Australia and Pacific Island countries – the need to collaborate to protect underwater cultural heritage

Andrew Viduka
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Australia’s legislative regime and consideration of ratification of the UNESCO 2001 Convention

Why did Australia protect shipwrecks?
Historic Shipwrecks Act 1976

• Place management based
• Protects all shipwrecks sunk for over 75 years (known or unknown) or declared to be historic. Approximately 7500
• Protects all associated relics and their movement >500,000 in museums and ~30,000 declared in private collections
• Treaty with Netherlands a schedule to the Act
Jurisdictional waters

Jurisdiction includes waters from the low water mark to the edge of the Continental Shelf or EEZ.

Does not include waters within the limits of the states

Commonwealth controls Territorial waters i.e: Christmas and Cocos Island, Heard and MacDonald Island, Antarctic Territories, Coral Sea
‘Australia is a creature of maritime enterprise, for it was discovered, explored, settled and sustained... by sea-power’ Dr John Bach 1976

Waters controlled by Australia (EEZ and Continental Shelf)
Administered in partnership since 1982
Delegations under the *Historic Shipwreck Act 1976*

Delegates control similar legislation in their state waters that protect historic shipwrecks
Objectives of the Historic Shipwrecks Program

• Conservation of shipwrecks and their artefacts
• Support of an informed public for historic shipwrecks as a cultural resource
• Populating the Australian National Shipwrecks Database (ANSDB)
• Research and publication

SS Kelloe (1902)

www.environment.gov.au/heritage/historic-shipwrecks
Historic Shipwreck Delegates

• Location of shipwrecks and relics
• Directions for custody and control of shipwreck relics
• Issue permits
• Liaise with Commonwealth

Historic Shipwreck Practitioners

• Site inspections
• Locate, identify, monitor shipwrecks
• Community engagement
• Recommend controlled actions for shipwrecks
Compliance and Enforcement

Historic Shipwrecks Act Protected Zones

23 sites requiring permit to access into the area
Compliance and Enforcement

Community engagement
open access

Compliance
and enforcement

Australia’s Maritime Heritage

STOP LOOTING!
Taking anything from Historic Shipwrecks is theft and against the law.
Report incidents:
Free call 1800 110 385
compliance@environment.gov.au
Historic Shipwreck Inspectors
Online sales of shipwreck relics: eBay
Historic Shipwreck Act Review 2009

• 4 June 2009 Minister released discussion paper
• Submissions received from all States and Territories
• Submissions on web site
• Consultation undertaken with Commonwealth, States and Territories agencies
• Includes consideration of ratification of UNESCO 2001 Underwater Cultural Heritage Convention
Australian Underwater Cultural Heritage
Intergovernmental Agreement

• Agreement made 5 July 2010
• All parties agree to undertake all necessary activities to enable the Commonwealth to determine whether it could ratify the Underwater Cultural Heritage Convention

Preamble
The intent of this Intergovernmental Agreement is to:

• clarify the roles and responsibilities the Commonwealth, States and the Northern Territory jurisdictions in relation to the management of Australia’s underwater cultural heritage; and

Underwater Cultural Heritage Act 2018

No. 85, 2018

An Act to protect Australia’s underwater cultural heritage, and for related purposes

Royal assent given on 24 August 2018
## Australian Heritage Strategy

<table>
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<tr>
<th>Task</th>
<th>Due Date</th>
<th>Responsible Department</th>
<th>Responsible Stakeholders</th>
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<td>Review and modernise the <em>Historic Shipwrecks Act 1976</em> to better align with international best practice.</td>
<td>December 2018</td>
<td>Department of the Environment</td>
<td>State and territory governments Shipwreck delegates</td>
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<td>Work with South-East Asian and Pacific region States (such as Indonesia and Papua New Guinea) to better protect our shared underwater cultural heritage.</td>
<td>December 2019</td>
<td>Department of the Environment</td>
<td>Department of Foreign Affairs and Trade</td>
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Australia’s Shared Heritage in the Pacific

Coral Sea Marine Park

Bell from The Resolution

Divers surveying the labour trader

Foam (1893) shipwreck
Australasian National Shipwrecks Database

Threats to UCH in the Pacific (and elsewhere) – Environmental

Climate Change – coastal erosion
The world's biggest grave robbery: Asia’s disappearing WWII shipwrecks

Exclusive: the unmarked graves of thousands of sailors are threatened by illegal metal salvagers

By Oliver Holmes, Monica Ulmanu and Simon Roberts

Dozens of warships believed to contain the remains of thousands of British, American, Australian, Dutch and Japanese servicemen from the second world war have been illegally ripped apart by salvage divers, the Guardian can reveal.

An analysis of ships discovered by wreck divers and naval historians has found that up to 40 second world war-era vessels have already been partially or completely destroyed. Their hulls might have contained the corpses of 4,500 crew.

Governments fear other unmarked graves are at risk of being desecrated.
Impacted Heritage – Tangible and Intangible
A conservation focussed citizen science project for underwater cultural heritage

Andrew Viduka  
PhD candidate UNE

This project has been approved by the Human Research Ethics Committee of the University of New England
Aims to:
- increase public understanding of the importance of stable sediment deposits and marine growth over shipwrecks; and
- the factors that drive the site formation process of wrecks

By monitoring the impact of environmental and cultural activity on a site’s preservation.

Shipwrecks have greater potential than land sites to preserve organic remains. They offer a bigger window into our past!
UCH capacity building in the Pacific
MoU’s and the Convention

Potential to collaborate with Pacific Island States
Development of a regional network supporting better compliance and UCH management
Thank you for listening!

‘Our land is girt by sea’, so dive into an ocean full of history!

GIRT
Gathering Information via Recreational and Technical
Scientific Divers