

National Architectural Heritage Conservation Acts and International Charters: Implementation on Amendment Legislation

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Abstract:

This research delves into the examination of Law No. 91 of 2018, recognized as a groundbreaking legislative development in protection antiquities. This legislative amendment substantially escalated penalties for offenses related to antiquities, encompassed previously non-criminalized acts, broadened the definition of antiquities, and outlined administrative and preventive measures for their protection. On the other hand, on the international scale, international conventions are a means of legal protection for antiquities and heritage in general. By thoroughly studying and evaluating Amended Law No. 91 of 2018, this research paper seeks to identify both the positive aspects and potential shortcomings to improve the efficacy of this legal framework. Employing an inductive and analytical approach, the researcher analysed the amended law's articles alongside international charters focusing on the preservation of architectural heritage. These international charters served as benchmarks to highlight areas of compatibility and conflict, thus elucidating the merits and drawbacks of the amendment law. The researcher formulates a set of recommendations designed to enhance the effectiveness of this amended law based on the findings.

Keywords:

Architectural Heritage Conservation, Acts and legislation, International Charters.

Paper received March 09, 2024, Accepted June 03, 2024, Published on line September 1, 2024

1. Introduction:

Legislation is graded according to its different levels, starting with the constitution, then laws, then executive regulations. The constitution is the basis of legislation that defines rights and duties, followed by the law, which is the set of general foundations and rules regulating human behavior in society, which includes a material penalty imposed in the event of violation, followed by executive regulations provided that they do not contradict the law.

In technical cases, such as heritage preservation, the law does not usually provide technical rules directly. Therefore, some countries resort to national charters and technical regulations to ensure the preservation of their antiquities in an appropriate technical manner, and in Egypt, the matter is officially limited to the law only.

The difference between the Charter, the law, and the executive regulations is in the attached definitions as per (Garner,2009):

“The charter, n.: An instrument that establishes a body political or other organization, or that grants rights, liberties, or powers to its citizens or members <Charter of the United Nations>.”
 “Municipal Charters. — The charter issued to a municipality is in the nature of a constitution to it, being superior to all laws enacted by that municipality, though inferior in rank to all State laws of every kind.” (Childs,2010).

The Regulation, n.: The act or process of controlling by rule or restriction.

The Law: A rule or order, having legal force, usu. issued by an administrative agency”

Preserving architectural heritage is no longer just a national thing. Since the last century, international bodies and organizations interested in cultural affairs and heritage preservation have joined forces to issue several charters aimed at protecting and preserving antiquities.

These charters would have developed the concept of protection from restoration to the comprehensive meaning of archaeological preservation. From the traditional image of repair and restoration to a modern system known as preservation, if we look at the definition of the International Council (ICOMOS):

“Conservation means all the processes of Looking after a place so as to retain its cultural significance, it includes maintenance, preservation, restoration, reconstruction, adaptation and will commonly be a combination of more than one of these.” (Australia ICOMOS Burra Charter, 1999).

There are many ways to manage the protection of antiquities and heritage. Laws and legislation are one of the pillars of the protection system. Over the course of several decades, the Egyptian state has enacted laws and legislation to protect Egyptian antiquities. The legislative development for the protection of antiquities continued until the last amendment No. 91 of 2018 was issued, an amendment that was preceded by another amendment No. 3 of 2010 to Law No. 117 for the Protection of Antiquities of 1983. This research is

concerned with studying Law No. 91 of 2018, which is considered a legislative revolution in the field of protection. Antiquities law, which increased penalties for antiquities crimes in a way not seen in previous legislation, criminalized acts that were not criminalized, expanded the concept of antiquities, and stipulated administrative and preventive measures to protect antiquities.

On the other hand, on the international scale, international Charters are a means of legal protection for antiquities and heritage in general.

By thoroughly studying and evaluating Amended Law No. 91 of 2018, this research paper seeks to identify both the positive aspects and potential shortcomings to improve the efficacy of this legal framework. The researcher used the inductive and analytical method to study the articles of the amended law on the one hand, as well as international charters concerned with issues of preserving architectural heritage.

The researcher used what was stipulated in international Charters related to the preservation of architectural heritage as a measuring stick to clarify the deficiencies in the law by showing the points of compatibility between the law and the Charters as well as the points of incompatibility that need to be re-studied.

2.0 International Charters for Heritage Conservations

The functions of charters in the conservation process differ based on the time period in which they were implemented, as well as the primary goals of each charter and the issuing agency or organization.

2.1. The Athens Charter for The Restoration of Historic Monuments , Athens. (1931).

The Athens Charter, established in 1931, is a significant document in heritage conservation. It emphasizes seven key points, including the establishment of international organizations for restoration, critical evaluation of restoration projects to prevent mistakes, solving preservation issues through national legislation, protection of excavated sites, allowance for modern techniques and materials in restoration, strict custodial protection for historical sites, and attention to protecting the areas surrounding these sites. (Athens Charter ,1931).

2.2. The Athens Charter for the Restoration of Historic Monuments, (1933).

The Second Athens Charter, introduced in 1933 as an extension of the First Athens Charter of 1931, aimed to address deficiencies in protecting a city's archaeological heritage. Originating from the IV International Congress of Modern Architecture, it emphasized the importance of urban planning in development schemes, particularly focusing on the

"functional city." The charter advocated for the preservation of heritage dwellings and community buildings, introducing principles like protecting only deserving structures, allowing the demolition of duplicate monuments, and permitting modifications to less significant parts. Notably, it introduced a key principle emphasizing the preservation of aesthetic elements, even if historically inaccurate, showcasing a comprehensive approach to urban conservation that incorporated modern architectural and planning considerations alongside cultural heritage preservation. (Athens Charter ,1933).

2.3. International Charter for the Conservation and Restoration of Monuments and Sites, Venice. (1964).

The International Venice Charter, adopted in 1964 during the International Congress of Architects and Specialists of Historic Buildings, comprises 16 articles that serve as fundamental principles for heritage conservation. Emphasizing restoration and maintenance, it advocates avoiding unnecessary construction, demolition, or alterations to maintain the authenticity of monuments. Periodic maintenance is highlighted to prevent deterioration, and respect for old materials and original documents is urged. The charter recommends halting restoration at conjecture and encourages distinguishing new additions from original elements, explicitly prohibiting reconstruction. It extends its principles to the conservation of archaeological sites and discourages new construction near historic monuments that may alter visual relationships. (Venice Charter,1964).

2.4. The Appleton Charter for the Protection and Enhancement of the Built Environment, ICOMOS Canada. (1983).

The "Appleton Charter for the Protection and Enhancement of the Built Environment, 1983" signifies a significant shift in the approach to heritage protection, introducing innovative perspectives on monuments as sources of wealth. Comprising four key elements, the charter redefines monuments to include cultural, social, and economic significance. It pioneers the concept of heritage management, emphasizing systematic planning and community participation. The charter addresses various levels of intervention in conservation policies, aligning them with cultural importance and resource use. Recognizing the necessity of periodic interventions, it emphasizes maintenance and activities to minimize structural changes. The Appleton Charter, with its focus on community involvement, contributes to a more comprehensive and sustainable model for built environment protection, reflecting an advanced

understanding of heritage in community identity and well-being. (Appleton Charter,1983).

2.5. Charter for the Conservation of Historic Towns and Urban Areas, ICOMOS Washington. (1987).

The "Washington Charter for Conservation of Historic Towns and Urban Areas, 1987" is a significant document with 16 articles rooted in the principles of the Venice Charter. It aims to limit adverse effects of re-planning and urban development on monuments, focusing on the protection of diverse historic urban areas. The charter addresses challenges posed by industrial and social development, emphasizing conservation amid urbanization threats. It also tackles deterioration and abandonment issues by promoting revitalization strategies. Advocating for the conservation of historical characteristics, the charter underscores the importance of preserving the relationship between the city and its natural surroundings. Overall, the Washington Charter demonstrates a commitment to conserving historic urban areas in the face of contemporary challenges, offering a framework for sustainable development that balances modernization with heritage preservation. (Washington Charter,1987).

2.6. Charter for the Protection and Management of the Archaeological Heritage, Lausanne. (1990).

The International Lausanne Charter for the Protection and Management of Archaeological Heritage, adopted in 1990, consists of nine articles outlining fundamental principles for the organization and management of archaeological heritage. It addresses the responsibilities of governmental bodies and legislative agencies, emphasizing the roles of technicians and workers in monument protection. The charter underscores the importance of assessing the impact of urban development projects through necessary studies. Key aspects include defining roles of public and legislative agencies, emphasizing the skills of professionals, clarifying the impact of urban development, promoting systematic and scientific contributions, establishing basics and rules of administration, and ensuring worldwide applicability. Overall, the charter serves as a crucial international document providing guidelines for the protection and management of archaeological heritage globally. (Lausanne Charter,1990).

2.7. ICOMOS Charter, Principles for the Preservation of Historic Timber Structures. (1999).

The ICOMOS Charter, Principles for the Preservation of Historic Timber Structures (1999), is a set of 15 guidelines aiming to establish universally applicable principles for the

preservation of culturally significant timber structures. The charter emphasizes the diversity of historic timber structures, offering guidance on conservation procedures and treatments. It addresses adaptation to changing environmental conditions and provides guidelines for protection against fires and disasters. The primary objective is to offer comprehensive guidance on the preservation of buildings or elements constructed with timber, considering their cultural significance and ensuring relevance across various cultural contexts and regions. (ICOMOS Charter,1999).

2.8. Charter on the Built Vernacular Heritage, Mexico. (1999).

The "Mexico II, Charter on the Built Vernacular Heritage, 2000" focuses on the conservation of built vernacular heritage, particularly traditional and natural community housing. It acknowledges the impact of globalization on traditional building practices, emphasizing the preservation of historical, cultural, and social significance within local communities. The charter provides guidelines for conservation practices, encouraging the preservation of traditional crafts, authenticity of building materials, and appropriate conservation techniques. It supports adaptive reuse, promoting the repurposing of traditional buildings to meet contemporary needs while preserving their cultural significance. The charter also highlights the importance of training for conservators and local communities, aiming to empower them to actively participate in preservation efforts. Overall, the Mexico II Charter serves as a framework for the sustainable management of traditional and natural community housing, addressing challenges posed by globalization and emphasizing community involvement in heritage preservation. (Mexico Charter 1999).

2.9. ICOMOS Charter- Principles for the Analysis, Conservation and Structural Restoration of Architectural Heritage, Zimbabwe (2003).

The "Zimbabwe Charter, Principles for the Analysis, Conservation and Structural Restoration of Architectural Heritage, 2003" outlines fundamental principles for the analysis, conservation, and structural restoration of architectural heritage. Rooted in ICOMOS concepts, the charter focuses on basic conservation concepts, emphasizing safety assessment as a crucial step. It advocates for a comprehensive approach, reconciling qualitative and quantitative analysis, and suggests conducting tests before structural intervention. The charter underscores the assessment of structural integrity and promotes a careful approach by requiring the ascertainment of potential benefits before taking any action. While

emphasizing a thoughtful approach, the charter recognizes the necessity of urgent preventive measures in cases of imminent collapse, prioritizing the safety of structures. (Zimbabwe Charter,2003).

2.10. ICOMOS Charter- Principles for the Preservation and Conservation / Restoration of Wall Paintings, Zimbabwe (2003).

The "Zimbabwe Charter, Principles for the Preservation and Conservation-Restoration of Wall Paintings, 2003," consists of ten articles providing guidelines for the preservation and conservation-restoration of wall paintings. The charter emphasizes that wall paintings are integral components of monuments and sites, underscoring the importance of preserving them in their original context. It advocates for the preservation of wall paintings in situ, aiming to conserve their authenticity and context within the broader cultural environment. The charter addresses problems associated with improper use, such as inappropriate handling, lack of maintenance, frequent repairs, and alterations. It likely provides guidelines on the use of appropriate methods and materials for conservation-restoration, emphasizing practices that prevent irreparable harm. Overall, the charter serves as a comprehensive guide for professionals, focusing on the careful preservation of wall paintings in their original settings. (Zimbabwe Charter,2003).

2.11. ICOMOS Charter- The Valletta Principles for the Safeguarding and Management of Historic Cities, Towns and Urban Areas, Paris. (2011).

The "Valletta Principles," developed in 2011, consist of four concise and focused items. These principles propose applicable strategies for all interventions in historic cities, emphasizing the protection of cultural, historical, and architectural values. A key objective is to integrate historical cities into contemporary life, acknowledging the need for these urban areas to evolve and remain relevant in the modern context. While specific details of the principles are not provided, they clearly aim to provide a framework for the safeguarding and management of historic cities, guiding various interventions such as conservation, development, and revitalization efforts. For more detailed information, referring to the original document or recent sources is recommended. (Valletta Charter, 2011).

2.12. The Burra Charter: the Australia ICOMOS Charter for Places of Cultural Significance, Australia. (2013).

The Burra Charter, initially adopted in 1979 and revised in subsequent years, serves as the Australia ICOMOS Charter for Places of Cultural Significance. It provides comprehensive guidance

for the conservation and management of places with cultural significance, including natural and historical sites. The charter comprises 34 articles covering conservation definitions, principles, processes, and practices, offering a framework applicable to all types of culturally significant places. Its evolution and official adoption by ICOMOS highlight its importance in shaping international conservation practices. (Burra Charter,2013).

3.0 The Recent Amendment of Antiquities Protection Law No. 91 of 2018

The Antiquities Protection Law No. 117 of 1983 AD was amended by Law No. 3 of 2010 AD and by Law No. 91 of 2018 which is regarded as a legislative breakthrough in the realm of legal protection of antiquities. It escalated penalties for antiquities-related offenses beyond previous legislative measures, criminalized previously non-criminalized acts, broadened the definition of antiquities, and mandated administrative and preventive measures to safeguard these artifacts. The law aims to uphold the protected interest of preserving cultural heritage and underscore the economic value associated with such heritage.

3.1. The Amendment No. 91 of 2018 brings several positive changes, as follows: (Antiquities Protection Law ,2018)

Broadening the definition of antiquity and its surroundings in Article Two, specifying that public utility lands for antiquities are those owned by the state with proven antiquity through archaeological evidence. This ensures greater protection by clearly delineating the surroundings of antiquities.

Explicitly defining the sanctuary of antiquities as places and lands adjacent to the antiquity, as mentioned in Article Two.

Introducing a beautification line, defined as the area surrounding the monument's sanctuary to preserve its aesthetic aspect.

Clarifying in the same Article Two that sites adjacent to antiquities falling outside beautification lines extend up to three kilo meters in uninhabited or other areas, aiming to provide environmental and legal protection for antiquities and their surroundings.

Defining archaeological sites as any location determined archaeologically according to the law's provisions.

Identifying archaeological areas as places encompassing archaeological sites and associated facilities under the Supreme Council of Antiquities. Empowering the Supreme Council of Antiquities, in situations deemed of national interest, to reconcile the status of tenants in historical or archaeological sites where expropriation has not been decided. This includes terminating rental

relationships within one year, providing suitable alternatives, or ensuring fair compensation.

Unifying government agencies responsible for antiquities under the Supreme Council of Antiquities, giving it sole authority over antiquities matters, whether in museums, warehouses, archaeological areas, or Egypt's internal and territorial waters. The Council also oversees research, excavation, cultural, tourism, advertising, or promotional activities related to antiquities or archaeological sites. It has exclusive rights to inspect and maintain antiquities in the possession of ministries, government agencies, and public bodies, as well as the authority to remove any violations in archaeological sites and areas, be they residential, industrial, commercial, or otherwise, according to Article 5 bis.

3.2. Administrative procedures included in the new legislation to protect antiquities: (Antiquities Protection Law ,2018)

Article 10 of this amendment stipulates the establishment of a technical committee in the Council concerned with determining the antiquities that may be displayed abroad for a specific period and the financial compensation for that, in light of the insurance value, the specified period and the number of selected pieces, and granting this right to the President of the Republic after taking the opinion of the Council of Ministers based on the proposal of the Minister of Antiquities and the approval of the committee. Art exhibitions for foreign exhibitions in order to achieve legal protection for Egyptian antiquities if they are displayed in foreign exhibitions.

As stated in the text of Article 21 of the amendment, "When changing the planning of cities, neighborhoods, or villages, antiquities sites and the archaeological lands in which they are located must be taken into account, and it is not permissible to implement new planning, expansion, or modification in archaeological and historical areas and what is under their control except with the written approval of the Council." Taking into account the easement rights arranged by the Council, the Council must express its opinion within three months from the date of presenting it to it. If it does not express its opinion within that period, the matter may be presented to the Minister to issue a decision in this regard."

Article 25 of the amendment stipulates that a committee shall be responsible for estimating the value of the compensation stipulated in Articles (4, 8, 13, 15, 16) of this law, which shall be formed by a decision of the Minister and the Board of Directors, and the concerned parties may file a grievance within sixty days from the date of their notification by a registered letter accompanied by

With knowledge of receipt of the compensation value, otherwise the estimate becomes final and the compensation may not be disputed after three years have passed from the date the estimate became final. In all cases, the state's public treasury shall bear the aforementioned compensation.

3.3. The legislation under consideration introduces various aspects of legal protection, including: (Antiquities Protection Law ,2018)

Article 28 explicitly declares that antiquities museums and their storage facilities are considered public state property under all circumstances.

Article 29 assigns the responsibility to the Supreme Council for Protection antiquities, museums, storage facilities, archaeological sites and areas, as well as registered archaeological buildings. The protection is to be carried out by competent police, guards, and accredited private security personnel, adhering to the prescribed regulations.

Additionally, Article 48 specifies that antiquities inspectors and museum curators, holding a financial rank and their higher-ranking counterparts, are granted the status of judicial police officers. This status empowers them to oversee and control crimes and violations outlined in this law and its accompanying regulations.

Increasing the penalty for the crime of smuggling antiquities according to the legal text (Article 41): Anyone who smuggles an antiquity outside the Republic with knowledge of this shall be punished with life imprisonment and a fine of not less than one million Egyptian pounds and not more than ten million pounds. In this case, the antiquities that are the subject of the crime shall be confiscated, as well as the devices, tools, machines, and vehicles used in them, for the benefit of the Council.

Increasing the penalty for demolishing or damaging antiquities or carrying out excavation work with the intention of obtaining antiquities. Legal text (Article 42).

The penalty shall be imprisonment for a period of not less than three years and not to exceed seven years and a fine of not less than five hundred thousand pounds and not more than one million pounds for anyone who does the following:

Intentionally demolishing or damaging a movable or immovable antiquity, distorting it, changing its features, or intentionally separating part of it.

Conducted excavation work with the intention of obtaining antiquities without a licence. In this case, the excavation site will be reserved until the Council conducts the excavation work at the perpetrator's expense. The penalty in the previous cases is increased to aggravated imprisonment and a fine of not less than one million pounds and not more than two million pounds if The perpetrator was an employee of the Ministry or the Council, an

employee of the competent authority, as the case may be, officials, employees, excavation workers, mission workers, contractors contracting with the Council, or their workers.

4.0. Consistency and inconsistency between International Charters regarding Heritage Conservation and the amended Law for the Protection of Antiquities No. 91 of 2018 9 (Table A)

Based on the above and to determine the items of weakness or strength, the researcher reviews in the attached tables (Table A) the points of Consistency and inconsistency between International Charters for heritage Conservation and the amended law for the protection of antiquities No. 91 of 2018.

The International Charter	The recent Amendment Law No. 91 of 2018 for Antiques Protection	
	Consistent	Inconsistent
Athens Charter for the Restoration of Historic Monuments, Athens. (1931).	<ul style="list-style-type: none"> • Problems of preservation of historic sites are to be solved by legislation at national level for all countries. • Historical sites are to be given strict custodial protection. • Attention should be given to the protection of areas surrounding historic sites. 	<ul style="list-style-type: none"> • Excavated sites which are not subject to immediate restoration should be reburied for protection. • Proposed Restoration projects are to be subjected to knowledgeable criticism to prevent mistakes.
International Charter for the Conservation and Restoration of Monuments and Sites, Venice. (1964).	<ul style="list-style-type: none"> • The importance of periodic maintenance as a means of preserving cultural heritage. • The avoidance of unnecessary construction, demolition, or alterations to existing monuments and their surrounding environment. • The focus is on preserving the authenticity and integrity of the original structures. • In all works of preservation, restoration or excavation, there should always be precise documentation in the form of analytical and critical reports. 	<ul style="list-style-type: none"> • The restoration must stop at the point where conjecture begins. • The Re-use of monuments as a way of conservation. • Excavations should be carried out in accordance with scientific standards adopted by UNESCO in 1956. • In general, it was not mentioned to follow the technical process for restoration/preservation activities as it mentioned in the Charter.
Appleton Charter for the Protection and Enhancement of the Built Environment, ICOMOS Canada. (1983).	<ul style="list-style-type: none"> • The concept of heritage management, emphasizing the need for systematic planning and strategic management of cultural heritage resources. • Acknowledges the vital role of community participation in conservation. • Recognizes the necessity of periodic interventions to prevent deterioration. 	<ul style="list-style-type: none"> • Addresses various levels of intervention in conservation policies, including considerations for existing form, materials, place unit, restoration, rehabilitation, construction, and development.
Charter for the Conservation of Historic Towns and Urban Areas, ICOMOS Washington. (1987).	<ul style="list-style-type: none"> • Limiting Impact of Re-planning Projects: Aims to limit the adverse effects of re-planning projects and urban development on monuments, recognizing the potential threats posed by modern urbanization. • Protection of Historic Urban Areas: Focuses on the protection of both large and small historic urban areas, addressing the 	<ul style="list-style-type: none"> • Adoption of Venice Charter Principles: The charter is rooted in the principles of the Venice Charter, emphasizing the importance of preserving the cultural and historical integrity of urban areas. • Mitigation of Deterioration and Abandonment: Addresses the deterioration resulting from the abandonment of cities and historic neighbourhoods, working towards

The International Charter	The recent Amendment Law No. 91 of 2018 for Antiques Protection	
	Consistent	Inconsistent
	<p>unique challenges faced by various types of historical settings.</p> <ul style="list-style-type: none"> • Conservation of Historical Characteristics: Advocates for the conservation of the historical characteristics of cities, ensuring that unique features and architectural elements are safeguarded. • Preservation of City-Natural Surroundings Relationship: Emphasizes the conservation of the relationship between the city and its natural surroundings, recognizing the importance of the urban environment's harmony with the natural landscape. 	<p>strategies for revitalization and preservation.</p>
Charter for the Protection and Management of the Archaeological Heritage, Lausanne. (1990).	<ul style="list-style-type: none"> • Responsibilities of Public and Legislative Agencies: The charter likely outlines the roles and responsibilities of governmental bodies and legislative agencies in Protection archaeological heritage. This could involve the creation and enforcement of laws and regulations to protect archaeological sites. • Clarification of Urban Development Impact: The charter stresses the need for conducting studies to assess the potential impact of urban development projects on archaeological sites. This could involve archaeological impact assessments to ensure that development activities do not harm or destroy important cultural heritage. 	<ul style="list-style-type: none"> • Performance and Rehabilitation of Technicians and Workers: The charter highlights the importance of skilled professionals, such as archaeologists, conservators, and technicians, in the protection and management of archaeological sites. It may address training programs, ethical standards, and guidelines for these individuals. • Systematic and Scientific Contributions: The Charter is recognized for its systematic and scientific approach to the management of archaeological heritage. It likely provides a framework for the application of these principles in various archaeological sites worldwide. • Guidelines for sustainable management of archaeological sites.
ICOMOS Charter, Principles for the Preservation of Historic Timber Structures. (1999).		<ul style="list-style-type: none"> • The charter likely provides guidance on the procedures and treatments needed for the conservation of historic timber structures. This may include recommendations for appropriate restoration techniques, materials, and methods to ensure the long-term preservation of these heritage resources. • Recognizing that environmental and climatic conditions can impact timber structures, the charter likely addresses the need for adaptive conservation strategies. This could involve considering the effects of changing weather patterns, humidity, and other environmental factors on timber elements.

The International Charter	The recent Amendment Law No. 91 of 2018 for Antiques Protection	
	Consistent	Inconsistent
Charter on the Built Vernacular Heritage, Mexico. (1999).		<ul style="list-style-type: none"> Adaptive Reuse: The charter may address the concept of adaptive reuse, encouraging the repurposing of traditional buildings to meet contemporary needs while preserving their cultural and historical significance. This involves finding sustainable ways to integrate traditional structures into modern contexts.
ICOMOS Charter-Principles for the Analysis, Conservation and Structural Restoration of Architectural Heritage, Zimbabwe (2003).		<ul style="list-style-type: none"> Basic Concepts of Conservation: The charter likely outlines the basic concepts of conservation, drawing from principles established by ICOMOS. These concepts serve as a foundation for the principles and guidelines provided in the document. The value of architectural heritage is not only in its appearance, but also in the integrity of all its components as a unique product of the specific building technology of its time. In particular the removal of the inner structures maintaining only the facades does not fit the conservation criteria. Tests Before Structural Intervention: The charter likely advocates for conducting tests before implementing any structural intervention. This cautious approach aims to determine the causes of damage and disintegration, allowing for informed decision-making in the conservation and restoration process.
ICOMOS Charter-Principles for the Preservation and Conservation / Restoration of Wall Paintings, Zimbabwe (2003).		<ul style="list-style-type: none"> Methods and Materials: The charter likely provides guidelines on the use of appropriate methods and materials for the conservation-restoration of wall paintings. This involves recommending techniques that do not cause irreparable harm and ensuring that interventions are carried out with the utmost care and consideration.
ICOMOS Charter- The Valletta Principles for the Safeguarding and Management of Historic Cities, Towns and Urban Areas, Paris. (2011).		<ul style="list-style-type: none"> Applicability to Interventions: The principles propose applicable strategies for all interventions in historical cities and urban areas. This implies that they are intended to guide various types of interventions, including conservation, development, and revitalization efforts.

The International Charter	The recent Amendment Law No. 91 of 2018 for Antiques Protection	
	Consistent	Inconsistent
		<ul style="list-style-type: none"> Integration into Contemporary Life: The principles emphasize the integration of historical cities into contemporary social, cultural, and economic life. This suggests a forward-looking approach that recognizes the need for historic urban areas to evolve and remain relevant in the modern context.
Burra Charter: the Australia ICOMOS Charter for Places of Cultural Significance, Australia. (2013).		<ul style="list-style-type: none"> The charter cover conservation definitions, principles, processes, and practices. These components serve as a comprehensive framework for the conservation and management of culturally significant places

Summary and Conclusions:

The Laws for Antiques protection in Egypt, especially for the preservation of the Architectural Heritage, still face many challenges. This is evident from the quality of the law's articles despite successive models of amendments to the law over several decades. The Laws for Antiques protection still struggle to protect the monument from demolition, Prevention of antiquity theft or sale outside the country, However, they have not sufficiently addressed the concept of comprehensive antiquities protection strategies as touched upon by international Charters.

5.1. The limited key components

There are limited key components of Egyptian laws related to Antiquities Protection can be summarized as follows:

- Procedures for antiquity searches and discovery rights.
- Documentation and photography of impacts.
- Deletion of effects in certain cases.
- Protect antiquities from demolition, transfer, or sale outside the country.
- Prevention of antiquity theft.
- Definition of easement boundaries with the monument and laws governing lands adjacent to the monument.
- Ownership considerations, including the transfer of ownership to the state and compensation methods, whether financial or alternative housing or benefits for commercial or industrial use.
- Authority granted to artifact owners for modifications.
- Granting or revoking licenses for foreign research entities involved in antiquity discovery.

5.2. The positive aspects in the amended law, No. 91 of 2018

The researcher identified positive aspects in the amended law, No. 91 of 2018, through an examination of the added provisions and legislation aimed at Protecting Egyptian antiquities:

- Expansion of the impact definition and its geographical surroundings.
- Definition of the monument sanctuary and its adjacent places and lands.
- Establishment of a beautification line, delineating the area around the monument to preserve its aesthetic aspect.
- Definition of archaeological sites in accordance with the law's provisions.
- Clarification of archaeological areas, encompassing sites and affiliated facilities under the Supreme Council of Antiquities.
- Resolution of tenant conditions in historical places or archaeological sites upon expropriation or termination of the rental relationship, ensuring fair compensation.
- Unification of government agencies under the Supreme Council of Antiquities, granting sole responsibility for antiquities affairs.
- Inclusion of archaeological sites and lands in city, town, or village layout changes, subject to the approval of the Supreme Council of Antiquities.
- Restriction on new planning, expansion, or modification in archaeological and historical areas without written approval, considering easement rights.

5.3. Compatibility with the amended Egyptian law

The subsequent evaluation phase involved studying international Charters related to antiquity

protection, emphasizing compatibility with the amended Egyptian law:

- Recognition of the challenges facing antiquities and heritage preservation, necessitating binding laws.
- Formulation of a strict legal mechanism for protecting historical areas.
- Extension of protection strategies to the surrounding areas of historical sites.
- Emphasis on Protection the original source.
- Importance of regular maintenance for both structures and historical areas.
- Significance of documentation in protection efforts, such as excavation and restoration.
- Acknowledgment of community participation as crucial in protection work.

5.4. Lack of incorporation of certain preservation elements:

The researcher noted a lack of incorporation of certain preservation elements from international Charters into the amended Egyptian law, these elements include:

- Requirement for review and evaluation of conservation and restoration projects to minimize errors.
- Cessation of restoration when uncertainty arises.
- Reuse of heritage monuments or buildings for preservation purposes.
- Presence of scientific and academic references in developing conservation strategies.
- Adoption of necessary techniques, such as testing structural integrity before restoration.
- Preservation of entire heritage buildings as records of specific construction periods.
- Addressing the study of exterior paint materials, their composition, and impact on archaeological and heritage buildings.

6.0 Recommendations:

International Charters for heritage preservation have, for several decades, developed the principles of the Charters into comprehensive strategies for heritage preservation and specialized techniques for managing and protecting antiquities. Accordingly, the recommendations of this research were as follows:

To stipulate in the laws or executive regulations how to be guided by or benefit from international Charters.

Providing for the development of comprehensive strategies for heritage preservation

Establishing technical and artistic principles for the methodology and methods of protecting antiquities

Establishing a mechanism to stipulate the scientific references and academic standards that must be used in archaeological protection.

That these scientific references be updated periodically

Standards of professional training and setting standards for vocational training

Professional behaviour should be established and maintained.

Professional conductor should be established and maintained.

Relevant legislation should stipulate collective public responsibility for protecting the archaeological heritage and provide sufficient funds to support the programs necessary for effective heritage management

ACKNOWLEDGMENTS
The authors wish to acknowledge the support of the Material Research Center (MRC) and Concrete Labs in the Structural Engineering Department, Faculty of Engineering, Ain Shams University, Cairo, Egypt.

Conflict of Interest:

The authors have no financial interest to declare in relation to the content of this article.

References:

- 1- Antiquities Protection Law Amended,91. Egypt. (2018).
- 2- Antiquities Protection Law, 117.Egypt. (1983).
- 3- Appleton Charter for the Protection and Enhancement of the Built Environment, ICOMOS Canada. (1983). <https://www.icomos.org/images/DOCUMENTS/Charters/appleton.pdf>
- 4- Athens Charter for the Restoration of Historic Monuments, Athens. (1931). <https://www.icomos.org/en/167-the-athens-charter-for-the-restoration-of-historic-monuments>.
- 5- AlGada, Maaz & Ghaleb, Aly.(2000). Capability of monuments conservation between national law and international charters. In Proceedings of the Sixth Al-Azhar International Engineering Conference. Cairo, Egypt.
- 6- Burra Charter, the Australia ICOMOS Charter for Places of Cultural Significance, Australia. (2013). <https://australia.icomos.org/wp-content/uploads/The-Burra-Charter-2013-Adopted-31.10.2013.pdf>
- 7- Burra Charter, the Australia ICOMOS Charter for Places of Cultural Significance, Australia. (1999). https://australia.icomos.org/wp-content/uploads/BURRA_CHARTER.pdf.
- 8- Charter for the Conservation of Historic Towns and Urban Areas, ICOMOS Washington. (1987). https://www.icomos.org/images/DOCUMENTS/Charters/towns_e.pdf
- 9- Charter for the Protection and Management of the Archaeological Heritage, Lausanne.

- (1990).
https://www.icomos.org/images/DOCUMENTS/Charters/arch_e.pdf
- 10- Charter on the Built Vernacular Heritage, Mexico. (1999).
https://www.icomos.org/images/DOCUMENTS/Charters/vernacular_e.pdf
- 11- Childs, F. H. (2010). Where and how to Find the Law: A Guide to the Use of the Law. Michigan, Library. Gale, Making of Modern Law Publishers.
- 12- Construction law, 119. Egypt. (2008).
- 13- Garner, B. A., & Black, H. C. (2009). Black's law dictionary. 9th ed. St. Paul, Minn., West (Thomson Reuters).
<https://www.nycourts.gov/palawlibraries/ResearchQuestions/FindingLocalLaws.pdf>
- 14- ICOMOS Charter, Principles for the Analysis, Conservation and Structural Restoration of Architectural Heritage, Zimbabwe (2003).
<https://www.icomos.org/en/about-the-centre/publicationsdoc/179-articles-en-francais/ressources/charters-and-standards/165-icomos-charter-principles-for-the-analysis-conservation-and-structural-restoration-of-architectural-heritage>
- 15- ICOMOS Charter, Principles for the Preservation and Conservation / Restoration of Wall Paintings, Zimbabwe (2003).
<https://www.icomos.org/en/about-the-centre/publicationsdoc/179-articles-en-francais/ressources/charters-and-standards/166-icomos-principles-for-the-preservation-and-conservation-restoration-of-wall-paintings>
- 16- ICOMOS Charter, The Valletta Principles for the Safeguarding and Management of Historic Cities, Towns and Urban Areas, Paris. (2011).
https://civvih.icomos.org/wp-content/uploads/2022/03/Valletta-Principles-GA-EN_FR_28_11_2011.pdf
- 17- ICOMOS Charter, Principles for the Preservation of Historic Timber Structures. (1999).
https://www.icomos.org/images/DOCUMENTS/Charters/arch_e.pdf
- 18- International Charter for the Conservation and Restoration of Monuments and Sites, Venice. (1964).
<https://www.icomos.org/en/participer/179-articles-en-francais/ressources/charters-and-standards/157-thevenice-charter>
- 19- International Council on Monuments and Sites. ICOMOS Ethical Statement. (2002).
https://isceah.icomos.org/?page_id=219#fn:3
- 20- Ministry of Culture. Egypt. (2010). Ministerial Decree No. 712 of 2010. Executive regulations of the Antiquities Protection Law promulgated by Law No. 117 of 1983 and its Amendments.
- 21- Ministry of Housing, Utilities and Urban Development. Egypt. (2009). Ministerial Decree No. 144 of 2009. Executive regulations of the Building Law issued by Law No. 119 of 2008.
- 22- Burra Charter, the Australia ICOMOS Charter for Places of Cultural Significance, Australia. (1999).
[chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://australia.icomos.org/wp-content/uploads/BURRA_CHARTER.pdf](https://australia.icomos.org/wp-content/uploads/BURRA_CHARTER.pdf)