Heritage and Human Rights Perspectives through Past, Present and Future

December 5-6, 2024

University of Strathclyde

Plenary Session 1. Heritage in War – from Conflict to Human Rights – Thursday, 5 December, 9:30 – 11:30, CL205

Moderation: Ahmed Khalifa (Ain Shams University)

- Stefano Crescenzi (Ministry of Foreign Affairs and International Cooperation, Italy): *The role of AI in Protecting Cultural Property during Armed Conflict. Enhancing the Respect of IHL*
  - My intervention explores the role of artificial intelligence (AI) in protecting cultural property during armed conflicts and ensuring compliance with international humanitarian law (IHL). The central thesis posits that AI can significantly enhance the safeguarding of cultural heritage by providing tools for monitoring, risk assessment, and informed decision-making, provided its application adheres to legal and ethical standards. The research underscores the vulnerability of cultural property, which often becomes a target during conflicts, leading to irreparable loss of identity and history. It advocates for the use of AI-driven technologies, such as satellite imagery analysis and predictive algorithms, to identify threats to cultural sites and prevent their destruction. Notable examples include AI-assisted documentation of endangered heritage in Syria and predictive models for safeguarding manuscripts in Mali. Operationally, my speech proposes three key strategies: (1) Employing AI systems for real-time monitoring of cultural sites in conflict zones to detect and respond to risks promptly. (2) Integrating AI tools in military decision-making to ensure adherence to IHL principles, such as distinction and proportionality, while minimizing collateral damage to cultural property. (3) Utilizing AI in post-conflict reconstruction by generating 3D models of damaged sites, aiding restoration efforts and authenticating looted artifacts. The intervention also addresses the ethical challenges, emphasizing the necessity of human oversight to mitigate risks like over-reliance on AI or misuse by hostile actors. Ultimately, it calls for a framework that combines technological innovation with robust legal and ethical governance to preserve cultural heritage amidst the ravages of war.

- Laura Guercio (University of Cusano): *The Protection of Cultural Heritage in Armed Conflict and the Children's Fundamental Right to Education*
  - The intervention underscores the urgent need for the international community to tackle the destruction of cultural heritage in armed conflicts through a coordinated dual approach: political action and international judicial efforts. Cultural heritage plays a fundamental role as a cornerstone of both identity and identification for children, fostering their connection to cultural roots,

historical continuity, and a sense of belonging even amidst the devastation of war. Protecting cultural heritage is not merely a moral obligation but a legal and political necessity grounded in international norms and commitments. At the political level, the United Nations Security Council (UNSC) has a pivotal role in addressing the interlinked challenges of children in armed conflict and the protection of cultural heritage. Historically, these agendas have been pursued separately, but their intersection requires immediate and holistic attention. The UNSC must acknowledge the profound impact of cultural heritage destruction on children, recognizing how it disrupts their identity and their capacity to identify with their cultural and communal heritage, exacerbating the trauma caused by conflict. This intervention calls for targeted UNSC actions to address these effects, linking the safeguarding of cultural heritage to broader initiatives aimed at promoting international peace, security, and post-conflict recovery. International legal instruments provide a strong framework for addressing these challenges, including the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict and its Protocols, the 1972 UNESCO World Heritage Convention, the 1989 Convention on the Rights of the Child (CRC), the Geneva Conventions, and the Rome Statute of the International Criminal Court (ICC). These treaties collectively establish the legal basis for prosecuting the deliberate destruction of cultural heritage as a war crime or crime against humanity. Historical milestones such as the Nuremberg Trials and recent ICC cases, including The Prosecutor v. Ahmad Al Faqi Al Mahdi, demonstrate the growing recognition of cultural heritage destruction as a grave breach of international law. What is required is not only the adoption of preventive and protective measures but also the implementation of reparative measures that address the specific needs of children. These efforts must prioritize restoring children's sense of identity and their ability to identify with their cultural heritage. Furthermore, enhanced international cooperation is essential to rebuilding and safeguarding cultural heritage in regions affected by conflict. Such efforts should be integrated into broader strategies for peace-building and community recovery, with educational initiatives playing a crucial role in helping children reconnect with their heritage and build resilience in the face of loss. Cultural heritage is far more than a relic of the past—it is a living repository of identity and identification for children, shaping their sense of self and their place in the world. Its destruction erases collective memory, disrupts reconciliation processes, and threatens the long-term sustainability of peace. By combining strong political advocacy with rigorous judicial enforcement, the international community can ensure the protection of cultural heritage, thereby safeguarding the dignity, identity, and identification of children impacted by war. This collective commitment is

essential to securing a future where cultural heritage remains a foundation for unity, resilience, and lasting peace across generations.

- Gianluigi Mastandrea Bonaviri & Filippo Ceccotti (Alma Mater Studiorum – University of Bologna): *The Protection of Music during Armed Conflicts: An Intersection between Tangibility and Intangibility Perspectives of Cultural Heritage*
    o Music embodies both tangible and intangible cultural heritage, encompassing not only the physical instruments, spaces, and written scores but also folklore, performances, and emotional expressions passed down through generations. These elements collectively shape cultural identity and community cohesion. However, during armed conflicts, this dual nature of music faces significant threats. The destruction of theatres, monuments, and cities, along with the challenges posed to the bearers, jeopardises both the tangible and intangible dimensions of musical heritage. This paper examines the international legal framework for safeguarding music, focusing on key instruments such as the 1972 UNESCO Convention Concerning the Protection of the World Cultural and Natural Heritage, the 2003 UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage, and relevant provisions of International Humanitarian Law. It evaluates how these frameworks protect music as cultural heritage in both its tangible and intangible forms. The study further explores the case of Colombia, a nation affected by non-international armed conflicts since the 1960s. By analysing the impacts on Colombia's musical traditions, the paper assesses the effectiveness of existing legal protections and identifies gaps in preserving these cultural expressions during prolonged periods of conflict.

- Elio Orciuolo* (Erasmus Orchestra): *Special Intervention*

Panel 1.1 Heritage in War and Peace – General Session (co-chairs: Gianluigi Mastandrea Bonaviri & Mirosław M. Sadowski) - **Thursday, 5 December, 11:45 – 13:15, CL205**

- Tatiana Cardoso Squeff* (Federal University of Rio Grande do Sul): *Misappropriation: Legal Limitations on the Return of Cultural Property Stolen in Times of Conflict*
    o In the 21st century alone, situations involving the looting of museums in Yemen and Syria have been highlighted internationally, mainly due to the fact that cultural artifacts are sold at auctions openly, with significant values. This situation raises great questions about the need to return these cultural assets

when the conflicts affecting these regions have ceased. It turns out that both domestic and international law have proven to be insufficient to prevent the misappropriation of cultural property stolen during armed conflicts and to enable their due return to their place of origin, given that these transactions are influenced by international policies of States and other actors, such as museums and universities. Even though the law prescribes that, if the appropriation of assets occurred illegally, there would be an obligation to return them under penalty of the State being held responsible for an internationally illicit act, reestablishing the ex ante situation is quite complex. Rules such as the principle of non-retroactivity of the law and the very need to identify the true owner or traditional possessor of cultural property make restitution difficult. More than that, in some countries, the sale of cultural goods of uncertain origin is not prohibited, making the return process even more difficult. In this sense, the present proposal aims to point out the existing legislation on the subject of the right to cultural goods, as well as the greatest difficulties faced in restitution, highlighting the need for States to raise awareness about cultural goods, which cannot be considered "spoils of war" insofar as they refer to the heritage of history, culture and tradition of communities affected by conflicts. As a starting point, we part from the 1954 Hague Convention and how the regime of international humanitarian law on movable cultural heritage does not dialogue appropriately with other rules of the UN, UNESCO and UNIDROIT, further weakening the existing rules.

- Beatrice Vescovi (University of Bologna): *The Threat of Wars to the Invaluable Worth of Cultural Heritage*
  - One of UNESCO's primary missions is the protection, preservation, and transmission of the world's cultural and natural heritage to future generations. The temporal dimension of UNESCO heritage is of paramount importance, as is its connection to human rights. World Heritage represents the legacy of the past, still present today, which we are duty-bound to pass on to future generations. The protection and transmission of this heritage should be regarded as a form of human rights protection. Limiting the deterioration of infrastructure and cultural works ensures that future generations will inherit masterpieces, cultural traditions, and natural habitats, which might otherwise be lost without human intervention. Furthermore, the protection of heritage from destruction due to armed conflict is a critically important and highly relevant issue. During war, the cultural heritage of nations under attack is particularly vulnerable, as is the sense of identity it fosters, which strengthens social cohesion. For aggressors, targeting heritage is a symbolic act aimed at morally undermining the affected population. After World War

II, to prevent the recurrence of destruction and looting, legal instruments were introduced, such as the 1954 Convention for the Protection of Cultural Property in the Event of Armed Conflict, focused on safeguarding tangible assets. Subsequently, measures were also adopted to protect cultural diversity and promote cultural pluralism, as seen in initiatives like the "Reinforcement of UNESCO's Action for the Protection of Culture and the Promotion of Cultural Pluralism in the Event of Armed Conflict."

UNESCO has played a key role in protecting cultural heritage in Ukraine, where over 100 cultural sites have been damaged as a result of the ongoing war.

- Giulia Parenti (University of Bologna): *Protection of Intangible Cultural Heritage in Time of War: State of the Art and Future Prospects*
    - Protection of cultural heritage in armed conflict has been widely explored. Recent crises, raise nonetheless some questions on this subject. First, it seems that a progressive dissolution of the boundaries between the various legal regimes - such as cultural rights, human rights law, UNESCO Conventions and armed conflict law - for the protection of cultural heritage in times of conflicts is emerging. Second, protection of intangible cultural heritage has been often overlooked, probably owing to the intrinsic nature of the non-tangible propriety that is defined as heritage. In order to discuss these issues, this presentation aims to undertake a twofold investigation. First, it examines what kind of protection for intangible cultural heritage international law grants beyond the special protection for the bearers as per Article 27 of GC IV and Article 46 of the Hague Regulations. In this respect, on the one hand, it questions whether the safeguarding of intangible cultural heritage can amount to an erga omnes obligation taking into account the responses of the international community to recent conflicts. On the other hand, it analyses how the cardinal principles relating to the conduct of hostilities – such as the principles of military necessity, distinction, proportionality, and precaution – can be applied with respect to intangible cultural heritage. Second, in light of the legal framework so far explored, it uses a case study based on the protection of intangible cultural heritage during the armed conflicts in Iraq to demonstrate what is still needed in the "field", despite the potential legal shift mentioned above. To this end, the presentation ends with the proposal to develop a new normative instrument. This new instrument, which may take the form of a new UN resolution even under Chapter VII of the United Nations (UN) Charter, should prospect that intangible heritage needs to be incorporated into the peace and security agenda of the Security Council, as

well as being included in all legal instruments to be enhanced in armed conflicts.

- Pierluigi Coppi (University of Bologna): *The Destruction of Cultural Heritage in the Syrian Civil War*
    - The cultural rights are a subset of the broader spectrum of the human rights, that impose, among the others, the necessity to defend and preserve the cultural heritage. The UNESCO and the Hague Convention of 1954 play a primary role in this sense, with the additionally help that NGOs like the "Blue Shield" give to them. However, there are numerous examples where there has been a destruction of the cultural heritage due to a war or a conflict. If the UNESCO is not always able to protect the cultural heritage, in particular during an armed conflict, the same can be said for the Hague Convention of 1954 and its additional protocol of 1999, which do not seem to be in step with the times, given the fact that they do not seem to consider the evolving nature of the conflicts, and the greater role played by non-state actors. Moreover, the cultural sites in modern conflicts are usually used as military bases, looted by non-state actors in order to finance the wars and, even more worrying, they are intentionally targeted in order to attempt to destroy the symbols of communal identities. Because of this, I will analyse the destruction and the looting of the cultural heritage during the civil war in Syria, looking in particular at the destruction and the looting perpetrated by the ISIS, and the inefficiency of the Hague Convention for modern conflicts.

Panel 2. Human Rights and Heritage – Special Session (co-chairs: Gianluigi Mastandrea Bonaviri & Samuel White) - Thursday, 5 December, 11:45 – 13:15, CL201

- Ahmed Aubais Alfatlawi* (University of Kufa): *Reconsidering ISIS's Crimes: Human Rights Violations in Iraqi Cultural Heritage*
    - The following abstract explores the link between protecting cultural heritage and upholding human rights within international criminal law. In times of armed conflict, intentional destruction or looting often targets cultural heritage, causing irreparable loss and undermining human rights. This paper delves into the ways in which international legal instruments, such as the UNESCO Conventions and the 1954 Hague Convention, establish frameworks for safeguarding cultural heritage during both peacetime and armed conflict. It analyzes historical cases and legal precedents from international courts, including the International Criminal Court, where deliberate destruction of

cultural property has been prosecuted as a war crime. By providing context for these legal advancements, the paper underscores the crucial role of international criminal law in holding perpetrators accountable for attacks on cultural heritage, thereby instilling confidence in the legal system and highlighting cultural rights as an integral component of human rights. Moreover, the abstract addresses challenges and upcoming trends in the field. This includes discussing the role of transitional justice mechanisms in dealing with violations of cultural heritage and promoting reconciliation. It also emphasizes the significance of international cooperation and community engagement in reducing risks to cultural heritage and advancing global efforts for its preservation. By underlining the importance of their involvement, this abstract advocates for a comprehensive approach that integrates cultural heritage protection into broader human rights agendas. It underscores the necessity of preserving cultural identity as a universal human right in an increasingly interconnected world, highlighting the urgency and importance of the topic.

- Zhen Chen (Groningen University): *Repatriating Human Remains: From Property Framework to Human Rights Framework*
  - Due to past wrongs, such as colonization and war, many human remains are looted or stolen. How can these historical injustices be addressed within existing laws? Indigenous communities, colonized peoples, and those in war-torn or developing countries have been victims of the loss of human remains and may seek legal action for repatriation. International cases include the restitution of Maori Heads (New Zealand and France), the Kennewick Man (the US and Native American Tribes), the Tasmanian Aboriginal Remains (Australia and the UK), and the Broken Hill Skull (Zambia and the UK). The handling of human remains involves human dignity and human rights, thus the UNDRIP distinguishes cultural objects containing human remains from other categories. The right of access to cultural objects forms part of international human rights law, as it may constitute a sub-right of the right of self-determination in cultural development. Given the property law barriers, such as good faith acquisition and the lapse of time, is it possible to shift from the property framework to a human rights framework? Based on case studies and comparative law analysis, this article aims to propose new approaches to facilitate the return of human remains to their country of origin by exploring the plausibility of shifting from property framework to human rights framework.

- Giulia Avanza* (Sapienza University of Rome & Fondazione Santagata per l'Economia della Cultura): *Heritage-making in Political Transitioning: An Analysis of the Process of Memorialisation of the Former Prison and Forced Labour Camp of Spaç, in Albania*
    - In contexts transitioning from conflict or from authoritarian regimes, transitional justice mechanisms have increasingly come to include the creation of memorials as mechanisms for dealing with past violence, human rights abuses, and atrocities (Bickford and Sodaro 2010). Specific attention is reserved to memorial museums or sites of memory established in non-neutral spaces: places where mass-scale violence or political persecution were enacted, as political prisons or sites of massacre. Their transformation from places of trauma into memorials reflects a process of heritage-making that leads to preserving and managing the site to serve a number of social and political purposes. Given the intended public impact of memorial museums or sites of memory, a key issue of concern within such processes is the balance between the agency of local or national authorities and of private and collective actors (Hite and Collins 2011). This article discusses the process of transformation of the former prison and forced labour camp of Spaç, in Albania, into a cultural heritage site to be open to the public. Operating in the years 1968 to 1991, Spaç was abandoned after the fall of communism and it has become paradigmatic of the country's struggle in coming to terms with its past. After framing the demands for Spaç memorialisation into the broader path of Albania's political transitioning, the article will illustrate the lengthy process of transformation, still ongoing, analyse the tensions and negotiations unfolding between public and private actors, and present the memorialisation plan that has resulted after years of neglect.

- João Motta Guedes* (Independent Creator): *Citizenship and Aesthetics: How does Art Foster the Growth of Human Rights*
    - The main problematic here presented is to know to what extent an aesthetics of human rights can move people to fight for rights, contributing to a change in the social, legal and political paradigm, which configures aesthetics as a force that is both reflective and transforming societies and law through the exercise of citizenship. It is through a theory of the image act that configures images as acts, but it is also through the analysis of the concept of a "sociological aesthetics of law, that the relationship between aesthetics and its ability to provoke emotions in people is understood, which consequently moves the people to fight for a change of legal paradigm, summoning in this process both images that represent the law and images that criticise it. For these reasons, it is proposed a Theory of Legal Image as part of an Aesthetics

of Human Rights that explains how the received images move people to fight for rights, peace and democracy.

Panel 4.1 Heritage, History and Country Case Studies (chair: Tania Atilano) – Thursday, 5 December, 11:45 – 13:15, CL202

- Andreas Giorgallis (University of Glasgow): *What are the "Colours" of International Cultural Heritage Law?*
  - Race talk has been a prominent concern in international cultural heritage law in recent years. From protests in favour of the toppling of monuments related to slavery and colonialism to debates on the restitution of colonial cultural objects and intangible cultural heritage, discussions on race have been all around us. Notwithstanding the important work of other related disciplines, such as heritage studies, archaeology, heritage tourism and anthropology, this flair has not been fully reflected in international cultural heritage law. In contrast to previous approaches, which have largely worked in isolation, this presentation examines the various ways in which race, cultural heritage and law interact with one another. In doing so, it draws upon a range of case studies from across the world

- Monika Rogers (Vytautas Kavolis Transdisciplinary Research Institute, Vytautas Magnus University): *The Rediscovered Heritage: Lithuanian Armed Anti-Soviet Resistance (1944-1953)*
  - The presentation will discuss various aspects of the Lithuanian armed post-war anti-Soviet resistance (so called partisan war) and approaches towards its' heritage: a) attempts to erase the memory and heritage of resistance; b) Soviet narrative, where resistance fighters were seen as Nazi collaborators or criminals (as in the famous movie called "Nobody wanted to die" by Vytautas Žalakevičius) c) post-Soviet "heroization" d) authentic memories and heritage preserved by the families and local communities e) critical evaluation. The partisan war in Lithuania is not an easy heritage and poses various questions related to human rights issues and international law. The partisan war is also a constant target of current Russia's regime's propaganda. On the one hand, according to international law, the Lithuanian resistance fighters represented the political will of the Soviet-occupied Lithuanian population: their main goal was to fight for independence. In the 2019 ruling of the ECHR "Drėlingas against Lithuania", this international court confirmed the Lithuanian Supreme Court's explanation that the systematic extermination of the Lithuanian partisans by the occupying Soviet regime constituted genocide against the Lithuanian nation. On the other hand, many questions still need to be answered: did (and to what extent) Lithuanian partisans themselves commit

war crimes? How many actual Nazi collaborators after WWII were fighting on the side of the Lithuanian armed resistance? What to do with this "uneasy" heritage – keeping in mind, that many objects, related to the armed resistance are still being discovered every year?

- Ankit Malhotra* (Supreme Court of India): *Heritage, History, and International Affairs of the Empires of Punjab*
    - This paper investigates the heritage and history of the empires originating from the Punjab region, with a specific focus on their contributions to international affairs. Through detailed case studies of the Sikh Empire and the Delhi Sultanate, the study highlights how these empires' diplomatic and military strategies influenced regional and global politics. The paper begins by examining the Sikh Empire under Maharaja Ranjit Singh, whose reign marked a period of significant military and diplomatic achievements. By analyzing the empire's strategic alliances and conflicts with neighboring states, such as the British East India Company and the Afghan Durrani Empire, the study reveals the Sikh Empire's role in shaping the geopolitical landscape of 19th-century South Asia. The paper also discusses how Ranjit Singh's policies fostered a multicultural and multi-religious state, leaving a lasting impact on the region's heritage and identity. Next, the study delves into the Delhi Sultanate's influence on international affairs during its zenith. The Sultanate's interactions with Central Asian powers and its strategic location as a trade hub are explored to illustrate its role in the broader network of medieval global commerce and diplomacy. By examining the architectural and cultural legacies, such as the Qutub Minar and the establishment of Indo-Islamic art forms, the paper highlights how the Sultanate's cosmopolitanism facilitated cultural exchanges and influenced regional heritage. Additionally, the paper addresses how these empires managed their international relations and their legacies today. For instance, the preservation and promotion of heritage sites like the Lahore Fort and the Golden Temple are analyzed to understand their contemporary significance and the challenges they face in the context of heritage conservation and tourism.

- Charlene Musiza* (University of Cape Town): *Digitization of cultural heritage: The protection and preservation of traditional cultural expressions in South Africa*
    - Defensive protection measures for traditional knowledge (TK) have gained traction world over and South Africa has taken steps to protect and preserve TK. However, it would seem traditional cultural expressions (TCE) have not received due attention, as knowledge relating to arts and crafts is yet to be

adequately addressed in legislation and other protection measures. In 2013, the Intellectual Property Laws Amendment Act was enacted to make wholesale amendments to several intellectual property (IP) laws and extend IP protection to traditional knowledge and TCE. Over ten years later, this law is not yet in force as the implementing regulations have not been adopted. Also in 2013, the Department of Science and Technology launched a national recordal system for TK. Developed as a phased digitization process, phase one focused on TK relating to medicine and food, which is captured on the National Indigenous knowledge Management System (NIKMAS), a digital knowledge repository. The digitization effort is commendable, but knowledge relating to TCE continues to be relegated, which raises questions around South Africa's commitment to protecting this cultural heritage. In 2019 the Protection, Promotion, Development and Management of Indigenous Knowledge Act (IKS Act), a sui generis law for TK, was enacted, though similarly it is not yet in force. This paper assesses whether digitization of TCE knowledge would safeguard against misappropriation and examines the relevant provisions of the IKS Act, which comes into effect once the regulations are gazetted. The paper further investigates the copyright implications arising from TK databases.

Panel 1.2 Heritage in War and Peace – General Session (co-chairs: Gianluigi Mastandrea Bonaviri & Mirosław M. Sadowski) - Thursday, 5 December, 14:15 – 15:45, CL205

- Michael Randall (University of Strathclyde): *Taylor Swift: Public Image and Authenticity in the Law*
  - Authenticity is an integral and pervasive concept and is often seen as essential for the projection of self-identity. This paper will consider authenticity through the lens of Taylor Swift as a public figure for accessible legal discourse, arguing that genuine authenticity in public life is elusive. Swift's work consistently and knowingly plays with the idea of authenticity in her public image, ranging from the stated honesty of Midnights and Reputation to subversion of her image on tracks such as Blank Space. Her acknowledgement of Eras indicates multiple distinct projections of identity over time and knowingly playing with her public image. Swift's image in popular culture means she is an accessible lend through which to discuss legal issues. Yet her influence is so broad that her public persona is also challenged. Consequently she has become a de facto legal influencer/legal icon. This is exemplified by her political activism, her influence in disrupting streaming and movie distribution, ticket pricing and sales. Yet an historical period of

apoliticism also led to her image being coopted by white supremacists. In being a 'monster' of popular culture, her public image may be distorted. As such, Swift can be described as playing a character and as a result the legal discourse resulting from Swift's image is built on a flawed premise. This raises the question of whether it is fair to describe someone as 'inauthentic' if audiences project their own expectations and interpretations onto a popular culture icon.

- Paolo Foradori (University of Trento): *The European Union's emerging role in cultural heritage protection in conflicts and crises*
  - This research explores the European Union's emerging role in the protection of cultural heritage during conflicts and crises, using the theory of "EU actorness" as a framework for analysis. Focusing on the EU's external action under its Common Security and Defence Policy (CSDP), the study assesses the EU's credibility and effectiveness as a global actor in this domain. The paper begins with an overview of the CSDP, followed by an introduction to the "EU actorness" theory and its operationalization through specific indicators. The core of the presentation applies this theoretical model to a case study of the EU's engagement in cultural heritage protection, concluding with key findings and policy recommendations for strengthening its role in future crises.

- Yumei Chi* (Université Grenoble Alpes, France): *Vicissitude of Transcultural heritage: Oriental Colours in French Impressionism*
  - In 1874, in Paris, after the Franco-Prussian War of 1870 and the violent civil war that followed, Paris Commune, a French 'rebel clan' organised its first exhibition of paintings, auto dubbed 'Impressionism'. By capturing variations in natural light and colour, and introducing subjective human emotion into the scene, 'Impressionist' painting challenged the long-dominant humanist painting of the Renaissance, and attempted to free itself from the latter's stereotypical concepts of rationality and technique. The original 'Impressionist' paintings, whether in the form of the composition or in the inner soul (spirit) they express, reflect all the colours of Oriental humanism, the essence of Romanticism, i.e. the harmony between man and nature, and the interplay between sentimentality and landscape. The Impressionist painters made no secret of the fact that they were influenced by 'Japanese art', in particular Japanese 'ukiyo-e' (浮世絵, the Edo period, 1603-1868), and the latter is especially evident in the Nabi school of Post-Impressionism. However, whether it is Monet's Water Lily Pond (Le Bassin aux nymphéas, 1899), Van Gogh's Almond Blossom (Amandier en fleurs, 1890), or the waves

in Manet's Rochefort's Escape (L'évasion de Rochefort, 1881), all these paintings reveal the remnants of Chinese painting from the Song dynasty (宋代, 960 -1279). In fact, the 'Ma-Xia School' (Ma Yuan 马远, 1160-1225, and Xia Gui 夏珪, 1195-1224) of Chinese literati painting of the Southern Song dynasty directly influenced the later Japanese 'Kano' school (狩野派, Kanō-ha, 15th century-1868) and other Japanese schools of painting. Today, this transcultural heritage has been stripped of its origins. Behind this evanescence of memory lies the emerging power of Japan, which replaced China in the conquest of the European market from the second half of the 17th century until its apogee around 1850.

- Charlotte Woodhead (Warwick University): *Caring About and for Cultural Heritage on the Moon*
    - Cultural heritage from the Apollo missions located on the Moon has untouched for many years and because of the nature of the environment of the Moon is likely to remain to a large extent unaffected since then. With the advent of further outer space exploration, particularly of the Moon questions about how to care for these remnants have come to the fore. Whilst the Artemis Accords go some way to caring for heritage on the Moon, there is clearly a need for an internationally agreed instrument to deal with heritage (as identified by For All Moonkind and their submission to the UN Committee on the Peaceful Uses of Outer Space, June 2021). But is it strictly necessary to create a new category of 'outer space heritage' when existing categories of cultural or natural heritage could simply be extended to a new location? This paper argues that there is no need for a separate category of heritage, instead, the focus can be on cultural or natural heritage. Any international convention dealing with natural and cultural heritage on the Moon should, it is argued, be framed within an ethic of care. First, by focusing on the categories of heritage that humanity cares about and concomitantly care for. This will involve making judgements about what should be given enhanced standards of care, thereby preventing further physical alteration. Secondly, the degree to which the care for the heritage should be concerned with preservation or providing access and the centrality of dialogue, empathy and respect.

- Pietro Schirò* (University of Verona): *The Jurist Antonio Canova. The Question of Restitution of Artistic Property in the Principles of International Law*
  - «Not all the French are thieves but Bonaparte yes». This phrase was popular in Italy after the Treaty of Tolentino of 1797, a treaty that gave formal legality to Napoleonic looting. With Napoleon's triumphs, thousands of works of art flowed from all over Europe to Paris, creating one of the most famous cases in history of transfers of property following wars. Only in September 1815, with the defeat of Napoleon, did the European states claim the property of the looted masterpieces. The Papal State entrusted the sculptor Antonio Canova with the difficult task of returning the removed works to Italy. The choice fell on the most successful artist of the time, who had been involved in the protection of cultural heritage for years. In fact, in 1802 Canova had been appointed Inspector General of Antiquities by Pope Pius VII, and on several occasions had submitted the delicate question of Italian works of art to Napoleon. The artist Canova plays the role of diplomat and, unwittingly, also of jurist. In fact, a new principle of international cultural property law will arise from his considerations. Canova states that art is the heritage of humanity, but also national identity. The laws of war and victory cannot prevail over the laws of art and the preservation of national heritage. In the course of my speech, therefore, the following topics will be addressed: Rome's legislation on the protection of cultural heritage; Napoleon's wartime spoliations; and, above all, the figure of Canova as a diplomat and jurist.

- Ludovico Carofano (Sant'Anna School of Advanced Studies): *A Way Forward to Return Colonial Looted Cultural Property: A Focus on the Italian Context*
  - Italy, compared to other European countries with a colonial past, is timidly coming to the table in the discussion of the return of colonial looted cultural heritage. In this sense, the total lack of coordination and legal action (including soft law) in the Italian context is evident. Nevertheless, the question of the return of colonial looted cultural heritage to which existing treaties do not apply for chronological reasons is far from settled under customary International law. Italy carried important episodes of restitution of colonial looted cultural property in the early 2000s, including the Venus of Cyrene and the Obelisk of Axum. After the Venus of Cyrene case, the repatriation of colonial looted cultural heritage from Italy seems to have stopped. Things are slightly changing on multiple levels: former colonial States are engaging in a

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process of discussion and restitution, as also demonstrated by the MONDIACULT 2022 Declaration, which called for an open and inclusive international dialogue on the return of cultural property. This paper aims to understand the perspectives and challenges for the Italian legal system in the return processes of colonial looted cultural heritage, through a comparative analysis offered by virtuous legal instruments recently adopted by other European states. After understanding the main elements of resistance and the developments of restitution processes, it will be necessary to reflect on the opportunities for dialogue with the communities of origin, to which the goods looted by Italy belong, and the protection of human and cultural rights.

- So Yin Tam (University of Oxford): *On the Life and Death of Culture: Rematerialisation and Return in Post Hoc Relic (2019) and the Other Nefertiti (2015)*
    - This paper examines the artworks Dane Mitchell's Post Hoc Relic (2019) and Jan Nikolai Nelles & Nora Al-Badri's The Other Nefertiti (2015) vis-à-vis the cycle of cultural heritage loss and re-entry into the illicit market. It argues that the formal qualities, theatrical performativity, and historical referents of these works shed light on the inadequacy of international law, normative justice, and private property rights in addressing the trade of cultural artefacts. Furthermore, the artworks critique prevailing Eurocentric paradigms and exclusivity within encyclopaedic collections while advocating for the restoration of aboriginal discourse and the reclamation of marginalised narratives. The paper also delves into how these pieces dematerialise documentations of loss as private property and address the fluidity of cultural heritage and ownership. In the contemporary era, cultural identity is emancipated from the material object, highlighting the need for alternative perspectives and approaches to understanding and safeguarding cultural heritage. Applying Tim Ingold's argument on the relational nature of materials, anthropological approaches in art history emancipate the discipline from excessive reliance on the material artefact, challenge prevailing imperialist influences, and promote a more inclusive understanding of art.

- Pedro Henrique Monteiro de Barros da Silva Néto* (SBSA Advogados): *The Case of the Repatriation of the Tupinambá Mantle: Challenges and Solutions for the Restitution of Cultural Goods and their Impacts on the Promotion of Human Rights for Indigenous Peoples in Brazil*
    - This article is based on the premise that, despite the robust set of norms and principles of public international law to regulate the protection of cultural heritage in general, access to justice and the promotion of the right to cultural

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heritage and memory are not always guaranteed in certain specific cases, whether for political reasons or due to difficulties involving the lack of adequate harmonization of the rules of private international law for dispute resolution. It is important to recognize, however, when innovative situations are underlined, and, in 2024, in the context of the Latin American cultural heritage law, the process of restitution of the Tupinambá mantle to the Brazilian indigenous community of the Tupinambá de Olivença is deemed paradigmatic for several reasons. The objective of this work is to critically present the Tupinambá Mantle Case, seeking to highlight the emergence and reaffirmation of the rights of traditional and indigenous peoples with the repatriation of the cultural good in question. This research is structured in an analysis of the legal and procedural difficulties faced in operationalizing the restitution of said cultural good, as well as the innovative and human rights-promoting solution that was implemented, aiming to contribute to multiplying and encouraging similar solutions that do not depend on judicialization, but that might be equally capable of supporting the protection of cultural heritage and traditional and indigenous peoples rights around the world by recognizing their existence, identity, and ancestry.

Panel 4.2 Heritage, History and Country Case Studies (chair: Tania Atilano) – Thursday, 5 December, 14:15 – 15:45, CL202

- Tina Manandhar* (Tribuvan University): *The Kumari Cult in Nepal: A Fusion of Hindu and Buddhist Cultures (Special Intervention)*

- Gianluca Frinchillucci* (Istituto Geografico Polare "Silvio Zavatti"): *Special Intervention*

- Paula Abou Harb (Conservation Architect) – *Beirut's Architectural and Heritage Fabric after the Explosion and the Cultural Fight for Existentiality*
  - On August 04 2020, the sudden explosion of Beirut's port warehouse rocked the heart of the city and its inhabitants, causing massive damages and shaking the capital's last standing historic and social fabric. The tragic event marked the culmination of a series of national adversities, transforming Lebanon's multi-faceted unrest into what can be described instead as a revolt in search for meaning, a battle for identity… a fight for existentiality. In this research, the light is shed on what this fight truly represented, by looking beyond

Beirut's physical architectural parameter, and understanding its human and psychoanalytical parameter. Behind the bold titles and the images of destruction and reconstruction, an unprecedented movement stirred the city after the blast, reviving long dormant memories, echoes of Beirut's post-war Tabula Rasa, and a reborn interest in the safeguarding of cultural heritage and cultural identity. The response that followed the incident was not merely a reaction to the threat, but above all a scream of rebellion and an asserting of existence: to exist in time, in the past, the present and the future; to exist in form, in the built, the unbuilt and the memories they hold. Four years after the event, and after witnessing firsthand Beirut's slow metamorphosis, I will portray the different layers of the city's emergency reaction that followed, and the many ways in which these reactions took human, cultural, physical and existential forms.

- Larysa Zhdankina (University of Glasgow) - *The Contribution of Constitutional Control to the Symphony of Law-Making Activity as an Element of Transitional Justice (the Ukrainian case)*
  - What does an individual or society expect at the stage of the full-scale war of the past and future? Can the constitutional prescriptions be a bridge between the state and every person? In the period of a full-scale destructive war in Ukraine, constitutional control, as an element of the state system of legal protection of basic values and guarantees of protection of human rights, embodies the will of the people to establish peace, freedom, equality, respect for human dignity and protection of human rights. This paper explores the role of constitutional control in Ukraine during its full-scale war, highlighting its significance as part of the state's legal framework for protecting human rights and core values like peace, freedom, equality, and human dignity. It examines the contribution of the Constitutional Court of Ukraine to restoring human rights and improving constitutional oversight, especially during the adoption and amendment of laws. Specific decisions of the Court showcase its ability to address remnants of Ukraine's colonial Soviet past and its potential to shape institutional reforms that may become integral to Ukraine's transitional justice system in the post-war era. While the Constitutional Court is not a legislator, its decisions provide a crucial finality to the law-making process. The study underscores the Court's capacity to play a pivotal role in institutional reforms and the guarantee of rights, such as the right to truth, positioning it as a key actor in Ukraine's transitional justice efforts

Moderation: Andreas Giorgallis (University of Glasgow)

- Janeen M. Carruthers (University of Glasgow): *Cultural Property – A Private International Law Perspective*
  - The presentation will address what part rules of private international law can and should play in the transfer of cultural property, a subject where legal issues run parallel to, or can be intertwined with, ethical and policy issues. The presentation will give a brief overview of the legislative landscape affecting cultural property, both global measures and European interventions. It will outline, first, the 1970 UNESCO Convention and the 1995 UNIDROIT Convention. Secondly, it will refer to the Brussels I Recast Regulation rule of special jurisdiction that favours the forum rei sitae, and complements the suite of European rules concerning cultural objects/goods. Thereafter, the presentation will consider the relationship between the legislative landscape and national rules of private international law concerning the transfer of moveable (/cultural) property, and will highlight that, although international efforts have concentrated on the regulation of cultural objects (including export and import control), such international rules as have been promulgated are subject to private international law rules concerning the transfer of property. In the context of a possible European regulation to govern aspects of international property law, the presentation will consider what the relationship should be between the lex situs rule and the transfer of cultural property. It will enquire if a bespoke choice of law rule for cultural property is necessary or desirable, as a choice of law counterpart to article 7(4) of Brussels I Recast and as a private international law companion to existing UNESCO and UNIDROIT instruments, and will suggest potential drafting options.

- Malcolm M. Combe (University of Strathclyde): *Dealing in Cultural Objects; Dealing with a Gap in Scots Law*
  - Over five years ago, I published a post on my personal WordPress blog about an unjustifiable gap in Scots law (see https://basedrones.wordpress.com/2019/01/16/dealing-in-cultural-objects-dealing-with-a-gap-in-scots-law/). The Dealing in Cultural Objects (Offences) Act 2003 was not extended to Scotland when it was passed by the UK Parliament, in the hope that dedicated territorial legislation would follow

for Scotland soon after in the form of a statute passed by the Scottish Parliament. The Scottish Parliament is a relatively young legislature, established by the Scotland Act 1998, that is empowered to pass laws for Scotland in areas where it has legislative competence. Such dedicated legislation for dealing in cultural property in Scotland has not followed. All of this means Scots law is deficient in this area. Questionable conduct that is not technically the existing offence of theft will not attract legal consequences when there are strong arguments, in cultural property terms and for uniformity across the UK, that it should. This deficiency can maybe be explained. Perhaps legislating for that fickle creature called "culture" in the climate of the Scottish Parliament would be ripe for criticism or politicking. That explanation is not a justification though. A short, targeted bit of legislation – not unlike the 2003 (rest of) UK legislation – could be introduced to deal with this. This paper will, once again, highlight the gap in Scots law and seek a path to a solution.

- Thomas Muinzer (University of Aberdeen): *Skeleton in the Closet – Cultural Property and the Remains of Charles Byrne*
  - o Charles Byrne was an eighteenth-century celebrity "Irish giant" who requested burial upon nearing death, but whose corpse was procured against his wishes by the surgeon John Hunter. Hunter reduced Byrne's corpse to its skeleton and exhibited it as the centrepiece of his vast anatomical collection. It has since remained on display in the Hunterian Museum, London, until last year when it was removed from display after public pressure. In 2011 it was announced that research conducted on the skeleton's DNA revealed that several Northern Irish families share a common ancestry with Byrne. This presentation considers the social and legal issues raised by Byrne's story, including the prominent argument that Byrne's remains are cultural property and that they should be accorded a respectful burial.

Panel 3.1 Law, Culture and Politics in Heritage (co-chairs: Mirosław M. Sadowski and Michael Randall) – Friday, 6 December, 9:45 – 11:15, CL205

- Mirosław M. Sadowski (University of Strathclyde): *Pirates, Collective Memory and the Law: Between Popular Culture Imaginaries and Reality*
  - o Few phenomena in world history have such a vivid imagery in popular culture as piracy. Law is a major element of those images, whether looking through its lens one considers pirates as lawless or, conversely, as free of the

shackles of society. This article proposes to investigate the relationship between the two, choosing three eponymous images as the focus of its investigations. Beginning with the study of the ways in which images of piracy were created in popular culture, the author then turns his attention to the question of the ways in which law has framed pirates throughout the ages. Thus, he looks into each of the three pre-selected images: of pirates as symbols of liberty (focusing on the question of pirate's social organisation and pirate utopias), of pirates as outlaws (focusing on the question of how international law has treated pirates throughout history to the present day) and of pirates as treasure hunters (focusing on the question of legal rights to sunken treasures). In the final part of the article the author ponders the endurance of images of piracy, asking the question as to what this phenomenon reveals about law in particular and society in general.

- Isaac Amon* (Washington University & Jewish Heritage Alliance): *"Españoles Sin Patria:" Sepharad, Iberian Law, & Imagined Communities*

  o In 1492, three extraordinary events, whose profound consequences continue today, occurred nearly simultaneously: the Catholic Reconquista of Iberia was completed; Columbus set sail across the Atlantic; and Spanish Jewry was expelled en masse from their ancient homeland. King Ferdinand and Queen Isabella's Edict of Expulsion (Alhambra Decree) irrevocably sundered the unity of Iberian Jewry and changed the course of history. Tens of thousands of Jews sought refuge in Portugal (where they were forcibly converted in 1497) whilst tens of thousands of others fled across the Mediterranean to North Africa, Italy, and the Ottoman Empire. Others converted to Catholicism, thus coming under the jurisdiction of the Spanish (and later Portuguese) Inquisition. Establishing a pan-Mediterranean and eventual global diaspora, surviving remnants rebuilt their lives and re-created Sefarad in memory through food, music, language, dress, and culture. Furthermore, in consequence of this existential calamity - the gravest prior to the 20th century Nazi Holocaust - these collective experiences of persecution, exile, sojourning, and resettlement bonded them and their descendants, which persists today in Sephardic communities around the world. Neither Spain nor Portugal have forgotten this history as well. Indeed, in 2015, both countries promulgated legislation offering special paths to citizenship for descendants of expelled Jews; tens of thousands obtained it, many others were denied, and within a decade, these unique legal schemes were altered or ended. Reckoning with this past led to passionate discourse within Iberia and the Sephardic diaspora and illustrate the lasting power of cultural politics and memory.

- Isabella Salsano (University of Salento): *Cultural Heritage Under Threat: Exploring the Consequences of Deliberate Destruction on Freedom of Worship in Post-Conflict Regions*
  - Cultural heritage has historically endured destruction, looting, and trafficking, especially during and post conflicts, with minority communities often bearing the brunt of this loss: the intentional targeting of Serbian monastic communities in Kosovo and its impact on the fundamental human right to religious practice is a growing concern. Serbian monasteries are deeply linked to the development of their collective sense of belonging, with religion representing one of the crucial connections with their ancestral territories. The loss of these edifices, many of which were included in the list of threatened cultural heritage sites, presents a major threat to said community's religious liberty. The systematic demolition of sacred locations depicts an extensive strategy intended to eradicate the cultural identity and memory of a community. This prompts concerns about the infringement of religious freedom of minorities, for the destruction of these sites not only jeopardises the tangible cultural heritage of the Serbian population but also endangers their capacity to practise their religion freely. The existing legal framework on war crimes needs revision to categorize these kinds of actions as crimes against humanity because of their far-reaching impacts on individual and collective rights. Spiritual traditions and buildings are tangible links with historical settings that enable the connection of people with their past, beliefs, and values. The destruction of Serbian monasteries halts not only the religious practice of individuals but also a vital part of their cultural heritage, therefore weakening their sense of belonging and continuity. The above scenario illustrates the complex relationship between safeguarding culture and religious freedom, in demonstrating the nexus between the erga omnes obligation to protect cultural property and human rights. More extensive protection should be provided, viewing the respect for cultural heritage as a foundation for lasting peace and intergenerational connections with collective memory.

- Hani El Debuch (University of Bologna): *The Construction of Hybrid Identity Among Second-Generation Arab Migrants in Italy: Cultural Heritage, Daily Experiences, and Legal Frameworks*
  - Individual and collective identity is dynamic, not static, and is shaped by various elements, including cultural heritage. The analysis focuses on how second-generation Arab migrants in Italy perceive and construct their identity. It explores the concept of hybrid identity, which develops in response to the interaction between their original cultural influences and those of the host country. The granting of citizenship merely places the migrant within a

legal framework without addressing the complexity of their identity. In particular, within families, a generational gap emerges with the children, where citizenship can have different meanings and implications, as the first generation patiently acquired it, while the second generation was born into it. The paper proposes studying the cultural references of second-generation Arabs with dual citizenship in Italy. They develop an identity that is neither fully tied to their culture of origin nor fully assimilated into the culture in which they reside. Instead, it is a new form of cultural heritage selectively drawn from both countries' tangible and intangible cultural heritage. This identity emerges from negotiation and reconstruction, influenced also by daily experiences and the Italian socio-political context. This process of constructing the cultural heritage of the second generation represents a crucial aspect of the debate on citizenship and inclusion and will be addressed also by analysing relevant legal regulations such as the UNESCO Universal Declaration on Cultural Diversity (2001) Global Compact for Migration (2018), the European framework i.e. the Common Basic Principles for Immigrant Integration Policy and the national framework.

Panel 6. Heritage, Women, Children and Accessibility (chair: Laura Guercio) – Friday, 6 December, 9:45 – 11:15, CL201

- Maria Raffaella Mastandrea Bonaviri & Valeria Andreani* (Independent Researchers) and Andrea Socrati* & Aldo Grassini* (State Tactile Museo Omero): *Accessibility and Cultural Heritage: A New International Paradigm*
    - o Rethinking cultural heritage through the lens of accessibility fosters democracy, identity, and reappropriation, ensuring everyone has a voice in contemporary discourse. This project proposes an inclusive model for making cultural heritage accessible, reducing social exclusion and strengthening collective identity awareness. It puts forward the adoption of a new set of international Guidelines, together with an Action Plan, providing a comprehensive strategy to guarantee that everyone could access cultural heritage, including vulnerable groups. The Action Plan proposes to implement inclusive policies and strategies, based on equity and sustainability. It started during spring 2024 involving two Italian artistic high schools, one located in Frosinone and the other one in Ancona and two Italian psychiatric communities, one in Frosinone and the other in Ancona. Driven by the belief that both tangible and intangible cultural heritage are invaluable

arenas for dialogue, and that the collective dimension represents a significant asset, this project pioneers the implementation of innovative inclusive policies. It actively engages participants as both contributors and beneficiaries in cultural heritage experiences. The initial phase focused on building relationships among the groups through visits to each of the involved institutions and launched a series of informal discussions on accessible cultural heritage, both tangible and intangible, supported by digital materials for collaborative commentary. An initial analysis reveals the need for more open and inclusive cultural spaces and the desire to overcome stereotypes linked to diversity. It is noticeable that some students feel the lack of inclusive cultural spaces and some patients perceive themselves as "a burden" to society. The project is moving towards its second phase, compared to the initial proposal made at the University of Forlì last December. It is characterized by joint meetings and cultural activities, including a collective visit to the Tattile Omero Museum, with which the project collaborates. Access to cultural heritage can enhance personal and collective well-being, encourage critical reflection, foster meaningful exchanges, and strengthen a sense of belonging, ensuring that the entire community can fully benefit from cultural services and experience the profound connection between heritage, health, and human rights.

- Michela Contessi (University of Turin): *Are We Ready? Protection of Cultural Property in Time of Peace and War*
  - Cultural heritage is a vital asset that embodies the identity, history, and creativity of a people, offering a sense of belonging and continuity with the past. It serves as a collective memory and a source of inspiration for new artistic and innovative endeavours, while also being a significant economic resource. However, cultural heritage faces constant threats, both in times of peace and war—ranging from neglect and urbanization to intentional destruction and illicit trafficking. Effective protection of cultural heritage hinges on prevention and planning. By identifying vulnerabilities and implementing preventive measures, it is possible to safeguard these assets. Key strategies include detailed inventories, site-specific emergency plans, and regular maintenance. Additionally, raising awareness and training across all sectors, including military, civilian, and public, is crucial for fostering a collective sense of responsibility. This article emphasizes the need for a continuous, collaborative effort to protect cultural heritage, both in peace and war, showcasing case studies and discussing the Disaster Risk Management Cycle for Cultural Heritage as a key strategy in managing risks related to catastrophic events.

- Harold Assou-Dodji* & Janet Serwah Boateng (University of Education, Winneba, Ghana): *Voices of Empowerment: Women Leveraging Cultural Heritage in Safeguarding and Advancing Human Rights in Africa*
  - This research presents a compelling exploration of the profound and often overlooked role that African women play in harnessing cultural heritage as a potent instrument for protecting and advancing human rights across the diverse tapestry of Africa's rich traditions. Africa's cultural heritage is a mosaic of languages, traditions, rituals, and worldviews that deeply influence cultures and societies. Women have emerged as key change agents in harnessing these cultural underpinnings to protect human rights in times of peace as in times of war. Their stories, often untold or overshadowed, present narratives of resilience, innovation, and leadership. This project seeks to amplify the voices and experiences of women at the forefront of leveraging cultural traditions for human rights advocacy. The study aims to explore the dynamic interplay between women's empowerment and their diverse human rights advocacy strategies, and to document the authentic narratives from women who have played instrumental roles in leveraging and integrating their cultural heritage into human rights advocacy and mechanisms for preventing conflicts and promoting post-conflict community reconciliation. Using a multidisciplinary approach, the study draws from anthropology, sociology, gender studies, and human rights research by examining how women across various African regions and communities leverage their cultural heritage as a powerful tool not only for protecting human rights and preventing conflicts, but also for building, preserving and transmitting cultural identities for future generations. Through extensive desk research covering literature review, oral histories, case studies, ethnographic studies, and analysis of cultural practices, the study unveils the intricate ways women challenge gender-based discrimination and promote equality and the respect of human rights. It also examines existing legal and policy frameworks at the national and regional levels within which African women engage with cultural heritage in preserving children's identity and safeguarding their fundamental human rights and freedoms in times of war. Furthermore, the study investigates the challenges these women face, from resistance to change within patriarchal structures, to external pressures of internationalism. Ultimately, the study contributes to the ongoing debates on women's empowerment and cultural heritage in protecting and advancing human rights, especially the rights of children in armed conflicts, and in fostering and preserving peaceful communities.

- Tania Sebastian* (Vellore Institute of Technology): *Access and Benefit Sharing in Traditional Medicine: Patents, People and Priorities*
  - Traditional medicines in India are part of the culture of persons in select part of the country. It serves as the primary method of health care for select parts of the country, and also provides livelihood opportunities through the sale of the products used for making the traditional medicine. There are two ways that these traditional medicines are used: in its raw form, and for the drug discovery process of new medicines. In both these formats, challenges emerge in the form of benefit sharing between the community and the companies/ entities that acquire private rights through patents. This paper/ presentation explores into these challenges from the perspective of India's culture and heritage of traditional medicines and its present stance as the 'pharmacy of the world.' This paper/ presentation will dive into the past experiences in India that has resulted in resistance of patents on traditional knowledge, and the creation of the Traditional Knowledge Digital Library to ensure accessibility to information regarding traditional knowledge from existing literature related to Ayurveda, Unani and Siddha. However, challenges remain as the public embodiment of traditional medicine shifts to private hands, resulting in concerns about its patentability in India and other countries, and about the legal ramifications in both the domestic and international space.

Panel 7. Outer Space Perspectives for Heritage (co-chairs: Michelle L. D. Hanlon & Andrea Harrington) – Friday, 6 December, 9:45 – 11:15, CL202

- Mike Pavelec (Schriever Space Scholars & Johns Hopkins University – SAIS): *The Hidden Heritage of German Technology and the Start of the Cold War Space Race*
    - In losing the war the Germans forfeited their rights to the technologies they had created. For the victorious Allies, German science and engineering was about to have an enormous influence on the emerging ideological struggle of the Cold War. In this paper, based on extensive archival research and part of a larger work-in-progress, I will examine the origins of the Cold War competition for space and the role of German wartime heritage. In space technology specifically, the Allies captured every component and person involved in the V-2 rocket program for post-war national security technological development, purposefully denying the Germans the technological heritage of the war but continuing the work in their own countries. The Soviets occupied the Peenemünde testing grounds, relocating designers, artifacts, and blueprints back to the Soviet Union for their rocket programs under Sergei Korolev. The British Operation Backfire captured German technology for display and the heritage program that became the Imperial War Museum. In the American case, German rocket scientist Wernher von Braun moved 220 of his team and 14 tons of paperwork to Bavaria to fall in the path of the U.S. advance. Coincidentally, American teams were looking for them – and others – under Operation Paperclip. Von Braun and his team were spirited off to the U.S. to build an American rocket and space program, solidifying the heritage of the United States in space. Today, U.S. and Russian museums are filled with space artifacts built for peaceful purposes that evolved from German technology built for war.

- Darcey McDonald (McGill University): *Preserving Cosmic Heritage: The Cultural Significance of Astronomy and the Imperative for Dark and Quiet Sky Protection in Outer Space*
    - There are growing concerns regarding the protection of dark and quiet skies in outer space, particularly in light of the rapidly increasing number of space objects in Low Earth Orbit. As the number of space objects in Low Earth Orbit increases, the interference with ground astronomy also becomes prevalent. This paper will consider the impact that such an interference has upon global culture, taking into account the significance of astronomy in varying forms of heritage: it will explore the risk that space activities pose to the future of astronomy and the far reaching consequences this may have for humanity.

The paper will then consider how best to protect these forms of heritage, exploring both hard and soft law instruments and their relative merits and demerits in the protection of dark and quiet skies, ultimately concluding that the current approach through the existing hard law and fragmented soft law is insufficient. While there has been a range of differing pledges to the protection of dark and quiet skies, these pledges do not contain binding obligations nor implement any uniform global mechanisms to ensure dark and quiet skies are protected. A soft law agreement ought to be considered by an international governing body with a view to it eventually crystallising to international custom, on a similar course to what has occurred with the Space Debris Mitigation Guidelines. This is the most appropriate approach to ensure a widespread and uniform response to the protection of dark and quiet skies.

- Elumalai Prema & O. V. Ragul* (Vellore Institute of Technology): *The Intersection of Space Law and Cultural Preservation: Protecting Lunar Heritage and Addressing the Environmental Implications of Space Waste*
  - This paper explores the intersection of space law and cultural preservation, focusing on lunar mission relics and the environmental impact of space waste. It begins by addressing the legal definition of "space objects" under the 1967 Outer Space Treaty, which includes all components and debris from space missions. The 1972 Convention on the International Liability for Damage Caused by Space Objects further establishes State jurisdiction over such objects. A key issue examined is the classification of human waste bags left on the Moon under these treaties, as they result from human activity rather than spacecraft operations. The study also applies the "sic utere tuo ut alienum non laedas" principle and precautionary principle from the 1992 Rio Declaration, requiring states to prevent environmental harm even without conclusive evidence, underlining the need to manage potential risks from lunar waste. The paper highlights the role of COSPAR's planetary protection guidelines, which aim to prevent contamination in space. Though these guidelines were not in place during the Apollo missions, they now influence current space exploration and could shape how lunar waste is handled. Additionally, the paper considers the technical challenges of removing lunar waste, particularly the impact on the Apollo 11 site and the potential for new disturbances. It weighs the feasibility of using robotic versus human missions for waste removal and the implications for preserving the site's historical and environmental integrity. In conclusion, the paper calls for a comprehensive technical and legal framework to balance lunar heritage preservation with space waste management.

- Ed Koellner (University of Mississippi): *Interstellar Heritage: Safeguarding Cultural Identity and Human Rights in the Age of Human Settlements in Outer Space*
  - o As humankind enters the new era of space settlements, ensuring the conservation and preservation of cultural heritage, as well as defending human rights, becomes of utmost importance. This study explores the complex difficulties and possibilities related to establishing human settlements in space, with a specific emphasis on safeguarding Earth's cultural heritage and developing new cultural identities in outer space habitats. The text explores the significance of Earth's cultural history, emphasizing the need to broaden existing legal frameworks to safeguard cultural objects, practices, and information in human-inhabited outer space. The conversation then turns to the rise of novel cultural identities within these colonies, examining how seclusion, climate adaptation, and technological advancements may influence these identities and the possible consequences for human rights. As space settlements progress, inquiries emerge regarding the entitlement to cultural identity, the conservation of minority cultures, and the possible clashes between space-based cultures and Earth-based standards. This article advocates for the immediate creation of legal and ethical frameworks that prioritize safeguarding cultural heritage and human rights in the context of space exploration, using an interdisciplinary approach. To guarantee inclusivity, respect for variety, and the preservation of cultural richness, it is imperative that we tackle these issues in a proactive manner in the context of space exploration and settlement initiatives. This study seeks to enhance the discussion on space governance by promoting the inclusion of cultural and human rights factors as key components of sustainable space exploration and migration.

- Mary-Christine Sungaila* (Complex Appellate Litigation Group & University of Mississippi): *Space Cultural Heritage Protection: The Role of Adaptive Governance*
  - o The Sanctuary on the Moon project supported by UNESCO plans to deposit a digital time capsule of "the very essence of humanity"- including the human genome to humans' cultural and scientific legacy- as part of NASA's Artemis program. This newly announced effort to preserve humanity's heritage on Earth by sending it to the Moon highlights the need to preserve humanity's heritage and history of space exploration on the Moon itself, which carries no small amount of urgency as more missions are planned to the Moon by a variety of state and private actors. In the absence of both a universally binding international treaty and a dispute mechanism for heritage protection, what is the best way to preserve, and set norms around preserving, humanity's milestones in space exploration on the Moon? The answer may lie in principles

of adaptive governance, which are embraced by both The Artemis Accords and The Hague Building Blocks. The Artemis Accords explicitly recognize the need to protect space cultural heritage and encourage signatories to use their experiences and learning from space activities to contribute to ongoing multilateral discussions and potential revision of practices in the future. This article explains how these adaptive governance principles, invoked by both Artemis signatories and through UN COPUOS' Action Team on Lunar Activities Consortium (ATLAC), can foster the protection of cultural heritage in space.

Panel 3.2 Law, Culture and Politics in Heritage (co-chairs: Mirosław M. Sadowski and Michael Randall) – Friday, 6 December, 11:30 – 13:00, CL205

- José Eduardo Franco, Susana Alves Jesus & Rui Maia Rego (Open University, Portugal): *The Prophecy of Lava: Ritualizing Human Rights in the Festivals of the Holy Spirit in the Azores Islands – A Case Study of Paracletian Cultural Heritage in the Municipality of Madalena on Pico Island*
    - This study, starting with a historical, theological and cultural framework of the origin, evolution and metamorphoses of the cult of the Holy Spirit since its medieval genesis, aims to analyze the way in which paracletian traditions have been recreated in the municipality of Madalena on the Azorean island of Pico, to characterize them and inventory the reasons for their strong permanence in this territory, where they are still very much alive and widespread. This case study is based on a survey of documents, photographs and oral interviews with the main protagonists of these festivities from 13 of the 16 Brotherhoods of the Holy Spirit that are responsible for promoting them each year. The main aim of this work is to understand to what extent the rituals of the Holy Spirit in Madalena do Pico reproduce the essential outline of the Holy Spirit Festivities in the Azores archipelago. And also in what way these annual festivities present differentiating particularities within the framework of this island's cultural heritage, with their rituals inspiring values and social practices that promote fundamental human rights such as equality, solidarity and social fraternity.

- Markéta Štěpáníková & Anna Němečková (Masaryk University in Brno): *VKI as a Response to the Heritage of 150 Years of Legal Regulation of Theatre in Czechia*
    - Central Europe has a rich cultural heritage characterized by a deep connection between the state and the arts, particularly the theatre. Since the 19th century,

theatre in the Czech lands has not only been a venue for artistic expression but also a platform for political discourse, critical thinking, and the shaping of Czech national identity (Day 2019). This significant societal role led to the development of a robust theatre infrastructure. However, following the confiscation of theatres by the Communist state, these institutions became entirely dependent on state support and control. During the Communist era, theatres underwent various legal transformations, with the final model being the "příspěvková organizace" (contributory organization). Initially intended as a temporary solution after the Velvet Revolution, this legal form remains in place, largely due to a combination of distrust in centralized planning and an overreliance on the market economy, resulting in considerable instability within the cultural and creative sectors. Since around 2000, there has been an ongoing effort to find a sustainable legal framework for theatres. Currently, a proposed VKI Act is under consideration in Parliament, and its approval appears likely. This paper critically examines whether this new legal framework for cultural institutions can effectively address the challenges faced by theatres in Czechia. We explore both the cultural and legal heritage that has shaped the current regulatory environment and analyze the implications of the proposed legislation.

- Yang Qiu (University of Oxford): *'Because They Bled Red': The Protection of 'Heroes and Martyrs' in Socialist Legal Systems of China and Cuba*
  - This project engages with the emerging field of 'law and collective memory'. It seeks to contribute by shifting the focus away from European states to those in Asia and Latin America. It focuses on the role of constitutions and other related legal statutes that protect 'heroes and martyrs' in the socialist states of China and Cuba. It does so by examining how both states protect 'heroes and martyrs' and their collective memories in the two respective socialist legal systems. It asks the following question: How and why do constitutions and other relevant implementing laws in the socialist states of China and Cuba shape and sustain the historical memories of revolutionary 'heroes and martyrs'? This paper conducts a small-N controlled comparison that follows the 'Most Similar Case' principle. The choice of China and Cuba is justified by their shared similarities in legal, political, historical, and cultural aspects. Yet, both have noticeable geographical and economic differences. It makes the following argument: the protection and legal governance of the collective memories of 'heroes and martyrs' in China and Cuba resemble the governance of religious sacredness. Such governance involves: (1) positive mutual confirmation – where socialist constitutions and memories of heroes and martyrs mutually reinforce the legitimacy of one another; (2) negative

separation – where legal provision deter commercialization or any 'derogatory' comments on the heroes and martyrs that challenge how the Party wishes the society to remember them; (3) coordinative function – where legal provisions are signals to local government bureaucrats, private actors, and the Chinese citizens.

- Łukasz Marzec (Jagiellonian University): *Paulus Vladimiri on Human Rights and Dignity: Medieval Message from Poland to Europe*
  - Paulus Vladimiri – Włodkowic (1370–1435), a medieval Polish lawyer and rector of the Cracow University, served on behalf of Poland as a delegate to the Council of Constance (1414-1418), where he presented several writings on the rights and personality of non-Christians, to some extent using Roman law arguments. Especially in Tractatus *de potestate papae et imperatoris respectu infidelium* he was trying to define the peaceful coexistence of nations. The pagans who peacefully possessed their lands by virtue of natural law, should not be disturbed, much less deprived of their lands by force. As Włodkowic wrote, Christian rulers should not expel infidels (including Jews) living peacefully from their land, because canon and civil law prohibited this. He also formulated a principle that is fundamental to the modern search for the foundations of human rights: that unbelievers must not be denied what the law grants to human society. His doctrine concerning international law is very similar to Francisco de Vitoria (1483–1546) lectures on the rights of non-Christians, presented in Salamanca a century later. This famous Renaissance Spanish philosopher, theologian, and last but not least - a lawyer, is often attributed as the pioneer of human rights, while Vladimiri (Włodkowic) was forgotten and only nowadays few scholars mention his legacy. This paper tries to outline most important elements of Włodkowic`s medieval vision of the just and moral international law.

- Rafał Pietrzkiewicz (Independent researcher): *Martyrdom* versus *Hate Speech: When Discussing Problematic Aspects of Heritage Becomes a Crime. A Polish Case Study*
  - Heritage may be defined as features belonging to a particular culture. Features such as traditions, customs, and collective myths. These features are often defined by cultures' successes – such as scientific, economic, or military achievements. However sometimes and in cases of some cultures perhaps even more often – by its tragic past. There are numerous examples of atrocities committed on nations the memory of which still defines what it means to be a member of a community affected by them. Holocaust for the Jews, Nakba for Palestinians, Holodomor for Ukrainians, etc. Each of these events carries an

enormous emotional charge. This is why many countries adopt laws that prosecute anyone who questions these events' occurrence or justifies them. But can someone be prosecuted for being passionate about commemorating these events? Tragic and genocidal events from the past can be used to justify hatred today. Thus some statements on past crimes may fall under the hate speech legislation. The abovementioned dilemma became a prevalent issue in Poland. With immigration from Ukraine – a so far abandoned discussion about the Volhynian Genocide made a comeback. This is why Polish courts had to face cases where the accused were charged with inciting hatred by disseminating content relating to the aforementioned genocide. In this paper, I'd like to discuss where we can draw the line between historical remembrance and the use of historical events with hateful intentions.

Panel 8. Digital Heritage and Digitalization of Heritage (co-chairs: Giulia Parenti & Adam Harkens) – Friday, 6 December, 11:30 – 13:00, CL201

- Emanuele Bellini* (University of Roma Tre): *Cyber Humanities for Digital Heritage Security and Resilience (Special Intervention)*

- Valentina Gastaldo (University of Parma): *Artificial Intelligence and Art: A New Era of Creativity?*
  - Up to now Until today, the issue of a work that is not a direct result of human activity has not been considered. However, we are witnessing a rapid evolution where increasingly the protagonists are Artificial Intelligence systems, an advanced technology that has also entered the cultural sector. Robots are now capable of painting, writing books and poetry, composing music. This fourth industrial revolution raises many questions: Can a machine create 'true' art? And if so, who is the author of the works produced? The algorithmic system or those who designed and/or trained it? If a robot commits plagiarism, who is responsible? But these questions bring with them other doubts, concerning the consequences of this activity in terms of copyright protection, and what it could mean to decide to attribute copyright protection to works produced by AI.

- Ignas Kalpokas & Julija Kalpokienė (Vytautas Magnus University): *Heritage and Sovereignty: Should Generative AI Have a Nationality?*
  - This paper argues for generative sovereignty to respond to the challenges of cultural production and heritage preservation in the context of generative AI. With the increasingly central role of digital technologies, culture and heritage are primarily constituted in and through the digital domain (both as layers of culture preserved for posterity and that on which new cultural production is built). Both the global nature of generative AI tools and the global pools of data mean that the idea of distinct local (group, national, regional, etc.) cultural production comes into question. The digital heritage of groups and communities is amalgamated in global training datasets, losing distinctness and relevance; likewise, new cultural production (heritage-to-be) becomes contingent upon a global mashup of datafied artefacts and machine learning processes set up by global technology companies. Hence, building upon data sovereignty, generative sovereignty, on state or regional levels, would involve both the collection of data (text, sound, image, etc.) crucial to the preservation and reproduction of culture and the development of culture-specific generative models to preserve the distinctness of cultural production. This paper will look at the European legal landscape in respect to the development of corpora for training AI systems and highlights the challenges and inconsistencies among the approaches adopted by different Member States. In this way, the opportunities and challenges for realising generative sovereignty will be taken into account.

- Kaushalya Madugalla* (University of Peradeniya, Sri Lanka): *A Critical Analysis of Provisions Regarding Preservation of Materials in Libraries and Archives under the Copyright Law of Sri Lanka*
  - An analysis of the Sri Lankan history not only indicates that it is in possession of myriad materials, ranging from modern audio-visual materials to ancient, historical materials inherited from its colonial past, but also that it has been a frequent victim of natural disasters which threaten the safety of such materials. (1) As a legal regime which has the potential to protect copyright materials (2) from destruction, it ought to be examined whether the intellectual property law in Sri Lanka is equipped to preserve materials for the benefit of future generations. The objective of this research is to analyse the extent to which Sri Lankan copyright law provisions permit the preservation of materials held in libraries and archives. The research questions are: what are the strengths and weaknesses of preservation copying provisions in the Sri Lankan copyright law; whether these preservation copying provisions permit effective preservation of materials; how do these preservation copying

provisions affect the realisation of the right to access information as well as the balance between competing interests in copyright law. This research adopted the doctrinal method. The results of the research demonstrated that there are glaring deficiencies in the preservation copying provisions in Sri Lanka, such as that it does not permit digital reproductions to be made from materials. As a result, it is submitted that it is doubtful whether the right to access information or the balance between competing interests involved in copyright law has been made in relation to preservation copying provisions in Sri Lanka. (1) Sri Lanka was colonised by three major European nations in the past: the Portuguese, Dutch and the British from 1505 to 1948 AD. Furthermore, when Sri Lanka was affected by destructive Tsunami waves in 2004, it was reported that 62 public libraries were affected and 28 of them were completely destroyed (U. Amarasiri, 'Tsunami Affected Libraries in Sri Lanka: Rebuilding Process and Challenges' (Conference paper, National Library Tokyo, 6 December 2005) 3) (2) The term 'materials' is used in this instance in a broad sense, including published and unpublished works as well as audio-visual materials.

- Elodie Migliore (University of Strasbourg): *Heritage from the Right of Reproduction Under the CJUE: Lessons to Address in AI Systems*
  - In recent years, AI systems have impacted the cultural sector and disrupted the market for creators by training on copyrighted data. This has led to financial losses for creators, impacting their legal rights and putting the discussion about AI and copyright at the forefront. The training on copyrighted data is often perceived as an infringement of the right of reproduction, one of the authors' prerogatives permitting them to control the life of their works. Firstly, this contribution aims to provide an overview of the heritage of the right of reproduction, as interpreted by the Court of Justice of the European Union. This first step is important to better understand how this right is currently perceived in European law and what is considered a "reproduction" of a work. Building on this, the communication will explore the implications of applying this right to AI systems, addressing the unique challenges they pose. Indeed, it is still debated in the literature if reproductions in a copyright sense are carried out during the diPerent phases of the AI pipeline. This contribution will try to shed light on these questions by dissecting the AI value chain.

- Dominik Świątkowski (University of Warsaw): *Digital Heritage and Freedom of Expression: Challenges Posed by EU Copyright Law*
  - The preservation of digital heritage and the protection of freedom of expression are increasingly intersecting in the digital age. With the rapid growth of online content and the digitization of cultural heritage, European Union copyright law faces significant challenges in balancing these two values. This paper explores the issue through the lens of recent EU copyright provisions, particularly Directive 2019/790. The controversial Article 17, which could mandate platforms to implement automatic content recognition and filtering technologies, has raised concerns about possible censorship and restrictions on freedom of expression.

    This study examines the impact of these regulations on the accessibility and dissemination of digital cultural heritage, as well as users' rights to share and interact with cultural content online. By conducting a comparative analysis of the EU legal framework with jurisdictions like the U.S., this paper seeks to identify the potential risks and benefits of the EU approach. The analysis suggests that, while Article 17 has rather not led to widespread infringement on creative freedom or censorship, its design still poses a latent risk to these rights.

    In conclusion, despite the current lack of overt violations, Article 17's structure creates an ongoing threat to freedom of expression. To mitigate this, it is crucial to refine the balance between copyright enforcement and preserving digital heritage, ensuring protective measures do not suppress the creativity they aim to safeguard.

Panel 9. Heritage, Tourism and Food (*chair:* **Paolo Galdenzi) – Friday, 6 December, 11:30 – 13:00, CL202**

- Sara Roversi* (Future Food Institute): *Diet Emblematic Communities: Nurturing Resilient Communities through Integral Economy and Gastrotourism (Special Intervention)*

- Matthias Vanhullebusch (Hasselt University): *The Battle of Tourism Labels and Self-Determination in East-Belgium*
  - For over a century, nature tourism has been fundamental in constructing the common identity of the former districts of Eupen and Malmedy – once belonging to the German empire and annexed to Belgium after the First World War following the Treaty of Versailles. Recently, it has also become a battlefield for competing claims of self-determination between the German-

and French-speaking communities of Belgium. The former districts of Eupen and Malmedy – located in Wallonia – not only compromise of nine German-speaking communes where the German-speaking community government exercises personal competences over the German-speaking inhabitants. They are separated from each other by two majority French-speaking communes, i.e. Malmedy and Waimes, where minority German-speaking inhabitants are protected under the Belgian constitution – ever since the devolution of the unitary Belgian state into a federal one with three language communities. Absent a defined territorial base from which the German-speaking community exercises power, the tourism label of Ostbelgien – literally East-Belgium – has become instrumental to carve out a united – continuous – territory to solidify its claims for regional autonomy. In response to those claims for self-determination, private initiatives supported by the Walloon government have sought to carve out the communes of Malmedy and Waimes when launching their new tourism label of Haute Amblève – referring to the river which flows through those communes – linking them to the Walloon – French-speaking – heartland. This paper unpacks the geographical, historical and legal arguments that are at play in the battle of tourism labels consolidating the rights of self-determination of the inhabitants of pristine eastern Belgium.

- Claudiu Şulea (Perspectiva Studio Transylvania): *Food Cultural Heritage Paving the Way to a More Sustainable Tourism*
    - Food heritage is a critical component of intangible cultural heritage (ICH), playing a pivotal role in community cohesion, identity formation, and the socio-economic development of regions. This paper explores the potential of food heritage as a tool for community building and its implications for the future of sustainable tourism. By analyzing the interplay between local food traditions, intergenerational knowledge transfer, and tourism development, this study aims to illustrate how food-related practices can drive both cultural preservation and economic resilience in rural communities. In the context of a near mountain village with a longstanding reliance on natural resources and traditional agriculture, food heritage manifests as a dynamic system of knowledge transmission and identity reinforcement. The village's cuisine — based on indigenous foraging methods, fishing and seasonal crops — acts as a cultural marker, symbolizing the community's ecological knowledge and historical adaptation to its environment. An interesting example would be the '"tundra to table" concept in Norway and Iceland, that used micro-cultural practices and recipes to keep alive cultural heritage and elevated the region's culinary standing. Research on socio-cultural systems theory suggests that

such embedded food practices contribute to the maintenance of social cohesion by providing a shared narrative and set of rituals that reinforce community ties (Bourdieu, 1984; Appadurai, 1988). However, challenges such as rural depopulation and the globalization of food systems have threatened the continuity of these local traditions. Drawing on the work of Brulotte & Di Giovine (2014) and others on food and identity, this study investigates how community-driven initiatives—such as food festivals (T aste Transylvania case study), culinary workshops, and agritourism—can foster resilience. By integrating cultural heritage into tourism, communities can engage in participatory heritage practices, which not only safeguard intangible food traditions but also create new avenues for sustainable economic development (Timothy & Ron, 2013). Tourism based on food heritage provides an alternative model to conventional tourism, with significant potential for socio-economic and environmental sustainability. This is an increasing trend as social media and the new consumer behavior (the age of re-enchantment). Chefs from rural communities are reviving the overlooked food of their ancestors, catering to a growing class of culture enthusiasts and wanderlusters looking for adventurous and hyper-local dishes that fully immerse them in the culture. Through immersive culinary experiences, such as learning traditional fishing techniques and foraging for native plants, tourists engage in experiential learning (Kolb, 1984), deepening their understanding of the cultural and ecological systems that underpin local foodways. This study utilizes community-based tourism frameworks (Scheyvens, 1999) to evaluate the long-term impacts of food heritage tourism on both community empowerment and resource conservation. In conclusion, food heritage is not merely a static representation of the past but an evolving practice that can serve as a tool for community building and socio-economic innovation. As rural communities increasingly look to sustainable tourism as a means of economic development, food heritage emerges as a powerful vector for fostering cultural resilience and environmental stewardship. This research highlights the need for further interdisciplinary studies to explore how heritage-based tourism can contribute to both local and global sustainable development goals (SDGs), particularly in the areas of poverty reduction, gender equality, and environmental sustainability.

- Hajar Sforza (East West Institute): *The Berber Culinary Heritage in Morocco: Balancing Tourism and Food Sovereignty*
    - The Berber culinary heritage in Morocco represents a unique intersection of tradition, identity, and modern challenges, particularly in the context of tourism and food sovereignty. Rooted in the use of indigenous ingredients like couscous, argan oil, and local spices such as saffron, Berber cuisine is

characterized by traditional cooking methods and is deeply tied to the cultural identity of Amazigh people. Staples like tagine, couscous, and various breads reflect a rich agricultural heritage maintained over centuries. However, the exponential growth of tourism in Morocco, particularly in regions like the Atlas Mountains and rural Berber villages, poses a pressing issue: balancing the promotion of these culinary traditions for visitors while maintaining local control over food systems. The increasing popularity of Moroccan cuisine among tourists has led to a commodification of traditional foods, often prioritizing aesthetic appeal over authenticity. This trend threatened food sovereignty, as local communities may feel pressured to alter their culinary practices to cater to tourist expectations, potentially undermining their cultural heritage. While tourism can provide economic opportunities for local communities and foster cultural exchange through festivals and culinary tours, it also risks diluting traditional recipes and practices. The challenge lies in ensuring that these activities do not lead to the "touristification" of Berber cuisine, which can erode the cultural significance of food. Berber communities heavily rely on traditional farming techniques to cultivate grains, vegetables, and olives in harsh climates. However, the expansion of tourism can strain local resources, particularly water access, impacting their ability to maintain food security and sovereignty. Food sovereignty emphasizes the importance of local food production and consumption, ensuring that traditional practices are respected and preserved. The Berber community's approach involves not only maintaining traditional agricultural practices, but also advocating for policies that support local food systems against the pressures of globalization and industrial agriculture.

- Emily Behzadi Cárdenas (California Western School of Law): *Distilling the Law of Tequila*
  - Tequila is a staple in the tapestry of Mexican culture, tradition, and identity. However, the increasing popularity of tequila has ignited the production of celebrity-owned tequila brands. Many critics of foreign-owned tequila brands argue that this production represents cultural appropriation and neo-colonialism. Many celebrity-owned brands lack a connection to the land and the traditional processes. The popularity of celebrity tequila has sparked a debate over the authenticity of the spirits claimed to be "tequila." Since 1944, the Mexican government has established strict regulations for tequila production, ensuring its quality and authenticity. To be labeled as "tequila," the spirit must be made from agave tequilana weber, also known as blue agave, and grown in the specific regions of Jalisco, Guanajuato, Nayarit, Tamaulipis, or Michoacan. Using tequila as the primary case study, this paper

will analyze the legal framework for the protection of geographical indications in Mexico. The paper will define Geographic Indication ("GI") and Protected Appellation of Origin ("PAO") and their effects on tequila production globally. This paper expresses that tequila is deeply embedded in Mexico's culture, and therefore forms part of its cultural heritage. Consequently, when foreign entities or people dilute the ownership of these tequila companies, the industry faces a form of cultural appropriation, eroding the traditional and symbolic values that define Mexican identity. Overall, this paper aims to highlight the struggles Mexico faces in maintaining tequila's integrity and authenticity, as a beverage deeply ingrained in Mexican culture and tradition.

- Filippo Ceccotti & Gianluigi Mastandrea Bonaviri (University of Bologna): *The Culinary Practices in Wartime: The Libyan Case*
  - Food and culinary practices constitute an integral aspect of the cultural heritage of nations and play a crucial role in shaping the identity of peoples and communities. While neither the 1972 Convention Concerning the Protection of the World Cultural and Natural Heritage and the 2003 Convention for the Safeguarding of the Intangible Cultural Heritage recognize food as cultural heritage, the Lists of Intangible Cultural Heritage and the Register of good safeguarding practices includes several culinary practices. These culinary traditions are acknowledged in nomination files for their inscription on the List across various domains outlined in Article 2.2 of the 2003 Convention. These domains include "social practices, rituals, and festive events", "oral traditions and expressions, including language as a vehicle of intangible cultural heritage", "knowledge and practices concerning nature and the universe", and "traditional craftsmanship". In wartime, disruptions in food supply, agrobiodiversity scarcity, and direct threats to bearers endanger both culinary practices and food security. Though the Convention does not explicitly address its application in armed conflicts, the Intergovernmental Committee for the Safeguarding of Intangible Cultural Heritage has affirmed that States' obligations to protect intangible cultural heritage remain enforceable in all contexts, including during armed conflicts . Given the destructive impact of conflicts on intangible cultural heritage and food security, it is crucial to adopt measures to protect culinary traditions. These efforts should align with the Basic Texts of the 2003 Convention for the Safeguarding of the Intangible Cultural Heritage and be complemented by relevant International Humanitarian Law, which could provide additional protection for cultural heritage during armed conflicts. Libya, affected by four non-international armed conflicts since 2014, presents a unique case study for examining the safeguarding of culinary practices during armed conflicts.

Drawing from the lessons learned in the Libyan context, this paper will assess the extent to which food, culinary practices, and their bearers have been threatened, and explore how they can be effectively protected and preserved, while ensuring food security. Specifically, the paper will build on the 2003 Convention for the Safeguarding of the Intangible Cultural Heritage and offer an evolutionary interpretation of other relevant international legal instruments, including Common Article 3 of the 1949 Geneva Conventions and Article 16 of the 1977 Second Protocol. Although these instruments primarily aim to protect civilians, they could also be leveraged to indirectly strengthen the safeguarding of intangible cultural heritage, particularly culinary traditions, in conflict settings.

- Sabrina Ferrazzi* (University of Verona): *Cultural Rights, Cultural Heritage, and Agri-Food Products*
  - Agri-food products and correlated practices have been part of each and every civilization since the dawn of time. The way through which human societies have addressed the need for nourishment, adopted ways to exploit natural resources, elaborated natural ingredients to create foods, and followed a diet has direct and deep connections with the development of that people's cultural heritage. The approaches to producing food, preparing food, and consuming food form part of human identity and are embedded in cultural traditions. The Tunisian Harissa seasoning, the Chinese traditional tea processing, the Japanese traditional dietary Washoku, the Italian agricultural practice of cultivating head-trained bush vines in Pantelleria, the Georgina traditional Qvevri wine-making method have all been inscribed into the Intangible Cultural Heritage List, created by the 2003 UNESCO Intangible Heritage Convention. In such a framework, the legal relevance of the relationship between food and culture has been undoubtedly officially recognized. Adopting a legal perspective, the present paper aims to explore the origin and authenticity of agri-food products and their role in the context of the cultural heritage field, paying special attention to the interplay among cultural heritage law, designations of origins, and human rights.

    Looking both at the national and the international level, the final aim of the analysis is to investigate the potential impact of cultural features on the legal regime of agri-food products.

Panel 10. International Humanitarian Law, International Criminal Law, Conflict and Heritage (co-chairs: Ahmed Khalifa & Gianluigi Mastandrea Bonaviri) – Friday, 6 December, 14:00 – 15:30, CL205

- Vanessa Rose (Sorbonne University & UMR Orient et Méditerranée): *Heritage in the Middle East: A Strategic Issue in Armed Conflict and Peace-building*
    - Throughout the 20th century and into the 21st, the cultural and archaeological heritage of the Middle East has been a strategic issue, whether in the context of colonial rule, internal and international conflicts, terrorism or financial trafficking. In a region plagued by successive conflicts, and especially today in the context of the Israeli-Palestinian conflict, cultural heritage is a prime target for belligerents. Yet its preservation is a major challenge for the reconstruction of territories and peoples, and for efforts to maintain peace in these regions. Its enhancement is necessary for economic development and for its protection for future generations. By looking at different case studies such as Iraq, Syria and the current conflict in Gaza, we will try to understand the impact of these successive conflicts, the use of heritage in these conflicts, the protection afforded to it and the possibilities for working on the memory of this heritage, which is an integral part of the past and future of the region and of human rights. The issue of disappeared and destroyed heritage is now part of this work of memory, protection, dissemination, education, conservation and construction. In this way, the interaction between cultural goods, legislation, measures and the protection of documentation on this damaged or disappeared heritage will be highlighted.

- Rohit Gupta* (University of Cologne): *Forgotten Blind Spots of Jus in Bello: The 1972 World Heritage Convention and the Natural Environment As 'Cultural Heritage'*
    - International humanitarian law has been grossly negligent in ignoring the status of the natural environment as 'cultural heritage'. States' reluctance to integrate and protect the natural environment as 'cultural heritage' foregoes stronger protections and, more importantly, monopolizes the definition of 'culture'. In particular, indigenous cultural heritage is dispositively constituted through its relationship with the natural environment. The distinctiveness of indigeneity, manifesting in ways of life, language, cosmovisions, etc., are products of deep, ancient, and continuous interactions with the natural environment. Alas, when formulating the specialized regime for cultural heritage protection, a fundamental divide was drawn between 'nature' and 'culture', the former constituting pristine wilderness and the latter denoting some form of human intervention. Destruction of the natural

environment was then seen as merely damage to a renewable, regenerative resource, rather than as a threat to the collective physical and cultural survival as peoples.

In this paper, I make two arguments. First, of the specialized cultural heritage regime, the 1972 World Heritage Convention applies in times of armed conflict and presents the closest integration of 'nature' and 'culture'. I argue that obligations under the WHC, where applicable, complement the more permissive obligations contained in IHL. Second, I argue that the basis for this divide between 'nature and 'culture' in IHL was ill-founded and based on primitive scientific and non-pluralistic conceptions. Thus, even in the absence of the applicability of the WHC, IHL must be interpreted to include the natural environment as cultural heritage.

- Michał A. Piegzik (Edinburgh Napier University): *Children victims of the Pacific War: British children and their rights in the Japanese captivity*
  - The paper discusses the humanitarian rights of the British children who were victims of the Second World War in the Pacific. Approximately 15,000 British children residing with their parents in the Far East colonies witnessed the Japanese invasion and occupation in 1941-1945. Many of them were evacuated at the last moment, but some were interned with adult civilians and put into Japanese camps in China, Singapore, Burma, the Dutch East Indies, and Japan itself. The article aims to determine how they were treated according to international humanitarian law and standards and how the captivity shaped their difficult childhood. Plenty of post-war testimonies and reports in the National Archives and Imperial War Museum, supplemented with abundant secondary sources, provide excellent sources for comparing the norms and the actual treatment. Also, since I have a PhD in Japanese law, I intend to shed light on the Japanese perspective to discuss the actual treatment of British children according to Japanese cultural and societal norms.

- Veronica Costarelli & Alice Clough (Independent Researchers): *Ukraine's Nation-Building Amid War and Displacement: Cultural Heritage in Transition*
  - Following the 2014 Euromaidan Revolution, de-russification in Ukraine intensified with the introduction of decommunization laws. These aimed to create a cohesive national narrative centered on Ukraine's history and cultural identity to counter what was seen as the legacy of Russian and Soviet imperial domination. Initially these laws were criticized for promoting a singular version of history and deepening community divisions but there has been an apparent shift in Ukrainian sentiment since the onset

of Russian aggression in 2022. The war has accelerated the development of Ukrainian self-identity post-Maidan and ostensibly fostered a unified national cultural identity based on shared values and collective solidarity. This shift is reflected in exhibitions of war remnants, initiatives to remove or reinterpret Soviet-era monuments and nationalist statues, promoting the Ukrainian language and culture.

While this process is seen as community-driven, it is crucial to question whether this Ukrainization is truly inclusive of the country's diversity, particularly given that conflict is ongoing and due to the large-scale displacement crisis. This paper will analyze how the conflict is shaping Ukrainian cultural narratives and heritage, with a focus on how cultural policies and trends impact different groups, including its effect on displaced populations. The paper will then offer recommendations for future approaches to heritage and memorialization that promote reconciliation and inclusivity.

Panel 11. Heritage, Landscape, Architecture, and Archaeology (Gianluigi Mastandrea Bonaviri & Filippo Ceccotti) – Friday, 6 December, 14:00 – 15:30, CL201

- Gianluca Alberini* (Ministry of Foreign Affairs and International Cooperation, Italy): *Special Intervention*

- Mohamed Faraj Mohamed al-Faloos* (Director of the Department of Antiquities of the State of Libya): *Special Intervention*

- Serenella Ensoli* (University of Campania "L. Vanvitelli): *Special Intervention*

- Kamil Zeidler & Paula Chmielowska (University of Gdańsk): *Can Archaeological Heritage Outlast an Armed Conflict?*
  - Archaeological heritage is any trace of human activity in the past, from small fragments of pottery and coins, through graves, cemeteries and settlements to entire landscapes. Most of the sites are non-visible to the untrained eye. Often treated as non-significant or non-existent, suddenly appear under the bomb's explosions, tanks' traces, and missiles. Long-term conflicts in e.g. Iraq, Syria, Mali, Ukraine, and Gaza showed the countless number of lost archaeological sites.

The 1954 Hague Convention distinguishes two types of obligations incumbent on the occupying state during armed conflicts. They are, on the one hand, negative obligations, like the need to refrain from any acts infringing cultural property in the occupied territory; on the other hand, positive obligations, ordering the protection of cultural property. Both forms of obligations are missing in the field of protection of cultural property when archaeological heritage (archaeological sites) are considered. Most of the archaeological sites are not even marked with Blue Shield, and those that were marked were often the first objects to attack in recent armed conflicts. Archaeological heritage cannot be easily rebuilt or restored like a building or a structure. Individuals and communities are entitled to understand and experience their cultural heritage, as one of their human rights. It must be protected from the start to give our descendants a chance to understand our past. It brings us to the question- what should be done for archaeological heritage to outlast an armed conflict?

- Marzia Merlonghi (Independent researcher): *Archaeology and Shared Heritage under Occupation: The Case of Israel/Palestine*
  - Since the 18th century, European archaeologists considered themselves as the true heirs of the marvelous heritage they were discovering in the Holy Land. In their mind, Arabs had no right to the heritage buried under their feet for thousands of years. After 1967 Israelis justified the colonization process, especially in the 1980s and 1990s, also using so-called "biblical archaeology: the destruction and cover-up of Palestinian knowledge and culture led to the irreversible loss of precious historical data, cultural traditions and even place names. In 1994, the Palestinian National Authority founded Department of Antiquities and Cultural Heritage (DACH). Its policy in the last 30 years was aimed towards the development of dialogue and closer collaboration with local communities. Palestine is a land with a multilayer, multicultural, multiethnic, 5000 years long past. Working together with communities is the key to speak about the cultural richness and diversity of the history of the Holy Land. Is it possible to let archaeological heritage become a source of peace and dialogue between different cultures living in the same disputed land? This last question will be the final topic of the paper: it is time to speak about shared heritage. How can we, as western archaeologist, do this in front of a community oppressed by almost 60 years of military occupation? Is it possible to use cultural property, together with people, to restore respect, tolerance, mutual understanding and, in one word, peace?

- Fabio Cubellotti* & Sufyan Deis (University of Campania "L. Vanvitelli"/ Director of Museums / Ministry of Tourism and Antiquities of Palestine – MOTA) - *The Damage of Palestinian Cultural Heritage during the Last Year of the War and the Impact on the "Cultural Rights" of New Generations. Preliminary report*
  - The contribution stems from the desire to be able to draw a preliminary report on the conditions of preservation of Palestinian cultural heritage following the events that have characterized the period 2023-2024, starting from the heavy bombardment in Gaza, through the continuous and more repressive Israeli military operations in the West Bank, to the increasingly frequent and uncontrolled actions of settlers in the occupied territories, As well as, the Israeli government's decisions to annexing Palestinian cultural heritage sites that located in the area related of the Palestinian government according to the international agreements (Oslo Agreement), to their control and direct management, which represents a clear violation of international law and international humanitarian law. Specifically, given the breadth of the issue, the talk aims to analyze the complex situation of Palestinian cultural heritage through two main topics. The first theme concerns the definition of the existence of a phenomenon of erasure of "cultural memory" through the systematic destruction of cultural heritage, how this phenomenon affects the new generations and, in broader terms, the denial of the 'right to culture' as established by the Universal Declaration of Human Rights. The second theme focuses on trying to understand what might be the immediate and future actions that could restore that endemic relationship between the new generations and their historical identity deposited in their tangible and intangible Cultural Heritage.

Panel 12. Different Dimensions of Water and Heritage (co-chairs: Stuart Jeffrey and Andreas Giorgallis) – Friday, 6 December, 14:00 – 15:30, CL202

- Elena Perez-Alvaro* (University of Guam): *Connecting Underwater and Space Cultural Heritage*
  - Just as early navigators set sail to explore the oceans, astronauts venture into space to explore distant planets, moons, and celestial bodies. Exploring the depths of the oceans or traveling into the cosmos represents a quest for discovery, pushing the boundaries of human knowledge and understanding. Whether delving into the depths of the sea or reaching for the stars, the allure of these uncharted territories beckons adventurers and scientists alike to uncover their secrets and unlock new possibilities for exploration and discovery. This hybrid-water-space existence is giving rise to novel forms of

heritage, both tangible and intangible. Consequently, discussions surrounding the past, present, and future of underwater and space realms are increasingly relevant. This presentation aims to delve into the multifaceted realms of underwater and space cultural heritage, with a particular focus on their archaeological significance and potential for tourism. By examining these two domains, it hopes to uncover rich narratives of human history, technological innovation, and cultural heritage that span both terrestrial and extraterrestrial landscapes.

- Sharadha Ganapathy, Gurupriya G & Jennita Josephine N* (Vellore Institute of Technology): *The Battle to Preserve Indian Coastal Monuments against Rising Oceans*
  - The never-ending ocean spells cast on ancient architectural marvels pose a mystic allure to the various heritage structures along the coastline of India. These structures were not merely created solely in geographical settings but with an intent to show their devotion, creating vibrant structures that were both artistic and functional. But the present-day realities of the Indian Ocean being one of the fastest warming oceans puts forth serious questions of preservation, bringing out the need to discuss the distorted future of such heritage sites. This paper seeks to examine the long-standing history of these structures and their interaction with water disasters. The recovery of 'The Group of Monuments in Mahabalipuram' and the collective efforts in retaining its glory with contributions from citizens to governmental authorities, deserves a much closer observation. There is an opportunity to examine the narratives of the affected stakeholders through case studies, focusing on the 2004 tsunami, which serves as a huge learning curve in dealing with impending water disasters. These observations are vital while assessing the existing legal framework and the way forward in their preservation.

- Sulley Ibrahim* & Harrison Kwame Golo* (One Ocean Hub, University of Cape Coast): *Right to Culture in Fishery Governance: Insights from Customary Law Practices of Small-Scale Fishing Communities in Ghana*
  - State-led governance systems of small-scale fisheries are often encouraged to recognise and incorporate customary law to promote the sustainable enjoyment of cultural rights among fishing communities. This concern also raises further debates, including views that suggest customary law thrives on patriarchy and cannot fully guarantee the rights of historically marginalized groups, such as women, who yet typically constitute the great majority of small-scale fish workers. Other debates still suggest customary law is pliable to context and this offers unique opportunities for its uptake into state-led

fishery policies. Research on how everyday customary law practices implicate the cultural rights of small-scale fishers in Ghana has yet been sparse. This article turns to such a knowledge gap, mainly by analysing how everyday customary law practices reflect the sustainable enjoyment of cultural rights in marine small-scale fisheries in Ghana. It draws on empirical data collected from qualitative field studies with marine small-scale fish workers in coastline communities of Central, Western, and Volta Regions, and customary law practice as a guiding concept. The paper identifies continuities and discontinuities in everyday customary law practices in pre-fishing, fish-harvesting, and post-harvesting activities, with critical implications for sustainable cultural rights in Ghanaian fisher communities. It concludes by outlining policy and future research response.

- Milica Prokic (One Ocean Hub, University of Strathclyde): *The Barren Island and the Jailer Sea: Difficult Past and Accidental Heritage of the Goli Otok Political Prison*
    - This paper engages with the concepts of 'unwanted' and 'accidental' heritage through the story of Goli otok (Barren Island): a limestone rock off the coast of Croatia that provided a site of a political prison and forced labour camp between 1949 and 1956 in the FPR Yugoslavia. The imprisoned, accused of siding with Stalin in the Yugo-Soviet political rift were forced to build their own prison out of the island's stone, and to afforest the sun-scorched treeless rock, shading the tree saplings with their own bodies. Along with the hostile terrain, the sea also became a tool of policing: island's position in a prodigiously tempestuous sea strait had made escape virtually impossible, ensuring the perpetuation of forced labour in the island quarries. Upon release, the prisoners brought back disturbing memories from this forced insular community: of extreme violence, torture, hunger, thirst, and diseases they were subjected to. The former prison authorities never had to answer the allegations. Goli otok therefore occupies a peculiar space in the memory of the former Yugoslavian region. It is perpetually and vociferously discussed among the local communities. At the same time, the current material state of the island with the ruined and abandoned prison complex, reflect the absence of coherent institutional program of memorialisation in the post-Yugoslav, post-socialist nation states. Set at the intersection of heritage, memory and environmental humanities studies, this paper engages with island's environment in its current state- complete with changed sea benthos, the prison ruins, and the forest grown in the shades of human bodies as the 'accidental' heritage that encompasses the history of the Goli otok prison in an unexpectedly meaningful way.

- Nemanja Delja (Brandenburg Technical University & University of Novi Sad): *Archive 215: Personal Heritage Co-Produced with Water*
  - The proposed paper presents my doctoral project in the field of Visual Arts. It examines the heritage of the human experience of living, finding a home, and belonging. In so doing it speaks to the 'co-production' of personal heritage with the water and natural elements. The project in its first phase entailed a series of walks around the town of Cottbus in East Germany, where I currently live, after a life marked by constant moving and travelling across the globe. On my walks I collected 215 rocks, meticulously documenting the process of collection. I then engaged in an intimate process of engraving fragments of photographs from my personal history onto the rocks- from the digital photos with my friends to the old photographs of my family who have been through the Holocaust. In collaboration with the Cottbus City Museum, all the rocks and their archival cards were exhibited within the museum's permanent collection. The next stage of the project entails burying the rocks back, one by one, thus embedding my heritage in the Cottbus ground. At this point of the performance, the water eroding the engravings of my photos takes over the position of my co-performer. With my inability to check on the progress of the disappearance of the engravings through water erosion, the key question becomes the project's temporality: asking if the end of this art performance, in a sense, will coincide with the end of our planet. The role of water here is slow, silent, active, poetic, philosophical and only assumed and envisioned, however essential in examining the definition of heritage and heritage production.

Plenary Session 3. Heritage in War & Peace – from AI to Outer Space – **Friday, 6 December, 15:45 – 17:45, CL205**

Moderation: Mirosław M. Sadowski (University of Strathclyde)

- Stuart Jeffery (Glasgow School of Art): *Digital Heritage, Community Engagement and Creative Response*
  - Cultural heritage remains underutilised as a means of surfacing communities' role as custodians of the maritime environment, as well as a means of reaching broader audiences. Importantly, traditional conceptions of the meaning and significance of both cultural and natural heritage, especially when under direct threat, play a profound role in how communities understand their world and their role in it. This includes their roles in the context of human

rights and the UN Sustainable Development Goals. Drawing from examples in the UK and Internationally, notably the GCRF One Ocean Hub and the AHRC Upath'd Waters projects, this talk will look at novel approaches to collaborative work with communities as well as exploring new modes of digital engagement that emerge. This talk will highlight work with communities in the UK, Africa and the Pacific and the ways in which community concerns over a range of issues, including accessibility, can be surfaced through contemporary arts forms and digital co-design.

- Michelle L. D. Hanlon (University of Mississippi & For All Moonkind): *Echoes in Time and Space: Navigating Cultural Heritage and Conflict Prevention*
  - The rapid expansion of space exploration and commercial activities in recent years has highlighted the need for effective legal frameworks that not only govern the utilization of outer space and its resources but also protect the unique cultural heritage that memorializes humanity's first steps off our Earth. Our cultural heritage forms the foundation of identity, knowledge, and legacy, and protecting it ensures that future generations can access the rich tapestry of human history. In the context of space, this protection extends to iconic sites on the Moon, Mars, and beyond, where the preservation of artifacts like the Apollo landing sites is vital. This presentation discusses the intersection of space law and heritage law, addressing the legal and ethical challenges posed by these dual objectives and emphasizing how harmonizing these fields can support sustainable space activities and, perhaps more importantly, help to mitigate the potential for conflict and enhance security and stability in this new domain of human activity.

- Andrea Harrington (McGill University): *Interstellar Human Heritage: The Significance of the Voyager Golden Record*
  - In 1977, NASA launched two exploration spacecraft, Voyager 1 and Voyager 2, which are still operating 47 years later. The first part of their mission, completed in 1989, was to capture data about the outer planets in our solar system. The Voyager Interstellar Mission, however, continues. Voyager 1 became the first human-made object to enter interstellar space in 2012, while Voyager 2 followed in 2018. They continue to hurtle away from our solar system at speeds exceeding 34,000 mph. Though this human achievement is obviously important, it is not the focus of this presentation. Each Voyager spacecraft carries an identical phonographic record, acting as "a kind of time capsule, intended to communicate a story of our world to extraterrestrials." This presentation addresses two issues related to the Golden Record; first, the

content, and second, the potential consequences. The Golden Record contains 115 images and captures a variety of both natural and human-made audio. This content provides a representation of what NASA considered to be humanity's most important natural and cultural heritage. This collection provides an interesting snapshot of the value placed on global natural and cultural heritage within a Western perspective. The consequences of NASA's decision to not only send a message intended to reach potential extraterrestrial life, but also to include these selections, could be far-ranging and have global effect. This presentation addresses what message NASA's selections convey about humanity and what future concerns could result.

- Giorgio Diana* (Gastronomic entrepreneur): *Special Intervention*

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