The *Saeima* 1 has adopted and

the President has proclaimed the following Law:

**Intangible Cultural Heritage Law**

**Section 1. Terms Used in this Law**

The following terms are used in this Law:

1) **community**— a group of persons (for the purpose of this Law in some cases also private persons) characterised by a shared sense of identity and united by intangible cultural heritage and shared interest in its safeguarding and transmission to future generations;

2) **intangible cultural heritage**— a part of the cultural heritage of Latvia, which represents the cultural traditions of Latvia and consists of the knowledge, skills, values and behaviour models passed down from generation to generation, defined by the surrounding environment and developed by interaction with history, nature and creativity, including oral traditions and expressions, performing arts, social practices, rituals, festive events, knowledge concerning nature and the universe, traditional craftsmanship, as well as instruments, objects, artefacts and cultural spaces associated therewith;

3) **elements of the intangible cultural heritage**— oral traditions and expressions passed down from generation to generation, defined by the surrounding environment and developed by interaction with history, nature and creativity, including language as a vehicle of the intangible cultural heritage, performing arts, social practices, rituals, festive events, knowledge and practices concerning nature and the universe, traditional craftsmanship, as well as instruments, objects, artefacts and cultural spaces associated therewith, having cultural, historical, artistic, social, linguistic or scientific value, which the community recognises as its cultural heritage and has undertaken to safeguard;

4) **safeguarding of the intangible cultural heritage**— a set of measures aimed at ensuring the sustainability of the intangible cultural heritage, including identification, documentation, research, development, protection, promotion, enhancement, enlivening, practice and transmission, particularly through formal and non-formal education.

**Section 2. Purpose of the Law**

The purpose of the Law is to safeguard the intangible cultural heritage and transmit it to next generations as a resource attesting to the distinctiveness and diversity of the culture of Latvia, facilitating the understanding of values, creativity, development and improvement of the quality of life.

**Section 3. Objective of the Law**

The objective of the Law is to create an institutionally organisational system to provide the environment and conditions necessary for targeted support to the safeguarding of the intangible cultural heritage, as well as to initiate a public dialogue.

**Section 4. National List of Intangible Cultural Heritage**

(1) The National List of Intangible Cultural Heritage (hereinafter — the List of Intangible Cultural Heritage) representing the cultural diversity, as well as attesting and promoting the creativity, knowledge and skills of human beings shall be created to safeguard the intangible cultural heritage and, in particular, to enhance its value, to promote its recognition and to educate the society.

(2) An element of the intangible cultural heritage shall be inscribed on the List of Intangible Cultural Heritage, if it constitutes cultural heritage which should be protected by the State and its inclusion has the widest possible support and participation of the relevant community.

(3) An element of the intangible cultural heritage shall be inscribed on the List of Intangible Cultural Heritage under a name characterising its nature, which clearly differs from the names of other elements of the intangible cultural heritage inscribed on the List of Intangible Cultural Heritage.

(4) Inscription of an element of the intangible cultural heritage on the List of Intangible Cultural Heritage may be requested by any person interested in the safeguarding of the relevant element of the intangible cultural heritage (for example, community, non-governmental organisation, local government and any other person). A description of the safeguarding measures taken to date and planned in the future to ensure the sustainability of the element of the intangible cultural heritage shall be attached to the nomination.

(5) The Latvian National Centre for Culture shall announce the submission of nominations for inscription of elements of the intangible cultural heritage on the List of Intangible Cultural Heritage not less than once a year. The Latvian National Centre for Culture shall evaluate the nominations for inscription of elements of the intangible cultural heritage on the List of Intangible Cultural Heritage and not less than once a year inscribe the elements of the intangible cultural heritage on the List of Intangible Cultural Heritage. An element of the intangible cultural heritage shall be inscribed on the List of Intangible Cultural Heritage based on an opinion of the Council of Intangible Cultural Heritage.

(6) If an element of the intangible cultural heritage no longer corresponds to the requirements of this Section, the Latvian National Centre for Culture may exclude it from the List of Intangible Cultural Heritage based on an opinion of the Council of Intangible Cultural Heritage.

**Section 5. Nomination of Elements of Latvian Intangible Cultural Heritage for Inscription on the Lists of Intangible Cultural Heritage of the United Nations Educational, Scientific and Cultural Organisation**

(1) In conformity with the Convention for the Safeguarding of the Intangible Cultural Heritage of the United Nations Educational, Scientific and Cultural Organisation (hereinafter — the UNESCO) an element of the intangible cultural heritage may be nominated for inscription on the UNESCO Representative List of the Intangible Cultural Heritage of Humanity or the List of Intangible Cultural Heritage in Need of Urgent Safeguarding (hereinafter — the Convention List).

(2) An element of the intangible cultural heritage may be nominated for inscription on the Convention List, if it has been inscribed on the List of Intangible Cultural Heritage in conformity with Section 4 of this Law.

(3) A community, non-governmental organisation, local government or any other person interested in the safeguarding of the element of the intangible cultural heritage may, with the widest possible support and participation of the relevant community, propose to nominate the element of the intangible cultural heritage to the Convention List.

(4) The Latvian National Centre for Culture in cooperation with the proposing entity providing information and knowledge in its possession shall elaborate nomination file for the inscription of the element of the intangible cultural heritage on the Convention List in conformity with the UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage.

(5) Nomination file for the inscription of the element of the intangible cultural heritage on the Convention List shall be submitted by the Minister for Culture based on an opinion of the Council of Intangible Cultural Heritage.

**Section 6. Tradition of the Song and Dance Celebration in Latvia and its Symbolism, the Suiti Cultural Space**

(1) The tradition of the Song and Dance Celebration and its symbolism in Latvia, Estonia and Lithuania is inscribed on the UNESCO Representative List of the Intangible Cultural Heritage of Humanity under the name “Baltic Song and Dance Celebrations”. Matters related to the safeguarding and development of the tradition of the Song and Dance Celebration in Latvia is governed by this Law, the [Song and Dance Celebration Law](http://likumi.lv/ta/id/111203-dziesmu-un-deju-svetku-likums) and the UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage.

(2) The Suiti cultural space is inscribed on the UNESCO List of Intangible Cultural Heritage in Need of Urgent Safeguarding. Matters related to the safeguarding and development of the Suiti cultural space is governed by this Law and the UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage.

(3) Based on this Law, the tradition of the Song and Dance Celebration in Latvia and its symbolism, as well as the Suiti cultural space is inscribed on the List of Intangible Cultural Heritage.

**Section 7. Collection of the Archives of Latvian Folklore**

(1) The collection of the Archives of Latvian Folklore (hereinafter — the Collection) is a part of the intangible cultural heritage with a cultural, historic and scientific value. It includes recorded items of intangible culture — manuscripts, documents, audio and visual materials, as well as printed materials collected, preserved and added by the Archives of Latvian Folklore since 1924. The Archives of Latvian Folklore is a structural unit of the Institute of Literature, Folklore and Art of the University of Latvia.

(2) “Dainu skapis” or the Cabinet of Folksongs is a unique filing cabinet of Latvian folksongs gathered and systemised by Krišjānis Barons in a form especially designed and adjusted for it. “Dainu skapis” is a part of the Collection. “Dainu skapis” is inscribed on the international register of the UNESCO Memory of the World Programme dedicated to the preservation of documentary heritage.

(3) The Collection is indivisible State property located in the National Library of Latvia. The Institute of Literature, Folklore and Art of the University of Latvia is in charge of maintaining, preserving and using the Collection, as well as making it accessible to the public.

(4) Storage of the Collection in the National Library of Latvia, its maintaining, preservation and availability to the public, is paid from the State budget.

**Section 8. Participation of Communities in the Safeguarding of the Intangible Cultural Heritage**

(1) The community cares for ensuring the sustainability of its intangible cultural heritage, and it also participates in legal, technical, organisational, administrative and financial measures implemented by the State administrative institutions, including local government institutions, especially in:

1) drafting of development planning documents and draft laws and regulations on intangible cultural heritage;

2) elaboration of the nomination file necessary for the inscription on the List of Intangible Cultural Heritage and Convention List.

3) creation and implementation of educational programmes related to intangible cultural heritage.

(2) The community shall have the right to use and transmit its intangible cultural heritage, and, in particular, the rights to:

1) the name of the element of the intangible cultural heritage;

2) the reference to the element of the intangible cultural heritage and its name, if it is used for economic or other type of operation;

3) information on its element of the intangible cultural heritage.

(3) The community has the right to refuse to participate in the measures for the safeguarding of the intangible cultural heritage implemented by other persons (including the measures implemented by the State administrative institutions, including local government institutions).

**Section 9. Planning and Financing of the Safeguarding of the Intangible Cultural Heritage**

(1) In order to ensure coordinated actions of the State administrative institutions, including local government institutions, as well as coordinated and targeted use of the available resources, the Cabinet of Ministers shall approve the Plan for the Safeguarding and Development of the Intangible Cultural Heritage (hereinafter — the Plan).

(2) The Plan is a national level medium-term development planning document, which determines national targets for ensuring the sustainability of the intangible cultural heritage for a period of seven years by prescribing legal, administrative and organisational measures, as well as their financial resources, among others, for:

1) the safeguarding of the elements inscribed on the List of Intangible Cultural Heritage, especially for supporting the sustainability of the elements inscribed on the Convention List;

2) the discovery (identification), documentation and research of the intangible cultural heritage;

3) the enlivening, enhancement, development and promotion of the intangible cultural heritage;

4) the inclusion of themes related to the intangible cultural heritage into the curriculum of formal and non-formal education programmes, preparation of the respective specialists and pedagogues and involvement of the relevant communities in the development and implementation of educational programmes;

5) the provision of other types of administrative, technical, organisational, legal, methodological and financial support to the communities, other institutions and persons involved in the safeguarding of the intangible cultural heritage.

(3) The Ministry of Culture shall ensure drafting of the Plan in cooperation with the State administrative institutions, including local government institutions, and other persons interested in the safeguarding of the intangible cultural heritage.

(4) Financing for the implementation of the Plan shall be provided in the annual State Budget Law.

(5) In their development programmes local governments shall establish legal, technical, organisational, administrative and financial measures to support the safeguarding of the intangible cultural heritage.

**Section 10. Rights of Persons to Receive the Support of the Latvian State Culture Capital Foundation**

In conformity with the procedures laid down in the State Culture Capital Foundation Law legal and natural persons have the right to apply for financing for the implementation of cultural projects related to:

1) discovery (identification), documentation, research, development, protection, promotion, enhancement, enlivening, practising and transmission of an element of the intangible cultural heritage inscribed on the List of Intangible Cultural Heritage;

2) elaboration of the nomination file necessary for the inscription of the element of the intangible cultural heritage on the List of Intangible Cultural Heritage.

**Section 11. Council of Intangible Cultural Heritage**

(1) The Council of Intangible Cultural Heritage is an advisory institution the purpose of the operation of which is to promote cooperation between the persons involved in the safeguarding of the intangible cultural heritage and competent evaluation of matters of the safeguarding of the intangible cultural heritage.

(2) Objective of the Council of Intangible Cultural Heritage is to provide opinions to the Minister for Culture and the Latvian National Centre for Culture regarding nominations for inscription of elements of the intangible cultural heritage on the List of Intangible Cultural Heritage and proposals to nominate elements of the intangible cultural heritage for inscription on the Convention List, as well as the draft Plan and laws and regulations in the field of intangible cultural heritage. The Council of Intangible Cultural Heritage may also provide opinions to other persons regarding other matters related to the safeguarding of the intangible cultural heritage.

(3) The Council of Intangible Cultural Heritage is composed of:

1) five specialists in the field of intangible cultural heritage delegated by the Ministry of Culture, the Ministry of Education and Science, the Ministry of Environmental Protection and Regional Development, the Latvian National Commission for UNESCO and the Latvian Association of Local and Regional Governments;

2) four scientists and representatives of the academic staff of institutions of higher education invited by the Minister for Culture, the scientific or academic activities of which are related to the safeguarding of the intangible cultural heritage;

3) five representatives of the non-governmental organisations invited by the Minister for Culture, the purpose of operation of which is related to the safeguarding of the intangible cultural heritage and which are operating in Kurzeme, Latgale, Vidzeme, Zemgale and Riga.

(4) The by-laws and composition of the Council of Intangible Cultural Heritage shall be approved by the Minister for Culture. In order to ensure the continuity, succession and diversity of the operation of the Council of Intangible Cultural Heritage, the authority of the members of the Council of Intangible Cultural Heritage referred to in Paragraph three, Clauses 1 and 2 of this Section shall be approved for a five year period, while the authority of the members of the Council of Intangible Cultural Heritage referred to in Clause 3 — for a three year period.

(5) The operation of the Council of Intangible Cultural Heritage is led by the Chairperson of the Council of Intangible Cultural Heritage appointed from its composition by the members of the Council of Intangible Cultural Heritage to a three year term of office.

**Section 12. Latvian National Centre for Culture**

(1) The purpose of the Latvian National Centre for Culture is to implement the national policy for the safeguarding of the intangible cultural heritage, and, in particular, to:

1) coordinate the development and implementation of the Plan;

2) maintain and update the List of Intangible Cultural Heritage, including by ensuring the evaluation of nominations;

3) ensure that the proposals to nominate the elements of the intangible cultural heritage for inscription on the Convention List are evaluated in accordance with the UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage;

4) ensure public access to the List of Intangible Cultural Heritage and availability of the information related to intangible cultural heritage to the public;

5) provide consultative and methodological support to the State administrative institutions, including local government institutions, and other persons interested in the safeguarding of the intangible cultural heritage, and cooperate with them;

6) provide organisational and logistic support to the operation of the Council of Intangible Cultural Heritage.

(2) The Latvian National Centre for Culture is entitled to implement legal, technical, organisational, administrative, methodological and financial measures for the safeguarding of the intangible cultural heritage, including by promoting the activities and contribution of persons to the sustainability of intangible cultural heritage.

**Transitional Provisions**

1. The Ministry of Culture shall form the Council of Intangible Cultural Heritage not later than by 28 February 2017.

2. The Latvian National Centre for Culture shall announce the submission of nominations for inscription of the elements of the intangible cultural heritage on the List of Intangible Cultural Heritage not later than by 10 January 2017 and shall ensure the evaluation of nominations and inscription of the elements of the intangible cultural heritage on the List of Intangible Cultural Heritage not later than by 30 June 2018.

3. The Ministry of Culture shall submit the Plan for the Safeguarding and Development of the Intangible Cultural Heritage for approval to the Cabinet of Ministers not later than by 30 June 2018.

This Law shall come into force on 1 December 2016.

This Law has been adopted by the *Saeima* on 29 September 2016.

President R. Vējonis

Riga, 20 October 2016