

International charter on the protection and management of underwater cultural heritage



International Council on Monuments and Sites

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The text of the charter ratified by the 11th ICOMOS General Assembly, held in Sofia, Bulgaria, from 5 to 9 October 1996.

Introduction

This Charter is intended to encourage the protection and management of underwater cultural heritage in inland and inshore waters, in shallow seas and in the deep oceans. It focuses on the specific attributes and circumstances of cultural heritage underwater and should be understood as a supplement to the ICOMOS Charter for the Protection and Management of Archaeological Heritage, 1990. The 1990 Charter defines the 'archaeological heritage' as that part of the material heritage in respect of which archaeological methods provide primary information, comprising all vestiges of human existence and consisting of places relating to all manifestations of human activity, abandoned structures, and remains of all kinds, together with all the portable cultural material associated with them. For the purposes of this Charter, underwater cultural heritage is understood to mean the archaeological heritage which is in, or has been removed from, an underwater environment. It includes submerged sites and structures, wreck-sites and wreckage and their archaeological and natural context.

By its very character the underwater cultural heritage is an international resource. A large part of the underwater cultural heritage is located in an international setting and derives from inter-

national trade and communication in which ships and their contents are lost at a distance from their origin or destination.

Archaeology is concerned with environmental conservation; in the language of resource management, underwater cultural heritage is both finite and non-renewable. If underwater cultural heritage is to contribute to our appreciation of the environment in the future, then we have to take individual and collective responsibility in the present for ensuring its continued survival.

Archaeology is a public activity: everybody is entitled to draw upon the past in informing their own lives, and every effort to curtail knowledge of the past is an infringement of personal autonomy. Underwater cultural heritage contributes to the formation of identity and can be important to people's sense of community. If managed sensitively, underwater cultural heritage can play a positive role in the promotion of recreation and tourism.

Archaeology is driven by research; it adds to knowledge of the diversity of human culture through the ages and it provides new and challenging ideas about life in the past. Such knowledge and ideas contribute to understanding life today and, thereby, to anticipating future challenges.

Many marine activities, which are themselves beneficial and desirable, can have

unfortunate consequences for underwater cultural heritage if their effects are not foreseen.

Underwater cultural heritage may be threatened by construction work that alters the shore and seabed or alters the flow of current, sediment and pollutants. Underwater cultural heritage may also be threatened by insensitive exploitation of living and non-living resources. Furthermore, inappropriate forms of access and the incremental impact of removing 'souvenirs' can have a deleterious effect.

Many of these threats can be removed or substantially reduced by early consultation with archaeologists and by implementing mitigatory projects. This Charter is intended to assist in bringing a high standard of archaeological expertise to bear on such threats to underwater cultural heritage in a prompt and efficient manner.

Underwater cultural heritage is also threatened by activities that are wholly undesirable because they are intended to profit few at the expense of many. Commercial exploitation of underwater cultural heritage for trade or speculation is fundamentally incompatible with the protection and management of the heritage. This Charter is intended to ensure that all investigations are explicit in their aims, methodology and anticipated results so that the intention of each project is transparent to all.

Article 1—Fundamental principles

The preservation of underwater cultural heritage *in situ* should be considered as a first option.

Public access should be encouraged.

Non-destructive techniques, non-intrusive survey and sampling should be encouraged in preference to excavation.

Investigation must not adversely impact the underwater cultural heritage more than is necessary for the mitigatory or research objectives of the project.

Investigation must avoid unnecessary disturbance of human remains or venerated sites.

Investigation must be accompanied by adequate documentation.

Article 2—Project design

Prior to investigation a project must be prepared, taking into account:

- the mitigatory or research objectives of the project;
- the methodology to be used and the techniques to be employed;
- anticipated funding;
- the time-table for completing the project;
- the composition, qualifications, responsibility and experience of the investigating team;
- material conservation;
- site management and maintenance;
- arrangements for collaboration with museums and other institutions;
- documentation;
- health and safety;
- report preparation;
- deposition of archives, including underwater cultural heritage removed during investigation;
- dissemination, including public participation.

The project design should be revised and amended as necessary.

Investigation must be carried out in accordance with the project design. The project design should be made available to the archaeological community.

Article 3—Funding

Adequate funds must be assured in advance of investigation to complete all stages of the project design including conservation, report preparation and dissemination. The project design should include contingency plans that will ensure conservation of underwater cultural

heritage and supporting documentation in the event of any interruption in anticipated funding.

Project funding must not require the sale of underwater cultural heritage or the use of any strategy that will cause underwater cultural heritage and supporting documentation to be irretrievably dispersed.

Article 4—Timetable

Adequate time must be assured in advance of investigation to complete all stages of the project design including conservation, report preparation and dissemination. The project design should include contingency plans that will ensure conservation of underwater cultural heritage and supporting documentation in the event of any interruption in anticipated timings.

Article 5—Research objectives, methodology and techniques

Research objectives and the details of the methodology and techniques to be employed must be set down in the project design. The methodology should accord with the research objectives of the investigation and the techniques employed must be as unintrusive as possible.

Post-fieldwork analysis of artefacts and documentation is integral to all investigation; adequate provision for this analysis must be made in the project design.

Article 6—Qualifications, responsibility and experience

All persons on the investigating team must be suitably qualified and experienced for their project roles. They must be fully briefed and understand the work required.

All intrusive investigations of underwater cultural heritage will only be undertaken under the direction and control of a named underwater archaeologist with recognised qualifications and experience appropriate to the investigation.

Article 7—Preliminary investigation

All intrusive investigations of underwater cultural heritage must be preceded and informed by a site assessment that evaluates the vulnerability, significance and potential of the site.

The site assessment must encompass background studies of available historical and archaeological evidence, the archaeological and environmental characteristics of the site and the consequences of the intrusion for the long term stability of the area affected by investigations.

Article 8—Documentation

All investigation must be thoroughly documented in accordance with current professional standards of archaeological documentation.

Documentation must provide a comprehensive record of the site, which includes the provenance of underwater cultural heritage moved or removed in the course of investigation, field notes, plans and drawings, photographs and records in other media.

Article 9—Material conservation

The material conservation programme must provide for treatment of archaeological remains during investigation, in transit and in the long term.

Material conservation must be carried out in accordance with current professional standards.

Article 10—Site management and maintenance

A programme of site management must be prepared, detailing measures for protecting and managing *in situ* underwater cultural heritage in the course of and upon termination of fieldwork. The programme should include public information, reasonable provision for site stabilization, monitoring and protection against interference.

Public access to *in situ* underwater cultural heritage should be promoted, except where access is incompatible with protection and management.

Article 11—Health and safety

The health and safety of the investigating team and third parties is paramount. All persons on the investigating team must work according to a safety policy that satisfies relevant statutory and professional requirements and is set out in the project design.

Article 12—Reporting

Interim reports should be made available according to a time-table set out in the project design, and deposited in relevant public records.

Reports should include:

- an account of the objectives; an account of the methodology and techniques employed;
- an account of the results achieved; recommendations concerning future research, site management and curation of underwater cultural heritage removed during the investigation.

Article 13—Curation

The project archive, which includes underwater cultural heritage removed during investigation and a copy of all supporting documentation, must be deposited in an institution that can provide for public access and permanent curation of the archive. Arrangements for deposition of the archive should be agreed before investigation commences, and should be set out in the project design. The archive should be prepared in accordance with current professional standards.

The scientific integrity of the project archive must be assured; deposition in a number of institutions must not preclude reassembly to allow further research.

Underwater cultural heritage is not to be traded as items of commercial value.

Article 14—Dissemination

Public awareness of the results of investigations and the significance of underwater cultural heritage should be promoted through population presentation in a range of media. Access to such presentations by a wide audience should not be prejudiced by high charges.

Co-operation with local communities and groups is to be encouraged, as is co-operation with communities and groups that are particularly associated with the underwater cultural heritage concerned. It is desirable that investigations proceed with the consent and endorsement of such communities and groups.

The investigation team will seek to involve communities and interest groups in investigations to the extent that such involvement is compatible with protection and management. Where practical, the investigation team should provide opportunities for the public to develop archaeological skills through training and education.

Collaboration with museums and other institutions is to be encouraged. Provision for visits, research and reports by collaborating institutions should be made in advance of investigation.

A final synthesis of the investigation must be made available as soon as possible, having regard to the complexity of the research, and deposited in relevant public records.

Article 15—International co-operation

International co-operation is essential for protection and management of underwater cultural heritage and should be promoted in the interests of high standards of investigation and research. International co-operation should be encouraged in order to make effective use of archaeologists and other professionals who are specialized

in investigations of underwater cultural heritage. Programmes for exchange of professionals should be considered as a means of disseminating best practice.

Editor's note

In September 1998 the following resolution, calling on countries to adopt the operational provisions of the charter as a minimum, was supported by scholars from 81 countries. A start has been made on bringing the text to the attention of relevant non-government agencies and societies and seeking endorsement. Readers are urged to do likewise and to let the Editor know of any support they obtain. The participants of the International Symposium on the Archaeology of Medieval and Modern Ships of Iberian-Atlantic Tradition which convened at Lisbon on the occasion of Expo98;

Believing that ships and watercraft of all descriptions and ages hold essential information on the history of humankind;

Knowing that the archaeological heritage is a non-renewable resource, deposited over thousands of years, but vulnerable to destruction through modern technologies;

Impressed by the rapid and most rewarding developments in underwater archaeological protection and research ensuing from the adoption and implementation

of the Portuguese heritage legislation in 1997;

- 1) Urgently call on other States
- **to adopt and implement national legislation** to similarly reduce continuing threats and non-precautionary incentives to the exploitation of this heritage and
- **to support and contribute to negotiations at UNESCO for an international convention** on the protection of the world's underwater cultural heritage.

In this process States' delegates must be well-informed on issues regarding underwater archaeological heritage and the urgency to exclude such heritage from the regime of salvage legislation. Protection must be ensured regardless of location and questions of sovereignty or ownership.

- 2) Note their concern that in the UNESCO/DOALOS (United Nations Law of the Sea Unit) Convention for the Protection of the Underwater Cultural Heritage the operational provisions of the ICOMOS International Charter on the Protection and Management of the Underwater Cultural Heritage should be adopted as a minimum.

Adopted by all present at the International Symposium on the Archaeology of Medieval and Modern Ships of Iberian-Atlantic Tradition in Lisbon on the 9th of September 1998.