



The Protection of the
Underwater Cultural Heritage

STAB 7
UCH/16/7.STAB/8
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**UNITED NATIONS EDUCATIONAL, SCIENTIFIC
AND CULTURAL ORGANIZATION**

CONVENTION ON THE PROTECTION OF THE UNDERWATER CULTURAL HERITAGE

SEVENTH MEETING OF THE SCIENTIFIC AND TECHNICAL ADVISORY BODY

10 May 2016
Paris, UNESCO Headquarters, Room IV
10 am – 6 pm

Report

The present document contains the report of the seventh session of the Scientific and Technical Advisory Body (STAB) (Paris, 10 May 2016).

The seventh meeting of the Scientific and Technical Advisory Body (hereinafter “STAB”) for the Convention on the Protection of the Underwater Cultural Heritage (hereinafter “Convention”) took place at UNESCO Headquarters in Paris on 10 May 2016. It was attended by 10 out of 12 STAB members, namely Mr Auron Tare (Albania), Ms Dolores Elkin (Argentina), Mr Jasen Mesić (Croatia), Ms María Elena Barba Meinecke (Mexico), Mr Ovidio Juan Ortega Pereyra (Cuba), Mr Michel L’Hour (France), Ms Ouafa Ben Slimane (Tunisia), Mr Seyed Hossein Sadat Meidani (Islamic Republic of Iran), Mr Vladas Zulkus (Lithuania), and Mr Xavier Nieto Prieto (Spain). Two members, Mr Augustus Babajide Ajibola (Nigeria) and Mr Constantin Chera (Romania), were absent. Also present were Observer State delegations and representatives from accredited non-governmental organizations, namely the Advisory Council on Underwater Archaeology (ACUA), the Australian Institute for the Maritime Archaeology (AIMA), the Groupe de Recherche en Archéologie Navale (GRAN), the German Society for the Promotion of Underwater Archaeology (DEGUWA), the Joint Nautical Archaeology Policy Committee (JNAPC), The Maritime Archaeology Trust (MAT), Maritime Archaeology Sea Trust (MAST), the Nautical Archaeology Society (NAS), the Society for Historical Archaeology (SHA), the Center for International Heritage Activities, the ICOMOS International Committee on Underwater Heritage (ICOMOS-ICUCH) and the Unitwin Network for Underwater Archaeology. Simultaneous interpretation was provided in English, French and Spanish (the latter thanks to an extra-budgetary contribution from Spain). As no Rules of Procedure had been adopted for the Advisory Body, the Rules of Procedure of the Meeting of States Parties were applied *mutatis mutandis*.

I. Opening, Election of the Bureau

(Item 1 of the Agenda, *Document UCH/16/7.STAB/1*)

The session was opened on 10 May 2016 at 10 am by Mr Francesco Bandarin, Assistant Director-General for Culture ad interim. He welcomed the participants and emphasised the need for the ratification of the 2001 Convention by more UNESCO Member States.

The meeting then proceeded to elect its bureau. It elected Ms María Helena Barba Meinecke (Mexico) as its new Chairperson, Mr Auron Tare (Albania) as Vice-Chairperson and Ms Dolores Elkin from Argentina as Rapporteur by **Resolution 1/STAB 7**.

II. Adoption of the Agenda

(Item 2 of the Agenda, *Document UCH/16/7.STAB/2*)

The newly elected Chairperson then took the floor and proposed an agenda for adoption by the STAB. She proposed to include a discussion on how to raise awareness among the fishing industry under the item “other business”. Moreover, Mr Robert York, from the Joint Nautical

Archaeology Policy Committee (JNAPC), an accredited NGO, requested the addition of a new item concerning the pillaging of remains from the Jutland Battle, as well as a discussion on best practices related to access. He took the opportunity to also mention that the UK Department of Culture, Media and Sport (DCMS) had recently announced that the UK will review its position relative to the 2001 Convention and considered ratification. He moreover inquired, if also the issue of the inclusion of cargo in the definition of underwater cultural heritage should be discussed. The members of the STAB greeted the first information, but considered it not necessary to expressly discuss the inclusion of cargo, as the definition of underwater cultural heritage provided by the 2001 Convention did very evidently include also ship cargoes. Following these interventions, the agenda was adopted as amended with the additions to item VI.b. "other business", by **Resolution 2/STAB 7**.

III. Secretariat Report

(Item 3 of the Agenda, oral report, *no document*)

The Chairperson then asked the representative of the Secretariat to report on progress since the sixth session of the Meeting of State Parties. The secretariat recalled the recent restructuring and stated that the Cultural Heritage Protection Treaties Section now comprised only the 1954 and 2001 Conventions. It provided an overview on the two STAB missions requested by Madagascar and Panama, which were then followed by presentations by Mr Michel L'Hour on the STAB mission to Madagascar and Mr Xavier Nieto on the STAB mission to Panama.

The Secretariat reported on the capacity-building activities in the Latin American and Caribbean Region (Cartagena de Indias, Colombia) and Africa (Mombasa, Kenya). It highlighted that the UNESCO Training Manual for the UNESCO Foundation Course on the Protection and Management of Underwater Cultural Heritage in Asia and the Pacific, published in 2012 by the UNESCO Bangkok Office, was being adapted to the Latin American and Caribbean Region.

The Secretariat concluded by reporting on the presentation of the underwater cultural heritage made at the COP21 in Paris (France), in December 2015, where it was acknowledged as a key element to understanding climate change

IV. Madagascar Mission Report

(Item 4 of the Agenda, *Document UCH/16/7.STAB/4*)

The Chairperson then invited Mr L'Hour, the head of the emergency mission to Madagascar, to report on the mission and its results. Mr L'Hour took the floor and presented a detailed report on the mission to Madagascar. He stated that the objective of the mission was to verify the status of the historic wrecks near Sainte Marie Island and to evaluate an excavation project by a film

team, which had announced the discovery of a silver ingot allegedly found on the *Adventure Galley*, a shipwreck associated with the pirate William Kidd.

The Evaluation Report on the mission of STAB to Madagascar is available on the UNESCO 2001 Convention website.¹

Mr L'Hour also mentioned regarding follow-up that there had already been a National Meeting organized, which led to the adoption of a National Plan, and will now be followed by a national training in Salary, Madagascar, and a community education project for Saint Marie.

Referring to some reports about threats made by the treasure-hunters to the UNESCO experts Mr Seyed Hossein Sadat (Iran) inquired about the legal implications of these missions and stressed the need to protect the mission members, to which the Secretariat responded that they would very carefully look into it.

V. Panama Mission Report

(Item 5 of the Agenda, *Document UCH/16/7.STAB/5*)

The Chairperson invited Mr Nieto, the head of the emergency mission to Panama, to report on the mission and its results. Mr Nieto took the floor and presented a detailed report on the mission to Panama. He remarked on the positive outcome of the UNESCO missions in general since treasure hunters can no longer make unverifiable statements. He then stressed the necessity and importance of continuing with these missions.

After an appeal against treasure-hunting on submerged sites, he explained that the Panamanian government had requested the STAB to evaluate a project presented in 2003 and 2013 by Investigaciones Marinas del Istmo, S.A. (IMDI), a private company. The mission concluded that the 2013 Project and the actions of IMDI, which consist of efforts to salvage valuable coins, did not comply with the requirements of the Rules of the UNESCO 2001 Convention. The mission made further recommendations to improve the protection of underwater cultural heritage within Panama's territory, in light of the legal obligations assumed by Panama as a State Party to the Convention.

The Evaluation Report on the mission of STAB to Panama is available on the UNESCO 2001 Convention website.²

¹www.unesco.org/new/en/culture/themes/underwater-cultural-heritage/2001-convention/advisory-body/mission-to-madagascar/ (Accessed the 10 June 2016)

²www.unesco.org/new/en/culture/themes/underwater-cultural-heritage/2001-convention/advisory-body/mission-to-panama/ (Accessed 10 June 2016)

The Ambassador of Panama then took the floor to highlight that technical work can only be done with the support of the national authorities. To protect the underwater heritage, he recommended adopting a bottom-up approach, from the local level to the national level, in order to ensure the effective implementation of the Convention.

VI. Pillaging of Underwater Cultural Heritage by Recreational Divers and Related Outreach

(Item 6 of the Agenda, *Document UCH/16/7.STAB/6*)

This agenda item directly followed the discussion on the mission reports.

Extensive pillaging of ancient shipwrecks by some members of the diving community has been observed during recent years. While the STAB has already adopted a Code of Ethics for Diving on Submerged Archaeological Sites, members discussed whether more awareness-raising was necessary.

In the ensuing discussion among STAB members, Mr Nieto stressed the necessity of cooperation between archaeologists and recreational divers. He suggested a collaborative approach between archaeologists and divers, with a clear view of the role each party holds.

Ms Elkin then shared an encouraging experience noting that after years of raising awareness among divers in Argentina, these divers have taken it upon themselves to actively pass on their knowledge of underwater cultural heritage protection, which has proven effective in disseminating the message to their peers. The Secretariat acknowledged the valuable work of Argentina, and went on to add that NGOs and universities are providing relevant courses, including among recreational divers.

The Delegation of the Kingdom of Morocco took the floor to highlight challenges at the individual, associative and organizational levels, which due to the lack of clarity may result in further pillaging of underwater cultural heritage, suggesting the need for ethical rules for organisations to better regulate this area.

Mr L'Hour acknowledged the contribution made by recreational divers; in France divers have discovered remains of numerous shipwrecks in the last 35 years. He also stressed the distinction between underwater archaeologists and recreational divers, while recognising the contribution made by the latter. Other members, including Mr Nieto, Ms Elkin, the Chairperson and other observers, expressed similar opinions.

VI.b. Other Business

The Secretariat then opened the floor for a discussion on the centenary of the Battle of Jutland and the importance of the UNESCO World War I educational initiative.

The Joint Nautical Archaeology Policy Committee (JNAPC) raised concerns over the pillaging of precious metal from the Queen Mary, which is protected under the 2001 Convention. Its representative suggested writing a letter to the Governments of Denmark, France, the Netherlands, and the United Kingdom to avoid the pillaging of maritime cemeteries.

Mr L'Hour reported that wrecks, remains and artefacts of historical interests are listed and protected in France. This includes shipwrecks from both World War I and World War II. He also underlined the importance of raising awareness about underwater cultural heritage among the fishing community.

The Secretariat took note of the suggestion.

In an additional item, the Chairperson informed the STAB members of Mexico's request to submit three best practices to the plenary.

VII. Date and Venue of the Next Meeting of the Advisory Body

(Item 7 of the Agenda, *Document UCH/16/7.STAB/7*)

After the debates, the STAB adopted Resolution 7/STAB 7 and requested the Director-General to convene the eighth meeting of the Scientific and Technical Advisory Committee in Spring 2017, directly after the Meeting of States Parties.