# Legality of Sea: Towards a New Methodology

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Paper Number: 240228

## Introduction

"Archaeology has been defined as the study of the past in respect of which no written document exists and therefore all information has to be found through other sources, namely, material objects or artefacts" (Van Meurs1985)

The above lines are the opening lines of Van Meurs's "Legal aspect of Marine archaeological Research". In legal terms archaeology is seen as a sibling of history providing information about dark ages.Approaches to archaeological excavation, recovery, analysis, and curation vary considerably across jurisdictions; hence, a nuanced understanding of diverse national research traditions, legal systems, and methodological practices is essential.

Shipwrecks serve as repositories of historical knowledge (Steffy, 1994). The legal status of a historic wreck is determined by its identity, which influences jurisdiction, applicable law, and ownership. At the international level, the United Nations Convention on the Law of the Sea (UNCLOS) and the UNESCO Convention on the Protection of the Underwater Cultural Heritage (UCH) establish guiding principles for the protection and preservation of such sites. In addition, several states have introduced domestic legislation to regulate shipwrecks, creating a legal framework composed of international conventions, national statutes, and judicial precedents. The fight in the court is more often over the facts, which are based on the evidence retrieved by maritime archaeology and their interpretation under domestic procedure law (Maarleveld, 2011).

The essay hopes to provide identity to the shipwreck through the prism of law keeping the archaeological considerations in mind. Techniques of reconstruction and aspects of conservation and preservation of a wreck will be studied. A case study of Mary Rose will be looked into. A new methodology would be proposed keeping in mind the economic considerations of developing countries like India. This essay seeks to reconcile the objectives of heritage preservation with the realities of economic development. Such a balance is crucial to ensure that maritime archaeology remains both intellectually rigorous and financially sustainable. Accordingly, legal and archaeological approaches must operate in tandem, grounded in a broader recognition of their human and cultural significance.

## Overview of Law

### Medieval Times

The wreck **f**indings in coastal town of Suffolk in eastern England, were able to survive without human intervention for long.[1]During this period, shipwrecks were formally recorded, and in thirteenth-century Europe landowners were legally entitled to claim a portion of the value of objects recovered along the shores or within ports under their authority.Royal authorities also claimed a stake on shipwrecked goods during this time period. Another concern complicating the issue was survivors claiming the wreck. Between 1190 and 1236, an object was classified as a 'wreck 'and thus subject to forfeiture, only if its owner or heirs were deceased. Recovered goods were safeguarded for three months, a period later extended to one year. In 1353, the Ordinance of the Staple introduced a 'convenient fee' for salvors, establishing a statutory framework for the management of wrecked property. No specific legislation addressed goods belonging to deceased owners, which were instead appropriated by the Crown or local landholders as a matter of prerogative. Profit-sharing between the finder and the right holder was common practice. Contemporary legal thought, such as the thirteenth-century treatise Bracton, asserted that shipwrecks coming ashore were 'res nullius' and belonged to the king. Similar principles were codified in maritime laws including the Consulate del Mare, the Laws of Oleron, the Visby town law, and the code of the Hanseatic League. The prevailing doctrine of the period emphasized rewarding salvors with a share of the recovered materials.

### Current Times

Law relating to sea were first discussed in Geneva Convention 1958(Van Meurs 1985).The 1982 United Nations Convention on the Law of the Sea (UNCLOS) and its successor agreements form the cornerstone of contemporary maritime law. The process began with the first UN Conference on the Law of the Sea (UNCLOS I) in Geneva in 1956, which produced four treaties adopted in 1958: the Convention on the Territorial Sea and the Contiguous Zone, the Convention on the Continental Shelf, the Convention on the High Seas, and the Convention on Fishing and Conservation of the Living Resources of the High Seas. A second conference (UNCLOS II) followed in 1960, and in 1973 UNCLOS III was convened in New York. The latter extended to the definition of ocean boundaries and introduced general obligations for the protection of the marine environment. Initially, more than fifteen states, including the United States, declined to sign the treaty,

[1]Tom Johnson;Medieval Law and Materiality: Shipwrecks, Finders, andProperty on the Suffolk Coast, ca. 1380–1410 American Historical review April 2015 Downloaded from ahr.oxfordjournals.org at Bodleian Library on March 19, 2016

objecting in particular to Part XI, which was perceived as adverse to economic and security interests (Miller, 1973). Subsequent negotiations led to the 1994 Agreement on Implementation, which modified the original provisions. Today, the Convention has been ratified by 167 parties, comprising 166 states and the European Union.

As outlined earlier, the United Nations Convention on the Law of the Sea (UNCLOS III) has emerged as the principal instrument of maritime governance, supplemented by norms of customary international law. The Convention consolidated the four Geneva Conventions into a single framework, granting coastal states extensive rights over maritime zones. It also established the International Tribunal for the Law of the Sea (ITLOS) and permits state parties to submit disputes regarding interpretation and application either to ITLOS or to the International Court of Justice (ICJ) in The Hague. UNCLOS initially faced resistance, as industrialized nations opposed provisions requiring the transfer of deep-sea mining technology to developing countries. Following revisions that favored developed states, the Convention entered into force in 1994.

For clarity, several maritime zones should be defined. The continental shelf constitutes the natural prolongation of a coastal state's land territory, extending to the outer edge of the continental margin or 200 nautical miles (370 km) from the baseline, whichever is greater. Within this area, coastal states exercise rights over subsoil resources, living organisms, and shipwrecks, as demonstrated in the case of Nuestra Señora de la Concepción, located near Hispaniola and brought under Dominican jurisdiction (Van Meurs, 1985). Territorial waters extend 12 nautical miles from the baseline, where the coastal state enjoys full regulatory authority. Beyond this, the contiguous zone stretches a further 12 nautical miles, allowing states to enforce laws concerning customs, taxation, immigration, and pollution. Finally, the Exclusive Economic Zone (EEZ) extends up to 200 nautical miles, granting the coastal state exclusive rights over natural resources.Within this area; the coastal nation has sole exploitation rights over all natural resources. (Van Meurs 1985). UNCLOS III only looked at the growing concern regarding commercial profitability in marine resources. Excavation is generally carried out within territorial waters of the state and not much attention is paid to continental shelf or deep-sea bed inspite of presence of large unexplored archaeological sites. This is due to lack of clarity in laws. This put cultural heritage at an unparalleled risk (Dromgoole 2013). No state can claim archaeological objects which are subject to prior claim of ownership in deep sea. Claim is determined according to the law of states in whose jurisdiction the artefacts are located. If artefacts are located beyond states territorial waters then ownership will

be according to laws of state of origin. Artefacts in any event would be subject to fiscal and customs law of the state of port of entry.

Control of state over territorial waters is absolute and this rule could extend to marine archaeological sites lying in this area. This is not explicitly mentioned but is above the right to decent passage. The provisions under UNCLOS III, (Article 2&3) provide that states have the duty to protect the archaeological and cultural heritage (Van Meurs 1985). Another area under control of state is exclusive economic zones but it doesn't provide state e control over marine archaeological sites. However this control arises in ambit of residual rights. Area beyond the territorial waters is termed as high seas(Article 87 of UNCLOS III). In high seas there is no pointer of archaeological activities. They are treated under the phrase "inter alia" (Boesten 2002). This makes deepwater wrecks profitable venture for treasure hunters for it requires minimal legal hassles as it is termed as "common heritage of mankind". Relation between states on "high seas" is based on equality. It is not practiced as seen in the wreck of Titanic (Boesten 2002). Article 240 defines general principles for conducting marine scientific research. They are open to broadest of interpretations and cannot withstand the test of law. (Boesten 2002). Most of the times states choose the best suitable whether international or national law(Miller 1973).With respect to underwater cultural heritage, UNCLOS remains fragmented, limited in scope, and in certain respects counterproductive. Its relevance is confined primarily to two provisions, Article 149 and Article 303, which address cultural heritage protection in only a partial and indirect manner.

During the UNCLOS III negotiations, maritime powers proposed extending coastal state jurisdiction over underwater cultural heritage located on the continental shelf, though the Exclusive Economic Zone (EEZ) was not explicitly addressed. Coastal states were thereby granted authority over archaeological objects and afforded recognition of the rights of identifiable owners, as well as of the state or country of cultural, historical, or archaeological origin in cases of sale, disposal, or removal. These provisions were incorporated into Article 303, which obliges states to protect archaeological objects and holds them responsible if destruction is knowingly permitted. Article 303(2) further allows coastal states to exercise rights in the waters between 12 and 24 nautical miles, thereby creating an 'archaeological contiguous zone.' However, the scope of this provision is ambiguous; it appears designed more for customs, public health, and immigration control than for heritage protection. Moreover, if artefacts are destroyed in situ rather than removed, no remedy is available under international law, suggesting that Article 303(2) was drafted with natural resources, rather than cultural heritage, in mind.

Article 56(1) compounds this gap by limiting coastal state rights within the EEZ to the exploration and exploitation of natural resources, thereby excluding man-made objects such as shipwrecks. This legal vacuum enables private parties—or even states—to recover archaeological objects from the seabed, claim ownership under domestic law, and transfer them to private markets, as illustrated by the case of the SSS Republic and Vietnam's handling of a Chinese shipwreck.

The Convention offers limited safeguards. Article 59 provides that disputes where no clear rights or jurisdiction exist should be resolved on the basis of equity, offering at least a theoretical defense against exploitation. However, Article 303(3) subordinates heritage protection to the law of salvage and admiralty practices, thereby privileging commercial salvage operations. The ambiguity surrounding these terms exacerbates the problem: in many jurisdictions, salvage law is concerned solely with rescuing ships or cargo from peril, not with preserving historic wrecks. Consequently, coastal states lack the power to prevent the removal of archaeological objects from their contiguous zones when salvage law grants rights to the finder.

Article 304(4) partially mitigates this by allowing the development of separate international instruments for heritage protection. A further provision, Article 149, applies to objects located beyond national jurisdiction, stipulating that such finds should be preserved or disposed of for the benefit of humankind. While commendable in principle, the article raises practical difficulties: the designation of 'state of origin' may be contentious, especially where historical states no longer exist, and competing claims can easily arise. Thus, while UNCLOS acknowledges cultural heritage in principle, its framework remains insufficient, leaving significant scope for exploitation.

This according to me is over simplification. There may be complex problems because the very state of origin might not exist in the modern times. Also terms like culture, state and heritage are under constant evolvement. On the other hand choosing preferential rights could also be cause of conflict between two states. This loophole is easy for treasure hunters to subvert. States rarely want to embroil themselves in an international issue so there is no customary practice to rely upon. Art 149 does not lay any methodology to harmonize rights with the benefit of community. There are no provisions to ensure that activities beyond 24 nautical miles are conducted in accordance with internationally acceptable archaeological standards.

**2001 Unesco Convention**

The 2001 UNESCO Convention on the Protection of the Underwater Cultural Heritage (CPUCH) established a comprehensive international framework to regulate maritime heritage activities. Its principal objective is to safeguard

underwater cultural heritage by ensuring that interventions are carried out in accordance with internationally recognized archaeological standards, codified in the 'Rules' contained in the Convention's Annex. Building on Article 149 of UNCLOS, the CPUCH provides a corrective mechanism by countering the adverse effects of salvage law and rejecting the 'first-come, first-served' approach to heritage located within the Exclusive Economic Zone. In doing so, it reinforces the principle of heritage protection (Marvin, 1858).

The Convention defines underwater cultural heritage broadly as "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" (Art. 1(1)(a)). This definition excludes pipelines, cables, and other seabed installations that remain in active use. The scope of the Convention encompasses activities specifically directed at underwater heritage, including invasive archaeological interventions and treasure hunting, while also addressing incidental impacts arising from commercial construction and other marine development projects.

CPUCH got together wide variety of people from government agencies, salvage unions to archaeologists. However major maritime states abstained from voting (Boesten 2002).This convention has been critiqued for being too broad for any effective implementation. (O'Keefe 2002). The convention is a midpoint in bringing new improvements and at the same time not infringing upon sovereignty of any single state. The convention is a complex and technical treaty having the aim to "protect underwater cultural heritage for the benefit of humanity" (Dromgoole 2013).

Shipwrecks have to depend upon time period and nationality for identification. Identity of the ships depends upon flag state under which it sails irrespective of the crew or cargo. This could be problematic because identification of the wrecked ship could be very different from modern day boundaries. Two ships on the High seas could be possibly under entirely different jurisdictions creating more confusion (Meijers 1967). Moreover, once discovered, shipwreck becomes a non-renewable source requiring protection against irresponsible recovery for it might destroy it (Boesten 2002). Shipwrecks are seen more as a source of income rather than knowledge so reinforcing the archaeological value is paramount. Ship wrecks get embroiled in ownership claims ignoring cultural value. There are also questions of ownership in contrast to claim of finders (Cunningham 1999).This was dealt in the case United States of America v. Richard Steinmetz. The right of owner was established above the right of finder in the case. USA also denied the compensation to the diver as it felt that the expedition was not in line with the archaeological standards. It was felt that wrecks should not be disturbed except for archaeological research (Cunningham 1999). The case is famously known as Albama case. However

claims of organisations are not so simple for many cargo companies like Dutch East India Company no longer exist. Therefore, a contract is signed by the estate that holds the right as owner of the wreck. Sometimes countries sign contracts that transfer all rights of the specific wrecks to the State in whose territorial waters they are situated[2]. However Article 303 clearly states that there would be no interference with Rights of Identifiable owners or Salvage laws and Admiralty.

Archaeological research needs to be conducted by professional archaeologist but non trained divers operate on the shores of states other than their own. Also marine explorations are financed by individuals or organization whose objective is to acquire ownership of the artifacts. This raises conflict of interest between the coastal states and finders. Vesting of Property rights depends on the national legislation of the coastal states (Carmen 1996). Some states have exercised property rights to offshore archaeological artifacts but not all have done so. In latter case the right of ownership vests in the finder unless prior claim to the ownership is proven.

Mary Rose as a study is the good example of profitable excavation and preservation. Mary Rose was successful in raising 4 million pounds in cash as well as kind between 1979 and 1982. Mary Rose museum even before its proper completion had started raising funds from ticket sales which went as high as 5, 00,000 pound. This was achieved through right publicity. The museum was successful in reaching one million tourist mark in 2015. The wreck has already paid off its excavation cost and has a steady flow of income to conserve and preserve itself. Mary Rose had its fair share of legal hassles. However it was lucky enough to come out almost unscathed as British cultural heritage (Marsden 2003).

However, many wrecks are lost to salvers and treasure hunters due to ambiguities in legal structure. Treasure hunting concentrates only on exploiting economic potential of archaeological objects. (Forrest 2010). This is undertaken by well established US and UK salvage industry. Most of these artefactsare soldto antiques market in New York and London. However such operations are not always successful as the motive behind them is treasure salvage rather than preservation and conservation. This came to be true for HMS de Braak which stands in contrast to MaryRose, for it was a failed treasure hunt (Hauser & Prott, 2016).

Another illustrative case is that of the Nuestra Señora de Atocha, a Spanish galleon that sank off the Marquesas Keys, Florida, in 1622 and was

[2]Australia and Netherlands signed an agreement in 1972 which transferred all the rights from Netherlands (successor of Dutch East India Company) to Australia for wrecks lying in western coast.

rediscovered in 1971 by the salvaging company Treasure Salvors, Inc., together with the Santa Margarita. Almost immediately, the recovery became entangled in complex legal disputes. Initially, the wreck was presumed to lie within Florida's territorial waters and was therefore subject to state admiralty law. Acting on this assumption, the state sanctioned the salvage operation and claimed 25 percent of the recovered artefacts. However, a 1975 ruling in an unrelated case revealed that Florida had miscalculated the extent of its territorial waters, placing the Atocha site in international waters (Forrest, 2010). On this basis, Treasure Salvors, Inc. sought to annul its prior contract with the state and filed an in rem admiralty action, asserting ownership under the law of finds. The federal government, in turn, attempted to claim title on sovereign prerogatives codified in the Abandoned Property Act, but the court ultimately rejected this argument and vested ownership in the salvors.

The recovery of the Atocha can be seen as well publicised treasure hunts and victory of "finder's rule". Question of ownership has changed drastically from Albama case to Atocha. I also feel that judiciary has come to cquire more economic outlook than regard for cultural heritage (Flatman 2009). This raises the need for recognised and enforceable international law (Cunningham 1999).

On the opposite spectrum stands Geldermalsen. It was found by English sea captain and salvor Michael Hatcher in 1985 in EEZ of Indonesia. He did strip mining where the wreck was looted and artefacts taken without any regard for archaeological value. It was later auctioned off at Christie's Amsterdam. Wreck was successful in raising 10-15 million dollars. British Museum (Roberts 2002) was also part of this controversial auction. His comment on excavation technique was "It was race to get what they could before being interrupted by weather, rivals, pirates or some government" (Forrest 2010). Once the salvage operation is complete he uses dynamite to destroy all traces of wreck in order to ensure that government in whose costal shelf the wreck lies would not be able to identify the location. The inventory and publication of goods auctioned at Christies was undertaken by C J A Jorg. He discusses about inability of museums to buy chinese junk because of budget limitation. This attitude of archaeologist as well as as museums is disappointing (Jörg 1986). He further elaborates that Hatcher donated 50 artefacts out of thousands to Groningen Museum in Netherlands for public reference collection. It is strange that Chinese cargo in Chinese waters is needed for public reference in Netherlands and not china. The developednations have better claim to cultural heritage because of their economic superiority irrespective of the origin of artefacts.Jorg documentation of the wreck is now dispersed all around the world post

auction. Christie's is equally at fault for people like Hatcher respond to the opportunities created by these corporate houses. They provide impetus to the treasure hunters and contribute to destruction. This site destruction was criticised in International Congress of Maritime Museums in October of 1986. However this ethical and moral position is not adopted by all, especially museums and curators. (Miller1992). While the looting and destruction of wreck is absolutely wrong one cannot deny that it is becoming more of reality sometimes undertaken by government themselves as seen in case study below.

A wreck of Chinese origin was found in 1998 in Indonesian territorial waters. Initially the site was under Indonesian Salvage Company. The government sold excavation rights to Sea bed Exploration GBR, a German company. The vessel and the site was studied in great detail (Flecker2001).The cargo was mainly Chinese ceramics and provided information about trade links between Indian ocean and China(Nafziger,& Paterson 2014). It has been claimed that the excavation was done in accordance with Indonesian law and under government permission. However, it was done under duress by the government. Moreover the recovery was not done as per the archaeological standards. Unlike Geldermalsen, the assemblage was kept by the salvage company as a single collection hoping for it to be studied in archaeological context. The whole cargo was later sold to private company Sentosa Leisure Group and Singapore government for 32 million dollars in 2005(Flecker2001).
The Indonesian government recognised the importance of the wreck but did not have excavation means. It also does not recognise the UNESCO Convention and thought that involving a salvage company would have been a better option. As the collection was kept together it was not perceived as treasure hunt. Personally, I feel that the government flouted the laws to make profits. Academic outrage led to cancellation of exhibition at Sackler museum as well in Singapore. Re excavation was planned but not implemented and the cargo is still in Singapore. This case study isimportant foreither allowing state approved exploitation or having an international regulatory framework to govern involvement ofstate (Flecker2001).

Salvors are felt as a threat to underwater heritage but they have less impact onheritage than any other user group(Harrison,2012). The larger problem is the mode of monetisation of wrecks. The splitting up of collection leads to total loss of information and knowledge. As seen in the case study of Atocha the ambiguities in law can be used by salvage companies to gain profits inspite of governmental effort. Both Atocha and Geldermalsen show the contrast between efforts for cultural protection in developing and developed world. Geldermalsen illustrates the difficulty (Forrest2010) faced by

developing nations in preserving and regulating activities in their own territorial waters. It can be seen as lack of interest but it is more of economic and political helplessness. The Indonesian government is a good example of state driven commercial.

It has been suggested that eliminating the economic incentive would preserve the cultural heritage but I feel that grey market would continue to thrive irrespective of legal framework. Salvage laws and Law of Finds would function as a better mechanism with a clause to regulate excavation within archaeological standards. The moral and ethical questions of a wreck protection are more realised in developed countries while in developing countries there is disregard for them. The process of selective screening of wrecks based on geographical positioning needs to be changed. The legal framework is weak in many aspects but has been successful in initiating an academic debate.

**Conclusion**

Marine Archaeology is an imprint of man's past with a unique perspective. Coastal development of states has increased and cultural heritage has not been given enough importance. Deep sea sites are losing protection due increased exploration and exploitation of the sea bed. Some argue that marine archaeology comes in way of development but it is a part of social processin which it is studied. Moreover cultural heritage once lost can never be gained back while developmentif halted is not lost. There is aneed for historical appreciation by common public and also a need to take the issues outside the academic arena (Pugh Smith 1996).There is a need for new structures to make excavation activity an amalgamation of profit and a knowledge seeking venture. It would be more beneficial to recognize commercialization of excavations with a control over methodology to avoid damage.

The next important issue in process of marine excavation is its funding and availability of professionals and technical knowhow(Marsden 2003).In deep waters, there are more chances of a third state finding the wreck rather than origin state because every state is entitled to undertake archaeological research in international waters (Stratē 1995). However it is the state of origin has right to its cultural heritage. If the state of origin lacks in technological knowhow or economic capacity to preserve its heritage (Bell 2009) then it raises complex issues. It would be wrong to expect developed states to invest in excavation. Therefore collaborative effort is the need of the hour. Countries which are not able to fund the preservation can enter into a sort of loaning contract allowing the right of excavation, publicizing and exhibiting to a third party for a specific period time. The wreck in some time could become self independent to pay back excavation cost and have sturdy source of income to maintain itself. The country of origin after ensuring that

the cost has been recovered can claim the heritage back. This would be economically suitable for developing nations and also help in heritage preservation.

Property rights in marine archaeological finds should be subject to some sort of a legislative control. Coastal states should not be allowed to automatically assert the ownership of artefacts solely on the ground that physical presence of such artefacts is in their territorial jurisdiction. Factors such as facilities for preservation of the artefacts or conduct of excavation should also be considered. This strategy would provide an edge to the first world but these factors should not be the basis of taking away cultural heritage rights from the third world. It is necessary to have laws to protect accessibility that has been lost due to diving tourism (Blake2005). Legislation can only be effective if professional expertise and adequate financial resources are provided for research (Spoerry 1993).

There is need for total rethinking of not just the laws but also archaeological methodology. Marine archaeologists in comparison to amateur and professional divers are very few. The cultural heritage faces danger from treasure hunting due to ambiguities in law and lack of proper enforcement and implementation of the law (Márquez & Fibiger, 2011). Conservation and preservation should be the basis of the legal framework. The laws need to be formulated keeping in mind the economic disparity in the world. Economic backwardness of a state should not result in loss of their cultural heritage. International forum needs to practise the principal of equality. International Law of Sea though has its origin in western heritage should be made more global.

**References**

1. Boesten, E. 2002. Archaeological and/or historic valuable shipwrecks in international waters : public international law and what it offers. The Hague: TM Asser.
2. Bell, C.E., Paterson, R.K., & ebrary, Inc eds. 2009. Protection of First Nations cultural heritage: laws, policy, and reform. Vancouver: UBC Press.
3. Blake, J.E. 2015. International cultural heritage law. Oxford: Oxford University Press
4. Cunningham, R.B. 1999. Archaeology, relics, and the law. Durham, NC: Carolina Academic Press.
5. Carman, J. 1996. Valuing ancient things : archaeology and law. London: Leicester University Press.

6. Dromgoole, S. 2013. Underwater cultural heritage and international law. Cambridge: Cambridge University Press.
7. Flatman, J. 2009. Conserving Marine Cultural Heritage: Threats, Risks and Future Priorities. Conservation and Management of Archaeological Sites 11(1): p.5–8.
8. Flecker, M. 2001. A Ninth-Century AD Arab or Indian Shipwreck in Indonesia: First Evidence for Direct Trade with China. World Archaeology 32(3): p.335–354.
9. Forrest, C. 2010. International law and the protection of cultural heritage. London: Routledge.
10. Gribble, J., Parham, D., & Scott-Ireton, D. 2009. Historic Wrecks: Risks or Resources? Conservation and Management of Archaeological Sites 11(1): p.16–28.
11. Gardiner, J., Allen, M.J., Alburger, M.A., & Mary Rose Trust. 2005. Before the mast : life and death aboard the Mary Rose. Portsmouth: Mary Rose Trust.
12. Human, H. Democratizing world heritage: The policies and practices of community involvement in Turkey. Journal of social archaeology 15(2): p.160.
13. Harrison, R. 2012. Heritage. Milton Park, Abingdon ; New York: Routledge.
14. Heath, C., Kamperman Sanders, A., Max-Planck-Institut für Ausländisches und Internationals Patent-, U.W., Instituto de Escudos Europe us de Macau, & Universities Maastricht. 2005. New frontiers of intellectual property law : IP and cultural heritage, geographical indications, enforcement, overprotection. Oxford: Hart.
15. Human, H. Democratizing world heritage: The policies and practices of community involvement in Turkey. Journal of social archaeology 15(2): p.160.
16. Hauser-Schäublin, B., & Prott, L.V. eds. 2016. Cultural Property and Contested Ownership: The Trafficking of Artefacts and the Quest for Restitution. Abingdon, Oxon ; New York, NY: Routledge.
17. Jörg, C.J.A. 1986. The Geldermalsen : history and porcelain. Groningen: Kemper Publishers.
18. Márquez-Grant, N., & Fibiger, L. 2011. The Routledge handbook of archaeological human remains and legislation : an international guide to laws and practice in the excavation and treatment of archaeological human remains. London: Routledge
19. Miller, H.C. 1973. International law and marine archaeology. --. Belmont, Mass: Academy of Applied Science.
20. Marsden, P.R.V., McElvogue, D., & Mary Rose Trust. 2009. The Mary Rose : your noblest shippe : anatomy of a Tudor warship. Portsmouth: Mary Rose Trust.

21. Marsden, P.R.V. 2003. Sealed by time : the loss and recovery of the Mary Rose. Portsmouth: Mary Rose Trust.
22. Maarleveld, T.J. 2011. Ethics, Underwater Cultural Heritage, and International Law. The Oxford Handbook of Maritime Archaeology: p.917–941.
23. Miller, George L... "The Second Destruction of the Geldermalsen". Historical Archaeology 26.4 (1992): 124–131.
24. Marvin, W. 1858. A treatise on the law of wreck and salvage [electronic resource]. Boston: Little, Brown
25. Meijers, H. 1967. The nationality of ships. The Hague: Martinus Nijhoff.
26. O'Keefe, P.J. 2002. Shipwrecked heritage : a commentary on the UNESCO Convention on Underwater Cultural Heritage. Leicester, England: Institute of Art and Law.
27. Nafziger, J.A.R., & Paterson, R.K. 2014. Handbook on the law of cultural heritage and international trade. Cheltenham: Edward Elgar Publishing.
28. Pugh-Smith, J. 1996. Archaeology in law. London: Sweet & Maxwell.
29. Roberts, P. 2002. Taking to the water : English Heritage's initial policy for the management of maritime archaeology in England. London: English Heritage.
30. Rule, M. 1982. The Mary Rose : the excavation and raising of Henry VIII's flagship. London: Conway Maritime Press.
31. Steffy, J.R. 1994. Wooden ship building and the interpretation of shipwrecks. College Station: Texas A&M University Press.
32. Skeates, R., Mc David, C., & Carman, J. 2012. The Oxford handbook of public archaeology. Oxford: Oxford University Press
33. Spoerry, P. 1993. Archaeology and legislation in Britain. Hertford: Rescue.
34. Stratē, A. 1995. The protection of the underwater cultural heritage : an emerging objective of the contemporary law of the sea. The Hague ; London: Martinus Nijhoff.
35. Van Meurs, L.H. 1985. Legal aspects of marine archaeological research. Cape Town: Institute of Marine Law, University of Cape Town