



United Nations
Educational, Scientific and
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The Protection of the
Underwater Cultural Heritage

3 MSP

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**UNITED NATIONS EDUCATIONAL, SCIENTIFIC
AND CULTURAL ORGANIZATION**

CONVENTION ON THE PROTECTION OF THE UNDERWATER CULTURAL HERITAGE

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

Third session
Paris, UNESCO Headquarters, Room IV
13 – 14 April 2011

Item 5 of the Provisional Agenda:
Consideration of the report and the recommendations of the
Scientific and Technical Advisory Body

Decision required : paragraph 4

1. The first session of the Meeting of States Parties to the 2001 Convention, which took place from 26 to 27 March 2009 in Paris, established a Scientific and Technical Advisory Body, as foreseen by Article 23.4 of the Convention. The second session elected 11 members of the Scientific and Technical Advisory Body.
2. The first Meeting of the Scientific and Technical Advisory Body took place in Cartagena, Spain, on 14 and 15 June 2010. It was attended by 9 members of the Advisory Body, two observers from the countries of the two absent members, observers from three States Parties to the Convention and observers from 16 States not party to the Convention as well as one representative of a NGO (ICOMOS - ICUCH). UNESCO provided the Secretariat.
3. The Advisory Body adopted seven resolutions and recommendations (UCH/10/1.MAB/220/6).
4. The Meeting of States Parties may wish to adopt the following resolution:

DRAFT RESOLUTION 5 / MSP 3

The Meeting of States Parties, in its third session,

1. Having examined documents UCH/10/1.MAB/220/6 and UCH/11/3.MSP/220/Inf.1REV;
2. Encourages State Parties, in reference to Recommendation 5 / 1 MAB *paragraph a*, to foster the adaptation of national legislation protecting underwater cultural heritage and cooperation in this regard, in particular in Small Island States;
3. Reminds State Parties, in reference to Recommendation 5 / 1 MAB *paragraph b*, 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;
4. Encourages State Parties, in reference to Recommendation 5 / 1 MAB *paragraph c*, to adopt clear national rules for the authorization of interventions on underwater cultural heritage sites and to require the approval of national competent authorities (Article 22.1

of the Convention). These rules should also include regulations concerning activities only incidentally affecting underwater cultural heritage sites and areas where such sites could only possibly be located;

5. Encourages State Parties, in reference to Recommendation 5 / 1 MAB *paragraph d*, 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);
6. Encourages State Parties, in reference to Recommendation 5 / 1 MAB *paragraph e*, to request information and cooperation also from the Intergovernmental Oceanographic Commission and national hydro- and oceanographic services;
7. Requests the Secretariat, in reference to Recommendation 5 / 1 MAB *paragraph 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;
8. Requests the Advisory Body, in reference to Recommendation 5 / 1 MAB *paragraph 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 ICOMOS-ICUCH to assist in this exercise;
9. Adopts, in reference to Recommendation 5 / 1 MAB *paragraph h* and Recommendation 7 / 1 MAB, the ethical standards for divers that have been proposed by the Advisory Body; and authorizes the Secretariat to cooperate with third entities, in particular those training divers for the promotion of these ethical standards;
10. Encourages, in reference to Recommendation 5 / 1 MAB *paragraph i*, the States Parties to the Convention to provide more assistance to each other to build capacity in the area of underwater cultural heritage protection;

11. Decides, in reference to Recommendation 5 / 1 MAB *paragraph j*, to elaborate a study on the benefit of the valorization of underwater cultural heritage;
12. Decides, in reference to Recommendation 5 / 1 MAB *paragraph k*, to elaborate a study on the most significant factors affecting negatively the conservation of underwater cultural heritage and the identification of remedial measures;
13. Requests from the Director-General, in reference to Recommendation 5 / 1 MAB *paragraph l*, 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.

Annex

Development of a Code of Ethics for Diving on Submerged Archaeological Sites

Submerged archaeological sites are increasingly exposed to damage by inexperienced or unaware divers. To ensure a worldwide respect for submerged heritage by individual divers it might be useful to create a Code of Ethics and to collaborate with training entities focusing on amateur education in this regard (CMAS, NAS, PADI /Project Aware) to set a common standard.

The Scientific and Technical Advisory Body recommends the below draft rules for adoption by Recommendation 7 / 1 MAB to the Meeting of State Parties. They have been discussed with CMAS and NAS, who indicated that they would be willing to adopt and promote them if they should become official.



	<i>Draft Rule</i>	<i>Explanation</i>
1.	<i>Protect underwater cultural heritage for future generations.</i>	Underwater cultural heritage encompasses all traces of human existence having a cultural, historical or archaeological character, lying under water. Over the centuries, thousands of ships, entire cities, and even landscapes have been swallowed by the waves. They constitute a precious heritage that needs to be protected.

<p>2.</p>	<p>Leave wrecks and submerged ruins untouched.</p>	<p>The site of a wreck or a submerged ruin is historically important. When objects or any other kind of remains are displaced without prior scientific recording they are deprived of their context and lose part of their significance, they also risk deterioration in drying and their extraction, without appropriate conservation can already lead to their disappearance. Sites should therefore remain untouched by divers, not involved in a scientific archaeological project.</p>
<p>3.</p>	<p>Obey legal protection of archaeological sites.</p>	<p>Many underwater heritage sites are protected by the law. Know and understand the applicable regulations before you dive to prevent you breaking the law.</p> <p>To know the law worldwide see: www.unesco.org/culture/natlaws</p>
<p>4.</p>	<p>Seek permission to dive on designated sites.</p>	<p>Diving on designated wreck or ruin sites often requires a specific permission. Do not dive them without a licence, when it is required, as you may put the site or yourself in danger. Do also respect official directives concerning the limitation of diving in certain zones. Protected sites are often indicated on admiralty charts and marked by buoys or warning notices on the shore.</p>
<p>5.</p>	<p>Only archaeologists may remove objects.</p>	<p>Non-scientific diving should remain non-destructive and non-intrusive. Do not move or recover objects other than in the framework of an official archaeological excavation and under the supervision of a professional archaeologist authorized by the competent authorities.</p>
<p>6.</p>	<p>Do not take souvenirs.</p>	<p>Dive to enjoy and / or to get involved. Take photographs or document the site. However, do not take any object from a wreck or submerged ruin and do not disturb the site. You would destroy the historic context and damage the object when brought to the surface.</p>
<p>7.</p>	<p>Respect measures that</p>	<p>Any protection measure (metal cages, sand layers, sonar buoys), placed over submerged archaeological sites by the responsible authorities</p>

	<i>protect sites.</i>	safeguard them from erosion, irresponsible intruders and looting. They should be respected. Even if you take nothing away – any damage that you do to a protection device opens the way to damage to the site. If you note any damage done to such a device, report it to the authorities.
8.	<i>Report discoveries to the responsible authorities.</i>	If you do discover an historic wreck or site do not spread the word. Immediately contact the national competent authorities, who will advise you about the next steps. If your find is important it may be researched or designated a protected site.
9.	<i>Hand over objects that you took.</i>	Should you have taken an object from a submerged archaeological site to protect it from extreme risk of loss report it to the competent national authority as soon as possible. If ever you discover an ancient object in the water or at a beach, which is under the threat of private appropriation or damage, contact the competent authority. If this is not possible, then recover it and hand it over to the nearest authority. It can indicate the presence of an archaeological site off the coast and give information about it.
10.	<i>Do not sell our common heritage.</i>	Objects coming from a submerged archaeological site should not be commercially traded, but protected. We can learn much about the development of civilisations and our own past from the remains of wrecks and ruins under water. Dispersing this heritage robs us of our past. If you note the sale of illegally acquired artefacts, notify the competent authorities.
11.	<i>Document discovered sites.</i>	If you discover a wreck or submerged ruin document (photos, drawings or notes) its precise location and its state. Make a report about it and accompany it by your documentation.
12.	<i>Be careful when taking photographs.</i>	When taking photographs, be careful to avoid contact with the wreck or ruin site. A camera is not a licence to move or disturb cultural heritage. Many objects are fragile regardless of size. Improper techniques while

		<p>taking photos under water can damage sensitive site elements and harm fragile objects with the bump of a camera or tank, swipe of a fin or even the touch of a hand. Camera systems may add weight or be buoyant. Make sure to secure equipment and be properly weighted to avoid contact damage.</p>
13.	<i>Stay safe.</i>	<p>Diving wrecks or ruins can be dangerous. Respect safety and health requirements appropriate to the sites in question. Pay attention to depth, time and currents and do not enter into cavities without taking highest safety precautions. Do never dive unaccompanied. Preferably dive only accompanied by a professional and qualified guide and gather information beforehand.</p>
14.	<i>Be a role model.</i>	<p>Be a role model for other divers and non-divers when diving submerged heritage sites. Encourage other divers to follow this Code of Ethics. Help create conservation awareness amongst the local community, general public and divers.</p>
15.	<p><i>Support ratification and compliance with the UNESCO 2001 Convention on the Protection of the Underwater Cultural Heritage.</i></p>	<p>The UNESCO Convention on the Protection of the Underwater Cultural Heritage (2001) is an international treaty protecting underwater cultural heritage. It sets basic protection principles, guides international cooperation and provides rules for underwater archaeology.</p> <p>Support the Convention.</p>