



## *Digital presentation and preservation of intangible cultural heritage*

### **01 - Framework for common standards and models for digitization, presentation and preservation of intangible cultural heritage**

#### **AN OVERVIEW ON INTANGIBLE CULTURAL HERITAGE AT INTERNATIONAL, EUROPEAN AND NATIONAL LEVEL**

**Latvia**



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## 1. Definition of Intangible Cultural Heritage

Digitalization of cultural heritage has been one of the top priorities in development of cultural industry during the last decade, and now, in a circumstance of social restrictions, when the consumption of culture has become even more digital. This perspective has highlighted issues of accessibility, quality and promotion issues of the digitized content. Both commercial and non-profit arts organizations have their business approach or mission to provide access to cultural heritage to the community.

The very term 'intangible cultural heritage' is considered to represent a 'loose English translation' of the Japanese expression *mukei bunkazai*<sup>1</sup>

The main document governing the processes regarding maintaining, preservation and safeguarding of intangible cultural heritage in Latvia is Intangible Cultural Heritage Law, which defines the ICH as 'a part of the cultural heritage of Latvia, which represents the cultural traditions of Latvia and consists of the knowledge, skills, values and behaviour models passed down from generation to generation, defined by the surrounding environment and developed by interaction with history, nature and creativity, including oral traditions and expressions, performing arts, social practices, rituals, festive events, knowledge concerning nature and the universe, traditional craftsmanship, as well as instruments, objects, artefacts and cultural spaces associated therewith'

According to ICH Law the elements of the intangible cultural heritage are oral traditions and expressions passed down from generation to generation, defined by the surrounding environment and developed by interaction with history, nature and creativity, including language as a vehicle of the intangible cultural heritage, performing arts, social practices, rituals, festive events, knowledge and practices concerning nature and the universe, traditional craftsmanship, as well as instruments, objects, artefacts and cultural spaces associated therewith, having cultural, historical, artistic, social, linguistic or scientific value, which the community recognises as its cultural heritage and has undertaken to safeguard.

UNESCO statement for ICH is that it "includes traditions or living expressions inherited from our ancestors and passed on to our descendants, such as oral traditions, performing arts, social practices, rituals, festive events, knowledge and practices concerning nature and the universe or the knowledge and skills to produce traditional crafts."

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<sup>1</sup> See Kurin, 'Safeguarding Intangible Cultural Heritage: Key Factors in Implementing the 2003 Convention', *2 Int'l J Intangible Heritage* (2007) 9, at 10.

## 2. National and international laws for preserving of intangible cultural heritage

The driving force for the safeguarding of ICH originated from countries of Africa, Asia, and Latin America, motivated by their own conception of culture centered on living traditions and in 1970-ties, during the negotiations leading to the adoption of the World Heritage Convention, a number of state representatives shared the idea that the scope of that Convention was too narrow, and that the action of the international community in the field of cultural heritage should extend to its immaterial manifestation. On 15 November 1989 the UNESCO General Conference adopted the first specific international legal instrument on ICH, the Recommendation on the Safeguarding of Traditional Culture and Folklore (RSTCF). Later the international community has become conscious that ICH needs and deserves international safeguarding, triggering a legal process which culminated with and UNESCO's action in the field of safeguarding of ICH on 17 October 2003, when the General Conference adopted the UNESCO Convention on the Safeguarding of the Intangible Cultural Heritage. The Convention entered into force on 20 April 2006

In Latvia the Intangible Cultural Heritage Law, in force since 1/12/2016

The purpose of the Law is to safeguard the intangible cultural heritage and transmit it to next generations as a resource attesting to the distinctiveness and diversity of the culture of Latvia, facilitating the understanding of values, creativity, development and improvement of the quality of life.

The objective of the Law is to create an institutionally organisational system to provide the environment and conditions necessary for targeted support to the safeguarding of the intangible cultural heritage, as well as to initiate a public dialogue.

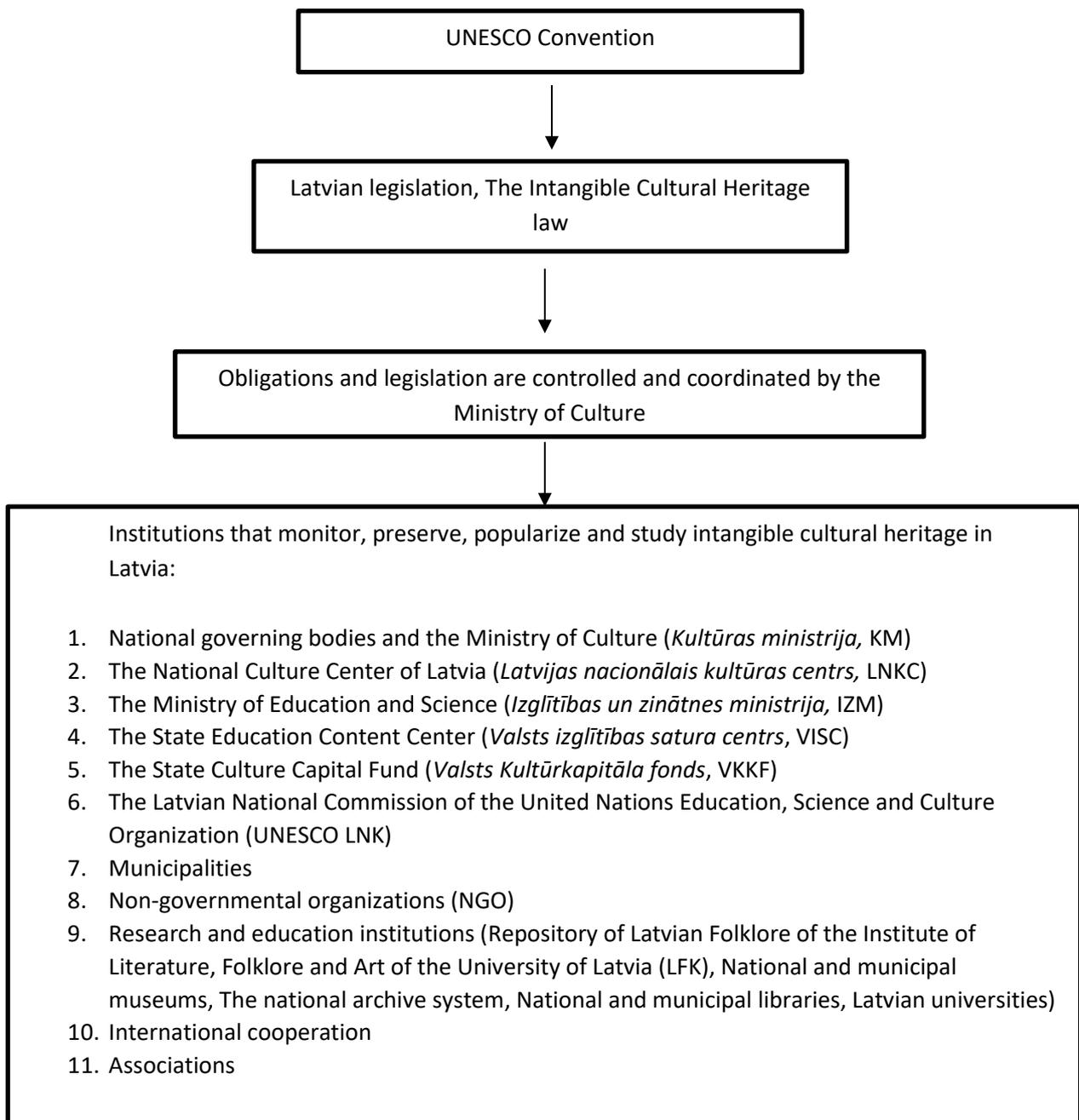
The law defines the tasks and obligations of Council of Intangible Cultural Heritage and Latvian National Centre for Culture, that are two major organisations implementing the policy for safeguarding of intangible cultural heritage.

In the law particular highlighted are Tradition of the Song and Dance Celebration in Latvia and its Symbolism and the Suiti Cultural Space which are inscribed on the UNESCO Representative List of the Intangible Cultural Heritage of Humanity under the name "Baltic Song and Dance Celebrations". Matters related to the safeguarding and development of the tradition of the Song and Dance Celebration in Latvia is governed by this Law, the Song and Dance Celebration Law and the UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage.

Consequently the Suiti Cultural Space and Baltic Song and Dance Celebrations are protected by the UNESCO Convention. <https://ich.unesco.org/en/convention>.

After joining the convention Latvia started establishing a Latvian National Register and a draft bill in favour of intangible cultural heritage. This work is coordinated by the Latvian Ministry of Culture, which is responsible for implementing the convention in Latvia. A group of experts that is also represented by the Latvian National Commission for UNESCO has been formed in 2006. Preservation of cultural diversity is also emphasized by Article 1 of the UNESCO Universal Declaration on Cultural Diversity,<sup>5</sup> 'is embodied in the uniqueness and plurality of the identities of the groups and societies making up humankind'

### The structure of intangible cultural heritage in Latvia:



The Intangible Cultural Heritage law<sup>2</sup> was drafted in 2006 and was based on the UNESCO convention of 2003 (UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage)<sup>3</sup>. Latvia was an active participant in the creation of this convention and was the eighth country to accede the convention (14th of January, 2005). The National List of Intangible Cultural Heritage<sup>4</sup> was created in 2017 and is updated annually. This list includes various traditional cultural expressions and ensures a more vocal role in society. At the moment there are 19 items, for example, the Livonian Cultural Environment, the craft of the rafts men of the river Gauja and The Northern-Latgalian psalm singing. Two of these items are also included in the World's Cultural Heritage List - The Song and Dance festival's traditional processes and the Symbolism of the Latvian, Lithuanian, Estonian and Suitu Cultural Environments.

### **2.1. Latvian legislation**

Latvian legislation (based on UNESCO) considers intangible cultural heritage as:

1. Oral traditions and manifestations, including language as the bearer of intangible cultural heritage;
2. Performance arts;
3. Customs, rituals and celebrations;
4. Knowledge and customs that are related to nature and the universe;
5. Traditional craftsmanship.

The Convention entails that the Ministry of Culture coordinates the implementation of legal commitments in Latvia<sup>5</sup> involving communities, NGOs, higher education institutions as well as national and municipal institutions. For the successful preservation and sustainable long-term development of Latvia's intangible cultural heritage (ICH), the participation of the cultural, educational and recollection institutions overseen by the Ministry of Culture is significant. The issue of the conservation of Latvia's ICH is the competence of the national, municipal and other institutions.

### **2.2. ICH governance and the institutions involved:**

1. National governance institutions and the Ministry of Culture<sup>6</sup>
2. The National Culture Center of Latvia<sup>7</sup>
3. Ministry of Education and Science<sup>8</sup>

<sup>2</sup> <https://m.likumi.lv/doc.php?id=285526>

<sup>3</sup> [http://portal.unesco.org/en/ev.php-URL\\_ID=17716&URL\\_DO=DO\\_TOPIC&URL\\_SECTION=201.html](http://portal.unesco.org/en/ev.php-URL_ID=17716&URL_DO=DO_TOPIC&URL_SECTION=201.html)

<sup>4</sup> [https://www.lnkc.gov.lv/Uploads/2019/11/29/1575037869\\_4409.pdf](https://www.lnkc.gov.lv/Uploads/2019/11/29/1575037869_4409.pdf)

<sup>5</sup> <https://www.km.gov.lv/en#gsc.tab=0>

<sup>6</sup> <https://www.km.gov.lv/en#gsc.tab=0>

<sup>7</sup> <https://www.lnkc.gov.lv/>

<sup>8</sup> <https://izm.gov.lv/en/>

4. The State Education Content Center <sup>9</sup> (National Centre for Education of the Republic of Latvia)
5. State Culture Capital Fund<sup>10</sup>
6. The Latvian National Commission of the United Nations Education, Science and Culture Organization <sup>11</sup>
7. Municipalities
8. Non-Governmental Organizations
9. Research and education institutions (Repository of Latvian Folklore of the Institute of Literature, Folklore and Art of the University of Latvia (LFK) <sup>12</sup>, National and municipal museums, The national archive system, National and municipal libraries, Latvian universities)
10. International cooperation

### 2.3. *Ministry of Culture*

Museums are in subordination to the Ministry of Culture and other ministries (The Ethnographic Open-Air Museum of Latvia is a subordinate of the Ministry of Culture).

There are 21 sections in the Ministry of Culture. Of these, 11 are concerned with intangible cultural heritage (Culture on the web, financing options, copyrights, the circus, dance, motion pictures, cultural education, The Latvian School Bag program, museums, music, folk art and intangible heritage).

For example:

-The section “Culture on the web” <sup>13</sup> is concerned with information that is available on the world wide web, provides information about events as well as provides information about legal requirements when creating publications on the internet.

-The section “Financial options” provides information about financial aid options in the field of intangible cultural heritage.

-The section “Archives” <sup>14</sup> is concerned with the use of documents on the internet, by the use of a repository of laws and regulations in order not to infringe upon copyright violations. The professionals and activists in this field joined together to form the Union of Latvian Archivists<sup>15</sup> in 1997.

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<sup>9</sup> <https://visc.gov.lv/en/>

<sup>10</sup> <http://www.kkf.lv/index/english.html>

<sup>11</sup> <http://www.unesco.lv/lv/unesco/unesco-1/>

<sup>12</sup> <http://en.lfk.lv/news>

<sup>13</sup> <https://www.km.gov.lv/en#gsc.tab=0>

<sup>14</sup> <https://www.km.gov.lv/en/culture/archives#gsc.tab=0>

<sup>15</sup> <http://arhivistubiedriba.lv/>

-The section “Copyright”<sup>16</sup> deals with the issues of utilizing the various products of authors, for example, literary works, visual art, music etc. There are two major subsections - copyright and related rights (related rights pertain to the author (e.g. to the dancer, musician, actor, etc.) and copyrights to the producers (e.g. broadcasters, etc.)). Related rights protect the product of the artist’s actions. This section produces regulatory act drafts and projects pertaining to related rights and copyrights. It also oversees collective management organizations, informs society about copyright and related rights issues, collects and analyzes data information about copyright and related rights present situation in the country, analyzes the European Union’s, the World Intellectual Property Organization’s and other institution’s documents on copyright and related right issues as well as develops proposals for the implementation of these documents in the Republic of Latvia.

-The section “Dance”<sup>17</sup> - The main NGOs participating in the professional dance scene in Latvia are the association “The Latvian Ballet and Dance Guild”<sup>18</sup> and “The Choreographer Association”<sup>19</sup>. These associations support and promote the professional growth of Latvian dancers, organize competitions, masterclasses, events and festivals as well as protects the rights of choreographers. The Ministry of Education and Science oversees and promotes creative activities in pre-school, school and after school modern and traditional dance groups that participate in the Latvian School Youth Song and Dance Festival.

-The section “Latvia’s school bag” is an interdisciplinary complex program whose aim is to strengthen the national identity and active citizenship of the next generation as well as develop competence in their cultural understanding and expression and generally increase the quality of education.

-The section “Museums” - various NGOs such as the Latvian Museum association<sup>20</sup>, the Latvian National Commission of the International Committee of Museums<sup>21</sup>, the think tank Creative Museum<sup>22</sup> and the Baltic Society for the Promotion of Museology<sup>23</sup> support the ventures of museums in Latvia. Museums are independent and accessible to the public. They are non-profit institutions that serve to develop and inform society as well as preserve, popularize, study and show the tangible and intangible heritage of humanity and nature.

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<sup>16</sup> <https://www.km.gov.lv/en/culture/copyright-and-related-rights#gsc.tab=0>

<sup>17</sup> <https://www.km.gov.lv/en/culture/dancing-art#gsc.tab=0>

<sup>18</sup> <http://www.lbdg.lv/?page=3>

<sup>19</sup> <https://www.dance.lv/eng/>

<sup>20</sup> <https://www.muzeji.lv/lv>

<sup>21</sup> <http://www.latvia.icom.museum.lv/EN/index.html>

<sup>22</sup> <http://www.creativemuseum.lv/en/news/>

<sup>23</sup> <http://www.muzeologija.lv/en>

-The section “Folk Art and Intangible Heritage”<sup>24</sup> - modern folk art is a product of the joining of the craftsmen movement, folk traditions and professional art.

### **3. Copyright and Communications Consulting Agency / Latvian Authors’ Association (AKKA/LAA)**

The Latvian authors’ association Copyright and Communications Consulting Agency / Latvian Authors’ Association<sup>25</sup> (AKKA/LAA) is strictly protects copyright and related rights in Latvia. It is an NGO that joins various authors who, through collective management, realize their property rights and create an effective cooperation between authors and the people and institutions benefiting from their work, thus arriving at a mutually beneficial agreement. The main field of the ones represented is music. It follows the usage of intangible resources such as the playing of music in public settings, the showing of theater, usage of choreography and the publishing of materials on the internet. In addition, they follow along the publishing and distribution of intangible cultural heritage (CDs, online format, etc.).

#### **The National Culture Center of Latvia**

The National Culture Center of Latvia<sup>26</sup> is tasked with the implementation of state legislation about the preservation of intangible cultural heritage. It also coordinates the National Song and Dance festival. The Council of Intangible Cultural Heritage was created to evaluate entries to be included in the national List of Intangible Cultural Heritage. In addition to this, the council gives acceptance to annual plans and regulatory acts pertaining to intangible cultural heritage created by the Minister of Culture or the National Culture Center of Latvia. The project “Meet Your Master (Satiec savu meistarū) <sup>27</sup> happening within the European Skill Days project, serves the purpose of informing the wider society about people practicing traditional crafts. It is a project that gathered 16 participating countries and over 9000 separate events in the year 2019.

#### **The State Culture Capital Fund (SCCF)**

The State Culture Capital Fund<sup>28</sup> (SCCF) and its corresponding law came into force on 1st of January 2004. Its goal is to promote balanced preservation and development of all fields cultural heritage and art in accordance with the cultural policy guidelines of Latvia. The tasks of the fund are to raise, accumulate, manage and distribute funds both for the implementation of cultural projects as well as the financing of lifelong scholarships for brilliant cultural and artistic workers;

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<sup>24</sup> <https://www.km.gov.lv/en/culture/folk-art-and-non-material-heritage#gsc.tab=0>

<sup>25</sup> <http://www.akka-laa.lv/en/>

<sup>26</sup> <https://www.lnkc.gov.lv/>

<sup>27</sup> <http://www.satiecsavumeistaru.lv/par/>

<sup>28</sup> <http://www.kkf.lv/index/english.html>

The fund supports projects (from both physical and legal persons) that promote cultural renewal and artistic creative development, promotes research projects in the cultural sphere that contribute to the development of traditional culture.

### **Associations**

In the past few years various intangible cultural heritage associations have been created in order to popularize, promote and preserve traditional, historic crafts, singing etc.