Expert meeting on a model code of ethics for intangible cultural heritage

Valencia, Spain, 30 March to 1 April 2015

**Background note and agenda**

At the request of the Intergovernmental Committee for the Safeguarding of the Intangible Cultural Heritage, UNESCO is organizing an expert meeting in Valencia, Spain, from 30 March to 1 April 2015, generously hosted by the Kingdom of Spain. The aim of the meeting is to discuss the main lines that should figure into codes of ethics for intangible cultural heritage.

**Background and context of the meeting**

In 2012, at its seventh session, the Intergovernmental Committee for the Safeguarding of the Intangible Cultural Heritage (ICH) invited UNESCO’s Secretariat ‘to initiate work on a model code of ethics and to report on it to a next session of the Committee’ ([Decision 7.COM 6](http://www.unesco.org/culture/ich/doc/src/ITH-12-7.COM-Decisions_-EN.doc)). This request reflects the growing awareness among State Parties of the need to provide guidelines on ethical approaches to the safeguarding of ICH in order to underpin the implementation of the 2003 Convention for the Safeguarding of the Intangible Cultural Heritage.

Article 2.3 of the Convention stipulates that ‘Safeguarding means measures aimed at ensuring the viability of the intangible cultural heritage’, but neither the [text of the Convention](http://www.unesco.org/culture/ich/en/convention) nor the [Operational Directives](http://www.unesco.org/culture/ich/doc/src/ICH-Operational_Directives-5.GA-EN.docx) provide specific ethical guidelines or norms of conduct to orient the efforts of the many actors involved in such safeguarding. Such actors range from State agencies and public institutions to private entities and civil society organizations, as well as the communities, groups and individuals concerned.

Ethical guidelines for safeguarding ICH need to be founded on the fundamental principles embodied in the Convention: respect for the right of the people concerned to full and fair participation in any processes, projects and activities that affect them, and recognition of their key role in maintaining and managing their culture and heritage. The development, promotion and implementation of ethical principles for safeguarding ICH can contribute to achieving a better sensitivity to cultural norms, honesty, transparency and appropriate behaviour, avoid any forms of disrespect and moral, legal or commercial misappropriation of ICH and thus, considerably strengthen the safeguarding efforts of the communities, groups and individuals concerned. Such principles would also guide safeguarding efforts and promote respect for ICH in related fields such as cultural heritage, museums, anthropology, folklore, tourism, the media and intellectual property. Moreover, a number of activities are not taken with the intention of safeguarding but nevertheless have an impact upon the viability of intangible cultural heritage and ought therefore to be addressed by an ethical code.

Ethics within the Operational Directives of the 2003 Convention

Ethical considerations were already present in the Operational Directives for the Implementation **of the Convention** when they were first adopted **by the General Assembly of the States Parties in 2008. In Chapter III concerning** participation in the implementation of the Convention, P**aragraph** 93 stipulates that ‘Accredited non-governmental organizations should abide by applicable domestic and international legal and ethical standards’.

**The notion of ethics was further integrated into the Operational Directives with the adoption in 2010 of Chapter IV concerning raising awareness about ICH, including the use of the emblem of the Convention. Paragraph 103 stipulates that ‘**States Parties are encouraged to develop and adopt codes of ethics based on the provisions of the Convention and these Operational Directives, in order to ensure appropriate ways of raising awareness about the ICH present in their respective territories’.

**Some additional provisions proposed for a new chapter of the Operational Directives** **on safeguarding ICH and sustainable development at the national level** ([Document ITH/14/9.COM/13.b](http://www.unesco.org/culture/ich/doc/src/ITH-14-9.COM-13.b-EN.doc)) refer as well to ethics. Paragraph 9 on food security encourages States Parties to ‘adopt appropriate legal, technical, administrative and financial measures, including codes of ethics, to promote and/or regulate access to traditional farming, fishing, hunting, pastoral and food gathering and preservation knowledge and practices’. Paragraph 20 on inclusive economic development stipulates that ‘States Parties shall endeavour to take full advantage of ICH as a powerful force for inclusive economic development’ and encourages them ‘to respect the nature of that heritage and the specific circumstances of the communities, groups or individuals concerned, […] while promoting fair trade and ethical economic relations’.

The increasing presence and gradual integration of the notion of ethics in the Operational Directives reflect a growing awareness of the importance of developing, promoting and implementing ethical principles for ICH. However, with the exception of a few countries and non-governmental organizations, there are few examples of government policies and legislative, administrative or other approaches towards respecting ICH through codes of ethics. Member States and development actors, including the communities and groups themselves, need to be guided with concrete ethical procedures and principles applicable to all kind of activities related to ICH or that could potentially affect its viability.

**Towards codes of ethics for safeguarding intangible cultural heritage**

Codes of ethics for ICH need to be elaborated to address a number of specific sectors, fields and contexts of implementation. The issues to be addressed vary significantly from country to country and depend on the sector concerned (e.g. industry, tourism, education, economy or environment). As such, it may not be possible to provide a single one-size-fits-all code of ethics for ICH, and various codes of ethics might be needed for different constituencies, even if they all share the same core values. Moreover, to be efficient and suited to a specific context, codes of ethics need to be designed in an inclusive way, with the participation of all development actors concerned, including the communities themselves.

What, then, are the core values and ethical principles – drawn from the 2003 Convention – that ought to guide all safeguarding efforts, whether undertaken by States, communities, civil society or the private sector? How can those core values and principles be integrated into one or more model codes of ethics that could orient the work of different actors, in different contexts? And how can a model code be translated effectively into concrete, practical tools that could be used in the day-to-day work of safeguarding?

In order to initiate this important work, the Secretariat is organizing the present meeting, generously hosted by the Kingdom of Spain and co-funded by Spain and the Intangible Cultural Heritage Fund.

**Goal and participants**

This three-day meeting will bring together twelve experts from different UNESCO Member States as well as four members of the Secretariat. This meeting is organized as a category VI expert meeting, in UNESCO’s terminology, which means that the experts participate in their private capacity and not as representatives of any government or organization. Meetings of such an expert committee are private and its recommendations are not ascribed by name to any participant.

During the meeting, the participants will not make formal presentations but will instead discuss the main lines that should figure into codes of ethics for ICH. Experts will also strategize the different approaches that are possible for ethical codes or codes of conduct, and whether the goal should be a single model code or several addressed to different sectors. The discussions will be framed by a reference document elaborated by UNESCO and circulated to experts in advance. This document will be used during the different working sessions, introducing the main issues to address and highlighting concrete examples in fields related to ICH (cultural heritage, museums, anthropology, folklore, tourism, the media and intellectual property).

The results of the meeting will be presented to the Director-General of UNESCO and subsequently examined by the Committee when it meets for its tenth session in Namibia from 30 November to 4 December 2015.

**Programme and format**

**The expert meeting will be composed of six plenary sessions over the course of three days. The opening and closing sessions will be dedicated respectively to the introduction of the meeting and its conclusions. The discussion of the other four sessions will be framed by the abovementioned reference document elaborated by the Secretariat. Those four sessions will focus respectively on:**

**1. The core values of the Convention that should be integrated into codes of ethics for ICH** (e.g. values such as primacy of communities, respect for human rights and cultural diversity, limits on access to heritage and possession of heritage)**;**

**2. General scope of codes of ethics for ICH**. The comparative advantages of being more comprehensive or more focused on specific sectors. The multiple possible addressees (e.g. State agents, civil society, the private sector, the media, tourism operators, tourists, etc.)**;**

**3. T**he specific ethical principles that should be included in codes of ethics for ICH (e.g. sector-specific and/or audience-specific principles, resulting from cross-referencing core values of the Convention against specific sectors or addressees);

**4. The** possible processes that could be used to elaborate one or more model codes of ethics for ICH and to proceed from a model to specific codes adapted to different contexts at the regional, national and subnational levels (e.g. examples of other model codes and how they were developed, then how they were applied and/or turned into specific codes)**.**

Preliminary programme

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| **Monday, 30 March 2015** | | |
| **10:00 – 11:00** | **Opening programme: Towards a model code of ethics for intangible cultural heritage**  Salón de Cortes du Palau de la Generalitat (c/ Caballeros, 2, 46001 Valencia) | * Ms Rita Barberá, Mayor of Valencia * Mr José M.ª Lassalle Ruiz, Secretary of State for Culture * Mr José Manuel García-Margallo y Marfil, Minister of Foreign Affairs and Cooperation * Ms Irina Bokova, Director-General of UNESCO * Mr Alberto Fabra, President of the Generalitat Valenciana |
| *Working meeting resumes after the transfer of participants to the venue of the meeting* | | |
| **11:30 – 12:15** | **Presentation of the objectives, working methods and agenda**  Palau de les Arts Reina Sofia (Avenida del Professor López Piñero, 1, 46006 Valencia) | Ms Cécile Duvelle, Secretary of the Convention for the Safeguarding of ICH, Chief of the ICH Section, UNESCO |
| **12:15 – 13:00** | **Introduction of the participants** |  |
| **13:00 – 15:00** | **Lunch** | |
| **15:00 – 18:00 (coffee break 16:00)** | **Session 1: Core values of the Convention that should be integrated into codes of ethics for ICH** | Moderator: Ms Cécile Duvelle |
| **Tuesday, 31 March 2015** | | |
| **09:30 – 13:00** | **Session 2: General scope of codes of ethics for ICH** | Moderator: Mr Frank Proschan, Chief of the Programme Implementation Unit, ICH Section, UNESCO |
| **13:00 – 15:00** | **Lunch** | |
| **15:00 – 18:00 (coffee break 16:00)** | **Session 3: Specific ethical principles that should be included into codes of ethics for ICH** | Moderator: Ms Cécile Duvelle |
| **Wednesday, 1 April 2015** | | |
| **09:30 – 13:00** | **Session 4: Possible processes to get to a code of ethics or a model code for ICH and to get from a model code to specific codes** | Moderator: Mr Frank Proschan |
| **13:00 – 15:00** | **Lunch** |  |
| **15:00 – 18:00 (coffee break 16:00)** | **Conclusions, next steps and closing** |  |