INFORMATION SHEET: POLICY PROVISIONS FOR SOCIAL COHESION AND PEACE

POLICY AREA / POLICY ISSUE

Other Sectors / Social cohesion and peace

ISSUES TO CONSIDER

Policies for ICH safeguarding at the national level can recognize diversity and respect community perspectives on their ICH, thereby increasing mutual respect and tolerance in society. ICH practices themselves can play a role in improving social cohesion and reducing discrimination, preventing and resolving disputes, and the restoration of peace and security. Policies can also be developed to safeguard ICH practices that promote peace and social cohesion, for example by recognizing them, promoting research about them, integrating them into programmes for post-conflict restorative justice, and so on. In doing so, it is important to ensure that traditional conflict resolution methods are fair, and do not unduly benefit certain communities or dominant groups.

The link between ICH and social cohesion and peace is one of the reasons why ICH should be safeguarded against loss or dissipation: it promotes the general benefit of society as well as the communities and groups concerned. International attention has focused mainly on tangible heritage, for example in the Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict (1954), but conflict and migration may place ICH even more at risk.

Some ICH elements may be exclusionary or discriminatory: these are not recognized as ICH at the international level (see article 2.1 of the Convention). Such ICH can change over time through community dialogue, to become more socially inclusive or to reduce discrimination. ICH policies at the national level may propose a strategy to promote such change, or they may prohibit or choose not to recognize discriminatory practices as ICH. This issue is discussed in more detail in the factsheet on Human Rights.

WHAT THE CONVENTION AND ITS TEXTS SAY

The Convention

The Convention's Preamble recognizes 'the importance of the intangible cultural heritage as a mainspring of cultural diversity and a guarantee of sustainable development', as well as 'the invaluable role of the intangible cultural heritage as a factor in bringing human beings closer together and ensuring exchange and understanding among them'.

Article 2.1 of the Convention says that 'consideration will be given solely to such intangible cultural heritage as is compatible with existing international human rights instruments, as well as with the requirements of mutual respect among communities, groups and individuals, and of sustainable development.'

Operational Directives

See OD 111 (on raising awareness about the link between ICH and sustainable development), in OD 102(e) (on awareness-raising actions about ICH) and OD 117 (on the importance of maintaining meaning and value of ICH).

Chapter VI on 'Safeguarding ICH and Sustainable Development at the National Level'

This covers the role of ICH in promoting social cohesion and reducing discrimination, preventing and resolving disputes, and the restoration of peace and security.

OD 170: 'States Parties shall acknowledge the dynamic nature of intangible cultural heritage in both urban and rural contexts and shall direct their safeguarding efforts solely on such intangible cultural heritage that is compatible with existing international human rights instruments, as well as with the requirements of mutual respect among communities, groups and individuals, and of sustainable development'.

Chapter VI.4 Intangible cultural heritage and peace

192. States Parties are encouraged to acknowledge the contribution of safeguarding of intangible cultural heritage to foster peaceful, just and inclusive societies which are based on respect for human rights (including the right to development) and free from fear and violence. Sustainable development cannot be realized without peace and security; and peace and security will be at risk without sustainable development.

193. States Parties should endeavour to recognize, promote and enhance those practices, representations and expressions of intangible cultural heritage that have peace-making and peace-building at their core, bring communities, groups and individuals together and ensure exchange, dialogue and understanding among them. States Parties shall further endeavour to fully realize the contribution that safeguarding activities make to the construction of peace.

VI.4.1 Social cohesion and equity

194. States Parties should endeavour to recognize and promote the contribution of the safeguarding of intangible cultural heritage to social cohesion, overcoming all forms of discrimination and strengthening the social fabric of communities and groups in an inclusive way. To that end, States Parties are encouraged to give particular attention to those practices, expressions and knowledge that help communities, groups and individuals to transcend and address differences of gender, colour, ethnicity, origin, class and locality and to those that are broadly inclusive of all sectors and strata of society, including indigenous peoples, migrants, immigrants and refugees, people of different ages and genders, persons with disabilities and members of marginalized groups.

VI.4.2 Preventing and resolving disputes

195. States Parties should endeavour to recognize, promote and enhance the contribution that intangible cultural heritage can make towards the prevention of disputes and peaceful conflict resolution. …

VI.4.3 Restoring peace and security

196. States Parties should endeavour to take full advantage of the potential role of intangible cultural heritage in the restoration of peace, reconciliation between parties, re-establishment of safety and security, and recovery of communities, groups and individuals. …

VI.4.4 Achieving lasting peace

197. States Parties should endeavour to recognize, promote and enhance the contribution that safeguarding the intangible cultural heritage of communities, groups and individuals makes to the construction of lasting peace. …

Ethical principles

Ethical Principle 3: 'Mutual respect as well as a respect for and mutual appreciation of intangible cultural heritage, should prevail in interactions between States and between communities, groups and, where applicable, individuals.'

Ethical Principle 4: 'All interactions with the communities, groups and, where applicable, individuals who create, safeguard, maintain and transmit intangible cultural heritage should

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be characterized by transparent collaboration, dialogue, negotiation and consultation, and contingent upon their free, prior, sustained and informed consent'.

Ethical Principle 7: 'The communities, groups and individuals who create intangible cultural heritage should benefit from the protection of the moral and material interests resulting from such heritage, and particularly from its use, research, documentation, promotion or adaptation by members of the communities or others'.

Ethical Principle 11: 'Cultural diversity and the identities of communities, groups and individuals should be fully respected. In the respect of values recognized by communities, groups and individuals and sensitivity to cultural norms, specific attention to gender equality, youth involvement and respect for ethnic identities should be included in the design and implementation of safeguarding measures'.

OTHER RELEVANT LEGAL INSTRUMENTS

United Nations International Covenants on Civil and Political Rights (ICCPR) and on Economic, Social and Cultural Rights (ICESCR).[1]

Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict (1954), and its protocols. These refer to tangible heritage.[2]

EXAMPLES

In some post-conflict societies, such as **Rwanda**, traditional court systems have been used as a way of providing culturally-appropriate mechanisms for transitional justice and peace building. ICH practices can be used as a vehicle for reducing social distance between groups where they share and teach others dance, food or other culturally-important skills.[3]

RELEVANT CASE STUDIES IN THE CAPACITY-BUILDING MATERIALS

Case study 34. Intangible cultural heritage, a model for peace and security: The Manden Charter in Mali
CS34-v1.0: English|French|Spanish

Case study 41: Two examples of ICH and conflict prevention/resolution
CS41-v1.0-EN: English|French|Spanish|Arabic

FURTHER INFORMATION

Bräuchler, Birgit "Intangible Cultural Heritage and Peace Building in Indonesia and East Timor" in *Routledge Handbook of Heritage in Asia* ed. Patrick Daly and Tim Winter. Routledge, 2011.

Zartman, William (ed.) *Traditional Cures for Modern Conflicts: African Conflict "medicine"*. Lynne Reinner, 2000.

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1. http://www.ohchr.org/EN/ProfessionalInterest/Pages/cescr.aspx

2. The Convention text http://www.unesco.org/new/en/culture/themes/armed-conflict-and-heritage/the-hague-convention/text-of-the-convention-and-its-1st-protocol/#hague

3. Corey, Allison, and Sandra F. Joireman. "Retributive justice: The gacaca courts in Rwanda." African Affairs 103.410 (2004): 73-89. See also Macfarlane, Julie. "Working towards restorative justice in Ethiopia: Integrating traditional conflict resolution systems with the formal legal system." Cardozo J. Conflict Resol. 8 (2006): 487. Coombes, Annie E., and Lotte Hughes. *Managing heritage, making peace: history, identity and memory in contemporary Kenya*. IB Tauris, 2013.

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QUESTIONS TO CONSIDER

- What is the current context in the State regarding peace, social cohesion and discrimination against or marginalization of certain communities and groups?

- Are there ICH elements in the territory of the State that could mitigate any of the identified current challenges of social cohesion and peace? How can these elements best be promoted and encouraged with the involvement of the communities, groups and individuals concerned?

- Are there ICH elements in the territory of the State that could exacerbate any of the identified current challenges of social cohesion and peace? How could the impact of these elements be mitigated? What community consultations have taken place about this issue and how is the community responding?

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