



Four-year cycle 2005-2010

Jordan

National report on the implementation of the Hague Convention of 1954
and its two Protocols (1954 and 1999)

(A)

In Terms of Inventories of cultural property

Inventories of cultural property have been internationally recognized as the basic step towards its protection. In Jordan, the Law of Antiquities stipulates that inventories of archaeological sites should be kept. In 1973, a corpus of archaeological sites was published by the Department of Antiquities under the title "The Archaeological Heritage of Jordan". In 1990, the Jordan Archaeological Database and Information System (JADIS) was established, based at the Department of Antiquities Registration Center in Amman. This is a computerized inventory of archaeological and historic sites listing around 20,000 known sites in Jordan. It is estimated that around 100,000-500,000 sites may exist in the country. The data is being continuously updated

The system is being changed to another more developed system called MEGA-Jordan System. It is expected to be finally adopted very soon. The list included till now more than ten thousand sites and more explorations and investigations are adding more sites to the inventory.

(B)

Accession to the Convention and its Two protocols

1-Jordan was among the first countries which admitted and signed the convention since its initiation in 1954. The Jordanian signature was on 22 December 1954. Ratification was on 02.10.1957 (R) and it became into force on 02.01.1958.

2-Jordan signed the first Protocol was on 22 December 1954 .and ratified it on 02/10/1957.

3-Jordan accessed to the ratification of the second Protocol on 05/05/2009.

(C)

Military Measures

Article 7 Requirements:

1-The requirements of this article are considered by the Jordanian Forces. In 1996 a central unit was established at the Department of Antinarcotics ,the responsibility of which is to follow up any impacts on movable and immovable antiquities. In the meantime there is a strict and direct cooperation between other security and Customs Departments and the Department of Antiquities of Jordan.

2- Moreover the Cultural and Natural Heritage issues are taken into consideration as part of the study programs of military and security Departments of Universities and academic sections of military forces.

3- During the waging war in 2003 on Iraq a specialized Jordanian unit was established on the Iraqi border to control the illicit transportation of the components of the Iraqi Heritage. It was so efficient and used the most developed machines of detections to stop any illicit transportations .

In return, the Jordanian government returned hundreds of objects to the Iraqi authorities including sculptures, stamps and inscribed clay tablets.

(D)

Chapter V -The distinctive Emblem:

Jordan does not really mark the cultural properties due to the abundance of Cultural sites in Jordan .

(E)

Article 25-Dissemination of the Convention:

The requirements and the safety of Heritage is a main issue that is included in the programs of training of different forces in Jordan.

In the meantime educating lectures are presented by the Department of Antiquities to those forces and security departments.

(F)

Article 28-Sanctions :

Steps to prosecute and penal or disciplinary sanctions upon those who commit or order to be committed against cultural heritage are mentioned in the Jordanian Antiquities Law Law no. 21 for the year 1988 and its amendments .

Antiquities Law

Sanctions

Article 26

a- A punishment of not less than one year and not more than three years imprisonment and a fine not less than three thousand dinars, in- proportion to the value of the antiquities, shall be imposed on anyone who:

- 1- Prospects for antiquities without obtaining a license by virtue of this Law.
- 2- Trades in antiquities, assists, participates in, interferes with or incites others to do so.
- 3- Fails to provide the Department with a list of the antiquities that he owns or possesses when this law takes effect.
- 4- Destroys, ruins or disfigures any antiquities including any change of their features, separating a part thereof, or transforming them.
- 5- Makes fake any antiquities or makes an attempt to do so.
- 6- Refrains from or is in default of handing over the antiquities which he discovered or came across to the Department, whether or not he holds license, within the prescribed period of time.
- 7- Moves or disposes of any antiquities in violation of this Law including hiding or smuggling them.
- 8- Steals pieces of antiquities.
- 9- Trades in imitation antiquities alleging that they are genuine ones.

b- The antiquities seized as a consequence of the commission of the acts mentioned in Paragraph "a" of this Article shall be confiscated and handed over to the Department.

Article 27

A punishment of imprisonment for a period not less than two months and not more than two years or a fine of not less than five hundred dinars in proportion to the value of the antiquities shall be imposed on anyone who: -

a- Attaches notices on any antiquities or puts signs or any other things thereon.

b- Carries out without a license from the Department any of the following acts:

1- Creating fake antiquities or dealing with fake antiquities.

2- Manufacturing and use of molds or samples of antiquities.

c- Discovers or finds any antiquities by chance or if he knows of their discovery or finding and fails to inform about them pursuant to the provisions of this law.

d- Presents any false statements or information or any incorrect documents to obtain any license or permit pursuant to the provisions of this law.

Article 28

a- In addition to the penalties provided for in Article 26 and 27 of this Law:-

1- The antiquities for which the violation was committed shall be confiscated. Moreover, the apparatuses and tools shall also be confiscated and become the property of the Department.

2- Any construction, buildings or other things which were erected, made or planted in violation of the provisions of this law or any system issued hereunder shall be removed at the expense of the offender including the cost of repair of any damage caused to the antiquities.

b- The expenses and cost payable under this Article shall be estimated by the Committee provided for in Article" 17" hereof. Its estimation shall be legal evidence acceptable to all parties.

c- The Director may request the court to impose attachment on the apparatuses, tools and machines used during encroachment upon the antique sites until it passes its related decision.

d- The court may Impose a fine of not less than five hundred dinars and not more than one thousand dinars on the owner of the machine used in committing the encroachment if it is proved that he knew of same.

Article 29

For the purposes of executing this Law and the regulations issued hereunder, the Director, his assistants, Section Heads, inspectors of antiquities and museum managers of the Department, shall be vested with the powers of judicial police provided for in the Law of Penal Procedures in force.

(G)

Regional commitment towards the real implementation of the 1954 convention

And as a commitment towards the real implementation of the 1954 convention ,and as a member of the League of Arab States, Jordan supports the attached Cairo Declaration that was adopted by consensus at a regional conference convened from 14 to 16 February 2004 in order to mark the 50th anniversary of the 1954 Convention for the Protection of Cultural Property in the Event of Armed Conflict.

Prepared by : The Department of Antiquities of Jordan