

II. Department of National Heritage, Culture and Arts

1. Institutional Overview

The DNHCA is located on level four, Takayawa Building, Augustus Street, Toorak, Suva, Fiji. The Department was established in 2000 via a cabinet decision in 1999 to advise the government on all aspects of heritage, arts and cultural development in Fiji. Since its formation, the Department of National Heritage has moved through various Ministries of government with changing priorities manifested as a result of lead Ministry functions:

- In 2000, it was formed under the Ministry of Women
- Moved to the Department of Tourism in 2002-2003
- Placed under the Ministry of Fijian Affairs between 2003-2007
- And currently under the auspices of the Ministry of Education since 2008.

The mission of the Department are as follows.

- To preserve, conserve, protect, and develop Fiji's rich indigenous and diverse cultural traditions, which are fundamental to Fiji's identity and development as a nation.
- To explore culture and heritage sectors as having enormous potential for employment and income generation.

The Department has four main units whose function inculcate:

Unit 1: Conventions, Legislative, Projects Implementation and Technical Advisory;

Unit 2: Policy Development, Planning and Training;

Unit 3: Grant Disbursement, Cultural Industries and Cultural Statistics;

Unit 4: Administration, Management and Finance.

As a government Department, the DNHCA's activities for each unit are funded from the national budget.

In as far as ICH Promotion is concerned, DNHCA is the focal point for promotion of the 2003 Convention and also acts as Secretariat for implementation works undertaken by various ICH institutions in Fiji. These include amongst others working in partnership with its flagship agencies such as the Fiji Arts Council, Fiji Museum, the National Trust of Fiji and the 6 Multi-Cultural Centres whose main objectives are to protect and promote culture and heritage and to implement artistic cultural programmes. DNHCA also consults with other cultural organisations and institutions to coordinate and develop cultural activities in Fiji.

The role of these flagship agencies is outlined below:

Fiji Arts Council

- Coordinates national programmes and activities across all art forms as well traditional and contemporary crafts. It was established in 1964 as a coordinating body for presenting overseas artists in Fiji. Expanding from its original role, the FAC is playing an important role in preserving, revitalising, and promoting living heritage and arts. It receives a small grant from the DNHCA for its administration costs. Its activities and projects are funded by external donors.
- The FAC also provides support in organising cultural components of national events. The organisation also coordinates Fiji's participation at the Festival of Pacific Arts and the Melanesian Arts Festival, which are both held every four years.

Fiji Museum

- The Fiji Museum is responsible for implementing two Acts of Parliament that mandates, protect, and safeguard the Museum's collection and the archaeological and paleontological heritage of the Fiji Islands. In the past, the Museum has been the focal point for cultural and heritage policy development. Now this responsibility is with the DNHCA. Archaeological sites, however, are managed by the Museum. In general, the Museum has continued to maintain and care for its valuable and irreplaceable collections over the past ten years whilst focusing on the following
 - 1) Building the professional expertise of personnel so that the staff members can perform their work effectively and efficiently
 - 2) Expanding and upgrading infrastructure and services to support the Museum's role as a custodian of movable cultural property of the country

- 3) Building greater 'community ownership' of the institution through public programmes and services.
- The role of the Museum as a national museum needs to be extended beyond archaeological sites.

National Trust of Fiji

- This organisation is actively involved in the conservation, protection, and management of Fiji's cultural and natural heritage, including fauna and flora. Since designating the Sigatoka Sand Dunes as Fiji's first national park in 1989, the Trust's legal and professional framework for its mandate and cooperation with national and international conservation organisations has been boosted. The Trust deals with site management and, when necessary, closely works with housing, local government, and environmental departments.

2. Information Building and Sharing

In terms of information building and sharing for the intangible cultural heritage, DNHCA is involved in identification, documentation, inventory making, database/archive building, publication, distribution, and using digital contents. For most of these activities, the Department acts as an advisory for ICH safeguarding, for others it tries to spearhead using the limited resources and with potential funding from regional and international donors pursue promotional activities at the national level.

Currently, the Department's main focus is:

- (a) Identification – not that it is involved directly in the mapping of communities and their ICH elements but basically as the designated Secretariat to the ICH Convention in Fiji, it tries to map institutions and systems and identify their functions for the purpose of implementation of requirements of the ICH Convention at the national level;
- (b) In as far as documentation of ICH, it assists implementation agencies financially for the comprehensive collection of data. DNHCA funds requests to document revitalisation activities pertinent to ICH carried out by the iTaukei Institute of Language and Culture, Fiji Arts Council, Fiji Museum and others. This is captured through a small grant that the Department disburses for cultural activities.
- (c) Publication – through the small grant disbursed, the Department encourages funding for proposals pertaining to research and publications. The publications have to be cultural-related inclusive of ICH.
- (d) Awareness Raising on ICH -Since 2000, the DNHCA has conducted

awareness-raising activities on the importance of ICH in the fourteen provinces of Fiji. Awareness raising takes many forms such as distribution of materials at consultative sessions, presentations at provincial forums, proactively participating in community-organised or institutional organised workshops/seminars, and through the media. Awareness is pivotal as it derives a community the need to identify an ICH that they see in need of urgent safeguarding and that which requires immediate action should apply in the form of revitalisation. The resulting activities are published on DNHCA's website in corporation with the implementing institution.

Please also refer to Cultural Mapping Programme detailed with the Institute of Language and Culture.

Label of Authenticity Project

The project was funded by the former Fijian Trust Fund to facilitate the identification of a label that master/skilful artists (art and craft) can use to identify and sell their unique works. With the increasing counterfeit products imported and sold in Fiji, the art and craft industry in Fiji had suffered greatly and part of this important exercise is to provide nominations for possible elite and practicing artists to be recognised and promoted. The Project involved consultations and surveys organised to identify artists in this regard. The project paved the way for the introduction of a Made in Fiji label that enhances the sale of authentic art and craft in local and overseas markets.

Rotuman Mat-Weaving Project

Also implemented through a funding from the then Fijian Trust Fund, the project tries to revive one of the ancient art of the Rotuman community whose culture and language is considered endangered. These fine woven mats are earmarked for exhibition at various museums showcasing the diversity and intricacy of the Rotuman cultural web. The main objective of the exercise was to revitalise this important skill which has yet to be undertaken for decades. The project not only fulfils the need for the revitalisation of a dying art but also allowed for the transmission of this unique and valuable form of expression to the next generation of Rotuman women.

Living Human Treasures

The Fiji Arts Council, in partnership with the Department of iTaukei Affairs, collaborated with UNESCO to establish a national Living Human Treasures System in Fiji. In the framework of the project, a national working group developed detail procedures for identifying target ICH domains, defining

Living Human Treasures, and outlining the criteria for selection. A commission of experts was proposed to examine information collected through field research in the fourteen provinces and then to provide recommendations to the Minister responsible. Since the project will cover all ethnic communities, it has been pursued separately by the institutions that deal with the various ethnic communities. The Ministry of iTaukei Affairs purports to adopt the LHT system for the iTaukei community while the Fiji Arts Council is proposing to pursue something similar for other ethnic groups. Ground work by the Fiji Arts Council had been pursued in this area with the assistance of intern students from Australia coming to Fiji for exchange in the last two years. The Ministry of iTaukei Affairs is also working towards formally establishing the LHT system with the prior approval of the iTaukei Affairs Board.

The DNHCA obtains its ICH-related data or archives through fieldwork, documentation, purchases, and donation.

3. IP in the Department

The DNHCA's experience with projects regarding IP aspects of ICH includes the Model Law for Traditional Knowledge & Cultural Expression, its first project, and the Label of Authenticity (LOA), its second project. For the former, the DNHCA worked with the Ministry of iTaukei Affairs and the Solicitor General's Office in drafting a protection mechanism that would help protect and recognise the communal rights of indigenous community in as far as commercialisation of their knowledge and cultural expressions is concerned. The LOA Project however looked at IP in the context of artistic recognition and authenticating their work. The Cultural Mapping which involved the identification of owners of knowledge is best covered through activities highlighted under the iTaukei Institute of Language & Culture. It was developed through an initial collaboration between the DNHCA and the latter.

The DNHCA is a government agency and the person responsible for overall IP is the DNHCA Director. There is no specific unit specialising in IP promotion and protection at the Department, however, it is embedded in working procedures of government officials that all intellectual property pertinent to work performed in an official capacity belongs to the state and nothing is to be publicized or promulgated without the direct consent of the Permanent Secretary to the Public Service or the Permanent Secretary of designated Ministries.

The DNHCA envisage the following principles when protecting the IP aspects of ICH:

- Respect the culture, arts and heritage of the indigenous community and other ethnicities in Fiji
- Respect the iTaukei cosmos and how they relate their oral traditions with the ecosystem and surrounding environment
- Maintain that the traditional knowledge and cultural expressions depicted are the intellectual property of the iTaukei or the ethnic groups with which they originate or is continuously practiced
- Recognise, value, and respect the traditional custodians of the land and any decisions made regarding land use
- Promote creativity and innovation in the pursuance of excellence in culture, art, and heritage in Fiji
- Acknowledge that the iTaukei community has the right to accrue benefits from any activities that use their cultural heritage, art, and expressions
- Envisage youth participation in revitalisation and cultural entrepreneurship
- Make equal opportunities available for all genres of culture and heritage and the art, knowledge, and heritage traits

4. IP Issues in Information Building and Sharing

Problems with IP ownership were raised by an entrepreneur who sponsored navigation skills revival. For anything filmed, he wanted the rights.

Masi reproduction books produced and published prior to community ownership need to be checked whether royalties are going back to the community.

Enforcing and prosecuting copyright issues related to music are a problem. Pirating issues are rife, particularly with Internet downloading, video piracy, and CDs on the black market. As far as the USP library collection of traditional chants, UNESCO wanted to digitise the analogue collection and place it on the website. They were advised not to without prior informed consent from custodians because the chants were for a different purpose.

The policies and guidelines for IP rights of ICH in the process of information building are not well organised in the DNHCA, and its context still needs

improvement. There is a high staff turnover, and rising new staff members awareness is necessary within the department and a guideline needs to be developed for the DNHCA.