

Climate Change Impacts on Cultural Heritage Sites in Nigeria: An Assessment of the Legal Framework

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Abstract

Climate change has been a global environmental and developmental concern bedeviling nations of the world. With the rising temperatures happening globally, are the consequences of the increase: sea level rise due to melting glaciers and ice caps, coastal erosion, inundation, destruction of lives and properties, tangible cultural heritage inclusive. This article is set to look at the importance of cultural heritage, impact of Climate change on cultural heritage, while also examining the protection of cultural heritage within the ambit of national and international laws. The article is however limited to discussion on tangible cultural heritage. The doctrinal research method was adopted with the use of primary and secondary sources of information. Some of the sources include the: 1972 World Heritage Convention, 1954 Hague Convention on the Protection of Cultural Property in the Event of Armed Conflict, Nigeria Commission for Monuments and Museums Act 1979, books and the Internet. It was found that UNESCO acquiesces to the fact that there are evidences to show that climate change is having impacts on cultural heritage on a global scale, however, Nigeria has not carried out any research to determine impacts of climate change on Nigeria's cultural heritage properties. It is recommended that the necessary processes and mechanisms be established to determine the impacts of climate change on Nigeria's immovable tangible cultural heritage and the law should be amended to protect cultural heritage assets of the country.

Keywords: Assessment, Climate change, Cultural heritage, Impacts, Legal Framework

DOI: 10.7176/JLPG/147-05

Publication date: May 28th 2025

1. Introduction

Climate change (CC) is a global, regional, domestic and local environmental and developmental challenge that is changing the way humans are living and will continue to interact with the planet in an irreversible way. CC is altering the threads of human socialization and its platforms in diverse ways. Cultural heritage (CH) is a connection of man's past to his present state, however, CH is not spared the onslaught of a changing climate. Nigeria is a country located at the tropics of the equator. Nigeria's population according to the 2006 census was around 160 million, while as at year 2020 it was estimated to be in the region of 200 million. With a diversified ethnic background of more than 250 customary practices and language, Nigeria is a multicultural society with their unique characteristics and cultural heritage. CC is however, changing the cultural orientation and impacting the cultural heritage of the people and their representations. Extreme weather events like Tsunamis, tornadoes, hurricanes and slow onset events like high intense heat, flooding, coastal erosion, inundation due to sea level rise¹ has, and is impacting on tangible cultural heritage on a global scale. Many communities' tangible cultural heritage is already eroded, decaying or already decayed.

Many coastal communities like the Bayelsa state, have lost many cultural heritages like shrines and traditional worship centres, as coastal erosions take their toll due to sea level rise attributable to CC. Many coastal inhabitants are forced to relocate, and as climate induced changes become intensified, cultural heritage are either placed on danger list or delisted when all efforts to salvage proves abortive. Environmental factors like desertification, drought, sand storms as obtainable in the North of Nigeria have the tendency to bury buildings and relics.² Apart from the 'elephant in the room' (CC), several other anthropogenic factors compound the issues of cultural heritage deterioration and decay which include unsustainable land use practices: deforestation,

¹ Olufemi Adetunji and Cathy Daly, Climate Risk Management in Cultural Heritage for Inclusive Adaptation Actions in Nigeria, *Heritage* 7(3):1237-1264, accessed 9/12/ 2024.

² Stefan Gruber, The Impacts of CC on cultural heritage, *CC Law Review*, 2011, 210

overgrazing, soil degradation, pollution¹ and depletion of underground aquifers.

Nigeria's sites listed on the UNESCO world heritage sites are Osun Osogbo grove recognised as such in 2005 and Sukur site in Adamawa state listed in 1999. The Sukur cultural heritage site in Northeast of Nigeria is already undergoing degradation due to CC impacts.² To attain the status of a world heritage site, the site must have attained the criteria of Outstanding Universal Value (OUV). When OUV by which a site is listed is eroded or threatened by CC, and for any other reason is on danger list, it could eventually be delisted,³ this portends grave danger for the continuation of the World Heritage. There are also 65 monuments listed in Nigeria that are not in the status of world heritage, but are cultural heritage of historical value, and are being impacted by CC.⁴ The Kano emirate wall is a nineteen-kilometre wall, constructed about a thousand years ago as a place of refuge from invaders, and was declared a national monument by the National Commission for Museums and Monument in 1979.⁵ Other sites of note are the first storey building located in Badagry, Lagos and the Ogbunike cave in Enugu state, east of Nigeria, and many more. The sites and monuments are already been impacted by the vagaries of CC combined with human activities as auxiliary agents aggravating decay and degradation.⁶

The article is divided into eight chapters: one is the introduction, two defined concepts and terms, three discussed the importance of cultural heritage, four delved into the evolution of climate change as a concern to World Heritage sites, five looked at the impacts of climate change on cultural heritage, six discussed the legal framework while chapter seven discussed challenges to protection of cultural heritage sites in Nigeria and eight drew conclusion and made recommendations.

2. Conceptual Meaning and Definition of Terms

2.1 Climate Change

CC is a change of climate patterns which is attributed directly or indirectly to human activity that alters the composition of the global atmosphere and which is in addition to natural climate variability observed over comparable time periods. "The Earth's climate system has demonstrably changed on both global and regional scales since the pre-industrial era, with some of these changes attributable to human activities."⁷

2.2 Cultural Heritage

There is no unanimous definition of cultural heritage. Cultural heritage is described as culture, values and traditions of a community reflecting the shared bonds of the community which denotes a people's history and identity and depicts something that is inherited and passed on to future generations from the past generation.⁸ Cultural heritage is also viewed as the legacy showcasing the ways people lived in the past, how people live now, and that which is being passed to future generations.⁹ It is also explained as an expression of the ways of living developed by a community which is passed from generation to generation.

To further understand what cultural heritage is, it is imperative to state that it encompasses tangible and intangible expressions of human culture.¹⁰ Tangible cultural heritage can be touched, and it includes: monuments,

¹ E. Sesana, A.S. Gagnon, C. Ciantelli, J. Cassar, and J.J. Hughes Impacts of CC on Cultural heritage: A Review, WIREs Clim Change. 2021;12:e710 accessed 3 March 2025

² Day JC, Heron SF, Odiua I, Downes J, Itua E, Abdu AL, Ekwurzel B, Sham A, Megarry W (2022). An application of the Climate Vulnerability Index for the Sukur Cultural Landscape. ICOMOS-Nigeria, Abuja, Nigeria accessed 3 March 2025

³ (paragraph 176(e), Operational Guidelines), <https://www.unclearn.org/> accessed 14 March 2025

⁴ Pasikowska -Schnass M., (2023) Impact of CC on Cultural Heritage, European Parliamentary Research

⁵ Akinade, O. (2005). Ancient Kano City Wall and Gates: The 2004 Rehabilitation Project, Kano National Commission for Museums and Monuments: Abuja: National Museum, p24

⁶ Idris Isah Iliyasu, Challenges of Preservation of Cultural Landscapes in Traditional Cities: Case Study of Kano Ancient City, 2017, 506

⁷ Intergovernmental Panel on CC. Summary for Policy Makers, A Report of Working Group II on "Impacts, Adaptation and Vulnerability" 2001

⁸ Elena Franchi, What is cultural heritage? 6 September 2017 <https://smarthistory.org/what-is-cultural-heritage> accessed 12 February 2025.

⁹ M.R Reshma, B. Kannan, V.P Jagathy Raj and S Shailesh, "Cultural Heritage Preservation through Dance Digitization: A Review, (2023) 28. Digital Applications in Archaeology and Cultural Heritage, Science Direct <https://doi.org/10.1016/j.daach.2023.e00257>

¹⁰ Reshma et.al., <https://sciencedirect.com/science/article/abs/pii/S2212054823000024> accessed 19 February, 2025. Luis Stephenson, Cultural Heritage: Its Significance and Preserving (2023) Vol 11 Issue 4, Anthropology, Open Access, <https://www.longdom.org/open-access/cultural-heritage-iis-significance-and-its-preserving-105460.html> accessed 12 February 2025, UNESCO Framework for Cultural Statistics Glossary Lists pg.25,2009 https://uis.unesco.org/sites/default/files/documents/unesco-framework-for-cultural-statistics-2009-en_O.pdf accessed 24 October 2024

architecture, buildings, works of art, religious temples, defensive walls, pestles, mortars, cowries, pottery,¹ paintings, drawings, prints, sculptures, historical monuments, buildings and archaeological sites² museums that have a diversity of values including symbolic, historic, artistic, aesthetic, ethnological or anthropological, scientific and social significance.³ Intangible cultural heritage cannot be touched and these include values, norms, folklore, customs, knowledge philosophes of the life, religious beliefs and practice, music, dance, traditions, performing arts, rituals, indigenous knowledge and language.⁴ Tangible and intangible cultural heritage is also described as material and immaterial heritage which makes up the cultural identity of the people.⁵ Tangible cultural heritage can be further classified as movable (artifacts) and immovable (buildings, monuments).

Commenting on the fact that there is no general definition of what forms part of internationally protected cultural heritage, Lanciotti⁶ rightly states that each of the “Conventions, Protocols, Charters, or Declarations of UNESCO on protection of cultural heritage refers to different elements often listed by categories as being part of the scope” of cultural heritage. Each of the Conventions refers to “different elements that vary depending on their “nature” which can be “tangible or intangible or movable or immovable”, the “location” which is either “land or underwater” as well as “context” which is “peace or wartime.”⁷ Thus, Lanciotti rightly submits that each Convention and Protocols defines cultural heritage or similar terms for its own purpose. In the same vein, Sheng states that each legislation, be it national law, international convention and bilateral agreement has its own idea of the meaning, scope and category of cultural heritage.⁸

It suffices to state that some of the similar terms used to describe cultural heritage in international conventions are cultural property and cultural objects, and in the Nigerian legislation, it is referred to as antiquity. For a clearer understanding of what constitutes cultural heritage, the definitions in the UNESCO Conventions will be highlighted. The term cultural property is used in the 1954 Hague Convention on the Protection of Cultural Property in the Event of Armed Conflict (1954 Hague Convention.).⁹ Cultural property is defined in the “1954 Hague Convention” as:

“movable or immovable property of great importance to the cultural heritage of every people, such as monuments of architecture, art or history, whether religious or secular; archaeological sites; groups of buildings which, as a whole, are of historical or artistic interest; works of art; manuscripts, books and other objects of artistic, historical or archaeological interest; as well as scientific collections and important collections of books or archives or of reproductions of the property defined above... buildings whose main and effective purpose is to preserve or exhibit the movable cultural property such as museums, large libraries and depositories of

¹ Seun Larri-Williams” Protection of Cultural Heritage: The Nigerian Experience,” The IP Press, February 4 2022, <https://www.theippress.com/2022/02/04/ protection- of- cultural- heritage:-the-nigerian- experience/accessed 18 February 2025>.

² Elena Franchi, What is cultural heritage? September 6 2017 <https://smarthistory.org/what-is-cultural-heritage accessed 12 February 2025>.

³ UNESCO Framework for Cultural Statistics Glossary Lists- 2009, pg.25
https://uis.unesco.org/sites/default/files/documents/unesco-framework-for-cultural-statistics-2009-en_O.pdf
accessed 24 October, 2024.

⁴ LV. Prott, ‘Problems of Private International Law for the Protection of the Cultural Heritage’ in *Recueil des Cours, Collected Courses of the Hague Academy of International Law*, (1989-V) 217 (The Hague: Martinus Nijhoff Publishers, 1991) 224. law.nus.edu.sg/sybil/downloads/articles/SYBIL-2008/SYBIL-2008-57.pdf

⁵ Marie-Theres Albert, “Culture, Heritage and Identity, Series of Lectures on Cultural Heritage in the 21st century- Opportunities and Challenges”. Institute of Heritage Studies. 2-3 <https://heritagestudies.eu/en/wp-content/uploads/sites/9/2020/07/culture-heritage-and-identity-txt-pdf> accessed 21 November 2024.

⁶ Alessandra Lanciotti, “Cultural Heritage in International Law: Still Looking for a Definition? The Taxonomy of Cultural Heritage Across the Spectrum of UNESCO Conventions and Beyond” (2021) pp 191-208, Springer Nature Link, https://link.springer.com/chapter/10.1007/978-981-16-0309-9_13 accessed 18 February 2025.

⁷ Ibid.

⁸ G Sheng, “Recovering Illegally Removed Cultural Property and Improving Cultural Property Protection: A Chinese Perspective,” (2009) 14 “*Art Antiquity & Law*,” 1-19, 2. (2008) 12 SYBIL 57–79 © 2010 Singapore Year Book of International Law and Contributors International Protection of Cultural Property: Some Preliminary Issues and the Role of International Conventions by Gao Sheng

⁹ “Hague Convention on the Protection of Cultural Property in the Event of Armed Conflict (1954 Hague Convention)”, May. 14, 1954, 106-1 249 U.N.T.S. 240, art 1(a)
<http://portal.unesco.org/en/ev.php-URL_ID=13637&URL_DO=DO_TOPIC&URL_S_=201.html> accessed 12 January 2018.

archives, and refuges intended to shelter in the event of armed conflict.”¹

The 1970 UNESCO Convention on the Means of Prohibiting the Illicit Import, Export and Transfer of Ownership of Cultural Property (1970 UNESCO Convention)² define cultural property as:

“property which, on religious or secular grounds, is specifically designated by each State as being of importance for archaeology, prehistory, history, literature, art or science.”³

The categories of the definition in the 1970 UNESCO Convention are listed in the Annex of the Convention. The 1995 UNIDROIT on Stolen or Illegally Exported Cultural Objects (1995 UNIDROIT Convention)⁴ which refers to cultural objects also used the same definition in the 1970 UNESCO Convention.

In defining cultural heritage, the 1972 World Heritage Convention (article 1) provides that:

For the purposes of this Convention, the following shall be considered as ‘cultural heritage’:
 Monuments: architectural works, works of monumental sculpture and painting, elements or structures of an archaeological nature, inscriptions, cave dwellings and combinations of features, which are of outstanding universal value from the point of view of history, art or science; groups of buildings: groups of separate or connected buildings which, because of their architecture, their homogeneity or their place in the landscape, are of outstanding universal value from the point of view of history, art or science; sites: works of man or the combined works of nature and of man, and areas including archaeological sites which are of outstanding universal value from the historical, aesthetic, ethnological or anthropological points of view.⁵

This definition in the 1972 World Heritage Convention divided cultural heritage into three broad groups which are, “monuments, groups of buildings and sites.”⁶ It is however pertinent to point out that these three broad groups are basically immovable features.

The National Commission for Museums and Monuments (NCMM) Act 1979 refer to cultural heritage as antiquity. Section 13 provides that monument or National monument means any antiquity declared to be such.⁷ It also provides that object of archaeological interest means:

- “(a) any fossil remains of man or of animals found in association with man; or
- (b) any site trace or ruin of an ancient habitation, working place, midden or sacred place; or
- (c) any cave or other natural shelter or engraving, drawing, painting, or inscription on rock or elsewhere; or
- (d) any stone object or implement believed to have been used or produced by early man; or
- (e) any ancient structure, erection, memorial, causeway, bridge, cairn, tumulus, grave, shrine, excavation, well, water tank, artificial hole, monolith, grove of stores, earthwork, wall, gateway or fortification; or
- (f) any antique tool or object of metal, wood, stone, clay, leather, textile, basket, wear or other material, which is (or are) of archaeological interest”⁸

It is expedient to state that, all the international Conventions referred above and the Nigerian legislation are concerned with tangible cultural heritage, which include those that are movable or immovable. However, this

¹“ 1954 Hague Convention,” art 1(a)-(b).

² “United Nations Educational, Scientific and Cultural Organization Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property (1970 UNESCO Convention),” Nov. 4, 1970, 823 U.N.T.S. 231.
http://portal.unesco.org/en/ev.php-URL_ID=13039&URL_DO=DO_TOPIC&URL_S_=201.html> accessed 12 January 2018.

³ “1970 UNESCO Convention,” art 1.

⁴ “UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects,” June 24, 1995, 2421 U.N.T.S. 457; 34 ILM 1322, <<http://www.unidroit.org/english/conventions/1995culturalproperty/main.htm>> accessed .

⁵ *ibid*, art 1.

⁶ *ibid*, art 1.

⁷ *ibid*, s.13

⁸ *ibid*, s 32

article is limited to exploring the legal framework for protection of tangible immovable cultural heritage assets/monuments in Nigeria.

3. Importance of Cultural Heritage

Cultural heritage (CH) is a representation of a people's identity which must be preserved protected and conserved, so that it can be safely passed on to future generations. The aesthetic, symbolic, informative and economic value of cultural heritage cannot be over emphasized. Cultural heritage helps a people understand their history and enables others have access to the history. Commenting on this, Shyllon states that it "provides access to the history of nations ... it is the foundation for cultural and social identity...the identity of people is inseparably bound up with their material culture."¹ In the same vein, Arimatsu and Choudhry state that CH is a source of knowledge.² It can be used to study past societies and cultures. It is referred to as a great educational tool for the study of past societies and cultures.³ Apart from giving a sense of identity, it helps to educate future generations. CH enables people connect to their ancestors; defines their identity and preserves historical narratives. Referring to Nigerian cultural antiquities, Ojedokun states that they "...are important 'photos' of ancient civilization that help in providing significant insight into the enviable cultural development and rich historical past of the Nigerian people,"⁴ and they are important "vehicles for social engineering that have the potential for pivoting Nigeria towards achieving her desired developmental plans."⁵

CH "promotes social cohesion" adds beauty to the locality and "provides opportunities for recreation." It "connects people to certain social values, belief, religions and gives automatic sense of identity."⁶ It brings about a sense of belonging within a group and helps one share stories of the past and history of one's ascendancy.⁷

CH has economic value because it serves as tourist attraction,⁸ this can generate economic benefits. Commenting on the economic and intrinsic value of CH (property), states that it may also be seen as objects endowed with intrinsic value as expressions of human creativity, and as part of a unique or very special tradition of human skill and craftwork."⁹

Bakova, while delivering the Gates Cambridge Annual Lecture about the importance of CH, stated that "when a world heritage site is destroyed anywhere in the world, we are all diminished even if it is from another region, another period, another culture or another religion."¹⁰ This is because each site is unique but relevant for all humanity and is of great value. She states further that "it can bring about peace and reconciliation" and cites the example of the reconstruction of mausoleums in Mali and the Mastar Bridge of Bosnia. CH is important enough for nations to be tasked with the obligation to harness resources to secure and preserve it under goal 11 of the (SDGs).

4. Evolution of Discussions on Climate Change as a Concern to World Heritage Sites

Concerns about World Heritage Sites (WHS) became prominent at UNESCO since 2005. The UNESCO activities included working group meetings in 2006 to prepare the Strategy to Assist State Parties to Implement Management Responses and the report Predicting and Managing the Impacts on CC on World Heritage, which

¹ F Shyllon, "Cultural Heritage Law and Management in Africa" (Lagos, Centre for Black and African Arts and Civilization, 2013) 270.

² L Arimatsu and M Choudhry, "Protecting Cultural Property in Non-International Armed Conflicts: Syria and Iraq", (2015) 21" *International Law Studies US Naval War College* 641, 648.

³ K Wangkeo, "Monumental Challenges: The Lawfulness of Destroying Cultural Heritage During Peacetime", (2003) 28 "Yale Journal of International Law", 183, 190.

⁴ UA Ojedokun, "Trafficking in Nigerian Cultural Antiquities: A Criminological Perspective," (2012) 6 (1&2) "African Journal of Criminology and Justice Studies," 163-176, 173.

⁵ *ibid*

⁶ Cultivating Culture, "The Importance of Cultural Heritage" <https://cultivatingculture.com/2013/04/05/the-importance-of-culture> accessed 21 February 2025.

⁷ Papers Owl, "The Importance of Cultural Heritage", <https://papersowl.com/examples/the-importance-of-cultural-heritage> accessed 15 February 2025.

⁸ Khoa Vu Hoang, "The Benefit of Preserving and Promoting Cultural Heritage Values for the Sustainable Development of the Country"

DOI:10.105/e3sconf/202123400076

http://www.researchgate.net/publication/148983172_The_Benefits_of_Preserving_and_Promoting_Cultural_Heritage_Values+for+the_Sustainable_Development_of_the_Country /accessed 12 February 2025.

⁹ F Francioni, "Public and Private in the International Protection of Global Cultural Goods" (2012) 23 (3) "European Journal of International Law", 719-730 <<https://doi.org/10.093/ejil/chs039>> accessed 21 February 2025.

¹⁰ Irina Bakova, "Why Cultural Heritage Matters" Gates Cambridge 27 February 2019, <https://www.gatecambridge.org/about/news/why-cultural-heritage-matters/accessed> 15 February 2025.

led to a 2007 working group meeting to draft the Policy Document on the Impacts of CC on World Heritage Properties. The first report and strategy on World Heritage and CC (UNESCO 2007a) and a case study report (UNESCO 2007b) were published by UNESCO in 2007.¹ At the 20th General Assembly of ICOMOS (the Advisory Body to the World Heritage Committee on CH) Resolution 20AG 2020/15 was adopted, which noted that “CC impacts ... are even now adversely affecting CH, and that the ability of some heritage sites to successfully adapt will depend on the rate of global GHG mitigation efforts”.

The Policy Document is aimed at providing top notch guide to enhance and safeguard heritage of OUV by adopting encompassing climate actions that through processes and actions can build resilience, enhance mitigation and adaptation, innovation and research to build a coherent critical mass of knowledge to achieve the objectives and processes of the World Heritage Convention and those of the UNFCCC, the Paris Agreement adopted under the UNFCCC and other multilateral agreements, frameworks, processes and instruments, including but not limited to the 2030 Agenda for Sustainable Development, the 2015 Sendai Framework on Disaster Risk Reduction.² The Policy does not confer any new legal obligations on state parties, but all are to work within the existing WH Convention mandate and without duplicating mandates under other multilateral agreements.

According to UNESCO, states are to adopt ethical principles of international environmental law to actualise the policy, which include: the precautionary principle; that the absence of full scientific knowledge should not deter state parties from taking actions to mitigate and adapt to impacts of CC on CH. Member states through their institutions are to make projections to what peculiar impacts CC will have on the CH situate within their territory and devise means suitable to their unique conditions to mitigate, adapt and protect sites OUV. States are also encouraged to ensure stakeholders involvement for the required activities to ameliorate the impacts of CC and to ensure sustainable pathways in alignment with the SDGs.

The legal and administrative framework for WH protection from climate impacts is the World Heritage Convention and its operational guidelines detailing the obligations of State Parties to the Convention as set out in Articles 4, 5 and 6

The Climate Action goals on WH towards 2030 include:

- a. Assessment of risks by state parties to determine the potential and future risks that renders the OUV of sites vulnerable to climate hazards, while utilizing the reporting lines for monitoring, assessments and periodic reporting of actual and anticipated risks.
- b. Adaptation as a tool for building adaptive capacity and resilience of CH sites to CC is crucial to reduce vulnerability by implementing same in National Adaptation Plans of State parties.
- c. Mitigation measures of parties are important to the overall health of CH sites, assets in their territories by fulfilling their mitigation pledges under the UNFCCC and their Nationally Determined Contributions (NDCs) under the Paris Agreement to cut down GHGs.
- d. Capacity building to respond to risks by building individual, communal and institutional capacities, awareness creation by disseminating the critical mass of information needed to safeguard CH and knowledge sharing serves as coordinated approach through the rungs of governance at local, subnational, national and international level to address the CC challenges to WH especially to CH as under discuss.

5. Impacts of Climate Change on Cultural Heritage

The consequences of global warming and CC is manifested in diverse ways; it could be in form of slow onset events like: sea level rise, rising temperatures, accumulation of sand dunes, coastal erosion, coral bleaching, or sudden extreme weather events like tornadoes, hurricanes,³ storms, floods, tsunamis, landslides and many more. According to Sabbioni et.al⁴ water is a major threat to CH; as increased precipitation poses a major threat to buildings especially traditional materials like thatch, stone and mud are vulnerable after long years of exposure. CC is disrupting the balance at archeological sites as biogeochemical processes and heritage materials are increasingly vulnerable to changes that may bring them to decay and eventual destruction (UNESCO, 2007). Also, the impact of CC on landscapes may lead to disappearance of such CH sites situated within the landscape caused by inundation, droughts,⁵ strong winds may pull down architectural heritage walls, and moving sand

¹ Zethoven et.al, 2022

² UNESCO, 2023

³ Griggs G and Reguero GB, Coastal Adaptation to CC and Sea level Rise, *Water* 2021, 13(16), 2151; <https://doi.org/10.3390/w13162151> accessed 12 April 2025

⁴ C Sabbioni, M Cassar, P Brimblecombe and RA Lefevre, “Vulnerability of Cultural Heritage to CC” European and Mediterranean Major Hazard Agreement, 2008, <https://www.coe.int/t/dg4/majorhazards/activites/2009> accessed 13 March 2025

⁵ Asen Y.M., Kura A.L., Dube E.E., Mensuro G.K, Debelo AR and Gure, L.B, CC Threats to UNESCO-Designated World

dunes may cover up CH sites, without a trace.¹

The unabated impacts of CC on cultural property apart from decay, is its destruction and implications for communities and tourism. The loss of CH is a loss of social, cultural, historical, educational and economic ‘goldmine.’ It is a loss that widens the gap between generations leading to inequitable intergenerational loss of identity. It also denies the government and the people opportunity to access economic benefits in terms of loss of revenue generation and profit for local economies. The Osun Osogbo grove in Nigeria as a tourist and spiritual attraction site boosts the economic activities of the local people during the festival celebrations. The degradation and destruction of the site will put an end to its intangible aspect² of worship of the attributed deity, the economic and cultural relevance, and if it loses its OUV, then it will be on danger list for delisting.

6. Legal Framework Protecting Cultural Heritage

6.1 International Legal Framework

At the global level, protecting and preserving CH is recognized, going by the international legal framework put in place for protecting cultural property. UNESCO, which is an agency of the United Nations (UN) has fashioned out a system of rules concerning the protection CH over the years. The Convention at the time did not take cognisance of CC as a threat to WCH, but had already made provisions for the traditional challenges that have negative tendencies on WHS, which could be taken to cover CC. But with the increasing intensity of CC and its impacts, the traditional protection accorded by the UNESCO framework for protection and security of WHS in all its manifestations are no longer sufficient to address the impact of CC.

6.1.1 The Convention Concerning the Protection of the World Cultural and Natural Heritage (World Heritage Convention) 1972

The Convention Concerning the Protection of the World Cultural and Natural Heritage (World Heritage Convention) 1972³ provides for the protection and declaration of cultural and natural sites of nations as World Heritage Sites. CH in the “World Heritage Convention 1972” are monuments... group of buildings ... and sites”⁴ while natural sites are “natural features, geological and physiographical formations and natural sites.”⁵ World Heritage Convention through the World Heritage List, honours heritage sites selected and protected by individual nation-states. This is because the site, whether cultural or natural nominated by a state must be cherished as valuable. The State provides a tentative list and nominates while the “international community evaluates and selects the site that would become a World Heritage Site.”⁶

A state party is expected to identify and delineate what are cultural and natural heritage in the state.⁷ The state party is also to “protect, conserve and transmit the cultural and natural heritage to future generations.”⁸ This would be achieved through providing policy that incorporates protecting heritage in the programmes planned,⁹ establishing appropriate agencies or parastatals and competent staff to protect and conserve cultural and natural heritage,¹⁰ embarking on scientific and technical research to curb threats to cultural and natural heritage,¹¹ providing “legal, scientific, technical, administrative and financial measures” to identify, protect, conserve and rehabilitate cultural and natural heritage¹² and to train people at training centres to protect conserve, and present cultural and natural heritage and carry out scientific research in respect of same.¹³ The international community shall cooperate with each state party with regard to cultural and natural heritage and other states shall assist the state party if she makes request for assistance in respect of the said heritage.¹⁴ A State party shall not take

Heritage Sites: Empirical Evidence from Konso Cultural Landscape, Ethiopia, *Sustainability* 2024, 16(19), 8442; <https://doi.org/10.3390/su16198442> accessed 12 April 2025

¹ *Heritage at risk: ICOMOS world report 2008/2010 on monuments and sites in danger*: Technical Report. Hendrik Bäßler Verlag, Berlin, Germany, 212p. *Heritage at Risk (H@R)*, 2008-2010. ISBN 978-3-930388-65-3. Accessed 12 April 2025

² Pasikowska, supra

³ “Convention Concerning the Protection of the World Cultural and Natural Heritage (“World Heritage Convention”) 1972, Nov. 23, 1972, 1037 U.N.T.S. 151; 27; UST 37; 11 ILM 1358

<<http://whc.unesco.org/pg.cfm?cid=182>>

⁴ “World Heritage Convention 1972”, art 1.

⁵ *ibid*, art. 2

⁶ *ibid*.

⁷ World Heritage Convention 1972, art 3.

⁸ *ibid*, art 4.

⁹ *ibid*, art 5 (a).

¹⁰ *ibid*, art 5 (b).

¹¹ *ibid*, art 5 (c).

¹² *ibid*, art 5 (d).

¹³ *ibid*, art 5 (e).

¹⁴ *ibid*, art 6 (1) - (2).

actions that would destroy cultural and natural heritage within her jurisdiction or in other States.¹ A “World Heritage Fund” is also established to fund the “protection of the World Cultural and Natural Heritage of Outstanding Universal value.”² State parties are to pay into the Fund bi-annually “in the form of a uniform percentage applicable to all States.”³ They are also to “encourage the establishment of national public and private foundations or associations”⁴ to request for contributions to protect cultural and natural heritage.⁵ According to Marsh et al, the fund has continued to decline over the years, and private donations have actually not been forthcoming.⁶

6.1.2 *The UNESCO Convention on the Protection of the Underwater Cultural Heritage 2001 (UCH 2001)*

The UNESCO Convention on the Protection of the Underwater CH (UCH 2001)⁷ was adopted in 2001. Its objectives include ensuring and strengthening protection of underwater CH,⁸ encouraging cooperation among states,⁹ depositing, conserving and managing recovered UCH,¹⁰ preserving UCH¹¹ and ensure that UCH should not be commercially exploited.¹² UCH 2001:

“defines underwater CH as all traces of human existence having, historical or archaeological character which have been partially or totally underwater, periodically or continuously for at least 100 years ...”¹³

6.2 *National Legal Framework for Protecting Cultural Heritage in Nigeria*

6.2.1 *The 1999 Constitution of the Federal Republic of Nigeria (CFRN) as amended*

Item 60 (b) of the 2nd Schedule, Legislative Powers Part 1, Exclusive Legislative List provides for the establishment and regulation of the Federation or any part thereof to identify, collect, preserve or generally look after ancient and historical monuments and records and archaeological sites and remains declared by the National Assembly to be of national significance or national importance,” while item 3 in Part 2, Concurrent Legislative List provides that “the National Assembly has the powers to make for the whole country or parts of the country as circumstances may require especially with respect to such antiquities and monuments as may, with the consent of the State in which such antiquities and monuments are located, be designated by the National Assembly as National Antiquities or National Monuments.” In exercising the powers of the National Assembly stated above, it does not preclude the House of Assembly from making laws for the State or any part thereof with respect to antiquities and monuments not so designated.

6.2.2 *The National Commission for Museums and Monuments (NCMM) Act 1979*¹⁴

NCMM Act is the principal legislation which protects CH in Nigeria. Section 1 of the NCMM Act established the “National Commission for Museums and Monuments” to preserve and protect the country’s cultural property. The NCMM Act refers to CH as antiquity. Section 32 states that antiquity means:

a) any object of archaeological interest or land in which any such object was discovered or is believed to exist; or (b) any relic of early human settlement or colonisation; or (c) any work of art or craft work, including any statue; model, clay figure, figure cast or rust metal, carving, house post, door, ancestral figure, religious mask, staff, drum, bolt, ornament, utensil, weapon, armour, or craft work of indigenous origin and - (i) was made or fashioned before the year 1918; or (ii) is of historical, artistic or scientific interest and is or has been used at any time in the performance and for purposes of any traditional ceremony.¹⁵

¹ *ibid*, art 6(3).

² *ibid*, art 15 (1).

³ *ibid*, art 16 (1).

⁴ *ibid*, art 17.

⁵ *ibid*.

⁶ Helene Marsh, Anita Smith & Greg Terrill (2023), World Heritage and the Challenge of CC: a reform agenda, *International Journal of Heritage Studies*, 29(1-2) 39-48

⁷ UNESCO Convention on the Protection of the Underwater Cultural Heritage (“UCH”) 2001 was adopted in 2001

⁸ UCH 2001, art 2 (1).

⁹ *ibid*, art 2 (2).

¹⁰ *ibid*, art 2 (6).

¹¹ *ibid*, art 2 (5).

¹² *ibid*, art 2 (7).

¹³ *ibid*, art 1 (a).

¹⁴ National Commission for Museums and Monuments (NCMM) Act Cap N19 Laws of the Federation of Nigeria 2004.

¹⁵ “*ibid*, s 32.”

To ensure preservation and protection of antiquities, “Section 12 (1) (c) of the NCMM Act” provides that:

“if the Commission considers it expedient that any antiquity (other than a monument) should be preserved in a museum, and with the knowledge of the State Government concerned, may arrange for the purchase or loan of the antiquity and its removal to a national or other approved museum.”¹

Section 12 (1) (d) provides that “the Commission may enter upon any land where archaeological excavations or other operations are being carried on, and inspect same.” This is to ensure that the excavation is carried out according to the standard procedure and artifacts are protected in the course of carrying out excavation. By virtue of section 13(1), where in the view of the Commission, any antiquity needs:

“protection or preservation ... in the national interest ... the Commission may publish notices ... in the Federal Gazette and ... appropriate State Gazette and cause a copy of the notice to be served on the owner of the antiquity.”²

Section 13 provides for the procedure for declaring an antiquity as a monument, it makes no provision for the maintenance and upkeep of these monuments. Commenting on state of monuments in Nigeria as far back as 1987, Obayemi, a former Director-General of NCMM points out that:

It is an open confidential fact that the overwhelming majority of the 60 or so national monuments protected by Nigerian law are in a state of despair ... I mourn inwardly to say that within the space of 30 or fewer years after some of these monuments were declared, quite a number have collapsed totally.³

The NCMM Act provides that:

“any person who willfully destroys, defaces, alters, removes or excavates any monument, shall be guilty of an offence and shall be liable on conviction to a fine of ₦1,000 or twice the value of such monument (whichever is higher) or to imprisonment for twelve months or to both such fine and imprisonment.”⁴

With regard to excavations and similar operations:

“no person shall by means of excavation or similar operations search for any antiquities unless authorised by permit issued by the Commission and with the consent of the Government of a State in whose territory the search is to be carried.”⁵

The “fine of ₦500” and “imprisonment for six months” or both⁶ is too liberal for the grievous offence of carrying out excavations or similar operations without obtaining permit to do so. This provision should be reviewed to impose stricter and stringent sanctions. Permit is to be issued only to a competent applicant.⁷ However, the Act did not spell out who a competent applicant is.

There is no gainsaying that the NCMM Act is inadequate and obsolete. The NCMM Act repealed earlier legislation, however, it retains and consolidates most of the provisions in the earlier legislation. Commenting on this, Shyllon states that the NCMM Act was not carefully and thoroughly prepared. It was hastily prepared and promulgated by the Federal Military Government just before handing over to the Civilian government.⁸ This led to a situation where the defects of previous legislation were incorporated into the NCMM Act. It is therefore not an overstatement to state that the current legislation is not very different from what the colonial masters handed over to Nigeria. Adebisi puts it succinctly when he states that: “Nigeria on her part has held on to the same law which is a re-enactment of laws that could not even stand the demand of those eras when they were made.”⁹

Nigeria is also a party to the Charter for African Cultural Renaissance 2006, a regional Charter of the African Union. One of the objectives and principles of the Charter is to “preserve and promote the African CH through preservation, restoration and rehabilitation.”¹⁰ The Charter also provides that States should protect and develop

¹ “NCMM Act 2004, s 12(1) (c).”

² *ibid*, s 12(1) (d)”

³ A Obayemi, “Ancient Cultures for the Living: Nigerian Monuments Today,” Paper presented at the First Kenneth C. Murray Memorial Lecture delivered at the IBWA Lecture Theatre, University of Ibadan on Tuesday, 28 April, 1987.”

⁴ *ibid*, s 18 (1).” ₦ 500 is equivalent of $\frac{1}{3}$ or 0.33 of a dollar at the exchange rate of ₦1500 to a dollar

⁵ NCMM Act 2004, s 19 (1).”

⁶ *ibid*, s 19 (5).” ₦1000 is equivalent of $\frac{2}{3}$ or 0.75 of a dollar

⁷ *ibid*, s 19 (2).”

⁸ *ibid*.

⁹ BE Adebisi, “Towards the Perfect Law in Heritage Protection and Management in Nigeria” (Abuja TAN Limited, 2013) 10.

¹⁰ “Charter for African Cultural Renaissance 2006,” art 3 (d).

tangible and intangible CH.”¹

Nigeria has ratified the 1954 Hague Convention and its Protocols, 1970 UNESCO Convention, 1972 Convention Concerning the Protection of World Cultural and Natural Heritage (1972 World Heritage Convention² and the 1995 UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects (1995 UNIDROIT Convention)³. However, none has been domesticated in accordance with the provision of section 12 of the Constitution of the Federal Republic of Nigeria 1999, and therefore has not become part of Nigerian Legislation.

6.2.3 *The Urban and Regional Planning Act 1992*⁴

The Urban and Regional Planning Act (URP) made provisions for the compilation of lists of buildings of special architectural and historical interests in public domain and covers such buildings in the control of private persons and corporate organisations.⁵ The URP Act gave conditions for buildings to be included in the control department as having historic or special architectural interest; its exterior contributes to the architectural or historic interest of a building or a group of buildings of which it forms a part; a desirable man-made object or structure is fixed to the building or a part of the land comprised with the curtilage of the building.⁶ It also made provision to the effect that opinion of experts will be sought and had in compilation of such lists⁷ and thereafter deposit lists at the states and local government of domain of heritage properties⁸ duly publish the lists in the gazette.⁹

The URP further made provisions to the effect that where the Federal Development Control department gives consent for works to be done on a listed building; whether to be demolished, altered or extended, the consent of the NCMM must first be obtained.¹⁰ The law also made provisions for offences¹¹ and penalties¹² applicable to violators of listed buildings. Offences include where anyone undertakes any work targeted at the demolition, alteration or extension in any manner which alters the attributes of a listed building; or fails to adhere to any conditions stipulated in the written consent of the Control Department.¹³ Penalty for contravening the law include a fine of ₦1,000 or imprisonment of 3 months or both fine and imprisonment for summary conviction, while a fine of ₦2,000 or imprisonment for one year or both fine and imprisonment for person indicted, while a corporate entity will be fined ₦5,000 and liable to a fine not exceeding ₦200 for every day the default subsists.¹⁴

7. Challenges to Protection of Cultural Heritage Sites in Nigeria

Challenges to protecting CH, or monuments and antiquity in Nigeria’s parlance are numerous. It ranges from legal, institutional, technical, finance to education. The citizens and government have not realised the critical importance of CH and its preservation for present and future generations. For instance,¹⁵ when the national and historic importance of an antiquity is lost; it leaves a gap that cannot be filled in the history of any people. When the importance of a thing is unknown, abuse is imminent.

Knowledge gap: There is a need to create awareness among the populace to educate on the importance of the CH assets and sites. Also, it will be in the best interest to fund research to bridge the gap of critical knowledge required in long and short term to ameliorate the impacts of CC through involvement of the numerous stakeholders whose contributions are crucial to the preservation of CH.

Lack of Updated legal framework: Gleaning from the discourse, not much has been done in protecting CH in Nigeria, especially from the law; it is observed that the laws are outdated to meet the challenges of protection of CH sites and assets. The law was enacted more than forty-five years ago without any amendment over the years. A Bill to amend the NCMM Act started the journey for amendment since 2011¹⁶ and has not been passed into

¹ *ibid*, art 10 (2).

² “Convention Concerning the Protection of World Cultural and Natural Heritage,” Nov. 23, 1972, 1037 U.N.T.S. 151; 27; UST 37; 11 ILM 1358, <<http://whc.unesco.org/pg.cfm?cid=182>>

³ “UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects,” June 24, 1995, 2421 U.N.T.S. 457; 34 ILM 1322, <<http://www.unidroit.org/english/conventions/1995culturalproperty/main.htm>> accessed

⁴ Urban and Regional Planning Act 1992. S.

⁵ *Ibid.*, S. 64(a & b)

⁶ *Ibid.* S. 65 (a-c)

⁷ *Ibid.* S. 66

⁸ *Ibid.* S. 67

⁹ *Ibid.* S. 68

¹⁰ *Ibid.* S. 69

¹¹ *Ibid.* S. 70

¹² *Ibid.* S. 71

¹³ S. 70 (a-b)

¹⁴ S. 71 (a-d).

¹⁵ Some of the colonial sites in NIGERIA have been destroyed or decayed leaving a gap in the history of the country

¹⁶ Sowole Tajudeen, Laws to Protect Nigeria’s Heritage and Monuments, Soon, The Guardian <https://guardian.ng/accessed> 13

law as at 2025. From the snippets as discussed by experts, the Bill did not consider matters pertaining to CC. This should be raised as an amendment to the bill considering the guidelines on climate action already established by UNESCO.

Development and urbanization are major challenges to CH sites: Some of the factors aiding this include action or inaction of urban and regional planning agencies, poverty and the need for development of residential, industrial and commercial buildings and social infrastructure. As people lose the essence of heritage sites, land speculators may encroach on the adjoining lands making heritage sites susceptible to degradation and destruction on the long run. Also, farming and pastoralists activities may encroach on heritage sites, especially as CC impacts exacerbates and arable and pasture lands continue to diminish under future CC scenario.

Government Institutional recklessness is a critical concern for heritage sites: For example, the Ilojo Bar was a 161 year old building; a Brazilian architectural design located on Lagos Island, not far away from Tinubu square designated as a national monument in 1956, was demolished by government agencies in 2016¹ without any consequences in the aftermath.

Insignificant contribution of CH tourism to Gross Domestic Products (GDP): The WHS and other CH sites in the country are not significant contributors to GDP in relative terms compared to other sources of revenue earnings for the government. In 2021, CH resources contributed 3.6% to the nation's GDP² compared to a country like Mexico whose cultural tourism sector had 8% contribution to GDP in the same 2021. Therefore, not much attention is focused on the sector as should have been, and partly reasons for lack of funds for research, development and innovation in the sector.

8. Conclusion and Recommendations

The fundamental policy behind CH law is protection for the enjoyment of present and future generations in the spirit of intergenerational equity. The discussions on the impact of CC on CH and assessment of the legal framework for the protection of CH from the vagaries of CC has revealed that already CC is having impacts on tangible CH sites around the world. This has prompted actions from UNESCO and ICOMOS as world governing bodies on CH. An assessment of Nigeria's constitutional provisions, NCMM Act and the URP Act made general provisions for the protection of monuments and antiquities; howbeit without any specific provision for protection against impacts of CC. Flowing from the following discussion, it is trite to make recommendations.

First, the Nigerian government should review the NCMM Act to reflect CC challenges and regulations to address same. Indeed, in crafting new laws and regulations for CH in Nigeria, the need for CH Impact Assessment, precautionary principle, public participation, access to information and intergenerational equity is crucial.

The penalties for flouting the laws are negligible to deter the commission of an offence or on offender. It is however hoped that the amendment of the NCMM Act will provide for stringent penalties for offenders under the Act.

Funding for protection of the CH sites are inadequate. It is critical to seek other funding options beyond statutory sources, because with CC impacts; there is need for sustained research and development on how to mitigate and adapt to the changes.

Practitioners whose works relate to activities for CHS should work in cooperation, especially town planning officials and members of NCMM, civil society and other stakeholders to develop and implement sustainable practices for the protection of CH sites and assets.

The CH sites listed on WH and symbols of historical identity within the country not listed as WHS should be adequately identified, maintained and protected through adequate funding for management, research and development.

The government at all levels should promote the sense of community ownership by making sure the indigenous people are made to own the cultural heritage and government agencies in charge of the sites should collaborate with them to prevent infringement by individuals, public and private entities. There should be open line of communication between coordinating agencies, handlers and indigenous people. Protecting community handlers, indigenous people against the onslaught of CC impact is crucial to the continuity of CH, as it will enhance the

April 2025

¹Heritage Laws to Prosecute Government Official Violators, Coming <https://www.africanartswithtaj.com/> accessed 14 April 2025

²Ayeni D.A., Dada A.D., and Ale T.A, Harnessing Heritage Resources for Social, Economic and Cultural Benefits in Nigeria, British Journal of Multidisciplinary and Advanced Studies 5 (5),1-23, 2024, <https://bjmas.org/index.php/bjmas/index> accessed 14 April 2025

intergenerational principle for sustainability of the intangible heritage attached to CH assets. For instance, emigration of handlers without knowledge passage through documentations will adversely affect the utility of tangible heritage assets, as it gets lost trans-generation.

The country must painstakingly identify and align with global best practices by ratifying the relevant Conventions as stipulated under section 12 of the 1999 Constitution of Nigeria and implement the UNESCO and ICOMOS guidelines to safeguard CH sites. The relevant agencies should collaborate and set up research on the local circumstances and effect of CC on the country's CH sites for adaptation measures.

Further research on how CC will impact the country's CH in order to develop appropriate responses for mitigation and adaptation on World Heritage sites and those that have not made the World heritage list, but are critical to the nation's historical and cultural development is crucial.

Also, states that accommodate CH sites should develop necessary guidelines for use in conjunction with the NCMM agency, while the NCMM Act should be amended to accommodate the necessary alterations that will accommodate CC risk assessment, adaptation, mitigation and community engagement as recommended under the ICOMOS and UNESCO operational guidelines.

Addressing poverty is another critical pathway to safeguarding CH assets. The link between poverty and protection of cultural properties cannot be overstated. The government should endeavour to actualise the no poverty goal of the SDGs to preserve cultural heritage.

The adoption of technology for the mapping and measuring of vulnerability index of CH sites, and to recommend best practices for handling of the two heritage sites on UNESCO list in Nigeria, and adopt same measures for other CH sites and assets in situ the country is crucial to the overall protection of CH heritage in Nigeria.

References

- Adebiyi, B.E., (2013), "Towards the Perfect Law in Heritage Protection and Management in Nigeria" Abuja, TAN Limited, 10.
- Akinade, O. (2005), "Ancient Kano City Wall and Gates: The 2004 Rehabilitation Project, Kano" National Commission for Museums and Monuments: Abuja: National Museum, 24
- Lanciotti, A., (2021), "Cultural Heritage in International Law: Still Looking for a Definition? The Taxonomy of Cultural Heritage across the Spectrum of UNESCO Conventions and Beyond" 191-208 Springer Nature Link, https://link.springer.com/chapter/10.1007/978-981-16-0309-9_13 accessed 18 February 2025.
- Arimatsu, L. & Choudhry, M. (2015), "Protecting Cultural Property in Non-International Armed Conflicts: Syria and Iraq", 21" *International Law Studies US Naval War College*" 641, 648.
- Asen Y.M., Kura A.L., Dube E.E., Mensuro G.K, Debelo AR & Gure, L.B. (2024), "Climate Change Threats to UNESCO-Designated World Heritage Sites: Empirical Evidence from Konso Cultural Landscape," Ethiopia, *Sustainability* 16(19), 8442; <https://doi.org/10.3390/su16198442> accessed 12 April 2025
- Ayeni, D.A., Dada, A.D., & Ale T.A, (2024), "Harnessing Heritage Resources for Social, Economic and Cultural Benefits in Nigeria", *British Journal of Multidisciplinary and Advanced Studies* 5 (5), 1-23, <https://bjmas.org/index.php/bjmas/index>
- Day, J.C., Heron, S.F., Odiaua I., Downes J, Itua E, Abdu, A.L., Ekwurzel, B., Sham, A. & Megarry, W. (2022), "An application of the Climate Vulnerability Index for the Sukur Cultural Landscape. ICOMOS-Nigeria", Abuja, Nigeria
- Elena Franchi, (2017), 'What is Cultural Heritage? <https://smarthistory.org/what-is-cultural-heritage> accessed 12 February 2025
- Francioni, F. "Public and Private in the International Protection of Global Cultural Goods" (2012), 23(3) *European Journal of International Law*", 719-730 <<https://doi.org/10.093/ejil/chs039>> accessed 21 February 2025.
- Griggs G., & Reguero G.B., Coastal Adaptation to CC and Sea level Rise, *Water* 2021, 13(16), 2151; <https://doi.org/10.3390/w13162151> accessed 12 April 2025
- Marsh, H., Smith, A., & Terrill, G. (2023), "World Heritage and the Challenge of Climate Change: A Reform Agenda," *International Journal of Heritage Studies*, 29(1-2) 39-48
- Iliyasu, I.S. (2017), Challenges of Preservation of Cultural Landscapes in Traditional Cities: Case Study of Kano Ancient City
- Bakova, I., (2019), "Why Cultural Heritage Matters" Gates Cambridge
- Hoang, K.V. (2021), "The Benefit of Preserving and Promoting Cultural Heritage Values for the Sustainable Development of the Country" "DOI:10.105/e3sconf/202123400076

- http://www.researchgate.net/publication/148983172_The_Benefits_of_Preserving_and_Promoting_Cultural_Heritage_Values+for+the_Sustainable_Development_of_the_Country /accessed 12 February 2025.
- Stephenson, L. (2023), "Cultural Heritage: Its Significance and Preserving Vol. 11 Issue 4, *Anthropology*, Open Access, <https://www.longdom.org/open-access/CH-iis-significance-and-its-preserving-105460.html> accessed 12 February 2025, UNESCO Framework for Cultural Statistics Glossary Lists pg.25,2009 https://uis.unesco.org/sites/default/files/documents/unesco-framework-for-cultural-statistics-2009-en_O.pdf accessed 24 October 2024
- Albert, M. (2020), "Culture, Heritage and Identity; Series of Lectures on Cultural Heritage in the 21st century: Opportunities and Challenges". *Institute of Heritage Studies* 2-3 <https://heritagestudies.eu/en/wp-content/uploads/sites/9/2020/07/culture-heritage-and-identity-txt-pdf> accessed 21 November 2024.
- Obayemi A., "Ancient Cultures for the Living: Nigerian Monuments Today", Paper presented at the First Kenneth C. Murray Memorial Lecture delivered at the IBWA Lecture Theatre, University of Ibadan on Tuesday, 28 April 1987."
- Ojedokun, U.A., (2012), "Trafficking in Nigerian Cultural Antiquities: A Criminological Perspective," 6 (1&2) *"African Journal of Criminology and Justice Studies,"* 163-176, 173.
- Adetunji, O., & Daly, C. (2024), "Climate Risk Management in Cultural Heritage for Inclusive Adaptation Actions in Nigeria", *Heritage* 7(3):1237-1264.
- Pasikowska -Schnass M. (2023), Impact of Climate Change on Cultural Heritage, European Parliamentary Research
- Prott, L.V., (1991), 'Problems of Private International Law for the Protection of the CH' in *Recueil des Cours, Collected Courses of the Hague Academy of International Law*, (1989-V) 217 (The Hague: Martinus Nijhoff Publishers, 224. law.nus.edu.sg/sybil/downloads/articles/SYBIL-2008/SYBIL-2008-57.pdf
- Reshma, M.R., Kannan, B., Jagathy Raj V.P. & Shailesh, S. (2023), "Cultural Heritage Preservation through Dance Digitization: A Review" *Digital Applications in Archaeology and Cultural Heritage*, 28
- Sabbioni, C., Cassar, M., Brimblecombe P., & Lefevre, R.A. (2021) "Vulnerability of CH to CC" European and Mediterranean Major Hazard Agreement, X <https://www.coe.int/t/dg4/majorhazards/activites/2009> accessed 13 March 2025
- Sesana, E., Gagnon, A.S., Ciantelli, C., Cassar, J., & Hughes, J.J. (2021), "Impacts of Climate Change on Cultural Heritage: A Review," *WIREs Clim. Change*, 12: e710
- Larri-Williams, S. (2022), 'Protection of Cultural Heritage: The Nigerian Experience,' The IP Press.
- Sheng, G., (2009), "Recovering Illegally Removed Cultural Property and Improving Cultural Property Protection: A Chinese Perspective," 14 *"Art Antiquity & Law,"* 1-19, 2. (2008) 12 SYBIL 57-79 © 2010 Singapore Year Book of International Law and Contributors International Protection of Cultural Property: Some Preliminary Issues and the Role of International Conventions by Gao Sheng.
- Shyllon, F., (2013) "Cultural Heritage Law and Management in Africa" (Lagos, Centre for Black and African Arts and Civilization, 270.
- Sowole T. "Laws to Protect Nigeria's Heritage and Monuments, Soon, *The Guardian* <https://guardian.ng/accessed> 13 April 2025
- Gruber, S. (2011), "The Impacts of Climate Change on Cultural Heritage", *Climate Change Law Review*, 210
- Wangkeo, K., (2003) "Monumental Challenges: The Lawfulness of Destroying CH During Peacetime", 28 *"Yale Journal of International Law,"* 183, 190.

Laws

- 1999 Constitution of the Federal Republic of Nigeria as amended
- National Commission for Museums and Monuments (NCMM) Act Cap N19 Laws of the Federation of Nigeria 2004.
- Urban and Regional Planning Act 1992.

Conventions and Reports

- Intergovernmental Panel on CC. Summary for Policy Makers, A Report of Working Group II on "Impacts, Adaptation and Vulnerability" 2001
- National Commission for Museum and Monuments, 'UNESCO World Heritage Sites in Nigeria
- UNESCO Framework for Cultural Statistics Glossary Lists- 2009 https://uis.unesco.org/sites/default/files/documents/unesco-framework-for-cultural-statistics-2009-en_O.pdf
- Hague Convention on the Protection of Cultural Property in the Event of Armed Conflict (1954 Hague Convention) 1954 Hague Convention
- United Nations Educational, Scientific and Cultural Organization Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property (1970 UNESCO Convention)<<http://portal.unesco.org/en/ev.php>

[URL_ID=13039&URL_DO=DO_TOPIC&URL_SECTION=201.html](#)> accessed 12 January 2018

1970 UNESCO Convention

UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects, June 24, 1995, 2421 U.N.T.S. 457; 34 ILM 1322.

UNESCO Convention on the Protection of the Underwater CH (“UCH”) 2001” was adopted in 2001.

Cultivating Culture, “The Importance of CH” <https://cultivatingculture.com/2013/04/05/the-importance-of-culture> accessed 21 February 2025.

Papers Owl, “The Importance of Cultural Heritage”, <https://papersowl.com/examples/the-importance-of-cultural-heritage> accessed 15 February 2025.

Heritage at Risk: ICOMOS World Report 2008/2010 on Monuments and Sites in Danger, Technical Report. Hendrik Bäbler Verlag, Berlin, Germany, [Heritage at Risk \(H@R\)](#) , 2008-2010, ISBN 978-3-930388-65-3.

Charter for African Cultural Renaissance 2006

Convention Concerning the Protection of World Cultural and Natural Heritage