Paradigm
reference-global.com Ovidius University Annals Series: Civil Engineering, Year 27, 2025
DOI: 10.2478/ouacsce-2025-0009

International Regulations on Archaeological Heritage

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***Abstract* – This article examines the evolution and structure of international regulations governing archaeological heritage, highlighting the ways in which international law has incorporated the epistemological specificities of archaeology into a coherent and increasingly normative legal framework. The analysis traces the progressive development of norms from UNESCO's early recommendations in 1956 and 1968, through the 1969 European Convention on the Protection of the Archaeological Heritage and its revised version, the Valletta Convention (1992), to the 2001 UNESCO Convention on the Protection of the Underwater Cultural Heritage. The study identifies a convergence of fundamental principles, including public interest, integrated conservation, preventive archaeology, minimal intervention, State responsibility, and international co-operation, all of which contribute to the legal recognition of archaeological heritage as a non-renewable and collective resource for humankind. It further addresses contemporary challenges related to implementation, such as pressures arising from economic development, the increased vulnerability of underwater heritage, and persistent illicit trafficking. The article argues that the effectiveness of archaeological heritage protection depends on strengthening international cooperation, improving administrative capacity, and bringing domestic legislation into alignment with global standards. Overall, the study proposes an integrated vision of international archaeological heritage law, in which conservation functions as an essential dimension of collective memory, identity, and intergenerational responsibility.**

Keywords* – *archaeological heritage, international law, integrated conservation, preventive archaeology, Valletta Convention, UNESCO 2001.

1. INTRODUCTION

The protection of archaeological heritage has become, in recent decades, one of the central themes in international cultural heritage law, reflecting a profound shift in the way the international community understands and values the material traces of the past. Whereas in the nineteenth century and the first half of the twentieth century archaeological remains were viewed predominantly as collectable objects, liable to extraction, trade, or transfer between states depending on historical and political circumstances, they are now recognised as non-renewable resources that carry scientific, cultural, and identity-related information, and whose safeguarding constitutes a common interest of humankind. This conceptual transformation has generated the need for a coherent international legal framework capable

of transcending the limits of domestic legislation and providing uniform mechanisms for conservation, prevention, control, and co-operation.

The specific nature of archaeological heritage characterised by fragility, non-renewability and contextual dependence and by its high susceptibility to immediate degradation, justifies sustained regulatory intervention at the international level. Any action undertaken on an archaeological site, whether accidental or intentional, may lead to irretrievable loss: once archaeological information is destroyed, it cannot be reconstructed, and an artefact removed from its stratigraphic context becomes a mute object devoid of scientific significance. This reality reconfigures the role of states from mere administrators or owners of remains to genuine custodians of a collective legacy [1]. Consequently, international law does not confine itself to merely recommending best practices; it establishes binding obligations, imposes technical standards, and formulates fundamental principles governing the treatment of archaeological heritage.

The development of international regulations in the archaeological field is closely linked to the political and social transformations of the twentieth century. Following the Second World War, the extensive destruction of cultural heritage led the international community to recognise the necessity for institutionalised protection, resulting in the creation of UNESCO and the adoption of universal normative instruments. The 1956 UNESCO Recommendation on International Principles Applicable to Archaeological Excavations constitutes the first crystallisation of a shared normative framework, affirming that archaeological activities must be strictly regulated and that states bear responsibility for controlling interventions on archaeological sites [2]. Subsequently, the 1968 UNESCO Recommendation concerning the Protection of Cultural Property Endangered by Public or Private Works broadened the scope of protection by introducing the premise of preventive archaeology, which would later become a cornerstone of European legal instruments.

In Europe, the evolution of archaeological heritage protection has been shaped by several key interventions of the Council of Europe, culminating in the 1969 European Convention on the Protection of the Archaeological Heritage and, more decisively, in the 1992 Valletta Convention. The latter remains the defining document of European archaeological heritage law, enshrining principles such as integrated conservation, contextual protection, the prioritisation of preventive investigations, the responsible financing of archaeological work, and the obligation of states to incorporate archaeological considerations into spatial planning and development policies. The Valletta Convention fundamentally redefined the relationship between development and conservation, transforming archaeology from a strictly scientific activity into a strategic instrument of public planning.

Underwater archaeological heritage has necessitated a distinct regulatory regime due to the heightened vulnerability of submerged sites and the absence of adequate mechanisms within traditional maritime law. The 2001 UNESCO Convention on the Protection of the Underwater Cultural Heritage represents the first international instrument offering a comprehensive definition of submerged heritage, establishing the principle of in situ conservation, prohibiting commercial exploitation of wrecks, and establishing a cooperative framework among coastal states [3]. Despite its advances, the Convention's implementation remains uneven and continues to face significant challenges of monitoring and enforcement.

From the perspective of international law, archaeological heritage exhibits an essential duality: although territorially situated within a state, it represents at the same time resource of common interest to humankind, as its contribution to historical knowledge transcends political boundaries. This dual nature, both national and universal, creates a structural tension between state sovereignty and international obligations of preservation. On the one hand, states retain exclusive jurisdiction over the sites located on their territory;

on the other hand, they are required to ensure the protection of archaeological heritage for the benefit of humanity. International regulations seek to reconcile this tension by providing a harmonised normative framework in which conservation principles prevail over competing economic interests, and co-operation and responsibility become defining elements of archaeological practice.

Despite this extensive regulatory architecture, significant challenges persist. The illicit trafficking of artefacts, armed conflict, urban development pressures, climate change, and the inherent difficulties of protecting underwater heritage highlight the need for more robust domestic implementation of international instruments and stronger monitoring mechanisms. Moreover, the effectiveness of these norms depends substantially on the administrative, financial, and scientific capacity of each state. In countries where resources are limited or inter-institutional cooperation is weak, archaeological heritage remains vulnerable, and international principles risk being reduced to declarative provisions lacking practical effect. [4].

Against this background, the present article undertakes a systematic examination of the evolution of international regulations governing the protection of archaeological heritage, identify the core legal principles underpinning this field, and assess their impact on national legislation, with particular reference to Romania. The study seeks to articulate an integrated understanding of international archaeological heritage law as a dynamic normative system founded on prevention, integrated conservation, state responsibility, and the safeguarding of access to knowledge.

2. The Evolution of the International Normative Framework on Archaeological Heritage

The evolution of international legal norms concerning archaeological heritage reflects the maturation of a field that, for a long time, was regarded as the exclusive prerogative of individual states. Only in the second half of the twentieth century did the international community begin to recognise that the material traces of the past cannot be regarded as belonging exclusively to a single national jurisdiction but constitute an essential resource for humanity as a whole [5]. As archaeology became increasingly professionalised and as archaeological heritage was subjected to intensifying pressures arising from illicit trafficking, urban expansion, and major infrastructure projects, the development of a coherent international legal framework became both necessary and unavoidable.

The earliest attempts to internationalise the protection of archaeological heritage emerged during the interwar period, in a context marked by the proliferation of private collections and by the rising interest of Western countries in artefacts from the Near East and North Africa. Although these early initiatives did not result in binding legal instruments, they generated significant doctrinal debate regarding the need for common standards in archaeological research. Following the Second World War, the widespread destruction of cultural heritage and the recognition of its vulnerability prompted the international community to create UNESCO, an institution that would subsequently play a decisive role in shaping the evolution of international heritage norms.

A turning point came with the adoption of the 1956 UNESCO Recommendation on International Principles Applicable to Archaeological Excavations. Although non-binding, this document represents the first coherent formulation of a shared international vision regarding how archaeological investigations should be conducted. The Recommendation establishes that the state is the primary custodian of archaeological remains, that prior

authorisation is mandatory for any intervention, that excavations must be carried out by trained specialists, and that the archaeological context must be protected with the same rigour as the artefacts themselves. It also introduces obligations of notification and documentation, as well as the notion that unauthorised removal or export of archaeological objects constitutes a serious infringement of the public interest [6]. These principles rapidly influenced national legislation and laid the groundwork for an emerging international system of protection.

The rapid development of infrastructure in the 1960s prompted UNESCO to adopt, in 1968, a second normative recommendation: the Recommendation concerning the Protection of Cultural Property Endangered by Public or Private Works. Unlike the 1956 document, this instrument is centred on the interaction between modern development and archaeological heritage, explicitly acknowledging that economic progress may cause irreversible damage unless preceded by archaeological assessment. This marks the emergence of the concept of preventive archaeology, understood both as an obligation to undertake scientific investigations prior to construction and as an obligation of the developer to fund such investigations. Although still non-binding, the 1968 Recommendation holds decisive conceptual importance, as it positions archaeology at the centre of territorial planning policies.

This evolution was further strengthened in 1969 when the Council of Europe adopted the first legally binding international treaty dedicated exclusively to archaeological heritage: the European Convention on the Protection of the Archaeological Heritage, signed in London. This document marked the entry of archaeology into the domain of classical international law. It defines archaeological heritage as "traces of human existence," recognises its public character, and obliges states to establish protected areas, prevent clandestine excavations, authorise only qualified researchers, and cooperate in combating illicit trafficking. Through this treaty, the protection of archaeological heritage became a shared objective of European states, rather than merely an internal administrative matter.

The territorial and economic transformations of Europe in the late 1980s led the Council of Europe to adopt Recommendation R(89) on the protection and enhancement of the archaeological heritage in spatial planning. This document recognises archaeological heritage as a factor of cultural and tourism development, emphasising the need for a balance between conservation and modernisation. It advocates for the integration of archaeological heritage into territorial and urban strategies, thereby reinforcing the idea that heritage protection is not a constraint on development but a condition for sustainable development.

The modern legal consolidation of archaeological heritage protection occurred in 1992 through the adoption of the Valletta (Malta) Convention, which revised and expanded the 1969 convention. The Valletta Convention is, without doubt, the most significant document in the development of European archaeological heritage law. It establishes the principle of integrated conservation, asserting that archaeological heritage must be taken into account at all stages of urban and rural planning. It enshrines the priority of preventive archaeology over rescue excavations, meaning that prior investigation of threatened land becomes the rule, while emergency excavation becomes the exception [7]. The Convention also introduces the principle of minimum intervention, emphasising that excavation is inherently destructive and must be used only when in situ preservation is not feasible. A further essential element is the financial responsibility of developers, who are required to cover the costs of archaeological work arising from their projects. At the same time, the Convention reaffirms states' obligations to collect, preserve, and disseminate the results of archaeological research, reinforcing the public nature of archaeological knowledge.

In the field of underwater archaeology, international legal regulation developed considerably later, despite the heightened risks faced by submerged heritage. The adoption of the 2001 UNESCO Convention on the Protection of the Underwater Cultural Heritage

constitutes a decisive moment. For the first time, an international instrument provides a detailed definition of underwater heritage and establishes the general principle of in situ conservation. The Convention prohibits commercial exploitation of wrecks and imposes clear responsibilities on coastal States regarding monitoring and authorisation of interventions. Unlike earlier instruments, the 2001 Convention contains extensive technical annexes detailing the procedures for investigation, conservation, and documentation of underwater sites, reflecting the need for a specialised approach in a domain where technical risks and economic incentives and pressures are particularly significant.

Taken together, these instruments have reshaped the way states engage with archaeological heritage. They have shifted protection from an exclusively national interest to a shared international responsibility, standardised research and conservation procedures, and created the basis for robust international cooperation [8]. Although implementation varies across states, the normative impact of these conventions is undeniable, contributing to the consolidation of a global protection system grounded in cooperation, prevention, and intergenerational responsibility.

3. Fundamental Legal Principles of the International Protection of Archaeological Heritage

The international legal framework concerning archaeological heritage rest upon a set of legal principles that reflect both the specificity of the object of protection and the evolving understanding of the role heritage plays in contemporary society. Developed progressively through instruments with varying normative force, from recommendations and conventions to detailed technical annexes, these principles have gradually acquired a quasi-mandatory character, decisively shaping national legislation as well as the practices of public administration and the academic community [8]. Examining these principles allows for a deeper understanding of the philosophy underpinning the international protection of archaeological heritage and highlights the manner in which the law has integrated the epistemological particularities of archaeology into a normative framework capable of responding to societal needs.

A first fundamental principle is that of the public interest in the conservation of archaeological remains. Although archaeological objects may be located on private land or within areas under the exclusive jurisdiction of a state, their documentary nature transforms the information they contain into a universal resource. The international community has recognised that the traces of the past transcend the logic of private property and, in certain respects, even that of territorial sovereignty, as they provide indispensable data for understanding the evolution of human civilisation. This perspective justifies robust state intervention in the strict regulation of archaeological activities, as well as the creation of international mechanisms of coordination, monitoring, and cooperation. In this sense, the protection of archaeological heritage is not a cultural luxury but an obligation deriving from the imperative to preserve a non-renewable resource.

A second central principle is integrated conservation. Explicitly formulated in the Valletta Convention but foreshadowed in UNESCO instruments of the 1950s and 1960s, this principle affirms that archaeological heritage cannot be effectively protected in the absence of its integration into urban, rural, and infrastructural development policies. Archaeological strata cannot be separated from their physical environment, and the contextual relationships they embody are often more significant for scientific knowledge than the objects themselves. Consequently, conservation cannot be an isolated act aimed

solely at preserving museum objects; it must instead become an integral component of territorial planning processes. Under international law, integrated conservation presupposes the prior identification of sites, the performance of heritage impact assessments for development projects, the design of construction solutions that enable the protection of stratigraphy, and, in certain cases, the in-situ preservation of remains. This principle fundamentally reshapes the relationship between development and heritage, transforming archaeological protection from a reactive activity into a proactive one.

Closely connected to integrated conservation is the principle of prevention, which constitutes the cornerstone of contemporary archaeological governance. Preventive archaeology expressly recognised in the Valletta Convention and referenced in numerous UNESCO instruments, is founded on the idea that interventions affecting archaeological heritage must be anticipated rather than addressed retrospectively. In practice, this principle translates into obligations to conduct archaeological assessments prior to approving infrastructure projects, to create databases and maps of identified heritage, to establish zones with archaeological potential, and to align urban planning regulations with conservation requirements. Prevention has a dual function: it reduces the risk of accidental destruction of heritage, and it lowers the financial and scientific costs associated with emergency salvage excavations, which are often less effective than preliminary investigations [9]. Through this mechanism, international law succeeds in harmonising the needs of modern society with the imperatives of conservation, avoiding the transformation of archaeology into a bureaucratic obstacle.

Another defining principle is minimum intervention, formulated in response to the traditional perception that excavation is the primary means of archaeological investigation. From a scientific standpoint, excavation is a destructive act: once archaeological layers are removed, the context is lost irretrievably. International law acknowledges this irreversible character and restricts excavations to situations in which they are necessary either for well-founded scientific purposes or when a site is directly threatened by development. The optimal model, consistently promoted by legal instruments, is in situ conservation, considered the approach that best preserves the authenticity, integrity, and documentary value of archaeological heritage. Excavation thus becomes a last resort, not a routine practice.

The principle of state obligation to protect lies at the foundation of the entire international regime. Although each state exercises regulatory competence within its territory, international instruments establish a minimum set of measures that must be adopted: identification and inventory of heritage; creation of authorising bodies; control of archaeological research; sanctions against clandestine excavations; prohibition of illegal export; collection and preservation of archaeological information; and the elaboration of public policies for heritage protection. In the case of underwater heritage, these obligations are even stricter, given the heightened risk of destruction and the difficulties of monitoring submerged environments [10]. The state's obligation to protect is grounded in the idea of custodianship, not ownership: the state does not "own" heritage in a patrimonial sense but administers it on behalf of society.

Complementing these principles is the obligation to ensure access to knowledge. Although not always expressed explicitly, this obligation derives from the public character of archaeological heritage. The information resulting from research cannot be retained exclusively by a single researcher or institution; it must be integrated into a scientific and cultural circuit accessible to the wider community. International conventions emphasise the publication of reports, the digitisation of archives, researcher access to documentation, and the dissemination of results to the general public. This dimension transforms archaeology

into a collective process of knowledge-production and reinforces the identity-forming role of heritage.

A principle of particular contemporary relevance is international cooperation. Illicit trafficking of artefacts, cross-border movement of cultural goods, underwater discoveries in exclusive economic zones, and armed conflicts demonstrate that archaeological heritage cannot be effectively protected in isolation. Both UNESCO and the Council of Europe have developed cooperation networks, notification procedures, and mechanisms for technical assistance [12]. The 2001 2001 UNESCO Convention on the Protection of the Underwater Cultural Heritage emphasises cooperation among coastal states, while European conventions encourage information exchange and collaborative expertise. Cooperation is not merely a moral imperative but a legal necessity arising from the mobility of objects and the transnational nature of archaeological research.

Finally, the principle of intergenerational responsibility gives the protection of archaeological heritage an ethical and temporal dimension. Archaeological heritage is not solely a resource for the present but a legacy for future generations, who have the right to encounter the past in its authentic forms. This responsibility imposes implicit limits on immediate economic interests and obliges states to adopt decisions that privilege long-term conservation. In this sense, international law reflects a growing consensus on the need to integrate cultural heritage into the broader concept of sustainable development.

Through all these principles, the international law of archaeological heritage has evolved into an autonomous legal field with its own internal logic and objectives that extend beyond the traditional boundaries of cultural property protection. It does not merely regulate objects but constructs a complex normative system that addresses context, information, research processes, and the relationship between society and its past. This system constitutes the foundation upon which states, including Romania, build their domestic legislation and administrative practices.

4. Major International Instruments and Their Legal Architecture

The international legal architecture governing the protection of archaeological heritage has developed gradually, through the accumulation of instruments with varying juridical force, each contributing to the consolidation of a normative corpus that reflects both the scientific specificity of archaeology and the regulatory needs of a continuously evolving society [11]. These instruments are not autonomous; rather, they operate as an integrated system in which UNESCO recommendations, Council of Europe conventions, and UNESCO sectoral conventions create a coherent framework oriented toward conservation, prevention, and state responsibility. An examination of these instruments provides deep insight into the manner in which international law approaches archaeological heritage and highlights the transition from fragmented protection measures to a complex and multidimensional regime.

The first globally significant instrument is the 1956 UNESCO Recommendation on International Principles Applicable to Archaeological Excavations. While it does not establish legally binding obligations, it functions as a conceptual charter of modern archaeology, setting forth a series of ethical and professional principles that decisively influenced subsequent normative developments. The Recommendation affirms for the first time, within an international framework, the public nature of archaeological heritage, which is indispensable for understanding human history. It establishes that archaeological activity must be subject to prior state authorisation, that it may only be

conducted by qualified specialists, that reporting and documenting discoveries constitute fundamental obligations, and that the extraction of objects without respecting their archaeological context is contrary to scientific interest. Through these principles, the 1956 Recommendation creates the foundation of an international regime in which the state becomes guarantor of the public interest and archaeology is perceived not as an isolated activity, but as a complex process requiring regulation and oversight.

In 1968, UNESCO adopted a second fundamental document: the Recommendation concerning the Protection of Cultural Property Endangered by Public or Private Works. This was the first instrument to address explicitly the relationship between development and heritage, recognising the danger posed by accelerated modernisation to archaeological sites. The Recommendation introduced the idea of integrating archaeology into land-use planning processes, emphasising that infrastructure projects must be preceded by archaeological studies and that investors must contribute financially to the protection of the heritage they affect. This perspective radically transforms the role of archaeology in society: the discipline ceases to be solely an academic endeavour and becomes an essential component of sustainable development. The 1968 Recommendation effectively foreshadows the juridical paradigm later consolidated in the Valletta Convention, forming the conceptual foundation of preventive archaeology, which today defines European public policy.

Although UNESCO documents exerted global influence, the European system for archaeological heritage protection evolved through the adoption of legally binding conventions. The first such instrument is the 1969 European Convention on the Protection of the Archaeological Heritage, adopted by the Council of Europe. This convention marks a conceptual break from earlier regulations, transforming UNESCO's ethical principles into precise legal obligations for signatory states. It defines archaeological heritage as the entirety of "traces of human existence" and obliges states to identify and delimit sites, establish protected zones, prevent clandestine excavations, and authorise only qualified researchers. Through this convention, archaeological heritage becomes a regulated domain in which interventions are controlled by public authorities and international cooperation is essential for combating illicit trafficking.

In 1989, the Council of Europe strengthened the territorial dimension of protection through the Recommendation R(89) on the Protection and Enhancement of the Archaeological Heritage in the Context of Town and Country Planning. The document recognises archaeological heritage as a strategic resource for cultural and tourism development and underscores the need to integrate heritage protection into urban and rural development plans. The importance of this recommendation lies in its shift from an exclusively protective logic to a vision of sustainable development in which heritage becomes an element of cultural infrastructure. Recommendation R(89) paved the legislative way for the adoption of the Valletta Convention, the instrument that would redefine the relationship between heritage and development.

The 1992 Valletta (Malta) Convention represents the fundamental legal instrument in European law on archaeological heritage. It revises and expands the 1969 convention, adapting it to new socio-economic realities. The Convention consecrates the principles of integrated conservation, prevention, and minimal intervention—derived from UNESCO Recommendations—while conferring them binding legal force. It obliges states to inventory their heritage, establish official registers, create protected areas, and integrate archaeological heritage into urban planning [5]. A core element is the financial responsibility of developers, who must bear the costs of preventive archaeological investigations. This provision radically alters the dynamics between heritage and

development, as protection costs are no longer borne solely by the state but are distributed proportionally to the economic benefits of the project. The Convention also requires states to collect, conserve, and disseminate archaeological information, establishing access to knowledge as an integral part of heritage protection. Thus, archaeological archives become cultural assets in their own right, and their management acquires juridical significance.

For underwater heritage, the international legal architecture is defined by the 2001 UNESCO Convention on the Protection of the Underwater Cultural Heritage. This is the first international convention dedicated exclusively to submerged heritage, a distinct category requiring specialised regulation. The Convention affirms in situ preservation as the general rule, in contrast with the traditional practice of recovering and displaying shipwrecks. It explicitly prohibits the commercial exploitation of underwater heritage and imposes clear responsibilities on coastal states regarding monitoring and authorisation of interventions in territorial waters and exclusive economic zones. A distinctive feature of the Convention is its extensive technical annex, which contains detailed rules on underwater excavations, conservation procedures, reporting requirements, and the management of international cooperation. This annex functions as a binding deontological code, reflecting both the technical specificity of underwater research and the necessity of globally uniform practices.

Taken together, these instruments have reshaped the way states approach archaeological heritage. They shifted protection from a domain of exclusive national interest to one of shared responsibility, standardised research and conservation procedures, and laid the groundwork for strong international cooperation [7]. Although implementation varies across states, the normative impact of these conventions is indisputable, contributing to the consolidation of a global protection system based on cooperation, prevention, and intergenerational responsibility.

The international legal architecture is therefore characterised by the overlapping of soft-law norms, UNESCO recommendations with hard-law norms, Council of Europe conventions and the 2001 UNESCO Convention forming a flexible yet effective framework. This layered structure allows regulations to adapt to diverse situations without sacrificing the core binding principles. Furthermore, the international regime for archaeological heritage stands out by protecting not only material objects, but also archaeological context and information, recognising that the fundamental value of heritage lies in knowledge, not in materiality.

The major international instruments governing archaeological heritage form a coherent normative system in which the principles of integrated conservation, prevention, minimal intervention, state responsibility, and international cooperation coexist in a unified structure. This legal architecture has transformed archaeology from a purely scientific discipline into an area of juridical, political, and ethical responsibility, where heritage protection transcends the cultural sphere to become a component of sustainable development and collective identity.

5. CONCLUSION

The analysis of the evolution and structure of international regulations on archaeological heritage reveals the profound transformation of this field, which has shifted from fragmented protection dependent on the internal preferences of states to a complex, articulated legal regime aimed at sustainable conservation. Owing to its

documentary nature, the fragility of its stratigraphic context, and the non-renewable character of the information it contains, archaeological heritage has necessitated the development of an international normative framework capable of transcending national borders and establishing common standards for protection, intervention, and research.

The international instruments examined, ranging from the UNESCO Recommendations of the 1950s and 1960s to the European Convention for the Protection of the Archaeological Heritage, the Valletta Convention, and the 2001 UNESCO Convention on the Protection of the Underwater Cultural Heritage, represent successive stages in a normative construction in which foundational principles have been refined, expanded, and adapted to new realities. These instruments do not merely articulate technical obligations; they reflect a paradigm shift in the way the international community understands the relationship between heritage and society. The focus has moved from protecting isolated artefacts to protecting archaeological context; from ad hoc intervention to preventive policies; from private ownership to collective responsibility; from autonomous scientific activity to the integration of heritage into development planning.

One of the most significant outcomes of this process is the consolidation of the principle of integrated conservation, which has radically redefined the role of archaeological heritage in contemporary society. Today, heritage protection can no longer be confined to reactive measures or emergency interventions but must form part of a broader system of urban planning, territorial development, and resource management. The Valletta Convention articulated this vision most coherently, establishing that archaeological heritage and development are not contradictory objectives, but complementary components of responsible public policy [3]. This understanding has rebalanced the relationship between public interest and private interests, granting priority to conservation whenever necessary to preserve the integrity of archaeological remains.

At the same time, the shift from a national to an international perspective has enabled the development of cooperation mechanisms without which heritage protection would be ineffective. The mobility of artefacts, the diversity of site types, the specificity of underwater heritage, and the global risks associated with illicit trafficking all require coordinated action among states, cultural institutions, international organisations, and the academic community. International conventions provide the legal framework needed for such cooperation, ensuring procedural compatibility and facilitating the exchange of information, expertise, and resources.

Another important contribution of international instruments is the consolidation of the principle of minimal intervention, which reflects a mature understanding of the archaeological nature of heritage. Excavation, as a method of research, is inherently destructive, and this characteristic imposes heightened responsibility. International law clearly affirms that excavation should be used only when indispensable, and that in situ conservation represents the preferred solution. Although this rule faces practical difficulties in implementation, it remains a fundamental benchmark for conservation policies, guiding state decisions toward long-term solutions.

Regarding underwater archaeological heritage, international regulations have created an unprecedented legal framework. The 2001 UNESCO Convention was the first instrument to acknowledge the particularities of the underwater environment and establish rules tailored to it, beginning with the principle of in situ preservation and extending to the prohibition of commercial exploitation of shipwrecks [8]. The convention reflects a maturation of international law, which has become capable of integrating highly specialised fields and responding to complex technological, scientific,

and economic challenges. Although its implementation remains uneven and many states have not yet adopted adequate domestic regulations, the convention remains a cornerstone for the future development of submerged heritage protection.

The analysis also reveals several persistent challenges. First, the implementation of international regulations depends on the administrative, financial, and technical capacity of states. While conventions provide a general normative framework, transposing their provisions into domestic legislation requires significant resources, professional training, and adequate infrastructure, particularly for inventorying, documenting, and conserving heritage. Second, economic development pressures, especially in urban areas and in the vicinity of strategic infrastructure, may lead to compromises between conservation and modernisation, complicating the application of preventive principles. Third, the illicit trafficking of archaeological goods remains a global phenomenon, fuelled by international market demand and the vulnerability of sites, which underscores the need for more effective cooperation among states.

Despite these difficulties, the analysed international regulations have succeeded in creating a global culture of archaeological heritage protection. They have formed a conceptual and legal framework in which conservation is not merely a technical or moral option, but a legal obligation derived from responsibility toward the past and toward future generations. This legal culture is reflected both in modernised national legislation and in the professional practice of archaeologists, conservators, curators, urban planners, and policymakers.

Consequently, the effectiveness of the international protection system depends on the continued modernisation of legislation, the strengthening of institutional capacity, and the intensification of international cooperation. Archaeological heritage is not only a witness to history but also a resource for cultural identity, scientific research, and sustainable development. Its protection therefore requires an integrated, multidisciplinary approach, continuously adapted to contemporary challenges.

In conclusion, international regulations on archaeological heritage represent an exemplary case of normative evolution in which law responds to the needs of science and society. They have succeeded in transforming archaeology from an elitist pursuit into a domain of global public interest, where conservation becomes part of a shared responsibility essential for understanding and transmitting the memory of humanity.

6. REFERENCES

[1] UNESCO *Convention on the Protection of the World Cultural and Natural Heritage*, 1972, available at UNESCO World Heritage Centre - Convention Concerning the Protection of the World Cultural and Natural Heritage

[2] Duțu A. (2014), *Le patrimoine environmental. Innovation et progrès juridique*, Ed. of the Romanian Academy, Bucharest

[3] Duţu, M., Lazar, A. Predescu, O. (2018), *Legal protection of cultural and natural heritage*, Bucharest: Ed. of the Romanian Academy & Ed. Universul Juridic

[4] Munteanu Florea, I., Mirea, M., Susu, C. (2020), *Public Governance and Cultural Heritage: Exploring the Links between Culture and Social Indicators with the Principal Component Analysis*, IntechOpen, doi: 10.5772/intechopen.90793

[5] Herciu, M., Ogrean, C., Mihaiu, D., Serban, R., Aivaz, K.A., Tichindelean, M. (2023), *Improving business models for the circular economy: developing a framework for circular fashion*, Transformations in Business & Economics, vol. 22(3), pp. 305-325

[6] Stan, M.I., Aivaz, K.A., Vintilă, D.F., Ioniţiu, I. (2021), *Assessing the perception of stakeholder regarding the impact of coastal tourism on the environment in the romanian black sea coastal area*, Journal of Eastern European and Central Asian Research (JEECAR), vol. 8(4), pp. 628-639, https://doi.org/10.15549/jeecar.v8i4.695

[7] Aivaz, K. A., Stan, M. I., Vintilă, D. F. (2021), *Drivers for Development Triggered by the Trilogy Tourism-Underwater Cultural Heritage-Environmental Protection*, in Maritime Spatial Planning, Ovidius University Annals, Economic Sciences Series, vol. 21(2), pp. 2-11, https://doi.org/10.61801/OUAESS.2021.2.01

[8] Braşoveanu F. (2023a), *The Impact of Regional Development on the Environment*, Ovidius University Annals, Economic Sciences Series, vol. 23(1), pp. 42-49

[9] Braşoveanu F. (2023b), *The Role of Legislation and Legal Institutions in Promoting Sustainable Development at the Regional Level*, Ovidius University Annals, Economic Sciences Series, 23(1), pp. 50–57.

[10]. Frier P.-L. (1997), *Droit du patrimoine culturel*, Éd. PUF, Paris

[11]. Philippe Ch.-A. Guillot (2017), *Droit du patrimoine culturel et naturel*, 2e edition, Éd. Ellipses, Paris

[12]. Duţu, M. (2017), *CULTURAL AND NATURAL HERITAGE UNDER THE PANEL OF LAW*, Roman Pandects, (6), pp. 11-14