeological objects - a complex scientific and technical research and production activities carried out in order to identify and preserve the historical and aesthetic value of archaeological objects and to ensure its safety.

Reconstruction of archaeological objects - a set of scientific and technical research and production work to restore fully or partially damaged archaeological objects implemented in order to maximize detection preserved its original parts, but the sheer recognizability of introduced additions.

Work on the conservation, restoration and reconstruction of archaeological objects made by decision of the administration of institutions of science, culture and education, are sure that the present archaeological objects.

Article 19. Removal of the Republic of Uzbekistan archaeological objects

Archaeological items removed from the Republic of Uzbekistan shall not be subject, except in the case

provided for in part two of this article.

Temporary export of archaeological objects from the territory of the Republic of Uzbekistan is carried out in the manner prescribed by law.

CHAPTER 4. Archaeological research Objects of archaeological heritage

Article 20. Terms and Conditions of archaeological intelligence, archaeological sites and archaeological supervision

Archaeological exploration, archaeological excavations and archaeological supervision is carried out in the manner prescribed by the specially authorized institution, only government agencies and organizations in the constituent documents which provided for the implementation of archaeological investigations, archaeological excavations and archaeological supervision. They are responsible for the quality of work, timeliness and quality of the scientific report.

Implementation of archaeological investigations, archaeological excavations and archaeological supervision is allowed only if the archaeologist open sheet and resolution. He is obliged to directly supervise archaeological exploration, archaeological excavations and archaeological supervision.

Unauthorized excavations on the implementation of the archaeological site is prohibited. Archaeological objects obtained in the course of this action, to be transferred to state ownership.

Article 21. Priority in planning archaeological excavations

When planning the archaeological site must be observed priority, according to which archaeological excavations are carried out mainly at archaeological sites or archaeological sites threatened by natural deterioration and any other actions and circumstances in accordance with the law.

Article 22. Procedure and conditions for issuing Open the sheet and permits

The procedure and conditions for issuing an open sheet, its sample forms are approved by a specially authorized institution.

The procedure and conditions of the authorization set by the Ministry of Culture and Sports of the Republic of Uzbekistan.

Article 23. Form and validity open sheet

Depending on the nature of archaeological research open letter has the following form:

Form N 1 - to carry out archaeological excavations;

Form N 2 - to carry out archaeological investigations with the opening of a small area (20 square meters on the same archaeological site.) and the survey of land as part of the historical and cultural examination of objects and archaeological heritage of the archaeological supervision;

Form N 3 - the right to conduct archaeological investigations without performing any excavation work

at archaeological sites, except for the limited clean-up operations on existing exposures;

Form N 4 - the right to carry fire-rescue excavations at the archaeological site, ruptured during excavation, construction work or are in poor condition, in order to prevent the threat of its destruction.

Open lists on Form N 1 and N 4 are given to carry out archaeological excavations on specific archaeological sites.

Open lists on Form N 2 and N 3 shall be issued on the exercise of archaeological investigations indicating the respective administrative-territorial units of the Republic of Uzbekistan and, if necessary, a specific archaeological site.

Validity of the open sheet regardless of the date of its issue expires on the last day of the calendar year.

Article 24. Rights archaeologist, has received open letter and resolution

The archaeologist, has received the open letter and the resolution, has the right to:

to carry out archeological surveys, archaeological excavations and archaeological supervision within the limits set for the opening leaf;

contact the state authorities and local self-government bodies with the requirement to suspend any action that would lead to the destruction of the archaeological site;

to conduct archaeological research and scientific expertise they identified archaeological objects.

The archaeologist, has received permission to open the sheet and may have other rights under the law.

Article 25. Duties of the archaeologist, has received open letter and resolution

The archaeologist, has received the open letter and permission is required to:

record resolution appropriate bodies exercising state control in the field of protection and use of objects of cultural heritage;

comply with the order of the archaeological investigations, archaeological excavations and archaeological supervision within the limits set for the opening leaf;

within one week in writing to inform the relevant authority exercising the state control in the field of protection and use of objects of cultural heritage, the destruction at archaeological sites identified in the implementation of archaeological investigations and archaeological supervision;

in writing to inform the relevant authority exercising the state control in the field of protection and use of objects of cultural heritage, of previously unknown archaeological sites and archaeological objects discovered during the implementation of archaeological investigations, archaeological excavations and archaeological supervision;

make an inventory with detailed specifications (material parameters, dating, etc.) of each archaeological object;

provide primary conservation and preservation of the archaeological site;

to transfer to the state in accordance with the procedure established by the Cabinet of Ministers of Uzbekistan, archaeological objects found during the implementation of archaeological investigations, archaeological excavations and archaeological supervision;

upon expiration of the open list, but no later than the end of the first quarter of the next calendar year to provide scientific report according to the Ministry of Culture and Sports of the Republic of Uzbekistan and the specially authorized institution.

The archaeologist, has received permission to open the sheet and may have other obligations in accordance with the law.

Article 26. Use of special Equipment at archaeological sites

Using special equipment at archaeological sites is permitted only with a special permit issued by the specially authorized agency.

The procedure and conditions for the use of special equipment at archaeological sites are approved by a specially authorized institution.

Article 27 Archaeological research of archaeological subjects assigned to the institutions of science, Culture and Education

Archaeological research of archaeological objects assigned to the institutions of science, culture and education, according to the procedure established by the Cabinet of Ministers of Uzbekistan.

Article 28. Requirements for the preparation of the scientific report

In a scientific report in text and graphic form must be submitted complete information about the objects of archaeological heritage, identified and (or) investigated the implementation of archaeological investigations, archaeological excavations and archaeological supervision.

By scientific report must be accompanied by a document confirming the transfer of archaeological objects to the state.

Scientific report is subject to indefinite storage.

Requirements for the design, content and application of the scientific report, to the terms of its provision and the procedure for the examination of the scientific report are approved by a specially authorized institution.

Legal persons holding appropriate documentation of archaeological research in the territory of the Republic of Uzbekistan, are required to provide their original or a copy upon written request of the specially authorized agencies.

Copyright archaeologist, has received the open letter and the resolution on the scientific report is provided in accordance with the law.

CHAPTER 5. FINAL PROVISIONS

Article 29. Financing of state protection and use of the archaeological heritage

Funding for public protection and use of objects of archaeological heritage and archaeological investigations, archaeological excavations and archaeological supervision at the expense of the State Budget of the Republic of Uzbekistan and other sources not prohibited by the legislation.

Article 30. International cooperation in the field of and use of the archaeological heritage

International cooperation in the field of protection and use of objects of archaeological heritage in

accordance with the legislation and international treaties of the Republic of Uzbekistan.

Article 31. Resolution of disputes

Disputes in the field of protection and use of objects of archaeological heritage shall be settled in the manner prescribed by law.

Article 32. Responsibility for violation of the law on protection and use of objects archaeological heritage

Persons guilty of violation of legislation on protection and use of objects of archaeological heritage, shall be liable in accordance with established procedure.

Article 33. Bringing the legislation in accordance with this Law

The Cabinet of Ministers of the Republic of Uzbekistan:
lead the government's decision in conformity with this Act;
provide revision and cancellation by state authorities of their normative and legal acts that contradict this Law.

Article 34. Entry into force of this Act

This Law shall enter into force on the day of its official publication.

President
The Republic of Uzbekistan Islam Karimov

"Jahon", October 14, 2009

"Assembly of the Republic of Uzbekistan law"
2009, N 42, Art. 448