**Unit 55**

**Workshop on Policy development for intangible cultural heritage safeguarding**

Published in 2016 by the United Nations Educational, Scientific and Cultural Organization, 7, place de Fontenoy, 75352 Paris 07 SP, France

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**lesson plan**

Duration:

3-5 days

Objective(s):

Establish an understanding of the recommendations to States Parties in the Convention for the Safeguarding of the Intangible Cultural Heritage[[1]](#footnote-1) and the Operational Directives (ODs) concerning the adoption (or reinforcement) of policies and legislation; the establishment (or reinforcement) of administrative frameworks and institutions for safeguarding the intangible cultural heritage (ICH); and the creation or designation of several kinds of networks and organizations at the institutional level.

Assist country counterparts in planning a strategy for developing ICH-related policy to assist in the implementation of the Convention at the national level.

Description:

This workshop is about how ICH-related policies can help to facilitate the implementation of the Convention on the national level. The topics covered include: what the Convention recommends, as well as the purpose of (and interaction between) various policies and measures to support ICH safeguarding.

Supporting documents:

* UNESCO guidance note: Providing advisory services for policy development in the field of intangible cultural heritage
* Facilitator’s notes Unit 10 (2-4 hour introductory session on ICH policies and institutions)
* Timetables for 3 and 5 day workshops (see below)
* PowerPoint presentation Unit 10
* PowerPoint presentations (1-3) Unit 55
* Participant’s text Unit 10 (ICH policies and institutions)
* Participant’s text Unit 3: ‘Intellectual property’ and ‘International, regional, subregional, local’
* Hand-out 1: Impact of policy on ICH safeguarding
* Hand-out 2: Glossary of terms
* Hand-out 3: Resources
* Hand-out 4: News reports
* Hand-out 5: Strategic choices in ICH for policy-making
* Hand-out 6: Formulating a strategy for policy-making
* Hand-out 7: Introduction to intellectual property and ICH
* Case studies 6, 8, 31, 24, 29
* Case studies about different policy frameworks: Case study 39 (Batik) and Case study 38 (Tatau)
* Case studies about ICH-related policies: Case study 53 (Colombia), Case study 53 (Flanders)
* Case studies about human rights issues in ICH: see Unit 48 on Gender and intangible cultural heritage
* Case studies about intellectual property and safeguarding: Case study 55 (Silk), Case study 45 (Cheese) and Case study 46 (Tapestry).

**Unit 55**

**Workshop on Policy development for intangible cultural heritage safeguarding**

**Facilitator’s narrative**

**Introduction to the workshop**

Under the Convention, States Parties are encouraged to develop or modify intangible cultural heritage (ICH)-related policy and legislation, to assist them in implementing the Convention (Article 13; ODs 103–105). States Parties need to create an enabling environment at the national level within which (a) ICH is valued and respected, (b) communities, groups and individuals concerned[[2]](#footnote-2) can be assisted where necessary in safeguarding their ICH, and (c) community stewardship over that ICH can be recognized and protected.

This workshop is part of a broader UNESCO programme providing advisory services in the field of ICH policy-making, where requested by States Parties, within the capacity-building strategy for ICH safeguarding. The workshop will generally follow a needs analysis in the State by UNESCO advisory expert(s), based on local consultations and a desk analysis of the existing situation, if possible with assistance from the relevant UNESCO Field Office. This analysis would indicate existing ICH-related legislation and policies, policy challenges, existing human and institutional resources and ICH safeguarding needs. It would have identified some issues of importance to ICH-related policy-making within the State. It may recommend a range of capacity-building interventions including a workshop about policy-making relating to ICH, if required.

As explained in the UNESCO Guidance note ‘Providing advisory services for policy development in the field of intangible cultural heritage’ (referred to here as ‘Guidance note’) associated with this workshop, the Convention does not suggest specific ICH-related policy approaches for States Parties. States are encouraged to develop policy regarding ICH in a manner geared to their own situation. The policy environment for ICH safeguarding is complex and it is a relatively new field in the arena of culture and heritage policy-making. ICH safeguarding contexts and ICH-related policy issues in each State are diverse, and existing policy environments differ widely.

There are many ways of approaching policy development in the field of ICH, but in most cases the following questions need consideration:

1. the nature of the ICH in the territory of the State and its viability, with particular reference to the socio-economic and political context of the communities concerned;
2. problems identified by stakeholders (especially communities concerned and community-related NGOs) that could be addressed through policy-making;
3. the existing policy environment and institutional context (both within and outside the culture sector, nationally and internationally), that is relevant to ICH safeguarding;
4. the likely aims, scope and nature of ICH-related policy in the State, based on the social, political, legal, and cultural context (or other factors) informing ICH-related policy-making in the State; and
5. ways of developing and then achieving agreed policy outcomes, for example through further consultation about proposed policies, drafting new policies and/or adaptation of existing policies.

There are some key challenges that could be discussed in addressing some of these questions, however:

* First, the diversity of ICH elements and the diversity of ways in which these elements (and the communities associated with them) can be identified, means that the scope and nature of ICH-related policies is an important consideration. How will ICH be defined? Will specific policies be drafted for ICH? How will they relate to other policies in the culture sector?
* Second, under the Convention ICH-related policies (and policy-making) should try to ensure the widest possible involvement of communities concerned in all activities concerning their ICH (Article 15), but the Convention does not define who those communities are. How can this process avoid (perhaps unwittingly) prioritizing certain communities over others, or some groups within communities (for example older men) over others? How can communities be involved as broadly as possible in the process of policy-making and their participation (based on free, prior and informed consent), be supported in all safeguarding activities envisaged under those policies?
* Third, ICH safeguarding can be affected by a wide range of issues, including gender relations, environmental factors, recognition of and relations between minorities, legal provisions regarding traditional leaders and practices, and so on. How will ICH policies relate to other policy initiatives? How will interactions between policies be identified and any tensions mitigated? Policy-making for ICH safeguarding should be informed by a careful investigation of the aims, scope and likely outcomes of other relevant policy approaches both within and outside the culture sector.
* Finally, it is often difficult to predict the impact (if any) of different policies, both on ICH safeguarding and communities concerned. How can the most appropriate policy tools be identified? It may be desirable to implement some pilot projects to test the effectiveness of different approaches.

The participation of communities concerned and other relevant stakeholders, coupled with strong political will to ensure they are funded and implemented, support the most effective policy development processes. All communities have ICH that they value and wish to continue practising, but the ICH of some communities may be particularly marginalized, endangered or threatened. A distinction could therefore be made between broad community participation (perhaps through public meetings or media engagement, or in broad implementation of an ICH-related policy) and community consultation (with community representatives who would engage with their communities on specific issues that would impact the safeguarding of endangered ICH).

In the context of these questions and challenges, the workshop aims to help country counterparts (where requested) to discuss the process of ICH-related policy-making in that State and thereby identify possible features of such policies. The workshop is not a policy-writing workshop, but a platform to assist country counterparts in States to debate ways of making locally appropriate, informed choices about ICH-related policy-making. Ideally, such a workshop may help to both expand and focus the debate in this area, in preparation for the process of policy-making that will often continue long after the workshop is over.

#### Designing a workshop

In designing a workshop of this nature the facilitator will need to review the Guidance note to clarify the purpose of the advisory programme. In consultation with the national counterparts, the aims and objectives of the workshop should be carefully outlined, both to clarify the roles of UNESCO facilitators vis-à-vis the national counterparts, and to help determine what issues should be prioritized, who should be invited and what kinds of outcomes might be expected. This will help to develop a clear sense of how the workshop discussions can inform the broader process of policy-making. In this regard it is important to clarify the status of any agreements reached in the meeting in relation to the process of policy approval within the State, and the nature and extent of planned or proposed public consultations.

A range of people within the State who are representatives from communities, research organizations, civil society or NGOs, and/or have official or institutional responsibilities for policy and legal development in ICH or other relevant areas may attend the workshop. Engaging communities in the process of policy-making at an early stage will help to identify issues they face in safeguarding, as well as possible ways to address these issues at the policy level. It will also start the process of engaging communities in aspects of policy implementation. People responsible for policy-making in other related areas such as constitutional law, tourism, education, intellectual property, human rights and sustainable development, should be invited to attend where appropriate.

The facilitator **must tailor** the methodology for conducting the workshop to the specific context. While the Guidance note does offer examples and analysis from different contexts, facilitators cannot themselves be expected to be expert in all these different areas of policy-making, and should act rather as a mediator or devil’s advocate (as required), steering discussions back to the topic at hand where needed, reflecting questions back to the group in different ways or raising issues that are not being addressed.

Presentations by participants or invited speakers, a questionnaire (see below) and/or a plenary discussion could be used to explore the strategic questions identified above. An exercise based on a fictional case study (Hand-out 1: The impact of public policies on ICH safeguarding), and Case study 38 (Tatau) or Case study 39 (Batik) can be used to spark discussion about the possible effects of different kinds of policies on ICH safeguarding. Invited speakers or participants could be asked to give short inputs on existing policy approaches and legal provisions of various kinds, traditional leadership, environmental conservation, language promotion, human rights law, etc.

Further discussion and reflection on these issues may be encouraged through the use of case studies from different country contexts, taken from the UNESCO capacity-building materials (see below) or based on their own experiences. Recent news reports or other information can also be used for this purpose (see examples of news reports Hand-out 4). In the 5-day workshop the facilitator could take an example of an existing ICH-related policy (such as a cultural policy) and present it to the group for in-depth analysis.

ICH-related policy-making is not a paint-by-numbers activity, and the workshop should leave adequate time for discussion and information sharing between participants about the aims, needs and challenges of ICH policy-making in their specific context. The workshops may also be of variable length. Therefore, this workshop unit does not offer a set program or timetable. Instead it provides a ‘basket’ of resources, and some ideas for organizing such a workshop. Facilitators may wish to use some or all of these resources, or other materials may be considered more appropriate. Presentations by participants or invited local speakers, and resources from local news providers and research centres should constitute an important part of any policy workshop.

**Workshop on policy development for ICH safeguarding**

**possible timetable (3 day workshop)**

|  |  |
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| **DAY 1** | |
| **Welcome and introduction** | |
|  | Official welcome |
|  | Coffee break |
|  | Introduction of participants  Objectives and programme of the workshop |
|  | **Lunch** |
| **policy issues in the country context** | |
| **Resources:**  Unit 10 PPT  HO2: Glossary  HO3: Resources | Policy development in the framework of the Convention for the Safeguarding of the Intangible Cultural Heritage  *Presentation and plenary discussion* |
|  | Coffee break |
|  | ICH safeguarding needs and existing policies and institutions in the State  *Presentations by country counterparts including community representatives* |
| **DAY 2** | |
| **POLICY-MAKING in the field of intangible cultural heritage** | |
| **Resources:**  Guidance note  Unit 55 PPT1 | Developing ICH-related policies  *Presentations by facilitator and/or other experts, followed by plenary discussion* |
|  | Coffee break |
| HO1: The impact of public policies on ICH safeguarding | The impact of public policies on ICH safeguarding  *Group work and plenary discussion* |
|  | **Lunch** |
|  | The impact of public policies on ICH safeguarding *(cont.)*  *Group work and plenary discussion* |
|  | Coffee break |
| Unit 55 PPT2 | Encouraging community and civil society participation in ICH policy-making, and ICH safeguarding  *Presentation and plenary discussion* |
| **DAY 3** | |
| **POLICY-MAKING strategies** | |
| HO5: Strategic choices in ICH policy making: discussion framework | The context of ICH-related policy-making in the State  *Group work and plenary discussion* |
|  | Coffee break |
| HO6 exercise: Formulating a strategy for policy-making | Formulating a strategy for ICH-related policy-making in the State  *Group work* |
|  | **Lunch** |
|  | Formulating a strategy for ICH-related policy-making in the State  *Plenary discussion* |
|  | Coffee break |
| Evaluation form | Meeting close and evaluation |

**possible timetable (5 day workshop)**

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| --- | --- |
| **DAY 1** | |
| **Welcome and introduction** | |
|  | Official welcome |
|  | Coffee break |
|  | Introduction of participants  Objectives and programme of the workshop |
|  | **Lunch** |
| **policy issues in the country context** | |
| **Resources:**  Unit 10 PPT  HO2: Glossary  HO3: Resources | Policy development in the framework of the 2003 Convention for the Safeguarding of the Intangible Cultural Heritage  *Presentation and plenary discussion* |
|  | Coffee break |
|  | ICH safeguarding needs and existing policy approaches in the State  *Presentations by country counterparts including community representatives* |
| **DAY 2** | |
| **POLICY-MAKING in the field of intangible cultural heritage** | |
| **Resources:**  Guidance note  Unit 55 PPT1 | Developing ICH-related policies  *Presentation by facilitator followed by plenary discussion* |
|  | Coffee break |
| HO1: The impact of public policies on ICH safeguarding | The impact of public policies on ICH safeguarding(exercise)  *Group work and plenary discussion* |
|  | **Lunch** |
|  | The impact of public policies on ICH safeguarding *(cont.)*  *Group work and plenary discussion* |
|  | Coffee break |
| Unit 55 PPT2 | Encouraging community and civil society participation in ICH policy-making, and ICH safeguarding  *Presentation and plenary discussion* |
| **DAY 3** | |
| **POLICY-MAKING: different fields** | |
| Unit 55 PPT3  HO7: Introduction to IP and ICH | Introduction to different policy fields: intellectual property (other fields could instead/also be discussed here, if more relevant to the context) |
|  | Coffee break |
| Case studies selected from the materials (Cheese, Tapestry) | Case studies and examples  *Group work and plenary discussion* |
|  | **Lunch** |
| Case studies selected from the materials (Batik, Tatau, Silk) | Tensions and synergies between policy approaches  *Group work on case studies* |
|  | Coffee break |
|  | Tensions and synergies between policy approaches  *Plenary report back* |
| **DAY 4** | |
| **POLICY-MAKING: different approaches** | |
|  | Developing ICH-related policies in the State: examples of existing policy development processes  *Presentations by experts followed by plenary discussion* |
|  | Coffee break |
| HO5: Strategic choices in ICH policy-making: discussion framework | The context of ICH-related policy-making in the State  *Plenary discussion* |
|  | Lunch |
| Case studies (Colombia, Flanders, other case studies from the materials)  National or regional policies selected by facilitator | Examples of different approaches (case studies)  Analysis of existing policy instruments in the State or the region  *Group work* |
|  | Coffee break |
|  | Analysis of existing policy instruments in the State or the region  *Plenary discussion* |
| **DAY 5** | |
| **POLICY-MAKING strategies** | |
| HO6: Formulating a strategy for policy-making | Formulating a strategy for ICH-related policy-making in the State  *Group work* |
|  | Coffee break |
|  | Formulating a strategy for ICH-related policy-making in the State  *Group work* |
|  | Lunch |
|  | Formulating a strategy for ICH-related policy-making in the State  *Plenary discussion* |
|  | Coffee break |
| Evaluation form | Meeting close and evaluation |

1. . Frequently referred to as the ‘Intangible Heritage Convention’, the ‘2003 Convention’ and, for the purpose of this unit, simply the ‘Convention’. [↑](#footnote-ref-1)
2. . Hereafter, communities concerned. [↑](#footnote-ref-2)