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Panel on Home Affairs

Background brief prepared by the Legislative Council Secretariat for the meeting on 14 June 2013

Preservation of intangible cultural heritage in Hong Kong

Purpose

This paper provides background information on the Administration's territory-wide survey on intangible cultural heritage ("ICH") in Hong Kong, and summarizes the concerns of members of the Panel on Home Affairs ("the Panel") on issues relating to the survey on ICH and the preservation of ICH.

Background

Convention for the Safeguarding of the Intangible Cultural Heritage

2. In October 2003, the United Nations Educational, Scientific and Cultural Organization ("UNESCO") adopted the Convention for the Safeguarding of the Intangible Cultural Heritage ("the Convention"). Following the ratification of the Convention by the People's Republic of China (one of the 30 State Parties bound by the Convention) and as agreed by the Government of the Hong Kong Special Administrative Region ("HKSAR"), the Convention has applied to Hong Kong since 7 December 2004.

3. The Convention requires each State Party to identify and define the various elements of ICH present in its territory, with the participation of communities, groups and relevant non-governmental organizations ("NGOs"). To ensure identification of ICH, each State Party is required to draw up, in a manner geared to its own situation, one or more ICH inventories, which would need to be updated regularly. The definition of ICH and the characteristics of ICH to be preserved under the Convention are in **Appendix I**.

Territory-wide survey on ICH in Hong Kong

4. In compliance with the Convention, the Administration planned to conduct a territory-wide survey on ICH ("the survey") in Hong Kong with a view to establishing an ICH inventory. In 2006, the Administration commissioned the Division of Humanities of the Hong Kong University of Science and Technology ("HKUST") to carry out a pilot study on ICH in Hong Kong. The pilot study made reference to the 78 ICH items on the first provincial ICH list of Guangdong, and found that 34 items were relevant to Hong Kong. The study report also made recommendations on how the survey should be conducted, including the methodology and composition of survey teams. In July 2008, the Secretary for Home Affairs appointed the Intangible Cultural Heritage Advisory Committee ("ICHAC") to advise the Administration on the conduct of the survey.

5. At its meeting on 11 February 2011, the Panel received a briefing by the Administration on the progress of the survey. Members noted that the Leisure and Cultural Services Department ("LCSD") had, on the advice of ICHAC, divided the territory into two field survey areas¹ (i.e. Area A and Area B) covering nine districts each, and the South China Research Centre ("SCRC") of HKUST, which was the only bidder for the survey, was commissioned to conduct survey on both areas. The surveys for Area B and Area A commenced in August 2009 and July 2010 respectively. With the information obtained from documentary research and field survey, SCRC had compiled a preliminary inventory of ICH in Hong Kong containing a total of 63 proposed major items and 216 sub-items. According to the Administration, the territory-wide survey was expected to be completed in the first half of 2012 and SCRC would submit a tentative inventory of ICH in Hong Kong to ICHAC for consideration.

6. When the Administration briefed the Panel on its efforts to safeguard ICH at the meeting on 15 March 2012, members noted that SCRC would submit the final report on the survey to ICHAC in mid 2012. Upon completion of the survey, the Government would compile the first inventory of Hong Kong's ICH in consultation with ICHAC.

Inscription of ICH in Hong Kong

7. Pursuant to UNESCO's approval of the application submitted by the Governments of HKSAR, Macao and Guangdong through the Central Government for the inscription of Cantonese opera on the Representative List of

¹ The survey was divided into two field survey areas:
Survey Area A: North, Tai Po, Sha Tin, Sai Kung, Wong Tai Sin, Kwun Tong, Kowloon City, Sham Shui Po and Yau Tsim Mong.
Survey Area B: Yuen Long, Tuen Mun, Tsuen Wan, Kwai Tsing, Islands, Central & Western, Wan Chai, Eastern and Southern.

the Intangible Cultural Heritage of Humanity in 2009, Cantonese opera had become the first item of world ICH in the three regions. In September 2009, the Government of HKSAR further submitted an application to the Ministry of Culture for the inscription of four traditional activities, including the Jiao-festival of Cheung Chau, the dragon boat water parade of Tai O, the fire dragon dance of Tai Hang, and the Yu Lan Ghost Festival of the Hong Kong Chiu Chow Community, on the third national list of ICH in China. The application was approved in May 2011.

Deliberations of the Panel

8. Matters relating to the survey and the preservation of ICH had been discussed at various Panel meetings held in the Fourth Legislative Council ("LegCo"). The major concerns raised by members are summarized in the ensuing paragraphs.

The survey

9. Members were concerned about the methodology of the survey for drawing up the ICH inventory. They reminded the Administration of the importance of adopting objective selection criteria in assessing whether an ICH item should be included into the list of ICH inventory and conducting consultation with the community before finalizing the inventory list.

10. The Administration advised that a bottom-up approach would be adopted to identify and define the various ICH items present in Hong Kong. The survey would be conducted in an open and non-prescriptive manner, with the participation of the communities, groups and relevant NGOs as well as the 18 District Councils. Relevant experts and cultural bearers would also be invited to advise ICHAC on the specific items identified by the survey. The Administration would make reference to the selection criteria adopted by the Guangdong authority, and if required, consult the public and the Panel in this regard.

11. Noting that only one bid from SCRC was received for conducting the survey, members were concerned whether the progress of the survey would be procrastinated. The Administration explained that given the depth and complexity of the survey as well as the limited number of ICH specialists in Hong Kong, it would be difficult for the Administration to find suitable bidders for the survey. While the tender for Field Survey Area A had been delayed to a certain extent, the Administration believed that SCRC, with the experience gained from Field Survey Area B, would complete the survey for Field Survey Area A more expeditiously.

Compilation of Hong Kong's ICH inventory

12. In response to members' concern about the Administration's support for the preservation of traditional items (such as clan rituals and festive events in villages), the Administration assured members that it would be vigilant in compiling the ICH inventory to ensure that ICH items with cultural/traditional values, in particular those at risk of extinction or requiring urgent safeguarding, would be identified. Where the preservation of certain ICH items was not viable, proper documentation on them would be made for future reference.

13. An enquiry was raised about whether the culinary culture of the Hong Kong style café would be included in the preliminary ICH inventory list. According to the Administration, applications for inscription on the ICH inventory list should comply with the Convention, which covered the domains of oral traditions and expressions (such as Waitou dialect, Hakka dialect and Zuk Zi poetry); performing arts (such as Naamyam and Taoist music); social practices, rituals and festive events (such as Yu Lan Ghost Festival and Tin Hau Festival); knowledge and practices concerning nature and the universe (such as traditional Chinese medicine production); and traditional craftsmanship (such as bamboo steamer making and dried fruit production).

14. In response to members' enquiry, the Administration advised that ICHAC had, with reference to the practices adopted in the Mainland, Japan and Korea, recommended 50 years as the benchmark for the transmission of an ICH item from generation to generation. According to the Convention, ICH transmitted from generation to generation should provide the community with a sense of identity and continuity which was also an important factor when compiling the list of Hong Kong's ICH inventory.

Preservation of ICH

15. Members considered that the Administration should formulate a long-term policy for the safeguarding of ICH in Hong Kong. Some members held the view that legislation was a more effective means than education and documentation in safeguarding ICH. These members called on the Administration to adopt a two-pronged approach which involved compiling the inventory list and drafting relevant legislative proposals for safeguarding ICH.

16. According to the Administration, it would take appropriate measures to safeguard ICH with reference to overseas experience. The immediate task was to finish the territory-wide survey of ICH in Hong Kong in order to draw up the ICH inventory list. More measures to safeguard ICH could then be implemented taking into account different actual circumstances. Drawing reference to England, Australia and Singapore, the Administration held the view that there were many different effective measures other than legislation in

safeguarding ICH.

ICHAC

17. Concern was raised about the composition of ICHAC which comprised mainly academics specializing in areas relating to ICH. The Administration advised that while the majority of ICHAC members were university professors with profound expertise in ICH, a professional and a representative of the local community, both of whom were not from the academic sector, were also appointed to ICHAC. As ICH was closely related to the local communities, the Administration undertook to consider appointing more representatives from the local communities to ICHAC.

Support to the development of Cantonese opera

18. Members expressed concerns about the Government support to the development of Cantonese opera in the community and the inadequacy of performance venues for Cantonese opera. There was a suggestion that the provision of a dedicated television channel for Cantonese opera would enhance people's interest and knowledge in Cantonese opera.

19. According to the Administration, there were adequate public venues for use by the Cantonese opera troupes. The Yau Ma Tei Theatre and Ko Shan Theatre, as well as the future Xiqu Centre in the West Kowloon Cultural District were dedicated performance venues for Cantonese opera. LCSD had also reserved time slots at five major performance venues for priority hiring by professional Cantonese opera troupes. Under the "Venue Partnership Scheme" of LCSD, local Cantonese opera troupes could use the venues for Cantonese opera performances and related activities for an agreed number of days at no charge.

Relevant papers

20. A list of the relevant papers on the LegCo website is in **Appendix II**.

**Definition of intangible cultural heritage ("ICH")
and characteristics of ICH to be preserved
under the Convention for the Safeguarding of
the Intangible Cultural Heritage ("the Convention")**

Definition of ICH

The Convention defines ICH as the practices, representations, expressions, knowledge, skills, as well as the instruments, objects, artifacts and cultural spaces associated therewith, that communities, groups and, in some cases, individuals recognize as part of their cultural heritage. According to the Convention, ICH is manifested in the following domains:

- (a) oral traditions and expressions, including language as a vehicle of ICH;
- (b) performing arts;
- (c) social practices, rituals and festive events;
- (d) knowledge and practices concerning nature and the universe; and
- (e) traditional craftsmanship.

Characteristics of ICH to be preserved

Under the Convention, ICH to be preserved should possess the following characteristics:

- (a) being transmitted from generation to generation;
- (b) being constantly recreated by communities and groups in response to their environment, interaction with nature, and history;
- (c) providing communities and groups with a sense of identity and continuity;
- (d) promoting respect for cultural diversity and human creativity;
- (e) being compatible with international human rights instruments; and
- (f) complying with the requirements of mutual respect among communities and of sustainable development.

**Relevant documents on
Preservation of Intangible Cultural Heritage in Hong Kong**

Committee	Date of meeting	Paper
Council meeting	7.11.2007	Question No. 7 Official Record of Proceedings Pages 1441 –1443 in Hansard
Council meeting	7.1.2009	Question No. 11 Official Record of Proceedings Pages 3532 –3536 in Hansard
Council meeting	4.2.2009	Question No. 7 Official Record of Proceedings Pages 4161 –4163 in Hansard
Panel on Home Affairs	20.3.2009 (Item IV)	Agenda Minutes
Council meeting	21.10.2009	Question No. 19 Official Record of Proceedings Pages 204 –211 in Hansard
Panel on Home Affairs	11.12.2009 (Item VI)	Agenda Minutes
Panel on Home Affairs	8.1.2010 (Item VI)	Agenda Minutes
House Committee	17.12.2010 (Item VII)	Agenda LC Paper No. CB(2)507/10-11
Panel on Home Affairs	11.2.2011 (Item IV)	Agenda Minutes
Panel on Home Affairs	15.3.2012 (Item III)	Agenda Minutes