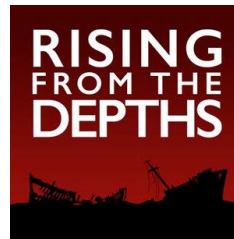




THE UNIVERSITY of EDINBURGH
School of History, Classics
and Archaeology



Arts and
Humanities
Research Council



RISING FROM THE DEPTHS WORKSHOP SERIES

MARINE CULTURAL HERITAGE & SUSTAINABLE DEVELOPMENT IN EAST AFRICA

Workshop 4

Law, development and cultural heritage: protecting communities and the sustainable development of Marine Cultural Heritage

3 March 2022 (2 – 5 pm, UK)



Traditional boat building in Lamu, Kenya. Traditional knowledge and practices are disappearing due to the rapid economic development in many parts of the East African coast. The need to develop inclusive and participatory policies is key to ensure that the potential of Marine Cultural Heritage for sustainable development, as well as the rights of community members, is fully understood and considered © Dara Davitti

Overview

The Rising from the Depths Network (RftD) aims at harnessing the potential of Marine Cultural Heritage (MCH) in contributing to the three main pillars - economic, environmental, and social- of sustainable development. Although cultural heritage was widely absent from the United Nations Agenda for Sustainable Development 2030, intergovernmental organizations like UNESCO, expert's bodies, governments and concerned stakeholders have highlighted the critical importance of culture in the achievement of each one of its the 17 Sustainable Development Goals (SDGs) and have influenced the elaboration of other development frameworks like the African Union 2063 Agenda. The RftD network has worked over the past four years to change and disrupt traditional narratives that have

ignored the relevance of Marine Cultural Heritage and its potential in realising a just and sustainable development for coastline communities.

The path towards the consecution of several of the targets and SDGs of this development frameworks pass through the adoption of innovative, inclusive and participatory policies that align local communities’ necessities to the international commitments of States. As the RftD Network’s projects are showing, MCH is an intrinsic component of the livelihoods of traditional coastal communities in East Africa. It’s an element inseparable from the way they interact with their environment, providing both understanding and means to use it for their social, spiritual and economic benefit. However, the rapid infrastructural and economic development experienced in the East African coast, together with the lack of legal mechanisms and policies that truly include local communities’ interests in consultative processes or impact assessments, is negatively affecting not only their livelihoods but also their fundamental rights to safeguard, enjoy and utilize their own MCH. Equally, the ignorance of traditional knowledge and regulatory systems within the design of national development strategies results in the destruction of a repository of cumulative historical and archaeological knowledge that is key to facing humanity’s challenges. MCH, including underwater archaeological remains, tangible heritage on land, as well as the associated intangible practices bore by the local communities contributes in the society’s combined efforts to alleviating poverty, increasing the quality levels of education for all, ensuring gender equality, mitigating the effects of climate change, or safeguarding the survival of our oceans.

This workshop interrogates the role national, and international law plays in supporting and realising the potential of marine cultural heritage within the context of sustainable development. At the same time, the workshop illustrates gaps and deficiencies in MCH preservation and community involvement of the current legal mechanisms in East Africa through the results of several cases studies from the RftD Network.

Objectives

This workshop will provide an overview of how law affects and interact with MCH. We will consider the main international instruments in force in East Africa as well as how these has been (or not) translated into the national policies.

It also intends to reflect on the outcomes of the RftD Network and several of the issues identified with regards to the role of coastal communities in the decision-making processes that affect their marine natural and cultural resources, questioning whether the current legal framework give adequate space to local communities to voice their concerns and participate in the development process.

The workshop will feature presentations from awardees of RftD sponsored innovation projects and early career researchers from RftD network as well as internationally recognised experts in the field of cultural heritage and international law.

Participation and Registration

You can participate in the workshop by registering [HERE](#)

Provisional Programme

2:00	<p>Opening and introduction of the workshop</p> <ul style="list-style-type: none"> • RFTD scope, objectives and challenges of the law element of the network -understanding marine cultural heritage and international law: beyond the UNESCO conventions Professor Annamaria La Chimia University of Nottingham, Co-Investigator Rising from the Depths Network.
2.05	<p>Session 1 – Marine Cultural Heritage, Communities, Human Rights and Climate Change in International Law</p> <p>(15’ each)</p> <ul style="list-style-type: none"> • Marine Cultural Heritage and the Continued Relevance of the Right to Culture in International Law and Practice Dr Daria Davitti, Assistant professor, University of Lund, PI of RFTD-funded project • Marine Cultural Heritage and Climate Adaptation

	<p>Dr Hayley Roberts, Associate Professor, Bangor University PI RFDI-funded project</p> <ul style="list-style-type: none"> • Marine Cultural Heritage, Communities and the International Law Professor Mariano Aznar, University Jaume I, ICOMOS ICUCH Member <p>Discussion</p>
	Coffee Break
	<p>Session 2 – Cases Studies from the Rising from the Depths Network</p> <p>(15' each)</p> <ul style="list-style-type: none"> • Free, prior and informed consent -cultural heritage in Kenya Ms Joshua Ngulu PhD Candidate University of Nottingham • <i>Is it legal? Financing fossil fuel megaprojects in Mozambique in the era of climate change</i> Ms Lea Di Salvatore PhD Candidate University of Nottingham • Protecting the Past, Preserving the Future: The Protection of Marine Cultural Heritage in Lamu Port (Kenya) Joseph Omolo and Lucianna Thuo Karabak University of Kenya Co-I and Researcher RFDI-funded project <p>Debate</p>
	4.45
	Final Remarks and Recommendations with all the speakers