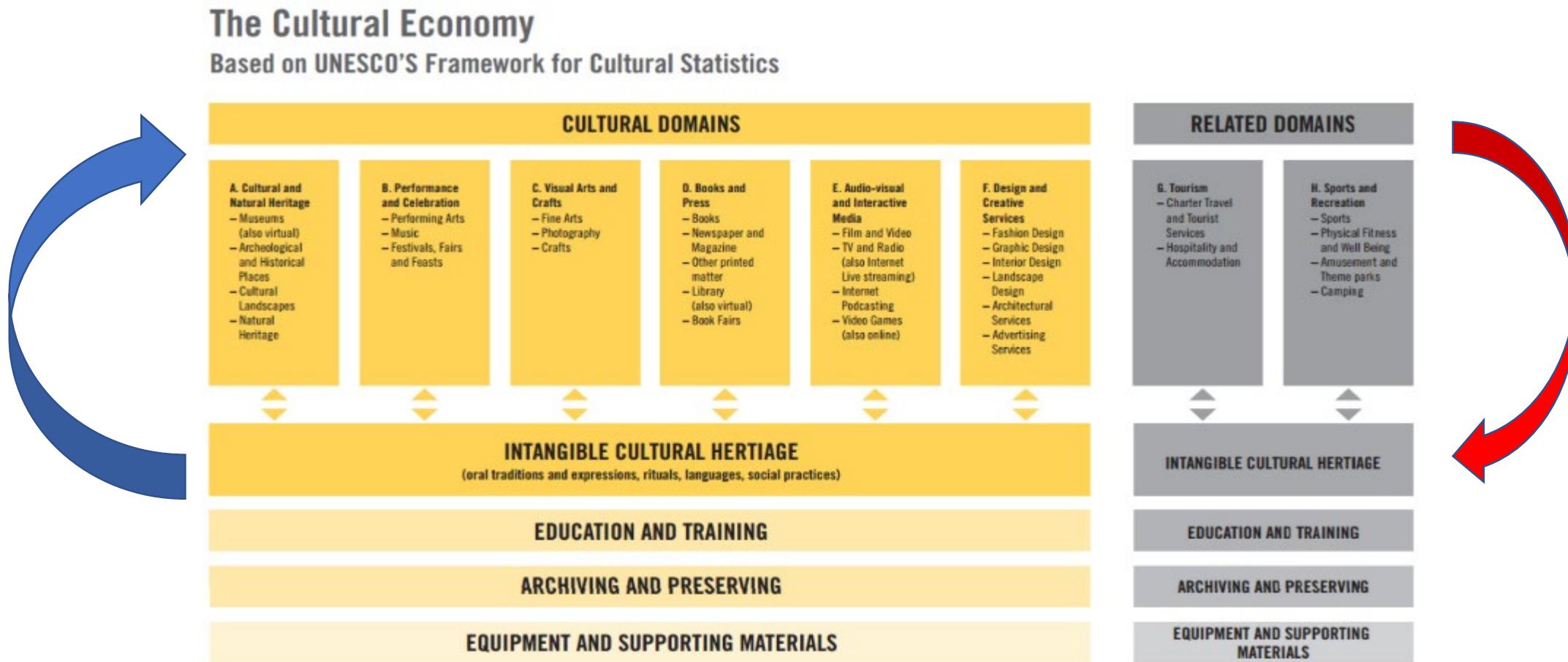




HIPAMS and markers of authenticity

Harriet Deacon

THE CREATIVE ECONOMY



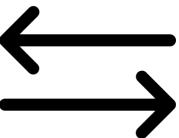
Source: 2009 UNESCO Framework for Cultural Statistics, p. 24.

HOPE AND ANXIETY



HERITAGE IS AT RISK FROM COMMERCIAL FORCES

Over-commercialization
Commodification
Decontextualization



HERITAGE AND SUSTAINABLE DEVELOPMENT

Decent work
Livelihoods for artists
Fair remuneration



HARMS CAN BE MITIGATED

Legal protection
Marketing promotion
Community empowerment
...?

FINDING THE SWEET SPOT

How can promoting craft products benefit craftspeople and protect the heritage?

How can craft promotion maintain heritage skills repertoire while meeting the needs of customers?

How can craft production protect authenticity while promoting innovation?

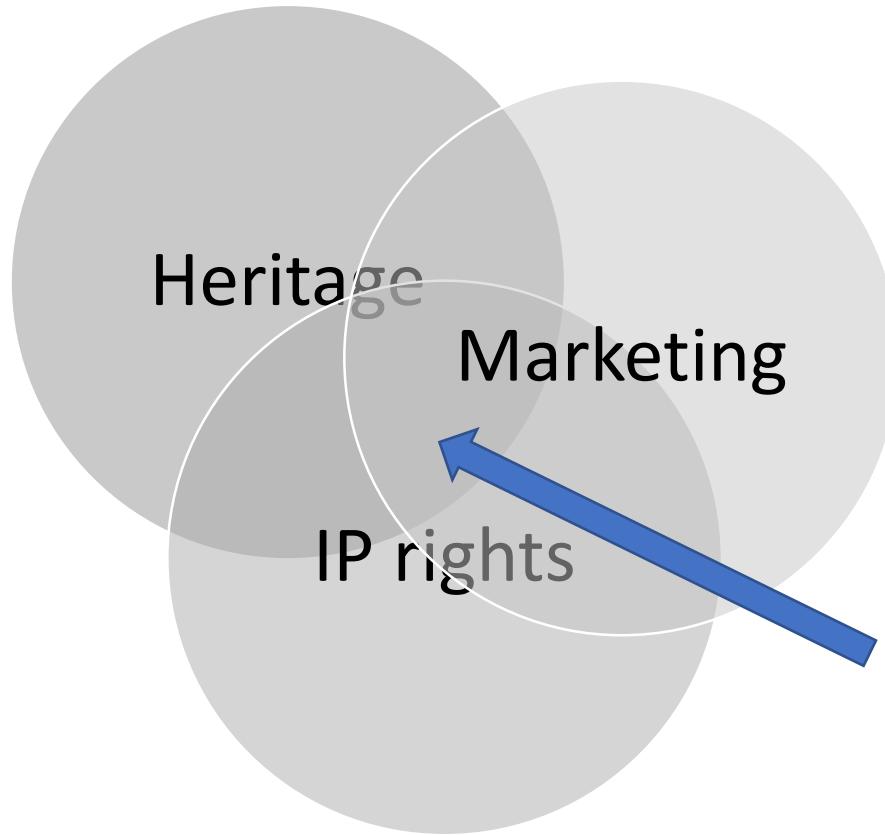
Celebrating local stewardship in a global market: community heritage, intellectual property protection and sustainable development in India

Working with three communities in West Bengal, India, to help them make sustainable livelihoods from their heritage crafts and performances



hipamsindia.org

Heritage-sensitive intellectual property and marketing strategies (HIPAMS)



Project outputs

HIPAMS for three communities
HIPAMS toolkit
Evaluation report
Tourism policy brief
IP policy brief
Research papers

hipamsindia.org

HIPAMS promote sustainable development for bearer communities





Chau Mask by Dharmendra Sutradhar
Photo: Diego Rinallo 2019

Heritage roots and fruits

- Roots can include traditional skills, knowledge, materials and know-how, and the meaning and value they have for communities.
- Fruits are the products and services that are linked to the tradition. Some are closer to the roots of the tradition, and others are further from it.

HIPAMS toolkit

<http://hipamsindia.org/research-output/toolkits/>



Painted kettle from Naya, India
Photo: Harriet Deacon 2019

Markers of authenticity

- Determined by the heritage craft community
- can be tangible or intangible
- can relate to place, maker, material, technique ...



Heritage skills repertoire

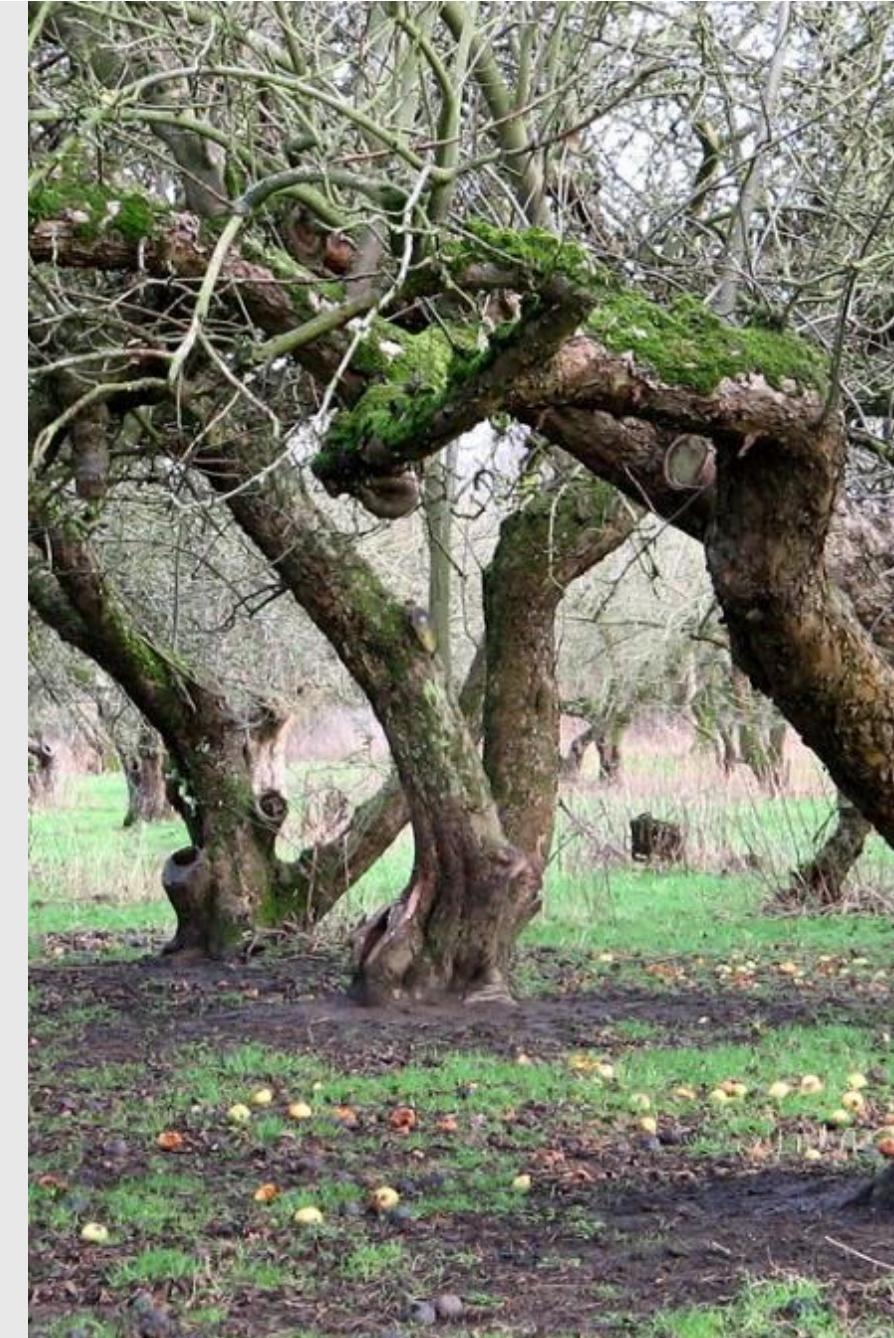
When we think about authenticity, mostly we just consider products. But we should also consider the ability to make products.

Maintaining heritage repertoire (the ability to make or do something) is more important than making every product in the traditional way

The heritage ecosystem

- Heritage does not exist in a vacuum, and nor do communities. Context matters.
- Consider different traditions in the community, and how they relate to each other, and to the broader context like trees in an orchard.
- How might communities and their heritage be affected by selling related products, for example from one tradition and not another?
- Consider how traditions have been shared, how they have travelled and changed over time, like seeds spread from a tree.

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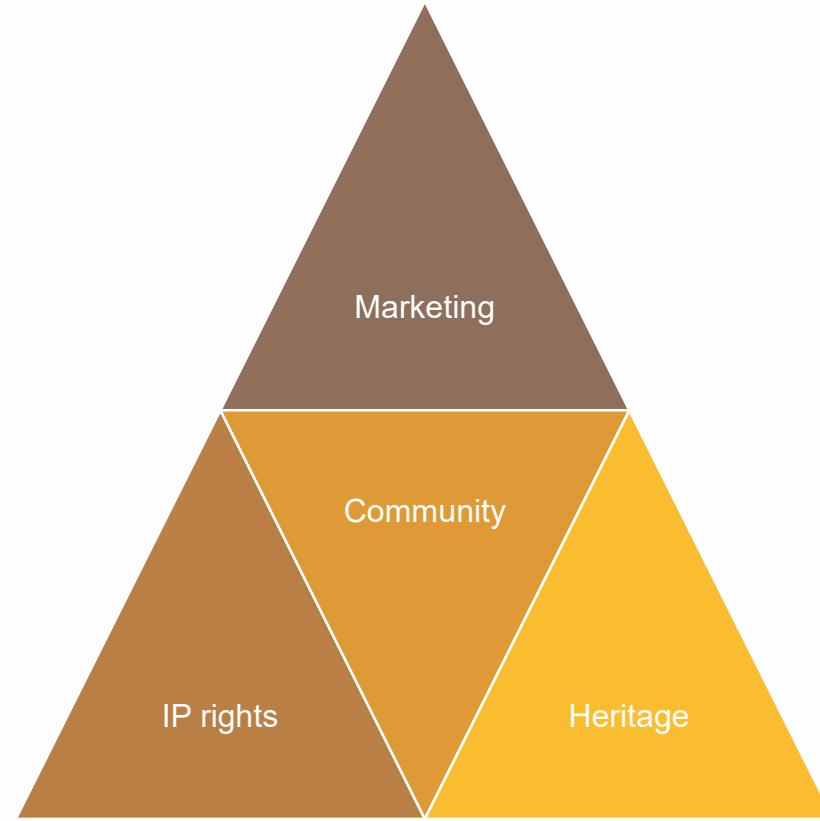
The HIPAMS process and toolkit

Harriet Deacon

HIPAMS toolkit

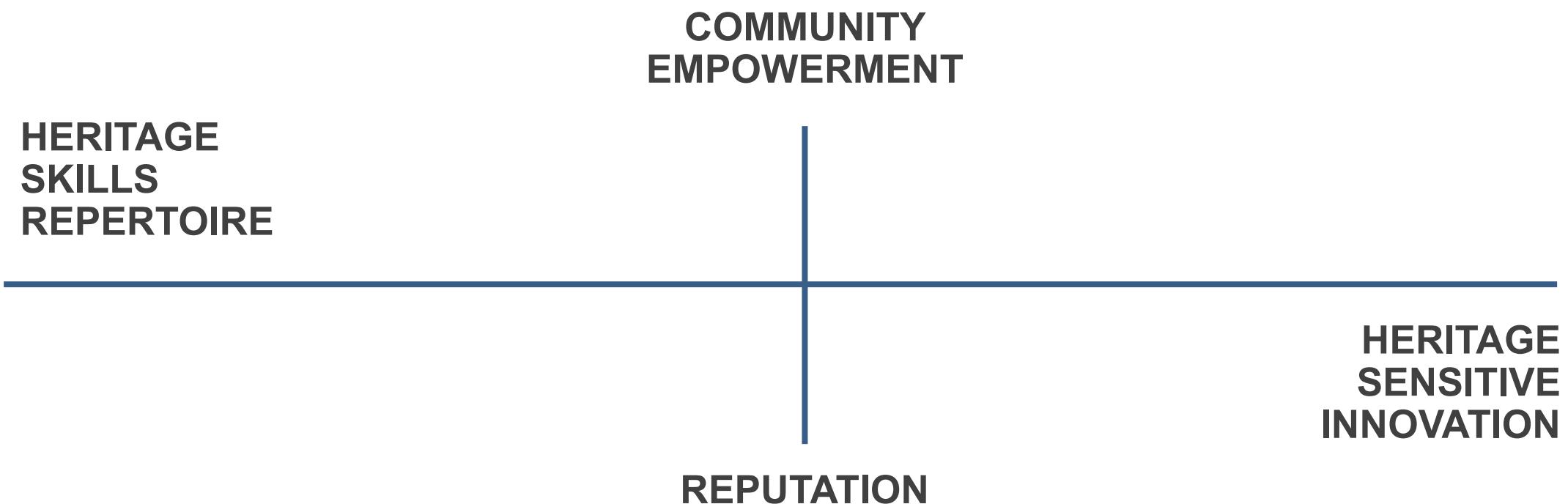
<http://hipamsindia.org/research-output/toolkits/>

HIPAMS are co-created with bearer communities to solve the problems they identify

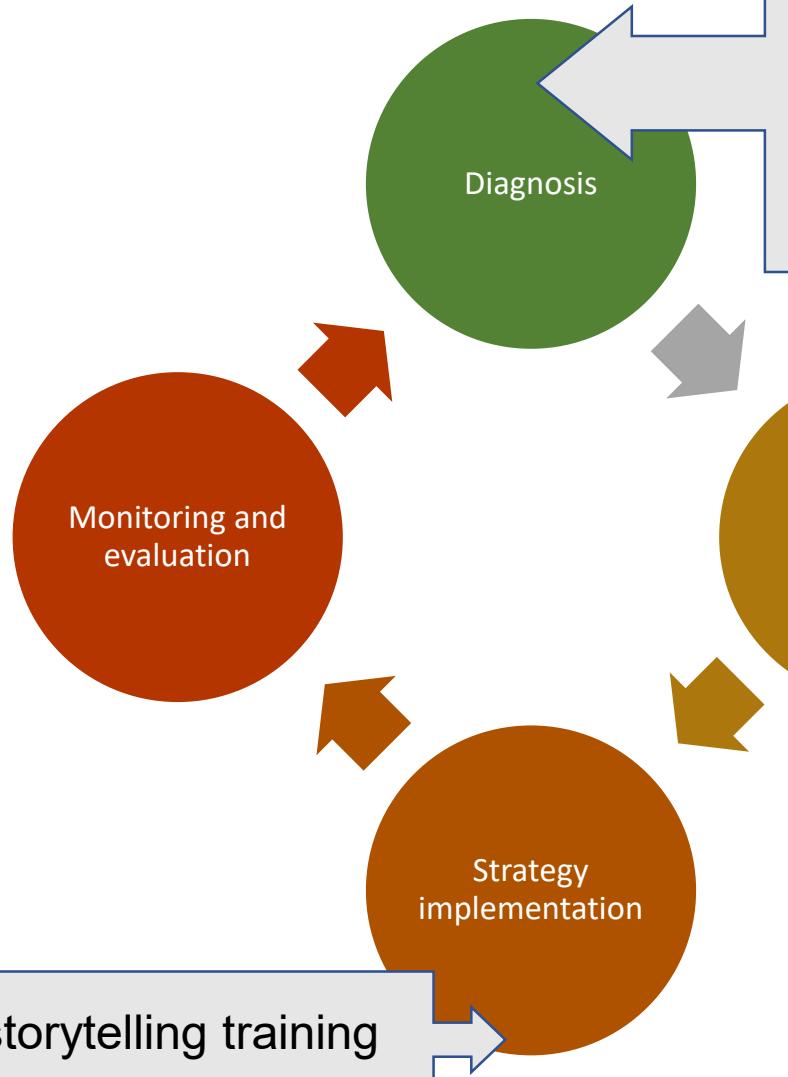




HIPAMS CANVAS



HIPAMS process and tools



- Roots and fruits tool
- Heritage skills mapping tool
- Reputation analysis tool
- Matching customers to products
- Price setting tool
- Intellectual property mapping tool

- Integrated strategy development tool
- Community goal development tool

Digital storytelling training

HIPAMS toolkit
<http://hipamsindia.org/research-output/toolkits/>

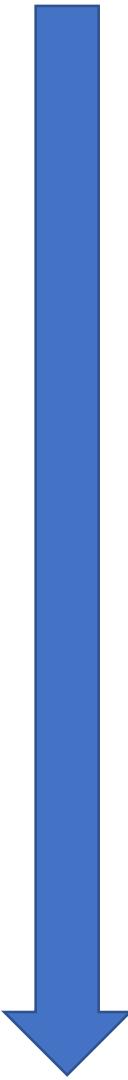


Marketing tools

HIPAMS toolkit

<http://hipamsindia.org/research-output/toolkits/>

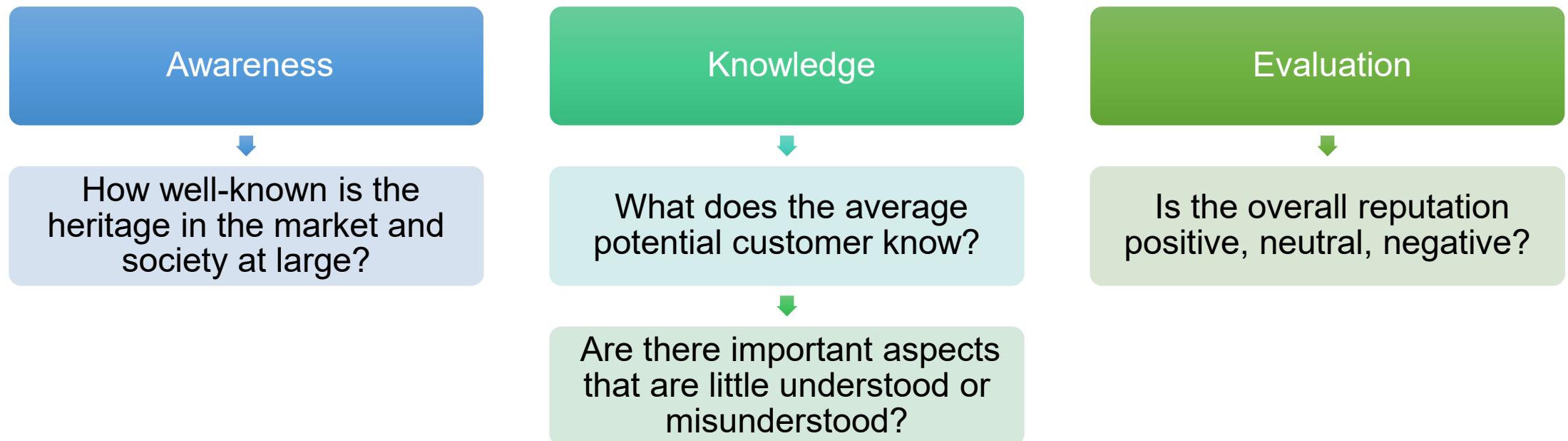
Low awareness	<ul style="list-style-type: none"> • Low risks of misappropriation in this stage.
Superficial knowledge or unfavourable image	<p>Secret knowledge or incorrect information may have been distributed.</p> <p>Misappropriation and misrepresentation may occur, as third parties want to exploit knowledge of the heritage (even if it is incorrect knowledge) to promote their goods.</p>
High awareness and favourable image	<p>Risks of misappropriation and misrepresentation are relatively high, as third parties want to exploit knowledge of the heritage to promote their goods.</p>



Reputation: three typical situations

Reputation analysis tool

Reputation refers to awareness of, knowledge about, and status given to the heritage, bearer community, and individual practitioners.



Heritage product/market matrix

Customer group (market segment)	Products
Heritage-aware tourists from big cities	Product line 1 (traditional top of the line)
Price-aware tourists from big cities	Product line 2 (traditional middle-range)
Local consumers from nearby villages	Product line 3 (trendy products)
Price-sensitive tourists	Cheaper products in line 3, or none

Setting appropriate prices: some guidelines

1. Calculate costs of production, including a fair margin for artists' time and skill
2. Find out what customers pay for a comparable product on average (market price)
3. Find all the ways the product is different from the comparable product.
4. Think of all the different market segments you identified. Place a financial value to those differences (add something for positive differences and subtract something for everything that is negative). You'll realize that the perceived value of different client group will vary (some will be more sensitive than others to some differences).
5. Set a price that covers your costs and acceptable to each client group based on their willingness to pay. Justify your price by highlighting your differences with your promotion, packaging and interaction with customers.

A yellow bomb icon with a fuse is positioned on the left side of the slide, partially overlapping the orange background. It has a circular body with a yellow circle on top and a yellow tail-like shape at the bottom. Four short yellow dashes extend from the top of the bomb.

Intellectual property tools

HIPAMS toolkit

<http://hipamsindia.org/research-output/toolkits/>

Understanding what legal measures are already in place

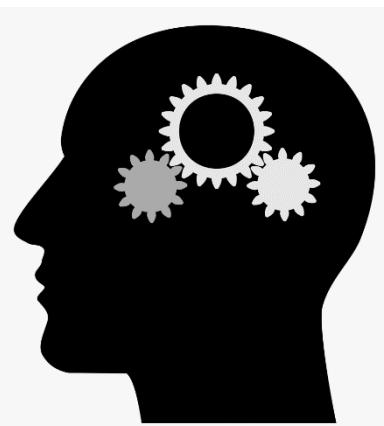
A number of questions should be asked before considering appropriate legal protection strategies:

How does the community of artists generally like to share (or keep private) their knowledge or works? Are there secret production processes that could be covered by trade secrets law?

Is there a community organization? Who does it represent? What does it do? What is its legal status?

What intellectual property rights do the community or the artists enjoy? Have they registered any trademarks, or geographical indications? How much do they know about their rights that do not require registration, such as copyright?

Are the products registered under any labelling scheme, such as Craftmark or Mountain Products?



Tool: HIPAMS intellectual property mapping

Registered intellectual property rights	Unregistered intellectual property rights	Labels and certifications	Owner / beneficiary	Goods and services covered Conditions of use	Possible benefits	Possible challenges
Geographical indication (GI) Bengal Patachitra			Chitrataru association of artists in Naya registers artists as users	Registered users in the region covered by the GI can use the logo on all handmade Patachitra products that fit the GI specification	Can increase the reputation of Bengal Patachitra and justify higher prices	Need to register. Need to educate consumers about meaning of GI. Expensive to enforce, esp. outside India.
	Copyright subsists in original Patachitra artworks, lyrics and tunes Copyright also subsists in original writing about and photographs of Patachitra artists and their works		Individual artists, composers, lyricists Authors (whether Patuas or not) writing about and taking photographs of Patachitra and Patuas in Naya	Artists have copyright in all their own original works (i.e. no copyright in an exact copy of another work). Visiting photographers and researchers have copyright in their writing and photographs too. Copyright lasts until 60 years after the death of the author in India – it can be inherited, and it can also be sold to others.	No need for registration. Artists have the right to give or refuse permission to others to reproduce their work. Does not apply to exact copies of other works.	Artists don't always understand their rights in negotiating with others. Copyright can be expensive to enforce. Artists don't always know when other people copy and sell their work.
	Chitrataru logo (unregistered)		Chitrataru association of artists in Naya	Chitrataru officers can use the logo on letterheads and other organizational materials	Gives a brand identity for the association.	Need to raise awareness among consumers about the collective identity of artists in Naya.
The Craftmark logo is registered as a trademark by the All India Artisans and Craftworkers Welfare Association (AIACA)		Craftmark logo is licensed to Chitrataru for use on Bengal Patachitra after certification by AIACA	Chitrataru association of artists in Naya	Artists from Naya can use the logo on all handmade Patachitra products	Can increase the reputation of Bengal Patachitra and justify higher prices	The Craftmark website does not differentiate between Bengal Patachitra and Odisha Patachitra, which are different styles

Checklist for choosing IP rights for protection of cultural heritage in the market

APPLICABILITY - Does the IP right apply to the cultural heritage? For example, copyright law usually only covers original works by identified authors for a limited time frame.

EFFICIENCY – What is the scope of protection provided by IP law? For example, trademark law usually only provides protection against unauthorised commercial use.

ACCESSIBILITY – Can the community access IP protection and ensure management of their rights? For example, are registrations cost-effective?

USABILITY – How compatible is the management of IP rights (which usually vest in individuals or organizations) with traditional ways in which the community manages rights, responsibilities and disputes?

A yellow circular icon resembling a bomb or a bombshell, positioned on the left side of the slide. It has a yellow circle with a black outline and five yellow dashed lines radiating from its top edge.

Monitoring and evaluation tools

HIPAMS toolkit

<http://hipamsindia.org/research-output/toolkits/>

Designing monitoring and evaluation strategies

- Communities can develop their own ways of measuring whether their HIPAMS strategies have helped them safeguard their heritage and promote their sustainable development.
- Measuring success should be aligned with the goals identified in the planning phase.
- Tools for monitoring and evaluation can be adjusted to the resources and needs of each community.

Monitoring and Evaluation in Creative Cities



<https://documents1.worldbank.org/curated/en/104121621556036559/pdf/Cities-Culture-Creativity-Leveraging-Culture-and-Creativity-for-Sustainable-Urban-Development-and-Inclusive-Growth.pdf>

Better economic data on the value of ICH to Creative Cities needed for creative industries development policy

Need to measure impacts of Creative City projects on underlying heritage resources

Thematic Indicators for Culture in the 2030 Agenda provides a good roadmap for developing indicators

A yellow circle with a black outline, resembling a bomb or a bombshell, is positioned on the left side of the slide. It has several short, yellow, curved lines radiating from its top edge, suggesting an explosion or impact.

Questions and Discussion

Extra slides

Examples of evaluation questions: community empowerment

Questions

- To what extent has the community found ways to work together where needed?
- What problems have they been able to address together?
- To what extent has the community been able to strengthen their bargaining power with external parties?
- To what extent has the community been able to benefit from promotion of their heritage in the market?

Evaluated by

- Qualitative data on changes in community organization and their effects internally and externally
- Progress on waste management, use of natural dyes and other community goals
- Awareness of collective organization and its initiatives among customers or clients
- Number of community initiatives for collective benefit, e.g. development of the codes of ethics
- Percentage of artists who have benefited from collective initiatives
- Average monthly income of artists

Examples of evaluation questions: skills repertoire and innovation

Questions

- Has heritage viability been maintained within the community?
- Has practice and transmission of the heritage been promoted and sustained?
- Is the full range of heritage knowledge and skills available to the community?
- How has this been affected by the sale of heritage products and services, whether positively or negatively?

Evaluated by

- Qualitative data on changes in practice and transmission of heritage in the community
- Number of new artist entrants
- Number of artists still practising after x time
- Percentage of artists able to make traditional scrolls and sing traditional songs
- Number of innovations in concepts, design or songs

Examples of evaluation questions: reputation

Questions

- To what extent has community awareness of the value of the heritage and the associated products or services increased and improved?
- To what extent has consumer awareness of the heritage and the associated products or services increased and improved?

Evaluated by

- Qualitative data on awareness of heritage in the community
- Number of social media posts about Bengal Patachitra from Naya
- Number of artists posting on social media about their art. Number of hits or likes on these posts.
- Number of artists registered to use the geographical indication (GI)
- Number of artists using the GI or Craftmark on their packaging