

INTERNATIONAL JOURNAL FOR LEGAL RESEARCH AND ANALYSIS



Open Access, Refereed Journal Multi-Disciplinary
Peer Reviewed

www.ijlra.com

DISCLAIMER

No part of this publication may be reproduced, stored, transmitted, or distributed in any form or by any means, whether electronic, mechanical, photocopying, recording, or otherwise, without prior written permission of the Managing Editor of the *International Journal for Legal Research & Analysis (IJLRA)*.

The views, opinions, interpretations, and conclusions expressed in the articles published in this journal are solely those of the respective authors. They do not necessarily reflect the views of the Editorial Board, Editors, Reviewers, Advisors, or the Publisher of IJLRA.

Although every reasonable effort has been made to ensure the accuracy, authenticity, and proper citation of the content published in this journal, neither the Editorial Board nor IJLRA shall be held liable or responsible, in any manner whatsoever, for any loss, damage, or consequence arising from the use, reliance upon, or interpretation of the information contained in this publication.

The content published herein is intended solely for academic and informational purposes and shall not be construed as legal advice or professional opinion.

**Copyright © International Journal for Legal Research & Analysis.
All rights reserved.**

ABOUT US

The *International Journal for Legal Research & Analysis (IJLRA)* (ISSN: 2582-6433) is a peer-reviewed, academic, online journal published on a monthly basis. The journal aims to provide a comprehensive and interactive platform for the publication of original and high-quality legal research.

IJLRA publishes Short Articles, Long Articles, Research Papers, Case Comments, Book Reviews, Essays, and interdisciplinary studies in the field of law and allied disciplines. The journal seeks to promote critical analysis and informed discourse on contemporary legal, social, and policy issues.

The primary objective of IJLRA is to enhance academic engagement and scholarly dialogue among law students, researchers, academicians, legal professionals, and members of the Bar and Bench. The journal endeavours to establish itself as a credible and widely cited academic publication through the publication of original, well-researched, and analytically sound contributions.

IJLRA welcomes submissions from all branches of law, provided the work is original, unpublished, and submitted in accordance with the prescribed submission guidelines. All manuscripts are subject to a rigorous peer-review process to ensure academic quality, originality, and relevance.

Through its publications, the *International Journal for Legal Research & Analysis* aspires to contribute meaningfully to legal scholarship and the development of law as an instrument of justice and social progress.

PUBLICATION ETHICS, COPYRIGHT & AUTHOR RESPONSIBILITY STATEMENT

The *International Journal for Legal Research and Analysis (IJLRA)* is committed to upholding the highest standards of publication ethics and academic integrity. All manuscripts submitted to the journal must be original, unpublished, and free from plagiarism, data fabrication, falsification, or any form of unethical research or publication practice. Authors are solely responsible for the accuracy, originality, legality, and ethical compliance of their work and must ensure that all sources are properly cited and that necessary permissions for any third-party copyrighted material have been duly obtained prior to submission. Copyright in all published articles vests with IJLRA, unless otherwise expressly stated, and authors grant the journal the irrevocable right to publish, reproduce, distribute, and archive their work in print and electronic formats. The views and opinions expressed in the articles are those of the authors alone and do not reflect the views of the Editors, Editorial Board, Reviewers, or Publisher. IJLRA shall not be liable for any loss, damage, claim, or legal consequence arising from the use, reliance upon, or interpretation of the content published. By submitting a manuscript, the author(s) agree to fully indemnify and hold harmless the journal, its Editor-in-Chief, Editors, Editorial Board, Reviewers, Advisors, Publisher, and Management against any claims, liabilities, or legal proceedings arising out of plagiarism, copyright infringement, defamation, breach of confidentiality, or violation of third-party rights. The journal reserves the absolute right to reject, withdraw, retract, or remove any manuscript or published article in case of ethical or legal violations, without incurring any liability.

TREASURE, TERRITORY, TENSION: THE LEGAL PARADOX OF UNDERWATER CULTURAL HERITAGE

AUTHORED BY - S.S.DHANUSHKODI

Abstract:

Shipwrecks, sunken cities, ports and artifacts that have been submerged over a hundred years to create Underwater Cultural Heritage offer inimitable and invaluable information about the history of people, their migration, commerce, and technological advancement. The UNESCO convention (2001) on the protection of the Underwater Heritage is the key of its international protection, and sets a legal framework based on the principles of in-situ preservation, the ban on commercial exploitation, and the support of scientific research and public access. Regardless of such a legal basis, UCH is confronting the complex threats to UCH such as looting, commercial exploitation and natural and human induced erosion. Lack of jurisdiction further complicates the problem, particularly in the waters that border multiple countries. This paper is an analysis of the interdependency of legal, cultural aspects of UCH protection and the barriers to research due to financial, logistical limitations along-with the differences in the national capacities to monitor and enforce the same.

Keywords: UCH-Underwater cultural heritage, UNESCO-United Nations Educational Scientific and Cultural Organisation

I Introduction:

The different semantic definitions of UCH have changed overtime, making it a critical yet under-regulated domain, reflecting the richness of human history and the limitations of existing legal systems in protecting the UCH. It is essential to analyze its evolution over the last seven decades, from the 1950s Japan law acknowledging “intangible” elements with a primary focus on preserving “folklore”, to current shift in safeguarding the viability of such living heritages. Underwater cultural heritage means¹ “all traces of human existence having a cultural, historical or archaeological character which have been partially or totally under water,

¹ **Convention on the Protection of the Underwater Cultural Heritage**, Nov. 2, 2001, 41 I.L.M. 40 (2002), [UNESCO Official Text](#)

periodically or continuously, for at least 100 years” with the definition containing location & time as its main elements, while excluding contemporary installations, pipeline, submarines to ensure doctrinal clarity.

The object is to remain submerged for a significant timeframe, either partially or completely while also providing clear view on what constitutes UCH, excluding pipelines & submarine cables placed on the seabed, installations in use, objects less than 100 years, objects that naturally emerge underwater (coral reef), rock formations and those lacking cultural, historical or archaeological character, thereby narrowing the definition under 2001 UNESCO convention, while also recommending protection against shipwrecks unlike former 1982 UNCLOS & 1996 ICOMOS guidelines without definitional precision. Despite this normative evolution, technological advancements, enabling private actors to access deep sea environments and leading to instances of commercial exploitation pose significant challenges from the legal framework of UNCLOS that wasn't designed with cultural heritage protection as a primary concern. These tensions highlight the existence jurisdictional ambiguity, proposing a shift towards enforcement oriented model of governance.

II Legal Framework governing Underwater Cultural Heritage:

A. UNESCO:

²UNESCO's world heritage site initiative protects sites of cultural significance located all over the world by emphasizing state and governments authorities to prioritize conservation. The persistent gap for the protection of submerged heritage was addressed in the 2001 convention built on three core principles : In-situ preservation, Promotion of scientific research & Prohibition of commercial exploitation.

1. Legal framework:

UCH consists of traces of human activities of human existence that have been submerged for at-least 100 years holding archaeological value. However, the developments in marine environment and related technology have highlighted serious drawbacks in International frameworks which are established to protect such heritage.

² UNESCO, <https://www.unesco.org/en>

A central principle promoted by STAB³(State Parties and Scientific and Technical Advisory Body), plays an essential role in ensuring responsible underwater public access. The mechanism has made concrete recommendations for national laws, regulations and provided technical support to state parties such as Haiti, Panama and Madagascar, that faced problems due to under-licensed treasure hunting or scientific un-certainties. The UNESCO, binding 60 states acts as a blueprint. For instance, shipwreck remains, more than 20 centuries old to the modern shipwrecks from the world wars on Skerki banks⁴in International waters notified by Italy triggered immediate protection of the sites under UNSECO.

2. Limitations:

a) Politicization of World Heritage Governance

Over the past four decades, since establishment of world heritage center the scenario for preservation of global cultural heritage has evolved, leading to complexity of operations thereby exposing the convention to unprecedented challenges, due to overt politicization among the state parties. The member States of UNESCO⁵, are free to pursue their own national interest, maximize power and minimize transaction costs. Furthermore, the cultural bias among the member states to get sites located within their boundaries to get UNESCO recognition, that are not of “outstanding universal value” according to expert advisory bodies such as IUCN⁶& ICOMOS⁷ has become a matter of concern.

The Dresden Elbe valley in Dresden (Germany) inscribed on the world heritage list in 2004 for its cultural landscape value, became the second state following Arabian Oryx Sanctuary in Oman to get delisted due to their act of Construction of Walschlosschen Bridge even-after expert objections.⁸This depicts the overriding effect of developmental priorities beyond conservation that made the committee more political.

³ **Scientific and Technical Advisory Body (STAB)**, UNESCO, <https://www.unesco.org/en/underwater-heritage/stab>.

⁴ **Archaeological Expedition to Explore Shipwrecks in the Skerki Bank**, UNESCO (Aug. 21, 2022), <https://www.unesco.org/en/articles/archeological-expedition-explore-shipwrecks-skerki-bank>.

⁵ Francesco Francioni, **The UNESCO World Heritage Convention: A Legal Perspective**, 44 *Int'l J. Legal Stud.* 1 (2013), <https://www.journals.uchicago.edu/doi/10.1086/671136>

⁶ International Union for Conservation of Nature, *The IUCN Red List of Threatened Species*, <https://www.iucnredlist.org/>

⁷ International Council on Monuments and Sites, *What is ICOMOS?*, <https://www.icomos.org/what-is-icomos/>

⁸ UNESCO World Heritage Centre, *[Title of Article]*, <https://whc.unesco.org/en/news/522>

b) Economic Crisis

AS the convention's operational capacity relies on contributions from member states, the withdrawal of USA funding (eventually, membership) from UNSECO happened after accepting Palestine as a member state. In response, USA along with Israel suspended its contributions (22% of its Budget⁹), igniting the convention's financial crisis, despite voluntary contributions by countries such as Turkey, Qatar, Algeria and Gabon.

The crisis became visible especially during the 36th World heritage committee session in Russia. At the same time, cultural destruction in Mali (particularly Timbuktu) highlighted UNESCO'S limited capacity to intervene in armed conflict situations. Despite condemnation statements and calls for action, UNESCO lacked both the mandate and financial means to respond effectively to such incidents.

B. UNCLOS:

The United Nations Convention on the law of Sea (UNCLOS) as the primary global legal framework governing the world's seas and oceans, since 1994 by establishing maritime zones such as continental shelf, high seas, territorial sea, exclusive economic zones. While also introduced common heritage of mankind principle ¹⁰for deep seabed resources and created International tribunal for the law of sea for resolving disputes.

The following provisions outline the overall framework of UNCLOS

- Article 149: Provide that archaeological and historical objects found in the Area shall be preserved for the benefit of mankind
- Article 303: Imposes a duty on states to protect underwater archaeological and historical objects, but protects traditional salvage laws
- Article 192: Establishes a general obligation on States to protect and preserve the marine environment.¹¹

1. Legal framework:

⁹ Foundation for Defense of Democracies, *Not in the National Interest: U.S. Withdraws from UNESCO*, <https://www.fdd.org/analysis/2025/07/22/not-in-the-national-interest-u-s-withdraws-from-unesco/>

¹⁰ *Common Heritage of Mankind*, LawDefine (Apr. 2017), <https://lawdefine.blogspot.com/2017/04/common-heritage-of-mankind.html>

¹¹ https://www.un.org/depts/los/convention_agreements/texts/unclos/unclos_e.pdf

In the last half century, there was a widespread perception that a coastal state dissatisfied with International law of sea is free to change the law by itself by enforcing a unilateral claim. The concept of International law was considered to be more abstract and idealistic to warrant contributions from national legislators globally¹². Protection of the sea and its resources was viewed in the sovereign rights and bi-lateral interest angle, that continued even after 1958 Geneva Convention on the law of sea. The progressive development of International law was subsequent to the Erga Omnes obligations by International court of justice in the Barcelona Traction case¹³ judgment that marked a doctrinal turning point by recognizing obligations erga omnes, thereby laying the conceptual foundation for later community-interest regimes such as the environmental protection framework under UNCLOS, prior to which law of sea was governed by customary rules and practices based on the doctrine of mare liberum prioritizing freedom of navigation, usage of resources than collective responsibility

2. Limitations:

United Nation's Convention on The Law of Sea, does not explicitly define underwater cultural heritage. The drafting of various provisions was shaped by several factors that lead to interpretative issues. Art.149 provides that UCH "shall be preserved" or disposed of for the benefit of mankind creating an imprecise phrase while providing due regard to the protection of certain states. This state-centric approach lacks decision making authority and establishment of a hierarchy between "benefit of mankind" and "Preferential rights of States" leaving potential disputes unresolved.

Art.303 on the other hand, though persuades states to protect objects found at the sea, does not provide detailed standards or enforcement mechanisms. Another aspect is the lack of a specialized institutional framework to regulate the mineral resources while the existing International seabed authority (ISA) was not strong enough to manage UCH. All these deficiencies led to adoption of UNESCO convention on 2001 to provide clearer procedures and to prohibit commercial exploitation¹⁴

III Major Challenges to Underwater Cultural Heritages:

¹² Karin Mickelson, *Common Heritage of Mankind as a Limit to Exploitation of Natural Resources*, 30 Eur. J. Int'l L. ____ (2019), <https://www.ejil.org/pdfs/30/2/2968.pdf>

¹³ Edwin Egede, *Common*, in **Max Planck Encyclopedia of Public International Law** (Oxford Univ. Press), <https://opil.ouplaw.com/display/10.1093/law:epil/9780199231690/law-9780199231690-e101>

¹⁴ International Committee on Underwater Cultural Heritage (ICUCH), *UNCLOS Convention*, Int'l Council on Monuments & Sites, <https://icuch.icomos.org/resources/charters-and-conventions/unclos-convention/>

A. Jurisdictional Vacuum in the protection of Underwater Cultural Heritage in Areas Outside National Jurisdiction:

The interaction between coastal state rights, flag state jurisdiction, high seas freedoms, sovereign protection and commercial salvage law creates structural tensions, thereby making protection of UCH as one of the most legally complex area within the international law of sea. These conflicts are demonstrated in various disputes over states: The Nuestra Senora de las Mercedes case of 1804 that created a major confusion regarding jurisdiction over a foreign state's warship¹⁵, the applicability of foreign sovereign immunities act (FSIA). The foundation of dispute over jurisdiction occurs from the division of maritime zones under UNCLOS with the coastal states exercising full sovereignty within their territorial sea up-to 12 nautical miles, while exclusive economic zones extending up-to 200 miles. Though the coastal state has clear authority in territorial waters, positions in exclusive economic zones, continental shelf has become more complicated as UNCLOS grants coastal states the primary rights over natural resources.

A clear tension arises from flag state jurisdiction and protection of state interests as, coastal states cannot easily interfere with foreign vessels operating beyond territorial sea, even in a country's exclusive economic zone unless the vessel is indulged in illegal fishing, oil drilling or other illegal acts Coastal states do not have the legal authority to prevent foreign salvage work in their exclusive waters yet, flag states and usually choose business gain over preservation of heritage. The case referred to previously illustrates this conflict. The ongoing dispute over San Jose wreck off the Colombia coast has led to conflicting claims between Spain and other states, highlighting the lack of unified protection standard at the global level. The UNLCOS was designed to regulate navigation, maritime boundaries and resource exploitations with the heritage norms operating within a framework not originally created for them. While the subsequent UNESCO attempts to fill the gap, its effectiveness remains limited.

UCH protection in the jurisdiction of other countries like high seas and even in some sections of the continental shelf is a special problem, which indicates the non-existent and enforced jurisdictional framework, which leads to jurisdictional gaps. There is no single authority to establish control over the high seas causing legal ambiguity and increased vulnerability to exploitation. International laws though traditionally have jurisdiction based on territorial sovereignty, beyond 24 nautical miles contiguous zone,

oastal state jurisdiction remains restricted Conversely, in regions outside of national jurisdiction, enforcement is through the jurisdiction of flag state, which refers to the natural vulnerability of using flag state control alone. The other aspect of the jurisdictional vacuum is created by maritime salvage law. UNLCOS clearly maintains the applicability of the salvage, which emphasizes ownership and preservation of recovery, promoting the indirect exploitation of UCH. These significant gaps persist due to lack of a centralized enforcement authority and a limited enforcement capacity, leading to increased illicit recovery, legal uncertainty, loss of scientific & scientific value, inequality in protection standards.¹⁶

Scholarly analysis confirms the removal of high seas from national legal regulation along with the broad, non-operational provisions of the United Nations Convention on The Law of Sea¹⁷. The “Gap” in protection can be repeatedly identified particularly from the continental shelf beyond the 24 nautical mile limit. Fragmentation of legal authority, involving several competing jurisdictions has led to multiplicity of claims, often resulting in delays in decision making. Current scenario of UCH protection in the high seas is dealt with a patchwork system comprising of broad UNCLOS duties, ad hoc inter-state cooperation. Protection of RMS titanic¹⁸ by cooperative international agreements and Skerki¹⁹ bank project further as a more active model of multilateral collaboration, indicates the lack of a centralized authority in the spheres of national jurisdiction.

B. Conflicting Sovereign, Historical, and Flag State claims over Underwater Cultural Heritage:

In the high seas, normal shipwrecks unlike warships are generally subject to jurisdiction of flag state that relies on three elements of maritime law: physical identifications, digital tracking data and documentation²⁰. However, in reality, the sovereign immunity of the flag state remains weak, creating an edge for private salvors specializing in

¹⁶ Ole Varmer, *Closing the Gaps in the Law Protecting Underwater Cultural Heritage on the Outer Continental Shelf*, 33 *City. One* 251, 251–86 (2014), <https://law.stanford.edu/wp-content/uploads/2018/05/varmer.pdf>

¹⁷ Maksym Tsutskiridze, Oleksandra Krasnikova & Mykola Pohoretskyi, *Underwater Cultural Heritage: Regime and Jurisdiction Challenges*, 8 *Lex Portus* no. 3, at 58 (2022), <https://le>

¹⁸ History.com Editors, *Titanic*, HISTORY, <https://www.history.com/articles/titanic>

¹⁹ Sarah Kuta, *Archaeologist*, Smithsonian Mag. (Sept. 2, 2022), <https://www.smithsonianmag.com/smart-news/archaeologists-from-eight-countries-unesco-explore-skerki-banks-180980693>

²⁰ United Nations Convention on the Law of the Sea pt. VII, arts. 86–120, Dec. 10, 1982, 1833 U.N.T.S. 397, https://www.un.org/Depts/los/convention_agreements/texts/unclos/part7.htm1.,social%20matters%20concernin g%20the%20ship.

recovering lost items from the sea. These companies with huge reliance on salvage laws focus on economic recovery than heritage preservation, eventually discouraged by the modern cultural heritage law emphasizing on preservation. Judicial decisions such as *Odyssey Marine Exploration v. Spain*²¹ where U.S based salvage company alleged ownership over the vast quantity of coins from a shipwreck of Spanish warship with the U.S. court upholding Spain's claim, reinforces the principle of flags state rights as grounded in sovereign immunity. In contrast, the case of *USS Monitor* where USA designated the wreck site to be a protected marine sanctuary, prioritized scientific research and conservation over commercial exploitation along with enforcement of high standards of protection. The act of United Kingdom involving a private company in the recovery of the *HMS Victory (1744)*²² despite complete legal control, due to extremely expensive deep-sea operations led to a conflict of interest when states involve private actors, creating tensions between heritage preservation and commercial exploitation. Transformation of the governance from a discretionary state driven model into a regulated system with binding international oversight is crucial for protection of UCH from arbitrary state action.

The management of underwater cultural heritage is a complex legal conflict between state sovereignty and ancient *res communis* doctrine demonstrating a conflict between UCH being viewed as a common heritage of humanity and practical protection where it is subordinated to a decentralized architecture instead of a centralized one²³. The doctrine does not allow the one state to claim the sea or its riches, as sunken remains of silk road or colonial period galleons as being part of global trade, movement and technological transfer. This is frequently a conflict of sovereignties between the Coastal state that achieves jurisdiction by place and Flag state that achieves jurisdiction by origin with the international community that values public benefit over small property claims of state by promoting the idea of scientific preservation, Anti-commercialism and global guardianship, forcing states to be custodians of the UCH on behalf of the history of human kind and not as mere claimants²⁴.

²¹ *United States v. Campbell*, 743 F.3d 802 <https://law.justia.com/cases/federal/appellate-courts/ca11/10-10269/201010269-2011-09-21.htm>

²² BBC News, *HMS Victory: The English Channel's "Abandoned Shipwreck"*, <https://www.bbc.com/news/uk-england-47044932>

²³ *Underwater Cultural Heritage*, in **Encyclopedia of Maritime Archaeology** (Oxford Univ. Press 2017), https://link.springer.com/rwe/10.1007/978-3-319-68846-6_202-1

²⁴ Yingying Jing & Juan Li, *Who Owns U, Coastal Mgmt.* (2019), <https://www.tandfonline.com/doi/full/10.1080/08920753.2019.1540908>

C. Fragmentation between International legal frameworks and Domestic Jurisdictional Approaches:

The protection of underwater cultural heritage has been governed by co-existence of fragmented international legal regime: The law of sea, cultural heritage and salvage law. UNLCOS which was originally designed to regulate cultural heritage as the primary framework governing maritime spaces are broadly worded and lack appropriate mechanisms, resulting in the establishment of UNESCO to adopt a more specific regime focusing on in-principle approval, thereby prohibiting commercial exploitation and international cooperation.

However, this co-existence creates tensions between UNESCO and UNCLOS which focuses on accommodation of salvage rights resulting in lack of doctrinal coherence. Salvage law remains applicable in terms of the underwater object as recoverable property raising ethical and legal issues and the modern heritage principles focus on the preservation than recovery. Lack of a single legal system fosters a conflict of jurisdiction in a bid to harmonize universal value and state centric format whereby states that have high capabilities influence those with low capabilities to take legal loopholes. There exists comparable global body with regulatory and enforcement powers as in the case of deep seabed mining, which is regulated by the International Seabed Authority. Therefore, implementation is based on voluntary collaboration between states, which is not always consistent and is determined by conflicting national interests.

IV. Suggestions:

A. Establishment of Joint Maritime Heritage Patrol Units:

The lack of coordinated enforcement and not the lack of norms is one of the major weaknesses in protecting the Underwater Cultural Heritage (UCH). Despite the fact that coastal countries enjoy sovereignty in their territorial waters, as well as some of their Exclusive Economic Zones, there is no consistency in their effective monitoring. Outside the national jurisdiction, the enforcement is heavily relying on the control of the flag states, which is typically weak or commercially compromised. This fragmentation allows commercial salvors and underwater treasure hunters to take advantage of regulatory loopholes especially in deep-sea recovery activities that are well developed technologically.

An effective and structurally viable solution would be the formation of Joint Maritime Heritage Patrol Unit working on regional basis with the cooperation frameworks. Just like the organized efforts of anti-piracy operations, the states could share surveillance information, intelligence and inspecting powers on specific UCH protection. By incorporating heritage monitoring into the current maritime security systems, the states would shift towards litigation to proactive enforcement. Suspicious recovery vessels can be trailed and inspected and denied entry to ports where necessary before artefacts are scattered into the illicit markets. This type of cooperation would make practical the protective duty which is expressed in Article 303 of the United Nations Convention on the Law of the Sea and strengthen the preservation-first strategy required by the United Nations Convention on the Protection of the Underwater Cultural Heritage. This reform directly confronts jurisdictional fragmentation and technological acceleration to bring collective responsibility of UCH to a regional practice instead of a proclamation principle.

B. Establishment of Licensing Regime:

One of the biggest structural gaps in the governance of underwater cultural heritage would be resolved by the establishment of a binding global licensing regime of deep-sea recovery. Currently, there exists an uneven regulation of recovery operations in deep waters, especially outside the territorial waters, mostly based on flag state authority or national permission. This piecemeal method allows commercial salvors to play jurisdictional games, particularly in those states which do not have the capacity to monitor or where they do not have explicit legislation on heritage. The establishment of a deep-sea recovery permitting operation would provide uniformity in the permitting of operations because there are too many different organizations currently with the authority to permit these operations. The permitting system would require companies to apply for and obtain a permit prior to obtaining and recovering objects over 100 years old, and to comply with requirements for permits designed for science and preservation of history. This change would move the focus from solving problems after they happen to preventing them in the place. It would make it harder for people to take advantage of the situation and make sure those involved are more responsible.

V. Conclusion:

The management of underwater cultural heritage reveals a basic conflict in the international law of universal values and state-oriented implementation. Although such instruments as UNCLOS and UNESCO Convention are aware of UCH as a common heritage of humankind, their application is still not comprehensive across jurisdictions, legal frameworks, and national systems. Lack of a centralized enforcement system also makes protection weak, and allows commercially interested actors to take advantage of legal uncertainties. The issue of protecting UCH presents itself as an important one for international law in general, being yet another example of the conflict between sovereignty, economic considerations, and global obligations. The frameworks already provided under UNCLOS and the UNESCO Convention offer some initial groundwork; however, it does not go far enough to adequately solve the problem at hand. The adoption of the principle of stewardship and corresponding policies is crucial to overcoming this challenge. It would ensure that UCH is saved not just legally, but for all of humankind as well.

