



## ORGANIZATION OF AMERICAN STATES

### “EXPANDING THE SOCIO-ECONOMIC POTENTIAL OF CULTURAL HERITAGE IN THE CARIBBEAN”: PHASE II – IMPLEMENTATION OF PROJECT COMPONENTS OUTPUT 2: A REGIONAL STANDARD FOR PROTECTIVE HERITAGE LEGISLATION & FISCAL INCENTIVES

## Developing National Heritage Legislation Workshop

**JANUARY 18 – 19, 2016**

IN COLLABORATION WITH COHERIT ASSOCIATES, LLC  
AND FUNDED BY THE MISSION OF THE UNITED STATES OF  
AMERICA TO THE ORGANIZATION OF AMERICAN STATES



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American States

# Welcome

The goal of this workshop is to conduct discussions on developing effective national heritage legislation for the nations of the Eastern Caribbean. It will consider the points included in the discussion paper that has been distributed to all participants.

This workshop and the wider project component of which it is a part proceeds from the principle that an effective national program for heritage conservation must be founded on a sound legal basis. This is most commonly articulated in a comprehensive national law that prescribes the scope of heritage assets recognized in the program, a variety of tools to protect and enhance the resources, and an administrative structure to carry out the provisions of the law. National heritage laws have become widespread and, understandably, vary significantly in scope, complexity, and impact. However, there are common elements that can be found in all effective programs that should be included in any national legislative framework.

These common elements can provide useful guidance to developing national legislation tailored to local needs and capabilities. This workshop discussion will propose and discuss the relevant commonalities and consider how they can be used most effectively as guidance for legislation in the OAS member-states participating in this project.

## Participating Experts

**Alissandra Cummins** (Barbados) holds degrees in the History of Art and in Museum Studies from the University of East Anglia and the University of Leicester and is one of the leading experts on Caribbean Heritage. She is Director of the Barbados Museum and Historical Society and Lecturer in Museum and Heritage Studies at the University of the West Indies Cave Hill campus. She has represented Barbados as Chair of the Executive Board of UNESCO, serves as Chair of the Barbados National Commission for UNESCO and had the honour of being the first female to be elected President of the International Council of Museums. She has been collaborating with the Ministry of Culture, Sports and Youth of Barbados in the drafting of Barbados's Heritage Protection legislation.

**John Fowler** (USA) currently serves as Executive Director of the Advisory Council on Historic Preservation, an independent agency of the U.S. government that advises the President and the Congress on historic preservation matters and oversees the federal historic preservation review process. He previously served as Deputy Executive Director and General Counsel of the ACHP and in a variety of other positions at the agency. John has been Chairman of the US National Committee for the International Council of Monuments and Sites (US/ICOMOS) and has served in a number of other leadership positions with the organization since the 1970s. He is a Fellow of US/ICOMOS and is currently a member of the U.S. Commission for UNESCO. He has written and lectured extensively of federal historic preservation law and policy and has taught at Columbia University and the Washington College of Law. In 2010, he was named a Presidential Rank Distinguished Executive. John received his B.A. in history from Princeton University and his law degree from Yale Law School.

**Fiona Pompey Handl** (Guyana) is an attorney specializing in environmental and development legislation. She holds law degrees from Tulane University (LL.M., J.D.) and the University of the West Indies (LL.B.) and was admitted to the Louisiana State Bar in 1999. She has served as a consultant to various international organizations, including UNDP, IMO, UNEP, IDB, World Bank, and PAHO/WHO. Ms. Handl also worked as a legal advisor on environment, sustainable development and health issues for the Government of Guyana from 1990-1995 and represented Guyana at several international conferences including the United Nations Conference on Environment and Development (UNCED) in 1992 in Rio de Janeiro, Brazil.

**Alana Malinde S.N. Lancaster** (Guyana and Barbados) is a lawyer who lectures on International and Caribbean Environmental Law at the University of the West Indies in Cave Hill where she also serves as Research Supervisor. She holds law degrees from the University of Guyana and Dalhousie University in Nova Scotia as well as a Masters on National Resource Management from the Universidad Nacional Pedro Henriquez Ureña in the Dominican Republic. She is a member of the Guyana Women's Lawyers Association.

**James K. Reap** (USA) is a Professor in the Master of Historic Preservation Program in the College of Environment and Design at the University of Georgia. He holds a Bachelor of Arts in American Studies degree from the University of North Carolina at Chapel Hill and a Juris Doctor degree from the University of Georgia. Professor Reap is past director of the University of Georgia Croatia Study Abroad Program; a Fellow of the Dean Rusk Center, International, Comparative and Graduate Legal

Studies; and an affiliated faculty member of the University of Georgia African Studies Institute. He is past President and current Secretary General of the Committee on Legal, Administrative and Financial Issues of the International Council of Monuments and Sites (ICOMOS) and a Fellow of US/ICOMOS. He is currently a board member of the Lawyers Committee for Cultural Heritage Preservation and the United States Committee of the Blue Shield.

**Ryan Rowberry** (USA) is an Assistant Professor and Associate Director for the Center for the Comparative Study of Metropolitan Growth. Professor Rowberry's research concentrates on cultural heritage and historic preservation issues. Most recently, he co-authored *Historic Preservation Law in a Nutshell*, a groundbreaking book provides the first in-depth summary of US historic preservation law within its local, state, tribal, federal, and international contexts. Ryan practiced environmental and natural resources law at Hogan Lovells in Washington, DC, and also served as a United States Supreme Court Fellow, an appointment in which he collaborated with foreign judges and academics on judicial independence and rule-of-law matters. He holds a J.D. from Harvard Law School, a M.St. in Medieval British History and a M.Sc. in Comparative Education Policy from Oxford University where he was a Rhodes Scholar, and a B.A. in English from Brigham Young University.

**Christine Toppin-Allahar** (Trinidad and Tobago) is an Attorney-at-Law and Consultant on Planning, Environmental and Land Law and Policy. She has also done considerable work in the area of Heritage Conservation. She is a member of the International Bar Association (Environmental Division), the IUCN Commission on Environmental Law, the Environmental Law Advisory Committee of the Caribbean Law Institute, and the Board of Editors of the *Journal of the International Land Use Society*. She has served as a consultant on environmental planning, institutional strengthening and legislative drafting to several international organizations, including the World Bank, the IADB, PAHO, OECS, and the EU.

**Nancy del Prado** (Suriname) is an Environmental Law and Policy Consultant, has a Master Degree in Law from Anton de Kom University She has worked for eight years at the National Institute for Environment and Development of Suriname (NIMOS) as environmental lawyer, and for two years as a consultant at the Inter-American Development Bank on projects related to environmental management, Indigenous peoples and Tourism in Suriname. For the past two years she has been working as an independent consultant in Environmental law and Policy in Suriname.

# Workshop Schedule

## MONDAY, JANUARY 18

9:00 - 9:05	<b>Welcome and Opening Remarks</b> Celia Toppin <i>Project Manager for Cultural Heritage, Organization of American States</i>
9:05 - 9:10	<b>Remarks</b> Francis McBarnette <i>Representative of the Organization of American States in Barbados</i>
9:10 - 9:15	<b>Remarks</b> <i>Representative of the Embassy of the United States of America in Barbados</i>
9:15 - 9:25	<b>Remarks</b> Hon. Stephen Lashley, M.P. <i>Minister of Culture, Sports and Youth of Barbados</i>
9:25 - 9:40	<b>Presentation</b> of the overall objectives of the Project and an introduction to Component 2, which aims to define a Regional Standard for Evaluating and Improving Protective Heritage Legislation and Related Financial Incentive Policies and Laws Gustavo Araoz <i>Coherit Associates, LLC</i>
9:40 - 10:00	<b>Coffee break</b>
10:00 - 12:40	<b>Presentation</b> of research on the existing legislation of participating countries, identifying common themes and gaps; discussion. James K. Reap, J. D., <i>University of Georgia</i> Stephanie Alicia Sheriff, J.D., <i>University of Georgia</i>
12:40 - 2:00	<b>Lunch</b>
2:00 - 5:00	<b>Presentation</b> of paper: “Developing National Heritage Legislation”; discussion of key features of a national heritage law.

## TUESDAY, JANUARY 19

9:00 - 10:30	<b>Discussion</b> of paper: “Developing National Heritage Legislation” continued; brainstorming with regional experts on developing guidelines for legislation.
10:30 - 11:00	<b>Coffee break</b>
11:00 - 12:30	<b>Discussion</b> and brainstorming, continued.
12:30 - 2:00	<b>Lunch</b>
2:00 - 5:00	<b>Concluding Discussion</b> and review of work products and timetable for the second phase of the project.