Making Choices: Valletta, Development, Archaeology and Society

A Report of the 'Making Choices' Working Group of the Europae Archaeologiae Consilium

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Executive Summary

The Board of the European Archaeological Council undertook a survey in early 2017 of its member states on the subject of 'Making Choices'. This survey sought to understand the way in which decision-making in archaeological heritage management was undertaken in the context of the Valletta and Faro Conventions. It focused on those areas of decision-making which exist regardless of the particular legal structures of any individual state.

The survey considered the choices involved in:

- the way in which sites are defined and inventorised and the degree to they are accorded relative importance or significance;
- the way investigations are planned to focus on research outcomes, how they are disseminated and archived
- they way in which the public can get involved
- questions of funding

The response was excellent and the results revealing.

Site identification, protection and inventorisation. European states have similar approaches to the basic concept of an archaeological site or monument, and selection in one form or another forms part of archaeological heritage management; differences arises as to whether selection takes place at the point a site is identified or subsequently, in particular as regards level of protection assigned. State inventories of sites have taken divergent directions, and most states appear (at least implicitly) to assign relative significance in some form, but the mechanisms and criteria are not consistent or transparent. There is a clear desire and need for support to improve this position.

Managing change on archaeological sites. Most states make provision for evaluations of untested land to take place, but criteria for decision making differ, varying from proximity to known sites to scale of proposed development. In most states only directly impacted archaeological deposits are required to be excavated; but some do require total excavation within the development footprint. In most cases the approach appears to be based on a general rule rather than individual assessment. In the majority of states archaeological decision makers are not the ones who balance archaeological interest with socio-economic issues. Again, choices are made independent of any specific legal framework and consistency and transparency can be improved.

The research process. While a majority of states require archaeological excavation to have a project design (and all aim to ensure in one form or another quality of outcomes), linkage of such project designs to national research frameworks is limited. This does not mean that projects necessarily take place in a research vacuum, but it does risk a perception of this. Decisions on sampling and retention of artefacts appear to be based on standardised approaches rather than varying according to specific research objectives, with limited

detailed guidance for on-site decisions by archaeologists. Greater focus on this process would generate considerable benefit in justifying resource needs.

Realising the research dividend. Although a majority of states have policies regarding publication of excavation reports and related summary reports, there is a general lack of policy and criteria for the extent of what should be published and the means of publication. This appears to feed into growing problems of lack of publication, synthesis and dissemination through popular media. While many states have moved to make reports available on digital media, there has been a lack of wider exploration of use of digital technology for purposes of knowledge dissemination. Despite EAC guidance (and some state-specific guidance), significant variations in practice appear to exist. Differing legal positions across states appear to be a major factor in this. Lack of policies on digital archives is common. Greater consistency here would ensure that new knowledge feeds back into the management process as well as increasing public access.

Public involvement. Public involvement in decisions on whether development should be allowed impact on archaeological sites and appropriate mitigation occurs as part of the general system of spatial planning, rather than by way of involvement in decision making processes specific to archaeological heritage protection. In general, decisions as to whether to allow developmental impacts on archaeological heritage are made by non-archaeologists such as spatial planners, but greater direct involvement of archaeologists is sometimes provided for in respect of specially protected monuments. While direct participation by the public in development-led archaeological excavation is problematic for a range of reasons, potential exists to promote access by the public to view such excavations. However, in general this is left to the discretion of excavation directors and funding developers. There is scope for greater focus on this issue in the context of the Faro Convention.

Funding and value. While developer funding is not universal, in one form or another it is widely prevalent, though even where it is the general rule exceptions do arise. In general there are no specific limits on the extent of funding developers must provide, though there are exceptions. The benefits arising from the resources put into development-led archaeology are currently insufficiently well-articulated.

Recommendations. It is recommended that EAC Board develop support for member states in the following four key areas:

- Guidance on assessing and articulating **significance**
- Developing national **research frameworks**
- **Making the case** for development-led archaeology
- Managing **archives** – to lead from current EAC Standard and best practice

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1. Introduction: Making Choices and the Amersfoort Agenda

The annual symposium of the European Archaeological Council (EAC), took place in Amersfoort in March 2014. Hosted by the Cultural Heritage Agency of the Netherlands (RCE), the theme was *Setting the Agenda: Giving new meaning to the European archaeological heritage*. Over 90 delegates focused on three contemporary themes: (1) the spirit of the Faro Convention: embedding archaeology in society; (2) 'dare to choose' – decision-making in archaeological heritage management; and (3) managing the sources of European history.

From this intensive work emerged the Amersfoort Agenda[1], published in 2015. In that agenda, the second theme 'Dare to Choose' considered how we might best begin to tackle a transformation in the way we approach our archaeological heritage management, and at the same time, the increasing external pressures on the resources that are available to undertake that management. As EAC Occasional Paper 9 put it, "*there is a growing acceptance that not everything necessarily has the same value and significance (even in strictly academic terms); that not everything can (or should) be protected or conserved (there's simply too much); and that not everything can (or should) be recorded/excavated (there are insufficient resources).*"[2]

The Agenda-setting work in Amersfoort on this theme arrived at three key objectives:

- *Be conscious, explicit and above all transparent about the choices being made and the consequences of selection in the archaeological heritage management process*
- *Develop a sound infrastructure to support the making of informed choices: identify research frameworks and criteria, and enable access to current archaeological knowledge and data*
- *Adopt a broader perspective when making choices: open up boundaries within the discipline and involve other stakeholders (and their interests) in the process*

Following the publication of the Amersfoort Agenda, the EAC Board worked to develop an action plan through which it would be possible to translate these objectives into reality.

The mechanism chosen to tackle the second of these objectives was the funding of an EAC Working Group on 'Making Choices'. The Group was established in accordance with EAC Working Group rules[3].

[1] http://old.european-archaeological-council.org/files/amersfoort_agenda_english.pdf
[2] Olivier, A, in http://docs.wixstatic.com/ugd/881a59_54c002784614442c8892cf0ef3991978.pdf, p13
[3] The composition, Terms of Reference and outputs of the Working Group can be found at https://www.europae-archaeologiae-consilium.org/working-groups.

1.1 'Making Choices' – Rationale and Objectives

Whether or not member states have ratified the European Convention on the Protection of Archaeological Heritage (the Valletta Convention)[4], and the Council of Europe Framework Convention on the Value of Cultural Heritage for Society (the Faro Convention)[5]; whether commercial archaeological practice is widespread or non-existent, archaeological heritage managers must make choices about archaeology every day. These might be choices about which sites should be preserved or excavated; what methods and to what extent each site should be investigated; what should be archived; what should be published and where; and how far the public should be involved.

The money required for such excavations, whether funded by the state, by the developer/investor, or by a mixture of the two, is constantly (and, in many states, increasingly) scrutinised. It is becoming more important than ever before to demonstrate 'proportionality', 'value for money' or 'reasonable' approaches to the cost of archaeology.

The Board of the European Archaeological Council believes that the most powerful argument to show that archaeological costs are reasonable, affordable, and must continue to be met, is to be as **transparent** as possible about how choices are made. In this way, investors, state officials, archaeologists and the public can all share an understanding of the intellectual basis for all choices made.

The report you are reading is the result of a survey across EAC member states which sought to understand how archaeological heritage management works across Europe, and where EAC could really help its members (and indeed others) to enhance the work they do, and to support the case for development-led archaeology.

A note about the relationship between legal requirement and professional judgement

Every state in Europe has its own legal regime for the protection and management of its archaeological heritage. Every state also has a body of officials who are archaeologically qualified, and who (within the legal framework of that state) make decisions about archaeological protection and management.

Typically, those decisions include:

- what sites should be given legal protection?
- what should the response be when there are proposals for change (e.g. new development) affecting a site, which may or may not already be legally protected?

[4] https://rm.coe.int/168007bd25
[5] https://rm.coe.int/1680083746

- if a site is being archaeologically investigated prior to a development taking place, what should the extent and character of the investigation be?

It is crucial to appreciate, however, that the nature of the decisions which state archaeological officials can make, and the breadth of discretion which they have in this decision-making, are affected by the particular legal framework of the state in question.

For example:

- in some states, any archaeological site which is older than a particular date is automatically given legal protection. In this case, once it has been determined that a site is of the requisite age, there is no need for (and indeed no scope for) an official to make a decision on legal protection – that decision has already been made by the law.
- in others, there are criteria enshrined in law about what kinds of things are 'monuments' which can be given legal protection (by 'scheduling'). Here, if something does not meet the legal criteria for being a 'monument', officials have no discretion to decide to schedule it can – to do so would be unlawful. (Within the range of things that do constitute 'monuments' in law, there is wide discretion as what can be scheduled, although the exercise of this discretion is guided by a range of policy statements and guidance documents).
- in some states archaeological sites which are to be destroyed by development must be fully excavated (i.e. 100% of the archaeological remains must be excavated and removed). Again, officials do not have discretion to vary this, but they do have the discretion to decide how the excavation should be done, e.g. what forms of sampling for environmental remains should be undertaken.

In summary, the nature of the choices which are available to be made by officials depends on the relationship (in any particular state) between what is prescribed by law and what is left to professional judgement and discretion to decide.

It is important to emphasise that this report is concerned only with those choices which are within the discretion of officials (as guided, where relevant, by professional policies and guidance). It is not the purpose of this report to suggest changes to any of the legal regimes by which individual states protect their archaeological heritage – that would be beyond the remit of EAC. The boundary between legal prescription and professional discretion differs from state to state, depending on individual legal systems, and this report must be read in that light.

1.2 The Survey

Between December 15th 2016 and February 14th 2017, EAC member states were invited to complete a survey which was designed around the key articles in the Valletta and Faro Conventions. The survey[6] asked 23 questions about the way in which decision makers for archaeological heritage management make their decisions.

We want to gather evidence of these criteria and the way these choices are made, so that we can offer back to all member states a synthesis of all the different approaches taken and, if it is felt to be needed, general guidance on improving consistency and transparency.

The core objective is **in no way** aimed at changing the legislation or management structures in use in any particular state for managing archaeological heritage.

The survey questions were determined by the EAC Working Group at their meeting in Belfast, Northern Ireland, on 27th October 2016. These, along with supporting data to help get a consistent understanding across language barriers, were compiled into a *Survey Monkey* online survey by Angharad Bullward of Historic England.

The results were collated during February and March and a very preliminary statement presented by the Chair of the Working Group (Barney Sloane/UK) at the EAC Annual Symposium in Athens in March 2017.

Members of the Working Group were assigned key elements of the survey (as represented by linked questions) and undertook a more detailed analysis of the survey results in April - June 2017. The basic results of the survey were transmitted in a joint EAC/EAA session at the 2017 EAA conference[7]. Following comments by the EAC Board at its meeting in Prague in October 2017, this paper was prepared by the Working Group.

The results set out in section 2 of this report broadly follow the order of the survey questions (see Annex 1), but as insights were obtained from a range of question answers, the correlation is not exact.

[6] https://www.europae-archaeologiae-consilium.org/working-groups
[7] held in September 2017 Maastricht , see: Session 397 Making choices, Abstract Book p. 444 (http://www.eaa2017maastricht.nl/)

2. Results of the survey

2.1 Number and Distribution of Responses

The survey was very successful. A total of 22 substantive responses were received (Fig 1). This included regional responses as follows: one Italian region (Trento), one Swiss Canton (Berne), and two German Länder (Baaden-Württemberg, Bavaria).

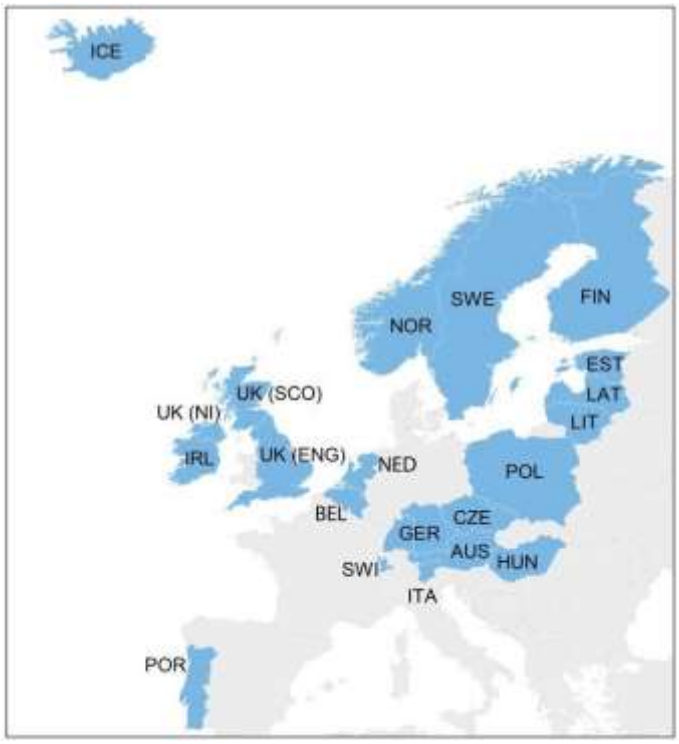

Fig 1: Distribution of countries responding to the survey

2.2 Recognition, significance, inventories and protection[8]

Conservation/Protection and Management of the archaeological heritage are predicated on recognizing and locating the surviving elements of that heritage, understanding as far as possible its value and significance and then using appropriate mechanisms to assist in making decisions about its future.

Regardless of the different legal and administrative frameworks that are in place in different states and regional or local administrative contexts, all these stages require choices to be made by those responsible for making decisions (who may not necessarily have a heritage or archaeological background). These choices are all essentially about assigning relative values (levels of importance) to components of the archaeological heritage so that decisions (and the outcomes of those decisions) are appropriate both to

[8] Principally drawn from answers to survey questions 2-8

the nature of the archaeological heritage in question, and to the context (circumstances) that require decisions to be made.

However well-structured the framework may be for assigning significance the process is essentially subjective and more often than not includes some element of 'professional judgement'. This is entirely proper, but there may be circumstances (eg spatial planning) where decisions may be challenged (for a variety of non-heritage related reasons), or where the consequences and impacts of those decisions may be unpopular in a social context, or even financially unsustainable. For obvious reasons, it is then vital that the decision-making process, and the evidence on which those decisions are based, are clear, transparent, and open to public scrutiny.

2.2.1 Identification of archaeological sites

The survey explored the criteria that states deploy to define the archaeological interest or archaeological values of a particular site for inclusion in an archaeological inventory. It was hoped that this would allow an understanding of how selective (or not) different states are in identifying or inventorising archaeological sites.

The generally accepted broad definition of an archaeological site is that it comprises any material remains of past human activity the preservation and study of which help to retrace the history of humankind and are conducive to archaeological methods and archaeological research (eg ICOMOS Charter for the Protection and Management of the Archaeological Heritage, 1990 (Lausanne Charter) Article 1; Council of Europe European Convention on the Protection of the Archaeological Heritage (Revised) 1992 (Valletta Convention) Article 1).

Most states have very broad definitions of archaeological sites, often described as all remains, objects or traces of human activities. Almost all states have definitions that cover visible monuments as well as remains under ground or in water. A few states have lists of types of remains but they comprise more or less everything. In a few states archaeological sites are defined by what the state heritage agency sets out as being of 'archaeological interest'. One state admitted to experiencing difficulties in distinguishing between archaeological and historical sites. Some states have requirements that the archaeological site has to have been abandoned and of an 'archaeological nature', others have a wider and more heritage-based definition that also includes buildings and monuments. Some states include portable objects in the definition of archaeological heritage, some have special criteria for objects, and some have a separate definition for physical remains.

The great majority of states do not set any fixed geographic limit or boundary to the definition of an archaeological site, although in some states this may be self-defined by the context or site-type in question.

More than half the states associate a time limit with their definition of what comprises an archaeological site, and conversely, less than half the states set no chronological criteria at all to their definition (one state includes any site older than 100 years from the present). Of those states with a fixed chronological definition, three set the upper limit for an archaeological site to between 1500 and 1600, six to between 1700 and 1800, and two to cut-offs in the twentieth century. Sometimes the specific cut-off date may be established by a significant point in the nation's history and development, sometimes it may be more or less arbitrary, depending on perceptions of whether the more recent 'historical' past or even evidence of the very recent past can be considered to be 'archaeological' in character.

Some states with a specific time limit, make exceptions for specific types of heritage (eg shipwrecks) or the heritage of specific communities, others have the possibility to including younger remains than the general time limit after special decisions. In some states, although no formal selection criteria exist, these appear to be implicit in the process of identification and listing but it is not clear how these are applied in practice.

Conclusion

The general impression from the survey is that the broad concept of what is considered to be an archaeological site does not differ very much between the states in Europe. Some states do apply selection criteria although in some cases these are implicit rather than explicit. The most important difference is the **chronological date** where the two extremes consist of one group of states only considering sites from the Middle Ages or older as archaeological sites, while another group of states have no time limit and include also remains from the World War 2 or remains from the even more recent past (some states also have special definitions for shipwrecks). These differences may relate more to traditional pedagogical distinctions or different legal and administrative structures in place in different states, rather than to any real difference in understanding and assigning significance and value to archaeological sites. Nevertheless, the implications of this difference are of course profound in terms of what is considered in different countries to comprise the archaeological heritage, for how that heritage is perceived (both by professionals and the public), and ultimately how it is managed. The choices involved in that management process will inevitably be shaped (and impacted upon) by the constraints established in setting the intellectual boundaries of the archaeological

heritage. This may relate less to the operation of archaeological or heritage values specifically, and more to social and political issues. Nevertheless, in a world where the definition of heritage is growing ever broader and more inclusive and accreting more and more public and social values, it is at least legitimate to consider the practical implications of this in terms of the fundamental choices facing heritage managers in all the states of Europe.

Recommendation

It is not for EAC to recommend whether or not the use of cut-off dates is appropriate. However, the development of evidence-based decision making across all states would benefit from greater knowledge of the contrasts in results arising from use/non-use of cut-off dates. This should be a focus of further research leading to such knowledge being available to European states to draw on in policy formulation

2.2.2 Formal protection of archaeological sites

Regarding the selection of 'sites' to be protected as listed/designated or registered monuments (and thus where development is far less likely to be permitted), Q3 and Q4 demonstrated evidence of different approaches to selection by member states.

An important distinction in approach by different states was revealed in the answers to Q2 and Q3. This was the fundamental difference between those states (n=7) which noted any archaeological discovery as a site but were then selective about the level of protection given to them; those states (n=7) which were selective about which archaeological discoveries conformed to their definition of a site but then gave protection to all those selected sites; and finally those states (n=8) which were both selective about what they defined as a site and increasingly selective from that list about what received formal protection. Of this last group which formally defined such 'monuments' it was possible to identify three broad clusters:

a) 'Monuments' forming about or (slightly) more than 10% of sites: (rare)
b) 'Monuments' forming less than 5% of sites: (common)
c) 'Monuments' forming less than 1% of sites: (rare)

The criteria provided for Q3 were mainly more complex than those set out for Q2, requiring greater contextual knowledge of the site in question. A slim majority of states (n=9) used a range of criteria, the most developed being Portugal which considers: **symbolic**, religious value; provision of remarkable **testimony** of past human actions; **aesthetic**, **technical** or **intrinsic** value;

architectural design, **urban design** and **landscape context**; **intangible** value/ collective memory; **research and scientific** historic value; **condition.**

UNESCO World Heritage Site designation is obviously a special sort of a high ranking process of choice-making. The criteria on which this process is based on are, of course, international ones and not national. The willingness of a state to start this process does signal a sign of awareness for the necessity of using criteria for evaluation and of making choices at all.

Conclusion

There is a group of states relying on overall protection automatically granted to all sites by state laws. In this group there is no selection process at all: if there is archaeology in an area, it is listed and therefore automatically protected. There is a group of states in which only archaeology meeting specific criteria is considered to be a site and thus protected. There is, clearly, a decision-making process when a site is listed in the inventory but no mechanism for ranking relative importance. Therefore every site seems to be accorded the same significance and to deserve the same treatment. Then there is a group of states which, being selective about what can be identified as a site further sees a clear difference between sites and 'monuments' thus expressing a ranking between the elements of their archaeological heritage.

These observations raise interesting questions as to how management decisions are made in everyday practice; whether each element of a heterogeneous assemblage of sites can be treated identically; and the extent to which mere existence confers significance.

Recommendation

In light of the importance of selection as a heritage management tool, at whatever stage is it used, guidance would be of benefit in ensuring that selection decisions are robust and transparent.

2.2.3 Choosing what is entered on archaeological atlases and inventories

The survey examined criteria used to select those sites which have not been defined as monuments for inclusion on an archaeological inventory or map. Perhaps unsurprisingly, almost every state (n=20) places anything identified as a site in on their inventories. The remaining two, Norway and Sweden, include only those sites declared as monuments. Some 'flavour' was evident – England operates a distributed local government inventory of sites and a separate, national inventory of protected monuments; both England and Netherlands included 'event' records recording where archaeological excavations had occurred, and it is likely other states do this but did not detail that aspect.

The survey also examined use of archaeological reserves (as opposed to specific sites). This was much more evenly split with a slim majority not using the concept (n=10), a smaller number (n=5) assigning 'zones of archaeological potential' within the spatial planning process, and the remainder (n=7) using some form of criteria for the establishment of reserves. These varied, covering **archaeological complexes**; **density** of features and **preservation** of artefacts; exceptional **landscape continuity**; **territorial/historical** significance; and application of site-based criteria to wider areas.

Conclusion

The development of a state inventory has taken a number of directions, but common elements exist. The use of reserves is not universal and approaches to establishing criteria for setting them up appear varied. However they may have an important contribution to make to planning- and development-related decision-making.

Recommendation

There appears to be a role for guidance on archaeological inventories and may be a role for guidance on the identification and use of archaeological reserves.

2.2.4 Assigning relative significance to archaeological sites

The survey explored the way different states weigh the relative significance of archaeological sites, and the criteria that may be used to differentiate sites. In particular this question seeks to explore whether states use a national ranking system to grade sites, and if so, what criteria may be used to assign different ranks or grades.

The majority (n=14) of states do not use a ranking system to assign relative significance to archaeological sites. A little more than one third (n=8) of states have a relatively simple ranking system, generally distinguishing between sites of national and sites of regional importance, and a few states have additional levels that identify 'normal' or 'local' levels of importance. Some states make a distinction based either on the level of legal protection afforded to sites, or between sites that are protected or not protected, and other states apply the same levels of protection to all sites. For states that have no ranking system, it would seem that values are applied to sites by the decision-maker as the need arises, in the course of everyday management practice.

Conclusion

There is a clear difference between those states that apply a formal ranking system and those states that make no distinction between sites. In some cases there appears to be a dual system in operation: the formal legal context which may, or may not involve ranking set against defined criteria, alongside, in a non-legal context, mechanisms (implicit or explicit) which assign relative ranking. The latter may be systematic, or less formal, operating as required, through professional judgement, and on a case by case basis.

In a general context, irrespective of whether the legislation operating in different states requires ranking against set criteria or not, in practice, a form of ranking that assigns relative values and significances to archaeological sites is carried out implicitly in most states in the course of archaeological heritage management. Indeed, it is hard to see how - in an administrative context that requires choices against priorities on a daily basis - this would not be the case. Some states are clearly well practiced in exercising and applying such judgements as the need arises.

Recommendation

Given its widespread use, whether explicitly or implicitly, guidance on assigning relative significance would be assist in archaeological heritage management.

2.2.5 Placing sites in their (archaeological) context

The survey sought to establish whether and, if so, how states define the concept of context in applying the precepts of the Valletta convention; whether it is defined as a specific area around an archaeological site, or whether it comprises the relationships within and beyond the site itself.

The historic and physical contexts of a site and its relationship with other sites or monuments are important when considering the values of that site but some of the answers are unclear and the question may have been difficult to interpret.

The answers were almost all about the employment of protected areas surrounding a site although most states can define an area surrounding a known site - often called a 'protection zone' or 'buffer zone' to enhance the protection of that site (sometimes as a fixed area a set number of metres from the site, sometimes an area that is defined individually). In some states it is possible to identify or protect an area only as a result of a specific decision and in other states only specially protected sites or sites of a high ranking (see 2.2.4 above) have this additional protection. Other states have protection zones for all sites (including hitherto unknown sites) and some states also apply different levels of protection areas. In a small number of states protection can also be applied to include the setting, views, and the wider landscape associated with a site.

In summary, generally there is across the respondents either a very limited application of the term 'context' or it is applied primarily as an additional means of physical protection for a site. Only in a very small number of cases is there any evidence that the wider cultural context of a site is taken into consideration.

Conclusion

How the historical context is expressed in decision-making when considering the physical context of a site differs widely between states. It ranges from states where only the site itself is protected to states where all sites have protections zones. Most states define physical context spatially, as protection areas surrounding the sites, but some states also include visibility and landscape in the protected areas surrounding certain sites. It seems self-evident that the significance of any archaeological site needs to encompass the full range of values associated with it.

Recommendation

There is a need for further discussion on how wider contextual relationships of an archaeological site (visibility, setting, historical values, aesthetical values for example), should form part of the site's significance.

2.3 Investigation and proportionality, research and skills[9]

Gathering new information in the field is a very important aspect of archaeology. When this involves destructive investigation (notably excavation) a particular set of professional and ethical concerns arise. When investigation is prompted by the fact that known or suspected archaeological remains are liable to be destroyed by new development, a further set of concerns arise, due to the fact that (a) the location to be investigated is determined by non-archaeological factors rather than by purely archaeological choices, and (b) this is the last chance to investigate the remains *in situ*.

Typically, 'development-led' investigations fall into one of two categories: (a) those undertaken to determine what archaeological remains are present on a piece of land and how they may be affected by development of that land, and (b) those undertaken to deal with the expected impacts of development on known archaeological remains.

Key questions which arise in these contexts include:

- what criteria should be used to decide where to carry out exploratory investigations, and what their scope should be?
- where known archaeological remains are threatened by development, how (and by whom) is it decided how fully those remains should be investigated before they are destroyed?

[9] Results were principally drawn from the answers to survey questions 9-16

- how (and by whom) should the scientific objectives of such work be decided?
- what level of archaeological requirements (and costs) is it reasonable to impose on a development?
- what levels of knowledge, skill and experience should be required for making decisions about 'development-led archaeological work'?

The survey sought to gather information on these issues.

2.3.1 The decision to undertake evaluations of sites with no known archaeology

The majority of responses indicated that local knowledge and experience of adjacent or nearby sites was the key, often based on the use of an archaeological atlas or inventory, and an understanding of predictive modelling (eg based on topography/geology). The scale of a development's below-ground impact was important in a number of cases – small-scale developments were not subject to evaluations – but there is no formal definition for the cut-off in the cases offered. A significant minority made choices based on distance from listed sites, but only two states have no rights to require evaluation on sites where nothing is known (Estonia and Lithuania). Iceland and Finland require initial evaluations for all development sites.

Recommendation

Guidance could set out for states the various possible approaches.

2.3.2 The scale of investigation in relation to the development impact

The majority (n=14) of states require excavation only of the directly impacted deposits. It was not the intention of this survey to explore in detail how this is established and at what stage of the development planning process, but the basic principles normally involve a sequence of desk-based assessment of potential within the development area, a clear understanding of the impact of the proposed development (such as areas of partial or complete destruction), targeted trial investigations to confirm survival and condition, and then a confirmed excavation strategy[10]. A minority (n=5) require total excavation within the development footprint regardless of the actual impact of the development. Only 3 states noted that assessments of what would be required (either excavation of the impacted archaeology, or total excavation) were made on an individual basis.

[10] There is a wide literature providing case studies – not least EAC Occasional Paper No 6 Large-scale excavations in Europe: Fieldwork strategies and scientific outcomes

Conclusion

This appears to be an area of decision-making where subjective decision-making is important. With a formal framework in place, developers could understand risk better, an excavation's time requirements could be optimised and probably lead to cost reductions, but archaeologists would not lose any of the resource provided sensible approaches were taken to protecting those areas of archaeological remains which would not be directly impacted. The key here may be in developing sophistication in the initial impact assessments, so that the modelled archaeology can be comprehensively compared with the development details. Another issue noted in a number of responses was the need for timely dialogue to find any design solutions. This could also save money if factored in early on in the planning stages of a development. Considerable research has been done on preservation *in situ* of archaeological remains[11], although that is not always possible. The need for flexibility was also noted since modelling the resource is not an exact science.

Recommendation

Guidance could assist in providing clarity as to the basis for decisions regarding extent of archaeological excavation required.

2.3.3 Balancing competing values of archaeology and development

The majority of responses (n=16) indicate that the archaeological decision-makers are not involved in balancing social benefits of archaeology with those of the development itself. For example, if the proposed development is a road, a hospital or a waste incinerator, the same kinds of decisions are made regarding the treatment of any archaeological site(s). The spatial planning system is seen as the mechanism for ensuring public involvement at that stage of the decision-making process. Some respondents (n=6) who qualified their statements indicated that an economic balance (ability to pay) formed part of their decision-making process, but not the value of the intended development.

Conclusion

This aspect of the questionnaire is closely related to the legal frameworks operating in the various different member states, and no archaeological heritage

[11] Leuzinger, U, Sidell, J, Williams, T 2016, *The 5th International Conference on Preserving Archaeological Remains In Situ (PARIS5): 12–17 April 2015, Kreuzlingen (Switzerland);* *https://historicengland.org.uk/advice/technical-advice/archaeological-science/preservation-in-situ/*

managers responding to the survey considered it their responsibility to undertake that balancing.

Recommendation

While the mechanisms for achieving such balances are related to national legal frameworks, guidance could assist in setting out options for doing this, for decision-makers outside the heritage management domain.

2.3.4 The use of written 'research designs', national or regional research frameworks, or other mechanisms for ensuring scientific value of archaeological investigations

The survey sought to understand how the significance of a site is related to the research questions asked of it during excavation. Three approaches were tested: (i) the use of specific site research designs (which set out what questions were to be asked, and how they might be answered); (ii) national or thematic research frameworks (setting out the wider research context to which the site might contribute new knowledge); or, (iii) in the absence of either of these, any other mechanisms which might be used.

The obligation to prepare a **research design** of archaeological fieldwork varies considerably depending on the type of the excavated site and the causes of archaeological fieldwork. The survey indicated that most states (n=15) require some kind of written proposal or project design for archaeological investigations. The other 7 states do not. In some countries, this obligation is prescribed only for scientific research, significant sites or registered monuments. The mechanisms by which these are generated and then approved vary significantly between states, however (as one would expect, given the differing archaeological legislation and administrative arrangements).

The research design is usually prepared by the organisation that intends to carry out the fieldwork, but its conditions (e.g. research methodology) can also be determined by the authority (state authority) that authorises it. Research designs usually describe the methods and objectives of the intended archaeological fieldwork. In some cases, the research design is preceded by an assessment of the importance of the site regarding territorial planning and present knowledge of the site obtained by archival research. In the Baltic countries, the research design is also submitted to the owner or investor and may even be subject to their approval. In these cases, the research design is not exclusively a means of ensuring the quality and scientific level of archaeological fieldwork. Such communication with the investor also allows basic control of the intended fieldwork.

Only four states have a published **national framework** of scientific or research objectives for archaeological work. In three further states, there are some regional frameworks, or ones concerned with particular sites, areas or themes (such as World Heritage Sites). The remaining 15 states do not have any explicit and over-arching framework. In some cases, work towards producing a national framework is taking place. The absence of a framework, emphatically, does not mean that there is no understanding. It does however mean that to those outside the archaeological community, there may be a *perceived* lack of transparency.

There seems to be a significant contrast between the fairly widespread use of research designs for individual investigations and a relative absence of wider national frameworks of objectives. For 10 states which require a research design, there is no national framework to which these might be linked.

For the 5 states that neither used research frameworks nor required research designs, oversight of the scientific outcomes was obtained in a number of ways. In some cases 'quality assurance' was the objective, achieved through review of proposals and licences before work starts. In other cases the mechanism was the monitoring of work as it is undertaken, and/or through formal review of completed reports. For some of the more centralised post-socialist states, there exist centralised (in most countries) digital archives and databases, where the reports and documentation of archaeological activities of the last decades have been collected: these are seen as scientific repositories. Some states simply required that a report must be published (which makes the results open to the normal processes of academic review and criticism). Combinations of two or more of these mechanisms were also found. No state set out the criteria by which quality of the work was judged, but it *may* be that it was technical delivery rather than research contribution that was being checked.

The survey sought also to understand the extent to which any research context for investigation influenced the specific methodologies deployed on a given site. A number of states have adopted a variety of fieldwork methods depending upon the *type* of fieldwork being applied and according to the *environment* where the research is carried out. However, application of standardised procedures appears to prevail regardless of the specific scientific or research objectives. Sampling or retention of excavated finds is most often conducted by archaeologists directly in the field with few clear rules or procedures.

<u>Conclusion</u>

The fact that a majority of states require development of a research design for archaeological fieldwork clearly shows that setting the primary research objectives and describing the methodical procedures represents one of the fundamental control mechanisms for ensuring the research quality. From the

perspective of the owner or investor, the research design should provide not only a control mechanism but also a common ground for clear communication with the archaeologists conducting the fieldwork.

The extent to which formally-stated scientific or research objectives are included in such documents seems quite variable. In terms of 'making choices' it seems of central importance: archaeological investigation is a research activity and a formal statement of research objectives seems a very important part of the overall process. Without being explicit about what we set out to do, how can we know afterwards how well we have succeeded?

The absence of national frameworks may be due to a decline in popularity of the idea of centralised state planning and direction during the past few decades, in both western and eastern Europe.

There is no sense that the absence of wider (national, regional, etc) frameworks was seen as problematic in terms of the value of work done. It was a little hard to know whether quality assurance (especially of reports) focuses more on 'technical' quality than on scientific significance, but this is possible. Of course, in states where 'total' excavation is required, this may be seen as less of an issue, although even here choices have to be made (e.g. what samples to take, which detailed analyses to do, which items to radiocarbon date and so on).

There is a balance to be struck about whether it is better for individual projects to be entirely free to set their own objectives (which may give more diversity and allow for innovation), or for there to be more central direction (which may give more consistency and coherence). However, understanding the relative significance of a site within its national framework does require some form of research context against which to measure it, and if that context is not explicit, it is not very transparent.

Finally, there appears to be both a need and a desire to develop far closer ties between research designs or objectives and the specific fieldwork methodologies used to address them. Scientific objectives of the research do not represent the decisive criterion; more often, financial or time limits predominate. Despite this, in many states the absence of a system solution is seen as a major issue.

<u>Recommendation</u>

Guidance should be developed on research frameworks at the wider level and research designs at the project specific level, the latter possibly addressing the issue of how to take account of perceived significance of sites. There is also a need for guidance on how to translate a research design for a project into specific fieldwork methodologies.

2.3.5 Qualification and/or training required for decision-makers in development-led archaeology

In individual responses, the position of a decision maker is quite variable. It ranges from a state official who decides at the level of territorial planning through an experienced archaeologist acting as an advisor or inspector to the head of archaeological fieldwork whose role is to make the decisions regarding the methodology of archaeological research, selection of the sampling methods or even the disposal of some of the excavated finds.

At the level of a state official who can decide whether and under what conditions the archaeological research shall be carried out and, where appropriate, also authorises its realisation, an archaeologist's qualification is not always required. Education in the humanities is also regarded as satisfactory. On the other hand, the position of an inspector or an advisor is sometimes reserved only for persons with archaeological education at MA or PhD level.

In the majority of countries, the head of archaeological fieldwork must obtain archaeological education at MA level, with the required length of practice ranging from 1 to 4 years. Besides these formal requirements, there are cases where specific experience and adequate education are assessed individually according to the requirements of the research considered.

Conclusion

Formal academic education and prescribed length of practice continue to be the prevailing requirement for a decision maker at any of the levels mentioned above. Their competencies are individually assessed only rarely. This is relevant for this particular study since any change to a more transparent approach to decision-making will include the need to provide greater familiarisation – through some basic education, knowledge transfer and practice, or potentially even formal vocational training, in order to ensure that the identified benefits are realised.

Recommendation

Guidance on how to assess archaeological competency for decision makers at both project and regulatory approval levels would assist in ensuring transparency and good quality decision making.

2.4 Legacy, dissemination and archives[12]

2.4.1 Approaches to publication

The survey sought to explore whether there are specific mechanisms and criteria for deciding the scale of publications, and the means of publication.

One third of the states have no specific policy related to the publication of the results of archaeological investigations, and two thirds of the states have some specific policies regarding the publication of excavation reports and summary reports of investigations. No state appears to employ structured criteria for selecting the means of publication or its extent. Although in many states the publication of excavation reports and summary reports is mandatory it is not always clear how well the policies operate in practice as in many cases full (academic) publication is left to the originator to deal with. In some (few states) major projects are published in in-house series by the archaeological agency or authority – in such cases the selection of major/significant projects/sites for this level of publication seems implicit rather than by using any explicit criteria. In a number of states, more emphasis seems to be placed on securing the archive of projects and making this available on-line than on the actual publication of results and some respondents highlighted the disjuncture between 'publication' and the increasing accumulation of 'grey literature' reports, the deposition of which in some states is mandatory, but does little to disseminate information and knowledge. Related problems reported by some states, perhaps resulting from a lack of a strong publication/dissemination policy, include a growing backlog of unpublished material, and a lack of synthesis of the results of such work. Only a small number of states made any mention of popular and more general publication.

Although many states deployed digital technology to make reports available on web-sites and for securing data in publicly accessible archives, there is little evidence that much serious consideration has been given to the different ways in which digital technology can be deployed to enhance publication and dissemination of results, and which digital methods and techniques may be most appropriate for different sorts of publications. In the same context, there is little or no mention made either of matching the methods deployed for publication and dissemination or to assessing whether those methods are successful in achieving the aims and purpose of publication/dissemination. Indeed, it is by no means clear in terms of publication, what the structural and methodological differences are between process - capturing summary reports and securing data (which by and large feels successful in most states), academic (pedagogic) publication which is pursued rigorously in some states, but left, apparently, to

[12] Results are principally drawn from survey questions 17 and 18

chance in others, and public/popular dissemination of knowledge and information which hardly figures in the responses.

Conclusion

It is perhaps surprising for a discipline that sets such great store – in terms of professional integrity – on the proper and full publication of the results of its investigations that the responses related to this question are so varied, and reflect to a large extent approaches to publication and data that are embedded to a great extent in 20th century attitudes (and technology). The absences of any real evidence that states have given much consideration to articulating in a structured sense the links between the nature and significance of investigations (and the significance of the results) and the scale, extent, and form of publication deploying different technologies in pursuit of different objectives

Recommendation

Further debate is needed to develop consensus on appropriate nature and extent of publication and dissemination in the era of digital technology. This may be necessary in advance of guidance on this or, alternatively, a move to develop such guidance could facilitate development of consensus.

2.4.2 Archives: attitudes towards a guiding policy for artefacts and documentation

It was clear from the nature of the responses to this question that deeper research into archiving practice would be valuable: what follows therefore provides a flavour of the range of approaches and issues encountered.

Archaeologists appear to make the decisions about what to keep during excavations: only one state (Norway) indicated that the find retention strategy is set out in the formal project plan agreed before excavation begins. Six states referred to specific published archive guidance or policies (three of these use EAC guidelines). Only one specifically mentioned a unique site code for each investigation, although we believe many more use these.

Four states specified formal selection criteria following the excavation. Lithuania retains all recovered finds dating to earlier than 1800, with the exception of bulk finds from which a selection is retained and the rest recorded and disposed of along with material dating to after 1800. The Netherlands reviews the rarity, condition and research significance of the assemblages. Switzerland (Berne) also sampled bulk finds before archiving. In Austria, due to ownership issues, only archives from protected monuments are formally required to be retained. In Sweden, retention is a National Board decision.

The great majority (n=17) of states report that the objects are placed in some form of state archaeological storage (state repositories or museums), and the expectation is that they will be retained in perpetuity (n=11). One state (Northern Ireland) reported that no state repository currently exists. Fewer states (n=7) specifically reported a formal documentary archiving system. One state (Czech Republic) reported that they have no specific policy on documents. Few states referred specifically to digital archives, although this will surely be a significant factor in the coming years. Two (Hungary and Northern Ireland) noted the absence of a digital archive policy; others referred to the existence of databases of archival material.

Four states specifically referred to disposal of archived material, reporting that while rare, it was permitted. Only one (Hungary) referred to criteria guiding this activity. Two states reported that disposal was specifically not permitted (Italy – Trento, and Ireland). Linked to this, the ownership of archives was reported as an factor for three states (England, Germany (Bavaria) and Austria. The key issue here was the tension between material owned by the landowner and that owned by the state. In England, deed of title must be passed legally from the landowner to the receiving museum. While this is often straightforward, in large – especially urban – land developments, such land ownership can be complex to track and even more so to complete transfer of title.

Conclusion

Four states specifically requested EAC help in developing guidance on archives and finds in the context of fieldwork (see section 3 below). There is much already set out in the EAC Archive guidance[13], but the research significance of archives within the wider research aims of the excavation; ownership issues; and digital archiving all appear to be live issues for states responding to the survey.

Recommendation

Work needs to continue, drawing on the existing EAC guidance, to development best practice in archiving across states. Key areas for further consideration appear to be: wider adoption of formalised archive guidance; questions of retention and disposal, and, in particular, addressing the issue of digital archiving. It should be noted that then EAC Archaeological Archives Working Group is already working on aspects of these issues.

[13] http://old.european-archaeological-council.org/files/arches_v1_gb.compressed.pdf

2.5 Public involvement[14]

There are a variety of statutory reasons why an excavation might happen on a portion of land, and these are explored elsewhere in this survey. It is correct to say that, in nearly every development-led case, the work may satisfy a legal requirement. A common reason for this is that the legal requirement comes from a public interest that the work be done. The phrase – 'in the public interest' – is used frequently to justify why the specific archaeological work needs to be done. Questions were set in this Survey to establish (a) how the public is involved in the decision-making process that results in an excavation being required, and (b) how the public can participate in those excavations.

Closely connected to this is how these works – which have usually been identified as being 'in the public interest' – are paid for. In most circumstances, but not in all, these works are paid for directly or indirectly by the developer. The question set in this Survey was to establish (a) if there are any limits on the cost of any archaeological activity and (b) how any limitations on cost are established.

2.5.1 Involvement of the public in the decision-making process when a site is proposed for investment/redevelopment

In nearly all instances it is through the spatial planning decision-making process that a decision leads to a requirement for an archaeological excavation. In this process a decision to approve a development is taken by the responsible authority with oversight of a wide range of factors that will influence the decision. Decisions may be taken at a local level, such as town or municipal councils, or at a central level for a region or state. Major projects such as large infrastructure works will often be determined at a regional or national level.

In this process the public will often have the opportunity to offer their views about the investment or redevelopment proposal. There is generally no specific process to comment on archaeology or excavation as a stand-alone element of a development application/proposal, and many smaller schemes will have very little detail (if any) about archaeological impacts. Larger schemes, which require Environmental Impact Assessment, may include details about heritage and archaeology, and are thus clearer to the general public about the impacts the project would have.

The decision about preservation or excavation of a site of archaeological interest is usually determined by non-archaeologists, be they professional spatial planners, engineers or politicians, acting on advice about the archaeological impacts of the proposal. There are particular circumstances involving specially-protected sites where the decision is made by, or more heavily influenced by, State archaeologists on the authority of their organisations or as advisors to

[14] Results were drawn principally from the survey questions 19 and 20

elected office-holders. As a specialist work area this advice is normally provided by professional archaeologists or heritage managers employed within the State sector or specially-commissioned by the State sector. These help safeguard the public interest in the process, and to ensure that archaeological impacts are considered in the decision-making process in the majority of spatial planning cases.

In some regions the decision-making process is influenced by spatial development plans that provide a strategic overview of how new proposals will be considered. It is usually the case that there is an opportunity for the public to contribute to or comment about those plans. These plans may provide specific policies concerning archaeology, and thus enable the public to have a more focused discussion about how sites in their area could be managed in the future.

It is important to note that the public are not specifically excluded from the decision-making process. However, where there are opportunities to take part it is usually a component of a wider discussion about the general merit of the investment/ redevelopment proposal, not about the merit of the heritage site itself.

Conclusion

There was little evidence in the survey results for the systematic involvement of the public in the decision-making processes for archaeological heritage management – the primary mechanism being instead through the spatial planning process, which suggests that currently the core principles of the Faro Convention are not yet being realised. However, the whole area of community engagement is gaining ground and critiques of the current approach continue to be voiced[15].

Recommendation

Archaeological heritage managers need to consider whether there is sufficient provision for public participation in archaeological (as opposed to spatial planning) decision making processes. It may be that questions such as the methodology to be used in excavating a site or who is competent to do so are not ones amenable to direct public involvement, but this is something that should be debated. It may be reasonable for archaeological heritage managers to have a privileged position in the spatial planning process so that their views as to which sites must be avoided and which can be removed following excavation have greater weight than the views of "ordinary" members of the public. However, if so, does that not call for much greater transparency than currently

[15] The EAC Amersfoort Agenda issued a call for action in 2015; for a useful recent summary, see Olivier in EAC Occasional Paper No 11: *When Valletta meets Faro* (pp 13-24).

exists on the part of such managers as to how they arrive at the recommendations they make to spatial planners, and prior involvement by the public in the development of archaeological decision making criteria used by such managers? Going beyond spatial planning, consideration needs to be given to how the public is to be involved in decisions to conserve and present to the public particular monuments and decisions to allow non-development led research excavations (which we can be in danger of failing to recognize as being potentially just as destructive of archaeological deposits as development led excavations). EAC should promote a coherent discussion on these issues by archaeological heritage managers.

2.5.2 Public participation in development-led excavations

Development-led excavations are usually time-bound operations, with a key focus on the complete or partial clearance of archaeological remains from a site so as to enable the primary investment to happen, e.g. the construction of new buildings or infrastructure. The work is generally undertaken by archaeologists or crews working under the direction of an archaeologist who are paid to do the work. It is very clear that there are common themes across the responses to the Survey, which include:

- The encouragement of developers to share the discoveries with the general public through press coverage, open days and tours
- The encouragement of archaeologists to share their discoveries through tours, presentations and lectures

There are several reasons identified as to why the general public are not encouraged to work as volunteers in the active excavation of a site. These relate to the commercial arrangements that require the excavation, time constraints, health and safety constraints, and the management/supervision of such groups on site. The management/supervision of an excavation team on site is an important aspect of achieving 'quality control', that is, ensuring the remains are being investigated by people who are qualified and experienced in the activity, and who can be relied upon to do the work to a good professional standard.

The scope for public participation in development-led excavations across the Survey appears to be limited to the public having a spectator role; they have some opportunities to see and learn about, but not to actually take part in, the excavations. The encouragement of developers or archaeologists to share their discoveries appears to depend very much on the individual developers and archaeologists. There are some exceptions; in Sweden it was reported that there are regulations to specifically ensure that all excavations of relevance (i.e. sites that have produced substantial or important remains) are presented to the public. This can be done through tours during the excavations and the sharing of information through print and digital media, and through public lectures.

An aspect that was not included in the Survey, but which may be relevant in future projects, is about the involvement of the public in the post-excavation phases of work, such as artefact processing and cataloguing.

Conclusion

While direct participation by the public in development-led archaeological excavation is problematic for a range of reasons, potential exists to promote access by the public to view such excavations. However, in general this is left to the discretion of excavation directors and funding developers.

Recommendation

Consideration should be given to guidance on promoting public awareness of, and appropriate access to, development-led excavations.

2.6 Funding for archaeological excavations

Most responses to the Survey note that there are few statutory limits on the cost of archaeological excavations. One example is Hungary, where (at the time of writing) archaeological costs cannot exceed a fixed percentage of the development cost and where an absolute maximum cost ceiling is also imposed regardless of the percentage.

The sources of funding vary. Funding, for most excavations, comes from the developer. This involves both private developers and state bodies where they are conducting the projects. In a small number of responses the State will provide all or significant portions of the funds required for the excavations (such as in Brussels), or where the State administers the developer's funds for the project.

While most responses to the Survey indicated that there is no differentiation between the kinds of projects, in practice there are instances where individual states or authorities will support or part-fund the work. These include projects for non-profit organisations or individuals who may not be able to pay for the work required. In a small number of cases the state may be seen as a 'sponsor of last resort' where a major archaeological discovery is made that was not factored into the investment or redevelopment proposal at its inception. For most projects, however, it appears that 'the market has found its own value' in commercial terms, and developers seek to incorporate the archaeological costs as part of the overall project value.

Conclusions

Funding is one of those issues which is closely bound to state legislation and policies and is therefore one where EAC can provide insights but not readily recommend wholesale change. Nonetheless, clear interest was shown in the

need to articulate far more clearly both the basis for the costs of archaeological investigation and, perhaps most important of all, the range of public benefits which can arise from it. Four states specifically raised the need for support in advocating these values and benefits (see section 2.8) to ensure that all stakeholders were equally informed.

Indeed, without establishing the value(s) of archaeological investigation, it is hard to attempt any kind of measurement of proportionality when seeking investment (whether of the state or of private funders).

Recommendation

EAC should work to highlight and showcase the full range public benefits accruing from investment in archaeological projects carried out as a result of development. A starting point could be a number of case studies where benefits have clearly been realised. This would lead on to a statement of the benefits arising from investment in such archaeological projects and how such benefits can be maximised.

3. Analysis and recommendations

There is a clear case for EAC engagement with a number of the key points raised above. That engagement can most usefully manifest through guidance, case studies and/or discussion documents. The principles that should be adopted are:

- That guidance be written at a high (supra-state) level without requiring any legal changes to state approaches
- That the work could (theoretically) be done by EAC members, with some help, in a sensible timeframe

There appear to be three main kinds of decision where criteria and advice might help:

1. Deciding why an archaeological resource should be considered as meeting Valletta definition: that it makes a contribution to "**retrace history of humankind through scientific research"** – and at a state level whether it should receive some kind of protection. Any guidance here should be on the subject of **significance and value.** The toolkit might seek to:
    a. help heritage managers to consider what, in addition to the statutory criteria for protection, makes this site particularly valuable to the human story
    b. help heritage managers articulate this significance in inventory documentation

2. Deciding when and why a site subject to development-led change should be investigated. Any guidance here would be on the subject of the **potential** of the site (or portion of it which will be impacted) to advance current national benchmark of archaeological knowledge. The toolkit might seek to:
    a. help heritage managers consider when *not* to allow change and why
    b. help heritage managers develop a national benchmark (a Research Framework)
    c. help develop proportionate investigation responses which link potential to level of change
    d. help managers consider input from a wider stakeholder group (including developers and the public)

3. Deciding what constitutes a good project design for an investigation. Guidance here would be at the high level, but would consider **design**. The toolkit might offer strategic thoughts on
    a. Site-based research designs and project planning, public engagement
    b. archive selection and retention – based on significance
    c. developing publication strategies to ensure an information flow

4. Establishing public benefits of development-led archaeology. Guidance here might be focused on:
    a. An EAC-wide definition of the key benefits

b. A mechanism for capturing the value of these benefits
c. A set of international case studies to demonstrate them in action

In terms of priority for our Action Plan, we suggest that we use the answers to Question 23 of the survey as our guide:

Q.23 Suggestions for EAC support	Totals
Guidance on significance and priorities	11
Developing national research framework	4
Making the case for development-led archaeology	4
Managing finds/archives	4
Guidance on establishing national inventory	2
Synthesising results effectively	2
Guidance on analysis and evaluation of investigative works to inform future policies	1
Developing palaeoenvironmental context for specific sites	1
Establishing models for proportionality	1

The clear preference was for help around significance and priorities. Of equal second importance appear to be research frameworks, public value and advocacy of development-led archaeology and archive issues. Using the framework above, this translates to:

- Guidance on significance and priorities (1.a. and 1.b. above)
- Developing national research framework (2.b.)
- Making the case for development-led archaeology (4.a – 4.c)
- Managing finds/archives (3.b)

This will be used as the basis for future EAC action.

4. Acknowledgements

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The Working Group would like to acknowledge all those representatives from the member states who provided responses to the survey. It was an intensive questionnaire and the time they committed to this research has been invaluable.

ANNEX 1: The Survey Questions

1. Name / Country / Official name of your organisation
2. What characteristics does your state use to choose whether archaeological evidence of past activity at any location is significant enough for that place to be considered an 'element of the archaeological heritage' or as an 'archaeological site'.
3. What are the criteria your state uses for choosing which 'sites' should be legally protected'
4. How many specially protected archaeological monuments does your state recognise, if any?
5. What are the criteria for choosing known archaeological 'sites' to add to an official inventory?
6. How does your state assign relative values and/or significance to different 'sites'?
7. Valletta mentions the idea of physical 'context' in relation to the defined archaeological heritage. (Article 1) Does your state use the concept of context to inform decision-making? If so, how does it do this? Is 'context' defined in ways that are clear to the wider public, including developers?
8. Does your state identify wider areas or zones of archaeological importance (the 'reserves' referred to in the Valletta convention) which have a legal status? If so, what are the criteria for their selection?
9. If a new development/ investment is proposed on a piece of land for which your state has no direct evidence of archaeological deposits, how and on what basis do you decide whether any investigation should take place?
10. To what degree do you take account of the impact on the archaeological site (i.e. the actual area of possible destruction) of the proposed development in considering the scale of any investigation?
11. Assuming development is going ahead, do you balance the competing values of the archaeology against other values (economic or social, for example) of the proposed development in considering the scale of any investigation? If so, how?
12. When an investigation is being considered as a response to proposed development, does your state require a written research design which sets out the scientific, research questions, objectives, applied methods or other conditions of the investigation?
13. Does your state have any kind of formal written 'scientific' or 'research' frameworks or agendas which set out objectives or priorities development-led archaeological investigations? If so, are they published, and how often are they revised or updated? [Note: the terms 'scientific' and research' are treated as interchangeable here.]
14. If you don't use scientific or research designs or frameworks (Q12, 13), how are the scientific or research objectives for a development-led archaeological investigation established so as to guarantee the significance of the results?
15. In your state, do the scientific or research objectives for an investigation play an important role in decisions about excavation or post-excavation methods and approaches, such as use of non-destructive survey, sampling strategies and the criteria for retention of excavated finds?

16. In your state, what kinds of qualification or training are required for decision-makers in development-led archaeology?
17. What are the criteria for choosing the method and extent of publication of the results of an investigation?
18. What are the criteria for deciding what should be kept? What should be archived from archaeological sites, in what condition and for how long?
19. In what ways are the public involved in the decision-making process when a site is proposed for investment/redevelopment?
20. In what ways are the public encouraged to participate in development-led excavations?
21. In terms of funding for archaeological excavations, are all categories of development treated the same, or are some kinds of development treated differently?
22. Please provide any views you wish on the stability of your current approaches as set out in the questions above. Has your state's approach changed significantly over the last 5 years - if so in which areas, and why?
23. What of the questions above is the biggest issue for your state? What single resource would be of greatest use to your state's decision-makers in making the choices above?
24. Please provide any other observations on the subject of this survey