

International Shipwrecks

Britain has been a major seafaring nation for hundreds of years. As a result we have a legacy of sunken naval and merchant vessels lying on seabeds throughout the world representing an enormous resource of historical and cultural interest to this and future generations. In some cases preservation underwater can be better than on land, particularly for organic materials. Nowhere on land have the remains of the iconic English longbow been found, but on the Mary Rose they found not one, but boxes of them, beautifully preserved. Our underwater cultural heritage in international waters beyond twelve nautical miles is hugely important but it is now at serious risk.

The enormous water depths and the limitation of technology have been the great protectors of historic wreck sites until now. However, the recent advances in underwater survey techniques, positioning systems and remote excavation have effectively stripped away this protection. Commercial salvage companies are targeting “high value” historic wrecks off the English coast and worldwide, which they will excavate and sell off artefacts for profit. Most of these wrecks lie in deep water and excavation techniques at depth using remote operated vehicles are in their infancy. Salvage today will almost certainly lead to the unnecessary loss of irreplaceable historical information. There is only one opportunity to gather the unique evidence of our past from these ‘time-capsules’ of history and this should not be squandered for short-term financial gain.

Beyond the twelve-mile limit of territorial waters there is very little that the Government can do to protect these sites unless they are naval warships, such as the recently discovered HMS Victory, which sank in 1744. Fortunately, as warships, these are classed as sovereign immune vessels and may only be salvaged with the Crown’s permission. But for the thousands of wrecks of merchant vessels carrying valuable cargoes there is no protection and it is open season for treasure hunters. For instance if salvors were to find the English vessel, Merchant Royall, which sank in 1641 forty miles off Lands End and reported to have been carrying hundreds of millions of pound of silver and gold, our Government would have no legal means to prevent her salvage. We would be unable to prevent the wreck being pillaged off our coast and then we would have to watch the artefacts being auctioned off around the world.

The Government does however have a potential solution: to ratify the UNESCO Convention on the Protection of the Underwater Cultural Heritage 2001. The main thrust of the Convention is that historic shipwrecks should not be exploited by treasure hunters for commercial gain, and artefacts should not be sold to finance salvage. Countries that have ratified the convention cooperate to enforce legal protection of wrecks in the international waters off their coasts. The Convention came into force in 2009 and 30 countries have now ratified including Spain, Italy and Portugal. France will ratify in 2010. These are countries that have similar worldwide shipwreck legacies as the UK and have decided that it is in their interest to ratify the Convention so that their historic wrecks in international waters may be protected.

However in 2001 the UK Government decided not to ratify the Convention. Nor will it find the very modest resources needed to undertake a review of its now dated decision. It therefore appears content to stand by and watch our heritage being lost whilst providing no alternative solution.

This is not an acceptable position for a responsible UK Government. The UK needs to ratify the UNESCO Convention 2001 and show leadership to the many countries who are considering ratification so that our underwater cultural heritage in international waters can be properly protected.