

## Intangible Cultural Heritage Convention – Heritage Crafts responses in blue

DCMS are inviting engagement and views relating to the first stage of implementation, i.e. to define and identify Intangible Cultural Heritage. The survey below summarises the development of their thinking about what will happen when we ratify and seeks your views and input to progress this work.

The following summary of the questions included in the survey is for reference only. Please submit your responses at <https://www.gov.uk/government/consultations/2003-unesco-convention-for-the-safeguarding-of-the-intangible-cultural-heritage/>.

### Term

We acknowledge that the term ‘Intangible Cultural Heritage’ is a mouthful and that it is not widely used or generally known in the UK. We are also aware that Intangible Cultural Heritage can be referred to in a number of ways, e.g. ‘living heritage’, ‘tradition’, ‘folklore’. However, for the purposes of the Convention and for clarity, we propose to use the term Intangible Cultural Heritage.

### Definition

From the Convention text:

*“intangible cultural heritage” means the practices, representations, expressions, knowledge, skills – as well as the instruments, objects, artefacts and cultural spaces associated therewith – that communities, groups and, in some cases, individuals recognize as part of their cultural heritage.*

*This intangible cultural heritage, transmitted from generation to generation, is constantly recreated by communities and groups in response to their environment, their interaction with nature and their history, and provides them with a sense of identity and continuity, thus promoting respect for cultural diversity and human creativity.”*

We propose to speak simply about Intangible Cultural Heritage as: “Cultural heritage that is living and practised as opposed to material, fixed heritage.” “Intangible Cultural Heritage is the ‘verb’ of cultural heritage, as opposed to the noun of ‘tangible’ heritage.” These are broad definitions that are intended to provide an understanding of what Intangible Cultural Heritage is, rather than give a restrictive definition of Intangible Cultural Heritage.

### Inventory criteria

For the purposes of the Inventory of Intangible Cultural Heritage in the UK, we propose the criteria below, but would like feedback on these. As per the principles above, the intention is for the criteria to create / deliver an inclusive Inventory, but we recognise that becoming too open and broad risks devaluing those items that are included.

- **The Intangible Cultural Heritage must be currently practised** – The Inventory is not intended to be an historical record of previously practised Intangible Cultural Heritage, but to reflect the current living Intangible Cultural Heritage in the UK. This would also mean the

inclusion of a practice if it had previously stopped but been brought back and was currently practised.

- **The Intangible Cultural Heritage can be from any time** – The UNESCO website states Intangible Cultural Heritage is *“Traditional, contemporary and living at the same time: intangible cultural heritage does not only represent inherited traditions from the past but also contemporary rural and urban practices in which diverse cultural groups take part”*. We therefore do not place a historical start point or minimum ‘age’ for any item to be included in the Inventory.
- **The Intangible Cultural Heritage can originate from anywhere** – *“Intangible cultural heritage does not give rise to questions of whether or not certain practices are specific to a culture.” “...we may share expressions of Intangible Cultural Heritage that are similar to those practised by others. Whether they are from the neighbouring village, from a city on the opposite side of the world, or have been adapted by peoples who have migrated and settled in a different region, they all are intangible cultural heritage: they have been passed from one generation to another, have evolved in response to their environments and they contribute to giving us a sense of identity and continuity, providing a link from our past, through the present, and into our future.”* Intangible Cultural Heritage in the UK refers to practices that take place within the UK (footnote - including Overseas Territories and Crown Dependencies (that have also ratified the Convention)).
- **The Intangible Cultural Heritage must be a living practice and can not be a material product or object** – Whilst the Convention text refers to *“...the instruments, objects, artefacts and cultural spaces associated therewith”* that may be recognised as part of cultural heritage, these are not Intangible Cultural Heritage themselves. This excludes specific food products or dishes (and their recipes) from being considered Intangible Cultural Heritage. The protection of geographical food and drink names is the policy responsibility of DEFRA. Intangible Cultural Heritage does not specifically include language in of itself, for which DCMS does not hold policy responsibility. Languages will necessarily be closely linked with a number of oral traditions, but are not considered Intangible Cultural Heritage on their own.

**Q1 - For each of the criteria, please indicate whether you:**

|  | Strongly agree | Somewhat agree | Neither agree nor disagree | Somewhat disagree | Strongly disagree |
|--|----------------|----------------|----------------------------|-------------------|-------------------|
| Must be currently practised  | ✓              |                |                            |                   |                   |
| Can be from any time   | ✓              |                |                            |                   |                   |
| Can originate from anywhere  | ✓              |                |                            |                   |                   |
| Must be a living practice and cannot be a material product or object | ✓              |                |                            |                   |                   |

Please add any additional comments here...

We strongly agree with the above criteria.

For the purposes of the *Red List of Endangered Crafts* we include only those crafts that have been practiced for two or more generations within the UK, including those that have come to the UK through migration and diaspora communities. This time restriction is intended so that practises are sufficiently established to ensure that they will remain relevant until the next edition of the research is published and so that it is legitimate to describe them as ‘traditional’ as per the UNESCO domain description of traditional craftsmanship. We believe that DCMS’ proposal to automatically strike off practices that are not updated over a two year period will help ensure that very short-term trends do not skew the overall outcome over time, but would suggest that DCMS might consider other measures to ensure that practices are assessed for some degree of longevity / significant adoption within communities before they are approved. We would also request that informants be given appropriate communications and support to update their entries in a timely fashion.

We would be reluctant to use the analogy of ICH being a ‘verb’ while tangible heritage is a ‘noun’. While we agree that ICH refers to practices rather than objects, the analogy might encourage the public to believe that tangible heritage is more definitive of cultural heritage. We want to encourage true parity of esteem between ICH and tangible heritage. To the question of ‘what is heritage?’, the answer should include ICH on at least an equal basis to tangible heritage. ICH is not just ‘doing’ heritage, as though heritage is something that exists independently of it; it *is* heritage. Tangible heritage is not simply ‘being’ heritage; it shares that status with ICH.

**Q2 - Are there any criteria in addition to the above that should be added in your view?**

We would seriously consider adding a criterion relating to ethics and inclusivity, but understand that this might instead be dealt with at approvals stage. While we believe that DCMS has a duty not to promote unethical or exclusionary practices, we also recognise that the definition of ICH must be reflective rather than prescriptive. There is an important distinction between what is submitted as ICH by individuals and particular communities and what DCMS deems fit to approve onto the national register.

**Community permission**

The role of the ‘Community’ in Intangible Cultural Heritage is important in terms of recognition, or owners of items of Intangible Cultural Heritage.

As noted above as part of the criteria, UNESCO’s view is that Intangible Cultural Heritage can only be heritage when it is recognised as such by the communities, groups or individuals that create, maintain and transmit it – without their recognition, nobody else can decide for them that a given expression or practice is their heritage.

Yet the definition of Communities is not clearly defined, and the Convention speaks about communities and groups of practitioners in a non-specific way. The Intangible Cultural Heritage website notes that the *“spirit of the Convention is such that communities should be seen as having an open character, not necessarily linked to specific territories.”*

However, the Operating Directives of the Convention specify that *“Inscription on the Lists of the Convention or inclusion in the registry of good practices cannot be done without the free, prior and informed consent of the community or group concerned.”*

Whilst we do not propose that the Inventory of Intangible Cultural Heritage in the UK require the same level of input and detail as a nomination to the List of the Convention (which, as previously stated, we do not plan to do at least for the first few years), we want to ensure that any items submitted to the inventory should as much as possible represent community that practises that particular item of Intangible Cultural Heritage.

As noted previously, there will be variations (often regional) to many items, which will mean different submissions for each, but for each individual submission we are looking for evidence that the item is being submitted on behalf of the community that practises it.

**Q3 - Are you supportive of the concept of community representation? If not, why not? What suggestions do you have for obtaining support for a community for a submission to the Inventory?**

|                          | Strongly agree | Somewhat agree | Neither agree nor disagree | Somewhat disagree | Strongly disagree |
|--------------------------|----------------|----------------|----------------------------|-------------------|-------------------|
| Community representation | ✓              |                |                            |                   |                   |

Please add any additional comments here...

We strongly agree with the concept of community representation, and that communities must maintain a strong element of self-definition and not be reliant on the definition of an external authority. Understanding of these communities must not be limited by geographic considerations and must include itinerant and stateless communities that exist across political borders. We recognise that there may be instances of groups defining themselves as a community in order to achieve political or social aims that contravene the spirit of the UNESCO Convention and the UK’s implementation of it, including the principles of ethics and inclusivity, and DCMS must develop means to identify and deal with these at approvals stage.

**Categories**

The Convention text groups Intangible Cultural Heritage into 5 categories or “domains”:

- oral traditions and expressions, including language as a vehicle of the intangible cultural heritage;
- performing arts;
- social practices, rituals and festive events;
- knowledge and practices concerning nature and the universe;
- traditional craftsmanship.

The benefits of following the same groupings are that they will be recognised and understood internationally, but we have the opportunity to change or adapt them to suit our needs.

We propose keeping these 5 categories, but are considering adding two additional, separate categories, that would otherwise fall within the categories above so as to make it clearer where items of Intangible Cultural Heritage should be placed. (N.B. some items, such as a performing arts festival, will sit in two or more categories.) The categorisation is only for guidance and to aid understanding rather than being restrictive.

The 6th and 7th categories we propose are:

- traditional games and sports; and
- culinary traditions / knowledge.

**Q4 - What are your views on the 5 categories?**

For each of the criteria, please indicate whether you:

|  | Strongly agree | Somewhat agree | Neither agree nor disagree | Somewhat disagree | Strongly disagree |
|--|----------------|----------------|----------------------------|-------------------|-------------------|
| Oral traditions and expressions, including language as a vehicle of the intangible cultural heritage |                | ✓              |                            |                   |                   |
| Performing arts  | ✓              |                |                            |                   |                   |
| Social practices, rituals and festive events   | ✓              |                |                            |                   |                   |
| Knowledge and practices concerning nature and the universe   | ✓              |                |                            |                   |                   |
| Traditional craftsmanship  | ✓              |                |                            |                   |                   |

Please add any additional comments here...

We strongly agree with keeping the five domains as recognised by UNESCO, not least so we can fully engage with international cooperation around their safeguarding. We are aware of, and broadly agree with, calls to include languages in their own right, rather than merely vehicles for other forms of ICH, but recognise that this issue falls outside of the scope of this consultation.

**Q5 - What are your views on the additional category of traditional games and sports?**

|                              | Strongly agree | Somewhat agree | Neither agree nor disagree | Somewhat disagree | Strongly disagree |
|------------------------------|----------------|----------------|----------------------------|-------------------|-------------------|
| Traditional games and sports |                |                | ✓                          |                   |                   |

Please add any additional comments here...

We see no call to divert focus from UNESCO's five domains, but traditional games and sports are not our field of expertise, so we defer to others on whether a new domain is required or whether traditional sports and games can fall under social practices, rituals and festive events. While we do not represent traditional games and sports we do represent the skilled manufacture of some sports equipment.

**Q6 - What are your views on the additional category of culinary traditions / knowledge?**

|                                 | Strongly agree | Somewhat agree | Neither agree nor disagree | Somewhat disagree | Strongly disagree |
|---------------------------------|----------------|----------------|----------------------------|-------------------|-------------------|
| Culinary traditions / knowledge |                |                | ✓                          |                   |                   |

Please add any additional comments here...

We see no call to divert focus from UNESCO's five domains, but culinary traditions and knowledge are not our field of expertise, so we defer to others on whether a new domain is required or whether culinary traditions and knowledge can fall under existing domains.

**Q7 - In your view, should there be any additional categories? If so, what categories would you want included? (please include rationale for changes or additions - e.g. by referring to other countries' categories)**

We are content with the existing five domains as recognised by UNESCO, so as to better enable international cooperation around their safeguarding. However, traditional craftsmanship is our field of expertise, and we defer to others with expertise in other areas to make a case for additional categories.

**Approvals process**

We propose that all items submitted for inclusion on the Inventory be checked to ensure they meet the criteria listed above.

We will establish approval panels for each nation which will take the decision whether to include the item on the Inventory. We will ensure that each panel includes members with knowledge and experience of each of the 5 (or potentially 7) category areas, as well as members from public bodies with responsibility and interest in those areas.

If an item is not approved to be included on the inventory, we will look to ensure a reasonable level of written feedback explaining the decision. There will be no restrictions on re-applying to submit an item to the inventory.

In the event of a disagreement on an item not being listed and the feedback provided by the panel, we propose a light-touch appeal process, where a request can be submitted for a second opinion from a different approval panel to consider the item.

**Q8 - Are you supportive of our intended approach to the approvals process?**

|                   | Strongly agree | Somewhat agree | Neither agree nor disagree | Somewhat disagree | Strongly disagree |
|-------------------|----------------|----------------|----------------------------|-------------------|-------------------|
| Approvals process |                | ✓              |                            |                   |                   |

Please add any additional comments here...

We believe that more information needs to be published on DCMS’s proposed approvals criteria, and further consultation sought, before we can wholeheartedly agree. Approvals panels must be reflective of all parts of society, including historically marginalised communities and individuals with protected characteristics. One of the main inclusion criteria must be ethics and inclusivity. DCMS has a duty not to promote unethical or exclusionary practices, and it will need to provide clear guidelines on how it proposes to achieve this from the outset.

**Review of the Inventory**

Intangible Cultural Heritage is living cultural heritage that is continually evolving and being passed on. The Inventory is not intended as an ‘archive’ of Intangible Cultural Heritage. We therefore propose that each item be reviewed every two years, by the community / group / individual who submitted the item in order for the entry details to remain up to date.

We propose a grace period of two years, so if an item has not been reviewed after this period (i.e. the item has been on the inventory for four years without review), we propose to move the item to an ‘inactive’ part of the inventory.

An unreviewed item could signal a major safeguarding concern if the item is no longer being practised, so we propose that information about the review process (e.g. items that have not been updated) be provided to the Safeguarding Committees.

**Q9 - Are you supportive of our intended approach to reviewing the inventory?**

|                                | More often (e.g. annual) | As proposed (2 yearly) | Less often (e.g. every 3 years) | Not apply (e.g. no review period) |
|--------------------------------|--------------------------|------------------------|---------------------------------|-----------------------------------|
| Should the period of review be |                          | ✓                      |                                 |                                   |

Please add any additional comments here...

We agree with the two-yearly intervals, as this is what we have employed for the *Red List of Endangered Crafts* and believe that it strikes an acceptable balance between responsiveness to changes within society and sufficiently considered decision-making around the inclusion of new entries. We accept the proposition of unreviewed items being removed, but urge DCMS to provide nominators with sufficient support to submit timely reviews. There also needs to be an open and transparent process for the reporting of instances of unethical or exclusionary listings and clarity as to expected actions following such reports.

We would like more information as to whether the details of the individuals and/or communities acting as informants/reviewers will be published alongside the entries, as there may be safeguarding issues relating to marginalised communities, which could pose a risk to those individuals/communities and/or dissuade them from contributing in the first place.

#### **Q10 - Other comments**

If you have any other comments, please include them here. (Please note, we are unable to reply to individual questions.)

Following 14 years of advocating for the ratification of the 2003 Convention, UNESCO-accredited NGO Heritage Crafts welcomes this historic decision. Ratification will help ensure that knowledge, skills and practices integral to the UK's ever-evolving national identity will be properly valued and safeguarded, and we will be able to join the rest of the world in sharing good practices on how to achieve this.

Our work on the *Red List of Endangered Crafts* since 2017 means that the domain of traditional craftsmanship has a significant head start in the processes of inventorying and safeguarding, and we look forward to the opportunity to integrate our data with the national inventory, and to share our learnings with other domains, as required.

We are broadly supportive of the approach laid out above, but are keen to stress that there is much work still to be done to ensure equitable and inclusive implementation. It is vital that the full diversity of intangible cultural heritage in the UK is represented in this process, and we offer our full cooperation in the realisation of this aim.