

Regulations (Charter)
of “Khinalig” State Historical-Architectural and Ethnographic Reserve of the Republic of Azerbaijan

I. GENERAL PROVISIONS

1.1. “Khinalig” State Historical-Architectural and Ethnographic Reserve of the Republic of Azerbaijan (hereinafter - the Reserve) is the state institution established by the President Decree # 2563 dated 19 December 2007.

The Reserve is a territory where historical, cultural, architectural, archaeological, ethnographic, numismatic, epigraphic, anthropological monuments of having cultural and tourism importance protected by state.

The Reserve operates under the subordination of the State Tourism Agency of the Republic of Azerbaijan.

1.2. In its activity, the Reserve is guided by the Constitution of the Republic of Azerbaijan, the laws of the Republic of Azerbaijan, decrees and orders of the President of the Republic of Azerbaijan, decisions and orders of the Cabinet of Ministers of the Republic of Azerbaijan, other normative legal acts in force, orders of the *State Tourism Agency* of the Republic of Azerbaijan, *the Charter, decisions, orders and decrees of the Reserves Management Centre under the State Tourism Agency of the Republic of Azerbaijan (hereinafter - the Reserves Management Centre)* and this Regulations.

1.3. The entire territory of the Reserve is inviolable, under its own use and control.

1.4. The Reserve is an organization financed from state budget, having its own account, stamp and letterhead. The Reserve can have its own emblem.

1.5. The Reserve submits semi-annual and annual reports on the action plans to the State Tourism Agency of the Republic of Azerbaijan through Reserves Management Centre.

1.6. In order to ensure the preservation, conservation of monuments, natural, architectural and landscape security of heritage in the Reserve territory, *there are boundaries and buffer zone* of the Reserve *defined* by the Cabinet of Ministers of the Republic of Azerbaijan.

1.7. Territory of the Reserve is included into the category of historical-cultural and natural areas having national importance. The historical and cultural monuments of universal and local importance are situated in the territory of the Reserve. *In accordance with the Law of the Republic of Azerbaijan “On culture”, privatization of state-owned monuments and engineering communications, defence facilities, urban planning, religious and memorial monuments, hydrotechnical facilities (except residential buildings and their separate parts registered as a monument of architecture of local importance) included in the list of world natural and cultural heritage, is not allowed. Private owned monuments are registered by the state, and when they are sold, the owner must inform the Reserve about it.*

II. DUTIES AND DIRECTIONS OF THE RESERVE

2.1. The Reserve performs the following tasks in accordance with the directions of activity defined by this Regulations:

2.1.1. The Reserve carries out state control over its territory.

2.1.2. Organizes forecasting and planning works related to the Reserve’s area and ensures the development of the Reserve.

2.1.3. Prepares plans related to the management of the Reserve, agrees with *the Reserves Management Centre* and implements.

2.1.4. Organizes accordingly the recreation zones, green areas and movement of transport in the Reserve’s area. When the movement of pipelines, power lines and other communications, as well

as vehicles in the road areas close to or passing through the monuments creates a threat to the protection of the monuments, takes measures together with the Reserves Management Centre for their restriction or prohibition in accordance with the legislation.

2.1.5. presents to *the Reserves Management Center* the project proposals on increasing the level of maintenance, construction-strengthening, renovation, reconstruction, regeneration works in historical and cultural monuments and adapting them to use. After approval by *the State Tourism Agency* of the Republic of Azerbaijan, the projects are carried out under the control of *the Reserves Management Centre*, the Reserve and the author(s) of the project;

2.1.6 the Reserve appeals to *the Reserves Management Center* for the planning and organization of restoration and repair of monuments and structures within its borders, *the Reserves Management Center* monitors the implementation of these works, determines security measures in connection with carrying out repair works that may pose any danger to the monuments and carries out relevant work.

2.1.7. Together with *the Reserves Management Center*, carries out inventarization of monuments and buildings in its territory, prepares passport of the Reserve within its competence, if monuments are found in the manner prescribed by the legislation, applies to *the Reserves Management Center* for their inventarization and state registration.

2.1.8. The scientific fund of the Reserve is kept indefinitely.

2.1.9. Ensures the protection and inviolability of historical and cultural monuments located in the territory of the Reserve, takes necessary measures in accordance with the legislation in connection with the prevention of violation of the rules of their use and the protection regime of the Reserve and bringing the guilty persons to justice.

2.1.10. Makes proposals to *the Reserves Management Centre* for the development of tourism, tourist routes and creation of infrastructure in the Reserve's area.

2.1.11. *By agreeing with the State Tourism Agency of the Republic of Azerbaijan*, organizes scientific research and surveys *together with relevant scientific organizations*, attracts specialists for the study of monuments.

2.1.12. every year, promotes the scientific, cultural and historical importance of monuments in the scope of the funds considered for *the State Tourism Agency* of the Republic of Azerbaijan, organizes exhibitions, photo stands, excursions, lectures, takes appropriate measures for the shooting of documentary and short films and publication of scientific and mass literature.

2.1.13. *To organize archaeological excavations* in the territory of the Reserve in accordance with the legislation, applies to *the Reserves Management Centre*, supervises the study of monuments, archaeological excavations and other works of this kind. Excavations and discovery of archaeological monuments in the territory of the Reserve are allowed only after permission of the Azerbaijan National Academy of Sciences and registration in *the State Tourism Agency* of the Republic of Azerbaijan. Historical and cultural monuments found in the Reserve during archaeological excavations are handed over to the Reserve's fund.

2.1.14. Takes measures to prevent emergencies that may occur on the territory of the Reserve.

2.1.15. performs other duties conforms to its activity directions that makes accordance with legislation.

2.2. Provided that the methods of conducting scientific research do not contradict the requirements of the Reserve's regime, the prepared scientific proposals can be applied in the Reserve.

III. THE SPECIAL PROTECTION REGIME OF THE RESERVE AND USAGE RULES OF MONUMENTS LOCATED IN ITS TERRITORY

3.1. Historical and cultural monuments located in the territory of the Reserve can be used in accordance with the legislation of the Republic of Azerbaijan.

3.2. Scientific, historical and cultural monuments and natural landscape located in the territory of the Reserve are protected by the state. It is forbidden to change their artistic-aesthetic nature and to carry out any work that may pose threat to them.

3.3. For the usage of monuments and lands of Reserve by legal and physical entities needs to sign the contracts with the Reserve management for the protection of the monuments and the territory they use.

3.4. Territory of the Reserve can be used for the purposes of protection and use of historical and cultural monuments, nature protection, scientific research, environmental monitoring, training, tourism and recreation (rest) provided that it complies with the requirements established by the legislation of the Republic of Azerbaijan.

3.5. The following are prohibited on the territory of the Reserve:

3.5.1. to carry out any construction works on the project of increasing the level of maintenance, construction-strengthening, renovation, reconstruction, regeneration works and adaptation to their use (except the restoration and repair works approved by *the State Tourism Agency* of the Republic of Azerbaijan) in historical and cultural monuments.

3.5.2. every activity endangering historical and cultural monuments and natural landscape.

3.5.3. implementation of geological exploration and excavation works.

3.5.4. activities of chemical industry, metallurgy, nuclear energy and other enterprises that pose a special ecological threat.

3.5.5. movement of vehicles outside the specified places and installation of stops, pitching the tents and making a fire.

3.6. Activities that can decrease the value of history, culture, ecology, science, aesthetics, recreation in the territory of the Reserve may be restricted or prohibited in accordance with the legislation.

3.7. *Advertising devices (advertising) can be placed on the territory of the Reserve and its buffer zone, facades (walls, fences) and roof coverings of architectural monuments in accordance with the law of the Republic of Azerbaijan "On advertising".*

IV. FINANCING OF THE RESERVE

4.1. The fund of the Reserve is carried out from the state budget and other sources that do not contradict the legislation of the Republic of Azerbaijan.

4.2. *Revenues from cultural and tourism services provided for the development of the Reserve, other activities not prohibited by law, state, public and other organizations, events held under the contracts are collected by the Reserves Management Centre.*

4.3. *The collected income is effectively used for the needs and development of the Reserve by the decision of the chairman of the Board of Directors of the Reserve Management Centre on the basis of proposals of the director of the Reserve.*

V. RIGHTS AND OBJECTIVES OF THE RESERVE

5.1. The main rights and objectives of the Reserve are:

5.1.1. to preserve historical and cultural monuments and natural landscape on its territory.

5.1.2. To prohibit any landscaping, restoration, reconstruction, regeneration and repair and construction work carried out on the territory of the Reserve without the permit of the *State Tourism Agency* of the Republic of Azerbaijan.

5.1.3. To ensure the use of state (municipal) - owned monuments in the territory of the Reserve, including the adaptation of the lease to the existing legislation, by informing *the Reserves Management Center*;

5.1.4. Construction and repair work in the Reserve area, which do not pose any danger to monuments are carried out with the consent of *the State Tourism Agency* of the Republic of Azerbaijan according to the relevant legislation.

5.1.5. to prepare specialists and make proposals for the improvement of their specialties.

5.1.6. to apply to *the Reserves Management Center* to attract independent experts and specialists to its activities in accordance with the legislation.

5.1.7. To make proposals to *the Reserves Management Center* for holding cultural-mass events, establishment of temporary and permanent services facilities, participation in joint activities with private and state bodies on the basis of contract and to receive income not contradicting the legislation by providing various types of paid services.

5.2. The Reserve may establish a Scientific Council to organize scientific research, cultural and educational events. The composition of the council is approved by *the State Tourism Agency* of the Republic of Azerbaijan upon the proposal of the Reserve and presentation of *the Reserves Management Center*.

VI. ORGANIZATION OF ACTIVITY OF THE RESERVE

6.1. The activities of the Reserve are headed by the director appointed and dismissed by *the chairman of the State Tourism Agency* of the Republic of Azerbaijan upon presentation of *the Reserves Management Centre*.

6.2. The chief conservation specialist, deputy directors and chief accountant of the Reserve are appointed and released by *the State Tourism Agency* of the Republic of Azerbaijan upon presentation of the director. Other employees of the Reserve are appointed and released by the director.

6.3. Director:

6.3.1. is personally responsible for the performance of the duties entrusted to the Reserve and the implementation of rights.

6.3.2. represents the Reserve in all departments, organizations and enterprises without attorney.

6.3.3. conducts division of duties among the employees of the Reserve, encourages them, takes responsibility for discipline, controls labour and executive discipline and gives them attorneys.

6.3.4. gives orders and instructions within own competence.

6.3.5. ensures the preparation of annual and perspective work plans of the Reserve are drawn up, takes measures to carry out scientific research and to comply with a special regime implemented by the Cabinet of Ministers of the Republic of Azerbaijan in the territory of the Reserve.

6.3.6. in accordance with the established order, offers proposals to *the State Tourism Agency* of the Republic of Azerbaijan on changing the staff schedule by agreeing with *the Reserves Management Center*.

6.4. the cultural heritage conservation specialists:

6.4.1. are responsible for the protection of historical and cultural monuments assigned to them according to the register book.

6.4.2. to ensure the inviolability of the Reserve's monuments, should not allow taking out of various images and inscriptions, the use of monuments within the boundaries of the Reserve without permission, making a fire, organization of various meetings in the territory, should pay special attention to stones with historical inscriptions, ornaments, reliefs and rock carvings, should inform the management and relevant bodies about the changes, destruction and demolition, as well as their illegal use, should not allow the carrying out various construction, land and agricultural work, unauthorized archaeological excavations, underground and surface blasting, the measurement of monuments without special permission, and making copies of the artistic images on the monuments.

6.5. Monument protectors of the Reserve can participate in all seminars and meetings over the protection and use of monuments in regions and cities of the republic, as well as to provide the exchange of education and experience on improvement courses of cultural workers.

6.6. Structure of the Reserve and the number of employees is approved by *the State Tourism Agency* of the Republic of Azerbaijan in agreement with the Ministry of Finance of the Republic of Azerbaijan.

VII. SUSPENSION AND CANCELLATION OF ACTIVITY OF THE RESERVE

Activity of the Reserve can be suspended and reorganized in accordance with the legislation of the Republic of Azerbaijan.