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Panel on Home Affairs

**Updated background brief prepared by the Legislative Council Secretariat
for the meeting on 15 March 2012**

Intangible cultural heritage in Hong Kong

Purpose

This paper summarizes the concerns of members of the Panel on Home Affairs ("the Panel") on issues relating to the preservation of intangible cultural heritage ("ICH") in Hong Kong.

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 this connection, the Administration commissioned in 2006 the Division of Humanities of the Hong Kong University of Science and Technology to carry out a pilot study on ICH in Hong Kong. The study made reference to the 78 ICH items on the first provincial ICH list of Guangdong, and found that 34 were relevant to Hong Kong. Its 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 areas covering nine districts each, and the South China Research Centre ("SCRC") of the Hong Kong University of Science and Technology, which was the only bidder for the survey, was commissioned to survey both areas. The survey for the two areas 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.

Inscription of ICH in Hong Kong

6. 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 the Intangible Cultural Heritage of Humanity in 2009, Cantonese opera had become the first item of world intangible cultural heritage 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. According to the Administration, it would implement a series of measures to facilitate the protection, promotion and transmission of ICH items in Hong Kong (**Appendix II**).

Deliberations of the Panel

7. Matters relating to the survey and the preservation of ICH were discussed at two Panel meetings in March 2009 and February 2011 respectively. The deliberations and concerns of members are summarized below.

The survey and ICH inventory

8. Members were concerned about the methodology of the survey for drawing up the ICH inventory. They asked the Administration to adopt objective selection criteria prior to the scrutiny and assessment of ICH items as well as consult the community before finalizing the ICH inventory list.

9. 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.

10. Members were concerned that the survey only attracted one bidder, SCRC, which would be commissioned to conduct the survey on both field survey areas. Enquiries were raised on the reason for such low interest and whether the progress of the survey would be procrastinated. The Administration advised 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, with the experience gained from Field Survey Area B, the Administration believed that SCRC would complete the survey for Field Survey Area A more expeditiously.

11. Some members considered that a mechanism should be put in place for appeals against any decisions of not including a particular item in the ICH inventory. They also urged the Administration to continue the support for traditional items (such as clan rituals and festive events in villages) which were worthy of preservation but not included in the inventory. The Administration assured members that it would be vigilant in compiling the 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.

ICHAC

12. 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.

Preservation of ICH

13. Members generally considered that the Administration should formulate a long-term policy for the safeguarding of ICH in Hong Kong. They noted from the Panel's duty visit to Japan and the Republic of Korea in 2010 that the two countries had been active in safeguarding ICH by providing a lot of resources to universities in conducting research on ICH and training for students to become ICH transmitters, as well as enacting legislation to safeguard ICH. Some members expressed concern about whether ICH in Hong Kong could be preserved from generation to generation in the absence of statutory means. They were worried that ICH items in Hong Kong would vanish eventually if there was a lack of practitioners fully dedicated to the transmission of such crafts and traditions. Apart from establishing an ICH inventory, consideration should also be given to putting in place concrete measures to protect and promote ICH. Members also noted with concern that urban redevelopment had resulted in the closure of many small stalls associated with ICH and the disappearance of some valuable crafts and skills. They urged the Administration to liaise with relevant government bureaux to consider how to better protect local traditions and customs during urban development.

14. According to the Administration, after compiling the ICH inventory, it would discuss with the stakeholders how to best preserve each ICH item, such as whether to use public resources to sponsor the transmission of ICH and the need to enact legislation. The Administration was aware of the disappearance of some ICH items with their elderly master craftsmen or for commercial reasons. The establishment of an ICH inventory would be the last resort to record their details. As many ICH items still existed, the Administration would devise measures to preserve and promote them.

Relevant papers

15. A list of the relevant papers on the Legislative Council website is in **Appendix III**.

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**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.

**Measures for the promotion, protection and transmission of
intangible cultural heritage ("ICH") in Hong Kong**

- (a) to organise workshops on folk cultures for primary and secondary school students in various districts; to invite master craftsmen who are specialised in making floats, bun towers, lucky buns, dragon boats, fire dragons, etc. to explain the distinctive features of their respective crafts and give demonstrations on basic techniques of lion and Qilin dances. It is hoped that through the participation in these activities, the students will increase their knowledge of folk traditions and their sense of belonging to the community, thus achieving the objective of ICH transmission;
- (b) to invite scholars who are well versed in local traditional folk cultures to carry out research projects for the collection of comprehensive information from documents as well as library and archive materials, the conduct of oral history research, and the establishment of an ICH database; and
- (c) to enhance the public's understanding of these ICH items through publications and exhibitions.

Source: Extracts from the Administration's paper entitled "Progress report on the territory-wide survey on intangible cultural heritage in Hong Kong" (LC Paper No. CB(2)957/10-11(03))

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

Committee	Date of meeting	Paper
Panel on Home Affairs	20.3.2009 (Item IV)	Agenda Minutes
Panel on Home Affairs	11.12.2009 (Item VI)	Agenda Minutes
Panel on Home Affairs	8.1.2010 (Item VI)	Agenda Minutes
House Committee	4.6.2010 (Item VI)	Agenda LC Paper No. CB(2)1675/09-10
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 LC Paper No. CB(2)957/10-11(03) Minutes

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