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ICOMOS Submission to the UN Special Rapporteur in the Field of Cultural Rights on Cultural Rights and Climate Change

In response to the call for inputs issued on 30 March 2020 to inform the Special Rapporteur's report to be presented at the General Assembly, October 2020.

30.04.2020

ICOMOS, the International Council on Monuments and Sites, thanks the Special Rapporteur in the field of cultural rights for giving the opportunity to share reflections on the theme of climate change, culture and cultural rights.

Climate Change is already impacting communities, culture and cultural rights globally. According to the best available climate science, adaptation to these impacts is expected to be more challenging for ecosystems and human systems at 2°C of global warming than for 1.5°C. Poverty and disadvantage are expected to increase as global warming increases. Disadvantaged and vulnerable populations, some indigenous peoples, and local communities dependent on agricultural or coastal livelihoods are disproportionately at risk. These climate impacts threaten cultural rights, and the threat is greater at 2°C of global warming than for 1.5°C.

A fundamental way to reduce the threats posed by climate change to culture and the exercise of cultural rights is by decreasing global warming. This requires acceleration of far-reaching, multilevel and cross-sectoral climate mitigation designed to limit warming to 1.5°C. Adaptation is also needed. Cultural heritage offers immense potential to drive durable climate action and support just transitions by communities towards low carbon, climate resilient development pathways. Increasing the attention and assistance given to cultural rights defenders would increase the realisation of the potential of culture and heritage to drive climate action. This in turn would enhance the valorisation of the work of cultural rights defenders.

ICOMOS understands that the mandate of the Special Rapporteur is not safeguarding cultural heritage per se but rather focuses on cultural rights defenders. ICOMOS wishes to emphasis, however, the close correlation between protecting culturally significant places and protecting cultural rights. Cultural heritage places are the living environment for people. For many, these places provide access to culture, they allow people to participate in and contribute to cultural life and are an expression of their cultural identity - people may have the resilience to adjust to changing conditions and cultural practices and identities may change over time. Some cultural heritage places are the sole providers of work or food, and therefore they are essential to the survival of a community: when such places are at risk, the survival of associated communities is threatened.

In view of these trends, ICOMOS has committed itself to mobilising the cultural heritage field for climate action. In 2019 it produced a substantial report "The Futures of Our Pasts; Engaging Cultural Heritage in Climate Action" to bridge the gap between climate change and cultural heritage and to catalogue the needs and opportunities for #climateheritage action. While relevant portions of the 2019 report are summarised in the questions, the full text has been provided as annex 1 to this response.

ICOMOS is a world-wide organisation and has documented many examples, positive and negative, that illustrate the answers provided. Additional examples have been provided in annex 2.

ICOMOS wishes to point out that at the same time that its mission is to protect the collective representations of a society (its cultural heritage) it is also engaged in developing ever more culturally sensitive practices of protection. Just as 'culture' refers to selected, particularly meaningful representations of a society's past and present ways of life, it also refers to the actual performance or living of these ways of life. For this reason ICOMOS is making continuous efforts at implementing its work in accordance with rights-based perspectives that ensure the rights of individuals and groups to enjoy their own culture even as protecting its monuments and sites is entrusted with national conservation institutions and international expert mechanisms like ICOMOS.

Finally, ICOMOS is concerned that some States will not integrate climate change action in their post-covid19 response but will focus on economic growth at the cost of culture, cultural rights and climate change action.

I. Negative impacts of climate change on culture and cultural rights

1. What negative impacts of climate change on culture, heritage and the enjoyment of cultural rights by all have been documented in your context? Are particular groups, such as women, persons with disabilities, indigenous peoples, rural persons or peasants, and youth or future generations, as well as cultural practitioners being impacted in specific and disproportionate ways? What efforts are being undertaken to inventory and monitor such impacts?

Question 1:

Negative impacts of climate change on culture, heritage and the enjoyment of cultural rights have been observed across the globe, up to and including displacement of associated cultural communities, loss and damage to culture and even threats to cultural survival. ICOMOS' "Futures for the Past" report (2019) catalogues a multiplicity of climate hazards and how these negatively impact enjoyment of cultural rights.

They include:

- **Sea level rise**: permanent inundation of low-lying coastal communities, driving displacement of populations and the attendant threats to culture from abandonment, mobility and resettlement; salinisation of drinking water.
- **Storm intensity and frequency**: coastal erosion and damage causing loss of culturally significant sites and landscapes and sacred sites.
- **Warming:** Permafrost thaw damaging buildings, ice melt exposing frozen archaeology to erosion, uneven sinking of the soil, faster erosion and disappearance of the sites, warming of soils causing microbial decay of buried organic materials.
- **Aridification** drives internal displacement and sometimes conflict, culturally important species and irrigation systems loss and related cultural traditions.
- **Changes in seasonality** affect agriculture and management of traditional landscapes, disrupt traditional festivals, planting cycles, harvests and culturally important species reproduction. Wildfires may increase and flora and fauna changes. Historic gardens and plantings are threatened.
- **Changes in species distribution** means that culturally important species used for traditional building, food or spiritual practices may become scarce or be lost.
- **Loss of sea ice** threatens traditional livelihoods in polar environments as well as the structural integrity of coastal sites.

Research shows that the poorest and most vulnerable groups, including marginalized urban communities, rural inhabitants and migrants, will disproportionately experience the negative impacts of climate change in this century. Indigenous people, often having contributed the least emissions, are among the most vulnerable to the adverse effects of climate change because, among other reasons, their existence is often inextricably tied to the land. Indigenous advocates have been among the first to note that climate change threatens cultural identity. Within those groups those that are most affected are generally speaking the elderly, women and children.

Concrete examples in the annex 2.

2. Are cultural sites or resources which are critical to participation in cultural life identified as being threatened due to climate change and if so, how? What processes are used to analyse the risk of harm or inaccessibility to these areas and resources? Are records being kept about these risks and impacts?

Question 2:

Across the globe, cultural sites and resources critical to cultural life are threatened by climate change. Analysing these threats requires an understanding of how physical climate drivers (e.g. temperature, precipitation) interact with each other in causing impacts such as sea-level rise and worsening wildfires. Here, the ability to downscale climate models is critical. How these impacts affect cultural significance and the carriers of heritage values, be they human (as with intangible heritage), flora and fauna (as with landscapes) or materials (e.g. timber, ceramics) must then be assessed.

Such assessments are more difficult where cultural values are poorly understood. Thus, values mapping and documentation are key. Identifying knowledge and belief systems at risk must become a priority. In Ireland, for example, an inventory of built heritage sites threatened by climate change was undertaken but it did not address 'living culture.' The relationship between the disappearance of landscape features (and other relative elements on which knowledge systems are based) and loss of cultural practices must be considered.

A matrix of possible climate change impacts correlated to heritage typologies and cultural significance is a

valuable tool (for an example, see Table 6 to the ICOMOS 'Future of Our Pasts' Report (2019)). New methodologies are required to better understand the economic, social, and environmental cost of impacts to cultural heritage. The Climate Vulnerability Index (CVI) is one example. Risks and responses should be prioritised using frameworks that guard against amplifying existing inequality and marginalisation.

Keeping records of risks and impacts is critical. Doing so requires monitoring. Data should be compared across sites and contributed to macro (regional) risk assessment. Community engagement, citizen science and appropriate use of traditional and indigenous knowledge in monitoring processes is encouraged.

Concrete examples in the annex 2.

3. Please provide examples of specific natural resources, local sites used for cultural practices or seasonal patterns that influence the ability to participate in diverse aspects of cultural life that may be subject to volatility due to climate change. Consider also diffuse geographical features or resources that may be at risk and are definitive or influential in the practice and development of culture on either a collective or individual basis.

Question 3:

1 Koutammakou World Heritage site (Togo) has experienced rising temperatures that affect cultural practices linked to agriculture and productivity. There is uncertainty around weather conditions, particularly annual rainfall, which is critical for agricultural production. Beyond physical impacts on the material elements of the site, these changes are also driving the migration of young people due to demographic pressure and lack of economic opportunities.

2 Dozens of Mediterranean World Heritage sites are at risk from climate change, including caves used by Neanderthals in Gibraltar, the Christian monuments of Ravenna Italy, the Ancient Greek remains on the island of Delos, and Roman ruins in Arles, France.

3 For Kilwa Kiswani in Tanzania and Rapa Nui in Chile, much of the material heritage is located on the coast, making it particularly vulnerable to sea-level rise. Rising groundwater and soil salinity are impacting the Mosque City of Bagerhat in Bangladesh.

4 Subsistence living on coastal margins of Europe, where practices such as traditional fishing or seaweed foraging provide vital but unregulated support to people outside of the market economy, is threatened by changes in marine ecosystems and invasive species encroachment facilitated by Climate Change. The rights to fish and harvest seaweed have been under debate, but so far community rights to their traditional nature use have not been taken into account (Ireland, Estonia).

5 Communities of traditional fossil fuel industries (oil-shale, peat, coal mining), which are to be closed in recent futures will be affected not only in terms of job losses, but their community life, practices and their tangible and intangible heritage is at risk. These specific sites and communities need special attention to reduce and minimize social, economic and political conflicts. Lessons can be learned from the closing of coal mines in the '70-'80s (Belgium, France, Germany).

6 In Turkey's Black Sea region, changing seasonal cycles affect harvesting patterns of rural communities dependent on agricultural produce, as premature rise in temperatures damage crops/trees such as walnuts; changing rainfall patterns also affect regimes of character-defining landscape features such as rivers.

7 Cumulative impact of climate change is particularly threatening for the heritage of the high Arctic, both to indigenous and non-indigenous sites. Traditional livelihoods are under threat as ice fishing and large marine mammal hunting have become dangerous because of decreasing sea ice and ever-increasing storminess and wave activity.

8 Emerging rainfalls in the North endanger reindeer husbandry. The Sami people are located in the northern parts of Norway, Sweden, Finland and Russia, and inhabit the largest area in the world with an ancestral way of life based on the seasonal movement of livestock. The Sami people depend on the mobility of rain-deer herds from summer to winter pasture, and warmer climate contributes to a shorter winter season, threatening the livelihood of the reindeer herds. The Norwegian Government monitors the size of the rain-deer herds.

II. Positive potential of culture and cultural rights to enhance responses to climate change

4. What are ways in which culture and cultural resources, such as traditional knowledge, are being used to mitigate and/or adapt in the face of climate change? Where available, please share examples of best practices for applying traditional knowledge and cultural practices, such as those of indigenous peoples, peasants and fisher people, including traditional fire management and agricultural techniques that should be considered in developing mitigation and adaptation responses. What is being done to inventory and preserve such cultural resources that could be useful to addressing climate change?

Question 4:

Putting the cultural values of communities at the core of their climate response, treating cultural heritage, traditional knowledge and creativity as climate assets, and encouraging community involvement in climate planning not only helps to mitigate and/or adapt in the face of climate change but builds more durable models of environmental action and social resilience. Arts, culture and heritage are sources of creativity and inspiration that can answer this question including shaping the acceptability of policy or system change. In this way, cultural heritage is a source of creativity and inspiration for adaptation and mitigation actions that are responses to the findings of climate science. Local knowledge supports contemporary mitigation options, from low-carbon, locally adapted approaches to decarbonizing buildings and cultural landscapes to pointing the way to low-carbon settlement patterns for developing peri-urban areas to the role of indigenous science in climate-smart agriculture. The experience of communities living in marginal coastal and riverine areas feeds directly into current flooding adaptation strategies.

Some examples of successful practices:

- Using traditional construction methods and skills, and sustainable natural building materials, techniques and solutions to adapt to climate change in rural areas all over the world. Examples: traditional open-walled housing in Samoa that performs well in high winds or pile dwellings in Cuba that function during flooding and are relatively easy to rebuild; Wooden building traditions in Scandinavia and Finno-Ugric people.

- Ecosystem-based adaptation and resource use by locals. Local communities hold endogenous ways of low-impact resource use connected with tangible heritage and intangible practices - agriculture (semi-natural habitats, cultural landscapes), traditional fishing, forest use, traditional soil management (no-till farming, mulching, cover cropping, crop rotation), use of native plants, traditional livestock management and animal husbandry approaches that contribute to decarbonisation. Examples include traditional fire regimes that increase biodiversity (Australia) or forest management to reduce exposure to wildfires (Sweden), traditional fishing and semi-natural habitats management (Estonia, Japan).

- Relating past adaptability to current issues, methods, and decisions. Exploration of communities' responses to human/natural catastrophes, particularly war, mass displacement etc. To examine resilience and how cultural heritage has been sustained even through past radical loss – e.g. colonisation, territorial annexation etc.

In terms of inventorying, documenting and preserving cultural resources, the full range of heritage values must be at the core of heritage practice, acknowledging that there may be contested identities and diverse or divergent values. These practices will need to expand and modify to focus on values that support climate action and to improve support for traditional and associated communities as they prepare for losses and damage, making use of culturally appropriate documentation tools and prioritising the documentation of cultural practices, values and knowledge that support climate action and enhance social cohesion and resilience.

5. What are the diverse legal frameworks, trends and practices at the national and international levels that promote intervention from across the cultural ecosystem, including by cultural rights defenders and cultural practitioners, as well as women, persons with disabilities, indigenous peoples, rural people and peasants, and youth, in addressing disparate impacts and influencing decisions around climate change mitigation and adaptation? What are the challenges to such inclusivity and how are they being addressed?

Question 5:

The main international legal framework includes the United Nations Framework Convention on Climate Change (UNFCCC, 1994), the Kyoto Protocol (1998) and the Paris Agreement (2015). The creation of the UNFCCC Local Communities and Indigenous Peoples Platform (LCIPP) promotes interventions by cultural rights defenders. The Executive Committee of the Warsaw International Mechanism for Loss and Damage has the potential to be another important framework.

Existing legal frameworks conventions, platforms, documents and reports are extremely useful to advance engagement from across the cultural ecosystem. These include the 1998 Aarhus Convention (access to information and participation in decision-making in environmental matters), the 2017 UNESCO Declaration of Ethical Principles in relation to Climate Change, the Council of Europe's European Landscape Convention (Florence, 2000) as well as its 2005 Faro Framework Convention, which relates heritage to human rights and democracy.

Rights Based Approaches (RBAs) to heritage offer a useful set of tools. The reports of the Special Rapporteur on cultural rights help to develop a common vocabulary, as demonstrated by the 2018 ICOMOS Buenos Aires Declaration marking the 70th anniversary of the UDHR. Members have to adhere to the 2014 ICOMOS Ethical Principles, which included principles towards people and communities.

ICOMOS' 'Future of Our Pasts' report (2019) provides a framework to conduct the work on climate change. It states that climate planning should be inclusive, reflect solidarity with the poorest and most vulnerable, and avoid perpetuating existing inequalities or imposing overly 'expert-driven' choices on communities. Inclusiveness requires accounting for diverse and sometimes contested cultural values and identities.

Positive trends and practices include participatory governance for cultural heritage:

- Encouraging community-based prioritization and documentation of traditional knowledge, cultural significance, and narratives of change, both as climate planning inputs and as a platform for citizen mobilisation.
- Inverting top-down climate planning and capacity-building models by grounding them in local cultural knowledge and tradition.
- Using cultural platforms to inspire action and share information about climate change in a culturally appropriate, equitable and timely manner. The Let's Do It campaign started in Estonia in 2008 and is currently World Cleanup Day with 180 countries involved.

The main challenge remains the silo-ing between cultural and environmental authorities, and the lack of proper assessment of the impact of proposed environmental measures on the communities and their cultural heritage.

More examples are provided in the annex 2.

6. What opportunities are available for people to publicly engage in cultural life in ways that demonstrate contemporary cultural shifts in response to climate change? Are there currently visible signs of cultural change underway? What factors might impede such practice of cultural life?

Question 6:

Culture is embedded in dominant models of production and consumption that give rise to anthropogenic Greenhouse Gases. Traditional patterns of social organisation often developed over centuries of slow co-evolution of human communities and their environment compete with less place-adapted and more carbon-intensive contemporary patterns. And so culture is both part of the climate change problem and part of the solution.

Cultural heritage practice can support cultural shifts aligned with climate action by:

- Emphasising indigenous ways of knowing and cultural values and practices (often rooted in pre- or non-industrialised contexts) that align with circular economy approaches; focus on multi-generational time scales; and integrate an ethic of stewardship and reuse.
- Promoting cultural practices that emphasis frugality versus waste, and centres non- material

dimensions of human well-being.

- Supporting the use of traditional skills, knowledge, including in agriculture and buildings, that promote low-carbon ways of living.
- Emphasising integrated nature-culture approaches that highlight linkages between ecological and social functions of land and lifestyles in harmony with nature.
- Embracing heritage approaches for the promotion of sustainable local and traditional products.
- Utilising arts culture and heritage, including by leveraging pride, to inspire climate action, including food.

These practices are in line with Refuse - Reduce - Reuse - Repair - Recycle philosophy.

More examples are provided in the annex 2

7. In what capacities do experts from across the field of culture and climate interact and exchange knowledge at the national or international levels? For example, are experts from various cultural fields involved in relevant climate change policy? Are climate change experts engaging with the cultural sectors, and if so how?

Question 7:

During the last decade, cultural heritage experts and climate change experts did not sufficiently interact with each other, at least at the international level but this has been changing recently.

ICOMOS has been actively working for the integration of cultural heritage with climate action since 2007 at least, first through a series of conferences on "Global Change", next through the creation of its Climate Change and Heritage Working Group (CCHWG), and a request by UNESCO to advise on the update of their 2007 World Heritage and Climate Change policy.

A milestone was the UN Climate Action Summit in September 2018, where Greece, UNESCO and the World Meteorological Organisation held a side event titled "Cultural Heritage Partnership to Enable Ambitious Climate Action" in which ICOMOS and Europa Nostra participated. Greece invited countries to commit to mainstreaming cultural heritage into climate change policies and indicated it would host a high-level summit on the topic in 2020. Greece also sponsored a side event on this initiative at COP25.

In July 2019, the ICOMOS CCHWG released its report, 'The Future of Our Pasts: Engaging Cultural Heritage in Climate Action', with contributions of over 100 experts spanning 19 countries. The report scoped hundreds of ways in which cultural heritage can drive climate adaptation and Greenhouse Gas (GhG) mitigation. It also catalogued the myriad climate change impacts that are already testing the adaptive capacity of every heritage typology. The report is designed to serve as a baseline against which cultural actors may measure their engagement in climate change issues.

In October 2019, over 70 other organisations met in Edinburgh to launch a new Climate Heritage Network (CHN) committed to mobilise arts, culture, and heritage for climate action. To mobilize this immense potential to support just transitions by communities towards low carbon, climate resilient futures, the CHN launched its Madrid-to-Glasgow Arts, Culture and Heritage Climate Action Plan consisting of eight scalable, culture-based climate action tools and policy solutions.

At the UN Climate Summit (COP25) in December 2019, CHN members had a significant engagement, including ICOMOS, International National Trust Organisation (INTO), Historic England, Historic Environment Scotland, International Indian Treaty Council, Gullah Geechee Sea Island Coalition, An Taisce, the Cayman Islands Trust, and others.

Also in 2019, ICOMOS opened valuable new conversations with the Intergovernmental Panel on Climate Change (IPCC) about future programming on better connecting cultural heritage and climate science.
In February 2020, the UN-Habitat World Urban Forum held its 10th Session (WUF10) included a high-level Special Session on Urban Culture and Climate Change Action bringing together the State Party of Fiji, UN Environment Programme, World Bank, ICLEI, Adaptation Fund, cities of Moscow and Quito, and ICOMOS. Also convened by UN-Habitat and comprising associations of planning practitioners and planning educators, the Planners for Climate Action (P4CA) is developing a Studio initiative with heritage among focus areas.

At national level, the nature of cooperation varies greatly among and within countries in terms of NGO and government responses (see case studies of Estonia, Greece, Morocco and Turkey in Annex 2).

III. Measures taken and recommendations

8. Are affected persons and groups being consulted and enabled to participate in discussions related **to** *climate policy and climate action?*

Question 8:

So far, cultural communities, heritage practitioners and cultural rights defenders have not been engaged in a consistent and direct manner to discuss climate policy and climate science frameworks, financing and operational mechanisms. However, this is changing slowly as a result of the increasing contacts at the international level, as set out under question 7. Climate change is often characterised as a social and technological problem whose solutions lie in innovation and individual behavioural change, ignoring cultural or political considerations; cultural practices and cultural heritage are often omitted entirely.

Various explanations have been advanced for this, including that cultural interventions tend to be qualitative and narrative-based, often including ethnography and participant observation, and data from these methods do not sit comfortably with the quantitative approaches prevalent in natural science on climate change for example. (Adger et al 2013).

Another problem is that when heritage communities, rights holders and bearers are consulted, their opinions are not taken into account.

Indigenous peoples have faced particular barriers, and there are also other marginalized populations that should be better integrated into adaptation and mitigation planning (Appler and Rumbach 2016). Valuing local knowledge systems and knowledge of indigenous peoples enables more meaningful participation. The UNFCCC's Local Communities and Indigenous Peoples Platform is a positive response.

There are other positive examples, such as the conservation areas in Estonia, which are co-governed with local communities via cooperation councils.

More examples are provided in the annex 2

9. Are cultural rights defenders1 who are working on climate-related harms to culture and cultural rights facing specific challenges in their work, and are they at particular risk of threats, harassment and human rights violations? If so, how should these human rights defenders be better protected and supported?

Question 9:

Climate change hazards multiply existing societal stressors like food insecurity and in so doing exacerbate conflict at all levels. The rapid and far-reaching transitions in land, energy, industry, buildings, transport, and cities, needed to limit global warming to 1.5°C create tensions as well. Both of these trends create challenges and threats to cultural rights defenders. The increasingly urgent terms in which cultural models in harmony with nature have been posited as alternatives to unsustainable consumption and production have created particular threats for the defenders of these cultural models. (for example, in contests over land and natural resources use, development decisions affecting local communities etc.).

Among other things, solidarity is needed from cultural heritage professionals and constituencies for cultural rights defenders who are working on climate-related harms to culture and cultural rights. The same can be said for those persons and groups most impacted by, or least able to bear the cost of, climate change, including communities in Least Development Countries and Small Island Developing States (SIDS), in order to enable them to engage in climate action and in the process safeguard their cultural heritage. This solidarity must be a two-way process with all participants learning from each other's experiences. South-South and Triangular Cooperation should be supported.

Examples are provided in annex 2.

10. Has your country adopted specific regulations or measure to address the negative impacts of climate change on culture and cultural rights? If so, please specify the content of such regulation and measures. Is a human rights approach taken to these questions?

Question 10:

ICOMOS National Committees (NCs) represent ICOMOS at the national level. NCs exert a decisive influence on ICOMOS programme priorities. ICOMOS is advocating an integrated approach: thanks to the exchanges and cooperation between its working groups and National and International Scientific Committees, it aims at taking into account the needs of people and the conservation of their heritage places, Rights Based Approaches, best conservation practices, climate change, energy and sustainable development and many other factors. This is illustrated in the 2019 publication, but efforts towards such an integrated approach need to be sustained. Sustainable practices have been a main concern of ICOMOS from the start in 1965, and currently ICOMOS recognizes climate change as one of the most significant and fastest growing threats to people and their cultural heritage worldwide.

ICOMOS tri-annual working plan focus on climate change and cultural rights, and 3 working groups are commissioned to follow up in close contacts with NCs:

- The **ICOMOS Climate Change working group (CCHWG) is addressing climate change, adaptation, mitigation and strategies for resilience** as illustrated in the 2019 publication (Annex 1);
- The **Our Common Dignity Initiative – Rights Based Approaches working group (OCDI-RBA WG)** has since 2011 explored rights issues in cultural heritage in collaboration with ICCROM and IUCN, recommending a Rights Based Approaches (RBA) in cultural heritage, and training practitioners in RBA;
- The **ICOMOS Sustainable Development working group (SDG WG**) has lately, since the adoption of the UN SDG Agenda 2030 (2015) worked on the implementation of Agenda 2030 within the framework of the ICOMOS mandate and collaboration with strategic partners.

All ICOMOS National Committees (NCs) are reminded of their responsibility towards the UNDHR (1949) and are encouraged to adopt a human rights approach. NCs are urged to address national bodies to implement international heritage laws and RBA in local cultural heritage legislation and regulations.

Examples of the situation in specific countries are provided in annex 2.

11. Are the impacts of climate policy and climate action on culture, cultural rights and human rights more broadly being assessed? What should be undertaken in future in this regard?

Question 11:

ICOMOS members encounter many cases where climate change policy and climate action have negative impacts on culture, cultural rights and human rights: they range from ignorance of culture and/or rights, to negative trade-offs, for instance when mitigation and adaptation actions threaten traditional practices and cultural resources and undermine cultural heritage protection as it has been conventionally understood. In many cases, such negative impacts also constitute maladaptation from a climate action perspective. Examples are provided in annex 2.

Unfortunately, the impact of climate policy and climate action on culture, cultural rights and human rights is not systematically assessed. There are many reasons for this, such as lack of general awareness, lack of proper assessment methods, lack of clarity about responsibilities and accountability with regard to such assessments, pressures from the private sector, ill-conceived responses. Politicians and decision makers also feel pressured to adopt some 'exemplary' measures to reach the climate change goals and lack the tools or interest to find win-win solutions that deliver the co-benefit of advancing mitigation/adaptation while safeguarding culture, cultural rights and human rights.

One of the aims of the 2019 "Future of Our Pasts" ICOMOS publication was to launch a mapping exercise of such impacts. Human rights were specifically included in the scope. Such mapping exercise should be continued, and progress should be monitored.

In addition, there is a need to increase awareness at international, national and local level, to introduce Rights Based Approaches in the work of climate change specialists and cultural heritage experts, and to develop tools for proper "Cultural Rights and Human Rights Impact Assessments" both at policy and project level.

More broadly, a Just Transition framework to encompass a range of social interventions is needed to secure human rights and livelihoods when economies are shifting to sustainable production, primarily combating

climate change and protecting biodiversity. Cultural heritage offers immense potential to support just transitions. Realizing that potential, however, requires both better recognition of the cultural dimensions of climate action and adjusting the aims and methodologies of heritage practice to support just transition. Europa Nostra in collaboration with ICOMOS has launched an initiative to highlight the cultural dimensions of the Just Transition Mechanism (JTM) proposed by the European Commission as part of the European Green Deal.

The CHN launched its Madrid-to-Glasgow Arts, Culture and Heritage Climate Action Plan consisting of eight scalable, culture-based climate action tools and policy solutions. One of those activities (activity 6) focuses on coordinating cultural heritage safeguarding and climate action with a focus on better territorial planning as a means of avoiding conflicts between the two. This activity is being coordinated by UN-Habitat and Historic England, with support from ICOMOS.

12. What opportunities or mechanisms, if any, for remedies and redress are being made available to respond effectively to the harm to culture and cultural rights caused by the climate crisis?

Question 12:

One process for responding to harm to culture and cultural rights is the UNFCCC Warsaw International Mechanism for Loss and Damage with Climate Change Impacts (WIM). The UNFCCC makes the distinction between economic and non-economic losses. Economic losses can be understood as the loss of resources, goods and services that are commonly traded in markets. Non-economic losses are those that are not commonly traded in markets, including losses of, inter alia, life, health, displacement and human mobility, cultural heritage, indigenous/local knowledge, and ecosystem services. (UNFCCC 2013). Engagement by cultural actors in WIM processes could improve focus on so-called non-economic losses and support redress for harm to culture by the climate crisis.

The 2015 Sendai Framework for Disaster Risk Reduction embodies a similar concern for accounting for disaster losses.

Many countries and organizations currently do not have robust methods for assessing Losses and Damages and this is particularly the case for non-economic losses including loss of cultural heritage places and the cultural life and practices related to them. The development of such methodologies would be a useful step forward.

ICOMOS, UNESCO and others have worked to see cultural heritage issues addressed within both the Warsaw International Mechanism and the Sendai Framework contexts.

In Europe, a more widespread ratification and implementation of the Council of Europe's Florence Convention on Landscapes and the Faro Framework Convention could be useful.

13. What national, regional and international initiatives are being undertaken to address the intersections of climate change, culture and cultural rights? How effective have such initiatives been, what primary challenges have they faced, and what additional efforts should be suggested in this regard?

Question 13:

ICOMOS is aware of several initiatives, the list below is not exhaustive.

In 2019 a **Climate Heritage Network** (CHN) was launched by more than 70 organisations to mobilise arts, culture and heritage for climate action. To mobilize this immense potential to support just transitions by communities towards low carbon, climate resilient futures, the CHN launched its Madrid-to-Glasgow Arts, Culture and Heritage Climate Action Plan consisting of eight scalable, culture-based climate action tools and policy solutions. Activity 7 focuses on supporting climate action by local communities and indigenous peoples with a cultural rights dimension.

ICOMOS has taken a number of initiatives at the intersections of climate change, culture and human rights. It is actively promoting Rights Based Approaches, the SDGs and Climate Change objectives with its membership. It is considering reviewing the **ICOMOS Ethical Principles**, which all members have adhere to, to make the Rights Based Approaches, the need for sustainability and climate change action even more explicit in the text. ICOMOS and its working groups and committees are developing SDGs Policy Guidance and heritage related case studies for each of the 17 Goals as well as a guidance on climate change. All new documents will reflect an integrated approach and take account of cultural rights.

14. What recommendations should be made to States and other stakeholders concerning these topics?

Question 14:

ICOMOS believes that a better recognition of the cultural dimensions of climate change and climate action would result in an enhanced valorisation of culture and cultural rights defenders. Cultural heritage is a composite of human experience, developed over generations of trial and error, learning and successes. Science is governed by the same principles. To date, however, the cultural dimensions of climate change have had limited representation in climate science. Culture and heritage have been similarly invisible in climate policy documents like the Paris Agreement. Reasons for this disconnect include how we use language, how we divide nature and culture in modern society, and how we allocate financial and social value. The IPCC is the world standard in climate science and research. Better recognition of the value of indigenous science, cultural heritage and social science in its work is needed. In addition, the role of culture and heritage and in climate mitigation and adaptation strategies, and the ways in which the work of cultural defenders is central to those processes, must be acknowledged, for example by including cultural strategies in Nationally Determined Contributions and in national climate plans. This would reveal the essential role of culture and cultural rights defenders in climate action which in turn would make their position more secure.

Increasing investment in physical and social infrastructure is a key enabling condition to enhance the resilience and the adaptive capacities of societies. This recognition should be extended to cultural systems and to the support of cultural defenders and the safeguarding of cultural heritage. In particular, investments in arts, culture and heritage and related institutions, including but not limited to those of indigenous peoples and local communities, should be made to encourage community-based prioritization and documentation of traditional knowledge, cultural significance, and narratives of change, both as climate planning inputs and as a platform for citizen mobilisation.

Methodologies and mechanisms to systematically identify, evaluate, record, share and publicly account for loss and damage to cultural rights and cultural heritage from climate impacts should be developed. Improving the measurability of impacts and eventual loss of cultural heritage – tangible and intangible – and improving understanding of the economic, social, health, education, and environmental cost of losses and damages to cultural heritage, in the context of specific hazard, exposure and vulnerability information (including effects on social cohesion and identity).

Environmental and social safeguards, including safeguarding of cultural values and rights, should be incorporated into the mechanisms of climate action and climate finance. An improved understanding of the cultural dimensions of maladaptation is needed. Relevant parties should be obliged to carry out "Cultural Rights and Human Rights Impact Assessments" at both policy and project levels. Mechanisms and methodologies that mediate real and perceived conflicts between cultural rights (including heritage safeguarding) and climate action, emphasising win-win strategies, should be encouraged.

Supporting just transition mechanisms that address the profound economic and social transformation associated with climate action and recognise the cultural dimensions of such transformations, including loss of livelihoods and cultural traditions. The European Union and its institutions should ensure that cultural communities whose very existence and livelihood is threatened by climate change, culture and cultural heritage projects are eligible under the proposed EU Just Transition Mechanism. Other Regional organisations and the UN bodies, that they also consider to set up Just Transition Mechanisms to that end.

Rights-Based approaches should be taken into account in policy documents. Inclusive strategies for risk management where the capacity building of local communities and stakeholders is developed through mutual dialogue should be highlighted. State parties should seek to find solutions to avoid exacerbating existing cultural and ethnic divisions and inequalities and seek instead the promotion of inclusive dialogue and cooperation of all related parties in enhancing solidarity measures and support mechanisms for fragile heritage communities, including indigenous peoples.