



United Nations
Educational, Scientific and
Cultural Organization



The Protection of the
Underwater Cultural Heritage

5 MSP

UCH/15/5.MSP/4
15 January 2015
Original: English

Distribution limited

**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 4 of the Provisional Agenda:

Follow up of Reports

This document contains a draft decision on the follow-up to the reports of the Secretariat, the reports of the two meetings of the Scientific and Technical Advisory Body and the report of the Chairperson of the fourth Meeting of States Parties on the Governance Audit. The reports are contained in:

UCH/15/5.MSP/INF4.1;
UCH/15/5.MSP/INF4.2; and
UCH/15/5.MSP/INF4.3.

Decision required: paragraph 2

1. The Meeting of States Parties is presented in the oral presentations during its fifth session as well as through Information Documents with:
 - a. The report of the Secretariat on its activities between May 2013 and April 2015 (UCH/15/5.MSP/INF4.1);
 - b. the Report and the Recommendations of the Scientific and Technical Advisory Body (UCH/15/5.MSP/INF4.2),
 - c. the Report on the Governance Audit of the 2001 Convention and the follow up to the internal evaluation of UNESCO's standard setting work of the Culture Sector (UCH/15/5.MSP/INF4.3), and
 - d. the report of the UNESCO Unitwin Network on Underwater Archaeology (no document).

2. The Meeting of States Parties may wish to adopt the following:

DRAFT RESOLUTION 4 / MSP 5

The Meeting of States Parties, at its fifth session,

1. Having examined document UCH/15/5.MSP/4, UCH/15/5.MSP/INF4.1; UCH/15/5.MSP/INF4.2, and UCH/15/5.MSP/INF4.3, and the recommendations contained in UCH/15/5.MSP/INF4.2, thanks the Chairperson of the fourth session of the Meeting of States Parties, the Advisory Body, the external and internal auditors, and the Secretariat for their work and welcomes the advance in the number of ratifications of the Convention,

In follow up of the recommendations of the STAB:

2. Recalls Article 2.10 of the Convention, and considers that responsible access of the public to underwater cultural heritage should be encouraged and the application of **Best Practices in Access** enhanced. These should aim at:
 - a. increasing public awareness, appreciation and protection of heritage,
 - b. promoting the Convention and the implementation of protective national legal frameworks,
 - c. supporting scientific research in accordance with the Convention and the Rules and capacity-building in that regard, and
 - d. the appropriate conservation of the heritage;

3. Recommends to consider as Best Practice in Access initiatives carried out in an exemplary manner and in conformity with the Convention that permit the public at large access to underwater cultural heritage and/or knowledge about it, in particular:
 - a. responsible non-intrusive access to observe or document *in situ* underwater cultural heritage, such as provided through dive trails, submarine visits or glass bottom boat visits;
 - b. responsible public access on land, such as provided by museums, exhibitions and interpretative trails; and
 - c. access, such as provided by publications, virtual or digital applications, websites or other means;

4. Invites States Parties to the Convention to provide examples demonstrating Best Practices of Access to Underwater Cultural Heritage according to the following criteria:
 - a. the heritage falls under the definition of Article 1 of the 2001 Convention or less than 100 years of age, but is classified as underwater cultural heritage according to national law,
 - b. the heritage is appropriately protected both legally and in practice; in particular through the implementation of the Rules,
 - c. responsible non-intrusive access is respected,
 - d. the heritage has a framework to ensure sustainable management, and
 - e. a special and outstanding effort has been made to make the site accessible to the public;
5. Requests the Scientific and Technical Advisory Body to review the examples of Best Practices provided by the States Parties and to make recommendations to the sixth session of the Meeting of States Parties in 2017, with a view to fostering responsible public access to underwater cultural heritage;
6. Decides to recognize the application of the Best Practice of Access to Underwater Cultural Heritage by an appropriate designation, through [the use of the logo of the Convention]. This designation [will be accorded for [up to four years] and shall be subject to review], and that the application of Best Practices shall be monitored by the Advisory Body, also in what regards the impact the access has on the site;
7. Recommends States Parties to include all appropriate stakeholders, at local, national and international levels in the process of identifying Best Practices, and cooperate in the promotion and application of the thus identified Best Practices of Access;
8. Encourages States, even if they have not yet ratified the Convention, to apply the Rules of the Annex of the Convention as best practice for any activities directed at **submerged parts of World Heritage properties** and to strengthen their protection;
9. Recalls its Resolution 4 / MSP 4 to organize, in international collaboration, special commemorative and scientific events on **underwater cultural heritage from World War I**, thanks Flanders for its efforts and the financing provided, and encourages States Parties to ensure proper protection for underwater cultural heritage sites from World War II and to educate the public in this regard;

On the functioning of the statutory organs and the Secretariat:

10. Welcomes the establishment of the Conventions Common Services Unit in the Culture Sector;
11. Considers that the frequency of sessions of the Meeting of States Parties and of the Scientific and Technical Advisory Body is appropriate, but welcomes the suggestion in Recommendation 1 (c) of the IOS audit to reduce the duration and agenda of the sessions;
12. Takes note of the suggestion to synchronize the Meetings of the States Parties with the other Conventions' governing bodies, but will consider this issue at a later stage; and
13. Requests the Director-General to also undertake an **evaluation** of the impact of the 2001 Convention for consideration of the Meeting of States Parties at its next session.