



The role of the internet in democratising the curation, interpretation and reconstruction of cultural heritage

10 June 2016

We thank you for your call for input into the question of the “intentional destruction of cultural heritage as a violation of human rights and its impact on the exercise of the rights to enjoy and access cultural heritage, to access, contribute to and enjoy the arts and to participate in cultural life”.¹ We would like to respond to question c of the call: “What are examples of good practices, especially with regard to prevention and protection against destruction, as well as repatriation and reconstruction measures of cultural heritage, including through human and cultural rights education and awareness?”²

We would like to offer our perspective on the positive role of the internet in making both tangible and intangible³ cultural heritage accessible to the public, and the role the internet plays in the democratisation of the curation and deliberation of cultural heritage. We would also like to briefly comment on the potential of the internet to free up resources for the preservation of cultural heritage, and our perspective on the importance of open internet access and open standards such as free and open source software in this regard.

We agree with the Special Rapporteur's observations on the potential of digital media to preserve cultural heritage, as well as her observation that the technical tools for this preservation should be made as widely available as possible.⁴ As examples, we note the work done by Oxford's Institute for Digital Technology in using 3-D technology to recreate the Arch of Triumph destroyed

1 Special Rapporteur's consultation brief, 10 May 2016

2 Ibid.

3 The definition of “tangible” and “intangible” cultural heritage is used here in line with the Special Rapporteur's February report.

4 “In the destruction of heritage and in its protection, new media is a game changer, capable of magnifying the impact of the initial destructive acts, but also of enhancing the means to mitigate the damage caused, such as through digitization. These tools should be widely made available to cultural heritage professionals.” A/HRC/31/59

in Palmyra,⁵ the work done by the New Palmyra Project,⁶ which works with 3-D models based on photographs by jailed activist Bassel Khartabil as well as the digitisation of the Timbuktu manuscripts,⁷ both cultural heritage sites referenced in her report.⁸ We also note other significant online projects that aim to share culture heritage openly, whether the initiatives of state archives, galleries, museums, libraries, public broadcasters or music and film producers.⁹ Similarly, initiatives such as Risk Register¹⁰ by the International Federation of Library Associations and Institutions, where the online registration of digital and analogue collections are encouraged so that actions can be taken in times of conflict or disaster,¹¹ offer important contributions to the public's access to cultural heritage using the internet, and towards cultural preservation.

While states in our view have a duty to make archives publicly accessible online, many public institutions still need to do so. We believe that publicly funded cultural content should be made freely available to the public. In this regard we support the statement by the former Special Rapporteur on cultural rights, Farida Shaheed, proposing the "adoption of a public good approach to knowledge innovation and diffusion",¹² as well as the recent decision by the European Union on free public access to publicly funded scientific papers.¹³

However, we would like to emphasise the role the internet plays in the democratisation of the curation, interpretation and reconstruction of cultural heritage. In line with the Special Rapporteur's perspective that "cultures are human constructs constantly subject to reinterpretation",¹⁴ cultural heritage is

5 See: <https://www.theguardian.com/culture/2016/apr/19/palmyras-triumphal-arch-recreated-in-trafalgar-square>. Example offered by Anas Tawileh as a story proposal to Global Information Society Watch 2016.

6 See: <http://www.newpalmyra.org/>

7 See: www.manuscript-cultures.uni-hamburg.de/timbuktu/plans_e.html

8 See: <https://www.wired.com/2015/10/jailed-activist-bassel-khartabil-3d-models-could-save-syrian-history-from-isis/>

9 Projects such as the Project Gutenberg, which offers access to over 50,000 digitised books, and institutions such as Yale University, which recently made an archive of 170,000 photographs from the Great Depression available online, provide perhaps unprecedented access to cultural content for the public. Portals such as Open Culture, an excellent reference to free cultural and educational media on the web, or Europeana Collections, which links to over 50-million "artworks, artefacts, books, videos and sounds from across Europe" effectively curate cultural content available online, organising, categorising, and writing up useful descriptions of the content it links to as a way to orientate the internet user.

10 www.ifla.org/risk-register

11 See: www.ifla.org/risk-register. Thank you to IFLA for alerting us to their initiative and commenting on our submission.

12 See A/HRC/20/26. [documents-dds-ny.un.org/doc/UNDOC/GEN/G12/134/91/PDF/G1213491.pdf?OpenElement](http://www.un.org/doc/UNDOC/GEN/G12/134/91/PDF/G1213491.pdf?OpenElement)

13 See Khomami, N. (2016, 28 May). All scientific papers to be free by 2020 under EU proposals. *The Guardian*. www.theguardian.com/science/2016/may/28/eu-ministers-2020-target-free-access-scientific-papers

14 "...[C]ulture is created, contested and recreated within social praxis (see A/67/287, para. 2), in other words through human agency. The current Special Rapporteur further notes that: (a) all people and all peoples have culture, not merely certain categories or geographies of people; (b) cultures are human constructs constantly subject to reinterpretation; and (c) while it is customary to do so, referring to culture in the singular has problematic methodological and epistemological consequences. It must be understood that culture is always plural. "Culture" means cultures." A/HRC/31/59

the result of narratives that are shared, deliberated and contested in the public domain, and within communities with particular cultural practices that are an expression of this heritage. Digital technologies, and easy access to these technologies, has allowed people to engage in the construction and recording of cultural heritage in tangible ways. There are myriad examples of this, from thematic Facebook groups set up to collect stories, photographs and memories of a local artist or musician, to email groups started to build a shared narrative on a town's heritage, to members of the public sharing memorabilia from a particularly significant historical period online, uploading partial recordings and videos of historical importance to social media, and sharing letters or artworks or collections of limited edition magazines in their private possession, or recordings of dance, song, or ritual that they are experiencing first-hand. These are often spontaneous and disorganised acts of recording, sharing and commenting on cultural heritage, but they should be collectively be considered as important forms of archiving and public sharing of cultural knowledge. In this regard, the internet allows collective narratives of cultural heritage to be created, curated, disputed and retold, and should be considered an important resource for the reconstruction of cultural heritage.

Similarly, we note that the preservation of cultural heritage is not only a responsibility of states or practiced by public institutions. The formal preservation of cultural heritage in its myriad forms is an act performed as much by private individuals, communities of interest, and businesses, as by any public or state-run institution – this whether in the field of music, philately,¹⁵ the collection of cultural objects, artworks and publications, or any other record or object that is emblematic of the zeitgeist of a time, such as periods of intense political mobilisation and change, wars, or iconic moments in history, culture, politics or science, amongst them. A significant amount of these tangible objects and records of cultural heritage are in private collections, and either not available for public engagement, or, if they are, only intermittently. These are invaluable sources of cultural heritage in any process of cultural reconstruction. Due consideration should be given here on how the internet can be used to enable these private collections for public engagement, both for matter of record and in order to contribute to the contested narrative of cultural heritage.

As noted by the Special Rapporteur, a critical aspect of cultural exchange is the dominance of perspectives within these exchanges, including those that determine the importance of cultural heritage. In this regard we agree with her preliminary recommendation to “[e]nsure the right of all persons, including women, to access, participate in and contribute to all aspects of cultural life, including in identifying and interpreting cultural heritage, and deciding which cultural traditions, values or practices are to be kept intact, modified or discarded altogether and to do so without fear of punitive actions”.¹⁶ The importance of the internet in helping to democratise patriarchal narratives of cultural heritage has been noted, for instance, by feminist scholar Amina Wadud: “[T]here is also a clear link to new forms of communication due to the

15 In particular, “open class” philately moves beyond the collection and study of stamps, to include related documents, photographs, labels, letters, land deeds and other records and items of historical importance.

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internet and social media allowing for a dissemination of ideas as sought after by the better-educated populist. This flow of ideas is untainted by constraints of particular institutions, or institutional requirements, and free of patriarchal control.”¹⁷ In this regard, attention to issues that limit the participation of women in cultural discussions online, such as harassment and threats to person, need attention at the internet policy level, and in educational curricula. Particular attention needs to be given to the narratives of women as well as marginalised groups during conflict in any effort to reconstruct the cultural narratives of groups, communities or nations, and the internet is a resource to access these marginalised voices.

Given the above observations, we would encourage the Special Rapporteur to consider the preservation, curation and reconstruction of cultural heritage to be a responsibility of many, rather than proscribed professionals alone, and to see the internet as enabling new forms of sharing, curation and re-telling. Digital tools for sharing personal or privately held archives should be available not only to professional archivists, but to the public generally.

It is our view that the kind of internet access that maximises the potential of the internet to preserve cultural heritage and to enable its reconstruction following conflict, is one based on the principles of open access. Closed systems channel the internet user's experience, limiting the potential both to access cultural heritage, and to share it. Free and open source software that allows recordings to be made and mixed, photographs and images to be edited, or facilitates online curation of cultural objects and recordings are essential tools for the proper sharing of cultural heritage, allowing for both the dissemination of that heritage by the public, and the engagement with that heritage. Proprietary software limits the availability of these tools to the public, and therefore limits private and informal archival and sharing practices. An open internet, and free and open source software should be encouraged as an enabler of cultural rights and heritage using the internet. Our principles on the formulation of internet policy that best enables human rights generally can be read in APC's Internet Rights Charter,¹⁸ and the African Declaration on Internet Rights and Freedoms,¹⁹ both of which we hope you find useful in this context.

With regards to new funding models, the internet enables alternative resource streams for cultural preservation and its reconstruction, whether through encouraging public contributions of volunteer time and skills or money. A 2014 survey of cultural organisations found that over 50% of them were using the internet to generate revenue, including through crowd-funding.²⁰

Finally, we would like to refer the Special Rapporteur to the work of IFLA, which stresses the need for the sustainable, long-term preservation of digital heritage. Significant cultural content is now published online only, and there is

¹⁷See: <http://www.giswatch.org/en/sexual-rights/democratisation-authority-middle-east-and-north-africa>

¹⁸ See: <https://www.apc.org/node/5677>

¹⁹ See: <http://africaninternetrights.org/>

²⁰ *Understanding the value of arts & culture: the AHRC cultural value project* (2016) by Geoffrey Crossick and Patrycja Kaszynska. See: <http://www.ahrc.ac.uk/documents/publications/cultural-value-project-final-report/>

a need for programmes that treat this digital cultural heritage as a significant cultural resources that needs to be secured for future generations to access.

We thank you for the opportunity to input into the call, and trust that due consideration will be given to the internet in the preservation of cultural heritage, as outlined above.