



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

5 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

Fifth session
Paris, UNESCO Headquarters, Room XI
28-29 April 2015

Item 8 of the Provisional Agenda:

**Consideration of chapter on logo and revision of chapter on Financing
of the Operational Guidelines**

The present document contains revisions to the Operational Guidelines Chapter VII on the logo and a proposed amended version of the chapter IV on Financing as well as a draft plan for the use of the resources of the Underwater Cultural Heritage Fund.

Decision required: paragraph 6

1. In its first session in 2009 and by Resolution 7/MSP 1, the Meeting of States Parties requested the Secretariat to prepare a draft of Operational Guidelines for the Convention on the Protection of the Underwater Cultural Heritage and to submit it for consideration and approval. The Meeting then established a Working Group consisting of representatives of 14 States Parties (two more States were added later), which amended the original draft.
2. The third and fourth session of the Meeting of States Parties (2011 and 2013 respectively) reviewed the results and adopted by Resolution 8/MSP 3 and Resolution 6/MSP 4 all chapters of the Draft Operational Guidelines with the exception of the chapter on the Logo of the Convention. For that chapter the Secretariat was requested to draft a new version to be circulated for discussion among the States Parties and to be presented at the present, fifth session of the Meeting of States Parties. The most important observations of the States Parties on the desired new content were that the logo of UNESCO and the logo of the Convention should be guided by separate rules. It would be strongly recommended, but not obligatory, to use them together. The use of the Convention Logo should thus be directed by the Convention's Operational Guidelines and not by the UNESCO Directives.
3. The new chapter VII of the Operational Guidelines on the Logo was prepared and circulated to States Parties. No further comments were received. It is again annexed to this document for consideration and approval (see Annex 1).
4. In addition to the Logo-Chapter it is proposed by the Secretariat to amend the Operational Guidelines Chapter IV on Financing. The suggestion is made to amend the provisions, so that a plan for the use of the resources of the Fund is approved at each session of the Meeting of States Parties (see Annex 2). The advantage of this proceeding is that donors can from the outset understand for which purpose their funds will be used. The allocation of the funds received to the projects can also be undertaken immediately, as no additional time is lost to wait for the approval of the Meeting of States Parties, which has already been given. A draft plan for the use of funds, suggested to be approved at the current session, is attached (see Annex 3).
5. The Meeting might moreover wish to discuss through which means the governing bodies of the Convention can contribute to raising funds.
6. Finally, the Meeting might wish to consider the drafts of the Operational Guidelines' chapters IV and VII and to adopt the following resolution:

DRAFT RESOLUTION 8 / MSP 5

The Meeting of States Parties, in its fifth session,

1. Having examined document UCH/15/5.MSP/8 and its Annexes,
2. Thanks the Secretariat for the preparation of the new draft chapter on the Logo of the Convention and the amended chapter on Financing of the Operational Guidelines;
3. Adopts chapter VII on the Logo, and chapter IV on Financing, as amended, and as contained in Annex 1 and 2;

4. Approves the draft list of priority projects to be financed by the Underwater Cultural Heritage Fund, as contained in Annex 3.

ANNEX 1 (on LOGO)

	CHAPTER VII. - THE LOGO OF THE CONVENTION
	A. THE LOGO
	<p>92) To increase the visibility and encourage the promotion of the Convention at the national, regional and international levels, the Convention is provided with a Logo.</p> <p>93) The Logo of the Convention (hereinafter “the Logo”) represents an underwater cultural heritage site covered by waves. It stands for the universal values of the Convention. It is round, as a symbol of global protection for the submerged heritage of humankind. The blue colour used for the Logo is consistent with the colour used by the United Nations System.</p>
	B. RULES APPLICABLE TO USE OF THE UNESCO LOGO AND THE LOGO OF THE CONVENTION
	<p>94) The Logo of the Convention can be used independently as stand-alone Logo (hereinafter “stand-alone Logo”) or together with the UNESCO Logo (hereinafter “linked Logo”). The preferred use of the linked Logo is strongly encouraged.</p> <p>95) The use of the stand-alone Logo is governed by the provisions stipulated in the present Guidelines. The use of the linked Logo is governed both by the present Guidelines and by the <i>Directives concerning the Use of the Name, Acronym, Logo and Internet Domain Names of UNESCO</i>, as adopted by the General Conference of UNESCO. The use of the linked Logo must therefore be authorized both under the present Guidelines and under these directives (for the part of the UNESCO Logo).</p>

C. GRAPHIC DESIGN OF STAND-ALONE AND LINKED LOGOS

96) The stand-alone Logo, which is used as the official seal of the Convention, is shown below:



The Protection of
the Underwater Cultural
Heritage

97) The linked Logo is shown below:



98) Both the stand-alone and the linked Logo can be used in the six official languages of UNESCO. They shall be reproduced according to the graphical charter elaborated by the Secretariat and published on the website of the Convention and shall not be altered unless the Meeting of States Parties decides to do so.

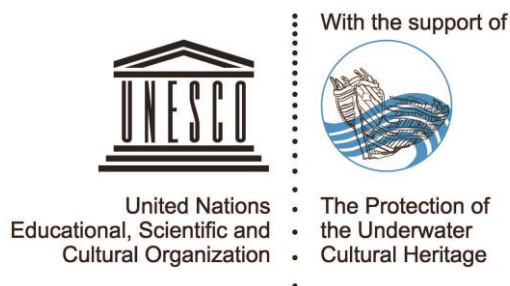
99) Use of languages other than those six official languages of UNESCO in the stand-alone and the linked Logo must be approved by UNESCO, prior to their use.

100) Additional complementary versions of the Logo may be used, such as shown below in order to adequately answer various needs:

a) "In support of" :



b) "With the support of":



c) "In partnership with":



101) More complementary versions of the Logo can be created as needed, for approval of the Meeting of States Parties, or, in cases of urgencies, by delegation its bureau.

D. RIGHT OF USE

102)The following have the right to use the stand-alone Logo without prior authorization, subject to the rules set out by the present Guidelines:

- a) the statutory organs of the Convention and its subsidiary bodies, i.e. the Meeting of States Parties and the Advisory Body; and
- b) the UNESCO Secretariat of the 2001 Convention.

103)All others desiring the right to use the Logo must request and receive authorization pursuant to the procedures set forth below.

E. AUTHORIZATION FOR USE OF THE STAND-ALONE LOGO

104) Authorizing the use of the stand-alone Logo is the prerogative of the Meeting of States Parties. The Meeting of States Parties delegates the authority to grant the use of the stand-alone Logo to the Secretariat.

105) The stand-alone Logo shall solely be used for the **promotion** of the Convention and the protection of underwater cultural heritage.

106) The authorization to use the stand-alone Logo shall be given based on the following criteria:

- a) Justification: outstanding relevance of the proposed use of the stand-alone Logo to and compliance with the Convention's principles and objectives and special interest in the use of the Logo independently from the UNESCO Logo;
- b) Impact: use may be granted to exceptional activities likely to have a real impact on safeguarding underwater cultural heritage and to enhance significantly the Convention's visibility;
- c) Reliability: adequate assurance should be obtained concerning those in charge (professional experience and reputation, references and recommendations, legal and financial guarantees) and the activities concerned (political, legal, financial and technical feasibility).

107) The following steps are required to request the use of the stand-alone Logo:

- a) Step 1: A requester must apply for the use of the stand-alone Logo to National Commissions for UNESCO of the State Party or States Parties, or other national authorities duly designated by respective States Parties, in whose territory the Logo use is intended;
- b) Step 2: The National Commissions or designated national authorities will undertake a review to decide whether they support or do not support the request and forward to the Secretariat in English or French language those requests they recommend. The requests must be submitted to the Secretariat three months prior to the first day of the period of the use intended;
- c) Step 3: Those requests forwarded will be evaluated and granted by the Secretariat, according to the criteria stipulated in paragraph 104 of the present Guidelines;
- d) Step 4: All requests will receive a response from the Secretariat. For those requests granted, the Secretariat will provide to the requester the appropriate electronic file with the stand-alone Logo. The concerned National Commissions or other designated national authorities and Permanent Delegations will be informed;
- e) Step 5: The Secretariat will prepare and submit a report to the Meeting of States Parties at each of its sessions, on the use of the stand-alone Logo.

F. AUTHORIZATION FOR THE USE OF THE LINKED LOGO

108) The Director-General is empowered to authorize the use of the linked Logo in connection with **patronage** and **contractual arrangements** (fundraising, commercial use) as well as **promotional activities**, in particular for the promotion of the Convention and the protection of underwater cultural heritage and to designate **Best Practice** in preserving underwater cultural heritage sites and making them accessible for the public in accordance with Article 2.3 and 2.10 of the Convention.

109) **Patronage** may be given as UNESCO's moral endorsement of an activity for which the Organization is not directly involved, is not providing financial support, and cannot be held legally responsible. Patronage is limited in time and can be granted in the framework of the Convention in line with the following criteria and conditions¹:

a) Criteria:

- i. Impact: use may be granted to exceptional activities likely to have a real impact on safeguarding underwater cultural heritage and to enhance significantly the Convention's visibility.
- ii. Reliability: adequate assurance should be obtained concerning those in charge (professional experience and reputation, references and recommendations, legal and financial guarantees) and the activities concerned (political, legal, financial and technical feasibility).

b) Conditions:

- i. Request for the use of the linked Logo for the purpose of patronage must be submitted to the Director-General via the concerned National Commission for UNESCO or accompanied by evidence of support from the concerned National Commission at least three months prior to the first day of the period of use intended; the use of the linked Logo for the purpose of patronage is authorized in writing, and exclusively by the Director-General.
- ii. The Convention must be afforded an appropriate degree of visibility, notably through the use of its Logo.
- iii. The use of the linked Logo for the purpose of patronage may be

¹ For reference see also UNESCO's general criteria for granting patronage, which also apply.

authorized to specific activities of limited duration or to regularly repeated activities. In the latter case, a new request for authorisation is required for each repeated activity.

110) **Partnership agreements** are negotiated between UNESCO and partners such as public sector institutions, private sector or civil society to carry out defined activities that advance the objectives and principles of the Convention and its promotion and implementation on all levels. Use of the linked Logo within partnership agreements shall be authorized by the UNESCO Secretariat.

111) **Fundraising activities** encompass activities undertaken by Convention stakeholders (public, private and civil society) whose sole objective is to raise donations for the Convention's programme or Fund. Use of the linked Logo for fundraising activities shall be authorized by the UNESCO Secretariat.

112) **Commercial use** is the sale of goods or services bearing the name, acronym, logo or internet domain names of UNESCO for profit. It shall only be accepted when it serves also an educational, promotional or fundraising purpose.

a) Requests for commercial use of the linked Logo including those received by National Commissions or other national authorities duly designated shall be sent to the Director-General of UNESCO for written approval.

b) Any contractual arrangement between the Secretariat and outside organizations involving commercial use of the linked Logo by those organizations (for example, in the framework of partnerships with the private sector or civil society, co-publication or co-production agreements, or contracts with professionals and personalities supporting the Convention) must include a standard clause stipulating that any use of the linked Logo must be requested and approved previously in writing by UNESCO.

c) Authorizations accorded under such contractual arrangements must be limited to the context of the designated activity.

d) Except when authorized in accordance with the present Guidelines, it is not legitimate for commercial entities to use the linked Logo to show their support for underwater cultural heritage protection.

e) When commercial benefits of the use of the linked Logo can be

	<p>anticipated, the Secretariat should endeavour to ensure that the Underwater Cultural Heritage Fund receives a fair share of the revenues and conclude an agreement that documents the nature of the understandings that govern the project and the arrangements for provision of income to the Fund.</p>
	<p>G. PROTECTION</p>
	<p>113) To the extent that the name, acronym and logo of UNESCO have been notified and accepted by the Paris Union Member States under Article 6ter of the Paris Convention for the Protection of Industrial Property, adopted in 1883 and revised at Stockholm in 1967, and to the extent that the Logo of the Convention [has been submitted²] to the International Bureau of the World Intellectual Property Organization (WIPO) and [has been notified and accepted] by the Paris Union Member States under Article 6ter of the Paris Convention for the Protection of Industrial Property, adopted in 1883 and revised at Stockholm in 1967, UNESCO has recourse to the Paris Convention Member States' domestic systems to prevent the Logo of the Convention and the name, acronym or logo of UNESCO from being used where such use falsely suggests a connection with the Convention or UNESCO, or any other abusive use. The States Parties are invited to submit to UNESCO the names and addresses of the authorities in charge of managing the use of the Logo.</p> <p>114) The Director-General of UNESCO is responsible for instituting proceedings in the event of unauthorized use of the Logo of the Convention at the international level. States Parties to the Convention should take all possible measures to prevent the use of the Logo in their respective countries by any group or for any purpose not explicitly recognized by the statutory organs of the Convention.</p> <p>115) The Secretariat and the States Parties cooperate closely in order to prevent, in conjunction with competent national bodies and in line with these operational guidelines, any unauthorized use of the Logo of the Convention at the national level.</p>

² This is not yet the case.

ANNEX 2 (on FINANCING)

CHAPTER IV. FINANCING (<i>Current text</i>)	CHAPTER IV. FINANCING (<i>Modified text</i>)
B. THE UNDERWATER CULTURAL HERITAGE FUND	B. THE UNDERWATER CULTURAL HERITAGE FUND
<p>64) The Underwater Cultural Heritage Fund (“the Fund”) is managed as a Special Account pursuant to Article 1.1 of its Financial Regulations³. The resources of the Fund consist of voluntary contributions as regulated in Article 4 of the above-mentioned Financial Regulations.</p> <p>65) The Fund will be used as decided by the Meeting of States Parties and in conformity with the provisions and the spirit of the Convention and in complement of national efforts to finance in particular:</p> <ul style="list-style-type: none"> a.) the functioning of the Convention and its State Cooperation Mechanism; b.) international cooperation projects in relation to the scope of the Convention; c.) the building of capacity in States Parties; d.) the enhancement of the protection of the underwater cultural heritage. <p>66) States Parties, institutions and private entities are invited to provide support to the Convention by contributions paid to the Fund or direct financial and technical contributions to projects intended to ensure the protection of the underwater cultural heritage.</p>	<p>64) The Underwater Cultural Heritage Fund (“the Fund”) is managed as a Special Account pursuant to Article 1.1 of its Financial Regulations. The resources of the Fund consist of voluntary contributions as regulated in Article 4 of the above-mentioned Financial Regulations.</p> <p>65) The Fund will be used as decided by the Meeting of States Parties and in conformity with the provisions and the spirit of the Convention and in complement of national efforts to finance in particular:</p> <ul style="list-style-type: none"> a.) the functioning of the Convention, of its Secretariat and of its State Cooperation Mechanism; b.) international cooperation projects in relation to the scope of the Convention; c.) the building of capacity in States Parties; d.) assistance by the Advisory Body to States Parties; and e.) the enhancement of the protection of the underwater cultural heritage. <p>66) States Parties, institutions and private entities are invited to provide support to the Convention by contributions paid to the Fund or direct financial and technical contributions</p>

³ See RESOLUTION 8/MSP 2 and UCH/09/2.MSP/8, the latter approved financial regulations for this Fund, as annexed to document UCH/09/2.MSP/8.

	to projects intended to ensure the protection of the underwater cultural heritage.
	C. USE OF THE RESOURCES OF THE FUND
	<p>67) The Meeting of States Parties approves a plan for the use of the resources of the Fund during each of its sessions. A draft of this plan shall be prepared by the Secretariat, and submitted to the States Parties, at least two month in advance of the sessions.</p> <p>68) The Secretariat shall make immediate use of funds received, provided that the funded projects have been approved by the Meeting of States Parties in the plan for the use of resources. The funds shall be used in accordance with the percentage indicated in the plan or as earmarked by the donor.</p> <p>69) Donors may earmark their contribution either to be used for an approved project or make a general contribution to the Fund.</p>
C. FINANCIAL ASSISTANCE	C. D. FINANCIAL ASSISTANCE
<p>67) The Meeting of States Parties may receive, evaluate and approve requests for financial assistance from the Fund depending on the available resources.</p> <p>68) In its decision on the attribution of funds, priority is given to requests for assistance to developing States Parties and projects enhancing State cooperation involving more than two States Parties.</p> <p>69) The Meeting should base its decisions on granting assistance on the following criteria:</p>	<p>70) The Meeting of States Parties may receive, evaluate and approve requests for financial assistance from the Fund depending on the available resources.</p> <p>71) In its decision on the attribution of funds, priority is given to requests for assistance to developing States Parties and projects enhancing State cooperation involving more than two States Parties.</p> <p>72) The Meeting should base its decisions on granting assistance on the following criteria:</p>

<p>a.) the amount of assistance requested is appropriate;</p> <p>b.) the proposed activities are well conceived and feasible and fully in line with the objectives of the Convention;</p> <p>c.) the project can be expected to have lasting results;</p> <p>d.) the beneficiary State Part(y/ies) share(s) the cost of the activities for which international assistance is provided, within the limits of its/their resources; and</p> <p>e.) the assistance will build or reinforce capacities in the field of safeguarding underwater cultural heritage.</p> <p>70) The Advisory Body will evaluate the requests for financial assistance for projects which fall under the application of the Rules and give its recommendations to the Meeting of States Parties.</p> <p>71) Interim and final reports will be submitted to the Secretariat according to the timetable set out in the funding request as approved by the Meeting of States Parties.</p> <p>72) The Advisory Body will examine and evaluate the reports and submit its advice on them to the Meeting of States Parties.</p>	<p>f.) the amount of assistance requested is appropriate;</p> <p>g.) the proposed activities are well conceived and feasible and fully in line with the objectives of the Convention;</p> <p>h.) the project can be expected to have lasting results;</p> <p>i.) the beneficiary State Part(y/ies) share(s) the cost of the activities for which international assistance is provided, within the limits of its/their resources; and</p> <p>j.) the assistance will build or reinforce capacities in the field of safeguarding underwater cultural heritage.</p> <p>73) The Advisory Body will evaluate the requests for financial assistance for projects which fall under the application of the Rules and give its recommendations to the Meeting of States Parties.</p> <p>74) Interim and final reports will be submitted to the Secretariat according to the timetable set out in the funding request as approved by the Meeting of States Parties.</p> <p>75) The Advisory Body will examine and evaluate the reports and submit its advice on them to the Meeting of States Parties.</p>
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Annex 3

Plan for the use of the resources of the Fund for Approval by the Meeting of States Parties

While UNESCO's programmes will now be defined for quadrennial periods, the General Conference decided to maintain the biennial cycle for the appropriation of the regular budget ([36 C/Resolution 105](#)). Thus the regular budget of the Organization will continue to be approved by the General Conference at the end of each odd-numbered year and will comprise two consecutive years starting on 1 January of an even year and ending on 31 December of the following odd year. In accordance with Article 2 of its Financial Regulations, the Fund operates on the same financial period. The Meeting of the States Parties to the Convention meets equally in ordinary session in spring of each odd-numbered year, i.e. in each year of a General-Conference.

The Meeting is therefore requested to approve the below draft plan for the use of the resources of the Fund that covers twenty-four months from 1 January 2016 to 31 December 2017 and, on a provisional basis, the first five months of the next financial period, i.e. from 1 January to 31 May 2018 preceding the sixth session of the Meeting of States Parties. It is also requested to approve the use of the Fund for the last eight month of the year 2015.

It is pointed out that the Fund is for the moment empty.

Draft Plan for the Use of the Resources of the Fund	% of the total amount received of non-earmarked funds
<i>For the period 1 May 2015 to 31 May 2018, the resources of the Underwater Cultural Heritage Fund may be used for the following purposes:</i>	
Financing of the Secretariat of the 2001 Convention Increase of the staffing and the funding of the Secretariat of the 2001 Convention in order to increase its impact and enhance its functioning.	15
Functioning of the Governing Bodies Contribution to the interpretation and translation services for the sessions of the Meeting of States Parties and the meetings of the Scientific and Technical Advisory Body as well to allow the attendance of the members of the latter in the meetings.	10
Promotion of the Ratification of the 2001 Convention within State Governments Projects that promote the understanding and the ratification of the 2001 Convention through regional and national meetings and national consultation meetings.	10
Harmonization of National Laws Projects that facilitate State cooperation and the use of the UNESCO Model Law, such as the organization of national and regional legal workshops.	10
Building Research and Management Capacities Projects that build national and regional capacities to research, protect and manage underwater cultural heritage, such as training workshops, field schools, university cooperation, regional Centres of Category 2 and inventerisation projects.	10

<p>Building Protection Capacities</p> <p>Projects that build regional and national capacities to protect underwater cultural heritage sites, prevent the traffic of artefacts recovered contrary to the Convention and enhance inter-sectorial outreach (coast guards, frontier personnel, customs; Interpol; police; art market).</p>	10
<p>STAB State Assistance</p> <p>STAB missions assisting States Parties upon their request.</p>	15
<p>Public Outreach and Education of Youth</p> <p>Projects that promote the understanding and appreciation of the Conventions and its subject matter, within the public, such as through exhibitions and the production of informational materials. Provision of learning materials for informal and formal education channels and the facilitation of the UNESCO UCH children programme.</p>	10
<p>Facilitating Heritage Access</p> <p>Projects that identify Best Practices regarding access and promote these as well as capacity-building in this regard.</p>	5
<p>Building Scientific Cohesion</p> <p>Projects that foster the UNESCO UNITWIN network on underwater archaeology, the organization of scientific conferences, the production of publications and of information materials.</p>	5