



United Nations  
Educational, Scientific and  
Cultural Organization



The Protection of the  
Underwater Cultural Heritage

**1 MAB**

**UCH/10/1.MAB/220/6REV**

**17 June 2010**

**Original: English**

**Distribution limited**

**CONVENTION ON THE PROTECTION OF THE UNDERWATER CULTURAL HERITAGE**

**SCIENTIFIC AND TECHNICAL ADVISORY BODY**

**First Meeting**

**13 – 15 June 2010, Cartagena, Spain**

**Spanish National Museum of Maritime Archaeology (ARQUA)**

**Resolutions and Recommendations**

### **RESOLUTION 1 / MAB 1**

The Scientific and Technical Advisory Body to the Meeting of States Parties to the Convention on the Protection of the Underwater Cultural Heritage,

1. Elects Carmen Garcia Rivera (Spain) Chairperson of its first meeting;
2. Elects Pilar Luna Erreguerena (Mexico) Vice-Chairperson of its first meeting.

### **RESOLUTION 2 / MAB 1**

The Scientific and Technical Advisory Body to the Meeting of States Parties to the Convention on the Protection of the Underwater Cultural Heritage, at its first meeting,

1. Having examined document UCH/10/1.MAB/220/2;
2. Adopts the Agenda included in this document.

### **RECOMMENDATION 3 / MAB 1**

The Scientific and Technical Advisory Body to the Meeting of States Parties to the Convention on the Protection of the Underwater Cultural Heritage, at its first meeting,

1. Having examined documents UCH/10/1.MAB/220/3 and UCH/09/2.MSP/220/5;
2. Recommends the creation of a UNESCO electronic form for the transfer of notifications in the framework of the State cooperation mechanism of the Convention;
3. Considers that the State cooperation mechanism of the Convention serves to facilitate the collaboration of States in case of danger to sites and in research projects. It needs therefore to be implemented in a simple and rapid way. An electronic form for the transmission of notifications seems the most appropriate tool, as it can be fed directly by national competent authorities (Art 22.1 of the Convention) with information and as it allows an automatic translation while only little time is lost for administrative delays.
4. Considers that a password protection and a log-in function ensure the security of the use of such electronic form;
5. Recommends that States Parties should have the choice how much information they want to give on the concerned sites.

### **RECOMMENDATION 4 / MAB 1**

The Scientific and Technical Advisory Body to the Meeting of States Parties to the Convention on the Protection of the Underwater Cultural Heritage, at its first meeting,

1. Having examined the documents UCH/10/1.MAB/220/4, UCH/09/2.MSP/220/6, UCH/09/2.MSP/220/INF.3 and UCH/10/1.MAB/220/INF.3;
2. Considering that the ICOMOS International Committee on the Underwater Cultural Heritage (ICUCH) is already listed in Article 1 (e) of the Statutes of the Scientific and Technical Advisory Body and that it can be assumed that it does not need to apply for accreditation;

3. Recommends to the Meeting of States Parties to not accredit any NGO under Article 1 (e) of the Statutes of the Scientific and Technical Advisory Body until accreditation criteria have been adopted;
4. Recommends to the Meeting of States Parties to adopt *mutatis mutandis* for accreditation under Article 1 (e) of the Statutes of the Advisory Body the criteria set by the “Directives concerning UNESCO’ relations with NGO”, as approved by the General Conference at its 28th, 31st and 34th session; and to request in addition that the concerned NGOs should
  - a. have objectives, activities, statutes and by-laws that are in conformity with the principles of the Convention;
  - b. be engaged in activities and have competence, expertise and experience in safeguarding underwater cultural heritage.
4. Recommends to the Meeting of States Parties to adopt the following procedure for accreditation:
  - a. The Secretariat should receive the requests from NGOs, demanding in particular
    - i. proof of their legal establishment,
    - ii. their legal statutes and by-laws,
    - iii. the details of their past and current activities,
    - iv. a list of the organisations’ members and their governing organs,
    - v. a register of their publications, as well as
    - vi. references by national authorities or international organisations;
  - b. The Secretariat should check the completeness of the requests and present them for consideration to the Advisory Body either during a meeting of the Body or in its electronic exchange;
  - c. The Advisory Body should evaluate the request based on the information provided to it by the Secretariat, any additionally available information, as well as on the expertise of its members;
  - d. The Advisory Body should submit the requests for accreditation together with its recommendation for decision to the Meeting of States Parties at each session of the Meeting, where a decision should be taken;
  - e. The Meeting should review already accredited bodies every four years, taking into account the recommendations of the Advisory Body as to maintaining or terminating relations with the entity in question, as well as the perspective of the body concerned;
  - f. The termination of relations with an NGO should be decided when deemed necessary or when there is a complete absence of actual collaboration;
  - g. In exceptional cases or if circumstances require, relations with an organization should
    - i. be suspended by the Meeting of States Parties or in emergency by the Advisory Body itself, until a decision regarding the termination of relations is taken; or
    - ii. be terminated with immediate effect.

- h. Each member of the Advisory Body should be able to request the Secretariat to consult the other members of the Body on any matter that may call for the termination of relations with a NGO, bringing forward proof or evidence allowing them to correctly assess this request;
  - i. While NGOs may officially state their accreditation to cooperate with and be consulted by the Advisory Body, any use of the logo of UNESCO or the Convention should be regulated by the rules and regulations of UNESCO;
- 5. Recommends to the Meeting of States Parties to adopt a format for the accreditation requests that is appropriate to provide the information needed to assess the fulfillment of the accreditation criteria;
- 6. Recommends that the Secretariat should register accreditation requests, present them to the Advisory Body and keep up-to-date and publicly accessible a list of the organizations accredited by the Meeting of States Parties.

### **RECOMMENDATION 5 / MAB 1**

The Scientific and Technical Advisory Body to the Meeting of States Parties to the Convention on the Protection of the Underwater Cultural Heritage, at its first meeting,

- 1. Having examined document UCH/10/1.MAB/220/5;
- 2. Considering that it is its function to propose to the Meeting of States Parties standards of and means to promote best practice in underwater cultural heritage sites protection and materials conservation according to Article 1 (b) of its Statutes;
- 3. Recommends to the Meeting of States Parties:
  - a. to foster the adaptation of national legislation protecting underwater cultural heritage and cooperation in this regard, in particular in small Island States;
  - b. to remind the State Parties to adapt and enforce national legislation in application of Article 16 of the Convention and to prevent activities undertaken by their nationals and vessels flying their flag also outside of their territorial waters, which are not in line with the Convention;
  - c. to assist in the drafting of clear national rules for the authorization of interventions on underwater cultural heritage sites, which include also rules concerning activities only incidentally affecting these sites and areas where such sites could only possibly be located and which require the approval of national competent authorities (Article 22.1 of the Convention) for interventions;
  - d. to encourage States to make it compulsory for their national authorities, ministries and departments undertaking activities on the seabed or riverbed, as for instance coast guards, the navy, dredging services, research services, fisheries monitoring, etc. to confidentially communicate information on underwater cultural heritage found or on activities concerning or affecting such heritage to the competent national authorities (Article 22.1 of the Convention);
  - e. to advise States Parties to request information and cooperation also from the Intergovernmental Oceanographic Commission and national hydro- and oceanographic services;

- f. to collect and disseminate accounts of experience with public access and awareness projects, in particular virtual diving, marine parks and dive-trails; and to cooperate to make virtual in situ access available for a global audience via the UNESCO website;
- g. to elaborate guidelines for the establishment of national inventories in order to ensure the interchangeability of national databases on the long term and to call on ICUCH to assist in this exercise;
- h. to elaborate ethical standards for divers in line with the Convention and to cooperate with third entities, in particular those training divers;
- i. to provide assistance to States Parties to build capacity in the area of underwater cultural heritage protection;
- j. to elaborate a study on the benefit of the valorization of underwater cultural heritage and to make its protection compatible with economic development and sustainable tourism in Small Island Developing States;
- k. to elaborate a study on the most significant factors affecting negatively the conservation of underwater cultural heritage and the identification of remedial measures;
- l. to recommend the urgent recruitment of additional permanent staff for the UNESCO Secretariat for the Convention and the allocation of additional resources to facilitate the communication with the State Parties and to ensure the effective implementation of the Convention.

#### **RESOLUTION 6 / MAB 1**

The Scientific and Technical Advisory Body to the Meeting of States Parties to the Convention on the Protection of the Underwater Cultural Heritage, at its first meeting,

1. Requests the Director-General of UNESCO to convene its next session directly after the 3<sup>rd</sup> session of the Meeting of State Parties in Paris ;
2. Decides to work electronically by the use of emails and applying the Rules of Procedure of the Meeting of State Parties *mutatis mutandis*;
3. Decides that resolutions and recommendations shall only be taken by electronic exchange if a simple majority of the Advisory Body members has voted on the concerned issue.

#### **RECOMMENDATION 7 / MAB 1**

The Scientific and Technical Advisory Body to the Meeting of States Parties to the Convention on the Protection of the Underwater Cultural Heritage, in electronic proceedings by the majority of the members of the Advisory Body,

1. Having examined document UCH/10/1.MAB/220/INF. 2;
2. Approves the text of the draft UNESCO Code of Ethics for Diving on Wrecks and Submerged Ruins;
3. Recommends the above draft to the Meeting of State Parties for adoption.