



United Nations
Educational, Scientific and
Cultural Organization



The Protection of the
Underwater Cultural Heritage

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NAMIBIA

National Report on Underwater Cultural Heritage

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A. Practical Situation

Namibia is a dry desert country with a long coastline of just under 2,000km. The country has very limited perennial inland water sources. As a result, Namibia's underwater heritage resources are largely limited to the Atlantic coast and one inland lake called Lake Otjikoto.

Atlantic coasts

The Atlantic coast is shielded by highly inhospitable Namib Desert. The northern section of this desert is known as skeleton coast due to a large number of European explorers and seafarers who perished along this coast in 1800's. There is quite a large number of shipwrecks¹. The rugged nature of the Namib Desert is a blessing for the maritime heritage in Namibia. People could only go to those areas if they have a good reason and have access to suitable off-road vehicles. Secondly, about 80% of the coastline comprises of proclaimed protected areas i.e. the Skeleton Coast National Park, Namib Naukluft National park and Diamond Area Number 1. Access to these areas is strictly control through permits issued by Ministry of Environment and Tourism, the NAMDEB Diamond Mining Company and the National heritage Council (NHC), respectively.

Lake Otjikoto,

Lake Otjikoto, on the other hand, is a national monument resorting directly under the NHC. The significance of this lake relates to the artillery pieces that the German troops threw into the lake before surrendering to the Union (South African) forces at the end of the Second World War. NHC, in collaboration with Namibia Underwater Federation has full control over this lake.

Challenges

NHC and its partners lack capacity – i.e. funding and human resources – to effectively enforce the law on the coast line.

Like in many other countries, economic policies take preference and, as a result, NHC is not in a position to supervise diamond mining activities –especially offshore mining is not properly mining. There is high suspicion that a large number of artefacts are recovered from the sea bed by mining vessels and not reported.

NHC is also not able to effectively control activities of the fishing vessels. Only some companies (minority) report artefacts retrieved and only out of goodwill. Fishing trawlers are potentially important partners e.g. when there was a mid air collision of American and German

¹ One of the most famous shipwrecks of Namibia must be the one found at Oranjemund, the treasure included thousands of gold coins, bronze cannons, tons of copper, and more than 50 elephant tusks dating back some 500 years.

military cargo planes off Namibia's coast, fishing vessels were able to assist the investigations by bringing pieces of debris caught in the fishing nets to the ports. They could do the same with maritime heritage.

Positive Points

Generally good cooperation exists between the NHC, the National Museums of Namibia, the Ministry of Environment and Tourism and Namibia Underwater Federation (latter private organisation). Increasingly municipalities of 3 major coastal towns are also lending support but mostly because of individual officials who take a keen interest.

Efforts should be made to increase cooperation with Namibia Ports Authority, diamond mining companies and municipalities of the coastal towns at institutional level.

B. Legal Situation

1. National Heritage Act (Act 27 of 2004) was passed in 2004 and implemented in 2005. This act defines archaeological places or object as "any remains of human habitation or occupation that are 50 or more years old found on or beneath the surface on land or in the sea". In section 55 it specially provides that all such objects are the property of the State unless legally in private ownership.
2. The Act makes provision for control of human activities through a permit system administered by the NHC. It also spells out sanctions for illegal activities which combine fines and imprisonment.

C. Practical measures

The most prominent practical measures are the National Heritage Act and its provisions. Collaboration with other agencies as mentioned above also helps. Enforcement of the act however remains a major challenge due to a lack of capacity nationally. **Most serious challenge relates to the fact that the justice system does not perceive the contravention of the National Heritage Act in a serious light. A lot of work needs to be done in this respect.**

D. Consideration of Ratification of the 2001 Convention

The Ratification of the 2001 Convention is still under discussion at technical level. A key issue is which will be the lead Ministry between Ministry of Culture and Heritage vs Ministry Fisheries and Marine Resources.

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