JOINT NAUTICAL ARCHAEOLOGY POLICY COMMITTEE

JNAPC and the 2001 UNESCO Convention on the Protection of the Underwater Cultural Heritage

The JNAPC was formed in 1988 from individuals and representatives of institutions who wished to raise awareness of Britain's underwater cultural heritage and to persuade government that underwater sites of historic importance should receive no less protection than those on land.

The JNAPC has been a very active supporter and advocate of the ratification by the United Kingdom (UK) of the 2001 UNESCO Convention on the Protection of the Underwater Cultural Heritage (2001 UNESCO Convention) since it was first enacted. Representatives of the JNAPC have attended practically all meetings of the States Parties and the Scientific and Technical Advisory Body (STAB) since they commenced. JNAPC has also had regular contact with the Secretariat of the Convention over the years.

It is notable that in 2005 the UK Government adopted the Rules of the Annex to the Convention as best practice in the management of Underwater Cultural Heritage (UCH) in the UK. The Rules are now firmly embedded in UK maritime heritage management, and this reflects the important recognition of the underlying principles of the 2001 UNESCO Convention by the UK Government.

In October 2005 JNAPC hosted a meeting of over one hundred delegates from UK Government departments, national heritage agencies and key voluntary bodies who met in the rooms of The Society of Antiquaries at Burlington House, London, to discuss ways of raising awareness of the 2001 UNESCO Convention for the Protection of the Underwater Cultural Heritage (See Proceedings – Note 1). This culminated in the preparation of the *Burlington House Declaration* (See Note 2).

The Burlington House Declaration was endorsed by the organisations that convened the meeting and by the other bodies present. The Declaration called upon the UK Government to re-evaluate its position regarding the 2001 UNESCO Convention and to enter into discussions at the earliest opportunity with its heritage agencies, relevant non-governmental organisations and other interested parties with a view to taking the Convention forward. It was presented to the UK Government immediately after the meeting.

In November 2010 the JNAPC held its 21st Anniversary Seminar on the *Protection of Underwater Cultural Heritage in International Waters Adjacent to the UK* at Burlington House (See Note 3). Speakers from the UK and the rest of the world, including Ulrike Guérin from UNESCO, reviewed how the 2001 UNESCO Convention could provide protection for Royal Navy and British merchant vessels wrecked in international waters. The Seminar concluded that there was a case for the UK Government to review the position it had taken to date on ratifying the 2001 UNESCO Convention. A very positive outcome from this was that the national heritage agencies of England, Scotland, Wales and Northern Ireland and the UK National Commission for UNESCO gave their support for a Project to review the Convention and to identify the implications of ratification for the UK. The Project Design for the Impact Review was included as an Appendix to the seminar papers.

In 2013 the JNAPC was officially accredited as an NGO to the Meeting of States Parties and to the Scientific and Technical Advisory Body (STAB) of the 2001 UNESCO Convention.

In early 2013 an independent UK UNESCO 2001 Convention Review Group was formed to produce the Impact Review for the Convention agreed at the Burlington House Seminar in November 2010. JNAPC raised the funding from English Heritage and the Honor Frost Foundation, and most of the members of the Review Group were members of the JNAPC. The Review Group published its report in February 2014 entitled *The UNESCO Convention on the Protection of the Underwater Cultural Heritage 2001 – An Impact Review for the United Kingdom* (See Note 4). Every effort was made in carrying out the Impact Review to conduct and present an objective evaluation of the issues and impacts of potential ratification by the UK. The report concluded that the majority of the substantive clauses of the 2001 UNESCO Convention appeared to present no difficulty to the UK, although work was still needed in relation to a small number of other clauses. It was also noted that the UK had world-leading experience in some particular areas of UCH.

The Honor Frost Foundation (HFF) formally established a Steering Committee on Underwater Cultural Heritage (HFF-SCUCH) in March 2013 to provide advice to HFF and to help shape its policy towards UCH. It is chaired by Professor Sir Barry Cunliffe CBE, FBA. Robert Yorke represents JNAPC on the Committee.

In March 2014 the HFF-SCUCH published *2001 UNESCO Convention on the Protection of the Underwater Cultural Heritage - The case for UK ratification* (See Note 5).

In May 2016 the HFF-SCUCH published *Key facts about the 2001 UNESCO Convention on the Protection of the Underwater Cultural Heritage* (See Note 6).

In April 2018 the HFF-SCUCH published Managing Shipwrecks (Note 7).

All three publications are very positive towards the 2001 UNESCO Convention and recommend that the UK should ratify as the best means in international law for protecting UK interests in wrecks that lie in the waters of other countries, and in international waters. JNAPC supports and endorses all three publications.

At the end of February 2024, Lord Parkinson of Whitley Bay, Minister for Arts and Heritage at the Department for Culture, Media, and Sport in the UK Government, convened the Heritage Council, a meeting of Ministers and officials from Government departments to consider a number of aspects of Underwater Cultural Heritage. JNAPC was asked to introduce the agenda which included ratification of the 2001 UNESCO Convention.

In its introduction, JNAPC reminded Minsters and officials that UK Government Departments own over 11,000 historic wrecks. The Ministry of Defence owns 5,800 Royal Navy wrecks worldwide, the Department for Transport owns 5,300 World War 1 and World War 2 merchant vessel wrecks. And then there are also tens of thousands of historic wrecks of UK trading vessels lying in the marine zones of countries around the world. Ratification would give immediate protection to a large proportion of UK owned wrecks that lie in the marine zones of the growing number of States Parties that have already ratified the 2001 UNESCO Convention. Importantly, the 5,800 Royal Navy wrecks are almost all War Graves, and over 50% of the 3,900 Royal Navy vessels that lie sunk outside the UK Marine Area and around the world would immediately be protected by other UNESCO States Parties. This would be a very substantial additional benefit. The JNAPC therefore recommended to the Heritage Council that it would be greatly in the interest of the UK to ratify the 2001 UNESCO Convention.

The Department for Culture, Media and Sport has appointed an official to review the possibility of the UK ratifying the Convention but internal departmental restructuring has delayed work on this project.

The JNAPC continues to seek improved protection of underwater cultural heritage in both territorial and international waters and continues to advocate that the UK Government should ratify the 2001 UNESCO Convention.

NOTES:

1 https://jnapc.org/wp-content/uploads/2023/01/burlington-house-proceedings-final-text-2005.pdf

2 https://jnapc.org/wp-content/uploads/2023/01/burlington-house-declaration-28-october-2005.pdf

3 https://jnapc.org/wp-content/uploads/2022/03/unesco-seminar-2010-final.pdf

4 https://honorfrostfoundation.org/wp-content/uploads/2019/06/UNESCO-Impact-Review_2014-02-06-FINAL-REPORT.pdf

5 https://honorfrostfoundation.org/wp-content/uploads/2019/06/2001-Convention-The-Case-for-Ratification-FINAL.pdf

6 https://honorfrostfoundation.org/wp-content/uploads/2019/06/Key-Facts-about-the-2001-UNESCO-Convention-050516.pdf

7 https://honorfrostfoundation.org/wp-content/uploads/2019/07/BRIJ5800-Multiwreck-A4-Report-WEB-0419-UPDATE.pdf

November 2026