



**FIRST SESSION OF THE MEETING OF STATES
PARTIES TO THE CONVENTION ON THE
PROTECTION OF THE UNDERWATER
CULTURAL HERITAGE**

**26/27 March 2009, Paris, UNESCO Headquarters
Room II**

CLT/CIH/MCO/2009/ME/88 REV.

Item 5 of the Provisional Agenda: Discussion on the possible adoption of the Statutes of the Scientific and Technical Advisory Body

Decision required: paragraph 5

1. Article 23.4 of the Convention on the Protection of the Underwater Cultural Heritage foresees that the Meeting of States Parties may establish a Scientific and Technical Advisory Body (hereinafter “the Advisory Body”) composed of experts nominated by the States Parties with due regard to the principle of equitable geographical distribution and the desirability of gender balance.
2. Such a body shall assist as appropriate the Meeting of States Parties in questions of a scientific or technical nature regarding the implementation of the Rules concerning activities directed at underwater cultural heritage.
3. States Parties may decide if this advisory body shall be established and in which form.
4. In case States Parties wish to establish such body, they may wish to consider the attached Draft Statutes.
5. The Meeting of States Parties may wish to adopt the following resolution:

DRAFT RESOLUTION

The Meeting of States Parties,

1. Having examined document CLT/CIH/MCO/2009/ME/88,
2. Adopts the Statutes of the Scientific and Technical Advisory Body to the Meeting of States Parties to the Convention on the Protection of the Underwater Cultural Heritage contained in the above document.

DRAFT STATUTES

of the

SCIENTIFIC AND TECHNICAL ADVISORY BODY TO THE MEETING OF STATES PARTIES TO THE CONVENTION ON THE PROTECTION OF THE UNDERWATER CULTURAL HERITAGE

Article 1 Establishment

The Scientific and Technical Advisory Body to the Meeting of States Parties to the Convention on the Protection of the Underwater Cultural Heritage (hereinafter “the Advisory Body”), is hereby established according to Article 23.4 of the Convention on the Protection of the Underwater Cultural Heritage (hereinafter “the Convention”) by the Meeting of States Parties to the Convention.

Article 2 Functions

a) The Advisory Body shall

- (i) appropriately assist States Parties and the Meeting of States Parties to the Convention in questions of a scientific or technical nature regarding the implementation of the Rules concerning activities directed at underwater cultural heritage, as referred to in Article 33 of the Convention (hereinafter “the Rules”);
- (ii) promote and explain the Rules to facilitate their application;
- (iii) assist the Secretariat in the elaboration, in consultation with the Bureau of the Meeting of States Parties, of draft Operational Guidelines for the approval of the Meeting of States Parties;
- (iv) give guidance in questions related to the practical application of the State cooperation mechanism contained in the Convention (Articles 8 to 13).

b) The Advisory Body shall propose to the Meeting of States Parties standards of and means to promote best practice in underwater cultural heritage sites protection and materials conservation by:

- (i) identifying and monitoring practical common and emerging issues in underwater cultural heritage sites protection and materials conservation;

- (ii) identifying means of improving/developing best practices with regard to material and site conservation, among others through targeted education or publications;
 - (iii) liaising with academic and other training institutions and private industry to encourage targeted research;
 - (iv) facilitating workshops and seminars on specific technical issues.
- c) The Advisory Body shall assist UNESCO in any effort to mediate in disputes between two or more States Parties concerning the interpretation or application of the Convention in the framework of its Article 25.2.

Article 3 Membership

- a) The Advisory Body shall be composed of [six/twelve] Members. They shall have an academic and professional background adequate to the task, and may be in particular experienced and recognized specialists in the field of underwater archaeology, international law, materials science (metallurgy, archaeo-biology, geology), and conservation of archaeological artefacts from the sea
- b) The Members shall be independent and shall sit in their personal capacity..
- c) Also nationals from States or territories not Party to the Convention may be member to the Advisory Body, if they are proposed by a State Party and nominated by the Meeting of States Parties.
- d) The members of the Advisory Body shall work in compliance with the principles of the Convention. In case of serious concerns concerning their compliance, even if the acts concerned are committed outside of their functions as member of the Advisory Body, the Meeting of States Parties may decide on the withdrawal of their nomination.
- e) The Advisory Body shall elect its own chairperson and vice-chairperson(s).

Article 4 Nomination

- a) Members of the Advisory Body are nominated by the Meeting of States Parties to the Convention. Nominations are to be conducted with due regard to the principle of equitable geographical distribution and the desirability of a gender balance.
- b) The members of the Advisory Body are nominated for a term of office of four years. In nominating the first members of the Advisory Body, the Meeting of States Parties

will choose by lot those (half the total membership) whose initial term shall expire after two years.

Article 5 Operation

- a) Advise in scientific or technical questions may be provided by the Advisory Body:
 - (i) upon request by the Secretariat or any competent authority of a State Party to the Convention orally or if requested in writing;
 - (ii) through missions to the requesting States Parties;
 - (iii) through publications; and
 - (iv) through presentations during the Meeting of States Parties to the Convention or other events organized by UNESCO.
- b) The Advisory Body shall provide response as quickly as possible to upcoming questions. Requests for advice shall be transmitted via the Secretariat to the Chair of the Advisory Body, who shall consult with the members.
- c) State Parties will approach the Advisory Body to find a solution to a pertinent problem and only if no answer can be found in the circle of their own professionals.

Article 6 Meetings

- a) The Director-General shall convene a session of the Advisory Body once a year. In special circumstances, he/she may convene another session if funds are available. The Director-General shall establish the agenda for the sessions of the Advisory Body after consultation with its Chairperson.
- b) In addition to Members, experts or representatives of organizations whose duties and qualifications make them suitable for assisting the Advisory Body may be invited by it to address a meeting of the Advisory Body.

Article 7 Secretariat

- a) The Director-General shall appoint members of UNESCO Secretariat to represent him/her on the Advisory Body, without a right to vote.
- b) The Secretariat of the Advisory Body is ensured by UNESCO Secretariat.

Article 8 Recommendations

- a) Recommendations of the Advisory Body are adopted by consensus, or, if no consensus emerges, by majority vote of the members present at a meeting.
- b) No session of the Advisory Body shall be held without a majority of Advisory Body members being present.

Article 9 Funding

States Parties shall endeavour to provide appropriate funding of the Advisory Body. UNESCO shall make all reasonable efforts to identify funding from regular and extra budgetary sources.

Article 10 Amendments

The Statutes of the Advisory Body may be amended by the Meeting of States Parties to the Convention.