

CHARTERS AND LEGISLATION RELATING TO ARCHITECTURAL PRESERVATION IN THE ISLAMIC WORLD:AN ANNOTATED CHECKLIST

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In the Western world the movement for preservation monuments and sites is fairly well-established. For example the Athens Charter of 1931 contributed toward the development of an extensive international movement which has assumed concrete form in national documents: the charters and legislation. Charters and legislation pertaining to architectural preservation provide definitions and objectives for the purpose of preservation. Legislation empowers the state to realize the objective. In the Islamic and developing countries, preservation movement has a more recent origin. A few countries have prepared charters and passed legislation for the protection and preservation of built heritage. The following check-list documents available charters and legislation in the Islamic and developing countries. When the charters or legislation is available on the internet a URL is provided, when only hard copies are available a bibliographic citation is provided. Hard copies of the documents are available for consultation in Rotch Library, MIT. Please contact Omar Khalidi okhalidi@mit.edu

INTERNATIONAL CHARTERS:

The Venice Charter http://www.icomos.org/venice_charter.html (For preservation of monuments & sites in general, adopted in 1964)

The Florence Charter http://www.icomos.org/florence_charter.html (For the preservation of historic gardens, adopted in 1982)

NATIONAL CHARTERS

MALAYSIA

A Guide to the Conservation of Buildings of Historic and Architectural Significance. Kuala Lumpur: Badan Warisan [Heritage Trust of] Malaysia, 1990.

PAKISTAN

National Charter for the Conservation and Preservation of Cultural Property, Lahore, pp. 85-90, in Appendix X, *First Annual Report of the Pakistan Institute of Archaeological Training and Research*, Department of Archaeology and Museums, Lahore, 1989. The charter was produced under the direction of Sir Bernard Feilden, director emeritus of ICCROM.

NATIONAL LEGISLATION

ALGERIA

Ordinance no. 67-281 of December 1967, published in the Official Gazette dated 23 January 1968.

BAHRAIN

Antiquities Ordinance, 1 March 1970.

INDIA

Biswas, Sachindra Sekhar, *Protecting the Cultural Heritage (National Legislation and International Conventions)*, New Delhi: Aryan Books International, 1999. A compendium of Indian legislation since 1878-1973.

E.F. N. Ribeiro, "The Existing and Emerging Framework for Heritage Conservation in India: The Legal, Managerial and Training Aspects," pp. 338-348, in *Third World Planning Review* 12 (November 1990)

INDONESIA

The Republic of Indonesia Law No. 5/1992 Regarding Cultural Heritage, in *Preservation and Conservation of Cultural Heritage in Indonesia*, Yogyakarta, Indonesia: Gadjah Mada University Press, 1997.

JORDAN

Qanun raqam 60 li-sanat 1985. Qanun al-Muassasat al-Tatawuiyyah li-Imar al-mudun, Amman, 1985.

Important Laws and Regulations Regarding Land, Housing and Urban Development in the Hashemite Kingdom of Jordan, compiled by Samuel A. Sherer for Amman Urban Region Planning Project. Washington, DC: Agency for International Development, United States of America, 1981.

LEBANON

O’Keefe, P.J. & Lyndel V. Prott, “Development of Legal Controls: National Legislation, Lebanon, chapter 2, page 48 in their *Law and Cultural Heritage*. Abingdon, Oxon: Professional Books, 1983-1989.

MALAYSIA

Conservation Guidelines. Kuala Lumpur: City Hall, n.d.

Design Guidelines for Conservation Areas in the Inner City Areas of George Town, Penang. Penang: City Council, n.d. (Have)

Grant, Malcolm. *Malaysian Heritage Law*. Unpublished paper, dated 1993.

Johore Enactment No. 6 of 1988.

Laws of Malaysia, Act 168, Antiquities Act, 1976.

Legal Aspects of Conservation of Buildings of Historic and Architectural Significance. Kuala Lumpur: Badan Warisan=Heritage Trust of Malaysia, 1986?

Malacca Enactment no. 6 of 1988.

TUNISIA

Christiane Schmuckle-Mollard & Denise Lesage, “Apprentissage en Tunisie,” pp. 25-30 in *Monuments historiques* 162 (February-March 1989)

Decree of 1915: The Protection of Arabic Buildings in Sidi Bou Said, pp. 164-165, in *Sidi Bou Said, Tunisia: A Study in Structure and Form*, edited by Besim Hakim, Halifax, Nova Scotia: School of Architecture, Nova Scotia Technical College, 1978. The decree is considered oldest in North Africa. (N.B. This decree was superseded by the decree of 17 September 1953/8 Muharram 1373, entitled “Protection of Monuments.”)

PAKISTAN

Antiquities Act of 1975. Karachi: Department of Archaeology & Museums, Ministry of Culture & Tourism, 1992.

Antiquities Act of 1997, North West Frontier Province. Peshawar: Superintendent of Government Printing, 1997.