Present Relevance of the «Brice Draft»: an Attempt to Harmonize the Salvage Convention 1989 and the Convention on the Protection of the Underwater Cultural Heritage

The object of the research is to demonstrate that the interest in the protection and conservation of underwater cultural heritage (and related considerations), on one hand, and navigation activity, on the other, can be well harmonized. The article reviews the main legal sources on the subject: UNCLOS (articles 149 and 303 in particular), the Salvage Convention 1989 and the CPUCH of 2001. As to the latter, the author reviews the definition of cultural underwater heritage and the question of commercialization and protection in situ. UNCLOS is considered to be the general legal source of the power increase granted by CPUCH to some Countries or groups of Countries, in the name of the general cooperation principle.

The author also argues that the Salvage Convention 1989 can be applied to underwater cultural heritage. The final part of the research focuses on the proposal to amend the Salvage Convention 1989, also known as the Brice Draft, which would harmonize the protection of underwater cultural heritage and navigation activity.