



**5 MSP**

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**UNITED NATIONS EDUCATIONAL, SCIENTIFIC  
AND CULTURAL ORGANIZATION**

**CONVENTION ON THE PROTECTION OF THE UNDERWATER CULTURAL HERITAGE**

**MEETING OF STATES PARTIES**

**Fifth Session**  
**Paris, UNESCO Headquarters, Room XI**  
**28-29 April 2015**

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This document contains the draft summary record of the fourth session of the Meeting of States Parties to the Convention on the Protection of the Underwater Cultural Heritage (Paris, UNESCO Headquarters, 28/29 May 2013). States Parties may submit comments by email to [u.guerin@unesco.org](mailto:u.guerin@unesco.org) and/or in hard copy to the Secretariat of the Convention until the fifth session of the Meeting.  
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**Item 2 of the Provisional Agenda:**

**Summary Record of the Fourth Session of the Meeting of States Parties**

1. The fourth session of the Meeting of States Parties (hereinafter “the Meeting”) to the Convention on the Protection of the Underwater Cultural Heritage (hereinafter “the Convention”) took place at UNESCO Headquarters in Paris, on the 28 and 29 May 2013.
2. An **Exchange Day** on Underwater Cultural Heritage took place the previous day, on 27 May 2013, at UNESCO Headquarters accompanied by two photo exhibitions. The Exchange Day, generously funded by Spain, inspired the debate of the session. It featured interventions on the most pressing issues of underwater cultural heritage protection, on the latest discoveries and the importance of making this heritage more accessible and visible. It was opened by Ms Mechtild Rössler, Deputy Director of the World Heritage Centre and Mr Jesús Prieto de Pedro, Director General of Fine Arts, Cultural Heritage, Archives and Libraries at the Ministry of Education, Culture and Sport in Spain.
3. The fourth Meeting of States Parties was attended by participants from 25 States parties to the Convention, observers from 22 States not party to the Convention and 11 non-governmental organizations. UNESCO provided the Secretariat. A list of participants is available from the Secretariat upon request.

### **I. Opening Ceremony**

4. The session was opened on Tuesday, 28 May 2013 at 10 a.m. by Ms Irina Bokova, **Director-General of UNESCO**. In her address, she greeted the participants of the Meeting and reminded them of the importance of the Convention in the struggle against the pillaging and commercial exploitation of underwater heritage, drawing attention to the many dangers threatening submerged archaeological sites. Ms Bokova stressed that safeguarding the world’s heritage has always been one of UNESCO’s priorities, and that the extensive and most significant underwater cultural heritage should enjoy the same protection as land heritage. She also mentioned the many achievements since the Convention came into force: the activities organized by UNESCO to support the promotion and implementation of the Convention, including numerous training activities and regional meetings; the creation of a children’s underwater heritage programme; the organization of worldwide exhibitions and scientific conferences; the publication of two manuals; and the first meeting of the UNITWIN Underwater Archaeology network in Turkey, bringing together leading universities from all over the world. She underlined, however, that more action is required worldwide to protect underwater cultural heritage. In closing, she called on all States to accelerate the ratification of the Convention and stressed the need for strong Operational Guidelines to facilitate its implementation.

### **II. Election of a Chairperson, the Vice-Chairpersons and a Rapporteur of the Meeting** *(Item 1 of the Agenda, Document UCH/13/4.MSP/220/1)*

5. The Secretariat addressed Agenda Item 1, the **election of the Bureau**. Mexico proposed H.E. Mr Khalil Karam, Ambassador and Permanent Delegate of Lebanon to UNESCO, as **Chairperson** of the Meeting.
6. France, the Islamic Republic of Iran, Mexico and Nigeria were proposed as **Vice-Chairpersons** and Mr Viktor Vakhonieiev from the Ukraine was proposed as **Rapporteur**. The Bureau was subsequently elected by acclamation by **Resolution 1 / MSP 4**.

7. The Secretariat explained that on this occasion no oral rapport would be prepared by the **Rapporteur**, given the short time available for debates. However, the Rapporteur would make sure that the decisions of the Meeting are accurately reflected.
8. The newly elected **Chairperson** thanked the participants for their confidence and recalled that, in accordance with Article 27 of the Convention, only those States that had deposited their instrument of ratification of the Convention at least three months prior to the Meeting, i.e. before the 28 February 2013, could be considered States Parties for the present session. The Chairperson then drew attention to Rule 2.2 of the Rules of Procedure of the Meeting and informed the States Parties that no separate accreditation process was foreseen for inter-governmental organisations and non-governmental organisations observers participating in the session.

### **III. Adoption of the Agenda**

*(Item 2 of the Agenda, Document UCH/13/4.MSP/220/2)*

9. The agenda was adopted as amended in **Resolution 2 / MSP 4**, following the request by France, Italy and Romania to examine Item 5 before Item 4.

### **IV. Adoption of the Summary Record of the third session of the Meeting of States Parties**

*(Item 3 of the Agenda, Document UCH/13/4.MSP/220/3)*

10. The Chairperson proposed the approval of the draft Summary Record of the third ordinary session of the Meeting held on 13 and 14 April 2011. This record (see document *UCH/13/4.MSP/220/3*) had been made available in advance. Mexico, as a State Party, requested to add a clarification on page 10 of the Summary Record of the third session. This request was accepted by the Meeting.
11. The Representative of Saint Lucia, with the support of Mexico, requested that a new resolution be added to Item 3 of the Agenda to henceforth discuss the Secretariat report as a separate and standing item on the Agenda of the Meeting of States Parties. With the aforementioned amendment the Summary Record was adopted by **Resolution 3 / MSP 4**.

### **V. Report by the Secretariat on its Operational Activities**

*(Item 3 of the Agenda, Document UCH/13/4.MSP/220/INF.1)*

12. The Chairperson invited the Secretariat to introduce the operational activities it had undertaken since the last session of the Meeting and to provide information on its future plans. The Secretariat presented *UCH/11/3.MSP/220/INF.1*, illustrating its actions for the promotion of the ratification and the implementation of the Convention including its capacity-building and awareness-raising activities. These include the organization of training courses, exhibitions, regional meetings and scientific conferences, the creation of the UNITWIN-network, the publication of a training manual and the Manual for Activities directed at Underwater Cultural Heritage, outreach to youths through children books, cartoons and a new website, a photo exhibition at UNESCO and an Exchange Day on Underwater Cultural Heritage on the 27 May 2013.
13. Activities planned for the commemoration of the centenary of World War I were also addressed, including the possibility of establishing an international research network, organizing a commemorative event, publications and a scientific research conference on the Gallipoli and Jutland sites. The Secretariat underlined that WW I underwater heritage has not been sufficiently researched and made accessible for the general

public, and that the war's centenary could be an opportunity for peace building, international cooperation and reconciliation.

14. The Secretariat also noted that the first notification of a shipwreck, using the UNESCO form available in the (not yet approved) Operational Guidelines, was submitted to the Secretariat by Italy. In closing, the Secretariat thanked all States, in particular Spain, as well as non-governmental organizations and other partners, without which many of these activities could not have been organized, drawing attention to the very **limited budget and staff foreseen for the Convention**.
15. The Chairperson opened the floor to the Delegations for comments.
16. The Representatives of Saint Lucia, Mexico and Italy congratulated and **thanked** the Secretariat for the work accomplished, despite the difficult financial situation of the Organization. Saint Lucia asked the Secretariat if there had been any contributions made to the Convention's fund. The Secretariat answered that this was not the case. It had not called for funding because the States Parties had not yet approved the Operational Guidelines. The Secretariat ensured Saint Lucia that it would call for funding as soon as the Operational Guidelines would be approved.
17. The Representative of Mexico inquired how the Secretariat envisioned the upcoming tasks regarding the ratification process. The Secretariat replied that a lot of progress had been made and that the outlook was positive, as many States were currently considering ratification.
18. With respect to the promotion of ratification and the implementation of the Convention, the Representative of Italy applauded the Exchange Day on Underwater Cultural Heritage, which provided useful information. It was noted that the number of States Parties and the spirit of the Convention were growing, as was shown by the case of the galley *Mercedes*, presented eloquently by James Goold and Elisa de Cabo at the Exchange Day on Underwater Cultural Heritage symposium. Italy also gave clarification on its notification of a Roman shipwreck filled with amphora, situated at the north-western Italian coast in the port of La Spezia.
19. The Representative of Saint Lucia then asked whether the Director-General was sufficiently promoting the Convention. The Assistant Director-General for Culture, representing the Director-General, answered that Ms Bokova, as much as himself, strongly promotes and supports the ratification of the Convention as one of the priorities of UNESCO in the field of culture.
20. Tunisia asked for more activities in the **Arab region**, bearing in mind the increasing number of countries ratifying the Convention in that area. It also stressed that increased public outreach is needed to support the implementation of the Convention. The Secretariat informed the Meeting that it planned to support a major Congress on Underwater Archaeology in Tunisia in October 2013 and a meeting on virtual representation and imagery in Alexandria as well as training activities in Turkey in the course of 2014. The Secretariat also mentioned that on the Exchange Day, the Honor Frost Foundation gave a presentation highlighting the funding possibilities for activities in the East Mediterranean region, including Lebanon, Syria and Cyprus.

## VI. Election of the Members of the Advisory Body

*(Item 5 of the Agenda, Document UCH/13/4.MSP/220/5)*

21. The Meeting of State Parties examined Item 5 on the Agenda, concerning the **election of six members of the Scientific and Technical Advisory Body**. The Secretariat informed the Meeting on the candidatures received.
22. **Eight candidatures** had been received and had been circulated among the States Parties. It was recalled that, according to Rule 23 of the Rules of Procedure, half of the members of the Advisory Body are elected for a term of four years, while the other half is elected for a two year mandate. This resulted in six vacant seats on the Advisory Body. The Chairperson pointed out that, according to the Rules of Procedure of the Meeting of States Parties (Rule 25.1) and in view of the eight candidatures for six seats, an election might need to be conducted by secret ballot. The Secretariat reminded the Meeting that the States Parties should consider the principles of **equitable geographical distribution, gender balance, rotation** and of course the **expertise of the candidates**.
23. Before proceeding to the election of the members of the Advisory Body, the Meeting discussed the **geographical distribution** based on the information provided by the Secretariat, which showed that Group I and II had proposed an exceeding number of candidatures compared to the seats which would be allotted under the principle of equitable geographical distribution. In view of the eight candidatures from six different groups for six vacant seats and the geographical distribution of the candidates, the Meeting had to decide how many seats each group would be allocated.
24. The Representatives of Italy, France, Portugal and Spain proposed that Group I maintain its representation up to the level of 2 persons, bearing in mind that the States Parties in Group I possess considerable resources to carry out underwater archaeological exploration. The Canadian Delegation, as an observer, also stressed that the States Parties in Group I are historically great naval powers, and have a relatively high number of shipwrecks.
25. The Representative of Mexico reminded the States Parties that they should focus on the expertise and experience of the experts, rather than relying on political reasoning.
26. The Islamic Republic of Iran noted that the Asia-Pacific region is one of the richest regions in the field of underwater cultural heritage, and that equitable geographical distribution is imperative for the worldwide promotion of the Convention and its ratification.
27. The Meeting decided to postpone the election of the six candidates to the afternoon to allow for ballot and voting preparation.
28. In the afternoon, the States Parties resumed the discussion. Croatia drew attention to Rule 22.2 of the Rules of Procedure, which allows for an increase of the number of members of the Advisory Body up to 24; however this proposal was not supported by the majority of the States Parties. The Meeting then proceeded to vote by secret ballot to determine to which group (Group I or Group II) a 'floating seat' would be allocated. Mexico and Nigeria served as tellers. 25 States Parties voted, resulting in 16 votes for Group I and 9 votes for Group II. The floating seat would be allocated to Group I. Thus, the second round of the vote consisted of the election of one of the three candidates in Group II.

29. The **election of the members of the Advisory Body** by secret ballot in accordance with Rule 25 of the Rules of Procedure was then carried out in the afternoon. Mexico and Nigeria served as tellers. The Meeting decided by **Resolution 5 / MSP 4** to elect the following six candidates to the Advisory Body:

- **Group I:** Mr Michel L'Hour (France) (floating seat);
- **Group II:** Mr Constantin Chera (Romania);
- **Group III:** Ms Dolores Elkin (Argentina), Ms Maria Elena Barba Meinecke (Mexico);
- **Group IV:** Mr Seyed Hossein Sadat Meidani (Islamic Republic of Iran);
- **Group V (b):** Ms Ouafa Ben Slimane (Tunisia).

## **VII. Consideration and Adoption of the Report and the Recommendations of the Scientific and Technical Advisory Body**

*(Item 4 on the Agenda, Document UCH/13/4.MSP/220/4)*

30. The Chairperson informed the Meeting that the second Meeting of the Scientific and Technical Advisory Body (hereinafter the "**Advisory Body**") took place at UNESCO Headquarters in Paris on 15 April 2011, immediately after the Third Meeting of States Parties. A third meeting of the Advisory Body was held on 19 April 2012, also at UNESCO headquarters in Paris. The second meeting drafted two recommendations, while the third meeting issued seven recommendations, as detailed in the Advisory Body's report, (document *UCH/13/4.MSP/220/4*).

31. On the Chairperson's proposal, the recommendations of the Advisory Board were reviewed. The Delegate of Saint Lucia opened the discussion by asking for **clarification on language** used in the Recommendations of the Advisory Body, especially in regard to two items – **virtual access** and the **UNESCO Model Sheet for Inventories**. The Republic of Cameroon, Cuba, Grenada, the Islamic Republic of Iran, Italy, Mexico, Nigeria, Ukraine, and Saint Vincent and Grenadines agreed with Saint Lucia and insisted that the language regarding the information to be requested from the States Parties to improve virtual access and to create national inventories in paragraph 16 and 17 of document *UCH/13/4/220/4* be specific and that it should be made clearer that these items were indeed separate items.

32. Ms Dolores Elkin, the Representative of Argentina, acting as the Chairperson of the Advisory Body, declared that a majority of the members considered the diffusion of information on underwater heritage to be essential, as long as it did not carry any risk for the site. She added that each State Party could decide what specific information it wanted to provide concerning virtual access and that the question of national inventories was to be separated from that of virtual access. Constantin Chera from Romania seconded this position, and added that in regard to virtual access, the exact location of underwater cultural sites could or, in some cases should, be kept from the general public, whereas heritage as such should be further made visible by virtual access and the dissemination of information.

33. The Representative of Mexico stated that the Meeting should distinguish between the information needed for the national inventories, and the information needed for general dissemination and public awareness-raising.

34. Ms Elkin proposed that the term 'information' be specified with the amendment 'as long as it does not put the integrity or the safety of the underwater cultural heritage site at risk'. This proposal was supported by Mexico and Spain.

35. France commented that the UNESCO Model Sheet was intended to facilitate the implementation of the Convention on a national level with the States Parties, and the description of the kind of information the States Parties were supposed to provide was deliberately kept vague so as to allow each State Party to decide which information it wanted to provide on its (own) inventory. The Representative of Tunisia also stressed the fact that the UNESCO Model Sheet for Inventories was an **indicative sheet** to allow the States Parties to create their own national inventories, and was not devised as a tool for awareness-raising. The Representatives of Grenada, Mexico, Saint Lucia, Spain, France and Saint Vincent and Grenadines proposed to suspend the discussion on paragraph 16 until the next day in order to draft an amendment in which the Model Inventory Sheet would be a stand-alone document, separated from awareness-raising issues. The Representatives of Bulgaria, Grenada and Mexico volunteered to prepare a draft for the next day.
36. The Representative of Italy then asked for clarification on another item used in the UNESCO Model Sheet for Inventories, i.e. the use of the term '**de-accessioning**' and suggested that it should be amended to 'removal'. Ms Elkin explained the term 'de-accessioning', highlighting the abuse of the procedures for the removal of cultural objects from museums for the commercial exploitation of underwater cultural heritage. The Representative of France reminded the Meeting that the aim was to condemn the commercial exploitation of underwater cultural heritage. It therefore proposed that the term 'de-accessioning' be replaced by 'alienation'. The Representative of Spain then suggested adding the word 'sale' to the term 'removal', so that it was clear that the removal and **sale** of objects coming from underwater cultural heritage sites was not in line with the Convention's Rules.
37. On the morning of 29 May 2013, the Meeting resumed the discussion on paragraphs 12, 16 and 17 of the recommendations of the Advisory Body and on the UNESCO Model Sheet for Inventories. Grenada gave an update of the work done by the drafting group proposing amendments to paragraphs 8 and 16. The Representative of Grenada explained that, because paragraph 8 already referred to Article 22.1 of the Convention, regarding the establishment, maintenance and updating of an inventory of underwater cultural heritage, the model inventory sheet should be mentioned there. The Representative of Grenada underlined that inventories following this model could only be created and managed by national authorities, and not used for public awareness-raising. The drafting group also proposed to add a subparagraph specifying that the States Parties are encouraged to develop their own underwater cultural heritage register sheets. The Representatives of France, Libya, Cuba, and Italy expressed their support for the amendments.
38. Concerning the Model Sheet for Inventories, annexed to the recommendations, the Representative of Bulgaria suggested some mainly scientific amendments. The full adoption of the recommendations was hence suspended until the Model Sheet was discussed and finalized. The sheet was later distributed to be discussed again and was adopted later in the day. The Representative of Tunisia once again reminded the States Parties that the indicative Model Sheet for Inventories was intended for *indicative* purposes, meaning that every country could adopt their own version of the inventory sheet. The Delegate of Nigeria agreed that the Model Sheet for Inventories was flexible enough.
39. The Representatives of Saint Vincent and Grenadines then noted that the overall recommendations were ambitious. The Secretariat responded that the recommendations listed in paragraph 5 were *recommendations*. Each State Party should try to implement them, but was not forced to do so in the event that it lacked the means to do so. The Chairperson concurred with the Secretariat, adding that the

recommendations needed to be ambitious to spur the States Parties into action. The Delegate of Romania, Constantin Chera, spoke as a member of the Advisory Body when stating that each State Party could apply and amend the recommendations of the Advisory Body to their own national legislations. Italy, Spain and Croatia shared the views expressed by Romania.

40. In the afternoon, after the Meeting had the opportunity to review the amendments made on May 28 and in the morning of 29 May 2013, the Model Sheet for Inventories as well as all recommendations of the Advisory Body were adopted unanimously by **Resolution 4/MSP 4**, as amended.

#### **VIII. Consideration and Adoption of the Change of Statutes of the Advisory Body** *(Item 6 of the Agenda, Document UCH/13/4.MSP/220/6)*

41. After the end of the initial discussion on Recommendations of the Advisory Body, the Chairperson proceeded to the proposal to change the statutes of the Advisory Body. He recalled that in accordance to the Rules of Procedure of the Meeting of States Parties, the Advisory Body has 12 members, but in all three previous meetings of the Advisory Body, some members had been absent due to professional constraints, illness or changed positions at their institutes. In many cases, a replacement had been sent to the meetings of the Advisory Bodies, but the function had been understood to be a personal function and no replacement was accepted. In the last meeting of the Advisory Body it was acknowledged that this posed a problem, especially in the case of a definitive absence of a member. Therefore, the Secretariat had drafted a draft resolution regarding the possible change of Statutes of the Advisory.
42. The Representative of Mexico, supported by the Delegate of Tunisia, voiced its concern about replacements in exceptional situations. They were especially worried that, if a member of the Advisory Body could not attend a meeting, the State they were representing would be allowed to nominate a replacement. This could be an issue since the replacement might not be as qualified as the expert he or she was replacing. Mexico therefore proposed that, in the case of an absence or vacation of a seat, the position would remain vacant until the election of a new member by the Meeting of States Parties.
43. The Delegate of Saint Lucia suggested a compromise: the next time the Meeting of States Parties would elect members of the Advisory Body, they would simultaneously elect an alternate for each expert, so that in case of absence, he or she would be automatically replaced. The Representatives of Albania, Honduras, Nigeria, Cuba, Italy, France, Saint Vincent and Grenadines and Croatia seconded this proposal.
44. The Mexican Delegation proposed that the alternate-system would only be functioning until the next Meeting of States Parties, not for the experts' full term. The Delegate of Albania also supported this proposal. The discussion was then suspended until the following day.
45. On the morning of 29 May, the Delegate of Saint Lucia reported that, after consulting with several other States Parties, it had become clear that most Delegations were uncomfortable with any change of the Statutes and proposed to withdraw the proposal.
46. The Delegations decided by show of hands that the discussion on the subject would be set aside for later consideration. **Draft Resolution 6/ MSP 4 was therefore not adopted.**



## **IX. Consideration and Adoption of the Operational Guidelines** (Item 7 of the Agenda, Document UCH/13/4.MSP/220/7)

47. The **Chairperson** turned to the examination of the Operational Guidelines for the Convention submitted by the Working Group of sixteen States Parties. The Working Group last convened on 24, 25 and 26 September 2012 and submitted the draft text to the fourth Meeting of States Parties. Mexico, which had chaired the Working Group, provided explanations on the work of the Group and the text made available in document *UCH/13/4.MSP/220/7*. It gave an overview of the most important changes made to the document resulting from the considerations from the States Parties at the third session of the Meeting of States Parties; the numbering of the paragraphs in the document would henceforth be continuous; there would be some language revisions in chapters I and III; and Chapter VII had been deleted and replaced by a new chapter, concerning the logo of the Convention. Mexico also reminded the States Parties that chapters I and III had been adopted at the third session of the Meeting of States Parties. It concluded by thanking all the members of the Working Group for their active participation and constructive proposals, UNESCO for its practical cooperation, the Government of Spain for financing translation services, and the Secretariat for its work on the different texts.
48. Regarding **Chapter II**, France voiced its **concern over paragraph 26**, saying that the obligatory notification of every single find through official **diplomatic channels** was restrictive and **highly impractical**; the number of discoveries to be notified was simply too large. The French Delegation therefore suggested that it should at least be made clear in the wording that only new discoveries outside of national waters and in the Economic Exclusive Zone and Area should be reported via diplomatic channels. The Secretariat drew attention to Article 9.3 and 11.2 of the Convention, that indeed make clear that only finds and activities in international waters have to be notified.
49. The Representative of Italy stressed that the Operational Guidelines could not deviate from the text of the Convention and that it was not necessary to put this into clearer terms. This position was shared by the Representatives of Saint Lucia, the Islamic Republic of Iran, Argentina, Honduras, Mexico, Romania, Nigeria, and Spain.
50. The Delegate of France took note, but remained convinced that paragraph 26 of the Operational Guidelines should be amended.
51. The Chairperson then led the adoption of the chapter and paragraph 26 was adopted as it was originally drafted. The rest of Chapter II was adopted without further comments.
52. During the discussion on **Chapter III**, Honduras drew attention to a spelling error in paragraph 55 of section L in the Spanish version of the Operational Guidelines. While the English and French versions read that the States Parties were 'encouraged' to share information, the Spanish version read that the States Parties 'must' share information, which was considerably different. The Chairperson thanked the Delegate of Honduras for pointing out this error.
53. **Chapters IV, V and VI** were adopted without further discussion.
54. The Meeting turned to the discussion on **Chapter VII**, regarding the **logo** of the Convention.
55. The Representative of Saint Lucia explained that this Chapter had not been examined by the Working Group. Instead, it had requested the Secretariat to draft a

text based on the Operational Guidelines of other Conventions. The Delegate of Saint Lucia suggested that it should, contrary to the current proposal, not be compulsory to use the logo of the Convention and the logo of UNESCO together, but rather to use the examples of the guidelines of the 2005 Convention; stating that the use of the two logos next to each other should be strongly encouraged, but not be mandatory. The logo of the 2001 Convention should have its own legal nature in order to preserve the authority of the meeting of States parties over it, and it should therefore be possible to use the two logos separately.

56. Then the Meeting of States Parties discussed the forms annexed to the Operational Guidelines.
57. The Representative of Argentina called for clarification on the term 'ruin' in form 1 of the Operational Guidelines and then suggested that it be omitted completely, as it could cause confusion with the word 'structure'. Spain and Mexico agreed. The term 'ruin' was removed.
58. The next day, on 29 May 2013, the Meeting of States Parties resumed the discussion on **Chapter VII**. The Delegate of Saint Lucia declared again that Chapter VII on the logo had never been discussed in a working group, or in an ordinary session of the Meeting of States Parties. The chapter needed to be revised, so it suggested requesting the Secretariat to draft a new chapter to be circulated for discussion among the States Parties and to be presented at the next Meeting of States Parties. The Representatives of Saint Vincent and Grenadines and Mexico voiced their support for the proposal. After a short debate on the question, the request was made to the Secretariat to propose a new draft and to circulate it, since this chapter could not be discussed at the present session.
59. By **Resolution 6/ MSP 4**, the Meeting of States Parties adopted the full, amended Operational Guidelines on 29 May 2013, Chapter VII excluded<sup>1</sup>.
60. The Chairperson then declared the debate on the logo open in order to provide the Secretariat **direction** for its new draft.
61. The Delegate of Saint Lucia underlined that the regimes for the **logo of UNESCO** and the **logo of the Convention** should be **used separately**. Should the official logo of the Convention integrate the UNESCO logo, the General Conference and the Executive Board of UNESCO should have the prerogative to use it. Therefore, separate guidelines for the logo of the Convention should be drafted, and it should be only **strongly recommended** that it be **used in combination with the UNESCO logo**, as per practice of other UNESCO Conventions in the field of culture. The Delegate of Saint Lucia also pointed out that it is stated in the Operational Guidelines that only the statutory organs can authorize the use of the logo, but it later refers to the Advisory Body, which is only a subsidiary organ. The Representative of Saint Lucia clarified that the Advisory Body could use the logo, but that it was the Meeting of States Parties alone that could authorize its use. This prerogative could, under normal circumstances, and as to be determined in the Operational Guidelines, be delegated to the Secretariat. Another issue was the commercial use of the logo. The Delegate of Saint Lucia questioned what was to be understood under 'commercial

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<sup>1</sup> By error this has not been reflected in the text of the resolution during its adoption. The Resolution reads: RESOLUTION 6/MSP 4 - The Meeting of States Parties, in its fourth session,

1. *Having examined document UCH/13/4.MSP/220/7 REV 2,*

2. *Thanks the members of the Working Group of States Parties for their preparation of the new draft Operational Guidelines;*

3. *Adopts the Operational Guidelines for the Convention on the Protection of the Underwater Cultural Heritage, as annexed to the present resolution.*

use' and in what circumstances it should or should not be allowed. The Representatives of the Islamic Republic of Iran, Romania and Nigeria concurred. The Representatives of Italy and France, on the other hand, saw no problem in using the logos together, since the 2001 Convention had been adopted and had worked within the framework of UNESCO.

62. The Delegate of Cuba addressed the design of the logo of the Convention and declared that, because it only showed a shipwreck, the general public could be confused as to what underwater cultural heritage really is. Cuba therefore suggested that the logo should not only feature the representation of a shipwreck, but other submerged heritage as well.
63. Fearing that adding other elements to the logo would dilute the message of the logo, the Delegate of Romania stated that the logo should be as simple as possible, and should be left as it is. This viewpoint was shared by Italy, France and the Islamic Republic of Iran.
64. At the end of the debate, the Chairperson turned to the Representatives of the non-governmental organizations present to ask their opinion on the matter. The Advisory Council on Underwater Archaeology stated that the current logo was recognized and recognizable, and that changing it would cause confusion. The Nautical Archaeological Society concurred and added that there would need to be clear guidance concerning the commercial or rather promotional use of the logo. The Joint Nautical Archaeological Policy Committee supported the existing logo. It had been used for ten years, and in that time, had become a recognizable brand. The Society for Historical Archaeology commented on the issue of the commercial use of the logo, and noted that SHA would be very interested in using the logo in educational material and on their websites to not only draw attention to the 2001 Convention, but also to UNESCO in general.
65. Responding to questions raised by the Representatives of Saint Lucia, France, the Islamic Republic of Iran, Italy and Romania concerning the possible commercial use of the logo, the Secretariat gave an example by noting the cooperation between the Convention's Secretariat and a private French corporation to produce a widely disseminated film on underwater cultural heritage for children.
66. After some other comments on the use of the Convention's logo from Spain, Tunisia and Romania, the Secretariat declared that it now had sufficient information to draft a new text for Chapter VII, regarding the logo of the 2001 Convention. The most important observations were that the logo of UNESCO and the logo of the Convention would be **guided by separate regimes**. It would be **strongly recommended, but not obligatory, to use them together**. The use of the **Convention logo should be directed by the Operational Guidelines and not by the UNESCO Directives**.
67. The Meeting of States Parties decided to end the debate and requested the Secretariat to draft a new text before the next Meeting of States Parties to be circulated, reviewed and possibly adopted.

#### **X. Accreditation of Non-Governmental Organizations** (Item 8 of the Agenda, Document UCH/13/4.MSP/220/8)

68. The Chairperson informed the Meeting that the Secretariat had received **12 applications for accreditation by relevant non-governmental organisations** as reflected in the Annex of UCH/11/3.MSP/220/8. ICOMOS-ICUCH had been considered to be automatically accredited. Ten non-governmental organisations were

temporarily accredited by the bureau of the Meeting of States Parties. A definitive accreditation was proposed, especially in view of the amount of time gone by since the temporary accreditations. **Background material** on the non-governmental organisations that had been temporarily accredited had been made available in *UCH/11/3.MSP/220/Inf.4*. Information on the not-accredited non-governmental organisations was distributed to the States Parties in the room.

69. The question of whether the non-governmental organisations would be accredited to work only with the Advisory Body or also with the Meeting of States Parties and its subsidiary bodies was considered.
70. The Chairperson opened the floor for discussion.
71. The Delegate of Saint Lucia stated that the non-governmental organisations should not only be accredited to cooperate with Advisory Body, but also with the Meeting of States Parties.
72. Mexico voiced its concerns about the qualifications of some of the non-governmental organisations it did not know. It requested from the Secretariat an explication on how the evaluations were carried out, and suggested a change in wording of the draft resolution under discussion.
73. The Delegate of Argentina commented that the States Parties should not only consider the reputation of a non-governmental organization, but also its commitment and involvement in cooperating with UNESCO and the Advisory Body. Mexico agreed and demanded that all non-governmental organisations would be put up for a vote individually, and that Draft Resolution 8/ MSP 4 be split into two parts: one part would consist of the decision of accreditation, while the other would request the Secretariat to gather more information on the non-governmental organisations that would not be accredited. It also requested full background information on the non-governmental organisations in line with the Operational Guidelines.
74. Concerning the temporary accreditation, the Secretariat explained that all applications received by the Secretariat had been forwarded to the Advisory Body. After an electronic exchange, recommendations were made to the Bureau of the Meeting, which then temporarily accredited the non-governmental organizations.
75. The Representative of the Islamic Republic of Iran recalled that paragraph 84 of the Operational Guidelines, which had just been adopted by the Meeting of States Parties, states that the Secretariat shall submit all requests for accreditation, together with the recommendations of the Advisory Body, to the Meeting of States Parties for decision. Because of the complexity of the discussion and of the request for more information from several States Parties, the Chairperson decided to postpone the debate on the accreditation of the non-governmental organizations for cooperation with the Advisory Body until the next day.
76. The Meeting of States Parties continued the discussion on the morning of the 29 May 2013 to evaluate all the candidacies of the relevant non-governmental organisations.
77. Due to a lack of information on some of the candidate non-governmental organisations, the Representatives of Spain and Mexico again asked that the accreditation be postponed. This was opposed by the Representative of Saint Lucia who declared that the Meeting was sending out the wrong message. If not all non-governmental organisations could be accredited, at least some of them should be accredited, or temporarily accredited. Saint Lucia thanked the Secretariat for the

information provided, and requested that the reasons for not accrediting non-governmental organizations be specified, in a public or private session, a suggestion that was supported by Honduras, Mexico and Italy.

78. The Chairperson proposed to organize a private session at 3 pm. In the meantime, the Delegates could again confer with each other and with their respective authorities. He hoped that everyone would be present and stressed that this matter needed to be resolved as soon as possible.
79. The discussion resumed in a private session in the afternoon, which excluded non-governmental organisations observers, but not States observers.
80. The Meeting of States Parties agreed that the Secretariat would present at the next Meeting of States Parties the **updated forms** of the **accredited non-governmental organisations**, in accordance with Chapter VI of the adopted Operational Guideline.
81. By adopting amended **Resolution 7/ MSP 4** on May 29 2013, the Meeting of States Parties decided to accredit the following non-governmental organisations:
  1. ACUA – Advisory Council on Underwater Archaeology (USA)
  2. ADRAMAR – Association for the Development of Maritime Archaeological Research (France)
  3. AIMA – Australian Institute for the Maritime Archaeology (Australia)
  4. ARKAEOS (France)
  5. CIE – Centre for International Heritage Activities (the Netherlands)
  6. DEGUWA – German Society for the Promotion of Underwater Archaeology (Germany)
  7. INA – Institute of Nautical Archaeology (USA)
  8. JNAPC – Joint National Archaeology Policy Committee (UK)
  9. NAS – Nautical Archaeology Society (UK)
  10. SHA – Society for Historical Archaeology (USA)

## **XI. Date and venue of the fifth session of the Meeting of States Parties**

*(Item 9 of the Agenda, Document UCH/13/4.MSP/220/9)*

82. The Meeting then discussed the date and the place of its fifth session. The Secretariat proposed that it could take place in spring of 2015. Mexico requested that the next session should take place in April 2015. The Chairperson voiced concern regarding the month of April, as the meeting of the Executive Board might take place in the same period. By **Resolution 8 / MSP 4**, the Meeting agreed that the fifth session of the Meeting of State Parties would be convened in spring 2015, and, if possible, in April 2015.

## **XII. Closure of the Meeting**

*(Item 10 of the Agenda, no document)*

83. Before concluding the session, the Chairperson asked the States Parties whether there was another item the Delegates wanted to discuss. The Delegate of Croatia stated that it would hand in an official request at the Secretariat for an enlargement of the Scientific and Technical Advisory Body. The Representative of Tunisia took advantage of the opportunity to invite the Delegations to the upcoming congress on the protection of underwater cultural heritage to take place in Tunisia in October 2013. The Chairperson thanked the States Parties and the observers, as well as the Secretariat for its work, and welcomed the achievements of the fourth session of the Meeting of States Parties. He then declared the Meeting closed.