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PROPOSAL FOR THE ESTABLISHMENT OF A REGIONAL CENTRE FOR UNDERWATER ARCHAEOLOGY IN ZADAR, CROATIA, AS A CATEGORY 2 CENTRE UNDER THE AUSPICES OF UNESCO

SUMMARY

This item has been included in the provisional agenda of the 177th session of the Executive Board at the request of Croatia.

An explanatory note is attached.

**EXPLANATORY NOTE
ON THE INTERNATIONAL CENTRE FOR UNDERWATER ARCHAEOLOGY
IN ZADAR, CROATIA**

1. The Republic of Croatia proposes the association of its International Centre for Underwater Archaeology at Zadar to UNESCO as a regional centre under the auspices of UNESCO (category 2).
2. This initiative is in support of UNESCO's efforts to increase capacity in its Member States in the field of culture, in particular underwater archaeology. It will also support and enhance the promotion of the 2001 Convention on the Protection of the Underwater Cultural Heritage.
3. Underwater archaeology in the Republic of Croatia has made considerable progress in the last years and a qualified system for survey, research and protection of underwater archaeology sites and finds is about to be put into place. The focal point of these activities will be the International Centre for Underwater Archaeology (hereinafter "the Centre") in Zadar. It opens in September 2007 and is an independent organizational unit of the Croatian Conservation Institute which is a scientific and professional institution founded by the Republic of Croatia. Its main purpose is to carry out conservation and restoration activities and education.
4. The decision to establish the Centre was based on the fact that Croatia was among the first States to ratify the 2001 Convention on the Protection of the Underwater Cultural Heritage of UNESCO. The Centre will promote the ratification and implementation of the Convention by developing and sharing state-of-the-art methods of research in underwater archaeology, conservation and restoration, training and knowledge. The Centre will operate respecting the principles of the Convention and its Annex and contribute to building capacity also in the other States of the region.
5. The Centre has the task through international cooperation to:
 - professionally unify the activity of underwater archaeology in the Republic of Croatia;
 - organize the high-quality training and specialization of experts in underwater archaeology, nationally and internationally;
 - promote capacity-building, the pursuit of excellence and scientific research;
 - improve scientific and expert research of underwater archaeological sites;
 - analyse finds and present them;
 - carry out the conservation of underwater archaeological finds;
 - promote the principles of the Convention and its Annex.
6. The Centre will have a significant regional dimension with respect to training activities, dissemination of knowledge and research. It will benefit the countries in the European and Mediterranean regions, in particular those bordering the Adriatic, among others Italy, Slovenia, Bosnia and Herzegovina, Montenegro, as well as France and Germany with whom fruitful cooperation has been established. Due to the type of archaeological finds and sites, strong cooperation with the countries in the region can be predicted.
7. The Republic of Croatia will, through the Ministry of Culture, provide the necessary funds for the functioning of the Centre, while the funds for accomplishing particular programmes should ideally be provided from different sources, depending on the type of programme or project. Funds for international programmes and projects will be provided from international sources.



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**PROPOSAL FOR THE ESTABLISHMENT OF A REGIONAL CENTRE
FOR UNDERWATER ARCHAEOLOGY IN ZADAR, CROATIA,
AS A CATEGORY 2 CENTRE UNDER THE AUSPICES OF UNESCO**

ADDENDUM

**REPORT BY THE DIRECTOR-GENERAL ON THE FEASIBILITY STUDY
CONCERNING THE PROPOSAL FOR THE ESTABLISHMENT OF A
REGIONAL CENTRE FOR UNDERWATER ARCHAEOLOGY IN ZADAR, CROATIA,
AS A CATEGORY 2 CENTRE UNDER THE AUSPICES OF UNESCO**

SUMMARY

The Republic of Croatia proposed in document 177 EX/67 the establishment of a regional centre for underwater archaeology in Zadar, Croatia, as a category 2 centre under the auspices of UNESCO and asked the Secretariat to assist its authorities in carrying out a feasibility study in compliance with the *Principles and guidelines regarding the establishment and operation of UNESCO institutes and centres (category 1) and institutes and centres under the auspices of UNESCO (category 2)* (33 C/Resolution 90).

The present document consists of the report by the Director-General assessing the feasibility of the proposal and of an annex containing a draft agreement.

Decision proposed: paragraph 42.

I. INTRODUCTION

1. Following preliminary exchanges between the Croatian authorities and UNESCO, the Republic of Croatia has proposed to the Director-General by letter of 19 June 2007 that its newly opened International Centre for Underwater Archaeology (hereafter called "the Centre"), an independent organizational unit of the Croatian Conservation Institute, be associated with UNESCO as a regional centre under the auspices of UNESCO (category 2) and brought this item to the attention of the Executive Board through document 177 EX/67. Pursuant to this proposal, the study of the feasibility of this project has been undertaken by the Secretariat. This document outlines the background, the basis of this proposal and the objectives of the Centre, as well as the advantages for the countries in the region and its relevance to UNESCO's programmes. In accordance with the *Principles and guidelines regarding the establishment and operation of UNESCO institutes and centres (category 1) and institutes and centres under the auspices of UNESCO (category 2)* approved by 33 C/Resolution 90 (hereinafter "the UNESCO Principles and Guidelines"), a decision is sought from the Executive Board recommending the General Conference to take a decision on the establishment of the proposed Centre under the auspices of UNESCO.

2. Confirming its commitment to the protection and safeguarding of underwater cultural heritage, the Government of the Republic of Croatia has been among the States that launched the process of the elaboration of the UNESCO Convention on the Protection of the Underwater Cultural Heritage, culminating in its adoption by the UNESCO General Conference on 2 November 2001, and ratified the Convention as one of the first States in 2004.

3. The proposal to establish a regional centre for underwater archaeology prompted intense negotiations between the Croatian authorities and UNESCO, notably on the occasion of the Third Ministerial Conference on Cultural Heritage in South-Eastern Europe that took place in Ohrid (the former Yugoslav Republic of Macedonia) in November 2006. This conference was part of a subregional process that was initiated, under UNESCO's auspices, in Mostar (June 2004), followed by Venice (November 2005), and whose aim is to reinforce subregional integration through enhanced cooperation in the field of cultural heritage. The objectives of these Ministerial Conferences are to encourage and promote scientific cooperation through the exchange of expertise and know-how in heritage conservation policies and practices for a shared understanding of its role for development and dialogue in the subregion, notably emphasizing the educational and communicational dimensions.

4. The resulting Ohrid Declaration specifically refers to the commitment by the participating States of the subregion "to ensure the effective application and implementation" of UNESCO's legal instruments for cultural heritage protection, and notably the Convention on the Protection of the Underwater Cultural Heritage. The Fourth Ministerial Conference is scheduled to be hosted in Croatia from 9 to 11 September 2007.

5. UNESCO considers the preservation of the underwater cultural heritage an integral part of its international mandate for the protection and conservation of cultural heritage worldwide. Underwater cultural heritage has raised growing concern in recent years due to increasing looting, but also due to the lack of knowledge of its existence and significance. Hence, it is of the highest importance to encourage Member States to take steps for the preservation of this heritage, notably the establishment of international cooperation; the setting of standards for underwater archaeology; and the training of archaeologists who are able to undertake research under water. These are measures that are considered crucial for the protection of cultural heritage in the context of the UNESCO Convention on the Protection of the Underwater Cultural Heritage.

II. BACKGROUND

6. Through its Culture Sector, UNESCO plays an important role in the areas of standard-setting, capacity-building and training for the protection of cultural heritage. A significant step towards the protection and safeguarding of the underwater cultural heritage was taken on 2 November 2001 with the adoption by the General Conference of the Convention on the Protection of the Underwater Cultural Heritage (hereafter called “the 2001 Convention”). This Convention contains basic principles for protecting such heritage; provisions for an international cooperation scheme; and practical guidelines for dealing with such heritage. According to the principles of the Convention, underwater cultural heritage should be preserved; should not be moved, except for scientific reasons; and should not be looted and dispersed.

7. A major concern of UNESCO, inscribed in the 2001 Convention, is the building of capacity and the establishment of research methodologies in States. Underwater archaeology remains an insufficiently explored discipline that requires a high level of knowledge and technical experience, which is currently limited to a small number of experts and States.

8. The proposal to establish an international centre for underwater archaeology in Zadar, Croatia, as contained in document 177 EX/67, is particularly welcome to UNESCO as such a centre would be the first of its kind at the international level, and it would be all the more beneficial since it would respond to the need for education, research and conservation in the field of underwater archaeology in the European and Mediterranean region. Many countries in the region lack qualified underwater archaeologists, conservation specialists and administrative personnel with scientific competence on a level appropriate to the importance of the submerged archaeological sites to be found in the sea. For many of these States, the absence of scientific expertise constitutes an obstacle to the effective protection of such heritage as well as to the implementation of the 2001 Convention. The international scope of the Centre based in Croatia would provide proper training for underwater archaeologists throughout the region. It would also considerably facilitate international cooperation in the protection of the underwater cultural heritage.

9. Croatia ratified the 2001 Convention on 1 December 2004 and is strongly engaged in the protection of submerged archaeological sites in the Mediterranean as well as in providing training to underwater archaeologists. Croatia’s efforts are especially directed towards the creation of a scientific system that encompasses not only discovery, research and protection of submerged archaeological sites, but also the continuous development of methodology and education, as well as the development and implementation of conservation standards for recovered objects.

10. The International Centre for Underwater Archaeology of the Croatian Conservation Institute, located in a former monastery complex in the city of Zadar, is scheduled to begin operations on 1 September 2007.

III. CONSIDERATION OF THE FEASIBILITY OF THE PROPOSED CENTRE

11. The Croatian authorities proposed that the newly established Centre, functioning as an independent organizational unit of the Croatian Conservation Institute, be granted the status of a regional centre under the auspices of UNESCO. The present feasibility study was therefore undertaken by the Secretariat based on the relevant documents provided by the Croatian Government as well as extensive consultations. The study has endeavoured to review the requirements specified in the UNESCO Principles and Guidelines approved by 33 C/Resolution 90. It has also taken into account aspects with a view to assessing the viability and the professional standards of the Centre. These aspects are examined below.

(a) Structure and legal status of the Centre

12. The Croatian Government has committed itself to ensuring that the Centre will be an independent organizational unit of the Croatian Conservation Institute, and an entity of the Ministry of Culture of Croatia. It will be run independently by a director, have its own account and a juridical personality assuring its legal capacity to enter independently into contracts, especially regarding programmes of international collaboration according to the programme approved by its Council.

13. The Croatian Conservation Institute was founded by decree in 1997 by the Government of Croatia on the merging of State-owned public institutions in the field of conservation/restoration, that is, on the merging of the Institute for the Conservation of Objects of Art (founded in 1948) and the Conservation Institute of Croatia (founded in 1966). The primary activity of the Croatian Conservation Institute is the conservation and restoration of immovable cultural objects, movable cultural objects, as well as other objects of cultural or historical significance. It is also responsible for the training of conservation and restoration specialists. The Croatian Conservation Institute is established as a public institution according to the Law on Public Institutions of the Republic of Croatia. Most Croatian public institutions, such as theatres, libraries, universities, hospitals, schools and similar institutions, are established under this law. The *Law on Public Institutions* permits the establishment of independent organizational units, as will be the Centre in Zadar, with different levels of autonomy.

14. The Centre is to be hosted in the same building complex as the Croatian Conservation Institute. It will be managed by a director, while the expert and educational activities will be supervised by the Centre's Council, which shall consist of five members: two representatives of the Ministry of Culture of the Republic of Croatia, two UNESCO representatives (should the status as regional centre under the auspices of UNESCO be granted) and one representative of the Croatian Conservation Institute. The Council will adopt the Constitution of the Centre including provisions on its legal status, assuring its autonomous legal capacity necessary to exercise its functions and its governing structure. It will also issue rules and regulations for the Centre. The Council will furthermore appoint a director. The director will be responsible for the management of the Centre in conformity with the directives established by the Council, including its legal representation. As soon as the Centre is officially established and operating, the director will open the account of the Centre. The Croatian authorities are committed to ensuring that the Centre will be given the legal capacity to perform its functions independently as requested by the UNESCO *Principles and Guidelines*, namely to contract and to institute legal proceedings as well as to manage international projects.

15. The immovable property used or run by the Centre is and will be the property of the Croatian State, according to Croatian law, both when it comes to the premises as well as to archaeological sites and parks managed by the Centre. It will be equipped with a modern classroom for 30 trainees. Accommodation will be provided in a dormitory with sleeping facilities for 30 persons. As a university centre and tourist destination, Zadar offers numerous further accommodation opportunities.

(b) Capability of the Croatian Conservation Institute to host the Centre

16. As far as the infrastructure is concerned, the Croatian Conservation Institute in Zadar will share its building complex, encompassing the church of St Nicholas and the adjacent former monastery, with the Centre. The complex is situated in the western part of the historical centre of Zadar and was desacralized in 1798, when it first became a military hospital. It subsequently served as military quarters. A restoration of the complex, which was largely destroyed, was carried out to save the protected cultural property and part of it will now provide a suitable space for the Centre. The total size of the premises on the ground level with the buildings and courtyard is 2,050 m². The Croatian Conservation Institute, which employs more than 300 experts, including art historians, conservation specialists, archaeologists and researchers, as well as lawyers, economists and accountants, will place its technical services and laboratories at the disposal of the

Centre. Also, the location of the premises is suitable for the activities of the Centre. Zadar is easily accessible due to its modern transport network, which includes highways and a nearby airport. The vicinity of the University of Zadar, the Archaeological Museum and other cultural institutions provides further opportunities for interdisciplinary cooperation and training, as well as international outreach.

17. The Centre's conservation and restoration laboratory has been recently completed. Laboratories for glass, ceramic, metal and organic materials have been equipped, and the dormitory, offices and lecture hall have been furnished. On the ground floor, a spacious room for desalinization of objects recovered from the sea has been equipped, enabling the adequate conservation of even very large objects. The Centre already possesses a remote-operated vehicle and has recently acquired a ship. By the end of the year, the Centre will be able to use this fully equipped vessel for archaeological excavations.

18. The construction of an additional building to accommodate sanitary facilities is under way, as well as the construction of the library, the historic church, the belfry and the rest of the complex where the museum, depositories and dormitory of the Centre will be situated. The construction work for the second phase of the project has been contracted: the preparations of the project documentation for the adjacent building and the necessary authorizations have been obtained.

(c) Objectives and functioning modalities of the Centre

19. The Centre aims to train underwater archaeologists and conservation specialists, nationally and internationally, in practical as well as theoretical aspects. This will include professional diving training for archaeologists, historians, geologists, photographers and other specialists; scientific methodological education for the research of underwater archaeological sites, and training in conservation techniques. Furthermore, the Centre shall improve, in the framework of international cooperation, scientific research on submerged archaeological sites, the analysis of finds and their presentation, and the restoration of objects recovered from the sea.

20. Other objectives of the Centre are to foster and facilitate the exchange of knowledge in the discipline of underwater archaeology; to organize international conferences and workshops; and to raise awareness among the public at large of the existence and importance of the underwater heritage.

21. The Centre's long-term objective is to create scientific standards for the research of submerged archaeological sites and the conservation of recovered artefacts.

22. The official languages of the Centre will be Croatian and English. The languages spoken in the Centre will be, among others, Croatian, Slovenian, Bosnian, Macedonian, Serbian, English, Italian and French. Its trainers will be archaeologists, divers and art historians, who are already partly working as experts at the Croatian Conservation Institute. The University of Zadar will provide several of its staff members, university professors, as trainers for specific themes, as the university already hosts a postgraduate course on underwater archaeology. The training curricula will be planned according to specific themes and needs (e.g. the research and conservation of underwater sites, training of restoration specialists in a specific field, management of sustainable development and use of protected areas).

(d) Regional and international impact of the Centre

23. Many States in the European and Mediterranean region have expressed their support and interest in cooperating with the Centre. In particular, Italy, France, Slovenia, Bosnia and Herzegovina, Germany and Montenegro are cooperating with the authorities of the Republic of Croatia in developing research on submerged archaeological sites in the Mediterranean. Cooperation with the Centre will also be sought from Hungary, Greece and Spain. It is expected

that the activities of the newly established Centre will rapidly lead to enhanced international cooperation and knowledge exchange.

24. A number of bilateral treaties on cultural cooperation have been established between the Governments of Croatia and Austria, Albania, the Czech Republic, Cyprus, Bulgaria, Bosnia and Herzegovina, Greece, France, Germany, Italy, Latvia, Lithuania, Macedonia, Portugal, Poland, Romania, the Russian Federation, Spain, Slovakia, Slovenia, Turkey, United Kingdom and Ukraine.

25. Moreover, a number of projects in the field of underwater archaeology, which may also benefit from the activities of the Centre, are being developed in the Eastern Mediterranean region, notably by: Slovenia, Hungary, Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia, Montenegro and France.

26. The provision of a centre providing a forum for education, knowledge exchange and the achievement of professional excellence is a unique opportunity for the States in the region. The Centre has the potential to inspire and enable archaeologists and underwater archaeologists in the surrounding States, thereby giving an impulse for the improvement of underwater archaeology as such, as well as for professional standards worldwide.

(e) Financial arrangements

27. The Government of Croatia has shown strong commitment to the establishment of the Centre. It has made a pledge to provide substantial financial support through funding for its construction and long-term running costs. The Ministry of Culture is providing the funds for the founding and functioning of the Centre, as well as the funds necessary for the construction work for the complex in Zadar and the equipment of the premises. The Centre will be financed on a yearly basis from the State budget, through the Ministry of Culture according to its approved programme. Four Croatian experts will start working at the Centre as from 1 September 2007, supported by archaeologists and conservation specialists presently at the Croatian Conservation Institute.

28. While the Republic of Croatia through the Ministry of Culture will provide the necessary funds for the functioning and the regional underwater archaeology programmes (research, restoration and education) of the Centre, specific international projects for research, restoration and education, will be supported by the Republic of Croatia with a participation of 30% of the overall budget. The rest of the funding for international projects will have to be provided from different financial sources, depending on the nature of the programme or project. As far as possible, UNESCO will help to seek extrabudgetary funds to support some of the international expert education activities. The management of funds for the work of the Centre will be ensured through a separate account in order to achieve transparency for sponsors. The Government of Croatia has confirmed that it will provide annually from the State budget, through the Ministry of Culture, a total amount of \$918,000 to the Centre, of which: \$228,000 for human resources; \$177,000 for administration and maintenance; and \$513,000 for programmes on underwater archaeology, including research, restoration and educational activities.

29. Member States of UNESCO, and especially the States of the European and Mediterranean region, would be encouraged to contribute towards the funding of the projects and programmes of the Centre, either in terms of a financial contribution or a contribution in kind towards the travel and support of their nominees for training/fellowships.

(f) Areas of cooperation with UNESCO

30. The cooperation with the Centre expected from UNESCO encompasses the following:

- (a) UNESCO will name two representatives to the Centre's Council;

- (b) UNESCO will encourage international governmental and non-governmental financial entities, as well as Member States of the Organization, to provide financial and technical assistance to the Centre as well as to propose appropriate projects. UNESCO will facilitate contacts with other international organizations relevant to the functions of the Centre;
- (c) UNESCO will provide the Centre with publications and other pertinent materials and will disseminate information on the activities of the Centre via its website and other mechanisms at its disposal; and
- (d) UNESCO will participate, when appropriate and subject to availability of funds, in the scientific, technical and training meetings held by the Centre.

IV. RELATIONSHIP WITH UNESCO'S OBJECTIVES AND PROGRAMMES

(a) Role of the Centre

31. The Centre will cooperate with UNESCO in its efforts to achieve its objectives of ensuring comprehensive protection and preservation of underwater cultural heritage, providing guidance in the setting of standards in the discipline of underwater archaeology, and building capacity in the field of cultural heritage at the international level. The Centre will promote and strengthen international cooperation in the field of underwater archaeology, hence its activities are complementary to the work of UNESCO in the area of the protection of the underwater cultural heritage.

32. Being among the very first countries to become a State Party to the 2001 Convention, Croatia will strive through the establishment of the Centre to promote awareness on the importance of implementing the UNESCO 2001 Convention in the region.

33. Until the present time, there has been a very limited number of training facilities for underwater archaeologists and conservation experts specialized in underwater cultural heritage available in the region. Practical training would enable young archaeologists and conservation specialists to work independently on projects concerning submerged archaeological sites. The Centre in Zadar is expected to serve as a regional training facility and operational think-tank for the area.

34. The Centre will support the development of underwater archaeology in the region with the ultimate objective of long-term self-reliance. It will assist the development of joint research and training programmes among underwater archaeologists, scientists, managers of research centres/institutes, as well as policy-makers from other countries in the region. It will ensure the high quality and practical work experience of trainees with a view to enhancing their ability to protect and research underwater cultural heritage.

(b) Potential impact of UNESCO's contribution on the Centre's activities

35. Acting through its Culture Sector, UNESCO is particularly favourable to international cooperation as a means of scientific exchange and technology transfer, and this initiative is therefore in line with its objectives.

36. UNESCO should act as a catalyst in the early period of the Centre by lending its technical and organizational expertise. The Organization's role should also be to bridge countries in other regions, international organizations, non-governmental organizations, and international experts specializing in actions for the protection and safeguarding of the underwater cultural heritage in order to maximize the international exposure of the Centre.

37. Due consideration will also be given to other relevant institutions in the region, and the need to devise a strategy to attract extrabudgetary funding and donor funding on a regular basis.

38. The feasibility study conducted by the Secretariat has shown that there are substantial technical elements supporting the request of the Government of Croatia to grant the Centre the status of a regional centre under the auspices of UNESCO.

(c) Impact of the Centre on UNESCO

39. The Centre's establishment would enable UNESCO to increase its visibility in the region, to gain access to information and to receive significant support for promoting and implementing the 2001 Convention on the Protection of the Underwater Cultural Heritage.

(d) Summary evaluation of the proposal submitted

40. From the previous paragraphs it is clear that the establishment of the Centre is fully in line with the objectives and programmes of UNESCO, and that the Centre would contribute to the execution of the Organization's programme with respect to the protection and safeguarding of the underwater cultural heritage. Moreover, UNESCO's auspices are essential to the Centre's regional standing and development.

41. The Director-General invites the Executive Board to examine the establishment of the regional Centre for Underwater Archaeology in Zadar, Croatia, as a category 2 centre under the auspices of UNESCO as well as the respective Draft Agreement attached as an annex in order to give Member States the benefit of an innovative partnership for the safeguarding of the underwater cultural heritage, therefore responding to UNESCO's holistic approach in the protection and preservation of cultural heritage in all its forms.

V. PROPOSED DRAFT DECISION

42. In the light of the above, the Executive Board may wish to adopt the following decision:

The Executive Board,

1. Recalling the principles and objectives of the UNESCO Convention on the Protection of the Underwater Cultural Heritage, adopted by the General Conference at its 31st session on 2 November 2001,
2. Welcoming the proposal by the Government of Croatia to establish a regional centre for underwater archaeology in Zadar, Croatia, as a category 2 centre under the auspices of UNESCO,
3. Having examined document 177 EX/67 as well as document 177 EX/67 Add. and its Annex, which is in line with the *Principles and guidelines regarding the establishment and operation of UNESCO institutes and centres (category 1) and institutes and centres under the auspices of UNESCO (category 2)* as approved by 33 C/Resolution 90, and the discussions held between the Secretariat and the Croatian authorities,
4. Aware of the importance of international cooperation for the protection and preservation of the underwater cultural heritage,
5. Recommends to the General Conference that it approve, at its 34th session the establishment of the International Centre for Underwater Archaeology of the Croatian Conservation Institute as a regional centre under the auspices of UNESCO (category 2), and that it authorize the Director-General to sign the Agreement annexed to document 177 EX/67 Add.

ANNEX
DRAFT AGREEMENT
BETWEEN
UNESCO AND THE GOVERNMENT OF THE REPUBLIC OF CROATIA
REGARDING THE ESTABLISHMENT OF THE REGIONAL CENTRE
FOR UNDERWATER ARCHAEOLOGY IN ZADAR, CROATIA
AS A CATEGORY 2 CENTRE UNDER THE AUSPICES OF UNESCO

The Government of the Republic of Croatia, and

The Director-General of the United Nations Educational, Scientific and Cultural Organization,

Considering the UNESCO Convention on the Protection of the Underwater Cultural Heritage (Paris, 2001), in particular Articles 2.2, 19, 20 and 21 encouraging international cooperation, the exchange of knowledge and the provision of training in the field of underwater archaeology,

Considering that the Director-General has been authorized by the General Conference to conclude with the Government of the Republic of Croatia an agreement in conformity with the draft that was submitted to the General Conference in document 177 EX/67 Add.,

Desirous of defining the terms and conditions of the relation of UNESCO and the International Centre for Underwater Archaeology of the Croatian Conservation Institute in Zadar, Croatia, in this Agreement,

HAVE AGREED AS FOLLOWS:

ARTICLE I – PURPOSE OF THE AGREEMENT

The purpose of the Agreement is to define the terms and conditions governing collaboration between UNESCO and the Government as well as the rights and obligations stemming therefrom for the Parties.

ARTICLE II – INTERPRETATION

In the Agreement, unless the context requires a different meaning,

1. “UNESCO” refers to the United Nations Educational, Scientific and Cultural Organization;
2. “The Centre” means the International Centre for Underwater Archaeology of the Croatian Conservation Institute in Zadar, Croatia;
3. “The Government” means the Government of the Republic of Croatia;
4. “The Ministry of Culture” means the Ministry of Culture of the Republic of Croatia;
5. “The Croatian Conservation Institute” means the institute of this name located in Zagreb, Croatia;
6. “The Agreement” means the present contract;
7. “The Parties” means UNESCO and the Government;

8. “2001 Convention” means the UNESCO Convention on the Protection of the Underwater Cultural Heritage adopted by the UNESCO General Conference in Paris on 2 November 2001;
9. “Underwater cultural heritage” means “underwater cultural heritage” as defined in Article 1 of the 2001 Convention.

ARTICLE III – FUNCTIONING

The Government agrees to take any measures that may be required for continuing the establishment and for assuring the functioning at Zadar of the Centre, as provided for under the Agreement.

ARTICLE IV – ORGANIZATION AND PARTICIPATION

1. The Centre shall be an independent entity within the Croatian Conservation Institute. It shall have the juridical personality specified under Article V.
2. The Centre shall be managed by a director as specified in Articles X and XI. Its activities shall be supervised by a Council as specified in Article VIII.
3. The Centre shall be at the service of Member States and Associate Members of UNESCO that, by their common interest in the objectives of the Centre, desire to cooperate with it.
4. Member States of UNESCO wishing to participate in the Centre’s activities, as provided for under this Agreement, shall send the Director-General of UNESCO notification to this effect. The Director-General shall inform the Director of the Centre and the Member States mentioned above of the receipt of such notifications.

ARTICLE V – JURIDICAL PERSONALITY

The Centre shall enjoy on the territory of the Republic of Croatia the juridical personality and legal capacity necessary for the exercise of its functions, in particular the capacity:

- (i) to contract;
- (ii) to institute legal proceedings;
- (iii) to acquire and dispose of movable and immovable property.

ARTICLE VI – CONSTITUTION

The Council of the Centre, as specified in Article VIII, shall adopt a Constitution. The Constitution must include the following provisions:

- (a) a legal status granting to the Centre, under national legislation, the autonomous legal capacity necessary to exercise its functions and to receive subventions, obtain payments for services rendered and carry out the acquisition of all means required;
- (b) a governing structure for the Centre allowing UNESCO representation within its governing bodies, namely the Council.

ARTICLE VII – FUNCTIONS AND OBJECTIVES

The functions and objectives of the Centre shall be:

- (a) to train underwater archaeologists and conservation specialists, nationally and internationally, practically and theoretically (including professional diving training for archaeologists, historians, geologists, photographers and other specialists; scientific methodological education for the research of underwater archaeological sites and education in conservation and restoration);
- (b) to improve, in the framework of international cooperation, the scientific research of underwater cultural heritage sites, the analysis of finds and their presentation and the restoration of objects recovered from the sea;
- (c) to foster and facilitate the exchange of knowledge in the discipline of underwater archaeology;
- (d) to organize international conferences and workshops; and
- (e) to educate the public in order to raise the awareness of the underwater heritage among the public at large.

ARTICLE VIII – COUNCIL

1. The Centre shall be guided and supervised by a council renewed every three years and composed of:

- (a) two representatives of the Ministry of Culture of the Republic of Croatia;
- (b) two representatives of the Director-General of UNESCO;
- (c) one representative of the Croatian Conservation Institute;

or his/her appointed representatives.

2. The Council shall:

- (a) approve the long-term and medium-term programmes of the Centre;
- (b) approve the annual work plan and budget of the Centre, including the staffing table;
- (c) examine the annual reports submitted by the Director of the Centre;
- (d) issue the rules and regulations and determine the financial, administrative and personnel management procedures of the Centre;
- (e) decide on the participation of regional intergovernmental organizations and international organizations in the work of the Centre;
- (f) supervise the training standards and curricula as well as the ethics policy of the Centre in conformity with the 2001 Convention;
- (g) give new impulses for the activities of the Centre.

3. The Council shall meet in ordinary session at regular intervals, at least once every calendar year; it shall meet in extraordinary session if summoned by the Chairperson, either on his/her own initiative or at the request of the Director-General of UNESCO, or of two thirds of its members.

4. The Council shall adopt its own rules of procedure. For its first meeting the procedure shall be established by the Government and UNESCO.

ARTICLE IX – SECRETARIAT

1. The Centre's secretariat shall consist of a director and such staff as is necessary for the proper functioning of the Centre.

2. The other members of the secretariat may include:

- (a) members of UNESCO's staff who would be temporarily detached and made available to the Centre, as provided for by UNESCO's regulations and by the decisions of its governing bodies;
- (b) any person appointed by the Director, in accordance with the procedures laid down by the Council;
- (c) government officials who would be made available to the Centre, as provided by government regulations.

ARTICLE X – DIRECTOR

The daily management of the Centre shall be assured by the Director, who shall be appointed by the Chairperson of the Council, in consultation with the Director-General of UNESCO, for a term of three years and shall be university trained and have recognized professional experience in the field of the protection of cultural heritage.

ARTICLE XI - DUTIES OF THE DIRECTOR

The Director shall discharge the following duties:

- (a) direct the work of the Centre in conformity with the programmes and directives established by the Council;
- (b) propose the draft work plan and budget to be submitted to the Council for approval;
- (c) prepare the provisional agenda for the sessions of the Council and submit to it any proposals that he/she may deem useful for the administration of the Centre;
- (d) prepare reports on the Centre's activities to be submitted to the Council;
- (e) represent the Centre in law and in all civil acts;
- (f) appoint staff members in accordance with the staff regulations approved by the Council.

ARTICLE XII – CONTRIBUTION OF UNESCO

1. UNESCO shall provide assistance in the form of scientific advice concerning the activities of the Centre in accordance with the strategic goals and objectives of UNESCO.

2. UNESCO agrees to:

- provide scientific and technical advice in the specialized fields of the Centre; and
- associate the Centre with the programmes which it implements and for which the participation of the latter seems necessary.

ARTICLE XIII – CONTRIBUTION OF THE GOVERNMENT

The Government has provided in the State budget the funds for the founding and functioning of the Centre, as well as the funds necessary for the construction work on the complex in Zadar and the equipment of the premises. It agrees to further provide all resources, financial or in other kind, needed for the establishment, administration and proper functioning of the Centre. It entirely assumes the maintenance of the premises and technical equipment as well as the provision of the resources for the activities of the Centre. The Government shall:

- entirely assume during the period 2007-2013 the operating and maintenance costs of the Centre, including the administrative and scientific staff necessary for the performance of its functions, and shall examine the use of these resources annually;
- provide the budget for the employment of at least four Croatian experts, who will start working at the Centre from 1 September 2007;
- provide annually from the State budget, through the Ministry of Culture, the minimum amount of \$918,000 to the Centre, of which: \$228,000 for human resources; \$177,000 for administration and maintenance; \$513,000 for programmes of underwater archaeology, including research, restoration, and educational activities. The budget shall be provided to the account of the Centre.
- assume the participation of 30% of the total cost for each international project undertaken by the Centre, while the other part of allotment shall be provided by the partners on the project.

ARTICLE XIV – RESPONSIBILITY

The Centre is legally separate from UNESCO.

UNESCO shall not be legally responsible for it and shall bear no liabilities of any kind, be they financial or otherwise, with the exception of the provisions expressly laid down in this Agreement.

ARTICLE XV – EVALUATION

1. UNESCO may, at any time, carry out an evaluation of the activities of the Centre in order to monitor:

- whether the Centre makes an important contribution to the strategic goals of UNESCO, in particular the promotion of the 2001 Convention;
- whether the activities undertaken by the Centre respect the principles of the 2001 Convention and the professional standards of responsible underwater archaeology;
- whether the activities effectively pursued by the Centre are in conformity with those set out in this Agreement.

2. UNESCO shall agree to submit to the Government, at the earliest opportunity, a report on any evaluation.
3. UNESCO shall reserve the option to denounce this Agreement or amend its contents, following the results of an evaluation.

ARTICLE XVI – USE OF UNESCO NAME AND LOGO

1. The Centre may mention its affiliation with UNESCO. It may therefore use after its title the mention “under the auspices of UNESCO”.
2. The Centre is authorized to use the UNESCO logo or a version thereof on its letter-headed paper and documents.

ARTICLE XVII – DURATION

This Agreement is concluded for a period of six years as from its entry into force and may be tacitly renewed.

ARTICLE XVIII – ENTRY INTO FORCE

This Agreement shall enter into force upon meeting the formalities required to that effect by the domestic law of the Republic of Croatia and by UNESCO’s internal regulations.

ARTICLE XIX – DENUNCIATION

1. Each of the Parties shall be entitled to denounce this Agreement unilaterally.
2. The denunciation shall take effect within 30 days following receipt of the notification sent by one of the Parties to the other.

ARTICLE XX – REVISION

The present Agreement may be revised by consent between the Parties.

ARTICLE XXI – SETTLEMENT OF DISPUTES

1. Any dispute between UNESCO and the Government concerning the interpretation or application of this Agreement, if it is not settled by negotiation or any other appropriate method agreed to by the Parties, shall be submitted for final decision to an arbitration tribunal composed of three members, one of whom shall be appointed by the Government, another by UNESCO, and a third, who shall preside over the tribunal, chosen by these two. If the two arbitrators cannot agree on the choice of the third, the appointment shall be made by the President of the International Court of Justice.
2. The Tribunal’s decision shall be final.

In witness whereof, the undersigned have signed this Agreement.

Done in 6 copies in English and French, on _____

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For the United Nations Educational,
Scientific and Cultural Organization

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For the Republic of Croatia