



The Protection of the  
Underwater Cultural Heritage

**FIRST SESSION OF THE MEETING OF STATES  
PARTIES TO THE CONVENTION ON THE  
PROTECTION OF THE UNDERWATER CULTURAL  
HERITAGE**

**26/27 March 2009, Paris, UNESCO Headquarters  
Room IV**

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**ADDRESS BY  
MR KOICHIRO MATSUURA,  
DIRECTOR-GENERAL OF UNESCO**

*on the occasion of the first session of the Meeting of States Parties to the Convention  
on the Protection of the Underwater Cultural Heritage*

*UNESCO, 26 March 2009*

President of the General Conference,  
Your Excellency Mr Javier Pérez de Cuéllar,  
Professor Thijs Maarleveld,  
Excellencies, Ladies and Gentleman,

It gives me great pleasure to welcome you to UNESCO for this first session of the Meeting of States Parties to the Convention on the Protection of the Underwater Cultural Heritage.

Let me begin by paying tribute to our honoured guest, Mr Javier Pérez de Cuéllar. In addition to a long and distinguished career as a lawyer, diplomat, and as Secretary-General of the United Nations from January 1982 until December 1991, he played an instrumental role in the evolution of international thinking about the links between culture and development - and by extension to the evolution of UNESCO's culture programme. I am referring, of course, to his work as President of the World Commission on Culture and Development. The resulting report, *Our Creative Diversity*, released to UNESCO and the United Nations in November 1995, was a landmark in the development of culturally sensitive development strategies which has been a key focus of my two mandates as Director-General of the Organization.

Allow me also to express my sincere gratitude to all those who have contributed to UNESCO's efforts to make the 2001 Convention a reality.

First of all, let me thank the Governments of the twenty-four Member States that have ratified it to date. They have taken the lead in the concerted international efforts to protect a most fragile component of our shared heritage.

It took some time for the Convention, adopted on 2 November 2001, to enter into force. Twenty ratifications were needed and it took just over 7 years for this to happen with the Convention finally entering into force on 2 January 2009. It is no secret that we had hoped that ratifications would be more numerous and come at a more rapid pace, but we are well aware that legislation regarding the sea is a very sensitive issue for many States. For example, it took twelve years for the 1982 UN Convention on the Law of the Sea to enter into force.

However, recent months have indicated growing awareness among Member States - including many maritime powers - of the significance of the 2001 Convention. We need to continue our efforts to secure more ratifications and I am very pleased to welcome Ambassador Anastassopoulos, the President of the General Conference of UNESCO among us today. I am confident that we can count on you, Sir, to help us in this task.

Finally, but not least, I wish to extend my deepest appreciation to Professor Maarleveld, President of the ICOMOS International Committee on Underwater Cultural Heritage, for the Committee's invaluable support for the development of the Convention. I am confident that UNESCO can rely on the Committee's continued collaboration to ensure the widest possible implementation of this important treaty.

Excellencies,  
Ladies and Gentlemen,

This is a truly historic moment for UNESCO and for all those who are dedicated to safeguarding the world's cultural heritage. In the broad context of UNESCO's mandate to set international standards, the 2001 Convention marks a milestone.

This instrument is the seventh of UNESCO's core conventions aimed at safeguarding the treasures of humanity to enter into force. With it, the international community now possesses a comprehensive arsenal of normative instruments covering key aspects of our shared heritage, ranging from the built and natural heritage to intangible and contemporary expressions, as well as protection against illicit trafficking and armed conflict. Designed to function in a complementary manner, these conventions are powerful tools for safeguarding cultural diversity, which is now widely recognized as vital to the sustainable development of all societies.

More specifically, the 2001 Convention offers protection for an often overlooked aspect of the world's cultural legacy, its underwater heritage.

There is no doubt that urgent action is required. Experts tell us that the world's seas contain over 3 million undiscovered shipwrecks, and the remains of countless submerged ancient buildings and sites, many of which contain treasures of great cultural - and financial - significance. The astounding technological advances made in the field of diving in recent years mean that shipwrecks and underwater ruins have become increasingly accessible to treasure hunting and looting. Sadly, national legal protection for underwater heritage is sorely lacking in most countries.

This convention offers underwater sites and artefacts the same universal protection accorded to cultural heritage on land. By establishing basic principles, standards and practical guidelines, the 2001 Convention and its Annex is set to become the foremost international reference for the protection and safeguarding of the submerged historic legacy and to curtail illicit trade by looters.

A key aspect of the Convention is the emphasis on international cooperation among national authorities and other actors. The text calls for a distinctive cooperation mechanism as a practical solution to insufficient legal protection for heritage lying outside countries' territorial seas.

The Convention also seeks to raise awareness among the general public about underwater heritage and the importance of preserving it. The growing public interest in the submerged remains of ancient Alexandria demonstrates the popular appeal of the underwater cultural heritage. In this connection, I would like to recall that UNESCO has been working closely with the Egyptian Government in recent years to coordinate studies for the creation of an underwater museum in the Bay of Alexandria.

Indeed, many other Member States are becoming interested in protecting underwater works of art and following Egypt's lead in establishing underwater museums. For example, on my recent visit to Cuba in February, I enjoyed exploring the new Underwater Museum. I noted with interest that the fascinating objects on display include coins and works of art recovered from Spanish ships in Cuban territorial waters. But these are just a fraction of what must still lie on the ocean floor.

Excellencies,

Ladies and Gentlemen,

This First General Assembly is entrusted with the important task of preparing the implementation of the Convention on the Protection of the Underwater Cultural Heritage. Let me highlight some of the important issues that you will be addressing.

In addition to establishing the functions and rules of procedure of your meetings, you are also asked to decide whether future meetings of States Parties to the Convention will be able to count on the assistance of a Scientific and Technical Advisory Body. Such a Body could assist with questions of a scientific or technical nature regarding the implementation of the Rules concerning activities directed at underwater cultural heritage set out in the Annex to the Convention.

Should you decide that an advisory body is desirable, you will be invited to consider the adoption of its statutes and to nominate its first members. To that end, a list of candidates, proposed by States Parties, has been distributed.

Another key discussion will be on whether to develop Operational Guidelines. While the text of the Convention carries no obligation to do so, a number of States believe that this might facilitate the better understanding and implementation of the Convention. For example, Operational Guidelines could explain definitions used by the Convention; give guidance on the State cooperation and consultation mechanism; define the role of partners; and interpret standards set by the Convention in aspects of the operational protection of underwater cultural heritage.

I have no doubt that your discussions will be very lively. I am also confident that they will be fruitful and allow us to move forward with the job of implementing the Convention – the reason we are here today.

Excellencies,

Ladies and Gentleman,

The Convention takes a very practical and professional approach to many issues that it touches or regulates. I am therefore confident that it will soon prove to be a very useful tool in the field. You have the power – and the responsibility - to make State cooperation, mutual assistance and the exchange of knowledge foreseen under the Convention a reality.

The entry into force of the 2001 Convention marks a major advance in efforts to protect all cultural heritage, wherever it is located. But we cannot afford to be complacent.

We must continue to encourage more Member States to ratify the Convention. The State cooperation system can only cast its net of protection over the oceans when all States take part in this common effort, both regionally and internationally.

It will take a firm commitment on the part of Governments to ensure that the Convention is not simply words without actions so that future generations are able to enjoy their cultural legacy.

You may be sure that UNESCO will continue its efforts to encourage more ratifications and to work with countries to develop the capacity to ensure that submerged sites receive the legal protection they deserve.

I therefore call upon States worldwide to speed up the implementation of this important convention in their national legislation. Through our joint efforts, we can ensure that future generations will be able to enjoy an extraordinary yet fragile heritage that would otherwise be doomed to destruction.

I wish you much success in your deliberations and thank you for your attention.