



June 20, 2013

The Honorable Juan Manuel Santos Calderón  
President, Republic of Colombia  
Casa de Nariño: Carrera 8 No.7-26  
Edificio Administrativo: Calle 7 No.6-54.  
Bogotá D.C., Colombia

Dear President Santos,

I write as president of the Society for American Archaeology (SAA) to express our organization's serious concerns with proposed legislation that could have adverse effects on Colombia's priceless underwater archaeological record. We respectfully request that this bill be withdrawn, and a new approach be taken in regulating its submerged cultural resources.

SAA is an international organization that, since its founding in 1934, has been dedicated to the research about and interpretation and protection of the archaeological heritage of the Americas. With more than 7,000 members, SAA represents professional archaeologists in colleges and universities, museums, government agencies, and the private sector. SAA has members in many nations around the world, including Columbia.

In accordance with Articles 63 and 72 of the Constitution of the Republic of Colombia, the archaeological heritage of the country belongs to the Nation. It is our understanding that the Congress is considering legislation (Bill 185 of 2012) that would amend the heritage statutes to the effect that if artifacts found in underwater archaeological sites are deemed to be redundant for cultural research purposes, they could be disregarded as objects of material heritage, and thus made available for sale. Supporters of the bill assert that Colombia does not have the capability to conduct marine archaeology, and that the only means of recovering underwater archaeological materials is through working with salvagers who have a commercial interest in selling the finds. Submerged artifacts, then, will be treated differently under the law than terrestrial materials and the public will see no benefit from their recovery.

Bill 185 is a misguided solution to a problem that is temporary, at best. Should it become law, the legislation could have a severe impact on Colombia's maritime cultural resources, which would no longer enjoy the protections afforded to cultural resources found in or upon the ground. Submerged archaeological sites would be opened up to pillage.

Colombia is, even now, developing its underwater archaeology abilities. For example, the Universidad del Norte in Barranquilla is currently collaborating with Texas State University on a project to investigate shipwrecks off the coast of Cartagena. This work is being done in

conjunction with the Colombian Institute of Anthropology and History (ICANH) and the Colombian Navy's (DIMAR) Center for Oceanographic and Hydrographic Research (CIOH).

SAA and other preservation organizations recognize the strong actions that Colombia has taken in recent years, both domestically and internationally, to strengthen protections for its material heritage. Enactment of the bill, as it stands, would represent a setback in this progress. Given the above, we believe the law is not only unneeded, but would be detrimental to Colombia's interest. If greater statutory and regulatory clarity is required pertaining to underwater cultural resources, then revisions should be made only after an extensive dialogue with a broad spectrum of interested Colombians from all walks of life.

The SAA will continue to support Colombia's preservation efforts, and stands ready to assist in strengthening those protections.

Sincerely,

A handwritten signature in blue ink that reads "Jeffrey A. Altschul". The signature is fluid and cursive, with a large, sweeping flourish at the end.

Jeffrey Altschul, Ph.D., RPA  
President

CC: The Honorable Roy Barreras Montealegre  
President of the Senate

The Honorable Simón Gaviria Muñoz  
President of the Chamber of Representatives

The Honorable María Ángela Holguín Cuellar  
Minister of Foreign Relations

The Honorable Mariana Garcés Córdoba  
Minister of Culture

The Honorable Eugenio Prieto Soto  
President, Sixth Committee of the Senate

The Honorable Carlos Urrutia Valenzuela  
Colombian Ambassador to the United States

The Honorable Michael McKinley  
United States Ambassador to Colombia

Mr. Fabián Sanabria Sánchez  
Director, Instituto Colombiano de Antropología e Historia – ICANH

Mr. Ernesto Duran Gonzalez  
Director General Marítimo