

**No. 23349**

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**FRANCE  
and  
KUWAIT**

**Agreement on archaeological co-operation. Signed at  
Kuwait on 1 March 1983**

*Authentic texts: French and Arabic.*

*Registered by France on 30 April 1985.*

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**FRANCE  
et  
KOWEÏT**

**Accord de coopération archéologique. Signé à Koweït le  
1<sup>er</sup> mars 1983**

*Textes authentiques : français et arabe.*

*Enregistré par la France le 30 avril 1985.*

## [TRANSLATION — TRADUCTION]

AGREEMENT<sup>1</sup> ON ARCHAEOLOGICAL CO-OPERATION BETWEEN THE GOVERNMENT OF THE FRENCH REPUBLIC AND THE GOVERNMENT OF THE STATE OF KUWAIT

The Government of the French Republic and the Government of the State of Kuwait, pursuant to the Agreement on Cultural and Technical Co-operation of 18 September 1969<sup>2</sup> and with a view to co-operating in archaeological excavations and research on the island of Faylakah in the State of Kuwait, have agreed as follows:

*Article 1.* The Government of the State of Kuwait shall authorize the Government of the French Republic to send to Kuwait a French archaeological mission to undertake research and archaeological excavations on the island of Faylakah in the State of Kuwait.

*Article 2.* The archaeological research and excavations on the island of Faylakah in the State of Kuwait shall have the goal of achieving a better understanding of the history and archaeology of Kuwait and of the island of Faylakah during the Seleucid, Parthian and Sassanid periods and of undertaking a number of new excavations in the Hellenistic fortress previously explored by the Danish mission.

An investigation of the civilization of the island of Faylakah at the end of the third millennium B.C. and during the second millennium B.C. may also be undertaken.

The two separate investigations shall involve excavations at the sites formerly explored by the Danish and American missions; they shall also require new excavations which shall begin at the same time in areas yet to be explored. The precise location of these new fields for excavation shall be established by the Ministry of Information (Department of Antiquities and Museums) of the State of Kuwait.

*Article 3.* The French mission shall consist of:

Mr. Olivier Callot, Member

Mr. Yves Calvet, Member

Mr. Jean Marcillet-Jaubert, Member

Miss Annie Caubet, Member

Mr. Jean-François Salles, Head of mission.

Other research workers who have undertaken studies on historical and archaeological questions relating to the Arabian Gulf may, with the written approval of the Government of the State of Kuwait, participate from time to time in the work of the mission at Kuwait, in accordance with the various requirements of the excavations.

<sup>1</sup> Came into force on 26 October 1983, the date of receipt of the last of the notifications by which the Parties informed each other of the completion of the required constitutional formalities, in accordance with article 23.

<sup>2</sup> United Nations, *Treaty Series*, vol. 748, p. 247.

*Article 4.* The term of the excavation permit accorded hereunder shall be one year; it shall take effect on 1 March 1983 and shall expire at the end of February 1984. It may be renewed at the request of the Head of the French archaeological mission, who must submit the application to that effect at least one month before the date of expiry. The renewal shall be granted only if the holder of the permit has met his obligations towards the Ministry of Information (Department of Antiquities and Museums) of the State of Kuwait to the satisfaction of all concerned.

*Article 5.* The costs of the mission shall be shared as follows:

(a) The Government of the State of Kuwait — the Ministry of Information (Department of Antiquities and Museums) of the State of Kuwait — shall assume the following costs:

1. Workmen's wages
2. Travel of members of the mission in Kuwait
3. Excavation tools and equipment
4. Accommodation for members of the mission.

(b) The Government of the French Republic shall assume the following costs:

1. Salaries of members of the French mission
2. Travel to and from Kuwait
3. Expenses relating to the scientific studies and analytical work carried out in Europe
4. Subsistence of the members of the French mission during the excavations.

*Article 6.* The French mission shall, throughout the duration of the excavations, be continually accompanied by a representative or representatives of the Ministry of Information (Department of Antiquities and Museums) of the State of Kuwait. Such representative(s) shall have full authority to inspect and supervise the excavations and to participate therein with a view to ensuring the protection of the archaeological site and of the antiquities found. During the conduct of excavations and in matters relating to the conservation of antiquities, the representative(s) shall ensure strict observance of the scientific principles applied in the discipline of archaeology.

*Article 7.* The Head of the French archaeological mission shall maintain daily logs of each area excavated; he shall produce them at the request of the Ministry of Information (Department of Antiquities and Museums) of the State of Kuwait, or of its representative, for purposes of consultation.

*Article 8.* During the period of the excavations, the Head of the French archaeological mission shall submit to the Ministry of Information (Department of Antiquities and Museums) of the State of Kuwait a concise weekly summary of the progress made in the excavation work.

*Article 9.* The Head of the French archaeological mission shall be responsible for:

- (a) The cleaning, recording and preliminary conservation of each item found. The Ministry of Information (Department of Antiquities and Museums) of the State of Kuwait shall provide the basic laboratory equipment for that purpose;

- (b) The assembly, cleaning and classification of all potsherds found in the excavations;
- (c) The selection and drawing at the end of the excavation season of a representative collection of potsherds typical of each level of each area excavated and its deposit with the Ministry of Information (Department of Antiquities and Museums) of the State of Kuwait.

*Article 10.* The Head of the French archaeological mission shall:

- (a) Establish a register in which he shall record, on a daily basis, all the objects discovered during the excavations, together with a brief description and a sketch.
- (b) Produce, at the end of the season, a catalogue of the items found.
- (c) Submit, at the conclusion of the excavations, a copy of the register of the items discovered and a descriptive catalogue of objects together with the numbers assigned to them on discovery.
- (d) Deliver, at the end of the excavation season, all the items numbered and described in the catalogue as well as all the material entered in the register to the Ministry of Information (Department of Antiquities and Museums) of the State of Kuwait. All such material shall be the exclusive property of the State of Kuwait.

*Article 11.* Within six months of the completion of the excavation campaign, the Head of the French archaeological mission shall submit copies of all drawings, sectional plans and photographs of the excavations and of the items entered in the catalogue.

*Article 12.* Within six months of the completion of the excavations, the Head of the French archaeological mission shall submit a preliminary report in Arabic, English or French summarizing the results of the campaign.

*Article 13.* Within five years of the completion of the excavations, the Head of the French archaeological mission shall submit a final report ready for publication.

*Article 14.* The Head of the French archaeological mission shall deliver to the Ministry of Information (Department of Antiquities and Museums) of the State of Kuwait at least ten copies of any publication that he may issue relating to the excavation work and its results.

*Article 15.* The Ministry of Information (Department of Antiquities and Museums) of the State of Kuwait shall reserve the right to seek the collaboration of the members of the French archaeological mission in a supplementary investigation of the island of Faylakah outside the zone currently designated as reserved for archaeology.

*Article 16.* (a) The Head of the French archaeological mission shall agree to the full participation of Kuwaiti personnel in all aspects of the excavations.

(b) The Head of the French archaeological mission shall provide all necessary assistance in the training of Kuwaiti personnel in archaeological procedures and techniques.

*Article 17.* The Ministry of Information (Department of Antiquities and Museums) of the State of Kuwait shall undertake to guarantee, for a period of five years, the copyright of the Head of the French archaeological mission in respect of the results of the excavations carried out by him. It shall also guarantee the Head of the French archaeological mission priority rights in the publication of whatever facts he may have discovered relating to the antiquities.

Should that period elapse and the findings of the Head of the French archaeological mission remain unpublished, the Ministry of Information (Department of Antiquities and Museums) of the State of Kuwait may publish all the information on the said antiquities at its disposal and may engage someone other than the individual who made the find to undertake publication.

*Article 18.* The Ministry of Information (Department of Antiquities and Museums) of the State of Kuwait shall reserve the right to issue, during the period of the excavations, press statements or news releases in any other form, subject to consultation with the Head of the French archaeological mission.

During the five-year period stipulated in the preceding article, the Ministry of Information (Department of Antiquities and Museums) of the State of Kuwait shall have the sole right to publish such information, subject to the agreement of the Head of the French archaeological mission.

*Article 19.* At the request of the Ministry of Information (Department of Antiquities and Museums) of the State of Kuwait, the Head of the French archaeological mission shall agree to assist in the preparation of the excavation areas for the admission of the public.

The Head of the French archaeological mission shall, on request, also assist in the packing and storage of the materials discovered.

*Article 20.* During his stay in Kuwait, the Head of the French archaeological mission shall act in conformity with the laws of Kuwait and shall be under the protection of the Kuwaiti authorities.

*Article 21.* Should the Head of the French archaeological mission violate any of the articles of this Agreement, the Under-Secretary of State for Information or the Director of the Department of Antiquities and Museums shall have the right to suspend the excavations undertaken by him until such time as violation of the article in question ceases.

Should the Head of the French archaeological mission fail to halt such a violation, the excavation permit shall be cancelled. The Department of Antiquities and Museums shall alone be competent to assess the gravity of any violation. The permit may only be cancelled by decision of the Ministry of Information.

*Article 22.* The Kuwaiti Antiquities Act shall apply in cases for which no special provision is made in this Agreement.

*Article 23.* Each party shall notify the other of the completion of the formalities required by its Constitution for the entry into force of this Agreement, which shall take place on the date of the receipt of the second such notification.

*Article 24.* Done this first day of March 1983, in Kuwait, in the Arabic and French languages, both texts being equally authentic.

For the Government  
of the State of Kuwait:

[Signed]

NASSER MOHAMMED AL-AHMED

AL JABER

Under-Secretary of State  
for Information

For the Government  
of the French Republic:

[Signed]

JEAN BRESSOT

Ambassador of France  
to Kuwait