

Joint Nautical Archaeology Policy Committee

Report of Activities in 2018

The JNAPC met four times in 2018, in January, April, June and October, but a considerable amount of activity took place throughout the year.

The important news for 2018 was that the Ministry of Defence (MOD) and the Department for Digital, Culture, Media and Sport (DCMS) made a decision in October not to grant permission to the Maritime Heritage Foundation, and its contractor Odyssey Marine Exploration, to excavate the wreck of HMS Victory sunk in 1744 and made the following statement:

MOD and DCMS have reached an agreed position over the future management of the HMS VICTORY 1744 wreck site and consider that:

- 1. The V1744 site is environmentally stable.*
- 2. While there is some evidence of damage or disturbance by either trawlers or illegal salvage activity; the risk of further damage or disturbance can now be mitigated and maritime traffic can be monitored.*
- 3. Other authorities can be mobilised at short notice to investigate any vessels suspected of illegal activity over the site to protect the site from future damage*
- 4. To allow permission to remove items from the wreck would be in clear contravention of the rules of the Annex of the UNESCO Convention for the Protection of Underwater Cultural Heritage.*

MOD therefore considers that the HMS VICTORY 1744 site and her associated artefacts should be left in situ. This decision is final but, in the future, if evidence suggests that the risk to the site changes, MOD will review if appropriate.

JNAPC is pleased that a final decision has been made about the future management of the HMS Victory 1744 wreck site and has recommended that a programme of site monitoring be introduced.

However on the question of UK ratification of the 2001 UNESCO Convention DCMS has made no further progress on starting its Review of the Convention. This is a disappointing situation but we are continuing to campaign to raise the matter up DCMS's list of priorities.

In January JNAPC responded in some detail to the consultation on the revised Code of Ethics for Maritime Archaeology proposed by the International Congress of Maritime Museums (ICMM). We highlighted the need for consistency with the Rules of the Annex to the 2001 UNESCO Convention and we understand that a number of JNAPC's suggestions have been included.

In March JNAPC held an "Enforcement Workshop" in conjunction with Satellite Applications Catapult (SAC) at Harwell to examine the threat to historic merchant vessel and Royal Navy wrecks, review recent enforcement actions, examine the enforcement needs of a number of UK agencies, and then consider how satellite applications can bring solutions to monitoring and enforcement. SAC is already using satellites to monitor illegal fishing activity overseas. There was clear recognition of shared concerns that can be addressed together and that this project can also be developed with other countries. A working group was formed to take this forward and it is proposed to prepare a wish list of important sites that require monitoring. The value of the National Maritime Information Centre (NMIC) was emphasised and it was noted that NMIC is already monitoring the site of HMS Victory 1744 and other wrecks.

In April JNAPC was represented in Paris at the Exchange Day and the Meeting of the Scientific and Technical Advisory Body (STAB) to the 2001 UNESCO Convention. An important topic of discussion was the potential commercial exploitation by the Colombian

Government of the San José galleon which sank in 1708. It was noted that the lead contender to undertake the excavation was Maritime Archaeology Consultants who had engaged the services of York Archaeological Trust (YAT) from the UK to manage their conservation facility. Following the STAB meeting JNAPC expressed its concerns to the management of YAT about their possible involvement with potential commercial exploitation of underwater cultural heritage and we are pleased that YAT has subsequently withdrawn from the project team.

The Marine Antiquities Scheme has been highly successful in the last 18 months with 358 objects reported. However existing funding by The Crown Estate finished in 2018 and JNAPC has been in dialogue with DCMS to see if they will provide future funding in the same way they provide funding for the Portable Antiquities Scheme on land.

The JNAPC continues to support initiatives for closer liaison with the fishing industry and it is hoped that future projects to promote the reporting of archaeological finds by fishermen under the Fishing Industry Protocol for Archaeological Discoveries (FIPAD) will be forthcoming.

During the year we continued our dialogue with the Marine Management Organisation (MMO) suggesting that they should take much greater account of the historic significance of Second World War merchant vessel wrecks, particularly where there has been loss of life, when considering the issue of marine salvage licences. They have already set a precedent of not issuing salvage licences on First World War wrecks, which are considered as underwater cultural heritage, and we believe this policy should be extended to Second World War wrecks.

A continuing objective of JNAPC is to promote an improved policy of cross-government management of shipwrecks, including the many thousands of Royal Navy wrecks owned by the MOD and over 4,500 First and Second World War merchant vessel wrecks owned by the Department for Transport. This work is ongoing.

Last year we said that a decision was awaited from the MMO on whether they would issue a marine licence to the Dover Harbour Board to dredge aggregates from the Goodwin Sands for new port construction. The Goodwin Sands are probably the largest graveyard for shipping over the ages anywhere in the UK and in addition there are at least 60 British and German aircraft crash sites from the Second World War on the Sands. Along with many other stakeholders we were extremely disappointed when the MMO did in fact issue a dredging licence. However a local group, Goodwin Sands SOS, has started proceedings to take the decision to a Judicial Review.

During the year JNAPC responded to six government consultations which had application to underwater cultural heritage.

We are pleased to note that in early December whilst attending a conference in Berlin representatives of Germany and Switzerland confirmed that both countries expect to ratify the 2001 UNESCO Convention in 2019.

We are looking forward to further progress in 2019.

Robert Yorke, Chairman

December 2018