Pulling the plug on shipwreck pillaging

By Nicky Willemsen

Sunken ships have long captured the imagination of treasure hunters – and today is no different.

Divers who dive around the many shipwrecks off Nelson Mandela Bay frequently take souvenirs from these historical relics or even blast away pieces of copper, brass and lead to cash in at local scrap metal dealers – even though many of these ships are protected under the National Heritage Resources Act.

While the authorities are aware of the problem, it has been difficult to police – and the pillagers, some of whom have forged permits, have until now been able to get away with their illegal haul.

In a bid to protect these sunken ships, Nelson Mandela Metropolitan University’s Research Diving Unit spearheaded a unique ‘think tank’ for key law enforcement officers, with the aim of developing a plan across all agencies to effectively enforce the conservation of the Bay’s underwater cultural heritage.

The workshop, on Thursday, 22 March, was attended by the South African Heritage Resources Agency (Sahra), the South African Police Services (including police divers, explosive experts, border policing officers and the non-ferrous metal task team), the municipality’s Coastal and Environmental Services, Nelson Mandela Metropolitan University’s (NMMU’s) public law department and members of local recreational diving organisations.

Research Diving Unit head Anton Cloete said: ‘We are now in the process of finalising a comprehensive plan that will address this plundering, from the first report of a transgression by the public through to prosecution in court.’ One of the unit’s first tasks is to set up a local group of recreational divers to document these wrecks through video footage, thereby creating a baseline of evidence, which will enable them to monitor the plundering and provide evidence in court. Another is to set up a panel of experts, including Sahra and legal experts, who will be available throughout the investigation and prosecution process.

For a diver to remove anything from a shipwreck more than 60 years old, of which there are about 105 known wrecks in South African waters, a permit from Sahra is required. However, Jonathan Sharman, marine archaeologist and manager of Sahra’s Underwater Cultural Heritage Unit, said no Sahra permits had been issued for Port Elizabeth’s wrecks.

Along with the Sahra permit, a diver would need a salvaging licence from customs and permission from the

Underwater theft: The illegal pillaging of protected shipwrecks in South African waters is destroying the country’s underwater cultural heritage. Image supplied by the South African Heritage Resources Agency (Sahra) authorities managing the area, e.g., National Ports Authority or South African National Parks. Sharman said plans were on the cards to allow for the removal of items for archaeological or scientific purposes only, rather than commercial purposes, to safeguard vulnerable artefacts.

There is no Sahra legislation pertaining to the removal of items from wrecks younger than 60 years old – and one of the problems for law enforcement officers has been pinning down the wrecks from which goods had been removed. In Nelson Mandela Bay, there are only three wrecks younger than 60 years. While they do not require Sahra permits, salvagers must still obtain a number of other permits for these wrecks.

Sharman said South Africa’s wrecks were of national and international importance. ‘South Africa was the pivot of trade between the East and the West, resulting in a whole range of ships passing our coastline, and contributing to the 38 nationalities represented in this country. The ships passing back and forth contributed to how South Africa developed socially and politically – hence their being declared cultural heritage items.’

He said items had been pillaged from shipwrecks from as early as 1720 – but the advent of scuba diving after the Second World War had made it much more prolific. Pillaging was at its highest between the 1960s and 1980s when there were few regulations, and a number of pristine dive sites were destroyed. The current legislation makes it more difficult for divers to remove items from wrecks illegally and sell them to scrap metal dealers.

NMMU maritime law expert, Prot. Patrick Vranchen, said wrecks within 24 nautical miles of South Africa’s coastline were subject to South African regulations – and the country was bound to take action to protect these items of cultural heritage. Beyond 24 miles, they fall under international legislation.