Policy Brief

Intangible Cultural Heritage / Living Heritage

October 2017

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APPENDICES

Why is the recognition of ICH / Living Heritage fundamental to the public service mandate of governments at all levels?

Ongoing research sponsored by UNESCO and other agencies demonstrates that understanding Intangible Cultural Heritage (ICH) / Living Heritage is key to addressing global issues (such as: current realities within Indigenous communities as a result of colonialism, cultural and biological diversity loss, sustainability, and the aging population), at the local level. ICH / Living Heritage recognizes the significance of human experience and development and influences not only our individual life choices but how we negotiate values in a pluralistic world and build a shared future. We cannot hope to understand others if we are unwilling to recognize our own worldview and what motivates our own behaviour. Building a shared future depends on the ongoing negotiation of values in the sense of morals, principles, or other ideas that serve as guides to action and only then can individuals and groups contribute to sustainable, inclusive communities and enhance quality of life.

Given the impact of globalization, alternative frameworks and a new set of tools are needed to assess the cultural, social, environmental and economic value of ICH / Living Heritage and the activities that contribute to quality of life. Promoting and implementing UNESCO's *Convention for the Safeguarding of the Intangible Cultural Heritage* will inform the development of public policies, programs and services that serve the common good and enable governments at all levels to achieve their public service mandates.

Current heritage legislation, policies and programs do not reflect this growing understanding of ICH / Living Heritage; the forces that shape us and the communities we in turn create. All levels of government can provide leadership as we work towards developing sustainable, inclusive, long-term, holistic approaches to the defining issues of our time.

UNESCO's 2003 *Convention for the Safeguarding of the Intangible Cultural Heritage* is part of a larger body of work that reflects the growing understanding and support from the international community of nations to act collaboratively to address global issues and demonstrate a human response to the forces of globalization. The following chart shows some of the relevant declarations, conventions, covenants and charters that relate specifically to Intangible Cultural Heritage that UNESCO members have negotiated since the conclusion of World War II.

Year	UNESCO Declarations, Conventions, Covenants, and Charters	Canada's Status
1948	Declaration on Human Rights	
1952	Universal Copyright Convention	1962 Ratified
1966	Covenant on Civil and Political Rights	1976 Acceded
1972	Convention on the Protection of the World Cultural and Natural Heritage	1976 Accepted
1976	Covenant on Economic, Social and Cultural Rights	1976 Ratified
1982	Declaration on Cultural Policies	
1989	Convention on the Rights of the Child	1991 Ratified
2001	Declaration on Cultural Diversity	
2003	Convention for the Safeguarding of the Intangible Cultural Heritage	
2003	Charter on the Preservation of Digital Heritage	
2005	Convention on the Protection and Promotion of the Diversity of Cultural Expressions	2005 Accepted
2007	Declaration on the Rights of Indigenous Peoples	
2014	Declaration on the Links between Biological and Cultural Diversity	

International Conventions are subject to ratification, acceptance or accession by States. They define rules with which the States undertake to comply.

Declarations are another means of defining norms, which are not subject to ratification. Like recommendations, they set forth universal principles to which the community of States wished to attribute the greatest possible authority and to afford the broadest possible support. The first such declaration was the Universal Declaration of Human Rights, adopted on 10 December 1948 by the United Nations General Assembly.

Canada has been an active participant in the work of the United Nations since its inception. Taken together this body of work clearly situates ICH / Living Heritage within a framework of human rights including: civil and political rights; the rights of the child; the rights of Indigenous peoples; and economic, social and cultural rights. Having signed on to all of the above listed instruments at some level, it makes little sense not to sign the *Convention for the Safeguarding of the Intangible Cultural Heritage*, since they are all interconnected; like the warp and weft of a tapestry, they are woven together with one supporting the other.

Canada's legacy of protecting and promoting the value of cultural diversity through the Canadian Multiculturalism Act continues to inform our conviction that multiculturalism is a defining aspect of Canadian identity and with an ongoing reliance on immigration for growth it will remain so for the foreseeable future. Canada is a pluralist society, demonstrating to the world that a shared future can be negotiated in peaceful, democratic ways.

Year	Federal Policies related to Multiculturalism in Canada
1948	Universal Declaration on Human Rights
1960	Canadian Bill of Rights
1969	Royal Commission on Bilingualism and Biculturalism released Book 4 of their report focusing on the contributions of ethnic groups to the cultural enrichment of Canada
1970	International Convention on the Elimination of All Forms of Racial Discrimination - Ratified
1971	Multiculturalism Policy within a Bilingual Framework established
1977	Canadian Human Rights Act
1982	Canadian Charter of Rights and Freedoms - Sections 15 and 27
1988	Canadian Multiculturalism Act
1996	Canadian Race Relations Foundation established
2002	Canadian Multiculturalism Day established
2005	International Convention on the Protection and Promotion of the Diversity of Cultural Expressions - Accepted
2006	Community Historical Recognition Program and the National Historical Recognition Program announced
2007	Universal Declaration on the Rights of Indigenous Peoples

Dewing, Michael, Social Affairs Division, Parliamentary Information and Research Service, PRB 09 - 20E, *Canadian Multiculturalism*, 2009

Michael Dewing's 2009 report, *Canadian Multiculturalism*, clearly situates multiculturalism in Canada within the context of social justice and anti-discrimination policies and programs which parallels the intentions of the *Convention for the Safeguarding of the Intangible Cultural Heritage* which also provides a framework and methodologies to support work initiated under the umbrella of multiculturalism policies and when ratified will reinforce the value of programs and services that address quality of life issues for all citizens.

Moreover, Canada's Commission on Truth and Reconciliation: Calls to Action, 2015 calls on the Government of Canada to develop a national action plan, strategies, and other concrete measures to achieve the goals of the United Nations *Declaration on the Rights of Indigenous Peoples.* We all have much to learn from Indigenous communities about how to nurture a holistic approach to ICH / Living Heritage. The federal government's support for the *Declaration on the Rights of Indigenous Peoples* should also include much needed support to build capacity within existing heritage organizations to respond to the Calls to Action; specifically the call for skills-based training in intercultural competency, conflict resolution, human rights, and anti-racism.

In addition, Canada's ratification of the *Convention for the Safeguarding of the Intangible Cultural Heritage* can also build capacity within existing heritage organizations to respond to issues of cultural diversity in general through the facilitation of public dialogue focussed on engaging citizens to work collaboratively, to articulate Canadian values and develop new tools to measure Quality of Life, building social capital and enhancing social integration at the same time.

How does ICH / Living Heritage contribute to quality of life: to health and wellbeing; citizenship and social cohesion; and education and employment?

Health and Wellbeing

Governments, healthcare providers and care-givers agree; health and wellbeing is about more than just treating disease and depends on recognizing the multiple factors that influence lifestyle and individual behaviour. Supporting and nurturing ICH contributes to an "upstream" approach to healthcare which aims to address the root causes of ill health by creating the conditions and environments that support healthy choices and lifestyles. Such a holistic approach to healthcare addresses not only physical health but the emotional and social health of individuals as well.

Citizenship and Social Cohesion

Governments, law enforcement agencies, human rights advocates, social workers and others who work with disadvantaged groups, know from first-hand experience that context matters. Supporting and nurturing ICH contributes to a positive sense of identity, belonging and place and creates the conditions and environments for engaged citizens to work collaboratively to address global issues at the local level. This includes revitalizing our democracy through the facilitation of public dialogue and conversations about Canadian values. Moreover, safeguarding ICH is fundamental to addressing the Calls to Action of the Truth and Reconciliation Commission (TRC) and other social justice issues including: anti-discrimination programs, anti-bullying programs, and ageism, to name just a few.

Education and Employment

Governments, educators and students; business leaders and entrepreneurs, understand the benefits of culturally sensitive learning environments and workplaces. Businesses that value creative thinking and innovative solutions value difference: of perspective, of ideas, of options. Many employers and certainly front-line workers face day to day situations where an understanding of the cultural heritage of those they hope to serve enables them to do their job more effectively and efficiently. Understanding and supporting ICH will create the conditions and environments that enable individuals to not only develop specific skills and abilities and specific subject knowledge and understanding, but to also develop the confidence to participate in public life. There is a growing body of evidence that culture sensitive learning environments provide the social context necessary for learning to occur. This extends to life-long learning experiences and success in the workplace as well.

How does understanding ICH / Living Heritage contribute to sustainable community development?

Sustainable community development is based on the principles of inclusion and representation, it is rooted in place and is nurtured by our values, beliefs and ways of living; our Living Heritage. The International Institute for Sustainable Development defines sustainable development as: *development that meets the needs of the present without compromising the ability of future generations to meet their own needs. It contains within it two key concepts:*

- *the concept of needs, in particular the essential needs of the world's poor, to which overriding priority should be given; and*
- *the idea of limitations imposed by the state of technology and social organization on the environment's ability to meet present and future needs*.

The concept of 'needs' requires further clarification; there is a fine line between 'needs,' which relate to physical, emotional, and spiritual requirements for survival, and 'wants,' which reflect aspirations and/or desires. Understanding ICH / Living Heritage is to understand what motivates individual and collective choices thus making it the foundation on which to build sustainable development. Moreover, the research that informs UNESCO's 2014 *Declaration on the Links between Biological and Cultural Diversity*, demonstrates the importance of diversity both culturally and biologically. Governments at all levels can provide leadership and support to create opportunities for citizens to share experiences and work collaboratively to build a sustainable future.

Article 2 of the *Convention for the Safeguarding of the Intangible Cultural Heritage* clearly links ICH to contemporary issues including: diversity, social justice and sustainability.

> *For the purposes of this Convention, consideration will be given solely to such intangible cultural heritage as is compatible with existing international human rights instruments, as well as with the requirements of mutual respect among communities, groups and individuals, and of sustainable development.*

How does understanding ICH / Living Heritage contribute to community economic development?

Community economic development (CED) is based on the principles of sustainability as stated above. The Canadian Community Economic Development Network's website suggests: *CED is an approach that recognizes that economic, environmental and social challenges are interdependent, complex and ever-changing. To be effective, solutions must be rooted in local knowledge and led by community members. CED promotes holistic approaches, addressing individual, community and regional levels, recognizing that these levels are interconnected.* In other words, understanding ICH / Living Heritage is fundamental to the process of successful and sustainable community economic development.

The framework for CED parallels that of the *Convention for the Safeguarding of the Intangible Cultural Heritage* which clearly articulates the same interconnections between economic, environmental and social aspects of community life and recognizes the constantly shifting context within which decisions are made. The convention states:

> *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.*

This means that CED must be informed by shared values within a community and these must be negotiated on an ongoing basis. Economic development can take many forms but it must be inclusive and respectful of the risks associated with cultural appropriation and intellectual property rights to ensure that the benefits are realized within the community and support the long-term sustainability of the community. To summarize, ICH, as defined by UNESCO, is: traditional, contemporary and living at the same time; inclusive: accommodating multiple voices and engaged citizens; representative: multiple stakeholders working collaboratively; and community-based: grassroots, neighbourhoods, local identity.

Historic Approaches and Results

In many ways the heritage movement has become a victim of its own historical development which has resulted in the division/separation of tangible and intangible heritage when in fact they are not separate entities but more like two sides of a single coin. Although not all, most ICH is manifested in some tangible way.

The narrow definition of heritage in its tangible forms has resulted in a narrow understanding of the power of the past in daily life. The multiple connections between Living Heritage and quality of life issues are well-known outside the heritage field, however existing heritage organizations have limited capacity to explore these connections and have them inform program and service delivery.

The focus on tangible heritage has proven to be ineffective as many historical buildings and sites continue to be lost because communities do not understand their intangible cultural heritage value. There is a strong need to reconnect the values associated with buildings, objects and places to the stories that make them matter.

There is an urgent need to support cross-cultural training and skills development, collaborative approaches to community development, anti-discrimination and citizenship programs, as well as opportunities for individuals and groups to gather in community to share experiences and build a positive sense of identity, belonging and place.

Conclusion

The Government of Canada must recognize ICH if they are to develop effective and efficient: cross-sectoral policies; planning processes; and strategies for creating culture sensitive learning environments and workplaces, developing welcoming communities, healthcare provision and aging in place; and all public programs and services.

Government of Canada programs must support the sustainable development of communities through the actions of engaged workers, consumers and citizens.

Government of Canada programs must support ongoing dialogue focussing on Canadian values in order to ensure they are inclusive and reflect the many cultures that call Canada home and that they are passed on for generations to come.

Government of Canada programs and services must reflect Canadian values in order to ensure citizens share a strong sense of belonging and place and thereby strengthening social cohesion and connection to Canada.

Recommendations

Based on the research and recommendations of UNESCO, the Government of Canada should ratify the UNESCO *Convention for the Safeguarding of the Intangible Cultural Heritage* and set an example for all levels of government to:

- facilitate ongoing dialogue within and among communities focussing on values and the identification of ICH relevant to communities involved;

- provide skills-based training in intercultural competency, conflict resolution, human rights, and anti-racism as called for by the TRC; and

- update legislation, policies and practices to acknowledge ICH across departments; and promote ICH and the multiple connections to quality of life issues.

With the Government of Canada's leadership and support, each of the provinces and territories should be required to adopt policies and/or enact legislation that supports the UNESCO *Convention for the Safeguarding of the Intangible Cultural Heritage* and develop strategies and action plans for implementation to safeguard ICH within their jurisdiction.

Appendix A

ICH in Canada: a Work in Progress

Canada played a leading role in the development of the *Convention for the Safeguarding of Intangible Cultural Heritage* through the work of Gerald Pocius and continues to provide leadership and promote the convention through various organizations and events throughout the country. Several provinces and territories are already making strides in promoting and implementing the Convention.

In 2002, Dr. Gerald Pocius, Professor at Memorial University of Newfoundland, prepared an *Issue Paper on Intangible Heritage* for the Department of Canadian Heritage, Heritage Policy Branch. Dr. Pocius recognized the role of ICH / Living Heritage in daily life and how it informs a sense of identity, belonging and place. In his report he states: *"In the Canadian context, the safeguarding of IH continues the longstanding federal commitment to encourage all citizens to maintain their own group traditions, thus ensuring a nation rich in cultural diversity."*

In 2006, Dr. Richard MacKinnon was awarded the Canada Research Chair in Intangible Cultural Heritage recognizing his influential work in folklore and long career. Dr. MacKinnon is the Director of the Centre for Cape Breton Studies, which supports work related to the Canada Research Chair.

In 2008, the Heritage Foundation of Newfoundland and Labrador (*HFNL)* was given the mandate to *lead and implement the province's Intangible Cultural Heritage Strategy.* Their mission: *to safeguard and sustain the Intangible Cultural Heritage of Newfoundland and Labrador for present and future generations everywhere, as a vital part of the identities of Newfoundlanders and Labradorians, and as a valuable collection of unique knowledge and customs.* To achieve this end, policies were put in place to support projects that *celebrate, record, disseminate and promote our living heritage and help to build bridges between diverse cultural groups within and outside Newfoundland and Labrador.* In addition, the publication entitled, *Digitizing Intangible Cultural Heritage: A How-To Guide* was prepared by the Museum Association of Newfoundland and Labrador for the Canadian Heritage Information Network.

In 2009, Strathcona County in Alberta developed a *Community Heritage Legacy Framework* in which they state *"for the purposes of this document, the general term heritage includes intangible cultural heritage as well as tangible and natural heritage."* Furthermore, the document states: *Strathcona County's Community Heritage Legacy Framework is built on the fundamental principle that an awareness and appreciation of community history and heritage are vital to the well-being, strength and continuity of the community. Strathcona is committed to fostering community development that focuses on its history and heritage.*

In Quebec the *Cultural Heritage Act* entered *into force in October 2012.* The Act *proposes a new definition that promotes cultural heritage education, safeguarding, development and transmission, in the public interest and from a sustainable development perspective. Significant new items have been introduced:* **designating and identifying intangible heritage,** *historical figures, sites and events will facilitate their promotion. In addition, all heritage properties covered by the Cultural Heritage Act will henceforth be entered in the Registre du patrimoine culturel (cultural heritage register).*

In Saskatchewan, the provincial non-profit organization, Heritage Saskatchewan commissioned a report in 2012: *Living Heritage & Quality of Life: Reframing Heritage Activity in Saskatchewan* which outlined in broad strokes the connections between Living Heritage and Quality of Life issues within three streams: health and wellbeing, citizenship and social cohesion, and education and employment. Subsequent reports demonstrate the multiple connections between Living Heritage and models for Community Development, (the We Need to Talk! series) as well as redefining what heritage work is and who does it, (the Living Heritage @ Work series). In addition, Heritage Saskatchewan has hosted three Living Heritage symposiums in partnership with the Johnson-Shoyama Graduate School of Public Policy; and in late 2015 hired an Intangible Cultural Heritage Development Officer, a graduate of Memorial University of Newfoundland.

In 2013 a Symposium was held in Edmonton, Alberta sponsored by the Alberta Museums Association and the Canadian Commission for UNESCO. Canada Research Chair in Intangible Cultural Heritage (CRCICH), Dr. Richard MacKinnon, from Cape Breton University, provided the keynote address and the Canadian Chair in Ethnological Heritage, Laval University, Dr. Laurier Turgeon, presented. Also in **2013 the Canadian Network for Intangible Cultural Heritage (CNICH) was created.**

In 2015 the Community Folk Art Council of Toronto (CFAC) began a dialogue with the Province of Ontario to implement a new Intangible Cultural Heritage Strategy with an aim to: safeguard and sustain the **Intangible Cultural Heritage** of Ontario for present and future generations, as a vital part of the identities of Ontarians, and as a valuable collection of unique knowledge and customs. This will be achieved through policies that support initiatives that celebrate, record, disseminate and promote our living heritage and help to build bridges between diverse cultural groups within and outside Ontario.

In 2015, the Canadian Network for INCH (CNICH) organized a workshop at the Canadian Museum of History with the support of the Canadian Commission for UNESCO to take stock of the ICH work being done in Canada.

In 2016, an International Symposium, co-sponsored by Folklore Studies Association of Canada (FSAC), the Canadian Society for Traditional Music (CSTM) and the CNICH was held in Quebec

City; a National Survey was conducted; and a **Canadian Declaration for the Safeguarding of Intangible Cultural Heritage** was adopted.

Also in 2016 New Brunswick's, Department of Tourism, Heritage and Culture advertised for the position of Heritage Officer. The call for applications included this statement: *Reporting to the Manager of Historic Places and Toponymy, the successful candidate will assist with Provincial Heritage Place applications, Local Historic Place applications and Place Name requests; correspondence, research, site visits, analysis, supporting documentation in both official languages. . . . **The successful candidate will assist in the development and implementation of an approach to intangible heritage**.*

In Manitoba, Ph.D. Candidate, Agnieszka Pawlowska-Mainville, presented a paper to the Clean Environment Commission on behalf of the Fox Lake Grassroots Citizens group. In *Aski Atchimowina and Intangible Cultural Heritage*, the author documents several links between the UNESCO *Convention for the Safeguarding of the Intangible Cultural Heritage* and Indigenous ways of knowing and valuing the land and suggests that the Convention is a valuable tool that communities are already using to begin inventorying their ICH.

In British Columbia, The First Peoples' Cultural Council currently supports the safeguarding of some core aspects of intangible cultural heritage through the language and arts programs and the First Voices project. These programs provide support to communities and individuals. http://www.fpcc.ca/culture/heritage-toolkit/Intangible-Cultural-Heritage.aspx

Simon Fraser University is home to the Intellectual Property Issues in Cultural Heritage (IPinCH) project, a seven-year international research initiative to explore the *rights, values, and responsibilities of material culture, cultural knowledge and the practice of heritage research. IPinCH is a collaboration of scholars, students, heritage professionals, community members, policy makers, and Indigenous organizations across the globe. The project serves as both a practical resource and a network of support for communities and researchers engaged in cultural heritage work.* http://www.sfu.ca/ipinch/

Also in British Columbia, the University of Victoria is home to a program of Heritage Studies that aim to explore *the tangible and intangible history of cultures. Courses and programs provide skills and knowledge by exploring a diverse range of heritage topics from historic building fabric to the intangible practices of traditional communities.* The University of British Columbia also offers an on-line workshop on Intangible Cultural Heritage.

Appendix B

ICH Around the World

As of October 6, 2016 - 171 States have signed UNESCO's *Convention for the Safeguarding of the Intangible Cultural Heritage* in the following regions:

- Africa,
- Arab States,
- Asia / Pacific,
- Europe / North America, and
- Latin America / Caribbean.

Noticeably absent from the lists however, are countries that also have a significant stake in Indigenous rights and reconciliation measures including the:

- United States of America,
- Australia,
- New Zealand, the
- United Kingdom (with the exception of Ireland), and
- Canada.