



To Diplomatic Missions Accredited to Georgia

The LEPL National Agency for Cultural Heritage Preservation of Georgia (NACHP) has the honor to convey the following information to diplomatic missions accredited to Georgia:

The NACHP is the only authorized institution responsible for issuing permits to conduct archaeological works in the country as well as for state monitoring of the observance of permit conditions.

Every year, archaeological works, both with state funding and private grants obtained by individuals, are carried out throughout the country.

In 2021 and 2022, a number of cases were identified when individuals from Georgia communicated with foreign students and professionals offering them to conduct archaeological works in Georgia promising services in situ against some fee. As a consequence, interested individuals/representatives of certain institutions arrived in Georgia with the purpose of conducting archaeological activities but they, unfortunately, encountered legal problems. Namely, the Georgian initiators of such expeditions had not obtained any permit beforehand and started legal proceedings only after the arrival of foreign guests, some of them even started illegal digging. As a result, some expeditions could not start in a timely manner, others were stopped. In some cases, foreign students were led to ask the initiators to return paid money back.

In view of the above, and the archeological season 2023 approaching, we would like to avoid such unfortunate cases and experience. We, therefore, are pleased to provide detailed information about the rules and regulations that are required to be observed by persons/organizations interested in carrying out archaeological works in Georgia.

According to the Law of Georgia *on Cultural Heritage* (Article 47) and administrative agreement N2 (signed on 30 October 2015 between the Ministry of Culture and the NACHP), the legal basis for performing archaeological works in the country is the permission issued by the NACHP under the procedures established by the legislation of Georgia.

Article 48 of the same Law defines the procedure for submitting an application to the NACHP for obtaining a permit to conduct archaeological works, namely: the application should include a precise indication of the type and volume of works planned. In addition to the documents defined by the law of Georgia *on Licenses and Permits*, the following must be attached to the application submitted:

- a) a complete set of design documents of works that are appropriate under this Law;
- b) in the case of private property, the application shall also include a document confirming the ownership rights of an appropriate site or area, and a cadastral map; if the applicant is not an owner of the dig site, the application shall also include the owner's authorization;
- c) where the property is owned by the State/municipality, the application shall include a document certifying state/municipality ownership of the given property and authorization of the owner.

The application shall also include a letter of engagement issued by a museum, institute, or other relevant institution in Georgia guaranteeing that the archaeological materials discovered as a result of performed works will be accepted and proper conditions for displaying and storing will be ensured.

According to Article 50 of the Law of Georgia *on Cultural Heritage*, the project documentation of archaeological works consists of the following parts:

- a) an executive summary substantiating the need for conducting the works and testifying their compliance with the requirements of the Georgian legislation, enumerating the types and volume of works. The executive summary shall specify:
 - a.a) the exact name (if any) of the archaeological site;
 - a.b) the exact name of the location of the site and its exact address;

a.c) if the project, due to the scope of works and the archaeological site, involves only the examination or rehabilitation of fragments of the site, the executive summary shall also confirm compliance of the works with the unified concept of the examination, rehabilitation and development of the site (where there exists a conservation plan it shall also demonstrate compliance with the conservation plan);

a.d) the provision of conditions for the conservation and cultivation of discovered objects of archaeological interest as a result of works to be performed, and their proper placement and storage in an appropriate depository;

a.e) a report on the expected results of works performed;

b) a layout of the project site (in 1:1500 or 1:500 scales) showing the GPS coordinates;

c) recordings of the study area and sites existing thereon, including materials of photographic and visual description, and appropriate analysis, and in the case of preliminary examinations, the results of preliminary examinations;

d) material from the historical-bibliographical and archival research of the project area (site) with an indication of respective references, namely searching museum and archival material (including, if any, historical and master plans, historical cadastral and structure plans, archival photographs of the project area, space and aerial photographic material), and analysis of comparing primary information obtained on the study area with the archival data;

e) the project for the organization of the execution of the works and the schedule of works on the basis of calendar days, showing the sectors and the sequence of appropriate works, and in the case of a long-term (multi-year) expedition, showing the interim and total duration of works.

According to Article 5 of the Law of Georgia *on Cultural Heritage* and the above-mentioned administrative agreement N2, a Cultural Heritage Protection Council is established within the agency aiming at reviewing documents submitted to the NACHP. The Council is an advisory body for the Director General of the NACHP and its activities are governed by the Statute approved by Order No. 02/10 of 24 February 2022 of the Director General of the NACHP.

According to the Statute, the Council consists of different thematic sections. One of the thematic sections is the archaeological section, which is composed of leading specialists in the field. The section reviews projects related to requested archaeological works by the applicants, reviews relevant matters related to issuing permits to conduct archaeological works. The Council also deals with the matters related to suspension, renewal, cancelation and amendment of permits to conduct archaeological works. The section also reviews interim and final reports of archaeological works, evaluates scientific and methodological matters related to archaeological works and, within its competence, deals with defining archaeological protection zone and matters related to the restrictions and prohibitions of traffic and pedestrian movement activities within the zone and other issues submitted for the consideration by the NACHP.

According to Article 5, Paragraph 7 of the Law of Georgia *on Cultural Heritage* and Article 5, paragraph 7 of the Statute of the Council, the decisions of the Council serve as a recommendation for the final decision of the Director General of the NACHP.

The NACHP would highly appreciate the delivery of the above-mentioned information to citizens and/or organizations of your country in order to remain updated and avoid any misunderstanding in future.

The NACHP reiterates its firm commitment to support activities that strengthen cooperation between different countries in the field of culture and science.

The NACHP avails itself of the opportunity to renew to the diplomatic missions accredited to Georgia the assurances of its highest consideration.

Sincerely,

Director General

SIGNED/SEALED
ELECTRONICALLY 

Nikoloz Aznaurashvili