



Pride, Prejudice, Sense or Sensibility?

In Search of the Characteristics of the Relationship between EU, Europe, Intangible Cultural Heritage and Museums

POSITION PAPER

Written for the Expert meeting on Intangible Cultural Heritage, Museums and Cultural Policies (Mechelen, 8th May 2019)¹ in the context of the *Intangible Cultural Heritage and Museum Project*.

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This position paper seeks to answer three major questions: What is the place of Europe in the global ICH safeguarding regime?; How has the EU introduced the ICH concept following the adoption of the 2003 Convention? And what is the reaction of European Museums towards the new ICH paradigm?

I. Europe, the EU, and the Lists of the 2003 Convention: 'The West over the Rest' Again?

The undisputed success of the most recognizable international 'promotion machine' for cultural heritage — the UNESCO List of the World Cultural and Natural Heritage (WHL) established by the 1972 Convention and now covering more than 1,000 entries — served (though not without many controversies raised and debates held) as a model for the 2003 Convention, which established the Representative List of the Intangible Cultural Heritage of Humanity. This list currently includes 429 inscriptions from 117 countries (as of December 2018).

The statistics show that Europe as a region has been highly successful in operationalizing the 2003 UNESCO Convention (or in other words, in 'capitalising on new possibilities'),² as regards the presence of intangible cultural elements originating from Europe on the Representative List of the Intangible Cultural Heritage of Humanity. Out of the five world regions, Europe has 161 unique inscriptions, which constitutes the largest share (36%) in the regional representation.

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² Brumann and Berliner (n 19) 11.

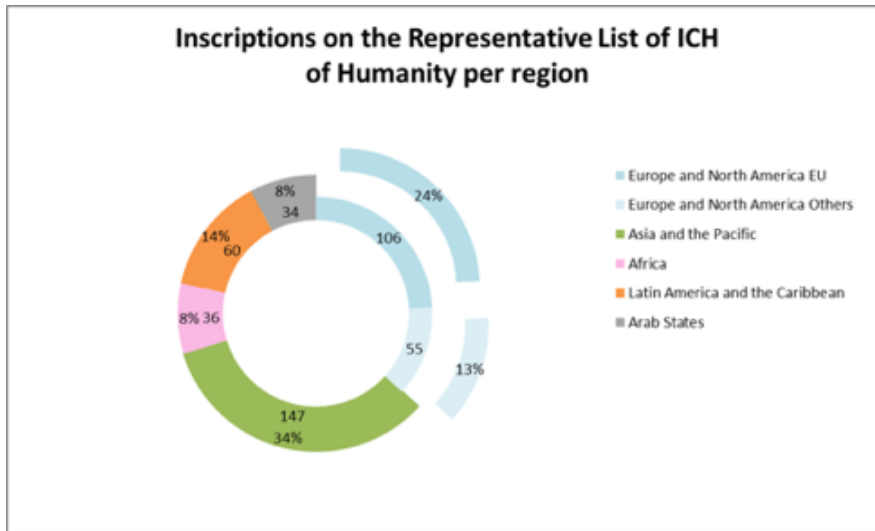


Figure 1a. Inscriptions on the Representative List of ICH of Humanity per region. Methodology: Only unique inscriptions were counted for each region (multinational inscriptions were counted as 1 in each region). For EU Member states only unique inscriptions were also counted for whole group. Source: own elaboration, March 2019.

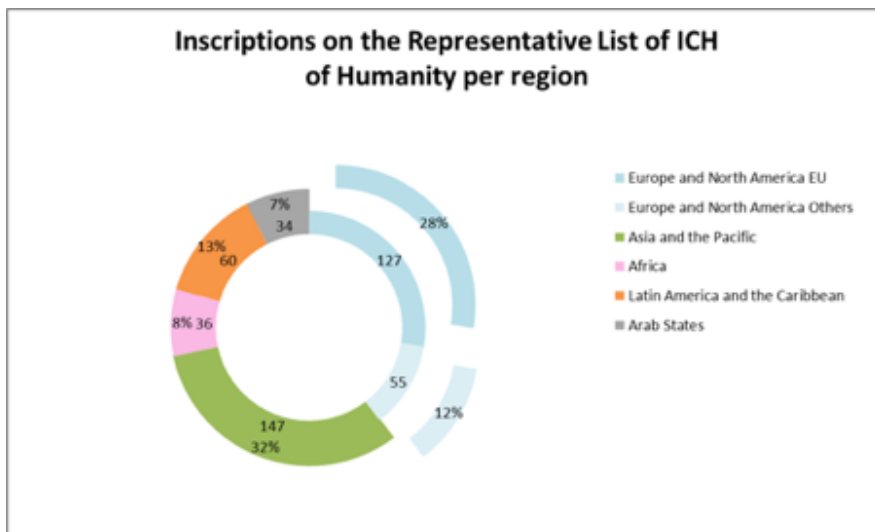


Figure 1b. Methodology: Only unique inscriptions were counted for each region (multinational inscriptions were counted as 1 in each region). For EU Member states inscriptions were counted per state, so the amount does not show the unique number of inscriptions in this group. Source: own elaboration, March 2019.

The EU Member States (considered as forming a geographic area) also occupy first place when promoting the practices in ICH safeguarding on the UNESCO Register of Good Practices. Out of 20 practices (as of December 2018), 14 come from countries belonging to Groups I and II, with inscriptions from Spain (3), Belgium (2), Bulgaria (2), and Hungary (2) at the top.

Although the number of inscriptions do not reflect the potential, richness, or status of ICH in a given country, they generally reflect the financial and diplomatic capacities of the EU Member States. Thus, it is not surprising that the countries from Groups I and II show much less interest in the last of the three existing ICH lists: the List of Intangible Cultural Heritage in Need of Urgent Safeguarding (Article 17 of the 2003 Convention). Out of 59 elements, corresponding to 32 countries, only 11 of them come from Groups I and II.

It is important to note in this regard that this 'European hegemonic trend' could not have been easily foreseen before the entry into force of the 2003 Convention and the first inscriptions to the Representative List, as it was Asia and the Pacific that had the most nominations during the first two years of the functioning of the Representative List (2008–10).

This situation changed in December 2010, when the number of inscriptions coming from Europe grew significantly in number, in part due to an increase in ratifications of the 2003 Convention by European States. Since 2012, Europe has been on the cutting edge of heritage regimes. It must be underscored, however, that the gap in inscriptions between Europe and Asia and Pacific is not significant at the moment but grows steadily (36% in 2017, 37 % in 2018). Interestingly, the EU is presented as a strategic partner for UNESCO according to the statements on the UNESCO website.³

³https://en.unesco.org/partnerships/intergovernmental_organizations accessed 5 November 2017.

2. EU, UNESCO, the 2003 Convention and Museums: An Unclear Picture

With the aim to fully analyse the possible relationship between the EU, UNESCO, the 2003 Convention and Museums I was also looking for answers to the following questions: How significant is the position of museums in the nomination procedure? What role do museums usually play in the nomination process/form? What role do museums play in the whole ICH safeguarding system in the EU Member States? What role of the EU is visible in the nominations and periodic reports? As the analysis conducted in this paper demonstrates, even to this day the EU does not recognize the 2003 Convention as an important legal instrument that might lie in the interests of the EU. In order to answer these questions I have analysed 106 nominations coming from the EU Member States (multinational counted as one, data as of December 2018). I have taken both quantitative as well as qualitative approach. Firstly, I have checked the number of nominations where phrase 'museum' appears. Secondly, I have checked the context where this phrase appears in order to identify role ascribed to museum within the nomination (the 'gravity' of the 'museum' for described practices and communities). It was observed that the reference to 'museum' does not appear too often in the short description, visible at the UNESCO website, of any ICH element. Only 13 of short descriptions contained any reference to museums. The situation changes significantly when one goes deep into the nomination forms: the majority of inscriptions refer to museums (see figures below). However, the context of these references differ widely.

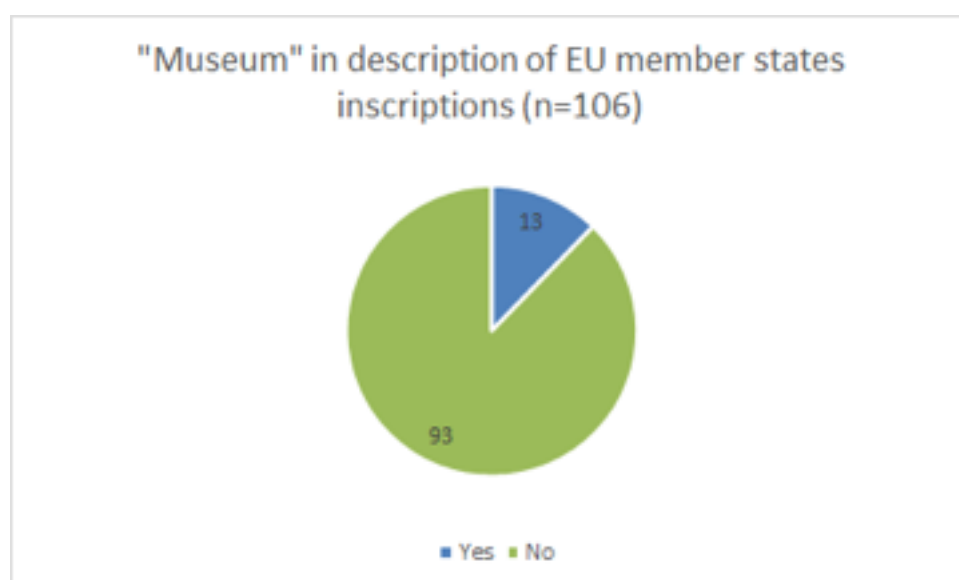


Figure 2a.

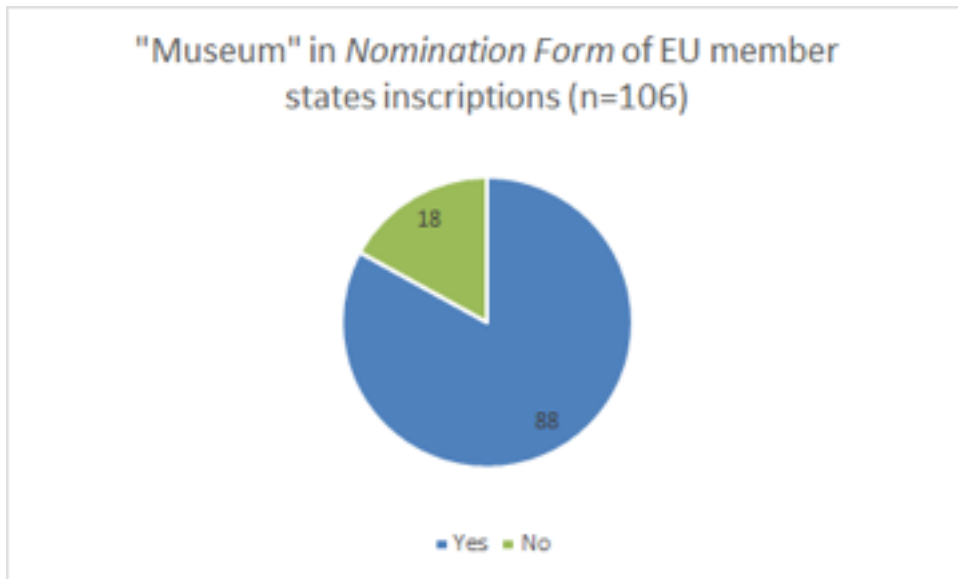


Figure 2b.

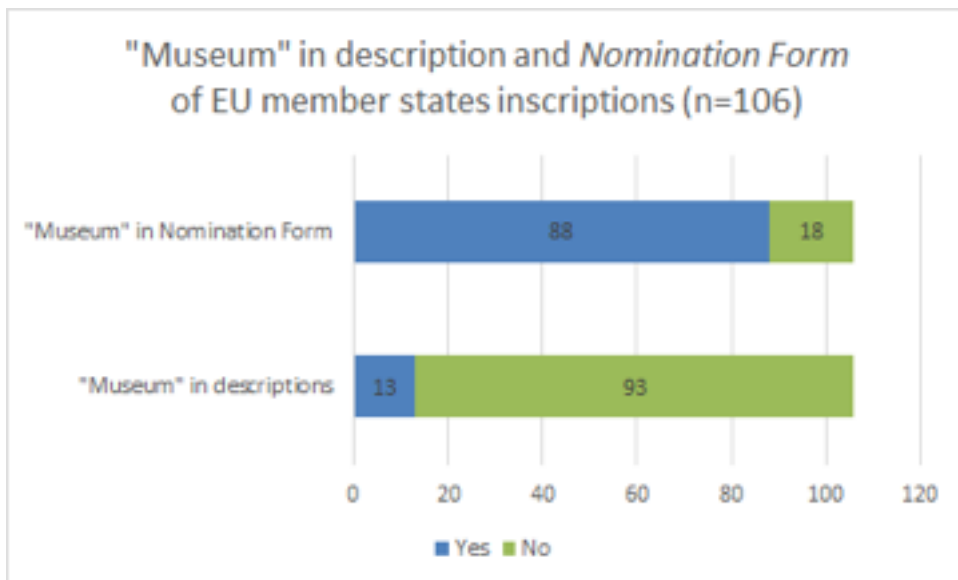


Figure 2c.

Figures 2a, 2b, 2c. Number of references to museums in nomination forms coming from the EU Members States, inscribed into the Representative List of ICH (as of December 2018). Own elaboration (April 2019).

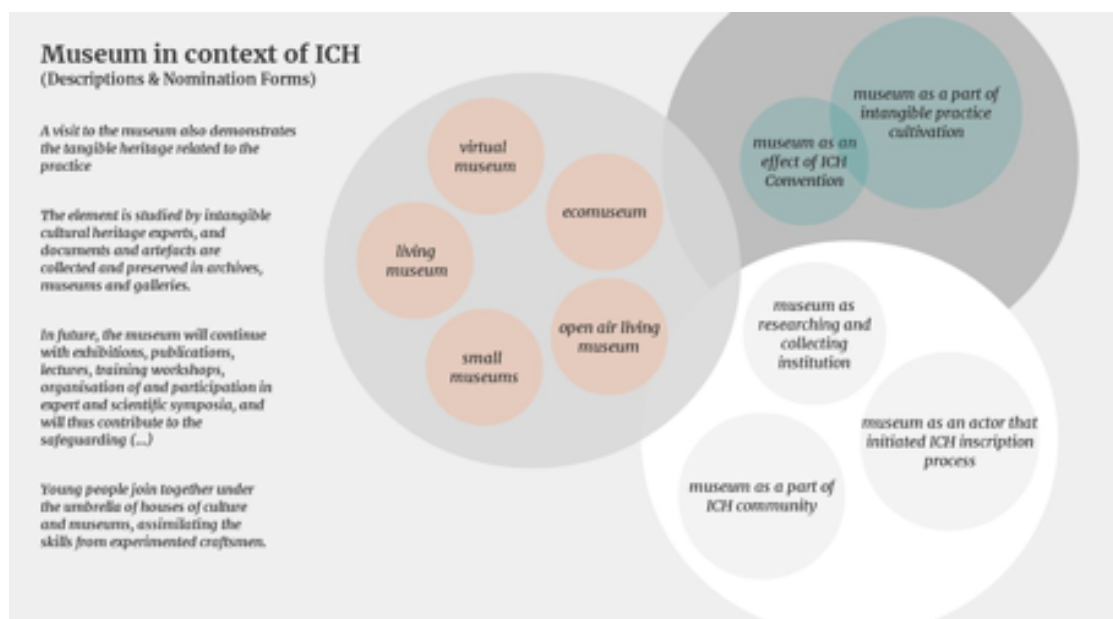
There are few observations to be made on the basis of conducted analysis, which will be developed during the presentation:

1. In some cases the establishment of museum is planned as an element of the safeguarding plan – in that sense one may say that the 2003 Convention has ‘museum-generating’ effect. It is important to underline,

however, that the scale of this planned 'museum-generating' projects differ: sometimes it is the establishment of a small museum at school, sometimes huge, large-scale institutions (see figure below: future museum);

2. In some cases museums existed long before the nomination process had started thus they are very natural element of nominated practice (museum as an element of ICH community);
3. In few cases nominations where 'purely-museum-like', e.g. they were written and created by museum network, which are key actors in safeguarding given practice (Cultural practices associated to the 1st of March; Traditional wall-carpet craftsmanship in Romania and the Republic of Moldova);
4. In some cases one museum play a key role (e.g. Bobbin lacemaking in Slovenia);
5. In some cases museum is considered to be a part of wider group of engaged actors (alongside NGOs, state administration, experts, academics, practitioners themselves);
6. In some cases museums where presented solely in the context of their traditional functions, such as collecting, researching, archiving; they are presented more as 'memory keeper' than an active player engaged in safeguarding living practice (museum as researching and collecting institution);
7. The terminology used in the museum context varies; one encounters i.a.: virtual museum, living museum, ecomuseum, Open Air Living Museum.

When ICH nomination form mentions the European Union it usually appears in 3 roles: 1) as institution providing funding for projects run by museums; 2) as legal regulator, issuing laws that one has to take into account when organising the practice (e.g. safety regulations); 3) as an actor engaged in providing research framework and diverse 'EU scientific programmes'.



The relationship between the EU, Museums and the 2003 Convention is not very clear. On the one hand the term 'museologisation' is considered as one of the gravest ICH 'sins' (see aide-memoire). On the other, it is hard not to acknowledge the importance of museums in safeguarding ICH – what is revealed in nomination forms. Museums are considered as one of crucial elements of culture infrastructure. The survey published in 2007 on European Cultural Values ⁴ reveals that when thinking about culture, for 11% of European citizens the first thing that comes to mind is museum.

⁴European Commission. (2007). *European Cultural Values, Special Eurobarometer 278 / Wave 67*, p.5, p. 12, p. 26.

3. Introducing 'Intangible' and the 2003 Convention into EU as well as European Museums Policies and Actions

The description of the role of heritage at the EU level comes from the EU document referring to cultural heritage, adopted in Brussels in July 2014 by the Commission: 'Towards an integrated approach to cultural heritage for Europe', in which the definition of cultural heritage and its place on the EU Agenda is presented as follows:

*Europe's cultural heritage, both tangible and intangible, is our common wealth – our inheritance from previous generations of Europeans and our legacy for those to come. It is an irreplaceable repository of knowledge and a valuable resource for economic growth, employment and social cohesion. It enriches the individual lives of hundreds of millions of people, is a source of inspiration for thinkers and artists, and a driver for our cultural and creative industries. Our cultural heritage and the way we preserve and valorise it is a major factor in defining Europe's place in the world and its attractiveness as a place to live, work, and visit. Cultural heritage is a shared resource, and a common good.*⁵

Point 2.3 of this Communication is devoted to cultural heritage in EU external relations, importantly listing two priority organizations for co-operation in this field: the Council of Europe and UNESCO.⁶

Another short reference to intangible heritage can be found in the Council conclusions of 21 May 2014 on cultural heritage as a strategic resource for a sustainable Europe: 'cultural heritage consists of the resources inherited from the past in all forms and aspects – tangible, intangible and digital (born digital and digitized), including monuments, sites, landscapes, skills, practices, knowledge and expressions of human creativity, as well as collections conserved and managed by public and private bodies such as museums, libraries and archives. It originates from the interaction between people and places through time and it is constantly evolving'.⁷

⁵ *ibid (emphasis added).*

⁶ *ibid 11.*

⁷ *Council conclusions on cultural heritage as a strategic resource for a sustainable Europe [2014] OJ C183/36 (emphasis added).*

The Council's definition again attributes a very specific role for cultural heritage in achieving the Europe 2020 strategy goals for a smart, sustainable, and inclusive growth (point 7).⁸

The latest EU document where cultural heritage is deemed to be important, entitled 'Towards an EU strategy for international cultural relations' and adopted in 2016, is even more interesting as it states in its first paragraph that:

*Promoting diversity through international cultural relations is an important part of the EU's role as a global actor. This involves a commitment to both promoting 'international cultural relations', through the support and assistance the EU provides to third countries, and supporting the promotion of the Union and the diverse cultures of EU Member States through 'cultural diplomacy.' As a key partner of the United Nations (UN), the EU cooperates closely with UNESCO to safeguard the world's cultural heritage.*⁹

While intriguing for every ICH expert working within the UNESCO ICH paradigm, this last formulation is also a puzzling one, as it refers only to 'the world's cultural heritage' and thus can be read as either excluding ICH from EU cultural heritage policies or – which is more probable – 'embracing' ICH and placing it under the 'world heritage' umbrella. The term 'world heritage' is however, according to the UNESCO Evaluation Body, established to examine nominations to the 2003 Convention's three lists (Representative List, Urgent Safeguarding List and Register of Good Practices) , on the list of 'taboo words':¹⁰

Inappropriate language and unwarranted publicity. Submitting States are reminded to avoid inappropriate language, such as 'world(wide)/global heritage', 'masterpieces', 'original', or 'unique(ness)' that is not in keeping with the spirit of the 2003 Convention. Unnecessary publicity for specific organizations or personalities should also be avoided.

⁸ *ibid.*

⁹ European Commission, 'Joint Communication to the European Parliament and the Council: Towards an EU strategy for international cultural relations' JOIN (2016) 29 final (emphasis added).

¹⁰ Intergovernmental Committee for the Safeguarding of the Intangible Cultural Heritage, 'Report of the Evaluation Body on Its Work in 2016' (31 October 2016) UN Doc ITH/16/11.COM/10, 8 (emphasis added), para 31.

Perhaps a better way to establish ICH within the EU's initiatives is on an expert level, through the Open Method of Coordination (OMC), which has been established in the field of culture since 2008.¹¹ The OMC gathers experts, on a voluntary basis, to work in specially-dedicated working groups. During last decade, four working groups (out of 14 groups set up to discuss topics related to culture¹²) have been dealing with the topic of cultural heritage, but none of them are focused solely with ICH.¹³ However, though there was none group dedicated to museums, the references to their important role as cultural institutions appears very frequently in different OMC reports, guidelines, recommendations.

3.1. 'World Heritage trap'

The analysis of the place of ICH in EU policies and actions reveals two important problems: the first is the prevalence of the tangible heritage paradigm referred to here as the 'World Heritage' trap, and the second is the economy-driven approach to heritage, described below as creating 'the EU heritage market'. It also seems that these two problems concern the approach to museums as well.

The tangible heritage paradigm clearly has its roots in the European dominance on the WHL,¹⁴ as well as in the 'Authorised Heritage Discourse' as identified by Laurajane Smith.¹⁵ Rooted in the 19th century archaeological and conservation doctrine, this Western-centric way of thinking about heritage as having to be material, authentic, historic, and universal, is massively reflected in the language of the 1972 World Heritage Convention.

¹¹ See Evangelia Psychogiopoulou, 'The Cultural Open Method of Coordination: A New Boost for Cultural Policies in Europe?' (2017) 24(2) *Maastricht Journal of European and Comparative Law* 264.

¹² <https://ec.europa.eu/culture/policy/strategic-framework/european-coop_en> accessed 5 November 2017.

¹³ See Council of the European Union, 'Conclusions of the Council and the Representatives of the Governments of Member States, meeting within the Council, on a Work Plan for Culture 2008–2010' [2008] OJ C143/9; Council of the European Union, 'Conclusions of the Council and the Representatives of the Governments of Member States, meeting within the Council, on the Work Plan for Culture 2011–2014' [2010] OJ C325/1; Council of the European Union, 'Conclusions of the Council and of the Representatives of the Governments of the Member States, meeting within the Council, on a Work Plan for Culture (2015–2018)' [2014] OJ C463/4.

¹⁴ See point 2 of this Chapter.

¹⁵ Laurajane Smith, *Uses of Heritage* (Routledge 2006).

This has led to critical academic reflections,¹⁶ describing the process of its materialization into concrete objects and sites, thus keeping the EU cultural heritage policy in the tangible 'World Heritage' trap.¹⁷ This explains why the EU cultural heritage policies reach so enthusiastically for material labels and prizes. An analysis of the prizes given in the museums world also reveals that tangible paradigm remains very strong. When one searches the latest guidebook on European Museum Awards it is astonishing that the document counting 86 pages mentions ICH only 2 times (EUROPA Nostra Award and The Živa Award)¹⁸.

Perhaps the only cultural heritage programme that allows for wider consideration of ICH are the European Heritage Days, launched by the Council of Europe in 1985, and joined by the EU in 1999. Among the 23 categories of events, many may serve as an umbrella for including ICH in a way that satisfies the UNESCO definition: dance, music, tradition, crafts, heritage education, cultural routes, landscape/nature, creativity and innovation, family heritage, shared history, theatre, or sport.¹⁹ Indeed the chosen themes and organized events, with plenty of them organized by museums, quite often refer to a broader understanding of cultural heritage, focusing on communities, traditions, and processes of transmitting knowledge, thus presenting quite a unique offer in this regard.

Within the above-mentioned framework, as well as within the described conceptual limitations, financial support for actions and research embracing the ICH field has been established. Interestingly, the funding field is the first one with a clear reference to ICH and the 2003 Convention. When the Creative Europe Programme (2014–20) was adopted, with a budget of €1.46 billion, the phrase 'intangible heritage' appeared for the first time.²⁰ The programme builds on and brings together the former Culture, MEDIA, and MEDIA Mundus Programmes (2007–13).²¹ Paragraph 6 of the Preamble of this regulation states the following aim:

¹⁶ Lähdesmäki, 'Rhetoric of Unity' (n 64) 59.

¹⁷ Tuuli Lähdesmäki, 'Politics of Tangibility, Intangibility, and Place in the Making of a European Cultural Heritage in EU Heritage Policy' (2016) 22 *International Journal of Heritage Studies* 766, 768 (emphasis added).

¹⁸ https://www.ne-mo.org/fileadmin/Dateien/public/NEMO_documents/NEMO_2018_European_Museum_Awards.pdf (Accessed in March 2019).

¹⁹ <www.europeanheritagedays.com> accessed 5 November 2017.

²⁰ *Within the scope of the preceding Culture Programme (2007–13), 'Implementation of the programme actions:*

*promoting tangible and intangible cultural heritage, in the light of, inter alia, the 2003 UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage and the 1972 UNESCO Convention Concerning the Protection of the World Cultural and Natural Heritage, should also contribute to the enhancement of the value of the relevant sites whilst giving to peoples a sense of ownership of the cultural and historical value of such sites.*²²

However, even here ICH is directly linked to relevant 'sites', not to inter-generationally transmitted knowledge, skills, or identity. 'Intangible heritage' also appears as part of the definition of 'cultural and creative sectors' (Article 2(1)) and an element of the Culture Sub-Programme priorities (Article 12).

multi-annual cooperation projects; cooperation measures; special action (third countries); and support for bodies active at European level in the field of culture' [2010] OJ C204/7, the term 'intangible' does not appear at all ('heritage' appears twice); and a similar situation occurs in the Education, Audiovisual and Culture Executive Agency, 'Programme Guide. Culture Programme (2007-2013)' (May 2010) <<http://eacea.ec.europa.eu/culture/programme/documents/2010/may/EN.pdf>> accessed 5 November 2017 ('heritage' appears five times, without references to 'tangible' or 'intangible' at all). However, as the table attached to this article shows, 'intangible heritage' appeared in the description of the projects financed by this programme – but they were accepted and implemented not because of the topic itself, but because of the fact that they were fulfilling the requirement of cooperation between different EU Member States. The Programme Guide uses the vague notion of 'common cultural heritage (...) with a view to encouraging the emergence of European citizenship' (Education, Audiovisual and Culture Executive Agency, 'Programme Guide' 8). The Programme was aimed at three specific objectives: promotion of the trans-national mobility of people working in the cultural sector; support for the trans-national circulation of cultural and artistic works and products; and promotion of inter-cultural dialogue.

²¹ *The legal basis for the programme is Regulation (EU) No 1291/2013 of the European Parliament and of the Council of 11 December 2013 establishing Horizon 2020 – the Framework Programme for Research and Innovation (2014–2020) and repealing Decision No 1982/2006/EC [2013] OJ L347/104.*

²² *ibid para 6 of the Preamble (emphasis added).*

3.2. (EU) Heritage Market

Cultural Programmes preceding the Creative Europe Programme had never included any 'intangible heritage' terminology in their descriptions or guidelines.²³ Interestingly, the Creative Europe Programme is not the only one that funds projects designed for safeguarding ICH. The European Regional Development Fund and Cohesion Fund also provide financial support for ICH, among other programmes. The references to ICH began to appear and grow in visibility also in more (or less) appropriate configurations in Horizon 2020 or Interreg.²⁴ An analysis of projects combining museums and ICH is presented in the table below

²³ *Among the three pilot programmes (so-called first-generation programmes) which have been introduced since 1996 (until 1999), one was specifically devoted to cultural heritage, i.e. Raphael (formally established by the European Parliament and Council Decision of 13 October 1997). Although the objectives and areas of the Raphael programme were set quite broadly, only the projects related to tangible cultural heritage were covered by the programme funding of €70 million. It ended in 2000 and was substituted by the programme Culture 2000–2006 (equipped with €240 million), and subsequently Culture 2007–2013 with a budget of €400 million to support projects and activities designed to protect and promote cultural diversity and heritage.*

²⁴ *For detailed data on the number of projects in each funding stream please refer to Chart 1, attached to this chapter. A more detailed analysis of the number of projects referring to ICH and intangible culture in all EU funds and programmes is presented in Chart 2.*

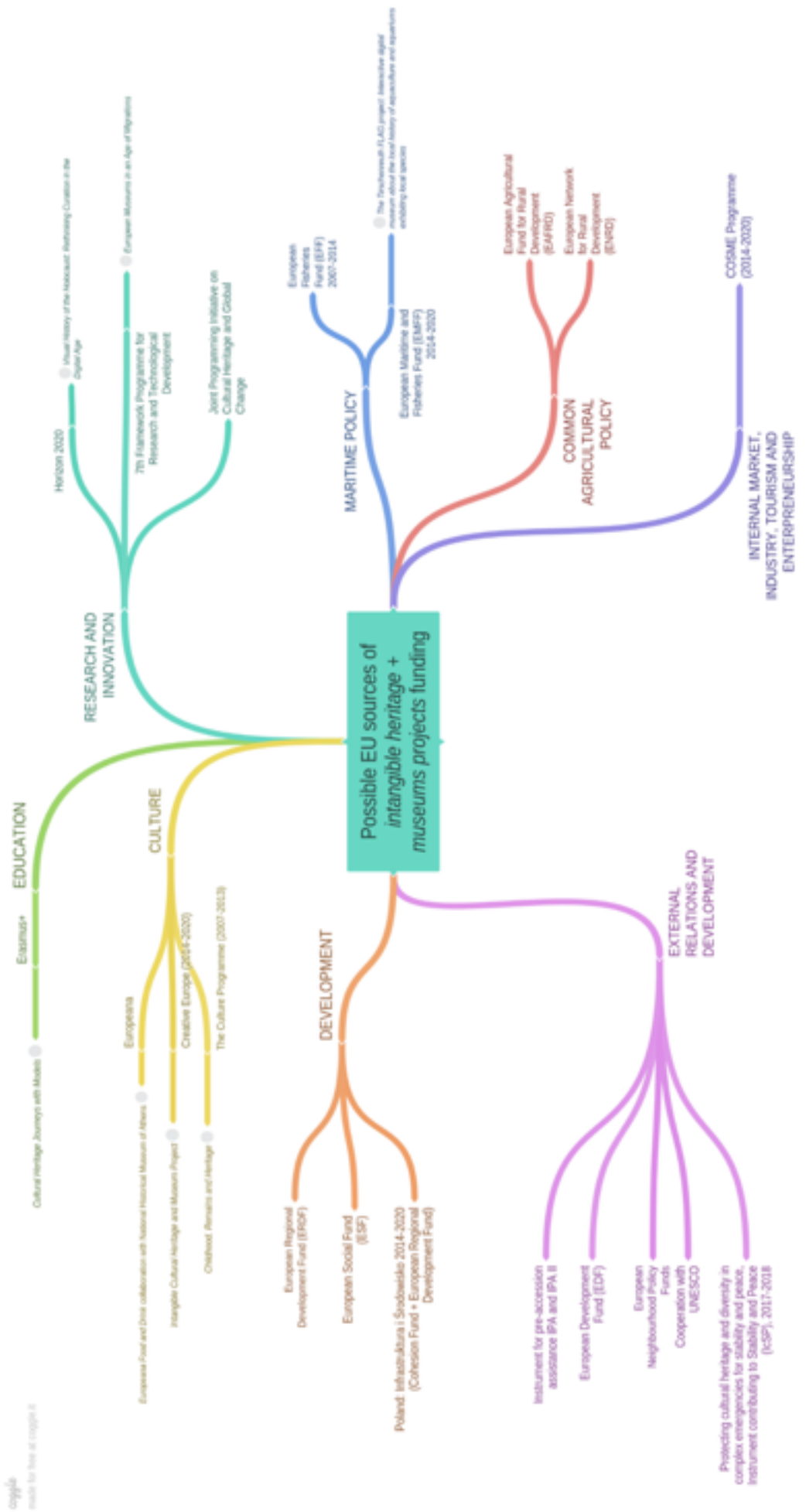


Table 3. Possible EU funds financing projects referring both to ICH and museums (with few examples). Own elaboration, April 2019.

Despite the fact that 'EU engagement in heritage has always been linked to the developments within UNESCO and Council of Europe',³⁹ the adopted terminology in the above mentioned programmes veers far away from the ICH definition as contained in the 2003 Convention, and instead places ICH merely in the sphere of 'cultural and creative industries', thus including it in the strong 'economy-based paradigm', with the role of bringing 'comparative advantage in an increasingly competitive tourism marketplace' (see below).

'Intangible' terminology appearing at the EU level thus presents a whole spectrum of diverse connotations. In the EHL Panel Report on Monitoring, issued on 19 December 2016, one can find a reference to the 'intangible value of a site' and a specific example of such a site: the heart of Ancient Athens, which conveys 'intangible values of specifically European origin: philosophy, democracy and political theory, theatre and music and all kinds of visual arts that were developed and practiced in these places'.⁴⁰ On the occasion of the presentation of the logo of EHL, readers could learn that alongside elements constituting European heritage such as entire sites, landscapes, places of remembrance, cultural goods, or objects, there also exists other 'intangible treasures'.⁴¹ And in the discussions concerning the experiences of the European Capitals of Culture programme, one becomes acquainted with the fact that the long-term development of cities is also based on 'intangible factors'.⁴² This terminological versatility of 'intangible', linked with products, assets, treasures, values, and other factors, is proof of a very remote understanding of what constitutes 'intangible cultural heritage' under the 2003 Convention.

This specific understanding of what constitutes 'intangible' and of the role that museums shall play in the European space is also reflected in approved statements by the largest European museums organization: NEMO and in the Europeana platform.

³⁹ Niklasson (n 3) 141.

⁴⁰ European Heritage Label, 'Panel Report on Monitoring' (19 December 2016) 11 <https://ec.europa.eu/programmes/creative-europe/sites/creative-europe/files/ehl-report-2016_en.pdf> accessed 5 November 2017.

⁴¹ European Heritage Label, 'Graphic Charter' 4 <https://ec.europa.eu/programmes/creative-europe/sites/creative-europe/files/files/graphic-charter_en.pdf> accessed 5 November 2017.

⁴² Tim Fox and James Rampton, 'Ex-Post Evaluation of the 2015 European Capitals of Culture, Final Report, November 2016' (November 2016) 117 (123) <https://ec.europa.eu/programmes/creative-europe/sites/creative-europe/files/files/2015-european-capitals-culture-evaluation-report_en.pdf> accessed 5 November 2017.

On the Europeana platform one may find 28 results appearing after the search for phrase ICH⁴³, in majority of cases one receives simple adding of the term used in the phrase: 'tangible and intangible heritage'. In few cases it appears as a collocation to new formulas: 'understanding of many intangible aspects, such as customs, beliefs or historical information'; 'intangible and digital forms. Through this variety of forms and aspects, it plays a valuable role in diplomacy', 'objects and related intangible cultural issues'. NEMO on the other hand makes references to ICH very seldom, preferring 'creativity' when introducing the 'intangible' terminology: intangible knowledge, intangible meaning, intangible asset, intangible culture, intangible expression, intangible evidence. Generally speaking, the topic of ICH in NEMO regularly published reports is heavily marginalised. What is more surprising ICH does not appear at all in the reports which – to the understanding of ICH experts – shall deal with it, such as: Museums, Migrants and Cultural Diversity (May 2016); Revisiting the educational value of museums: Connecting to Audiences (March 2016), Learning in Museums and Young People (May 2015). In the Progress report. Museums and creative industries (NEMO, December 2017) ICH appears once in the footnote. However this report contains only data from Poland, Iceland and Latvia. So we may assume, that the latest report on the same matter, published at the end of 2018 with subtitle: Case Studies From Across Europe, shall embrace "ICH" with greater care. Unfortunately, we may find only one sentence dedicated to 'intangible': 'The Historical Museum Frankfurt begins with the premise that everybody living in Frankfurt is an expert on the city. The Stadtlabor/City Lab at the museum provide the space and the method by which the untold stories and the intangible knowledge people have about the city can be gathered and shared'.

Somehow accidental appearance of ICH in other NEMO reports is also visible in two documents: Money Matters: The Economic Value of Museums (intangible meaning) and Museums in the Digital Age and Museums and the Development of Active Citizenship. The last one constitutes a collection of articles from NEMO's 2013 Annual Conference in Bucharest, Romania. Only two authors who send their papers to the report refer to 'intangible': 'intangible asset' understood as democracy, rights, rules of law, freedom of expression, welfare/solidarity, education, environmental sensitivity, public spaces (Europe: it is a transition, not a crisis by Luca Bergamo) and 'intangible culture' (Museums and Europeana by Harry Verwayen).

⁴³ https://pro.europeana.eu/search?q=intangible&page_search=2.

The lack of or very scarce reference to ICH is continued also in NEMO Political Statements, However, two latest statements acknowledge at least ICH existence. The Berlin Call to Action – Cultural Heritage for the Future of Europe (June 2018) claims: ‘This Berlin Call to Action draws its inspiration and legitimacy from the expertise, enthusiasm and engagement of all those women and men who care for cultural heritage (tangible, intangible and digital) and who dedicate their expertise, time and energy, as professionals or volunteers, to ensure the transmission of this heritage to future generations. The economic value of their work is significant; its social and cultural value is priceless. (...) We should also recognize the value of intangible expressions of our heritage which are constantly evolving and enriching our society and living environment’⁴⁴. The second one, Priorities for Museums - NEMO Recommendations for the European Parliament Elections in 2019, recognizes that:

‘Museums safeguard tangible and intangible evidence of the manmade and natural world for current and future generations. Their collections tell a rich variety of stories, interpreting past and present history. Museums encourage dialogue, stimulating us to think, learn and reflect; to celebrate differences and discover affinities. Museums contribute to developing cultural factors: they create memory and identity, and they foster creativity, diversity and knowledge. All of these factors are crucial for the building of today’s society. We believe that museums deliver these benefits for European society. Therefore NEMO invites the EU to an appropriate translation of this very potential of culture for society into apt initiatives on European level, investing into the inspirational, social, educational, connecting and cohesive power of cultural heritage and museums, to complement the already proposed measures to enhance heritage’s economic potential for Europe’.

Interestingly, NEMO has engaged as a partner in the ICH & Museums project, intending to work on future elaboration of ICH in its (net)work what may help to embrace ICH in a more inclusive manner in its documents in the future.

The economic potential of museums has been researched and acknowledged at the EU level. The ‘libraries, archives, museums and other cultural activities’ is the second largest sub-sector of culture in terms of number of employed persons – for EU-27 level only in 2010 it was 590 300 employees⁴⁵.

This means that it is hard to escape from market-approach, when success of an institution depends mainly on the number of visitors. A figure below presents elements of discourse surrounding the topic of ICH in the EU and in the European museums.

⁴⁴ https://www.ne-mo.org/fileadmin/Dateien/public/NEMO_Statements/BerlinCall_NEMO.pdf (Accessed, March 2019).

⁴⁵ European Commission. (2011) *Cultural Statistics, Eurostat pocketbooks (2nd ed.)*, KS-32-10-374-EN-C (<http://ec.europa.eu/eurostat>).

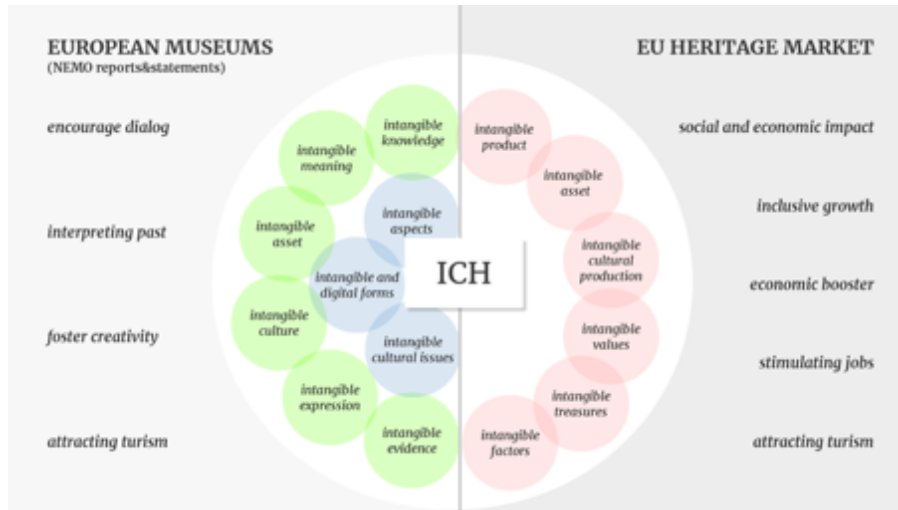


Figure. Terminology appearing in the EU documents and NEMO reports and statements referring to ICH. Own elaboration, April 2019.

Concluding Remarks

EU policy documents and actions that introduce 'intangible' aspects into EU heritage discourse seem to acknowledge only the presence of this new heritage dimension, but without taking into serious consideration the way in which it is defined by the 2003 Convention. The same, simply 'additive' approach combined with 'creativity' regarding the context for 'intangible' is visible in official statements approved by European museums until recently. The vagueness of the 'intangible' terminology used in the diverse actions, documents and policies leads to the fragmentation of ICH's presence and visibility on the EU level. As a result there is no coherent EU policy and strategy for the safeguarding of ICH and no real implementation of UNESCO's understanding of ICH within the broader framework of the EU cultural heritage policies and actions. This situation heavily influences the relevance of ICH for museums in Europe.

There is, however, a very strong post-Maastricht trend to promote 'European cultural heritage' as a tool for boosting EU Member States' economic markets. This visible but merely instrumental trend, referred to as creating 'the EU heritage market', must be taken into consideration and confronted with the delicate and identity-driven nature of ICH.

It is argued in this paper that the way in which ICH (as defined by the 2003 Convention) is integrated into the current EU and European museums heritage practices (actions and policies) might create in many cases

problematic relationships. A possible soothing of this tension could be the concept of sustainable development, which is rooted firmly in the 2003 Convention, UNESCO actions, as well as in the EU policies, offering a bridge to overcome existing threats and gaps to the presence of ICH in the EU. As the research reveals, it has not yet been adequately explored and remains a topic for further analysis, which should deal with the potential opportunities and developments of cooperation for both organisations in this field, as well as for museums, which try to embrace ICH in their programmes and actions.

Europe, taken as a geographical region divided into two UNESCO regional groups (Groups I and II), has been highly effective in operationalizing the possibilities stemming from all cultural conventions. This effectiveness is not, however, due to efforts stemming from the strongest regional organization – the EU. Despite attempts, mainly by the European Parliament, to create a narrative on the ‘values’, ‘norms’ and ‘identity’, or ‘musical and ethno-anthropological heritage’ and ‘culture of ethnic, religious and linguistic minorities’ linked to what is called ICH today,⁴⁶ it has not changed the main narrative of tangible cultural heritage as an ‘economy booster’, which is vivid and visible in EU policies and actions dispersed throughout the EU. Though many ICH elements are related to economic development and to income generation (which are not in contradiction to the 2003 Convention itself), finding a balanced approach to this matter is crucial. ‘Commercialisation, (...) should not lead to over-commercialisation’,⁴⁷ which constitutes a threat to ICH in general and is also a problem at the UNESCO level regarding inscriptions on the Representative List, including those coming from the EU Member States. In addition, an analysis of the funding of the projects including ‘intangible’ cultural heritage references creates a very fragmented and incoherent picture, with serious gaps, misunderstandings, and a very loose interpretation of ICH

The quest for a European ‘common’ and ‘shared’ heritage might even collide with one of the main goals of the 2003 Convention, which is to ensure respect for the ICH of communities, groups, and individuals, as bearers of diverse cultural identities, through their empowerment (including their involvement at all stages of safeguarding ICH, as well as the obligation to obtain the free, prior, and informed consent of communities, groups, and individuals for any actions concerning their ICH, in accordance with the bottom-up approach); and to adopt the meaning of ICH as developed by the ICH bearers themselves, not by its ‘common’ or ‘shared’ top-down application (as is done at the EU level).

⁴⁶ *European Parliament resolution on stronger Community action in the cultural sector [1983] OJ C342/127, point 16.*

⁴⁷ *Benedetta Ubertazzi, ‘EU Geographical Indications and Intangible Cultural Heritage’ (2017) 48 IIC – International Review of Intellectual Property and Competition Law 562, 567.*

There is also another significant threat to ICH with regard to the activities undertaken by States Parties and museums at the national level which eventually flow into the EU arena — that of reducing the meaning of ICH and considering only its representational character on the Representative List of ICH, which would be in this context eminent only due to the trend to label, prize, and list cultural heritage at the EU level. Cultural differences in Europe definitely tell a more profound story than what Yasmin Alibhai-Brown describes as the '3Ss': saris, samosas, and steeldrums.⁴⁸ This kind of thinking about cultural diversity through iconic examples coming in fact from the ICH domains: culinary practices (samosas), traditional clothing (saris), and music traditions (steeldrums), is dangerous as it provides an extremely superficial image of 'the Other' and concentrates only on celebrating differences, while ignoring the ongoing processes of adaptation, mixing, or *mélange*.⁴⁹ Nevertheless, at the same time it captures the 'logic of global capitalism to sell cosmopolitan cultural products'.⁵⁰ The 'economy-booster' role ascribed to cultural heritage in the narrative prevailing in the EU but implemented as well by museums might thus easily reduce the impact and meaning of the 2003 Convention, making it yet another product on 'the (EU) heritage market'. Viewed in this perspective, inscriptions to the Representative List coming from EU Member States such as 'Beer culture in Belgium', 'Mediterranean diet', 'Traditional violin craftsmanship in Cremona', 'Flamenco', 'Gastronomic Meal of France', 'Horezu ceramics' from Romania or 'Gingerbread craft from Northern Croatia' (just to mention a few, most of them being supported by museums in different roles) are, due to their character, especially and specifically vulnerable to oversimplification and commercialization. From this standpoint, no other meanings and aims except for the growing number of tourist visits to the sites — with museums at the forefront — where ICH practices can be touched, bought, eaten, drunk, and digested — can be transmitted or introduced. The tourism industry, constitutes, however 'an integral process of heritage-making'.⁵¹ The supposed credo of the 2003 Convention, 'communities first', seems to be therefore in contradiction to the process of heritage-making at the EU level or in Europe in general, taken by some museums for granted, which appears to focus on 'economy first'. Which centre of gravity will be chosen by European museums: communities or economy and how they will balance their position between these two is still a matter to be seen. A very important step in enhancing the current situation has already been made: the project 'ICH and Museums' for the first time so thoroughly and inclusively engages diverse museum-experts and ICH as well as EU experts. The network-oriented approach that has been chosen is the only way to develop awareness and expertise about these 'not-so-easy to operationalize' interrelationships: Museums, Intangible heritage, and the European Union.

⁴⁸ Yasmin Alibhai-Brown, *After Multiculturalism* (Foreign Policy Centre 2000).

⁴⁹ Will Kymlicka, *Multiculturalism: Success, Failure, and the Future* (Migration Policy Institute Europe 2012) 4–5.

⁵⁰ *ibid* 5.

⁵¹ Laurajane Smith, 'Intangible Heritage: A Challenge to the Authorised Heritage Discourse?' (2015) 40 *Revista d'etnologia de Catalunya* 133, 139.



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