The 2001 Convention on the Protection of the Underwater Cultural: UNESCO’s actions towards its implementation

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The 2001 Convention on the Protection of the Underwater Cultural Heritage

- Response of the International community to the protection of the UCH and the application of international scientific standards in its investigation.

The UCH encompasses all traces of human existence having a cultural, historical or archaeological character which have been partially or totally under water, periodically or continuously, for at least 100 years... (Art. 1).
Threats to the Underwater Cultural Heritage

- Pillage & Commercial exploitation

- Human Activities:
  - Industrial work, tourist developments, oil drilling, recovery of gravel and sand, artificial islands, fishing trawilling activities, etc.
  - Irresponsible diving, “bad archaeology”

- Natural causes:
  - Climate change, currents, hurricanes, etc.
National laws and pre-existing International law provide no sufficient protection to UCH

- **National Law:** Often laws do not yet protect UCH, national jurisdiction gets also more limited the further a place is out at sea, it cannot protect all underwater heritage

- **International Law:** UNCLOS contains only two regulations on UCH in Article 149 and 303. They give only protective powers up to the limits of the Contiguous Zone, are very general and do permit commercial salvage.
The 2001 Convention

United Nations Educational, Scientific and Cultural Organization

- The Protection of Underwater Cultural Heritage
The Convention...

- Harmonizes the protection of underwater heritage with that of land-based sites.
- Guarantees cooperation among States, and UCH scientists & professionals worldwide.
- Fosters underwater archaeology and sets high standard scientific guidelines.

*No regulation of the ownership of wrecks or of maritime zones*
Basic Principles

• Obligation to protect and preserve the UCH

• *In situ* protection as first option

• Fight against commercial exploitation and pillaging of UCH

• Promotion of Information sharing, training in underwater archaeology and public awareness

• Respect for human remains and encouragement of higher protection
Cooperation System

- Within the Exclusive Economic Zone, the Continental Shelf and the Area, the 2001 Convention establishes an international cooperation scheme (common share of information and a cooperative protection effort).

In concrete this scheme stipulates that:

- **REPORTING**: States Parties request reports of discoveries and intended activities directed at underwater cultural heritage from their nationals and vessels flying their flag.
- **NOTIFICATION**: States Parties notify UNESCO, and in the Area also the Secretary-General of the International Seabed Authority, of such discoveries and planned activities.
- **DECLARATION OF INTEREST**: notified in turn by UNESCO, States Parties may then declare their interest to be consulted;
- **CONSULTATION**: under the coordination of the Coordinating State the consulting States Parties agree together on the measures to be; and
- **MEASURES**: the Coordinating State takes the measures agreed upon by all consulting State.
The **Annex to the Convention**

- Practical guidelines
- Integral part of the Convention
- Most widely applied
- Sets rules for activities directed at UCH
- Principles and Standards for the management of UCH
Advantages of ratification

• Strengthens the fight against the pillaging of UCH
• Helps to develop an UCH sustainable tourism industry
• Ensures interstate cooperation and information exchange
• Benefits the social inclusion, reinforces national identity and contributes to scientific knowledge
• Harmonizes legislations according to international standards
Challenges

- Capacity building in **local communities**
- Public awareness & **accessibility**
  (i.e. Museums, diving trails, publications, etc.)
- **Education** and training opportunities
  (University programmes)
- Ensure **legal protection**, harmonization of national laws & ratification of the 2001 Convention
- Map, monitor and **valorisation** of sites within the local community
Main governing bodies

International FORUM for dialogue and cooperation in the protection of the UCH

- Meeting of States Parties
- Scientific and Technical Advisory Body
The Advisory Body

The 12-experts Scientific and Technical Advisory Body:

- Meets once a year
- Give guidance for the development of underwater archaeology
- Allow a common approach and decision
- Can assist in fostering underwater archaeology in the regions
- States can request advice
Implementation Strategies

1. NATIONAL CONSULTATIONS
   1. National Authorities
   2. Competent authorities
   3. National, regional and international experts

2. REGIONAL MEETINGS
   • Introduction to the UCH and to the Convention
   • Evaluation and analysis of each countries situation and positions
   • Identification of needs
   • Elaboration of a road-map
- Great part of the traces of ancient Gulf cultures and maritime contacts are submerged (shipwrecks, dwelling structures, etc)
- All Gulf countries willing to ratify
- Importance of the Gulf UCH
Capacity Building

1. 2011 - 2013 - Trainings in underwater archaeology and conservation (Turkey, Spain, Croatia, Cuba, Jamaica, Argentina).

- 400 people from over 85 countries from 2008-12
- Building of capacities + UCH sites management plans
Awareness Raising

• Publications
• Website on UCH
• Youth initiatives (cartoons, schools activities, Education Kit, etc.)
• Exhibitions
Photo Exhibition - Paris
Public access to UCH

- Need for understanding the conceptualization of the UCH among different actors of the society
- Building factor for scientific knowledge
- Fostering public access (Underwater or Land-based Museums, diving trails, virtual access, etc.)
  - Economic activity of an specific area (tourism)
  - Urban regeneration and sustainable development
- Cultural, recreational and educational impact
  - Building up cultural (and sometimes national)identities
  - Interaction between communities with the heritage is a guarantee of protection and surveillance for future generations
- WASA Museum, Sweden
- ARQUA Museum, Spain
- *Mary Rose* Museum, Portsmouth, UK.
- Baiheliang & Nanhai Museums, China
- The Ancient city of Baia underwater archaeological park, Italy
Museum UCH, Alexandria

- UCH Museum and National Centre of research.
- Advisory body of experts under UNESCO coordination.
- National Taks force.
- Feasibility studies (Fort Qait Bey and Eastern Harbour).
Involvement of Divers

- Divers are important allies.
- Among the first to know and find UCH.
- Guardians of sites and help authorities in its protection.
- Great potential for UCH tourism and social appropriation of the heritage.

- Collaboration agreement
UNESCO and Underwater Archaeology
PUBLICATIONS

Manual for Activities directed at Underwater Cultural Heritage
 Guidelines to the Annex of the UNESCO 2001 Convention

Training Manual for the UNESCO Foundation Course on the Protection and Management of Underwater Cultural Heritage in Asia and the Pacific

Available on UNESCO’s Website
International Center for Underwater Archaeology, Zadar (Croatia)

Granted the auspices of UNESCO by the General Conference in October 2007.

- To carry out conservation, restoration and education activities

- To promote the ratification and implementation of the 2001 Convention by developing and sharing state-of-the-art methods of research in underwater archaeology, conservation and restoration, training and knowledge.

- The Centre will operate by respecting the principles of the Convention and its Annex and contribute to building capacity in the other States of the region.
UNESCO UNITWIN Network

It fosters underwater archaeology, research and capacity building in the framework of its 2001 Convention.

It promotes research, training, information and documentation

Academic training network: harmonization of teaching schedules and programmes; regional and international conferences and seminars to promote the discipline and advance innovative research; joint research projects; encourage inter-university cooperation; and, awareness raising on underwater cultural heritage.
Fostering Scientific research
Impacting factors on UCH


- The significance of underwater cultural heritage
- Tourism and the valorisation of underwater cultural heritage
- Environmental impact and climate change
- Developing the seabed, resource extraction and renewable energy development at Sea
- Trawling and fishing
- Preventive conservation and development-led archaeology between science and pragmatism
- Construction works
Centenary of the World War I

- From 2014 onwards, World War I’s submerged heritage will begin to fall under the scope of the 2001 UNESCO Convention.

- Commemorative event and Scientific Conference on the UCH of WWI (Bruges 2014).
To sum up…

- UNESCO’s 2001 Convention is the only legal framework towards complete protection. Need for ratification.
- Involvement of society in UCH protection.
- Public access and public understanding is a guarantee of protection (all social and political actors).
- Public access can develop UCH tourism and sustainable management models.
- Need to develop Underwater Archaeology Education & Research.
Challenges for the Region...

- Ratification
- Commitment from authorities: Competent authority, national laws, national inventory
- Capacity-building (university level – UNITWIN?)
- Involvement of society
- International cooperation
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THANK YOU - شكراً