

This present document certifies that:

The National Council of Cultural Heritage of Cuba (hereafter: CNPC), an agency of the Ministry of Culture of the Republic of Cuba, with its statutory office at Calle 13, no. 810, esquina 4, Vedado, Plaza, Havana Province, Cuba, represented for the purposes of this agreement by Gladys María Collazo Usallán in her capacity as President of the CNPC;

AND

The Cultural Heritage Agency of the Netherlands (hereafter: RCE), part of the Ministry of Education, Culture and Science of the Netherlands, with its registered office at Smallepad 5, 3811 MG Amersfoort, the Netherlands, represented by Martijn Manders in his capacity as Head of the Maritime Programme of the RCE;

Each recognising the legal personality with which the other Participant approves this instrument, decide to conclude this Memorandum of Understanding in keeping with the following

DECLARATIONS:

The CNPC of Cuba and the RCE of the Netherlands express their common intention to establish a nexus of collaboration between both institutes that will enable them to continue developing the historical and archaeological research project entitled '**The Dutch Presence in Cuban Waters**', with the aim of deepening knowledge of both their countries' historical and cultural heritage, through the investigation of wrecks of Dutch origin. In doing so, they will ensure that all the activities under this partnership are in accordance with the applicable legislation of both countries and in keeping with the spirit of the UNESCO Convention on the Protection of the Underwater Cultural Heritage (2001) and its Annex.

On the basis of these declarations, the Participants have come to the following understanding:

- The CNPC, representing the Government of the coastal state (Cuba), possesses the legal authority to carry out specialist activities in the field of the management and protection of underwater cultural heritage, including archaeological research and the organisation of exhibitions. It also has the experience and the specialist staff needed for these activities, and the capacity to convene suitable specialists and related research programmes of other Cuban institutions.
- The RCE representing the Government of the Flag state (The Netherlands) of some of the government owned shipwreck (West India Company (WIC), East India Company (VOC), Admiralty and navy ships).

The Participants will cooperate in sharing data, doing research, protecting, creating awareness and capacity building in underwater cultural heritage management with a focus on the shared maritime heritage between the Netherlands and Cuba. They will build upon the results of previous research by the Maritime Services Agency (Seromar S.A.) and the RCE during earlier stages of the project 'The Dutch Presence in Cuban Waters'. Reflecting the Participants' interest in establishing and sustaining a collaborative relationship, these activities will all serve the fundamental objective of carrying out research related to underwater archaeology, while ensuring that none of the activities undertaken as part of this relationship are in conflict with either country's legislation on cultural heritage, and that all these activities will be carried out in the spirit of the UNESCO Convention on the Protection of the Underwater Cultural Heritage (2001) and its Annex, to which Cuba is a party.

The Participants decide the following:

- Assist each other in the study and conservation of maritime heritage resources of Dutch origin.
- Encourage staff, teachers of maritime archaeology, doctoral students, professionals in its historic shipwrecks programme, and other appropriate researchers to work together on mutually agreed projects, subject to the availability of funds and staff.
- Facilitate access to each other's resources. Facilitate access to archeological sites, information, conservation and research centers within the framework of collaboration; that can contribute to the development of the project.
- Work together to identify sources of financial and other support for jointly sponsored projects.
- Cooperate in strengthening Cuba's capacity to manage its underwater cultural heritage and its archaeology, and on capacity building projects in other areas, for example through UNESCO training courses, with a focus on the Caribbean and Latin American regions.
- Support the publication and distribution of literature that is highly valued by institutions.
- Take all necessary steps to further cooperation through an exchange of views on activities to be pursued, taking account of the Participants' experience, competences and expertise.
- Prepare and implement common strategies and programmes for areas of common interest.
- Work together to organise joint public exhibitions in both Cuba and the Netherlands on the results achieved.
- Work closely with the Embassies of both countries in the Netherlands and Cuba in taking decisions and organising projects within the framework of this Memorandum of Understanding.

Nature of the collaboration:

- The Participants have come to an understanding on the development of the historical and archaeological research project 'The Dutch Presence in Cuban Waters', which will proceed on the basis of mutual consent of the Participants and which may involve third parties if approved by the Participants. The arrangement will enshrine the general conditions approved by the Participants. Supplements will be concluded to ensure the implementation of each phase of the project or the attainment of each of its objectives, and to set the specific conditions for each phase and objective. The supplements will be an integral part of the Memorandum of Understanding.

One: Contributions of the Participants (RCE and CNPC)

As Participants to this Memorandum of Understanding, the CNPC and the RCE have equal rights and equivalent responsibilities. They both intend to carry out the project as set out in this proposal, and will work together with every confidence that they will attain this objective.

The RCE will – as far as necessary - finance the cost of the activities for each phase of the project, after drawing up a budget in consultation and agreement with the CNPC.

This collaboration will be channelled through the approval of an international collaboration project, where the CNPC, as counterpart, will be responsible for processing, in accordance with current legislation: the documentation and procedures required in the country (visa procedures, import of equipment, work permits and bank procedures).

- Both the CNPC and the RCE will keep their respective Embassies informed of progress in implementing the projects, and will request their advice, as appropriate, in taking decisions on activities and actions that ensue from the implementation of this Memorandum of Understanding.



Two: Objectives of the project

- Contribute to the conservation, protection and dissemination of Cuban underwater heritage through the investigation of wrecks of Dutch origin
- Joint research of shared Dutch – Cuban maritime heritage
- Joint protection efforts for shared maritime heritage
- Joint presentation of shared maritime heritage
- Capacity building in underwater cultural heritage management and archaeology

Three: Settlement of differences

The Participants will resolve amicably any differences arising from the interpretation or implementation of this Memorandum of Understanding.

Four: FINAL PROVISIONS

This Memorandum of Understanding will become effective on the date of signature and be valid for a period of five (5) years, and will remain effective thereafter for successive period of five (5) years, unless one Participant informs the other, in writing, its decision to terminate this Memorandum of Understanding by giving three months' notice.

The termination of this Memorandum of Understanding will not affect the validity and duration of any activities made under this Memorandum of Understanding until their completion.

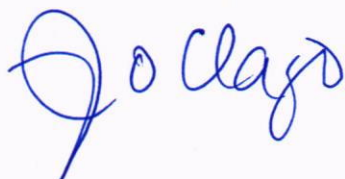
The budget for its implementation will depend on the sources available, the logistical requirements of each objective to be pursued, and will be drawn up jointly.

This Memorandum of Understanding does not create any rights or obligations under international law.

The foregoing record represents the understanding reached between CNPC and RCE on matters referred to therein.

Signed in duplicate in Havana, Cuba, on July 11th 2018, in the English and Spanish languages, both texts having equal validity.

Gladys María Collazo Usallán, M.Sc.
President, CNPC



Dr. Martijn Manders
Head of the Maritime Programme, RCE

