**MINISTERIAL DECISION**

**ΥΠΠΟΑ/ΑΤΝΕΚΕ/97550/263/05.03.2018 (ΦΕΚ Β/970/19.03.2018)**

**Definition of archaeological fieldwork, conditions and procedure for issuing permits of systematic archaeological research and regulation on systematic excavations.**

Taking into consideration:

1. The provisions:
2. Of paragraph 3, art. 36 of Law 3028/2002
3. Of art. 35, 36, 37 and 38 of Law 3028/2002
4. Of Law 3378/2005 “Ratification of Convention on the protection of Archaeological Heritage (revised)”
5. Of presidential decree. 4/208 “Organization of Ministry of Culture and Sports”
6. Of presidential decree 70/2015 “Reorganization of Ministries of Culture and Sports”
7. Of presidential decree 125/2016 “Appointment of Ministers, Deputy Ministers and Vice Ministers” (A’ 210)
8. Of art. 90 of the Legislation Code for the Government and Government Bodies that was ratified with art. 1 of presidential decree 63/2005 (A’ 98)
9. Prot. num. ΥΠΠΟΑ/ΓΔΑΜΤΕ/304782/29409/31-7-2017 document of the Committee on Legal and Administrative Support for the Implementation of Provisions of Law 3028/2002
10. Prot. num. ΥΠΠΟΑ/ΓΡΥΠ/467915/11111/8-11-2017 document of the Minister of Culture and Sports.
11. Prot. num. ΥΠΠΟΑ/ΓΔΟΥ/491330/43788/21-11-2017 Explanatory-Financial Report of the Head of the General Directorate of Finance Services of the Ministry of Culture and Sports, according to which no additional expenditure is added to the State Budget by this decision, since it regulates the procedure of conducting excavations of the Ministry of Culture and Sports,

we decide:

**Article 1**

**Definition of archaeological fieldwork**

(art. 35 in combination with art. 36, 37 and 39 of Law 3028/2002)

Archaeological fieldwork is defined as research on the ground, underground, on the seabed or the bottom of lakes or rivers, with the purpose of locating or uncovering ancient monuments and any other remains related to human activity.

Archaeological fieldwork includes:

a) systematic excavations b) rescue and exploratory excavations conducted by the Archaeological Service, c) any kind of surface or other scientific survey with archaeological purpose that is conducted with geophysical, geological or other methods, d) the survey of antiquities in the sea, in lakes or in rivers, and e) surveys in caves and on paleontological remains outside of caves where there are indications of human activity.

A systematic excavation is a scheduled excavation with clearly defined scientific goals, for the uncovering, documentation and interpretation of movable and immovable monuments, as well as organic and environmental remains related to human presence and activity, at a specific site, on land or underwater, with the purpose of studying and publishing it in full.

Archaeological cleaning for the removal of backfill is considered as archaeological fieldwork and is subject to the relevant permitting procedures.

**Article 2**

**Institutions conducting archaeological fieldwork, conditions and permits**

Institutions conducting archaeological fieldwork, the conditions for issuing a decision for conducting a systematic excavation, surface or other form of archaeological survey and the permitting procedure are regulated by art. 36 and 38 of law 3028/2002.

More specifically:

The institution requesting to conduct a systematic excavation, surface, or other form of archaeological survey submits an application to the relevant Ephorate of Antiquities with a copy to the central Directorates of the Ministry of Culture and Sports (Directorate of Prehistoric and Classical Antiquities or/and Directorate of Byzantine and Post-Byzantine Antiquities, depending on the chronology of the project) by November 30 of the previous year at the latest. The applications shall mention the complete schedule of the research project for a time period of up to five years, the work scheduled for the first year and indicatively the work of the following years, as well as all the information required to ensure that all the conditions laid out in art. 36, par. 3, Law 3028/2002 are met.

The conditions for directing a systematic excavation, surface or other form of archaeological survey are regulated by art. 36, par. 4 and 5 of Law 3028/2002.

It is also possible for a retired archaeologist to direct a systematic archaeological research project after the issuance of a decision by the Minister of Culture and Sports, provided that he/she meets all the above requirements.

Institutions of art. 36, par. 1 specialized in paleontological research can conduct excavations with the purpose of uncovering finds dating exclusively to the time period related to Paleontology.

Collaborative projects (*synergasias*) are projects conducted by the Archaeological Service in collaboration with foreign archaeological schools or missions or educational and research institutions in Greece, as these are defined in art. 36, par. 1 of Law 3028/2002.

Drawing up a memorandum of collaboration is necessary for conducting a collaborative systematic archaeological project. This memorandum must include the following information and be governed by the following principles:

1. Mention the purpose, content, duration and budget of the research project.
2. Clarify the research field of each institution and the rights to the study and publication of finds. A memorandum with more specific terms concerning the study and publication of finds shall be drawn up during the last year of fieldwork.
3. The collaboration is based on the principle of equity between the collaborating institutions on a scientific level.
4. The research project is considered as research of the Greek State and as such is subject to provisions relevant to excavations and archaeological research.
5. Care is taken for the preservation of antiquities with the appropriate studies and works for protection, conservation, consolidation, and possibly restoration.
6. Annual reports on the progress and the results of the research project are submitted to *Archaiologiko Deltio* in Greek*,* irrespective of any other Greek or foreign publications.
7. The memorandum of collaboration must also include the reasons and terms of its termination, as well as its duration.
8. The memorandum of collaboration is signed by the collaborating institutions and the directors of the project.

**Article 3**

**Duration of archaeological research projects**

(Art. 36, par. 11-14, Law 3028/3003)

The schedule of a systematic excavation, surface or other form of archaeological research can initially be approved for up to five years according to the procedure of Art. 2 of this document. Within the time frame of an approved project, an annual report is submitted for approval and includes the following information:

1. The results of the previous excavation season as well as the schedule for next year’s work.
2. The compliance of obligations as set forth in Art. 2 of the current document and of par. 2 and 3, Art. 39 of Law 3028/2002.
3. Any changes in the composition of the scientific team.
4. The sufficient technical infrastructure.
5. Care for the protection, conservation and consolidation of exposed antiquities, which is the responsibility of the excavating institution and of the excavator. Noncompliance with these obligations can result in the withdrawal of the permit.

In order to apply for a permit for the annual work of an already approved project, a request is submitted to the relevant Ephorate of Antiquities, in addition to the report mentioned above, with a copy to the relevant Directorates of the Ministry of Culture and Sports (Directorate of Prehistoric and Classical Antiquities or/and Directorate of Byzantine and Post-Byzantine Antiquities) by November 30 of the previous year at the latest and a permit is issued by the General Directorate of Antiquities and Cultural Heritage. If the General Directorate of Antiquities and Cultural Heritage is the institution conducting the systematic archaeological research, then the permit is issued by the General/ Administrative Secretary of the Ministry of Culture and Sports.

The extension of an excavation requires the issuance of a new permit under the conditions of par. 11, Art.36. This extension is approved for a time period of up to five years.

**Article 4**

**Obligations of directors of systematic excavations**

Those responsible for archaeological research projects follow and coordinate the fieldwork through their physical presence and care, in collaboration with the Departments of the Ministry of Culture, for the following:

1. The timely completion of the research work.
2. The selection of the least destructive methods of research.
3. The in situ preservation of immovable antiquities and their protection.
4. The formation of an interdisciplinary research team, according to the subject and the purpose of the excavation, the distribution of the material to be studied and the coordination of the team for the timely submission of the results and their publication.
5. Ensuring adequate funding for the archaeological research project and for the conservation, consolidation, and protection of exposed remains, the landscaping of the excavated site, as well as for the restoration and presentation of antiquities, if deemed necessary, in collaboration with expert scientists.
6. To take measures for the safety of those participating in the research project and of any others.
7. The collection and documentation of any kind of organic or non-organic remains that constitute evidence of the research project.
8. The adequate and appropriate documentation of the research project’s archaeological material, the keeping of relevant archives, conventional and digital, and the timely submission to the Archaeological Service of copies of excavation log books and general documentation material.
9. Conducting immediate conservation, consolidation and stabilization work annually. Taking measures for the protection of exposed immovable antiquities from weather conditions and man-made damage (e.g. temporary covering and backfilling, drainage) until the final decision on managing the finds.
10. Being consistent with deadlines and obligations on submitting and publishing the results of the research project.
11. Informing land owners when a research team is coming through or doing work on private land, as well as the cost for any compensation given to landowners for restoring the site under research.
12. Ensuring that no environmental damage is caused by the work of the archaeological research.

**Article 5**

**Special clauses**

The availability of adequate and appropriate storage space for storing and studying finds must be ensured before the commencement of new archaeological research projects. It is possible to request that the research institution covers the cost for finding or renting an appropriate space, which will be under the direct supervision and responsibility of the relevant Ephorate of Antiquities and will fulfill all the security requirements of antiquities storage facilities.

Participants in archaeological work must have prior exposure to archaeology or other relevant sciences. It is the responsibility of the director of the research project to submit to the relevant departments of the Ministry of Culture and Sports, before the start of the project, the names and specialties of the scientific team, as well as the names of other participants and training students including their exact capacity and their relationship to the research project.

The current ministerial decision concerns systematic archaeological fieldwork (excavations, surface or other form of archaeological surveys) and applies to projects that will take place as of 1-1-2019.

This decision shall be published in the Government Gazette.