

Sacred sites in the Arctic are under threat from a number of external factors. In addition to land uses such as mining, climate change poses a major threat. Already today, climate change is leading to the melting of permafrost, coastal erosion and sea-level rise. While parts of the European Arctic continue to experience post-glacial land uplift, coastal communities across most of the Arctic will have to consider the impacts of sea-level rise on their communities already today. This includes sacred sites. International law can be utilized to protect sacred sites that are or will be located under water as cultural heritage. Sea-level rise will make access to many coastal locations more difficult, but barring destructive effects of climate change, such as erosion, these sites will still exist as locations.

Cultural heritage sites, including in particular sacred sites, are locations valued by cultures and groups around the world and throughout history. This is reflected in the respect that is given to cultural sites even by persons who have not been affiliated with a specific culture. In sacred sites we see this in the protection that churches, mosques and other places of worship enjoy for example during times of armed conflict. Sacred sites are places for societies to come together, places where people connect to each other and to earlier generations.

Climate change also threatens sacred sites. Among the most notable consequences of human-made climate change are rising sea levels. Sea level rise is felt already today by coastal communities. Coastal erosion is a major challenge for the safety of coastal communities, for example along the northern coast of Alaska. Sacred sites that are located at coasts today might well be located under water within a few generations. A large portion of the human population lives along and nearby coasts and it seems likely that sacred sites of different cultures, indigenous and non-indigenous, will be threatened by sea level rise as a consequence of climate change. Local communities can utilize international law by and when making claims against their state with regard to the positive duty of the state to protect human rights.

Cultural rights are human rights that are protected through several international human rights treaties. International human rights law contains not only an obligation on the part of the state to refrain from taking actions that harm human rights, it also contains obligations of a positive nature, requiring States to take actions that are necessary to protect human rights. Cultural rights are usually realized step-by-step, over time, in accordance with the

ability of the state. But this does not mean that there couldn't also be a positive dimension to cultural rights. Looking at the intersection of international underwater cultural heritage law and international human rights law, in particular cultural rights, it will be shown that the positive dimension of human rights law can be made useful for the protection of underwater cultural heritage. In this presentation, two strands of international law that might seem distant from each other, but that at the end of the day are closely related, both serve the purpose of protecting rights of communities, and will be brought together and it will be shown how international law can be used locally to protect sacred sites that are threatened by climate change and sea level rise.

Adaption to climate change is becoming inevitable already while efforts to mitigate the effects of climate change continue. For affected communities, this can mean planning ahead for a future when sacred and cultural sites that are located at the coast and that cannot be moved will be under water. This presentation will give the audience first information on how to prepare for these futures, utilizing already existing legal tools.