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The Rt Hon Lord Goldsmith KC
Chairman, International Agreements Committee
House of Lords
London
SW1A 0PW

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Dear Peter,

Government response to the Scrutiny of international agreements: UNESCO Convention on Intangible Cultural Heritage

Thank you for your Committee's report entitled 'Scrutiny of international agreements: UNESCO Convention on Intangible Cultural Heritage'. I am writing to offer a response to the recommendations from the Committee.

I am pleased that the Committee welcomes the Government's decision to ratify the Convention and agrees that it signals a commitment to valuing intangible cultural heritage in the UK more deeply, as well as providing an opportunity for greater international engagement.

We believe that a key benefit of ratifying the Convention is to start conversations about the extraordinary range and breadth of intangible cultural heritage all across the UK and about how, collectively, we should safeguard, value and celebrate our living heritage.

I have included an annex which provides a direct response to paragraphs 11 and 13.

We would also like to clarify that we only noted the UK's decision not to pursue nominations to the Representative List of the Intangible Cultural Heritage of Humanity. We have not taken any decision with regard to the UK engaging with the other 2003 Convention mechanisms for international co-operation, notably the Register of Good Safeguarding Practices. Similar to the points we note in the annex, this is an area we wish to explore in an open manner with the engagement of people across the UK.

I trust this response provides a useful update to your report. I would like to repeat my thanks for your engagement with the ratification of this Convention and invite your continued engagement and contributions in this fascinating and important area.

With best wishes,

Lord Parkinson of Whitley Bay
Minister for Arts, Heritage and Libraries



Annex - Government response to the Scrutiny of international agreements: UNESCO Convention on Intangible Cultural Heritage

Paragraph 11

We note that in its Explanatory Memorandum the Government states that, apart from creating a UK inventory of intangible cultural heritage and reporting on that to UNESCO, “ratifying does not place any additional burden, duty, or obligation on any policy-maker or funder, and does not signal a commitment to direct intervention from HM Government, the devolved administrations, local government, or associated public bodies.” In our view that is a misreading of the Convention. While the Convention does not impose absolute obligations relating to safeguarding, Articles 13–15 list a series of measures which the Government must endeavour to take. The obligation to report to the UNESCO Committee on Safeguarding applies to the measures specified in Articles 13–15 just as much as to the obligation to create an inventory. **We call on the Government to have regard to all the measures in the Convention with respect to the safeguarding of cultural heritage.**

UK Government response:

As your report recognises, intangible cultural heritage is a diverse area. Methods and approaches to safeguarding are similarly broad, including the measures in Articles 13–15. Bearing these and the principles of the Convention in mind, we have not entered into ratification with a predetermined, top-down plan for safeguarding, and instead will take an open and engaged approach, including people across the UK in the conversation about safeguarding.

We are currently at the first stage of implementation and have consulted widely on plans to create an Inventory in the UK. We believe the Inventory is the key first step of implementation. In order to have a conversation about what should be safeguarded, how and by whom, we need to identify, recognise and understand the range of intangible cultural heritage across the UK so our initial implementation has focused on the Inventory process.

However, that is not to signal a neglect or disinterest in conversations about safeguarding. We take our responsibilities in ratifying UNESCO treaties very seriously and are in firm agreement that safeguarding is the focus of the Convention – we recognise the full title is the Convention for Safeguarding of the Intangible Cultural Heritage.

We wished to manage expectations that ratification would lead to immediate or top-down change, particularly in an area where responsibility for culture and heritage is a devolved matter. This is why we noted there would be ‘no additional burden or obligation(s)...’ in order not to prejudge any discussions about safeguarding that will become the core focus of implementation.

The Convention provides an excellent framework for this discussion as well as principles for the approach. We therefore plan to be open and inclusive as we implement the Convention and will engage with local groups, practitioners, knowledge-bearers and representatives of intangible cultural heritage at every stage.

Paragraph 13

The DCMS consultation on the Convention has not yet closed and the consultation documents give no indication of the timescale for implementation.

We call on the Government to report to Parliament in due course on the outcome of the consultation process, its plans for establishing a UK inventory and the additional measures it proposes to take to safeguard intangible cultural heritage in the United Kingdom.

UK Government response:

We will be more than happy, in due course, to report to Parliament on the outcome of the consultation process, our plans for establishing a UK inventory, and the measures to be taken to safeguard intangible cultural heritage in the United Kingdom.