

**Syrian Arab Republic  
Ministry of Culture  
General Directorate of Antiquities and Museums**

**Antiquities Law**

**Passed in Legislative Decree # 222 of October 26, 1963  
With All its Amendments**

Damascus 2000

## **Antiquities Law**

**Passed in Legislative Decree # 222 of October 26, 1963**

### **With All its Amendments in**

1. Legislative Decree # 296 of 2/12/1969;
2. Legislative Decree # 333 of 23/12/1969
3. Law #7 of 1/1/1974
4. Legislative Decree # 52 of 10/8/1977
5. Legislative Decree # 295 of 2/12/1969
6. Law # 1 of 28/2/1999 (published in issue # 11 of 24/3/1999, p. 377 and is in force as of 5/4/1999).

## Legislative Decree # 222

Chairman of the National Council of the Revolution Command,  
In accordance with military command # 1 of 8/3/1963;  
Legislative Decree # 10 of 23/3/1963;  
Legislative Decree # 68 of 9/6/1963;  
Resolution of the National Council of the Revolution Command # 222  
of 26/10/1963, with all its amendments, particularly the amendment  
by Law # 1 of 28/2/1999;

Decreases the following:

**Article 1:** Antiquities are movable and immovable properties built, manufactured, produced, written or drawn by man that date back to at least two hundred Christian years or two hundred and six Hejira years. Antiquities authorities are entitled to consider as antiquities all the movable and immovable properties belonging to a later date if they find that they possess historical, artistic or national characteristics. This should be stated in a ministerial decision.

**Article 2.** Antiquities authorities in the Syrian Arab Republic are charged with protecting antiquities; and they alone determine the antique character of historical buildings, archeological sites and what should be registered as antiquities. Registering a certain antique object means that the state acknowledges the historical, artistic, or national significance of the object and its commitment to preserve, protect, study and use it in accordance with provisions of this Law. What is meant by the terms “antiquities authorities” in this Law is the General Directorate of Antiquities and Museums.

**Article 3.** Antiquities are of two types: movable antiquities and immovable antiquities.

- A. Immovable Antiquities: These antiquities are related to land, like natural or manmade caves on which ancient man drew images or inscriptions, and also city ruins and buildings buried under hills, historical buildings built for different purposes like mosques, churches, temples, palaces, houses, hospitals, schools, castles, forts, walls, sports grounds, theatres, inns,

- bathrooms, cemeteries, canals, dams, and the ruins of such buildings, and all that is related to them like doors, windows, columns, balconies, stairs, roofs, friezes, capitals, altars and tombstones.
- B. Movable Antiquities: These are by nature made to be separate from the land or from historical buildings, and which can be moved from one place to another like statues, coins, pictures, engravings, and products or whatever material and whatever the purpose of making or using them.
  - C. Some movable antiquities are considered immovable if they are parts or decorations of immovable antiquities. This should be determined by antiquities authorities.

**Article 4.** All movable and immovable antiquities, and antiquities regions in the Syrian Arab Republic are public properties of the state, with the exception of:

- A. Immovable antiquities whose owners prove ownership by official documents;
- B. Immovable antiquities registered by their owners with the antiquities authorities;
- C. Immovable antiquities which antiquities authorities find unnecessary to register.

**Article 5.** Antiquities authorities have the right to evacuate individuals or institutions which occupy historical buildings or archeological areas owned by the state, and they might, in cases identified by the Antiquities Council, to award those who occupied these places before passing this Law, a compensation for the evacuation or for the new structures they have built. The volume of the compensation is determined by a committee set up for this purpose, or in a Presidential Decree.

**Article 6.** Ownership of the land does not entitle the owner to dispose with movable or immovable antiquities which might exist on its surface or could be buried under it. Neither does it entitle the owner to excavate for antiquities in it.

**Article 7.** It is prohibited to destroy, transform, damage movable and immovable antiquities by writing on them, engraving them, or changing their features, or removing parts of them. It is also prohibited to fix posters, advertisements or signposts in archeological areas or on registered archeological buildings.

**Article 8.** When city and village plans are drawn, or when they are expanded or improved, or anything of the kind, archeological areas and historical buildings have to be preserved. Such plans cannot be approved unless they are approved by antiquities authorities. Such plans cannot be amended without the approval of these authorities.

**Article 9.** Ministries, directorates and relevant committees must, upon planning, improving, beautifying or registering the detailed ownership in cities and villages which contain archeological areas and historical buildings, take into account the rights of use identified by antiquities authorities, stated in Articles 13 and 14 of this Law. They also have to state them in planning resolutions.

**Article 10.** Municipalities cannot grant building and renovation permits in places close to archeological sites and historical buildings without the permission of antiquities authorities in order to insure that new buildings are built in a style that is in harmony with the archeological nature of the place.

**Article 11.** Antiquities authorities should, in coordination with the authorities responsible for surveying land, identify the areas, buildings and archeological hills on survey maps and documents.

**Article 12.** Antiquities authorities should, within the provisions of international agreements and conventions and recommendations of international organizations, seek to restore antiquities smuggled outside the Syrian Arab Republic and help restore foreign smuggled antiquities providing reciprocity.

## Chapter Two Immovable Antiquities

**Article 13.** Antiquities authorities are entitled to identify the archeological areas, historical buildings and old city quarters that should be preserved, and maintain them for their original artistic qualities, or signification of a certain age or association with important historical memorable events. These authorities should enter these places in the register of archeological places and historical buildings after obtaining permission of the Antiquities Council and a ministerial decision to register. The decision could include a number of quarters, buildings, a single quarter or building or part of a building or a quarter. The registration decision states the rights of use of neighbouring buildings. When the antiquity had been registered without identifying the rights of use that should be provided by neighbouring buildings, a ministerial decision identifies these rights later; and owners or proprietors, relevant administrative, municipal and real estate authorities are notified. They are also registered with the real Estate Register.

**Article 14.** Rights of use include the unbuilt area surrounding the archeological areas or historical buildings, identifying the style of new or renovated buildings, their height, building materials and colours so that the new structures are in harmony with the old structures. This includes not opening windows and not having balconies facing the historical buildings or archeological areas without permission from antiquities authorities.

**Article 15.** Antiquities authorities might give a written permission to use archeological areas and historical buildings which they find unnecessary to register.

**Article 16.** Registration of archeological areas and historical buildings registered before the coming into force of this Law remains valid.

**Article 17.** Registration of an archeological area or historical building can be cancelled upon a decision by the Minister of Culture and National Guidance proposed by the Antiquities Council. The decision

should be published in the official gazette and entered in the antiquities register.

**Article 18.** Unregistered historical buildings not owned by the state continue to be run by their owners or proprietors, but they do not have the right to use them except for the purposes for which they were built. Antiquities authorities might allow them to be used for humanitarian or cultural purposes.

**Article 19.** Municipalities, the Ministry of Religious Endowments and other ministries, denominations, associations, natural and legal persons might give up the ownership of archeological and historical properties to antiquities authorities by way of donating or selling or exchanging them in return for a minimal price, or put them under the disposal of these authorities for a long period of time.

**Article 20.** Antiquities authorities might expropriate any historical building or archeological area in accordance with Expropriation Law. Compensation for expropriation is set regardless of the archeological, artistic or historical value of the expropriated buildings and areas. These authorities might expropriate the surrounding buildings, adjacent lands, or buildings attached to immovable antiquities with a view to clearing the area surrounding these antiquities and revealing their features.

**Article 21.** Registered archeological areas and historical buildings owned by the state are under the jurisdiction of antiquities authorities. They might not be sold or donated. Antiquities authorities might use them for the purposes they find appropriate.

**Article 22.** Antiquities authorities alone might carry out maintenance and restoration of immovable registered antiquities in order to preserve them and maintain their features and decorations. Owners and proprietors cannot object to that.

Repairs and restorations carried out as a result of use are carried out by the owner or proprietor after obtaining permission of antiquities authorities and their supervision, provided that the owner or proprietor

pays the costs. Antiquities authorities pay from their budgets for the repair and restoration of registered archeological areas and historical buildings, while the Ministry of Religious Endowments and religious bodies pay half the costs of repair and maintenance of the registered archeological buildings they own. Antiquities authorities might contribute part of the costs of repairing historical buildings owned by individuals, while individuals pay the rest.<sup>1</sup> Antiquities authorities might, in cases where registered archeological buildings not owned by the state are under the danger of collapse or deterioration and their owners decline to restore them, save and restore these buildings from their budgets. The money owed by owners of the buildings becomes a debt that would be collected from them under the public money collection law. A mortgage mark is placed on the property's page for the benefit of antiquities authorities temporarily until the debt is paid. Owners of archeological buildings can be exempted from paying the money owed by them in implementation of the previous paragraph totally or partially through a decision by the Minister of Finance upon a suggestion by the Minister of Culture and National Guidance.

**Article 23.** An owner of a registered immovable antiquity might not, in accordance with provisions of this Law destroy, move in full or in part, renovate or change it in any way without prior permission from antiquities authorities. The licensed works are conducted under the supervision of antiquities authorities. When this provision is violated, antiquities authorities restore the historical building to its former condition. The costs of this work should be collected from the person who committed the violation in addition to the penalty stated in this Law.

**Article 24.** New rights of use might not be imposed on registered immovable archeological and historical properties after they have been registered. Neither any new building could be based on these properties. The person who commits such a violation shall remove the additions at his own expense under the supervision of antiquities

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<sup>1</sup> Added in accordance with Legislative Decree # 296 of 2/12/1969.



authorities; or the authorities might carry out the removal, charge the violator with the costs in addition to the penalty stated in this Law.

**Article 25.** A registered archeological land might not be used as a dumping place for waste. No building, cemetery or irrigation canal might be erected on it. No trees might be uprooted from it or planted in it; and no other works might be carried out that might change the features of the land without the permission of antiquities authorities or their supervision. Parts or ruins of historical buildings might not be used; and soil or stones might not be removed from archeological areas without the official permission of these authorities.

**Article 26.** Heavy and hazardous industries, military facilities might not be built within 500 meters of registered immovable archeological and historical properties.

**Article 27.** Any person who discovers an immovable antiquity, or knows about such a discovery should inform the nearest government authority within 24 hours of the discovery; and this authority should inform the antiquities authorities immediately.

If the antiquities authorities decided to keep the immovable antiquities, they must register them. Otherwise, they must move the parts they decide to move to their museums and return the land to its owner. In both cases, the person who makes the discovery should be given an appropriate reward determined by antiquities authorities and based on a report by the antiquities sales committee. If the reward exceeds SP 1,000, permission of the Antiquities Council should be obtained.

**Article 28.** Every natural or legal person who occupies a historical building or an archeological area must allow antiquities personnel to inspect, study, draw or photograph the building or area.

**Article 29.** If the owner of a registered immovable antiquity wanted to sell or mortgage it, he must include in the contract that the property is registered, and must notify antiquities authorities within 3 days of

signing the final contract. Those who violate this provision shall be punished in accordance with provisions of this Law.

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## **Chapter Three Movable Antiquities**

**Article 30.**<sup>1</sup> State owned movable antiquities might not be sold or given as gifts. They must be kept in state museums. Movable antiquities which can be dispensed with because of the large number of similar pieces, can be sold through a Presidential Decree after the approval of the Antiquities Council.

**Article 31.** A. Some movable antiquities or pieces related to immovable antiquities, of which there is a large number of similar pieces that can be dispensed with, might be exchanged with museums and scientific institutions. Such pieces can also be lent to museums and such institutions for a limited period of time if the exchange or lending is beneficial.

B. The exchange or lending is carried out by Decree after the permission of the Antiquities Council; and lending should be for a specific period of time identified in the lending decree.

**Article 32.** Organizations and individuals might collect and keep movable antiquities provided they are shown to antiquities authorities to register the important pieces. Collectors of registered antiquities are responsible for preserving them and not making any changes to them. If the antiquity got lost or damaged, the collector should inform antiquities authorities immediately. As to unimportant antiquities, collectors are given permission from antiquities authorities to dispense with them. Registration or non-registration rules are set through a ministerial resolution.

**Article 33.** Customs authorities should show imported antiquities to antiquities authorities in order to register the important pieces which become like movable antiquities and fall under provisions of this Law.

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<sup>1</sup> Amended in Legislative Decree # 52 of 10/8/1977.

**Article 34.**<sup>1</sup> Ownership of registered movable antiquities might be transferred upon the prior agreement of antiquities authorities.

**Article 35.** Any person who finds a movable antiquity by accident should inform the nearest administrative authority within 24 hours and must preserve the antiquity until handed over to antiquities authorities. Administrative authorities should inform antiquities authorities immediately that an antiquity has been discovered. These authorities decide whether to add the antiquity to their museum collections or leave it in the possession of the person who found it within three months of notification.

- A. If antiquities authorities decide to keep the antiquity, they should pay the person who found it a suitable financial reward which should not be less than the value of the antiquity if it is made of a precious metal or stone regardless of its archeological significance or how old it is. Antiquities authorities determine the volume of the reward upon a suggestion made by the antiquities sales committee and the approval of the inspection department, and when the reward is over SP 1,000, the approval of the Antiquities Council should be obtained.
- B. If antiquities authorities decide to leave the antiquity in the possession of the person who found it, they should register and return it with a written statement which contains the register number.

**Article 36.** Every person who knows of the discovery of a movable antiquity should report to antiquities authorities; and these authorities might give the reporter an appropriate reward.

**Article 37.** Antiquities authorities might purchase any registered movable antiquity and pieces of immovable antiquities which are no longer part of a historical building or an archeological site, and which they consider movable antiquities, in the possession of individuals

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<sup>1</sup> Amended in Legislative Decree # 52 of 10/8/1977.

provided the person in position could prove that the piece was not removed from a registered historical building or archeological site. Antiquities authorities might expropriate such antiquities if the state benefits from possessing them. This is done through a decision taken by the Minister of Culture and National Guidance upon a suggestion by antiquities authorities. These authorities might suggest a compensation to the owner provided that it is decided by the Antiquities Council whose decision becomes final if the owner does not object to it within 30 days of being notified through a registered letter. Objections should be made before relevant courts of first instance which consider them and make a quick and final decision.

**Article 38.** Antiquities authorities might retrieve from those who possess registered antiquities any antiquity in order to draw, photograph or make a mould of, or exhibit it temporarily, and return it after the purpose for which it is retrieved is achieved.

**Article 39.** Movable antiquities in the possession of organizations or individuals might not be repaired or restored without permission from antiquities authorities and under their supervision. These authorities might carry out repair and restoration work for a fee. The Antiquities Council might exempt the owner of all or part of this fee.

**Article 39.**<sup>1</sup> (repeated) No ancient antiquities might be copied or imitated. Those who want to make moulds and models of some ancient antiquities should do so after they obtain the permission of antiquities authorities. In their permission, the authorities state requirements for every work separately.

**Article 40.**<sup>2</sup> Antiquities might not be moved from one place to another without permission from antiquities authorities which have to provide their expertise in moving these antiquities in a technically sound manner. Possessing and moving antiquities within the officially defined customs domain, requires documenting the process according to the customs regulations in force. Moving antiquities

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<sup>1</sup> Amended in Law # 1 of 1/1/1974.

<sup>2</sup> Amended in Law # 1 of 28/2/1999.

within the Syrian Arab Republic requires the permission of antiquities authorities.

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## **Chapter Four**

### **Excavation for Antiquities**

**Article 41.** What is meant by excavation for antiquities is all excavation, investigation and probing, which aim at finding movable or immovable antiquities deep in the ground, on the surface, in water valleys, lakes, or territorial water.

**Article 42.** Antiquities authorities alone might carry out excavation, probing or investigating for antiquities in the Syrian Arab Republic. They might also authorize scientific organizations and associations and archeological missions to excavate by the power of a special license in accordance with provisions of this Law. No individual might carry out excavations for antiquities in any place, even if he was the owner of that place.

**Article 43.** Antiquities authorities, the organizations, associations or missions licensed to excavate might do so in the properties of the state and the properties of individuals provided that they return the properties not owned by the state to the condition they were in before excavation if the authorities did not want to expropriate them; and the excavator should compensate the owners for the damage they sustain. The compensation should be determined at the end of the excavation season by the Minister of Culture and National Guidance upon a suggestion by committee he creates for this purpose.

**Article 44.** Excavation licenses might not be given to organizations, associations or missions until their capability and efficacy are assessed from the scientific and financial perspectives and provided they are all given the same treatment.

**Article 45.** The excavation license should include the following data:

- A. The capacity of the organization, association or mission, their previous experience, the number of their staff and their qualifications;
- B. The archeological site they intend to excavate accompanied by a map identifying the borders of the excavation zone;
- C. The excavation programme and timeframe.

It could contain other conditions. The excavation license should be signed by the Minister of Culture and National Guidance and the Director General of Antiquities and Museums.

**Article 46.** Organizations, associations and missions licensed to excavate should:

- A. Photograph and draw the archeological site and all that is discovered according to international standards, prepare a collection of negatives of the important excavation works, and the discovered antiquities at the expense of antiquities authorities. These authorities might also ask, at their own expense too, for copies of the films that could be made about that;
- B. Register the discovered antiquities day by day in a special register provided by the antiquities authorities which should be returned at the end of the excavation season;
- C. Not remove any part of the archeological buildings without the permission of antiquities authorities;
- D. Carry out the preservation and care processes required for the discovered antiquities;
- E. Update antiquities authorities on excavation work regularly at periods not exceeding 15 days. These authorities might publish the news, while the mission, association or organization might not publish any of the excavation news before notifying antiquities authorities;
- F. Provide a brief report at the end of each season in duplicate which includes photographs of all the discovered antiquities and brief comments on each photograph;
- G. Submit a publishable detailed scientific report on the results of the excavations within at most a year from the end of the season;
- H. Accept a representative of the antiquities authorities, allow him to cooperate and fully supervise excavation work and the discovered antiquities, show him the antiquities record, and pay the additional compensations deserved by the representative in accordance with the laws in force.
- I. Pay the wages of the guards appointed by the antiquities authorities to guard the excavation zone throughout the license



- period. Missions might be exempted from this expense in cases determined by antiquities authorities;
- J. Hand over all the discovered movable antiquities at the end of every season to antiquities authorities and pay the cost of packaging and moving them to the place identified by these authorities provided they are not moved from the excavation zone without obtaining permission of the antiquities authorities.

**Article 47.** Organizations, scientific associations and missions licenses to excavate should allow representatives of the antiquities authorities to visit excavation sites whenever they wish to do so. They should also allow visits by archeologists provided that the latter respect the scientific property rights of the excavators.

**Article 48.** If the organizations, scientific associations and missions licensed to excavate violate the terms stated in Article 46, antiquities authorities might terminate excavation work immediately until the violation is removed. If these authorities find that the violation is serious, they might cancel the license by a ministerial decision.

**Article 49.** If the organization, scientific association or mission licensed to excavate stopped excavation for two years without any justification acceptable to the antiquities authorities, the Minister of Culture and National Guidance might cancel the license. He also might grant license to excavate in the same area to another organization, association or mission.

**Article 50.** Antiquities authorities might stop excavation work if they found that necessary for the protection of the mission; provided that this is issued in a ministerial decision.

**Article 51.** The organization, association or mission excavating should publish the results of excavations within 5 years of completing their work. Otherwise antiquities authorities might do that on their own or allow any other individual or organization to publish part or all of it. The excavating organization might not object to the publication.

**Article 52.** All the antiquities discovered by the organization, association or mission are the property of the state and might not be given to the excavating organization, association or mission, particularly the pieces which constitute complete sets which represent the civilizations, history, arts and crafts of the country. Nevertheless, antiquities authorities might give the excavating organization, association or mission some of the movable antiquities of which there is a large number of similar pieces discovered in the same excavation zone for the purpose of promoting the civilizations which flourished on the territories of the Syrian Arab Republic outside the country and encouraging foreign scholars to get involved in archeological studies and facilitate the process to them. However, this should be done only after the submission of the detailed scientific report referred to in paragraph G of Article 46. The excavating organization, association or mission should exhibit the antiquities given to them in a public museum or in a museum affiliated to the scientific institutions.

**Article 53.** Antiquities authorities might cooperate with organizations, scientific associations and excavation missions in carrying out archeological excavations provided that they state the scientific, technical and financial terms of such cooperation in the excavation licenses or in special agreements.

**Article 54.** Antiquities authorities might carry out excavations upon the request of individuals in unregistered archeological areas chosen by such individuals, provided that the excavation is done at their own expense without them interfering in the excavation process. These authorities might give them an appropriate financial reward if excavations led to the discovery of important antiquities.

**Article 55.** Antiquities authorities might carry out, on their own or in association with a scientific association, archeological excavations in Arab and foreign countries.

## Chapter Five<sup>1</sup> Penalties

**Article 56.** Any person who smuggles or attempts to smuggle antiquities is punished by 15 to 25 years imprisonment and SP 500,000 to SP1 million fine.

**Article 57.** A penalty of 10 to 15 years imprisonment and SP 100,000 to SP 500,000 fine is given to any person who

- A. steals a movable or immovable antiquity;
- B. carries out excavations in violation of the provisions of this Law; A maximum punishment is applied when excavations lead to serious damage to the antiquity.
- C. trades in antiquities.

**Article 58.** A penalty of 5 to 10 years imprisonment and SP 25,000 to SP 500,000 is given to any person who

- A. damages, destroys or distorts the features of a movable or immovable antiquity. Maximum punishment is imposed if the act took place on state property;
- B. makes a piece or pieces which distort historical facts or ascribes an archeological nature to such pieces. And any person who sells such pieces claiming that they are antiquities is given the penalty of trading in antiquities. The manufactured or sold pieces and the instruments used in their manufacture are confiscated and handed over to antiquities authorities.

**Article 59.** A penalty of 1 to 3 years imprisonment and SP 1,000 to SP 10,000 is given to any person who

- A. violates provisions of Articles 24, 25, 26;
- B. changes an archeological building without the permission of antiquities authorities or builds on a registered archeological site;
- C. violates the terms and rights of use imposed on properties and lands adjacent to historical buildings and archeological areas.

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<sup>1</sup> Law # 1 of 28/2/1999, from Article 56 to Article 68.

**Article 60.** While honouring provisions of Article 58 of this Law, a penalty of 3 months to 3 years imprisonment and SP 1,000 to SP 10,000 fine is given to any person who damages, changes, or restores a movable or immovable antiquity without permission.

**Article 61.** A penalty of 1 month to 2 years imprisonment and SP 500 to SP 5,000 fine is given to any person who violates Articles 27, 29, 35.

**Article 62.** A penalty of 1 month to 2 years imprisonment and SP 1,000 to SP 5,000 fine to any person who

- A. distorts an antiquity with writing, paint, or other methods;
- B. violates Articles 28, 34, 38;
- C. possess unregistered antiquities which must be registered;
- D. removes ruins, stones or soil from an archeological place without permission;
- E. uses registered historical buildings for purposes different from those for which they were intended;
- F. violates any other provision of this Law.

**Article 63.** A penalty equal to that of the perpetrator is given to anyone whose legal responsibility is to protect antiquities or control the crimes mentioned in this Law, if they knew or were told of such crimes and failed to take the appropriate measures in order to control them.

**Article 64.** The sentence given above does not infringe on more severe penalties provided for in the penal law, or any other laws, in addition to the fines stated in this Law.

**Article 65.** Courts rule, in all cases, that the violator should remove all causes of violation and restore the object to its former condition in a period they set for them. If violators fail to do this, antiquities authorities do it at his expense.

**Article 66.** Every movable antiquity will be confiscated if the person possessing it violated provisions of Articles 32, 35, 40, 42.

**Article 67.** Every antiquity confiscated or seized in accordance with this Law should be handed over to antiquities authorities.

**Article 68.** When it is impossible to confiscate smuggled or stolen antiquities or antiquities discovered as a result of unlicensed excavations, or when they are destroyed, the perpetrator pays the value of the antiquities as assessed by antiquities authorities in addition to the penalties stated in this Law.

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## Chapter Six Miscellaneous Provisions

**Article 69.**<sup>1</sup> Antiquities authorities should grant an export license to the following things:

- A. Antiquities which are exchanged with museums and scientific associations outside the Syrian Arab Republic;
- B. Antiquities given to a scientific organization, association or mission after official excavations they have carried out.

The antiquities mentioned in the above two paragraphs are exempted from export duties.

**Article 70.** The Director General of Antiquities and Museums, heads of directorates, inspectors and their assistants, museum curators, their assistants and antiquities controllers are considered members of judicial police, while antiquities guards and their superiors have the same authority of the police in relation to their duties.

**Article 71.** Antiquities authorities might, in cases of encroachment stated in Articles 4, 18, 23, 24, 25, 26 of this Law against archeological areas and historical buildings, remove these encroachments at the expense of the perpetrator as soon as they are documented in official reports written by antiquities and administrative officials, in addition to the other penalties under this Law.

**Article 72.** Antiquities authorities might grant a police or customs official who confiscates or helps confiscate an antiquity an award that does not exceed 20% of its value.

**Article 73.** Fines resulting from judicial rulings are distributed as follows:

- A. 50% to the treasury;
- B. 20% to the informers;
- C. 20% to the confiscators;
- D. 10% to the officials who contributed to carrying out the confiscation.

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<sup>1</sup> Law # 1 of 28/2/1999.

When there are no informers, their share is given to the treasury.

**Article 74.** Those who possess immovable antiquities are given 6 months starting on the date of this Law coming into force in order to register these antiquities with the antiquities authorities.

**Article 75.** Legislative Decree # 89 of 30/6/1947 on ancient antiquities and all provisions which contradict this Legislative Decree are hereby annulled.

**Article 76.** This Legislative Decree is published in the official gazette.

Damascus, 26/10/1963.

Amin al-Hafez

Chairman of the National Council of the Revolution Command

## Legislative Decree # 295

Head of the State,  
In accordance with:

- provisions of the temporary constitution;
- Council of Ministers resolution # 295 of 1/12/1969;

Decreases the following:

**Article 1.** Contrary to provisions of Article 52 of Legislative Decree # 222 of 26/10/1963, foreign excavation missions which will be licensed to work on the archeological sites which will be covered by the water of the Euphrates dam might be given half of the movable antiquities that will be discovered.

**Article 2.** The above mentioned missions have to abide by the terms and provisions of Antiquities Law (Legislative decree # 222 mentioned above).

**Article 3.** This does not include unique archeological pieces or pieces necessary for the completion of important collections which represent the civilization of the Euphrates valley or the civilization of the Syrian Arab Republic which should be displayed in the museums of the Syrian Arab Republic.

**Article 4.** The share of the mission of the antiquities should be displayed, within a year of being moved outside the borders of the Syrian Arab Republic, in the museums and scientific centres open to the public in the country to which the mission belongs, in accordance with a written guarantee given by the relevant mission.

**Article 5.** Provisions of this Legislative Decree do not apply to other archeological sites in which the mission might wish to excavate with the purpose of completing research and studies.

**Article 6.** A decision made by the Minister of Culture and National Guidance will be made to organize the procedures of granting the antiquities mentioned in the first Article of this Legislative Decree.



**Article 7.** This Legislative Decree is published and takes effect on the date it is passed.

Damascus, 2/12/1969

President of the State  
Noureddine al-Atasi

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## Law # 1

President of the Republic,  
In accordance with

- provisions of the constitution;
- People's Assembly resolution in its session of 30/12/1997;

Issues the following:

**Article 1.** Antiquities Law passed in Legislative Decree # 222 of 26/10/1963 and its amendments is amended in accordance with the provisions stated in the following articles:

**Article 2.** Article 34 is amended and becomes as follows: "Ownership of movable antiquities can be transferred upon a prior permission by the antiquities authorities".

**Article 3.** Chapter Five, on trading in antiquities, is annulled (articles 56 – 65).

**Article 4.** Chapter Six, on exporting antiquities, is annulled (articles 66 – 74).

**Article 5.** Chapter Seven, penalties, is annulled (articles 75 – 83 repeated) and is replaced by Chapter Five – penalties, which includes the following articles:

**Article 56.** Any person who smuggles or attempts to smuggle antiquities is punished by 15 to 25 years imprisonment and SP 500,000 to SP1 million fine.

**Article 57.** A penalty of 10 to 15 years imprisonment and SP 100,000 to SP 500,000 fine is given to any person who

- steals a movable or immovable antiquity;
- carries out excavations in violation of the provisions of this Law;

A maximum punishment is applied when excavations lead serious damage to the antiquity.

C. trades in antiquities.

**Article 58.** A penalty of 5 to 10 years imprisonment and SP 25,000 to SP 500,000 is given to any person who

- A. damages, destroys or distorts the features of a movable or immovable antiquity. Maximum punishment is imposed if the act took place in state property;
- B. makes a piece or pieces which distort historical facts or ascribes an archeological nature to such pieces. And any person who sells such pieces claiming that they are antiquities is given the penalty of trading in antiquities. The manufactured or sold pieces and the instruments used in their manufacture are confiscated and handed over to antiquities authorities.

**Article 59.** A penalty of 1 to 3 years imprisonment and SP 1,000 to SP 10,000 is given to any person who

- A. violates provisions of Articles 24, 25, 26;
- B. changes a an archeological building without the permission of antiquities authorities or builds on a registered archeological site;
- C. violates the terms and rights of use imposed on properties and lands adjacent to historical buildings and archeological areas.

**Article 60.** While honouring provisions of Article 58 of this Law, a penalty of 3 months to 3 years imprisonment and SP 1,000 to SP 10,000 fine is given to any person who damages, changes, or restores a movable or immovable antiquity without permission.

**Article 61.** A penalty of 1 month to 2 years imprisonment and SP 500 to SP 5,000 fine is given to any person who violates Articles 27, 29, 35.

**Article 62.** A penalty of 1 month to 2 years imprisonment and SP 1,000 to SP 5,000 fine to any person who

- A. distorts an antiquity with writing, paint, or other methods;

- B. violates Articles 28, 34, 38;
- C. possess unregistered antiquities which must be registered;
- D. removes ruins, stones or soil from an archeological place without permission;
- E. uses registered historical buildings for purposes different from those for which they were intended;
- F. violates any other provision of this Law.

**Article 63.** A penalty equal to that of the perpetrator is given to anyone whose legal responsibility is to protect antiquities or control the crimes mentioned in this Law, if they knew or were told of such crimes and failed to take the appropriate measures in order to control them.

**Article 64.** The sentence given above does not infringe on more severe penalties provided for in the penal law, or any other laws, in addition to the fines stated in this Law.

**Article 65.** Courts rule, in all cases, that the violator should remove all causes of violation and restore the object to its former condition in a period they set for them. If the violator failed to do so, antiquities authorities do it at his expense.

**Article 66.** Every movable antiquity will be confiscated if the person possessing it violated provisions of Articles 32, 35, 40, 42.

**Article 67.** Every antiquity confiscated or seized in accordance with this Law should be handed over to antiquities authorities.

**Article 68.** When it is impossible to confiscate smuggled or stolen antiquities or antiquities discovered as a result of unlicensed excavations, or when they are destroyed, the perpetrator pays the value of the antiquities as assessed by antiquities authorities in addition to the penalties stated in this Law.

**Article 6.** The title (Chapter Eight – Miscellaneous Provisions) is replaced with the title (Chapter Six - Miscellaneous Provisions) and starts with the following article:

**Article 69.** Antiquities authorities should grant an export license to the following things:

- A. Antiquities which are exchanged with museums and scientific associations outside the Syrian Arab Republic;
- B. Antiquities given to a scientific organization, association or mission after official excavations they have carried out.

The antiquities mentioned in the above two paragraphs are exempted from export duties.

**Article 7.** Number 84 is amended to become 70. Other article numbers in Chapter six are changed accordingly.

**Article 8.** A grace period of six months, starting from the date of coming into force of this Law, is given for all those who possess unregistered movable antiquities to register them.

**Article 9.** This Law is published in the official gazette.

Damascus, 28/2/1999

President of the Republic  
Hafez al-Asad