

From: [Graeme Henderson](#)
To: [Committee, Treaties \(REPS\)](#)
Subject: Convention on the Protection of the Underwater Cultural Heritage
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Attachments: [image.png](#)

The Committee Secretary, Joint Standing Committee on Treaties jsct@aph.gov.au

Dear Sir/Madam

I write, in regard to the inquiry into and report on the Convention on the Protection of the Underwater Cultural Heritage (Paris, 2 November 2001), as the Vice President and Acting President of The Australian Association for Maritime History (AAMH), the Australian maritime history organisation raising awareness of the Maritime Heritage by publishing the journal *Great Circle* and newsletter, and organising conferences. [REDACTED]

[REDACTED]. The President, Ross Anderson, [REDACTED] is currently offline, carrying out an underwater inspection of the *Zeewijk* wreck site on the Abrolhos Islands. We applaud the idea of Australia becoming one of the States Party to this Convention. The ocean is the lifeblood of Earth, covering more than 70 percent of the planet's surface, and it is a vital source of historical and archaeological information. More than eighty percent of our ocean is unmapped, unobserved, and unexplored. Australia's becoming a Party to the Convention will reduce the risk to this heritage.

Reasons why Australia should adopt the Convention include the following:

1. Australia had the lead role in development of the Draft Convention. Ratification is the necessary recognition of that Australian leadership role.
2. It will signify the importance the Australian Government sees in protection of Australia's UCH.
3. It will improve UCH protection within the overall Indo-Pacific region.
4. It is a good example for terrestrial cultural heritage management and protection - international collaboration being increased.
5. It recognises the unique value of the UCH eg Batavia bones studies.
6. UCH, (that is, all traces of human existence having a cultural, historical or archaeological character which have been partially or totally under water, periodically or continuously, for at least 100 years) is a uniquely important element of the CH because of
 - a) It has been hidden by the elements underwater.
 - b) The deoxygenated underwater environment provides a favourable preservation environment for some materials.
7. National legislation can only protect so far, leaving offshore UCH unprotected in absence of the Convention. The Convention provides protection for the "Area" that is, the seabed and ocean floor and subsoil thereof, beyond the limits of national jurisdiction.
8. Technological advances allow greater access to UCH for looters, an additional reason for the Convention to be supported.
9. Australian expertise means that with Australia on board as a States Party, Australia can play a role in offshore areas of our region – a supportive role in protection and exploration of UCH which is good for diplomacy: cooperation between States is good for Australia.
10. The public should be able to enjoy non intrusive access to in situ UCH.

11. The Convention ensures that States Parties shall, individually or jointly as appropriate, take all appropriate measures in conformity with this Convention and with international law that are necessary to protect underwater cultural heritage, using for this purpose the best practicable means at their disposal and in accordance with their capabilities.

12. Protection and promotion of UCH can bring economic benefits associated with tourism. Eg the Shipwreck Coast Drive [Perth, Western Australia: Shipwreck Coast Drive \(australiaforeveryone.com.au\)](#).

Sincerely



Graeme Henderson
13 March 2022