Heritage Studies

Geneviève Susemihl

Claiming Back Their Heritage

Indigenous Empowerment and Community Development through World Heritage

Springer

Heritage Studies

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The idea to publish this scientific series emerged as a result of the transformation process of heritage from a cultural and natural asset that provides history and identity to a commodity with economic interests. Its contextual framework is provided by the UNESCO Convention Concerning the Protection of the World Cultural and Natural Heritage (1972), the UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage (2003) and the UNESCO Memory of the World Programme. The research focus of the series is the wide range of applications and constructions of heritage associated with the above-named standard-setting instruments and their corresponding perceptions and paradigms. The reason for this is the fact that despite – or perhaps because of – these standard-setting instruments on the protection of heritage, there is an enormous variety in the understandings of what heritage is, could be or should be.

Different interpretations of heritage are evident in diverse structures and perceptions, from material to immaterial, from static to dynamic or even from individual to social or cultural. These interpretations were expressed in paradigms formulated in very different ways, e.g. saying that heritage has an inherent cultural value or ascribing importance for sustainable human development to heritage. Diverse perceptions of heritage are associated with conservation and use concepts as well as with their underlying disciplines, including inter- and transdisciplinary networks. Regionally and internationally, theoretically and practically, individually and institutionally, the epistemological process of understanding heritage still finds itself in its infancy. Insofar the new series Heritage Studies is overdue.

The series aims to motivate experienced and young scholars to conduct research systematically in the broad field of Heritage Studies and to make the results of research available to the national and international, theoretically- and practically-oriented, disciplinarily and interdisciplinarily established heritage community.

The series is structured according to the key UNESCO conventions and programmes for heritage into three sections focusing on: World Heritage, Intangible Cultural Heritage and Memory of the World. Although the conventions and programmes for heritage provide a framework, the series distinguishes itself through its attempt to depart from the UNESCO-related political and institutional context, which dominates the heritage discourse today, and to place the theme of heritage in a scientific context so as to give it a sound and rigorous scientific base. To this end, each of the three main sections addresses four dimensions of the heritage discourse broadly framed as Theory and Methods, Paradigms, History and Documents, and Case Studies.

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Preface and Acknowledgements

If you have come here to help me, you are wasting your time.
But if you have come because your liberation
is bound up with mine, then let us work together.

Lilla Watson, Aboriginal educator and activist (Invisible Children 2019)

This book is based on several years of research and documents a personal journey of exploration, exhilaration and wonder. In an academic sense, the journey is unconventional and filled with personal experiences with people, landscapes and heritage. I have come to listen and learn and to tell a story – or three stories, to be precise. Everything in life "is a story" claims the Canadian writer Thomas King (2003), and archeologist Jack Brink was once given the advice not to let scientific facts get in the way of a great story (Brink 2008). In this book, I try to connect ancient stories that surround people and places to present and future stories of Indigenous heirs and heritage. Asked to name the greatest accomplishments of ancient cultures and the greatest heritage sites on earth many people would probably name the Great Pyramids, the Great Wall of China or the civilizations that ruled ancient Greece and Rome. Thrust aside have been many cultures that achieved 'greatness' through their knowledge, skill and ingenuity and that managed to survive in difficult environments without leaving monumental testaments to themselves. These are the stories of uncelebrated and almost anonymous groups of people who hunted, fished and gathered for a living. These are the stories of the three World Heritage sites of Head-Smashed-In Buffalo Jump, SG̱ang Gwaay and Tr'ondëk-Klondike and of the Blackfoot, Haida and Tr'ondëk Hwëch'in involvement with these places.

It is considered inappropriate to write about Indigenous issues, especially as a non-Indigenous person, without explicitly positioning oneself and the contribution one wishes to make. For me, this positioning is necessary because my research involves myself, as the Jewish scholar Arnold Krupat stated: "rather than my origins explaining my ends, my ends, it seems, have forced me to consider my origins" (Krupat 1996, 127). There is no objectivity to research, but as I will be speaking to you, the reader, also through my personal experiences, I need to situate myself in space and time. I am a 'white' German scholar and acknowledge myself as a non-Indigenous participant in the discussions and a grateful guest in the places I write about. I do not claim to speak for my interlocutors or to generalize about all Indigenous people that I have spoken to or met. What, then, do I bring to the table? My background in North American cultural, literary and media studies, sociology and education paved the way for this project. I am a German, born in the Seventies, when the Cold War divided the world into two blocs. I grew up in East Germany, a country that kept its people behind fences and their minds controlled. When the wall that had split Germany for 40 years came down in 1989, I started travelling the world. Since then, freedom and an open mind have been some of my most cherished values. My family roots stretch along the Baltic rim from Mecklenburg to what was formerly East Prussia, as far as Sankt Petersburg, Russia, and Tallinn, Estonia, and my family history connects me to many stories and migrations.

For more than 20 years, I have been involved in Indigenous Studies. My research interests took me on many journeys to North America and I was fortunate to meet many Indigenous people that became mentors and friends. These experiences provided me with an incredible privilege and joy to learn from Indigenous researchers, authors, teachers, students and Elders, and some of them shared personal stories and lifelong friendship. Working on this project has also expanded and enhanced my own perspectives, and I quote Hartmut Lutz, who describes in apt words what I can relate to only too well:

> In the process of collaborating with Indigenous colleagues I often encountered what I would call 'connecting moments' in which things fell into place in such remarkable coincidences that my Western 'enlightened' and rational self began, after decades of denial and doubt, to humbly and gratefully accept the notion that, indeed, things are all connected. (Lutz 2018, 69)

During my ventures into Indigenous heritage, I have experienced many connections. Nevertheless, as I am reading Indigenous heritage from an outsiders' perspective, and the outsider label "denotes my outsider position in relation to the Indigenous text" (Eigenbrod 2005, xiii). I am 'reading' heritage sites, tangible and intangible Indigenous heritage, and part of my position from which I read Indigenous heritage is 'locatable' in the 'contrapuntal awareness' or the 'double vision' (Gunew 1994, 38; also Said 1993) of my position as a German scholar.

This project would not have been possible if it wasn't for the generous financial support of different institutions. A Canadian Studies Postdoctoral Fellowship of the International Council for Canadian Studies supported me during a three-month research stay in Canada. During this time, I studied as a Postdoctoral Fellow at Carleton University with the late Herb Stovel, one of the world's most renowned experts in heritage conservation. A Faculty Research Grant of the Canadian government enabled me to travel to Head-Smashed-In Buffalo Jump and Haida Gwaii to examine the sites and conduct interviews. A research grant from Kiel University supported my travels to the Yukon. A two-year postgraduate scholarship at Kiel University, finally, enabled me to devote my time to writing this book.

Along the way, I have spoken to many people about their experiences in cultural heritage management. My journey proved to be a venture into the historical, scientific, cultural and spiritual world of many Indigenous people, and I am grateful for the insights and teachings of my guides and interview partners. I have benefited from conversations with many who kindly shared with me information, personal experiences and stories. I conducted interviews with leading experts on heritage and conservation studies and Canadian and Indigenous Studies. In this regard, I thank Christina Cameron, former Canada Research Chair on Built Heritage at the Université de Montréal, John Pinkerton, former International Programs Manager at Parks Canada, Ottawa, Allan J. Ryan, New Sun Chair in Aboriginal Arts and Culture at Carleton University, the late Desmond Morton, historian at McGill University, Catherine E. Bell, law professor at the University of Alberta, Edmonton, Pam Brown, curator at the Museum of Anthropology in Vancouver, and Dawn Maracle, storyteller and Mohawk community leader in Ottawa.

I spoke to Elders and members of the Blackfoot, the Haida and the Tr'ondëk Hwëch'in communities, and I am grateful for their sharing of time, knowledge, insight and experience and trusting me to help tell their stories. I also spoke to Parks Canada staff and other non-Indigenous people. *Nitsiniiyi'taki* to Quinton Crow Shoe, Stan Knowlton, Edwin Small Legs and Kiit Kiitokii of the Piikanii Nation. Thanks to Deloralie Brown, Ian Clarke, Duncan Daniels and Jim Martin at Head-Smashed-In Buffalo Jump. *Háw'aa* to Kii'iljuus (Barbara J. Wilson), Ernie Gladstone, Guujaaw, Laa'daa (Colin Richardson) and Jason Alsop of the Haida Nation. Thanks to Terrie Dionne, Jennifer Dysart, Jennifer Wilson, Doug Louis and Heron Wier on Haida Gwaii. *Mähsi cho* to Angie Joseph-Rear, Molly Shore, Sammy Taylor, Debbie Nagano and Georgette McLeod of the Tr'ondëk Hwëch'in First Nation. Thanks to Jody Beaumont, Glenda Bolt, Barbara Hogan, Alex Somerville, Vicky Roberts, Janice Cliff and Peggy Amendola in Dawson City and Whitehorse.

There are many more people who were involved in this project and to whom I am indebted. *Velen Dank för dien Hülp un Bistand* to professor and mentor Hartmut Lutz for his long-standing support and advice. *Vielen Dank* to professor, mentor and colleague Christian Huck for his guidance, encouragement and critical commentary. *Danke* to our team of Cultural Studies scholars at the English department at Kiel University for intense academic discussions and exchanges of ideas. I wish to acknowledge the intellectual support of all the generous and kind people that helped me pursue this project and stay on track over so many years. For his indispensable help with the preparation of this manuscript, I would like to thank Garret Scally. Special thanks I owe to the faithful friends who accommodated me during my time in Canada, especially to Dawn Maracle, Kim The, Will Stroet, Jim Mackenzie and the late David Neufeld for their kind hospitality, long conversations and countless stories about the people and the land, while taking long walks, sitting on kitchen tables or canoeing on the mighty Yukon River. My most heartfelt thanks go to my husband Mathias Behrens and my children Chiara, Ravn and Tahoe who have been listening to my stories with never-ending patience and who always provided me with laughter and love.

Some paragraphs and thoughts of this book have been published before. Sections 4.1, 4.2, 4.3, 4.4 and 5.3 are heavily revised and extended versions of two papers, "Cultural World Heritage and Indigenous Empowerment: The Sites of SG̲ang Gwaay and Head-Smashed-In Buffalo Jump," and "Totem Poles and Chicken Dance: Indigenous Cultural World Heritage in Canada" (Susemihl 2013, 2014). An earlier version of Sect. 4.7 was included in "'We Are Key Players…': Creating Indigenous Engagement and Community Control at Blackfoot Heritage Sites in Time" (Susemihl 2019). Finally, Sects. 4.2 and 4.5 are completely revised and heavily extended versions of the article "To Know the Story behind It: Aboriginal Heritage and Buffalo Hunting on the Northern Plains" (Susemihl 2021). Despite the various revisions, this book gives much more detailed insight in the uses and concepts of Indigenous heritage and tells many more fascinating and compelling stories.

Kiel, Germany Geneviève Susemihl

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Abbreviations

AMB	Archipelago Management Board
CBC	Canadian Broadcasting Corporation
CHN	Council of the Haida Nation
CRHP	Canadian Register of Historic Places
CYFN	Council of Yukon First Nations
DFO	Department of Fisheries and Oceans Canada
DZCC	Dänojà Zho Cultural Centre
FHB	Federal Heritage Building
FNFA	First Nations Finance Authority
FPCC	First Peoples' Cultural Council
HL	Heritage Lighthouses
HRC	Haida Repatriation Committee
HRS	Heritage Railway Stations
HSIBJ	Head-Smashed-In Buffalo Jump
HSMBC	Historic Sites and Monuments Board of Canada
ICCROM	International Centre for the Study of the Preservation and Restoration of Cultural Property
ICOMOS	International Council on Monuments and Sites
INAC	Indigenous and Northern Affairs Canada
ITAC	Indigenous Tourism Association of Canada
IUCN	International Union for Conservation of Nature
MoA	Museum of Anthropology, Vancouver
NHE	National Historic Event
NHP	National Historic People
NHS	National Historic Site
NPS	National Park Service (United States)
NRHP	National Register of Historic Places (United States)
NWMP	North-West Mounted Police
OUV	Outstanding Universal Value
PC	Parks Canada

RCMP	Royal Canadian Mounted Police
SRCC	Skidegate Repatriation and Cultural Committee
TH	Tr’ondëk Hwëch’in
THFA	Tr’ondëk Hwëch’in Final Agreement
UN	United Nations
UNESCO	United Nations Educational, Scientific and Cultural Organization
WHS	World Heritage Site
YCGC	Yukon Consolidated Gold Corporation
YESAA	Yukon Environmental and Socio-economic Assessment Act
YESAB	Yukon Environmental and Socio-economic Assessment Board
YFNCT	Yukon First Nation Culture and Tourism Association

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Chapter 1
Introduction

> *There's three things that has [sic] to be intact before a person will feel good, and I would say your language, your culture and your heritage. And I say that if you get two of them and not the third one, there's something missing.*
>
> Chief Isaac Juneby (Han Gwich'in) 2000, Hammerstone Gallery

Abstract The chapter provides an introduction into the book's objectives, arguments, analytical frameworks, methodology, and significance. It outlines the book's underlying theoretical and political paradigms as well as key contributions to the scholarship on heritage studies and Indigenous community development. It also reflects on UNESCO's World Heritage List and discusses Indigenous issues with the concept of heritage. The book develops the argument that a change of heritage concepts and 'liberation' from the 'authorized heritage discourse' is only possible with the 'liberation' of the Indigenous people, which requires Indigenous self-determination and a new, 'unauthorized' understanding of heritage. The chapter also introduces the three case studies that are at the core of the book – the sites of Head Smashed-In Buffalo Jump, Alberta, SG̲ang Gwaay and Gwaii Haanas, British Columbia, and Tr'ondëk-Klondike, Yukon. Finally, the chapter explains the structure of the book and comments on terminology and language use.

Keywords UNESCO · World Heritage · Unauthorized heritage · Indigenous heritage · Ownership · Methodology · Field studies · Terminology

When in May 2018 *Yukon News* announced that "Canada withdraws Klondike world heritage site bid" (Joannou 2018), this news came completely unexpectedly for the people in Yukon. It meant that the proposed World Heritage site of Tr'ondëk-Klondike was not to be considered for inscription on the UNESCO World Heritage List by the World Heritage Committee on its annual meeting in June. The Yukon bid had been organized by representatives from the Tr'ondëk Hwëch'in First Nation, the Yukon government and other stakeholders. After years of communicating,

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collaborating, negotiating and writing a comprehensive nomination, the Government of Canada withdrew the proposal after a visit of ICOMOS[1] reviewers to the site. When I travelled to Dawson City in August 2018, I met many people who felt disappointed and let down. Late Yukon historian David Neufeld explained that there seemed to have been "differences in opinion between Dawson people (both First Nation and settler) and the ICOMOS reviewers about cultural landscape characteristics" (Pers. comm. with Neufeld 2018). ICOMOS also expressed concern about active mining within the property and had hoped to see another approach to Tr'ondëk Hwëch'in culture in the nomination. While the process of withdrawal and reworking a proposal before putting a site forward again to be added to the World Heritage List is not unusual, this case appears exceptional, as it indicates profound differences in Indigenous and 'Western' heritage perception and understanding.

Indeed, there are many contradictions and conflicts between the UNESCO concept of 'heritage' and Indigenous ideas and claims to land and ownership of heritage, as well as between Indigenous hopes and expectations towards UNESCO and Indigenous movements for emancipation. UNESCO's 'Westernized' and 'authorized' understanding of World Heritage comes with certain expectations and understandings concerning heritage protection and interpretation. Moreover, UNESCO's notion of universal ownership implies questions of voice and agency related with places and traditions. Hence, the above-mentioned experience and a closer look at other World Heritage sites connected to Indigenous cultures raise a number of questions regarding the nomination process, interpretation of heritage sites and World Heritage discourses. Indeed, we need to ask who determines what is significant and worth protecting in the light of diverse community interests and what UNESCO guidelines and discourses mean for Indigenous heritage sites. At the same time, we need to enquire how Indigenous perspectives, meanings and uses of heritage fit into the 'authorized' UNESCO heritage construct, and what we make of 'rejected' sites such as the Tr'ondëk-Klondike.

The World Heritage Program operates through power structures and governmentality (Smith 2006) and, according to Di Giovine, creates "a particular ethical orientation through discourses of security" (2015, 99). As "power is invested in socially approved 'experts' to ensure [. . .] the security of the heritage properties (that is, ensuring its authenticity and integrity)" and to create and disseminate "the appropriate knowledge concerning a site's value and use" (ibid.), specific narratives are constructed around local heritage places. Moreover, Smith (2006, 82) argues that the discourse of 'stewardship' creates a sense that the discipline of archaeology is a 'protector' of the past, because the professional archaeologist and the archaeological discourse about material culture dominate the narratives and reflect the 'governing' role of archaeological knowledge. The dominating discourses and representations at heritage sites, thus, often present the past in reduced stereotyped manners. This 'official' way of understanding heritage – termed the 'authorized heritage discourse'

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[1] ICOMOS – the International Council on Monuments and Sites – is once of the advisory bodies for UNESCO.

(AHD) by Laurajane Smith (2006) – stresses the importance of expertise knowledge and a current ‘Western’ perspective.

This study develops the argument that a change of heritage concepts and ‘liberation’ from the ‘authorized heritage discourse’ is only possible with the ‘liberation’ of the Indigenous people, which requires Indigenous self-determination and a new, ‘unauthorized’ understanding of heritage. A different view on World Heritage must be developed, free from an ‘authorized’ view that constrains definitions and uses of heritage, and the role of UNESCO needs to be questioned. Moreover, cultural World Heritage sites connected to Indigenous heritage must be managed and interpreted by Indigenous people whose heritage is represented at those sites. This is only possible if Indigenous people are the owners of the sites or collaboration between different stakeholders in terms of management is installed. Taking a closer look at how Indigenous and non-Indigenous people ‘read’ and ‘use’ heritage, the study explores to what degree Indigenous people receive voice and visibility at World Heritage sites connected to their culture. Heritage sites, and especially landscapes, have their own contested histories that are often interpreted by agencies that are attached to the colonial era, globalisation and localisation, which have reconfigured relations and opportunities (Cornwall 2002). In this respect, it is also worthwhile to assess how interests of Indigenous communities are reconciled with interests of the broader public, and how the category of ‘cultural landscape’ may help to integrate heritage, culture and society. Most importantly, I want to explore how a non-Indigenous public can liberate themselves from colonial perceptions and integrate alternative views within the UNESCO World Heritage concept.

1.1 UNESCO World Heritage

World Heritage sites are among a long list of more than one thousand locations worldwide that are nominated as the world’s greatest attractions and the most marvellous cultural and natural sites on earth. These places are as unique and diverse as the many cultures and landscapes they represent. Since 1972, UNESCO has been seeking to encourage the identification, protection and preservation of cultural and natural heritage around the world considered to be of outstanding value to humanity. Its universal application makes the concept of World Heritage exceptional; World Heritage sites are meant to “belong to all the people of the world, irrespective of the territory on which they are located” (UNESCO 2021f). They are recognized by tourists as places of superior significance, and the stories they tell and the information passed on about people and their pasts are recognised worldwide. Consequently, besides having a symbolically highly significant status, cultural World Heritage is valued for its educational aspects: it informs and educates local, regional and international visitors about the past, present and future of peoples and societies associated with the sites.

In 2023, the UNESCO World Heritage List includes 1157 properties forming part of the cultural and natural heritage of the world (UNESCO 2023b). These include

900 cultural, 218 natural and 39 mixed properties in 167 countries. Of the 939 cultural and mixed properties worldwide, more than 400 are in Europe.[2] In North America there are presently 44 heritage sites registered on the list, 22 of them as cultural or mixed properties. Four out of ten cultural and mixed properties in Canada and six out of twelve properties in the United States are related to Indigenous cultures and societies, while most properties are connected to English, French and Spanish colonial settlement and the political birth of the two nations. Additionally, there are 22 cultural or mixed properties on the Tentative Lists of Canada and the United States. While Canada submitted ten cultural and mixed properties for future designation, nine of which have been associated with Indigenous cultures, the US proposed eleven properties, two of them associated with ancient Indigenous cultures (UNESCO 2023a; see Appendix A).

As shown by these numbers, there is a misrepresentation of cultural World Heritage on the North American continent in general, and in World Heritage sites representing Indigenous peoples in North America, in particular. Since the World Heritage Committee's Budapest Declaration of 2002, the call for a more diverse and balanced thematic, cultural and geographical list has been an issue. Despite great efforts, almost fifty percent of all cultural and mixed properties are still located in Europe, which subsequently represents a bias towards monuments and historic towns. In 2010, heritage scholar Marie-Theres Albert criticized that "UNESCO World Heritage does not do justice to the diversity of cultures" (18). More than a decade later this statement is still true. UNESCO policy has recognized that many of the cultural and natural World Heritage sites are home to Indigenous peoples or located within land managed by Indigenous peoples whose land use, knowledge and cultural and spiritual values and practices are related to this heritage (UNESCO 2021g). Now as before, however, the heritage of Indigenous peoples is underrepresented on the World Heritage List, and their cultures and lifeways are less visible than many practices and products associated with settler colonialism and even the "elimination of the native" (Wolfe 2006, n.p.).[3]

The territories of Canada and the United States, however, have been settled, created and shaped by numerous Indigenous peoples of diverse cultures and languages. Some of them had developed complex societies with a large and highly diverse population and an organized political structure well before the Europeans colonised America. While some of them were nomadic people, others lived in villages and towns. The development of both countries was greatly facilitated by relations between Indigenous and non-Indigenous people. Not only were Indigenous peoples crucial to early European explorers' survival in unfamiliar territories, but later they were valuable military allies in wars. Many of them, however, were forced by colonial powers to move and relocate multiple times throughout history. The resulting migrations and fundamental changes in their ways of life had enormous consequences on Indigenous communities, their traditions and religious practices. Despite their crucial impact on the development of the two Nations, there are only a few sites on the World Heritage List that reflect the rich cultural diversity of North America's Indigenous peoples.

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[2] The UNESCO statistics "Number of World Heritage Properties by Region" lists the sites of Europe and North America together, including Israel. Here, the numbers have been adjusted. Italy, Germany, Spain, France and Great Britain alone account for more than 200 cultural and mixed sites (UNESCO 2023c).

[3] The Landscape of Grand Pré in Nova Scotia, for example, has been inscribed on the World Heritage List in 2012, as "an exceptional example of the adaptation of the first European settlers to the conditions of the North American coast" without mentioning the relationships between the Mi'kmaq and Acadians that began in 1604 and included the Mi'kmaq teaching the Acadians how to farm and survive the winters in their new environs. Another example is the San Antonio Missions, inscribed in 2015. This group of five frontier mission complexes in southern Texas was built by Franciscan missionaries in the eighteenth century and illustrates the Spanish Crown's efforts to colonize, evangelise and defend the northern frontier of New Spain, recruiting hundreds of Indigenous people who were subjected to physical labour and religious conversion.

It is UNESCO's policy and notion to protect and preserve cultural heritage from any environmental or human agent that threatens to destroy it because of the heritage's significance, and to increase the understanding and awareness of heritage. Protection means the administration under which a property is managed or maintained and all interventions, i.e., all changes through preservation and restoration. But *who* is really claiming culture by using UNESCO's conventions? There is a paradox in the World Heritage program concerning the implementation of participatory policies, as Di Giovine (2015) points out. While the program relies on States Parties[4] to acknowledge and ratify its conventions, UNESCO circumvents states by calling directly for individual participation. Stepping outside of the intricacies of heritage governance at different levels of agency, Indigenous participation is particularly desired. Yet in the light of UNESCO's *Convention for the Safeguarding of the Intangible Cultural Heritage* (2003), the *Convention on the Protection and Promotion of the Diversity of Cultural Expressions* (2005) and the *UN Declaration on the Rights of Indigenous Peoples* (2007) there are several fundamental issues concerning the heritage of Indigenous peoples, the representation of cultural diversity and the ownership of heritage to be considered.

Once a local heritage site receives the accolade of a UNESCO designation and becomes a World Heritage site, a number of things happen. By enlisting a site on the World Heritage List, the local place receives worldwide attention, and local, national and international perceptions change. The local 'place' is converted into an international 'heritage place' (Di Giovine 2009, 187), which changes the narratives of the site. While the site often tells a local story, with the designation the story is converted into a universal story, related to the World Heritage status, and a 'meta narrative' level is created which transfers local heritage into the 'heritage of humankind'. This global process transforms local places into objects of international interest, bringing local and national politics into the arena. It supports UNESCO's approach of 'culture for peace', uniting people through World Heritage properties and bringing the world's cultural diversity together. In many Indigenous places the process of designation is, however, accompanied with misrepresentation, cultural appropriation and the 'museumification of cultures' (ibid., 261).[5] Often, local questions that are central to the heirs of the heritage step into the background when universal questions are addressed and a different or additional, archaeological and historical interpretation is established. This contradicts Indigenous people's understanding of heritage, who do not view heritage as 'things of the past' but connected to the present, their land and identity. Furthermore, through the designation a 'ritual interaction' between the visitor and the World Heritage site starts which leads to a more intuitive understanding of universal value and global significance, which might also detract from local messages connected to the specific heritage.

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[4] States Parties are countries which have adhered to the *World Heritage Convention and* thereby agree to identify and nominate properties on their national territory to be considered for enlisting on the World Heritage List.

Many World Heritage sites worldwide are of great economic, cultural, social or spiritual significance to Indigenous peoples. Often, they are located in areas over which Indigenous peoples have rights of ownership, access or use (Disko et al. 2014, 3).[6] The engagement with Indigenous communities in the implementation of UNESCO's 1972 *Convention concerning the Protection of the World Cultural and Natural Heritage* (World Heritage Convention) and in managing World Heritage sites, therefore, "requires a framework that is based on different principles from the engagement with other local communities but that implies their life ways and understandings of heritage," as Disko (2012, 16) points out. In accordance with international human rights law, Indigenous peoples enjoy collective rights, in particular the right of self-determination, as affirmed in the *United Nations Declaration on the Rights of Indigenous Peoples* (UNDRIP).[7] As "an organization committed to human rights, UNESCO has, thus, a special duty and responsibility to ensure that these rights are respected, protected and fulfilled" in the implementation of the *Convention* and within World Heritage sites (ibid.).

There are World Heritage sites that serve as best practice models with regard to the involvement of local Indigenous people in the site-management process, such as

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[5] Misappropriation of Indigenous peoples' heritage implies that Indigenous cultural, genetic or biological resources are appropriated without the consent of the Indigenous people who the resource belongs to, which ranges from the misuse of traditional costumes, art, songs, dance or stories to the patenting of DNA information (Saami Council 2008, 2; see also von Lewinski 2004).

[6] Of the approximately 1000 areas designated as World Heritage sites under UNESCO's 1972 *World Heritage Convention* as of 2014, at least 100 such sites are fully or partially located within the traditional territories of Indigenous peoples, including over a third of all sites designated as 'natural' World Heritage sites (Disko et al. 2014, 3). Examples are Tongariro National Park (New Zealand), Kakadu National Park (Australia), Taos Pueblo and Hawaii Volcanoes National Park (United States), Pimachiowin Aki and Tr'ondëk-Klondike (Canada).

[7] When in 2007 the Declaration was adopted by the General Assembly of the UN with a majority of 143 states in favour, the four states of Australia, Canada, New Zealand and the United States voted against it. While Australia shifted its position in support of the Declaration in 2009, the other three countries followed in 2010. In 2019, British Columbia became the first jurisdiction in Canada to incorporate UNDRIP, making it part of B.C. law (Cultural Survival 2020). As a non-binding instrument, the declaration does not 'create' any rights, but elaborates upon existing international human rights standards as they apply to Indigenous peoples.

SG̲ang Gwaay, managed as part of Gwaii Haanas National Park Reserve. There are other World Heritage sites, though, in which Indigenous people have been, and continue to be, excluded from decision-making processes. There are, for example, cases in which they were not consulted when parts of their territory were nominated for World Heritage or in the preparation of management plans. There are also cases of Indigenous peoples being restricted in carrying out traditional land use practices within World Heritage sites and of people having been forcibly removed from their traditional territories in order to inscribe a site on the World Heritage List (Poole 2003; Disko 2012). Other problems include inadequate structures for effective Indigenous participation in management processes, ignorance or disrespect for traditional knowledge and Indigenous institutions, and the elevation of such sites to major tourist destinations to the disadvantage of the region's Indigenous population (Disko 2012, 16). When World Heritage sites are located on the traditional territory of Indigenous peoples, it must be with the consent and ongoing approval of the respective Indigenous communities, as Disko argues:

> Management and protection of such sites must take place according to the rules, laws and customs of the indigenous peoples concerned. It is their ancestral land, their heritage, their culture, their way of life and the future of their children that are primarily affected by the existence of the World Heritage site, and the tourism, infrastructure and other developments that go along with it. In the management of sites it must be ensured that the indigenous people may continue living their traditional way of life, and that their distinct cultural identity, social structure, economic system, customs, beliefs, and traditions are respected, guaranteed and protected (Disko 2012, 17).

In any case, appropriate measures must be taken to ensure the continuance of Indigenous peoples' special relationship with the land and their social, cultural and economic survival as distinct peoples. When applying a community approach to the nomination and management of World Heritage sites, the above-mentioned suggestions need to be considered.

1.2 Indigenous Issues with Heritage

Cultural heritage – the legacy of physical artifacts[8] and intangible attributes of a group inherited from past generations – is of considerable historical, cultural and social importance. It holds a strong connection with individual and collective memories that are considered an essential element of individual and collective identity (Le Goff 1992, 98) and is formed, among other factors, by historic environments that contain an innumerable amount of ancient and recent stories, written in stone, brick or wood, or otherwise inscribed in the features of the landscape that become the focus of community identity and pride. Providing mnemonic features,

---

[8] Common in anthropology and archaeology, this term and its definition are problematic in Indigenous contexts, as it cuts off objects from specific Indigenous peoples and a connection the present (Younging 2018, 52–53).