

2011 Field Survey Report

Intangible Cultural Heritage Safeguarding Efforts in Cook Islands

In collaboration with the Ministry of Cultural Development



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Field Survey Report

**Intangible Cultural Heritage Safeguarding Efforts
in the Asia-Pacific
2011**

**International Information and Networking Centre for
Intangible Cultural Heritage in the Asia-Pacific Region
under the auspices of UNESCO**

In collaboration with Ministry of Cultural Development, Cook Islands

Preface

The International Information and Networking Centre for Intangible Cultural Heritage in the Asia-Pacific Region proposed by the Korean government was finally approved as a category 2 centre under the auspices of UNESCO at the 35th session of the UNESCO General Conference last October. Over the course of the next year, the Centre and the Korean government prepared for the establishment of the UNESCO category 2 centre which is intended to become a hub for the safeguarding of intangible cultural heritage in Asia and the Pacific region.

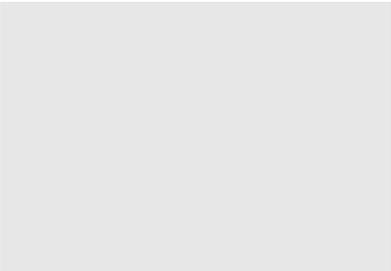
As a well intentioned objective for the future activities of this centre, ICHCAP initiated the 2009 Field Survey Project of the Intangible Cultural Heritage Safeguarding Efforts in the Asia-Pacific Region.

In 2011 ICHCAP worked in collaboration with institutions from seven countries which include: Cook Islands, Kyrgyzstan, Lao People's Democratic Republic, Marshall Islands, Pakistan, Sri Lanka, and Tonga to carry out the field surveys. The purpose of the field survey project was to obtain a grasp on the current situation of ICH safeguarding, along with specific details on each country's efforts in inventory making and relevant policies, laws, organisations, etc. The centre will continue this project over the next several years to cover all of the countries within the Asia-Pacific region.

The centre will serve Asia-Pacific Member States as an information and networking centre for the safeguarding of ICH. The final report from the project will serve as a resource that will help determine particular needs and provide direction for new cooperative projects for the safeguarding of intangible cultural heritage. It will also be used as a resource for states within the region to strengthen their understanding of intangible cultural heritage of other countries in the region.

Lastly, I would like to express my sincere gratitude to the institutions and researchers who actively cooperated with ICHCAP on the field survey project.

Seong-Yong Park, Ph.D
Acting Director
International Information and Networking Centre for
Intangible Cultural Heritage in the Asia-Pacific Region
under the auspices of UNESCO



Contents

Intangible Cultural Heritage Safeguarding Efforts in the Cook Islands

Preface	001
Introduction	005
Field Survey Report	
I . Safeguarding system & policy	008
II. Intangible Cultural Heritage Inventory	015
III. Relevant Organisations	020
IV. Meetings on Intangible Cultural Heritage	032
V. Living Human Treasures System	041
VI. Pending issues & urgent needs on safeguarding of ICH	042
List of co-researcher	045

Annex 1 Ministry of Culture Act	049
Te Reo Maori Act	062
Annex 2 Report on the National Workshop	077
Annex 3 Photographs	097

Introduction

Asia and the Pacific region is an area rich with various elements of intangible cultural heritage. Intangible cultural heritage has been handed down from generation to generation and has contributed to the development of cultural diversity and the creativity of humanity. Intangible cultural heritage for social development is well recognised as it represents the evolvement of historical traditions and the cultural identity of a society embodied in creative expression.

Over time, the form and substance of intangible cultural heritage has become vulnerable to deterioration. In particular, rapid social change and globalisation have made this situation even more pressing. Fortunately, there has recently been an increase in global awareness in relation to the value of intangible cultural heritage and its safeguarding.

In this regard, ICHCAP has created a survey study plan to collect all the necessary information related to current safeguarding systems for intangible cultural heritage in the region. ICHCAP has been preparing this survey since 2008, and 2010 is the second year of the implementation of this project.

ICHCAP has collected relevant data from reports, workshop books, meeting resolutions, internet databases, etc. While the information is valuable, in many cases, the data is neither accurate, nor up to date. This is the reason ICHCAP has prepared a new survey to accumulate more current pertinent data.

The field survey was carried out by respected researchers in each country. For this project, ICHCAP developed a questionnaire to guide the research teams conducting the field surveys in each country. The questionnaire encompassed topics pertaining to safeguarding the present system & policy; intangible cultural heritage inventory; information regarding relevant conferences, symposiums and workshops; national and local pending issues and urgent needs within the field of intangible cultural heritage safeguarding.

Lastly, the information and data may be open to the public and ICHCAP will share necessary data with other Member States to support the implementation of the most effective and appropriate practices for the safeguarding of intangible cultural heritage. We expect the project will assist in strengthening regional capacity and solidarity as well as international cooperation for the safeguarding of ICH in the region.

Field Survey Report

I . Safeguarding system & policy

1. National Law

HOUSE OF ARIKI ACT 1966

This Act establishes the House of Ariki or the Council of Chiefs. Members of the House of Ariki are chiefs who have been invested under the customary or traditional method.

Particular article(s) related to ICH are found in SECTION 8(2) "It may of its own motion make recommendations to the Legislative Assembly upon question affecting the customs or traditions of the Cook Islands or any of them or the inhabitants thereof provided that before considering any such motion the President of the House shall invite the Premier or any minister or person the Premier shall appoint to be present and take part in the proceedings as if present pursuant to section ten subsection three of this Act.

This article enables the House of Ariki to make recommendations to the Legislative Assembly if there are instances where the customs and traditions are being compromised

1) Responsible organization/department

House of Ariki, is an adhoc Government Agency with an office located in the Parliament Building of the Cook Islands. The Department is administered by an officer and houses the office of President of the House of Ariki.

2) Contact details

Tou Ariki, President, House of Ariki, Rarotonga, Cook Islands

3) Information source

Tou Ariki, House of Ariki 10th September 2011

2. MINISTRY OF CULTURAL DEVELOPMENT ACT 1990

The Ministry of Cultural Act 1990 was passed in Parliament to give the Ministry the necessary legislative tools to implement programs to preserve, protect and promote the cultural heritage of the Cook Islands.

Culture was initially incorporated into the structure of internal affairs from the 1960's. It comprised of a Tumu Korero Division established to collect oral traditions. This division was shut down in the early 1980's after accumulating many recordings from elders in the community.

The other component of culture existing at the time was a committee set up to organise the performing arts festival known as the Constitution Celebrations. Scheduled close to the commemoration of Internal Self Governing Day on August 04th, the festival brings communities together celebrate through performance and competition.

Government realised that culture was a fundamental component in the development of the nation and required its protection. It designed an Act to combine institutions with a cultural focus to form the Ministry of Cultural Development.

PART II – Establishment

3. Ministry of Cultural Development

- (1) There shall be a Ministry of State to be known as the Ministry of Cultural Development which, under the control of the Minister, shall be charged with the objectives and functions set out in Section 4 and such other objectives and functions as may be lawfully conferred on the Ministry.

The FUNCTIONS and OBJECTIVES of the Ministry of Cultural Development as stipulated in the Act are as follows:

4. Principal objectives and functions of the Ministry -

- (1) The principal **objectives** of the Ministry shall be to –
 - (a) Preserve, perpetuate and enhance the Cook Islands cultural heritage in order to uphold tradition and develop an appreciation for this important national resource;
 - (b) Encourage the growth and expansion of productive economic, social and educational activities as may enhance cultural art forms;
 - (c) Present where appropriate, the varied elements of ancient and contemporary Cook Islands art and cultural forms;

(d) to maintain the unique cultural identity of the people of the Cook Islands.

(2) The principal **functions** of the Ministry shall be to –

- (a) encourage, promote, support and develop the standards in the arts;
- (b) encourage, promote and develop the practice and appreciation of the Cook Islands Arts and Culture;

The Ministry of Cultural Development Act is overarching and embraces both the tangible and intangible cultural heritage, as well as the traditional and contemporary culture.

The Act also establishes divisions within the Ministry of Cultural Development to assist with preserving the many aspects of cultural heritage.

National Archives – Administers the Public Records Act to ensure that all Government Records after a period of 7 years are deposited in the National Archives. Among its important documents is the oral traditions collection from the 1970's. This project is detailed further in the survey.

Anthropology Division - has the purpose of collecting oral traditions and making publications out of these histories. It is also responsible for the Cultural and Historic Places Act. In its capacity as the research arm of the Ministry, the Anthropology Division has been charged with leading the efforts of ICH, as it encompasses the various forms of ICH found in other divisions, like performing Arts, visual arts and language

The National Library - was established to house a collection of books written about the Cook Islands in General. Although the legal Deposit Act has not been completed, the Library has some collection of Cook Islands books. Thesis, and writings from workshops are deposited in this library and some are historical narratives of ICH in the Cook Islands in its traditional form. The National Library has a good reference section on ICH material over the years.

Performing Arts – This division over the past years has been responsible for organising national events, celebrations and cultural activities. The Constitution Celebrations is the responsibility of this division and was revived in 1998 under the name Te Maire Maeva Nui then changed to Te Maeva Nui a few years later. The Performing Arts Division organises other national events such as the Mire Atu (Composers competition), Mire Ura (National Dancer of the Year Competition) and the Mire Tiare (Festival of flowers).

These events promote the performing arts as well as ensure the knowledge and skills are passed on to the next generation.

National Museum – The National Museum administers the Antiquities and Artefacts Act which focuses on the prevention of illicit trafficking of artefacts. Exhibitions to promote the arts and training workshops to foster the development of promising artisans are just a few of the activities that they regularly engage in. The National Museums registers over 300 objects in its fairly recent collection.

The Ministry of Cultural Development is able restructure its division from time to time. In 2003 the Maori Language Act came into force and the creation of the Maori Language Division.

Reo Maori Division – The Reo Maori division administers the Maori Language Act 2003 and provides secretarial support for the Maori Language Commission.

5. THE MAORI LANGUAGE ACT 2003

Maori Language Act 2003

- (a) To give effect to the declaration that Maori is an official language of the Cook Islands;
- (b) To bring about a status for Maori that is equal to English in the Cook Islands

The Maori Language Act establishes the Maori Language Commission and enforces that the Maori Language is one of two official languages of the Cook Islands, the other being English.

The Maori Language Commission has functions to the effect of: promote, protect and preserve the languages of the Cook Islands.

The current structure of the Ministry of Cultural Development does not conform to the divisions mentioned above. Some have been merged and others removed for more efficient use of resources. Nonetheless the functions of the Ministry as specified in the Act still remain and some functions are implemented by officers in different divisions. Therefore protecting the various forms of cultural heritage continues to be one of the primary focuses of the Ministry.

Two Bills are before Parliament and are expected to be enacted in 2012. These will be administered by the Ministry of Cultural Development.

6. COPYRIGHT BILL 2010

The Bill proposes to protect the literary works of authors and composers.

7. TRADITIONAL KNOWLEDGE BILL 2010

The Traditional Knowledge Bill intends to protect those traditional properties of cultural heritage that is not covered by current legislations. It considers communal ownership of cultural property and allows for the formation of an authority to investigate claims of traditional ownership.

8. Contact details

Sonny Williams, Head of Ministry, sonny@oyster.net.ck PO Box 8 Rarotonga, Cook Islands

9) Information source

- Justina Nicholas, Heritage Manager, heritage@culture.gov.ck 10th September 2011

► Cultural Policy

There is no Cultural Policy in place as the current head of the Ministry of Culture feels that the Ministry of Cultural Development Act is efficient in providing the necessary protection to the cultural heritage of the Cook Islands.

However there is a Maori Language Policy that strengthens the use of the Maori Language in Government and the media. A presentation in the 1990 Tumu Korero workshop discovered that the amount of Maori spoken and written in the work place ranged from very little to none at all.

The policy also requires applicants of the Permanent Residency certificate to receive a certificate of competency in conversational Maori. These are one of the few measures in place to encourage the use and appreciation of the Maori Language.

► In your opinion, what methods and means are needed to enhance the process of developing safeguarding policies and systems? Please, be specific.

1. Stocktake

An inventory of ICH is required to be developed in order to know what is in place and how to better protect it. A cultural mapping project was planned by the ministry of cultural development to gauge the number of cultural

practitioners where they are and what their area of expertise is. This is still in the pipeline and would most likely be implemented in 2012.

2. National Consultation

Once the baseline data is available, then a National Consultation should be implemented to collect the views of the community. Ideas on the most effective means to safeguard and promote ICH should originate at the community level. It is the centre of activity in regards to ICH and methods of protection should generate from here.

The communities shall also be implementing agents for any strategies designed.

3. Awareness raising programs

This activity is designed to educate the community and understand the importance of ICH. This understanding will enable the community to assist in modelling the safeguarding policies and systems required. They will be further encouraged to monitor and supervise the activities.

4. Developing safeguarding policies and systems

With a well-informed community on ICH, the task of developing safeguarding policies should be straightforward. Their knowledge and awareness will be effective in this undertaking. The ownership and authorship of the policy lies in the hands of the community, stakeholders and Non-Government organisations working in collaboration with Government.

Specific points for each group's to implement in order that ICH is intact.

GOVERNMENT

1. To ensure funding is available to NGO's in the cultural sector to strengthen organisational capacity and to implement projects. NGO's such as the Tivaivai Association, Cook Islands National Visual Arts Society (CINVAS) are no longer functioning due to financial difficulties. Funds up to \$5,000 could easily assist Non-Government Organisations with administration expenses. Further to that small and effective training workshops could be organised within those financial limits.
2. Administrative support from Government is necessary to help NGO's survive. Members of NGO's provide services voluntarily. The Government should provide its stakeholders with research and data in order that projects can be planned and implemented.

CHALLENGES – Preservation and transmission of ICH.

“To promote the use and practices of ICH in the Cook Islands and ensure their authenticity is intact and passed on to the next generation”

There is room for encouragement for the analysis of ICH and see how it can contribute to economic wellbeing in the country

II. Intangible Cultural Heritage Inventory

1. National inventory

There is no national inventory of intangible cultural heritage for the Cook Islands. There is however an inventory of oral traditions collected and a list of national performing arts festivals and competitions since 2003 on DVD and Video cassette.

1) Inventory information

The Ministry of Cultural Development holds a collection of oral histories recorded in the 1970's from holders of traditional knowledge. These orators were well known in their communities for their knowledge of historical events and were believed to have been trusted sources of information.

The collection was recorded by the members of the Tumu Korero Division who were assigned to collect these histories to publish into resource materials for the school curricula.

In their most basic form the collection comprises of recordings on audio cassette. These are then transcribed to produce manuscripts for editing and corroboration. The collection currently holds the audio recordings and transcripts of the recordings which are the items on the inventory list.

1.1) Title(s)

- a) Cook Islands oral history collection – National Archives
- b) Oral Traditions project – Anthropology Division

1.2) Number of inventories

1.3) Number of designated items

- a) 100 audio cassettes, 10 manuscripts
- b) 80 audio cassettes, 120 digital video camera recordings, 3 manuscripts,

1.4) Frequency of designation

- a) Inventory is closed, there is no more activity surrounding this inventory.
Just for viewing purposes only.

b) Items are added to this oral traditions project collection periodically each year.

1.5) Date of most recent update

Most recently the Anthropology Division of the Ministry of Cultural Development has undertaken the task of continuing the recording of oral traditions. Since 2000, the Division has recorded oral traditions from the remaining elders that still possess customary knowledge. These recordings have not been added to the older collection in the National Archives, as they still require indexing and is an on-going activity for the Anthropology Division.

1.6) Establishment of an expert advisory panel

There is no expert advisory panel established as the National Archives are mandated by the Public Records Act for the custody of all Government Records. Their roles and responsibility regarding the handling of these records are defined in the Act, which provides the necessary guidelines to manage these records.

1.7) Responsible governmental organisation

The National Archives is the responsible organisation for the oral traditions collection. It is a Division of the Ministry of Cultural Development. The safekeeping and storage of all Government documents are the foremost role of the National Archives. They continue to provide that service to Government as well as records management advice and training.

Mr George Paniani is the Chief Archivist and the Public Records Act empowers the Archivist to retain or destroy records accord to strict guidelines. Contact phone 24-493 archives@oyster.net.ck

2) Designated heritage - Oral traditions.

The subject matter of the recorded ranged from genealogies, the arrival of the founding ancestors of each community, songs, chants, mythology and cosmology.

2.1) Categories

The Archive inventory is categorized into community groups such as islands or districts as is the case on the island of Rarotonga. Eight islands have their oral traditions collected as well as the three Vaka or districts on the island of Rarotonga. These eight islands and the three vaka form the categories of the inventory.

2.2) Criteria

The Oral Traditions collection has restricted access because of the fragility of the documents and recordings. Photocopies of the documents are not permitted they are for viewing purposes only.

2.3) Designated heritage items:

The collection has not been further categorized into domains or other detailed information. The inventory is a basic list of the oral traditions collected with a reference number and the title of the each narrative.

2.4) Heritage associated items

There are no associated heritage items for oral traditions however names of sites where historic events took place are mentioned in the accounts and are still considered important today.

2.5) Information regarding holders/bearers

Information holders are named on the recordings and manuscripts themselves. Unfortunately no further information of these people is recorded. Being well known members of their respective communities the background data of these information holders are not required. Nonetheless, facts concerning information holders are necessary considering the time lapse since the recordings were made. The new generation that are current users of the information would most likely not be familiar with the background of these orators.

Therefore it would be useful to compile facts on information holders that were recorded to supplement the inventory.

2.6) Provisional designated items

There are no provisional designated items in the collection

- i. If the inventory-making is underway, please indicate the steps already taken or plans for the future.

Inventory making is planned in the form of cultural mapping. This activity will identify the holders of ICH and other practitioners in the cultural sector. In the 2011-12 Business Plan of the Ministry of Cultural Development cultural mapping is the first step towards formulating a national strategy to encourage creative industries in the local communities. It is intended that cultural sector will undergo training and development within the next five years to empower the practitioners of ICH to engage in economically viable activities. This will assist in preserving the heritage through practice and performance. At the same

time adding economic value to the heritage in terms of providing a form of income for the experts. One example is the dance teams in the country that perform at various tourist accommodations. On the one hand the heritage is being passed on to the younger generation through the recruitment of new dancers and musicians. This transfer of knowledge and skills serves to preserve the heritage. Additionally these performers are also awarded a portion of the payment given to the groups by the commercial entity.

The inventory will also provide baseline data with regards to the trend relating to ICH experts. If the numbers are stable or increasing, then this indicates a positive future for that form of ICH. If the data reveal a decrease in the number of ICH experts, then the heritage is in danger of being lost. And more so if there are no practitioners in that particular field of ICH. The knowledge and skill may still exist, if not used or practiced then it is more than likely to disappear.

3) Reference materials

- explanation note, photos.

► Non-governmental inventory

There is no non-governmental inventory of intangible cultural heritage in the Cook Islands.

While Non-government groups actively engage and practice ICH, they do not hold inventories of ICH in their respective field. Non-Governmental Organisations operate in tiny segregated groups

CKI Tivaivai Association – Do not have a list of practitioners of the art of Tivaivai making.

CKI Library and Museum Society – List of museum artefacts only (NIL)

CKI National Vision Arts Society –

National Council of Women – nil list of tivaivai practitioners

CKI Christian Church – inventory of Cook Islands Imene Tuki composed and sung by each of their 64 congregations (NIL)

III. Relevant Organisations

1. Governmental organisations

MINISTRY OF CULTURAL DEVELOPMENT - Rarotonga

Field of concentration

Performing Arts

Advisory body

The Ministry of Cultural Development does not have an ICH advisory Body as such. The MOCD Act allows for the establishment of an Arts Council with the purpose of acting in an advisory capacity. This has not come to fruition since the inception of the Ministry of Cultural Development for a number of reasons namely cost.

In 2006 the establishment of a National Arts Council under the Ministry of Cultural Development Act was repealed.

The Ministry establishes a series of Committees which advise on Performing Arts namely the Te Maeva Nui Competition.

In the months leading up to the celebrations, a committee is formed comprising of representatives of groups participating in the competition. These representatives are usually the team leaders who are the composers of some if not all of the items that the group will perform. Their expertise in the performing arts is unparalleled and considered the best in the country.

The committee scrutinizes the criteria for judging, make recommendations for the judging panel and advises on the overall organisation of the performing arts segment of the celebrations. At the completion of the event the committee recommends the guidelines for the upcoming festival and the theme to be applied.



Ute by the Penrhyn Island Dance Team – Te Maeva Nui 2005

Project details

Title: Te Maeva Nui Cultural Competition Dance Competition

Purpose:

This is an annual dance competition which features groups from the various communities in the Cook Islands showcasing performances that are composed around a given theme. Held the last week of July, the competition is programmed to help celebrate the commemoration of Internal Self Governing on August 04th. Community dance teams from the outer islands travel to Rarotonga to participate with funding assistance from the Government.

Over the past 3 years the competition has transformed to a festival at the request of the community groups. They felt that the competition format was standardizing the performing arts and disregarding the diversity of each island group. Each participating group currently receives a monetary reward based on their effort at the end of the festival.

Groups are required to perform 4 items; drum dance, action song, chant, and ute from their respective communities. The festival encourages new compositions for each item.

This includes composing lyrics, music, drum beats, choreography, costumes and props. The groups number up to a hundred that includes performers as well as supporters. The undertaking is a mammoth task. Organisational skills and patience are stretched to its limits. The final product is nothing short of amazing. The sounds and scenes that emanate from the National Auditorium during the festival are remarkable.

Result:

The Ministry of Cultural Development records all performances during the Te Maeva Nui festival and produces a set of DVD's for sale. But more importantly, the DVD's serve to preserve this extraordinary cultural heritage of the Cook Islands.



Drum Dance by the Vaka Takitumu Dance Team – Te Maeva Nui 2005



Jnr Girl performer from the island of Atiu – Dancer of the Year 2005

Title: Dancer of the Year competition

Purpose:

The Dancer of the year competition is an event to select the best male and female dancers in the country. There are five categories competed, the juniors age up to 12 years old, intermediate 13-17 years old and the open section which are young adults 18 years and over. There is a category for the Golden Oldies 40 years and over as well as a novelty category for visitors including expatriates.

Champion dancers from the outer islands travel to Rarotonga to compete, however this is usually limited because of the high cost of travel.

Duration:

The competition is held the first week of April and lasts for a period of one month ending in the first week of May. There is a series of eliminations and finals for each category which is held intermittently on separate days throughout the month. The grand finale held on the first Thursday of May is the open men and women's national finals.

Result:

The results are winners from each category being pronounced as national dance champions. The event in its entirety is recorded and DVD's produced for sale. The dance is preserved and develops over time on DVD. Children are trained to become performers at a very young age and become confident in exhibiting their culture.



Open Men performer representing the island of Rakahanga – Dancer of the Year 2005

Title: Mire Atu Competition (Composers Competition)

Purpose:

The Composers competition was created initially for well-established composers to compose songs in the local vernacular to a given theme. The use of archaic language, chants and wise sayings integrated into the songs are encouraged. The criteria have been altered recently to include new composers to encourage compositions in the Maori Language by developing artists.

Duration:

The event takes place between February and March of each year. The competition itself is staged on one night.

Results:

The event is recorded and DVD's produced. Promotion and awareness of traditional forms of language use in modern compositions is enhanced in this competition.

Person in charge

Mr Robert Ioaba, Manager, National Auditorium karioi@oyster.net.ck ph:20-725

In general Mr Ioaba manages events staged in the National Auditorium organised by the Ministry of Cultural Development as well as those arranged by other parties.

Supported by the Auditorium Assistant and the Performing Arts Officer, Mr Ioaba assembles the organising committees for Te Maeva Nui, Dancer of the Year, Te Mire Atu and coordinates the stage crew that will provide technical support to participating teams.

The Auditorium Manager also oversees the production and marketing of Ministry DVD's as well as marketing of the events



The National Auditorium, Ministry of Cultural Development

HOUSE OF ARIKI - Rarotonga

Field of concentration

Customs and traditions of the Cook Islands.

Advisory body

There is no advisory body that serves to support the House of Ariki in decision making. The House of Ariki has the function of operating as an Advisory Body to Government and other stakeholders on matters of customs and traditions.

Project details

Title: Investiture of Chiefs

Purpose:

The investiture of a Chief in the Cook Islands is a very rare event. Once invested the title remains with the Chief permanently until they pass on. In this case a new chief is selected and invested to the title.

There are no guidelines on how a chief shall be invested in the Cook Islands. Each tribe oversees the investiture process of their local chief based on knowledge gained from their ancestors and what has been common practice for that tribe. The ceremonies include incantations, chants that are specific to the Chiefly title, warriors carrying the chief on a platform and dancing when the formalities are completed.

Each tribe is unique in its ceremony however there is a customary “biting of the ear of a pig” in the ritual that is universal to all tribes in the Cook Islands. One tribe cannot dispute another tribe’s ceremony. Once the ceremony is completed with no objections then the chief applies to be inducted into the House of Ariki. The House of Ariki does not have any jurisdiction over the tribes and cannot pass judgement on the authenticity of the investiture. It can give advice to the tribes, but its authority is limited to the members and affairs of the House of Ariki.

Duration

The investiture ceremony varies in length depending on the procedures that are customary to that tribe. An investiture ceremony on the island of Aitutaki starts as early as 1:00am in the morning with the gifting of food for the celebrations from each village, and ends in the late afternoon with dancing and feasting.

Result

The investiture ceremonies have an essential function in maintaining social order through endorsing a legitimate leader for the tribe. Since the chants are reserved for such a rare occasion the sacredness and authenticity remains intact.

Person in charge

Tou Travel Ariki, President, House of Ariki, Phone 26-500

The President of the House of Ariki is elected for a term of two years by the Members of the House of Ariki. This constituted body acts in an advisory capacity to Government regarding issues relating to Cook Islands customs and traditions.

NATIONAL ENVIRONMENT SERVICE - Rarotonga

Field of concentration

Traditional knowledge and practices in the environment.

Advisory body

National Environment Council

Project details

Title:

Raui project – establishing this traditional system of marine terrestrial conservation throughout the Cook Islands

Purpose

Raui is a traditional system of conservation for both land and marine systems. When a Raui is imposed by the Chief or traditional leaders, boundaries are established and harvesting of food sources within the boundaries is forbidden. Parts of the lagoon are blocked and left to Marine seafood and fish are left to multiply and rejuvenate itself.

The rationale for instigating a raui is the need for large quantities of food in times of huge festivities ie: the investiture of a chief, or hosting of large groups.

Duration

The duration of a raui ranges from 6months to 7 years.

Results

Person in charge

Vaitoti Tupa

Manager

NES

Reference materials

- project report, explanation note, photos

► Non-governmental organisations

COOK ISLANDS VOYAGING SOCIETY – TUA PITTMAN

Field of concentration

Traditional navigation and voyaging

Advisory Body

Cook Islands Voyaging Society Executive Committee

Project Details

Title: San Diego travels

Purpose

Duration

Results

Person in charge

Name

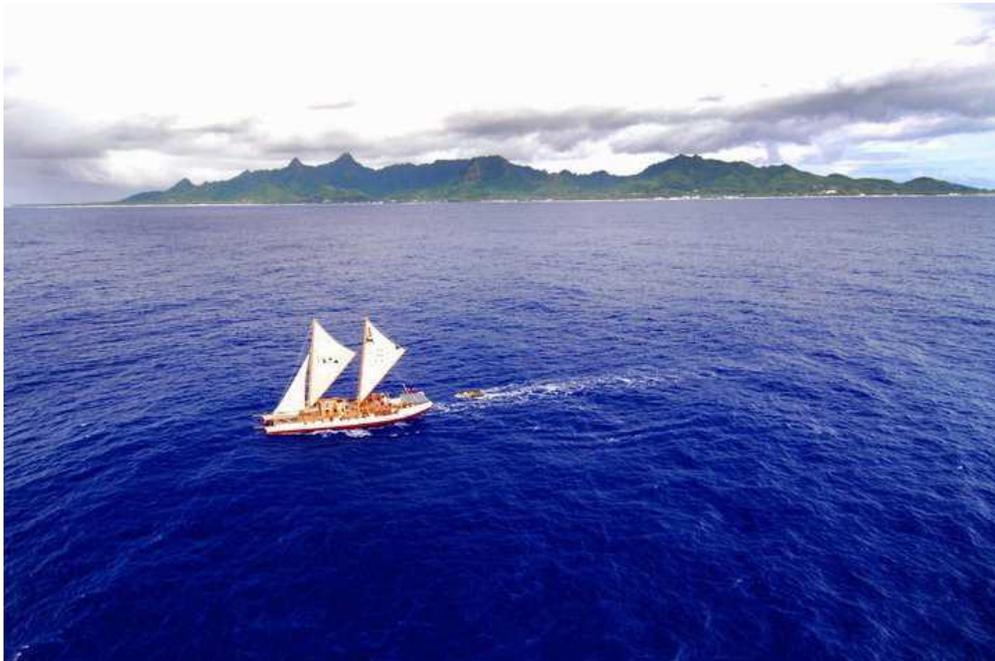
Job description

Telephone

Fax

Email

Reference Materials



COOK ISLANDS CHRISTIAN CHURCH – NGA MATAIO

Field of concentration

Imene Tuki and Imene Reo Metua

Traditional Hymns

Advisory Body

The Cook Islands Christian Church is governed by the decisions made in the Biennial Conference. The organisation has an Executive Committee which is the other decision making body of the Church. With regards to the Imene Tuki and Reo Metua there are no Advisory Bodies established for the purpose of safeguarding this intangible cultural heritage.

Project Details

Title: Imene Tuki and Imene Reo Metua

Purpose

Duration

Results

Person in charge

Name

Job description

Telephone

Fax

Email

Reference Materials

Project report

Explanation note

photos

TE KORERO MAORI CULTURAL DANCE TEAM

Field of concentration

Performing Arts

Advisory Body

Te Korero Maori Cultural Dance Team Executive committee

Project Details

Title:

Purpose

Duration

Results

Person in charge

Name

Job description

Telephone

Fax

Email

Reference Materials

Project report

Explanation note

Photos

► Intangible cultural heritage preservation associations

MANGAIA HISTORIC SOCIETY – MANGAIA

Field of concentration

- 1) Covered intangible cultural heritage item
 - domain: traditional craftsmanship, performing arts, social practices, rituals & festive events, oral traditions and expressions
 - item name, information, etc.
- 2) Information regarding tradition bearer/holders
 - name, position, field, contact details
- 3) Financial support
 - government subsidy, finances, etc.
- 4) Advisory body
 - ICH experts, advisory committee
- 5) Person in charge
 - name, job description, telephone, fax, email, etc.
- 6) Public events
 - title, purpose, date, venue, context, participants, report book, etc.
- 7) Reference materials
 - e.g.) project report, explanation note, photos, promotional materials

IV. Meetings on Intangible Cultural heritage

1) Name of the meeting

NATIONALWORKSHOP SAFEGUARDING OF THE INTANGIBLE CULTURAL HERITAGE IN THE COOK ISLANDS

2) Theme

Intangible cultural heritage

3) Duration

28th – 30th June 2010 (3 days)

4) Venue

Sinai Hall, Rarotonga, COOK ISLANDS

5) Organisers

The meeting was organised by the Ministry of Cultural Development and funded by UNESCO. The person in charge of organising the meeting is the Policy Officer for the Ministry of Cultural Development Liz Ponga pongavdo@oyster.net.ck and can be contacted on phone 20-725.

6) Participants

NAME	ORGANISATION / TITLE
01 Hon Cassey Eggelton	Minister Of Cultural Development
02 Tama Tuavera	Minister Eggelton's Office Staff
03 Mrs Nono Rangi	Ruaau Community
04 Joan Gragg Artist,	Member of the CI Art Assn
05 Terry Utanga	Ministry of Education staff
06 Ian George	Ministry of Education - Visual Arts Advisor
07 Nancy Fulford	Ministry of Education – Performing Arts
08 Vereara Maeva Taripo	Cook Islands Music Association
09 George Cowan	Cultural and Historic Places Trust – Chairman
10 Mita Soatini	Tongareva Island Representative
11 Temu Hagai	Rakahanga Island Representative
12 Pae Tuteru	Manihiki Islands Representative
13 Tere Tangauru	Pukapuka Island Representative
14 Taputukura Mariri	Mauke Island Representative
15 Toka Mariri	Atiu Island Representative
16 Ake Lewis	Mitiaro Island Representative
17 Paddy Walker	PPSEAWA
18 Matilda Tairea	PPSEAWA
19 Aneru Tautu	Office of the Minister Cultural Development
20 Piritau Nga	Oire Nikao Dance Group Representative
21 Marthalina Makimare	CI Association of NGOs
22 Terangi Karotaua	Private - cultural expert
23 Matariki Wilson	Cook Island News
24 Tokerau Munro	CI Tivaivai Association
25 Numa MacKenzie	Private
26 Tereapii Pita	Onu Recording Studio
27 Teaturangi Nepia Clamp	CI Voyaging Society – Navigator
28 Theresa Noovao	Childhood Education
29 Imogen Ingram	Koutu Nui member
30 Giles Peterson	Curator & Lecture – Pacifica
31 Tungane Broadbent	O'ao'a fabric and fibre arts
32 Vai Henry	Te Rito o te Vairakau Maori
33 Apii Turua	Te Rito o te Vairakau Maori
34 Mouria Pokone	Te Rito o te Vairakau Maori
35 Travel Moeara	3 Bros Productions Company
36 Taokia Gill	Nth Western CI Early Childhood, NZ
37 Jane Taurarii	Ministry of Education – Science Advisor
38 Mona Matepi	Te Rito Enea – CEO

39	Charles Egretaud	Pae Tai-Pae Uta / Pro Science
40	Jane Lamb	Te Rito Enuā – Chairperson
41	Eruera Ted Nia	Inanui Gallery
42	Tetika Mataiapo	President of the Koutu Nui

PRESENTERS

43	Dr Jon Jonassen	Brigham Young University, Hawaii
44	Upokoina Teiotu	Atiu Island Representative – Tumu Korero
45	Mapu Taia	Mauke Island Representative – Tumu Korero
46	Henrica Marona	Ministry of Education - Reo Maori Advisor
47	Ina Hermann	Ministry of Education – CEO
48	Elizabeth Munro	National Environment Service
49	Vaitoti Tupa	National Environment Service – CEO
50	Mahiriki Tangaroa	CI National Visual Arts Society
51	Repeta Puna	Traditional Knowledge consultant
52	Tua Pittman	CI Voyaging Society
53	Lynnsay Rongokea	Land agent & Researcher
54	Teariki Rongo	Te Rito o te Vairakau Maori
55	Gina Williams	Performing Arts & Choreographer
56	Mike Tavioni	Carver and Tumu Korero
57	Tingika Elikana	Solicitor General - Crown Law Office
58	Nga Mataio	CICC General Secretary
59	Vereara Maeva Taripo	President of CI Tivaivai Association

MINISTRY OF CULTURAL DEVELOPMENT

60	Sonny Williams	Permanent Secretary
61	Liz Ponga	Policy Unit
62	Ngatuaine Maui	Anthropology Division
63	Justina Nicholas	National Library
64	George Paniani	National Archives
65	Pastor Ngarima George	National Museum
66	Terai Joseph	Administration
67	Puna Teariki	National Auditorium
68	Phillip Tangi	Audio Visual Division
69	Henry Rennie	Foreign Affairs - VIP division
70	Willie Tua	Minister Egelton's Office - Staff

7) Speakers list (detailing keynote speaker, presenters, discussants and their affiliations)

1. Te Reo Maori (The Cook Island Maori Language)

A dual presentation by Ina Herrmann (CEO School Support Service) AND Henrica Marona (Reo Maori Adviser for Secondary Schools), Ministry of Education

The second day of the Workshop started off with representatives from the Ministry of Education speaking on the revitalisation and growth of the Maori language in schools and in various sectors of the communities. They asked for the government to reinstate and reinforce the Language Commission as well as be leaders in parliamentary debates to be conducted in Maori. They felt that as a way forward for safeguarding and growth of the Maori language was for partnerships across the government Ministries and policies and guidelines to be set in place.

2. Are Korero (The institution of traditional knowledge)

Presentation by Mapu Taia, Speaker of Parliament and Member of the Are Korero from the island of Mauke

This was followed by the traditional leader from Mauke speaking about the “Are Korero” and its importance in safeguarding the knowledge of the people within a community. The foreign influences that had merged into the lives of the community had helped with the erosion of traditional knowledge and he asked for the Are Korero to be reinstated and given the importance that it deserves.

3. Tivaivai” (Traditional quilts)

Presentation by Vereara Maeva-Taripo, President of the Cook Islands Tivaivai Association

next speaker spoke about the art of making tivaivai and how it has been accepted into the way of life of the Cook Islands and the pride that the women have in showcasing their skills. However, there was a notable decline in interest from the young generation of today in learning these skills.

4. Raui and Environmental Practices

Presentation by Vaitoti Tupa - Director of National Environment Service

The speakers that followed talked about environmental practices and the legal mandates that have assisted them in their work with environment. With that comes the challenges and issues that they face, such as differences in understanding of traditional practices; the approaches to obtain these traditional knowledge vary from island to island; respect of traditional environment practices such as the ra'ui is challengeable due to generation gap and lastly, the documenting of these oral history is not a norm as knowledge was passed down from generation orally eg traditional medicine.

5. Traditional Medicine

Presentation by Teariki Rongo – President Te Rito o te Vairakau Maori

The tradition medicine presentation focussed on the abuse of traditional medicinal practices. It was customary not to share the ingredients of certain medicines and to keep this knowledge within the families. Skills surrounding traditional medicine include proper diagnosis, the accurate method in preparation the medicine, the active ingredients, the food and activity restrictions (if any) and other general advice. Some users of traditional medicine are known to have passed on the ingredients of medicine without the complete knowledge of the practices surrounding the medicine. If the medicine fails to achieve its task, it is brought into disrepute as well as the reputation of the person holding the knowledge. These practices must be stopped and the practice of traditional medicine protected.

6. Traditional Carving and Boat Building

Presentation by Michael Tavioni - Local Artist and Traditional Craftsman

Mike Tavioni in his presentation outlined the carving programs designed for secondary school students which he is teaching and the intention of inspiring these students to keep carving. He then spoke about boat building and how he obtained this skill.

7. Investitures and Chiefly Titles

Presentation by Upokoina Teiotu – Traditional Orator of Enuamanu

The presentation on investitures concentrated on the island of Atiu where the Papa Ina originates. Each tribe is distinctive in its investiture process of traditional leaders. There is no one set rule for everyone. He encouraged orators to preserve the uniqueness of their ceremonies and refrain from changing the heritage to satisfy a minority.

These presentations were followed by lively discussions by the participants on their own experiences in their various islands or communities.

8. Performing Arts

Presentation by Gina Williams – Former Dance Champion and Choreographer

Gina Williams relayed the story of how she was inspired by family members at a young age into Cook Islands Dancing. For the Cook Islands she noted, dancing was in the blood. When you hear the drums beat, you have to move, it's automatic. She continued to enlighten the audience on the art of choreography and how moves are created to communicate a story or theme.

9. Traditional Hymns

Presentation by Nga Mataio - General Secretary of the Cook Islands Christian Church

The short presentation by Mr Mataio covered a brief history of imene tuki and the performing of the imene tuki in church services in the Cook Islands Christian Churches around the country and those parishes overseas.

10. Education, Culture and Identity

Presentation by Dr Jon T.M. Jonassen - Professor of Political Science and Pacific Island Studies in Brigham Young University, Hawaii

A very well researched paper was presented by Dr Jon Jonassen that highlighted the importance of education, culture and identity of a people.

The discussions that followed were very interesting as each speaker gave their viewpoints and understanding of the various subjects.

11. Art and Craft

Presentation by Mahiriki Tangaroa - Member of the Cook Islands Arts Association and an Artist

The final day of the Workshop started with participants speaking on Art and Craft in the Cook Islands. Mahiriki Tangaroa, a former Curator of the National Museum outlined the growing international interest in Oceania Art especially carvings. While these activities are occurring overseas, it is equally important that the existing local artefacts are protected.

12. Land and Tradition

Presentation by Lynnsay Francis - Land Agent and Researcher

Lynnsay Francis presented some important facts regarding current land issues in the Cook Islands. Through her research she discovered some inconsistencies regarding land titles and processes of accessing land. A greater awareness of land issues is required to further prevent the loss of land.

13. Seafaring and Traditional Navigation

Presentation by Tua Pittman – Traditional Navigator and Member of the Cook Islands Voyaging Society

The personal experience of this presenter, in sharing and learning from a master craftsman in traditional navigation captured an audience who had just recently witnessed the arrival of five traditional vakas into Rarotonga from Raiatea in May this year. He spoke about the whole sky at night becoming a navigation chart or stars; the moon being the beacon; the rising sun in the morning being the compass to what the day has to offer. The participants were mesmerised by his story and realised the importance of maintaining this intangible gift that will be truly lost with time as has been the stories of the great navigators of the Pacific that were travelling the great Ocean before others knew of the vastness of the world around them. The final speakers spoke about Traditional Knowledge and the legal aspects required to safeguard ICH in the Cook Islands.

Strategy and Action Plan for Safeguarding Intangible Cultural Heritage in the Cook Islands

The final two presentations examined legal instruments that are in the drafting process to assist with the safeguarding of ICH.

14. Traditional Knowledge

Presentation by Repeta Puna – Consultant

The traditional knowledge presentation covered the project undertaken by Repeta Puna, a consultant formerly of the Policy Unit in the Prime Ministers Department. The project required the contribution of communities in the outer islands. Ms Puna furnished the meeting with her findings and the recommendations that would compose the Traditional knowledge policy.

15. Copyright and Intellectual Property Rights

Presentation by Tingika Elikana - Solicitor General, Crown Law Office

The Solicitor General updated the workshop on the progress of the Copyright Bill and its intentions to protection elements of ICH. The Intellectual Property Right laws of the Cook Islands require updating.

Action Plan Adopted

The Workshop demonstrated the awareness about the importance of safeguarding the Cook Islands ICH especially with statistics offered by the educational sector regarding “Te Reo” as well as traditional navigation as shared by one of the participants and other sectors of the community. Noticeable also was the common factors shared by other Pacific countries as shared by the Director of UNESCO in his speech and raised in the region during the past twelve months through efforts being made by each country.

The participants requested UNESCO’s technical and financial assistance in supporting national capacity building for ratifying and implementing the Convention.

Furthermore, they requested UNESCO to organize national consultation meetings in order to achieve the goals being set at this Workshop as well as to understand the procedures to follow prior to the ratification of the convention.

Reference material e.g.) reports

V. Living Human Treasures System (LHTS)

The Living Human Treasures System was introduced by the Republic of Korea to the UNESCO Executive Board at its 142nd session in 1993. The aim of this system is to encourage Member States to take prompt and vigorous measures to safeguard their traditional culture and folklore.

Is there a Living Human Treasures System or relevant system to ensure transmission of your traditional culture and folklore?

No. The Cook Islands currently does not have a Living Human Treasures System. In 2002 a Living Human Treasures System was proposed by John Hermann who was the convenor of judges during the Te Maeva Nui Festival at the time. Mr Hermann saw the need to recognise the experts in the Performing Arts and credit them with a prestigious title. By awarding these specialist the Living Human Treasures honour, endorses their credibility as judges of the most prestigious Performing Arts competition in the Cook Islands. Therefore each judge on the judging panel is required to be inducted in the Living Human Treasures system as a prerequisite for being accepted as a Te Maeva Nui Judge. In a sense, the Living Human Treasures System will prevent the scepticism surrounding the integrity of the judges.

The proposal is currently on hold and may be revived in the near future.

VI. Pending issues & urgent needs regarding the safeguarding of ICH

A large portion of the intangible cultural heritage in the Cook Islands is in danger of disappearance if the knowledge and skills are not preserved.

The knowledge and practice of Traditional Voyaging and Navigation in the Cook Islands is endangered. The current efforts to uphold this intangible cultural heritage is exceptional. Unfortunately the high costs associated with Traditional Navigation in building the vessels and sailing from one destination to another could be its demise. Government is required to provide further support for this art form through financing and nominating traditional navigation on the ICH representative list.

The Cook Islands Voyaging Society provides training to young Cook Islanders living in country as well as those in New Zealand and Australia. The organisation intends to introduce traditional navigation into the school curricula to ensure its permanent preservation. However without long term financing traditional voyaging will cease.

Tivaivai making is on the decline on Rarotonga and at risk of disappearing. The knowledge of tivaivai is passed on through training workshops and small women's groups that engage in this art form. Like many art forms expertise in making tivaivai develops with time and practice. Without the participation of young women the skill of designing and cutting tivaivai may be lost as women are learning tivaivai making at an older age.

Workshops that target young women aged 16-18 years of age should be organised to encourage transmission of skills to a younger audience.

The Cook Islands Tivaivai Association should be re-established to implement this strategy and to unite the smaller fragmented groups under one umbrella. This co-ordinated approach can assist in preparing an inventory for tivaivai

practitioners in the Cook Islands and safeguarding measures to ensure tivaivai making is preserved.

Traditional hymns is transforming on Rarotonga. Similar to the tivaivai, young adults refrain from taking part in singing the traditional hymn. Many young men and women prefer choral singing to the traditional hymn others have difficulty in either accomplishing the right cords or maintaining the changing rhythm.

The traditional hymn is part of the Te Maeva Nui competition which is a great incentive for the younger generation to participate. The traditional hymns are incorporated into the services of the Cook Islands Christian Church and national events include a traditional hymn as a prelude to the opening prayer service. More efforts are required to maintain the interest of the younger generation in the singing of the Traditional hymns.

Pending issues

Elements of ICH are more intact in the remote islands of the northern islands of Pukapuka, Manihiki, Rakahanga and Penrhyn. Moving south bound to the islands of Mauke, Atiu, Mitiaro, Mangaia and Aitutaki changes are obvious. On the largest island of Rarotonga the risk of ICH in danger is at its greatest. This arrangement in ICH follows the levels of modernisation in the Cook Islands where Rarotonga is the centre of economic activity and tourism as well as the central location for Government.

The reluctance of the younger generation to engage in certain forms of ICH is a concern. Despite the efforts to provide opportunities to learn the various art forms, the younger generation are unwilling to participate. The reasons are varied from lack of interest and time to difficulty in executing the art form.

Thirdly, the fragmented groups partaking in intangible cultural heritage need to consolidate to form a unified body. This will assist inventory making and projects to safeguard ICH.

Q1. What kind of problems and difficulties were encountered during the safeguarding projects?

The exploitation of the intellectual property rights has compelled practitioners to withhold information relating to their particular field of ICH. Some have refrain from partaking in safeguarding projects others remain reserved on passing on their knowledge for fear of abuse. In the case of women producing tivaivai, patterns were lent to friends and relatives for personal use. These were sewn and sold for cash.

These difficulties present major challenges in the efforts to safeguard ICH. Practitioners become distrusting of fellow colleagues and refuse to share their expertise. It is crucial to gain their trust and provide assurance that the

Q2. What future plans are there for the safeguarding of ICH (programme information)?

International Society can contribute through providing technical assistance in inventory making as well as providing examples of successful projects that have been implemented in other communities.

ICHCAP would be most effective in designing a template for inventory making that could be applied across the region. The template should contain simple instructions to use and to manipulate data.

ICHCAP could coordinate cultural exchange programs where officials from different countries immerse into a diverse community to experience safeguarding programs at grassroots level.

ICHCAP should produce a documentary on different communities that have ICH at risk. This may create awareness at an international level and possibly funding assistance.

ICHCAP could encourage governments to be more vigilant in the safeguarding of ICH and urge them to make safeguarding ICH a priority in their development plans

ICHCAP can promote the ICH convention further and persuade all member states in the region to sign the convention.

Cook Islands would benefit immensely with an ICH inventory as the country currently lacks an inventory. Assistance in producing an inventory would be appreciated.

To ensure active involvement from the community a sustainable project designed, implemented and monitored by the community is required. Communities are naturally passionate regarding ICH and will engage in safeguarding ventures. Unfortunately many projects are one off and short term. A longer term phased strategy to safeguard ICH at the community level would be p

List of researcher

Name	Responsibility	Affiliation
Ms Ngatuaine Maui	Researcher	Director Ministry of Internal Affairs Social welfare Div.

Annex 1 | **Ministry of Culture Act**

Ministry of Culture Act 1990



ANALYSIS

Title

PART I

PRELIMINARY

1. Short Title
2. Interpretation

PART II

ESTABLISHMENT

3. Ministry of Cultural Development
4. Principal objectives and functions of the Ministry
5. Minister of Cultural Development
6. Advisory and Technical Committees
7. Delegation of powers by Minister
8. Secretary of Cultural Development
9. Duties of Secretary
10. Delegation of powers by the Secretary
11. Officers and employees of the Ministry
12. Officers to act under direction of Secretary

PART III

NATIONAL ARTS COUNCIL

13. National Arts Council
14. Terms of office of Chairman and Members
15. Extraordinary vacancies
16. Deputy Chairman of Council
17. Meetings of the Council
18. Ministry to assist the Council
19. Rules

PART IV

CULTURAL DEVELOPMENT FUND

20. Cultural Development Fund
21. Disbursement of funds
22. Money to be banked
23. Special funds
24. Trustees
25. Accounts
26. Audit and taxation

PART V

ADMINISTRATION

27. Funds of the Ministry
28. Annual Report
29. Regulations
30. Transitional
31. Savings
32. Repeals

1990, No. 7

An Act to establish the Ministry of Cultural Development

(30 November 1990)

BE IT ENACTED by the Parliament of the Cook Islands in Session assembled, and by the authority of the same, as follows:

PART I
PRELIMINARY

1. Short Title – This Act may be cited as the Ministry of Cultural Development Act 1990

2. Interpretation – In this Act, unless the context otherwise requires, -
“Chairman” means the Chairman of the National Arts Council;
“Deputy Chairman” means the Deputy Chairman of the National Arts Council;
“Financial year” has the meaning given to it in section 2 of the Ministry of Finance and Economic Management Act 1995-96;
“Kopapa Reo” has the meaning given to it in section of the Te Reo Maori Act 2003.

(1) In section 9, the expression “this Act” includes the Te Reo Maori Act 2003;

“Minister” means the Minister of Cultural Development;
“Ministry” means the Ministry of Cultural Development established by this Act;
“Secretary” means the Secretary of the Ministry
“The Council” means the National Arts Council established under this Act.
[Amended Act 2003/1]

PART II
ESTABLISHMENT

3. Ministry of Cultural Development -

(1) There shall be a Ministry of State to be known as the Ministry of Cultural Development which, under the control of the Minister, shall be charged with the objectives and functions set out in Section 4 and such other objectives and functions as may be lawfully conferred on the Ministry

(2) The Ministry shall comprise such divisions having such functions not inconsistent with this Act as may from time to time be prescribed by regulations.

4. Principal objectives and functions of the Ministry -

(1) The principal objectives of the Ministry shall be to –

(a) preserve, perpetuate and enhance the Cook Islands cultural heritage in order to uphold tradition and develop an appreciation for this important national resource;

(b) encourage the growth and expansion of productive economic, social and educational activities as may enhance cultural art forms;

(c) present where appropriate, the varied elements of ancient and contemporary Cook Islands art and cultural forms;

(d) to maintain the unique cultural national identity of the people of the Cook Islands.

(1A) In addition, the Ministry has the principal objectives specified in section 6(1) of the Te Reo Maori Act 2003.

(2) The principal functions of the Ministry shall be to –

- (a) encourage, promote, support and develop the standards in the arts;
- (b) encourage, promote, and develop the practice and appreciation of the Cook Islands Arts and Culture;
- (c) make accessible to every person in the Cook Islands as far as may be practicable, all forms of artistic activity;
- (d) carry out or oversee as appropriate all activities of the Library and Museum, Archives, Anthropological Services, National Arts Council, Constitution Celebrations, Audio-Visual Recording Unit and Tuanga Reo (as established by regulations made under this Act), and such other related responsibilities as may be added from time to time and be prescribed in any enactment;
- (e) carry out the Ministry's activities in co-operation with other relevant government departments and various national and international interest groups;
- (f) charge such fees as it thinks fit for admission to land or buildings vested in it or under its control, or in respect of any exhibition or performance arranged or undertaken by it;
- (g) collect, examine, disseminate, or publish any information relating to the arts or to any particular form of art;
- (h) advise the Minister on any matter relating to or affecting the objectives and functions of the Ministry;
- (i) with the written consent of the Minister establish trust accounts in such manner as may be recommended by the Council and approved by the Audit officer.

(2A) In addition, the Ministry has the principal function specified in section 6(2) of the Te Reo Maori Act 2003.

[Amended Act 2003/1]

5. Minister of Cultural Development – The Minister of Cultural Development shall be responsible for the policy of the Ministry and its control, and such other functions as may be conferred upon him by this or any other Act.

6. Advisory and Technical Committees –

(1) The Minister may from time to time with the concurrence of Cabinet appoint, discharge, alter, continue or reconstitute advisory or technical committees to advise the Minister and Cabinet on matters concerning the functions of the Ministry.

(2) A person may be appointed to be a member of a committee under this section, notwithstanding that he is not an officer or employee of the Ministry of the Council.

(3) Subject to any directions given by the Ministry or Cabinet, every such committee shall determine its own procedure.

(4) There shall be paid to the members of the any such committee (other than persons in the employ of the Government travelling allowances and expenses as may from time to time be fixed by the Queen's Representative by Order in Executive Council.

7. Delegation of powers by Minister –

(1) The Minister may from time to time, by writing under his hand, either generally or particularly, delegate to the Secretary all or any of the powers which are conferred on him as minister of Cultural Development by this Act or any other enactment, but not including the power to delegate under this section or the power to consent to a delegation under section 10 of this Act.

(2) Subject to any general or special direction given or conditions attached by the Minister, the Secretary may exercise any powers delegated to him under this section in the same manner and by this section and not by delegation.

(3)

Where the Secretary purports to act pursuant to any delegation under this section, he shall be presumed to be acting in accordance with the terms of the delegation in the absence of proof to the contrary.

(4) Every such delegation shall be revocable at will, and no such delegation shall prevent the exercise of any power by the Minister.

(5) Unless and until any such delegation is revoked, it shall continue in force according to its tenor. In the event of the Minister by whom any such delegation has been made ceasing to hold office, it shall continue to have effect as if made by the person for the time being holding office as Minister and, in the event of the Secretary to whom any such delegation has been made ceasing to hold office, it shall continue to have effect as if made to the person for the time being holding office as Secretary or, if there is no Secretary in office or if the Secretary is absent from duty, to the person for the time being directed to act in the place of the Secretary.

8. Secretary of Cultural Development – There shall from time to time be appointed under the Public Service Act 1995-96 a Secretary of Cultural Development who shall be the administrative head of the Ministry.

[Amended Act 2003/1]

9. Duties of Secretary – The principal duties of the Secretary shall be –
- (a) to exercise those powers vested in him by this Act and any regulations made under it, and those powers delegated to him by the Minister;
 - (b) to ensure that the functions of the Ministry, as set out in Section 4, are effectively carried out;
 - (c) to administer the provision of this Act and any regulations made under it; to issue such instructions to officers, and employees of the Ministry as may be required to give full effect to this Act and any regulations made under it; to plan for cultural development in the Cook Islands for such period and in such detail as the Minister may from time to time require; to regularly advise the Minister on cultural development requirements in the Cook Islands;
 - (d) to implement policies referred to him by the Minister.

10. Delegation of powers by the Secretary –

(1) The Secretary may from time to time, by writing under his hand either generally or particularly, delegate to such officer or officers, employee or employees of the Ministry as he thinks fit all or any of the powers exercisable by him under any enactment, but not including this present power of delegation;

Provided that the Secretary shall not delegate any power delegated to him by the Minister without the written consent of the Minister, or any power delegated to him under the Public Service Act 1995-96 without the written consent of the Public Service Commissioner.

(2) Every person purporting to act pursuant to any delegation under this section shall be presumed to be acting in accordance with the terms of the delegation in the absence of proof to the contrary.

(3) Any delegation under this section may be made to a specified officer or employee or to officers or employees of the specified class, or may be made to the holder or holders for the time being of a specified office or class of officers.

(4) Every delegation under this section shall be revocable at will, and no such delegation shall prevent the exercise of any power by the Secretary.

(5) Any such delegation shall, until revoked, continue in force according to its tenor, notwithstanding the fact that the Secretary by whom it was made may have ceased to hold office, and shall continue to have effect as if made by the successor in office of that Secretary.

(6) Subject to any general or special directions given or conditions attached by the Secretary, the officer or employee to whom any powers in the same manner and with the same effect as if they had been conferred on him directly by this section and not by delegation.

[Amended Act 2003/1]

11. Officers and employees of the Ministry – There shall from time to time be appointed under the Public Service Act 1995-96 such other officers and employees of the Ministry as may be necessary.

[Amended Act 2003/1]

12. Officers to act under direction of Secretary – All officers and employees of the Ministry shall act under the direction of the Secretary in the exercise and performance of the powers, duties, and functions conferred or imposed on them by any enactment the administration of which the Ministry or the Secretary is charged by this Act or any other enactment.

PART III **NATIONAL ARTS COUNCIL**

13. National Arts Council –

(1) There is hereby established a Council, to be called the National Arts Council, which shall be responsible to the Ministry of Cultural Development in an advisory capacity on matters relating to cultural development in the Cook Islands and in particular matters of the kind referred to in Section 4 of this Act.

(2) The Council shall consist of –

(a) three persons who shall be appointed by the minister one of whom shall be

(b) appointed by the minister as chairman.

one person who shall be appointed by the Minister taking into account the recommendations of the House of Ariki;

(c) one person who shall be appointed by the Minister from non-Government organisations such as Library and Museum Society;

(d) one person being an officer responsible for cultural development of the Department of Education who is for the time being approved for that purpose by the Minister of Education;

(e) one person who shall be appointed by the Minister taking into account the

(f) recommendation of the Koutu Nui.

[Amended Act 1994/6]

14. Terms of office of Chairman and members –

(1) Except as otherwise provided by this Act, the Chairman and all other appointed members shall hold office for a term of 2 years from the dates of their respective appointments but may from time to time be re-appointed.

(2) The Chairman and other appointed members, unless they sooner vacate their offices under Section 25 of this Act, shall continue in office until their respective successors come into force.

15. Extraordinary vacancies –

- (1) The Chairman or any appointed member may at any time resign his office by giving written notice to that effect to the Minister.
- (2) The Chairman or any appointed member may at any time be removed from office by the Minister for disability, bankruptcy, neglect of duty, or misconduct, proved to the satisfaction of the Minister.
- (3) The Chairman or any appointed member shall be deemed to have vacated his office if he is absent from 3 consecutive meetings of the council without leave.
- (4) If the Chairman or any appointed member dies or resigns, or is removed from office, or is deemed to have vacated his office, the vacancy thereby occurring shall be deemed to be an extraordinary vacancy.
- (5) Every extraordinary vacancy shall be filled by an appointment made in the same manner as that of the person whose office has become vacant.
- (6) Every person who is appointed to fill an extraordinary vacancy shall be appointed for the remainder of the term of which his predecessor was appointed.

16. Deputy Chairman of Council –

- (1) At the first meeting of the Council after the coming into force of this Act and thereafter at the first meeting of the Council held after the 1st day of April in each year and also at the first meeting of the Council held after the occurrence of a vacancy in the office of the Deputy Chairman, the Council shall elect one of its members to be the Deputy Chairman. Any person so elected shall hold office while he continues to be a member of the Council until the appointment of his successor in accordance with this section and may be reappointed.
- (2) Except as otherwise provided in this Act the Deputy Chairman shall perform all the duties and may exercise all the powers of the Chairman during the absence or incapacity of the Chairman or while there is a vacancy in the office of the Chairman.
- (3) No Act done by the Deputy Chairman while he is acting as Chairman shall in any proceedings be questioned on the grounds that the occasion of this so acting had not arisen or had ceased.

17. Meetings of the Council –

- (1) The Council shall meet at least 4 times in each year.
- (2) The first meeting of the Council after the commencement of this Act shall be held at a time and place to be determined by the Minister.
- (3) Subsequent meetings shall be held at such times and places as the Council determines.
- (4) The Chairman may at any time call a special meeting of the Council, and in any event shall call a special meeting of the Council whenever requested in writing by any 2 members to do so.

(5) The Chairman shall cause not less than 7 clear days' notice of every special meeting and of the business to be transacted at that meeting and of the business to be transacted at that meeting to be given to each member of the Council who is for the time being in the Cook Islands. No business shall be transacted at the meeting unless it has been specified in the notice.

(6) At any meeting of the Council, 3 members shall be a quorum.

(7) The Chairman shall preside at every meeting of the Council at which he is present.

(8) Where the Chairman is absent from a meeting of the Council –

(a) the Deputy Chairman shall preside if he is present; or

(b) If the Deputy Chairman is absent, the members present shall appoint one of their member to preside.

(9) Every question before the Council shall be decided by a majority of the votes cast by the members present at the meeting.

(10) At any meeting of the Council, the Chairman or other person presiding shall have a deliberative vote, and in the case of an equality of votes he shall also have a Casting vote.

(11)

Notwithstanding subsection (9) of this section, a resolution signed or assented to by letter or telegram by all of the members of the Council who are for the time being present in the members of the Council who are for the time being present in the Cook Islands shall have the same effect as a resolution duly passed at a meeting of the Council.

(12)

Subject to the other provisions of this Act and to any regulations made thereunder, the Council may regulate its own procedure in such manner as it thinks fit.

18. Ministry to assist Council – (1) The Minister shall assist the Council or any committee thereof by the provision of such secretarial and other services of an administrative nature as the Secretary may deem appropriate.

19. Rules –

(1) The Ministry may from time to time, by resolution, make rules not inconsistent with this Act for all or any of the following purposes –

(a) regulating the proceedings, including the conduct of meetings, of Council and its committees;

(b) providing for such other matters as may be necessary or expedient for assisting the carrying out of the functions of the Ministry.

(2) Notice of every resolution to be submitted to any meeting for the making, amendment, or revocation of any rules shall be given, not less than 14 clear days before the day fixed for the meeting, to every member of the Council who is for the time being in the Cook Islands.

PART IV

CULTURAL DEVELOPMENT FUND

20. Cultural Development Fund – The Cultural Development Fund shall consist of the following money –

all money paid to the Ministry under Section 12 of the Entertainment Tax Act 1975;

all money lawfully contributed or donated to the Ministry or otherwise lawfully payable to the Ministry;

all money received by the Ministry by way of fees, rent or otherwise in respect of any real or personal property owned or controlled by the Ministry or in respect of the exercise of any of the functions or powers of the Ministry;

(c) all accumulations of money belonging to the Cultural Development fund.

21. Disbursement of funds –

(1) The funds referred to in Section 20 shall be disbursed by the Ministry for the following purposes –

(a) grants, on such conditions as it thinks fit, to any persons to assist them to undertake studies, assignments, or commissions, or to make investigations, or to gain further experience, in respect of matters recommended by the Council whether within or beyond the Cook Islands;

grants or pay subsidies, or such conditions as it thinks fit, to Island Councils, Village Communities, and to organisations engaged in the execution, creation, publication, or presentation of any of the arts or in the preservation and display of articles and things relating to the arts, on the recommendation of the Council;

awards to persons for outstanding accomplishment in the arts, whether within or beyond the Cook Islands; commissioning the creation or execution of any artistic works, whether within or beyond the Cook Islands; to acquire or accept, by purchase, exchange, gift, or bailment, or by any other means, either permanently or temporarily, any artistic work and, if so desired, deliver it for safe custody and control to any local authority museum, art gallery, library, association, society, or

body, on such conditions as the Ministry thinks fit. To arrange for or undertake any artistic exhibition or performance, whether within or beyond the Cook Islands.

22. Money to be banked – All money forming part of the funds of the Cultural Development

Fund shall as soon as practicable after it is received, be paid into the Cook Islands Government Account.

23. Special Funds – Where any funds are donated granted or otherwise provided to or for

the purposes of the Ministry for any special or particular purpose, such money may, with the approval of the Financial Secretary, and subject to such conditions as the Financial Secretary may impose, be kept in a separate imprest or other account within the Cook Island Government Account, to be used only for the special purposes or purposes for which it was donated or granted.

24. Trustees –

(1) The Minister shall in writing appoint not more than 3 trustees for such term or terms as the Minister thinks fit, for the purposes set out in subsection (2).

(2) The trustees shall be responsible for the administration of the Cultural Development Fund, and for any trust account established pursuant to section 4(2)(i), in accordance with the objectives and functions of the Ministry. Notwithstanding any other provision in this Act, the Secretary of Cultural

(3)

Development may with the approval of the Financial Secretary, open and operate one bank account at such a bank, and subject to such terms and conditions as the Financial Secretary may approve. Any bank account so opened and operated shall be subject to audit in the same manner as the Cook Islands Government Account.

25. Accounts –

(1) The Ministry shall keep full and correct accounts of all money received and expended by it.

(2) The Ministry shall, as soon as possible after the end of every financial year, cause its accounts for that financial year to be balanced and cause to be prepared a statement of the assets and liabilities of the Ministry as at the end of that financial year, together with an account of income and expenditure showing the financial transactions of the Ministry that financial year.

26. Audit and taxation –

(1) The accounts of the Ministry and any special funds held pursuant to section 23, shall be subject to audit by the auditors appointed by or pursuant to Article 71 of the Constitution.

(2) The Cultural Development Fund shall be exempt from income tax.

[Part IV repealed and replaced by Act 1993-94/16]

PART V

ADMINISTRATION

27. Funds of the Ministry - There shall be paid out of the moneys from time to time appropriated by Parliament such moneys as are required by the Ministry to give effect to the provisions of this Act.

28. Annual Report –

(1) The Secretary shall as soon as practicable after the end of each financial year furnish to the Minister a report on the finances and operations of the Ministry and the work of Kopapa Reo for that year.

(2) A copy of the report shall be laid before Parliament within 14 days after it has been furnished to the Minister if Parliament is then in session, and, if not, shall be laid before Parliament within 14 days after the commencement of the next ensuing session.

[Amended Act 2003/1]

29. Regulations –

(1) The Queen's Representative may from time to time, by Order in Executive Council, make all such regulations as may be necessary or expedient for the purpose such regulations as may be necessary or expedient for the purpose of giving full effect to the provisions of this Act and for the due administration thereof.

(2) All regulations made under this section shall be laid before Parliament within 14 day after the date of the making thereof if Parliament is then in session, and, if Parliament is not then in session, shall be laid before Parliament within 14 days after the commencement of the next ensuing session.

30. Transitional –

(1) In this section, “the former Ministry” means the National Arts Council established by the National Arts Council Act 1981-82.

(2) Upon the date of coming into force if this Act, -

all assets and liabilities of the former Ministry shall be transferred to and vest in the Crown without further assurance than this section and the Secretary shall have all powers necessary to take possession of, recover and deal with such assets and discharged such liabilities;

Every agreement, whether in writing or not and every deed, bond or other instrument to which the former Ministry was a party or which affected the former Ministry and whether or not of such a nature that the rights, liabilities and obligations thereunder could be assigned, shall have effect as if the Crown were a party thereto or affected thereby instead of the former Ministry, as if or every reference (however worded and whether express or implied) therein to the former Ministry, there were substituted in respect of anything to be done on or after such date of coming into force a reference to the Crown.

31.

Savings – Notwithstanding the repeal of the National Arts Council Act 1981-82, any document or declaration made or anything whatsoever done pursuant to that Act shall, so far as it is subsisting or in force at the date of commencement of this Act shall be deemed to have been made under this Act.

32. Repeals – The National Arts Council Act 1981-82 is hereby repealed.

Title

- 1 Short title and commencement
- 2 Interpretation
- 3 Act binds Crown

Maori as an official language

- 4 Maori to be an official language
- 5 Effect of declaration
- 6 Additional objectives and functions of the Ministry of Cultural Development

Te Kopapa Reo Maori

- 7 Establishment and membership of Te Kopapa Reo Maori
- 8 Functions of Kopapa Reo
- 9 Kopapa Reo to report annually to Secretary
- 10 Further provisions relating to Kopapa Reo

Certificates of Competency

- 11 Kopapa Reo to grant certificates of competency
- 12 Qualifications for certificates of competency
- 13 Kopapa Reo to delegate power to grant certificates of competency
- 14 Complaints against holders of certificates of competency

Miscellaneous

- 15 Kopapa Reo to have regard to Government policy
- 16 Responsibilities of other persons unaffected
- 17 Money to be appropriated by Parliament for the purposes of this Act
- 18 Protection of the members of Kopapa Reo
- 19 Offence
- 20 Orders in Executive Council for Schedule 1 purposes
- 21 Regulations
- 22 Consequential amendments to Ministry of Cultural Development Act 1990
Schedules

An Act –

- (a) To declare Maori an official language of the Cook Islands; and
- (b) To establish Te Kopapa Reo Maori and define its functions and powers; and
- (c) To give the Ministry of Cultural Development additional objectives and functions.

(9 April 2003)

BE IT ENACTED by the Parliament of the Cook Islands in Session assembled, and by the authority of the same as follows:

1. Short title and commencement –

- (1) This Act may be cited as the Te Reo Maori Act 2003.
- (2) This Act comes into force on 1 July 2003, unless it is earlier brought into force on a date appointed by the Queen’s Representative by Order in Executive Council

2. Interpretation – In this Act, unless the context otherwise requires, -

“Applicant” means a person who applies for a certificate of competency,

“Certificate of competency” means a certificate of competency issued under this Act;

“Communication”, in relation to Maori, means –

- (a) The oral form of Maori;
- (b) The written form of Maori;

“Financial year” has the meaning given to it in section 2 of the Ministry of Finance and Economic Management Act 1995-96;

“Kopapa Reo” means Te Kopapa Reo Maori (the Maori Language Commission) established by **section 7**; “Maori” –

- (a) Means the Maori language (including its various dialects) as spoken or written in any island of the Cook Islands; and
- (b) Is deemed to include Pukapukan as spoken or written in Pukapuka; and
- (c) Includes Maori that conforms to the national standard for Maori approved by Kopapa Reo;

“Minister” means the Minister of Cultural Development;

“Ministry” means the Ministry of Cultural Development established by the Ministry of Cultural Development Act 1990;

“Secretary” means the Secretary of the Ministry;

3. Act binds Crown - This Act binds the Crown

Maori as an official language

4. Maori to be an official language - Maori is an official language of the Cook Islands.

5. Effect of declaration - Nothing in section 4 –

- (a) Affects the status of English as an official language of the Cook Islands; or
- (b) Affects any right that any person has, otherwise than by virtue of that section to receive or impart any communication in Maori; or
- (c) Affects the right of any linguistic or dialectal community in the Cook Islands to use the language or dialect of that community.

6. Additional objectives and functions of Ministry of Cultural Development –

(1) The Ministry has the following principal objectives:

- (a) To give effect to the declaration that Maori is an official language of the Cook Islands;
- (b) To bring about a status for Maori that is equal to English in the Cook Islands;

(2) The Ministry has a principal function of assisting Kopapa Reo to carry out its functions and duties under this Act (including providing secretarial and administrative services to Kopapa Reo)

7. Establishment and membership of Te Kopapa Reo Maori –

(1) This subsection establishes a commission to be called Te Kopapa Reo Maori (the Maori Language Commission)

(2) Kopapa Reo comprises the following members appointed by the Minister:

- (a) The person for the time being holding the position of Secretary of the Ministry of Cultural Development or another position within that Ministry nominated by the Secretary;
- (b) The person for the time being holding the position of Secretary Education or another position within the Ministry of Education nominated by the Secretary of Education;
- (c) One person recommended by the House of Arikis;
- (d) One person who the Minister considers to be competent to represent the interests of women; and
- (e) One person who the Minister considers to be competent to represent the interests of youth.

(3) Kopapa Reo is not regarded as an advisory or technical committee for the purposes of the Ministry of Cultural Development Act 1990

8. Functions of Kopapa Reo - Kopapa Reo has the following functions:

- (a) To create, and update as necessary, a national standard for Maori on matters such as phonetics, grammar, vocabulary (including coining new words if necessary), orthography, and the alphabet;
- (b) To publish a notice in the *Cook Islands Gazette* and any other media considered appropriate when Kopapa Reo formally approves the standard or an update to the standard (such notice setting out where copies of the standard or update can be purchased);
- (c) To act as the national authority on the standard;
- (d) Subject to **section 13**, to grant certificates of competency and perform the functions conferred by this Act relating to such certificates;
- (e) To advise the Ministry on what Kopapa Reo considers the most effective ways to give effect to the principal objectives and principal function of the Ministry specified in **section 6**;
- (f) To consider, and report to the Secretary on, any matter relating to Maori that-
- (i) The Secretary may from time to time refer to Kopapa Reo for its advice; or
- (ii) Kopapa Reo considers necessary or desirable
- (g) To perform any other functions conferred on Kopapa Reo by regulations made under this Act.

9. Kopapa Reo to report annually to Secretary - Kopapa Reo must, within one month of the end of each financial year, make a written report to the Secretary on its work during the financial year.

10. Further provisions relating to Kopapa Reo - The provisions in Schedule 1 apply to Kopapa Reo and its affairs

Certificates of competency

11. Kopapa Reo to grant certificates of competency -
- (1) Kopapa Reo may grant certificates of competency for the following:
- (a) Competency in Maori or any dialect or branch of it;
 - (b) A specific competency (for example, interpretation or translation) in relation to Maori or any dialect or branch of it.
- (2) On the payment of prescribed fees (if any), a certificate of competency must be granted to any applicant who satisfies Kopapa Reo that he or she is qualified to be the holder of such a certificate.
12. Qualifications for certificates of competency - For the purpose of determining whether or not an applicant is qualified to be the holder of a certificate of competency, Kopapa Reo must prepare, and publish in such a manner as it thinks fit, standards and other criteria by which the relevant competency will be assessed.
13. Kopapa Reo to delegate power to grant certificates of competency -
- (1) Notwithstanding section 11, but subject to any regulations made under section 21 (1)(c), Kopapa Reo may from time to time delegate any person the power to assess applicants and to grant certificates of competency.
- (2) Subject to any directions given by Kopapa Reo, a person to whom Kopapa Reo delegates any power under this section may exercise that power in the same manner and with the same effect as if that power had been conferred directly by this Act and not by delegation.
- (3) Kopapa Reo may not delegate a power under this section except –
- (a) By unanimous resolution of its members; and
 - (b) In accordance with regulations (if any) made under this Act.
- (4) A delegation made under this section –
- (a) May be revoked by Kopapa Reo at any time (without requiring unanimous resolution of its members); and
 - (b) Does not prevent Kopapa Reo exercising the power delegated.
- (5) Subject to the foregoing provisions of this section, Kopapa Reo must –
- (a) As soon as Kopapa Reo finds a suitable person, delegate the power referred to in subsection (1) to that person; and
 - (b) As far as practicable, ensure that at any given time there is at least 1 person whom that power is delegated.

14 Complaints against holders of certificates of competency -

- (1) Any person may lodge with Kopapa Reo a complaint against the holder of any certificate of competency on the ground that the holder has exhibited such incompetence as to call into question the holder's qualification to hold that certificate.
- (2) Except where Kopapa Reo is satisfied that the complaint is frivolous or vexatious, Kopapa Reo must give or send a copy of the complaint to the person to whom it relates, and must give that person a reasonable opportunity to appear before Kopapa Reo, or (at that person's option) to make written submissions to Kopapa Reo, in answer to the complaint.
- (3) If, after investigating any complaint under subsection (1), Kopapa Reo is satisfied that the person to whom the complaint relates is not qualified to hold the certificate of competency, it may –
 - (a) Cancel the certificate of competency; or
 - (b) Suspend the certificate of competency until such time as Kopapa Reo is satisfied that the person is qualified to hold the certificate.
- (4) Kopapa Reo must, as soon as practicable after deciding to take any action under subsection (3), give to the person concerned notice in writing of its decision and of the reason for it.
- (5) Where Kopapa Reo decides to cancel, suspend, or endorse a certificate, it must, in the notice given under subsection (4), require the holder to surrender the certificated to Kopapa Reo for appropriate administrative action.

Miscellaneous

15. Kopapa Reo to have regard to Government policy -

- (1) In the performance of its functions under this Act, Kopapa Reo must have regard to the general policy of the Government in relation to Maori, as that policy is communicated to the Secretary from time to time by the Minister by notice in writing.
- (2) As soon as practicable after receiving a notice under subsection (1), the Secretary must –
 - (a) Forward a copy of it to Kopapa Reo; and
 - (b) Publish a copy of it in the *Cook Islands Gazette*.

16. Responsibilities of other persons unaffected - Nothing in any of the foregoing provisions of this Act affects any responsibility that any Minister of

the Crown or any other person had immediately before the passing of this Act for any matter relating to Maori.

17. Money to be appropriated by Parliament for purposes of this Act - All remuneration, allowances, expenses, and other expenditure payable or incurred under or in the administration of this Act are payable out of money to be appropriated by Parliament for the purpose.

18. Protection of members of Kopapa Reo -

- (1) No member of Kopapa Reo is personally liable for any act done or omitted by the member in good faith in the course of the operations of Kopapa Reo.
- (2) Any liability that would but for this section lie against a member of Kopapa Reo lies against the Crown.

19. Offence - Every person who commits an offence and is liable on conviction to a fine not exceeding \$500 who, being required under **section 14(5)** to surrender to Kopapa Reo any certificate, fails without reasonable excuse to do so.

20. Orders in the Executive Council for Schedule 1 purposes - The Queen's Representative may from time to time make an Order in Executive Council for the purposes of clause 4(2) or 6 of Schedule 1.

21. Regulations -

- (1) The Queen's Representative from time to time, by Order in Executive Council, make regulations for all or any of the following purposes:
 - (a) Prescribing fees in respect of –
 - i. The conducting of examinations for certificates of competency; and
 - ii. Applications for, and the issuing of, certificates of competency; and
 - iii. Any other service provided by Kopapa Reo in respect of applications for certificates of competency
 - (b) Prescribing the procedures to be followed in respect of applications for certificates of competency;
 - (c) Restricting or otherwise regulating Kopapa Reo's power to make a delegation under section 13;
 - (d) Providing for such other matters as are contemplated by or necessary for giving full effect to this Act and for its due administration.
- (2) No regulation may be made under subsection (1)(a) or (b) except on the advice of the Minister tendered on the recommendation of Kopapa Reo.

22. Consequential amendments to Ministry of Cultural Development Act 1990 –
The Ministry of Cultural Development Act 1990 is consequently amended in the manner indicated in Schedule 2.

This Act is administered by the Ministry of Cultural Development

SCHEDULE 1

Section 10

PROVISIONS APPLYING TO KOPAPA REO AND ITS AFFAIRS

1. Term of office of members

- (1) Every member of Kopapa Reo must be appointed for a term not exceeding 3 years, but may from time to time be reappointed.
- (2) A member may resign at any time by notice in writing addressed to the Minister.
- (3) The following are deemed to have vacated office as a member:
 - (a) A member who is absent from 3 consecutive meetings of Kopapa Reo without its leave;
 - (b) A member appointed under section 7 (2)(a) or (b) by virtue of holding a position, who, for any reason, ceases to hold the position.
- (4) The Minister may at any time remove any member from office for inability to perform the functions of the office, bankruptcy, neglect of duty, or misconduct, notwithstanding the expiry of the term for which the member was appointed.
- (5) Every member, unless the member dies, or resigns, vacates, or is removed from office, continues to hold office until the member's successor comes into office notwithstanding the expiry of the term for which the member was appointed.
- (6) The functions and powers of Kopapa Reo are not affected by any vacancy in its membership.

2. Chairman and Deputy Chairman

- (1) The Minister must from time to time appoint 1 member of Kopapa Reo its Chairman.
- (2) At its first meeting in each year, Kopapa Reo must elect another of its members to be its Deputy Chairman.
- (3) A member who holds office of Chairman or Deputy Chairman continues in office until his or her successor is appointed or elected under subclause (1) or (2) of this clause, and is eligible for reappointment or reelection.

- (4) A member who holds office of Chairman may at any time –
 - (a) Be removed from the office of Chairman by the Minister; or
 - (b) Resign his or her office giving a notice to that effect to the Minister.

- (5) A member who holds office of Deputy Chairman may at any time –
 - (a) Be removed from the office of Chairman by the Minister; or
 - (b) Resign his or her office giving a notice to that effect to the Minister.

- (6) If a person who holds office of Chairman ceases to be a member of Kopapa Reo, the Minister must appoint 1 member to fill that vacancy in the office of Chairman as soon as reasonably practicable.

- (7) If a person who holds office of Deputy Chairman ceases to be a member of Kopapa Reo, the Minister must appoint 1 member to fill that vacancy in the office of Deputy Chairman as soon as reasonably practicable.

3. Deputy Chairman may act for Chairman

- (1) The Deputy Chairman of Kopapa Reo has and may exercise or perform all the functions, duties, and powers of the Chairman of Kopapa Reo if –
 - (a) The Chairman is at any time incapable of acting as Chairman because of illness, absence, or any other reason; or
 - (b) There is a vacancy in the office of Chairman.
- (2) The Deputy Chairman must, while acting for the Chairman, be regarded as the Chairman.
- (3) No act done by the Deputy Chairman while acting for the Chairman and no act done by Kopapa Reo while the Deputy Chairman is acting for the Chairman, may in any proceedings be questioned on the ground that the occasion entitling the Deputy Chairman to act had not arisen or had ceased.

4. Meetings of Kopapa Reo

- (1) Subject to clause 3 and the succeeding provisions of this clause, the Chairman must –
 - (a) Convene such meetings of Kopapa Reo as the Chairman thinks necessary for the efficient performance of the functions of Kopapa Reo; and
 - (b) Appoint the time and place at which the meetings are to be held; and
 - (c) Preside at all meetings of Kopapa Reo.
- (2) The Chairman must convene meetings of such frequency as determined from time to time by the Queen's Representative by Order in Executive Council, or, in the absence of such an order, at the frequency of at least 1 meeting in each month.
- (3) Any 2 members may at any time call a special meeting of Kopapa Reo by giving each member for the time being in the Cook Islands a written notice stating –
 - (a) The time and place of the meeting; and
 - (b) The business to be transacted at it.
- (4) The members must be given –

- (a) At least 7 days' notice of the special meeting; or
 - (b) If they are satisfied that the business to be transacted is urgent, any shorter period of notice to which all members entitled to be notified agree.
- (5) No business other than that specified in a notice of special meeting may be transacted at a special meeting.
- (6) At any meeting of Kopapa Reo, the quorum necessary for the transaction of business is 3 members.
- (7) All questions arising at any meeting of Kopapa Reo must be decided by a majority of votes of the members present and voting.
- (8) The presiding member has a deliberative vote and, in the event of an equality of votes, also has a casting vote.
- (9) The members present must appoint 1 of their number ("the appointee") to preside at a meeting if –
- (a) The Chairman and Deputy Chairman are not present; or
 - (b) There is no Chairman and no Deputy Chairman.
- (10) The appointee must, while presiding at the meeting, be regarded as the Chairman.
- (11) No act done by the appointee while presiding at the meeting and no act done by Kopapa Reo while the appointee is so presiding may in any proceedings be questioned on the ground that the occasion requiring the appointment to be made had not arisen or had ceased.
- (12) Kopapa Reo may meet in private or in public, as it from time to time decides.
- (13) Kopapa Reo must cause such notice as it thinks fit to be given of public meeting of Kopapa Reo to persons likely to be interested in the subject-matter of the meeting.

5. Assent to resolution without a meeting

- (1) A resolution in writing signed, or assented to by letter, telegram, cable, telex, or email, by every member of Kopapa Reo is as valid and effectual as if it had been passed at a meeting of Kopapa Reo duly called and constituted.
- (2) Subclause (1) of this clause does not apply unless the Chairman has endorsed the resolution to the effect that the signature or assent of members is being obtained in that way due to exception circumstances that, in the Chairman's opinion, require urgent action.

6. Remuneration, allowances, and expenses of members of Kopapa Reo

- (1) Members of Kopapa Reo must be paid such remuneration, allowances, and expenses as determined from time to time by the Queen's Representative by Order in Executive Council.
- (2) The determination –
 - (a) May be made either generally or in respect of any particular member of members of Kopapa Reo;
 - (b) Takes effect on such date (whether the date of the determination or any earlier or later date) as may be specified in the Order in Executive Council

SCHEDULE 2

Section 22

CONSEQUENTIAL AMENDMENTS TO MINISTRY OF CULTURAL DEVELOPMENT ACT 1990

Section 2

By inserting, in the appropriate alphabetical order, the following definitions:

“Financial year” has the meaning given to it in section 2 of the Te Reo Maori Act 2003

“Kopapa Reo” has the meaning given to it in section 2 of the Te Reo Maori Act 2003

By adding the following subsection (2) In section 9, the expression “this Act” include the Te Reo Maori Act 2003”

Section 4

By inserting, after subsection (1), the following subsection:

“(1A) In addition, the Ministry has the principal objectives specified in section 6(1) of the Te Reo Maori Act 2003”

By inserting, after the words “shall be” in subsection (2), the word “to”.

By inserting, after the expression “Audio-Visual Recording Unit” in paragraph (d) of Subsection (2), the expression “and Tuanga Reo (as established by regulations made under this Act),”.

By inserting, after subsection (2), the following subsection:(2A) In addition, the Ministry has the principal function specified in section 6(2) of the Te Reo Maori Act 2003.”

Section 28

By inserting in subsection (1), after the words “the Ministry”, the words “and the work of Kopapa Reo”.

Sections 8, 10(1), and 11

By omitting the expression “Public Service Act 1975”, and substituting the expression “Public Service Act 1995-96”.

Annex 2 | *Report on National
Workshop*
28-30 June 2010

REPORT

Introduction

The meeting commenced with a traditional Karakia performed by the staff of the Ministry of Cultural Development, signifying the importance of the occasion as well as the presence of dignitaries from government, from overseas and from within the land.

The Prime Minister, Hon. Jim Marurai made a welcome speech on behalf of government as well as giving a brief outline on the support they give towards the work of the Ministry in enhancing the culture and tradition in the Cook Islands.

He was followed by an Opening Speech by the Director of UNESCO Apia Office emphasizing the need and urgency of safeguarding ICH in this most culturally diverse region and expressing UNESCO's strong commitment to working together with the Pacific Member States in their efforts in this field. He said that by educating our people today, the chances of them understanding each other will take place otherwise it will all be lost. He said that culture is alive and living in the Pacific today and is our identity as people and will define our future generation.

He also said that we are the custodians of our environment and we are to look after the environment for the sake of our children. It is our duty to live ethically to give our future generation a chance to grow up, enjoy it and be part of a living testimony of who we are and our culture must not be exploited. He went on to say that by promoting culture and development in tourism has brought economic returns as it has become a pillar of development in the promotion of that industry. He ended his speech by cautioning all those present that what is required now is putting the legal foundation of ownership on our Intangible Cultural Heritage in order to safeguard it for the future generation.

Hon Sir Geoffrey Henry, KBE, (former Prime Minister and first Minister of Culture in 1990) was given the honour of being the keynote speaker for this Workshop. He gave a very informative and detailed rendition of how culture was on the verge of being lost after the infiltration of the Missionaries into the Cook Islands, along with the colonial era that transpired after that period. The dominance of foreign language and the introduction of new cultures almost wiped out the intangible cultural heritage of the Cook Islands. Fortunately, however, with the introduction of self-government in 1965, it

stopped this cultural erosion. The power of self determination was huge in the Cook Islands people and this helped with their recovery.

This new administration gave the people of these islands the chance to rule their own affairs and gave the new government of Sir Albert Henry (the first Premier of the Cook Islands) the opportunity to revive the cultural heritage of these islands. This was the rebirth that the Cook Islands needed to safeguard its intangible cultural heritage and brought to life in the dance, music, language and traditional legacies that were partially alive. He then emphasized the importance of holding this Workshop as it would give the Cook Islands people an opportunity to evaluate and safeguard their identity as people of these islands.

In his parting comments, Sir Geoffrey quoted: *“Nature is not a harbour but a voyage. Culture is a voyage into Eternity. We have to determine the direction that it takes. The challenge is for us to take the Voyage and Plan where it takes us.”*

Overview of UNESCO's work in the Pacific

After the meeting resumed, Dr Pongi, gave an overview of the work of UNESCO in relation to ICH. He said that about 6% of a country's GDP comes from culture, however, it is roped into tourism; it is huge especially in developed countries. He said that we have to make our culture relevant to us and differentiate only to ourselves. Culture evolves in such a way that it is relevant for future generations to uphold and appreciate. He said that UNESCO supports the Pacific Festival of Arts and that everything that we do contributes towards the Pacific Plan.

He spoke about the 3 pillars – economic pillar, social pillar and environment pillar. Culture is the source of diversity and it also contributes towards development. It is recognized globally and this Workshop will look at how UNESCO can help to recognize towards a creative industry. It must look at how each sector can contribute and safeguard our culture otherwise it will be marginalized by the developing world. How to create jobs and have an economic value; e.g. In Vanuatu, a piece of land was changed from an empty piece of land to one of the best cultural sites in the world – it is recognized and protected – recognized as a tourist contribution not a cultural contribution.

We must safeguard it first and then economic contribution next. We have to promote it at the national and at the regional level so it can be recognized as a pillar of development. We have to involve everyone – our leaders, our communities – we are the custodians. How do we strategize and include it in our development, and he ended by saying that we all have a part to play.

Operational Directives

The first afternoon of the Workshop was given to Akatsuki Takahashi, Programme Specialist for Culture, UNESCO Apia Office who explained the different Conventions that led to the ratification of the 2003 Intangible Cultural Heritage by the different countries around the globe:

UNESCO Mission:

- o Education – enables people to make own decisions for themselves without fear of exploitation or take advantage of;
- o Culture- people appreciate who they are and respect themselves as well as those around them and beyond. Also respect that we are different yet we are one;
- o Sciences – appreciate who we are and the environment we live in and the need to ensure sustainability of our environment for future generation;
- o Communication – ensure everyone is allowed to express their own feelings and beliefs (freedom of expression and have access to quality information (Communication) She also explained the meaning of ICH to the participants as countries became aware of the importance of their environment, their interaction with nature, their history which provided them a sense of identity as to who they are and their continuity.

National Presentations:

The second day of the Workshop started off with representatives from the Ministry of Education speaking on the revitalisation and growth of the Maori language in schools and in various sectors of the communities. They asked for the government to reinstate and reinforce the Language Commission as well as be leaders in parliamentary debates to be conducted in Maori. They felt that as a way forward for safeguarding and growth of the Maori language was for partnerships across the government Ministries and policies and guidelines to be set in place.

This was followed by the traditional leader from Mauke speaking about the “Are Korero” and its importance in safeguarding the knowledge of the people within a community. The foreign influences that had merged into the lives of the community had helped with the erosion of traditional knowledge and he asked for the Are Korero to be reinstated and given the importance that it deserves.

The next speaker spoke about the art of making tivaivai and how it has been accepted into the way of life of the Cook Islands and the pride that the women have in showcasing their skills. However, there was a notable decline in interest from the young generation of today in learning these skills.

The speakers that followed talked about environmental practices and the legal mandates that have assisted them in their work with environment. With that comes the challenges and issues that they face, such as differences in understanding of traditional practices; the approaches to obtain these traditional knowledge vary from island to island; respect of traditional environment practices such as the ra’ui is challengeable due to generation gap and lastly, the documenting of these oral history is not a norm as knowledge was passed down from generation orally eg traditional medicine.

Others talked about traditional carving and boat building as well as the investitures of traditional leaders in various communities. These were followed by lively discussions by the participants on their own experiences in their various islands or communities.

After a short break, the Workshop reconvened with the presenters sharing their knowledge on performing arts, traditional hymns and the importance of education, culture and identity as people. The discussions that followed were very interesting as each speaker gave their viewpoints and understanding of the various subjects.

The final day of the Workshop filled up with participants speaking on Art and Craft in the Cook Islands; Land and Tradition and Seafaring and Traditional Navigation. The personal experience of this presenter, in sharing and learning from a master craftsman in traditional navigation captured an audience who had just recently witnessed the arrival of five traditional vakas into Rarotonga from Raiatea in May this year. He spoke about the whole sky at night becoming a navigation chart or stars; the moon being the beacon; the rising sun in the morning being the compass to what the day has to offer. The participants were mesmerised by his story and realised the importance of maintaining this intangible gift that will be truly lost with time as has been

the stories of the great navigators of the Pacific that were travelling the great Ocean before others knew of the vastness of the world around them. The final speakers spoke about Traditional Knowledge and the legal aspects required to safeguard the ICH in the Cook Islands.

Conclusion:

The Workshop demonstrated the awareness about the importance of safeguarding the Cook Islands ICH especially with statistics offered by the educational sector regarding “Te Reo” as well as traditional navigation as shared by one of the participants, and other sectors of the community. Noticeable also was the common facts shared by other Pacific countries as shared by the Director of UNESCO in his speech and raised in the region during the past twelve months through efforts being made by each country.

The participants requested UNESCO’s technical and financial assistance in supporting national capacity building for ratifying and implementing the Convention. Furthermore, they requested UNESCO to organize national consultation meetings in order to achieve the goals being set at this Workshop as well as to understand the procedures to follow prior to the ratification of the convention.

The National Workshop closed with a speech by Hon. Cassey Egelton, Minister of Cultural Development and Environment, thanking UNESCO for the opportunity of holding this Workshop and encouraging participants to share and communicate the outcome of the Workshop with other community members, colleagues and friends. She gave her firm assurance that government is behind this Workshop and gives it their full support.

□ PROGRAMME

Rarotonga, Cook Islands, 28 to 30 June 2010

NATIONAL WORKSHOP ON
SAFEGUARDING OF THE INTANGIBLE CULTURAL HERITAGE
IN THE COOK ISLANDS

1st Day – Monday 28th June 2010

8:00 – 8:45 Registration

9:00 – 10:30 KARAKIA TUROU: George Paniani (Taunga Akamou Korero)

Tangi Pu: Sound of a Conch Shell: Sonny Williams

Tangi Ka'ara: Joe Rae...(-Taunga Marae-).... Vivo: Noo

Tuiravakai Pe'e: Karakia

OPENING CEREMONY: Sonny Williams, Secretary General, CookIslands
National Commission for UNESCO

Prayers - Pastor Ngarima George

Welcome address by Hon. Jim Marurai, Prime Minister and Chairperson of
the Cook Islands National Commission for UNESCO

Opening remarks by Dr Visiesio Pongi, Director of the UNESCO ApiaOffice and
Representative of UNESCO in the South Pacific States

Keynote Speaker: Hon Sir Geoffrey Henry, KBE, First Minister ofCultural
Development in 1990

10:30 – 11:00 Photo session and tea break

11:00 – 12:30 Session 1: Introduction to the meeting: Sonny Williams -
Introduction of participants:

Overview of UNESCO's work in the Pacific in relation to Intangible Cultural
Heritage by Dr Visiesio Pongi, UNESCO Apia Office
General discussion

12:30 – 13:30 Lunch

13:30 – 16:30 Session 2: UNESCO's Programme for the Safeguarding of the
Intangible Cultural Heritage (Moderator :Ngatuaine Maui)

Introduction to the 2003 Convention for the Safeguarding of the Intangible Cultural Heritage by Ms Akatsuki Takahashi, Programme Specialist for Culture, UNESCO Apia Office

Operational Directives of the 2003 Convention for the Safeguarding of the Intangible Cultural Heritage by Ms Akatsuki Takahashi - General discussion

16.30 Closing Prayer

17.00 Cocktails.

2nd Day Tuesday 29th June 2010

8:30 – 10:30 Session 3: National Presentation (Moderator: LIZ PONGA)

Opening Prayer: Pastor Ngarima George

1. “Te Reo Maori” dual presentation by Ina Herrmann (CEO SchoolSupport Service) AND Henrica Marona (Reo Maori Adviser for Secondary Schools) - General discussion

2. “Are Korero” by Mapu Taia, Speaker of Parliament and Member of the Are Korero of Mauke

General discussion

3. “Tivaivai” by Vereara Maeva-Taripo , former President of CIANGO

10:30 – 10:45 Tea break

10:45 – 12:30 National presentation – continued (Moderator: N. MAUI)

4. “Rau And Environmental Practices” by Vaitoti Tupa Director of National Environment Service

General discussion

5. “Traditional Medicine” by Teariki Rongo, Taunga Vairakau Maori Association

General discussion

6. “Traditional Carving and Boat Building” by Michael Tavioni, Local Artist and Traditional Craftsman

General discussion

7. “Investitures and Chiefly Titles” by Upokoina Teiotu, Traditional Orator of Enuamano

General discussion

12:30 – 13:30 Lunch

13:30 – 16:30 National presentation - continued

8. “Performing Art” by Gina Williams Dancer and Choreographer

General discussion

9. “Traditional Hymns” by Nga Mataio, Secretary General of the Cook Islands Christian Church

10. “Education, Culture and Identity” by Dr Jon T.M. Jonassen, Professor of Political Science and Pacific Island Studies in Brigham Young University, Hawaii – General discussion

16.30 Closing Prayer.

3rd Day – Wednesday 30th June, 2010

8:30 – 10:30 Opening Prayer:

National presentation continued

11. “Art and Craft” by Mahiriki Tangaroa, Member of the Cook Islands Art Association and an Artist

General discussion

12. “Land and Tradition” by Lynnsay Francis, Land Agent and Researcher
General discussion

13. “Seafaring and Traditional Navigation” by Tua Pittman, Traditional Navigator and Member of the Cook Islands Voyaging Society

10:30 – 13:00 Tea break

Session 4: Strategy and Action Plan for Safeguarding Intangible Cultural Heritage in the Cook Islands (Moderator :GEORGE PANIANI)

14. “Traditional Knowledge” by Repeta Puna, Consultant

General discussion

15. “Copyright and Intellectual Property Rights”
By Tingika Elikana, Solicitor General, Crown Law Office
General discussion

13.00 – 13.30 Lunch

13:30 – 14:30 Discussion on Draft Strategy and Action Plan by Dr Visessio Pongi, Director of the UNESCO

Strategy for ICH Safeguarding in Cook Islands by Sonny Williams

Summary discussion – by Participants

Closing addresses:

1. Dr Visessio Pongi, Director of UNESCO
2. Hon. Minister Cassey Eggelton, Minister of Cultural Development
3. Mr Sonny Williams, Secretary General, Cook Islands National Commission for UNESCO

17:00 Free Afternoon & Evening

□ NATIONAL WORKSHOP ON SAFEGUARDING OF THE INTANGIBLE CULTURAL HERITAGE IN THE COOK ISLANDS

Keynote Speaker: Hon Sir Geoffrey Henry, KBE, First Minister of Cultural Development in 1990 In his Keynote Address at the Opening of the Workshop, Sir Geoffrey Henry, said that Culture and economic development has been seen differently but not jointly, however, that has all changed. He gave an example of the Cultural Village in Laie, Hawaii, where cultural performance has brought a great deal of money that has enabled the funding of the University there. As for the Cook Islands, ask tourists what is it about the Cook Islands they rate highly and they say the people – it is the culture that makes the people.

In 1964, the Cook Islands was moving towards a Constitutional change and as a result, in 1965 it became a Self Government State. The power of self determination was huge in our people as they pushed for change. At that time culture was not even considered of any importance in the Cook Islands. However, at that time also, there was a euphoria of nations pursuing and giving identity to themselves. It was the Constitution Celebrations that brought back the pride of whom we are. Culture has been part of ourselves until we celebrated our independence. As a nation, we have our own culture, and the power of self determination; and the wellbeing of the whole country was at stake. This is when we started the youth clubs, and gave birth to our National Council, which in turn built up a lot more pride in the things that were Cook Islands. At one point education diverted our way of thinking to accept another foreign culture and some of our own culture were probably lost as a result. It was only in the 1960s that we recognized ourselves as people. We have a language of our own that has made us special.

The highlight of all of this was when we were invited to celebrate the Opening of the Opera House in Sydney, Australia – CINAT (Cook Islands National Arts Team) was the only group along with the aborigines that were invited to be there at the opening of this prestigious building. National pride escalated as a result of that memorable event.

In 1981, the Culture division was stopped; that happened with the change of government; we were more like New Zealanders rather than Cook Islanders; simply because the Education Department ordered us to follow their curriculum than addressing us as a people. The pursuit of being a Cook Islander came to a standstill.

However, that all changed in 1987 when the Cook Is put its hand up to host the Festival of Arts. Now at that time also, the history of showcasing our Constitution Celebrations in performing arts, was one of being held in the ramshackle building that hosted these magnificent cultural events.

The Festival of Arts was to be held in 1992 and we needed \$NZ15M and no one was prepared to give us that money, except Nauru. We needed \$NZ12M towards the building of a proper venue and \$NZD3M towards the Rarotongan Hotel where we were hosting the visitors. There was an uproar about this and people saying that we will not be able to pay the loan that we are asking. I am happy to say that it has been paid and we have a beautiful complex to mark that historical event.

To us as Cook Islanders, the Intangible feeling of being a Cook Islander is when you spend on yourself. You realize how important you are. No one is going to build it for yourself but yourself. Jon Jonassen was the First Secretary of the Ministry of Culture – then with Tamarii Tutangata, Secretary of the Prime Minister’s Office – staged the Festival of Arts.

The double-hulled canoes became a symbol of that Festival. It signified the voyaging

canoes; the canoes that traveled the length of the Moana-o-Kiva without breaking. Our ancestors who took those voyages without navigational skills; no one else was traveling around the Pacific at that time, only us as Pacific people. I remember a lecturer of mine, Prof Andrew Sharpe at Auckland University. He said to me that our ancestors could not have travelled 200 miles on the ocean. He said that they made landfall by accident. Well, all I can say at this point is that I would have loved for him to be here to see how these people travelled purposefully for 6,000 miles from Hawaii to Rarotonga, without sextant to guide them. Their map was the heavens - they looked at the skies for guidance - the stars, the wind, they sensed the undercurrents and they studied the birds of the air. The 6th Festival of Arts in

1992 was symbolic of this Journey through the past to rediscover ourselves – to learn about the skills of our forefathers – the Cook Islands Vaka Society is a result of that. Our people looked and lived with Nature – the symbiotic relationship with our forefathers who learnt from understanding nature, what it offers, the signs of being at peace with it; its temperament – being a provider of food or devastation if we don’t understand the signs. Our people travelled every crook and cranny around the Pacific, they travelled all over the Pacific, even to Australia; the celebrations by the aborigines of a landfall in their country of a voyage that took place long time ago, which proves our

point that our ancestors were all over the Pacific. They learnt to survive on the Vaka; they embraced the elements; and they knew when to have a communion with Nature. In ending, Sir Geoffrey quoted: *“Culture is not a Harbour but a Voyage. Culture is a Voyage into Eternity. We have to determine the direction that it takes. The challenge is for us to take the Voyage and Plan where it takes us.”*

Thank you.

□ PARTICIPANT LIST

Rarotonga, Cook Islands, 28 to 30 June 2010

NATIONAL WORKSHOP ON
SAFEGUARDING OF THE INTANGIBLE CULTURAL HERITAGE
IN THE COOK ISLANDS

NAME	ORGANISATION / TITLE
01 Hon Cassey Eggelton	Minister Of Cultural Development and Environment
02 Tama Tuavera	Minister Eggelton's Office Staff
03 Mrs Nono Rangī	Ruaau Community
04 Joan Gragg Artist,	Member of the CI Art Assn
05 Terry Utanga	Ministry of Education staff
06 Ian George	Ministry of Education - Visual Arts Advisor
07 Nancy Fulford	Ministry of Education – Performing Arts
08 Vereara Maeva Taripo	Cook Islands Music Association
09 George Cowan Chairman	Cultural and Historic Places Trust –
10 Mita Soatini	Tongareva Island Representative
11 Temu Hagai	Rakahanga Island Representative
12 Pae Tuteru	Manihiki Islands Representative
13 Tere Tangauru	Pukapuka Island Representative
14 Taputukura Mariri	Mauke Island Representative
15 Toka Mariri	Atiu Island Representative
16 Ake Lewis	Mitiaro Island Representative
17 Paddy Walker	PPSEAWA
18 Matilda Tairea	PPSEAWA
19 Aneru Tautu	Office of the Minister for Cultural Development
20 Piritau Nga	Oire Nikao Dance Group Representative
21 Marthalina Makimare	CI Association of NGOs
22 Terangi Karotaua	Private - cultural expert
23 Matariki Wilson	Cook Island News
24 Tokerau Munro	CI Tivaivai Association
NAME	ORGANISATION / TITLE
25 Numa MacKenzie	Private
26 Tereapii Pita	Onu Recording Studio
27 Teaturangi Nepia	Clamp CI Voyaging Society – Navigator
28 Theresa Noovao	Childhood Education

29 Imogen Ingram	Island sustainability alliance, Koutu Nui member
30 Giles Peterson	Curator & Lecture – Pacifica
31 Tungane Broadbent	O'ao'a fabric and fibre arts
32 Vai Henry	Te Rito o te Vairakau Maori
33 Apii Turua	Te Rito o te Vairakau Maori
34 Mouria Pokone	Te Rito o te Vairakau Maori
35 Travel Moeara	3 Bros Productions Company
36 Taokia Gill	Nth Western CI Early Childhood, NZ
37 Jane Taurarii	Ministry of Education – Science Advisor
38 Mona Matepi	Te Rito Enea – CEO
39 Charles Egretaud	Pae Tai-Pae Uta / Pro Science
40 Jane Lamb	Te Rito Enea – Chairperson
41 Eruera Ted Nia	Inanui Gallery
42 Tetika Mataiapo	President of the Koutu Nui

PRESENTERS

43 Dr Jon Jonassen	Brigham Young University, Hawaii
44 Upokoina Teiotu	Atiu Island Representative – Tumu Korero
45 Mapu Taia	Mauke Island Representative – Tumu Korero
46 Henrica Marona	Ministry of Education - Reo Maori advisor
47 Ina Hermann	Ministry of Education – CEO
48 Elizabeth Munro	National Environment Service
49 Vaitoti Tupa	National Environment Service – CEO
50 Mahiriki Tangaroa	CI National Visual Arts Society
51 Repeta Puna	Traditional Knowledge consultant
52 Tua Pittman	CI Voyaging Society
53 Lynnsay Rongokea	Land agent & Researcher
54 Teariki Rongo	Te Rito o te Vairakau Maori

PRESENTERS

55 Gina Williams	Performing Arts & Choreographer
56 Mike Tavioni	Carver and Tumu Korero
57 Tingika Elikana	Solicitor General - Crown Law Office
58 Nga Mataio	CICC General Secretary
59 Vereara Maeva Taripo	President of CI Tivaivai Association

MINISTRY OF CULTURAL DEVELOPMENT

60 Sonny Williams	Permanent Secretary
61 Liz Ponga	Policy Unit
62 Ngatuaine Maui	Anthropology Division
63 Justina Nicholas	National Library

64 George Paniani	National Archives
65 Pastor Ngarima George	National Museum
66 Terai Joseph	Administration
67 Puna Teariki	National Auditorium
68 Phillip Tangi	Audio Visual Division
69 Henry Rennie	Foreign Affairs - VIP division
70 illie Tua	Minister Eggelton's Office Staff

□ News Articles:

Cultural heritage back in spotlight

Cook Islands News Tuesday 29 Jun 2010

Dancer of the year Uirangi Bishop entertains the guests at yesterday's national workshop opening.

10062811

Te Reo Maori, the art of tivaivai and the process of investitures and chiefly titles will be among the fascinating presentations and discussions at today's workshop on safeguarding the intangible cultural heritage of the Cook Islands. The three-day workshop officially opened yesterday and will run until tomorrow afternoon.

Among yesterday's keynote speakers was former prime minister and the first ever minister of culture Sir Geoffrey Henry. An orator in his own right, Henry spoke of the state of the Cook Islands culture before and since the declaration of the Cook Islands as an independent country 44 years ago. Henry became the first minister of culture in 1990 before the Cook Islands was set to host the 6th Pacific Festival of Arts in 1992. He says that when the Cook Islands became an independent country, the government's emphasis then was on other matters and that culture was a 'blip'. "We were still hanging on to the apron strings of the colonial regime." Henry spoke of the first Constitution celebration after becoming an independent country in 1965. "During the first Constitution celebration, we hoisted a flag, sang the New Zealand anthem, Cook Islands anthem and the Queen's anthem followed by a brass band!"

"We have our own way of celebrating events! "Through the mid 60s we began to generate interest among the youth to perform and a cultural division as part of Internal Affairs was established.

"There became a movement among Cook Islanders to take a lot more interest in their culture. "People began to realise that our language, culture, customs and practices make us special, and national pride developed.

Henry recalls that between 1981 and 1989, change came to the Cook Islands with a new government and culture diminished in the schools, and the nation began to educate New Zealand citizens instead of Cook Islanders. "We were more Kiwis than Cook Islanders because of the education system."

"The pursuit of being oneself stopped and the pursuit of being a Cook Islander almost ceased." Change came again for the nation in the late 1990s when the Cook Islands raised their hands to host the 1992 Pacific Arts Festival.

Constitution celebrations were held at the grounds the National Auditorium stands on now – then called Constitution Park where dancers would perform in all weather conditions – usually in rain.

And with the nation to host the Pacific Arts – the building of the national auditorium became necessary although Henry recalls the huge public outcry over what people thought was an excessively large building and project at a cost of \$12 million. The hosting of the Pacific Arts Festival also saw the arrival of traditional navigation and vaka building.

“When I was prime minister I made a point that Cook Islanders knew who they were in order to know where they were going.” “The challenge is now for all of us to take the voyage and know where we are going!”

Today’s keynote speakers at the national workshop to safeguard the intangible cultural heritage of the Cook Islands are: Ina Herman (Te Reo Maori), Mapu Taia (Are Korero), Vereara Maeva Taripo (Tivaivai), Vaitoti Tupa (Rauī and environmental practices), Teariki Rongo (traditional medicine), Mike Tavioni (traditional carving and vaka building), Upokoina Teiotu (investiture and chiefly titles), Gina Williams (performing arts), Nga Mataio (traditional hymns) and Dr Jon Jonassen who will be speaking on education, culture and identity.

Matariki Wilson

Safeguarding culture

Safeguarding the intangible cultural heritage of the Cook Islands is the aim behind a national workshop starting on Monday June 28. / 09091339

Thursday 24 June

The Ministry of Cultural Development in association with UNESCO invites the public at large to take part in the national workshop on ‘safeguarding of the intangible cultural heritage in the Cook Islands’.

The invite is especially calling for traditional leaders, government and non-government organisations, musicians, composers, choreographers and anyone interested in Cook Islands cultural heritage to take part in this workshop to be held between June 28 and The workshop is seen as a national initiative to motivate and assist the international communities in working together to

build greater awareness, as well as safeguarding of our intangible cultural heritage, especially among the younger generations of today.

Intangible cultural heritage (ICH) is the practices, representations, expressions, knowledge, skills as well as the instruments, objects, artefacts and cultural spaces

associated to us as people that communities, groups and individuals recognise as part of their cultural heritage. ICH, transmitted from generation to generation, is constantly recreated by communities and groups in response to their environment, their interaction with nature and their history, and provides them with a sense of identity and continuity which also promotes respect for cultural diversity and human creativity.

The far-reaching impact of the activities of UNESCO in establishing normative instruments for the protection of the cultural heritage, in particular the Convention for the Protection of the World Cultural and Natural Heritage of 2003.

There are five UNESCO defined intangible cultural heritage domains in the Convention on Intangible Cultural Heritage and they are oral traditions and expressions including language as a vehicle of ICH, performing arts, social practices, rituals and festive events, knowledge and practices concerning nature and the universe and traditional craftsmanship.

The Ministry of Cultural Development says that it is very important that the people of the Cook Islands take part in this national workshop and make your voice heard on how we can safeguard our intangible cultural heritage.

The national workshop will be held at the national auditorium with a number of speakers lined including Tua Pittman who will speak on seafaring and traditional navigation, Mahiriki Tangaroa who will speak on Cook Islands Art and Craft and solicitor general Tingika Elikana who will talk about copyright and intellectual property rights to name a few.

Matariki Wilson

Annex 3 | *Photograph*



Investiture of Vaeruarangi Ariki, Aitutaki
(photo by Ngatuaine Maui)



Mangaia cultural heritage workshop 2005 –
traditional welcome. (Travel Moeara performs
a traditional welcome. An example of
transmission of oratory skills, photo by
Ngatuaine Maui)



Mangaia cultural heritage workshop 2005 –
making traditional medicine. (The practice of
making traditional medicine could be
protected if the traditional knowledge bill is
passed in 2012, photo by Ngatuaine Maui)



Canoe Carving Festival – Master Carver Mike
Tavioni. (Mike could see his works of art such
as this canoe he had carved become protected
under the Traditional Knowledge Act, photo
by Mahiriki Tangaroa)



Island of Atiu. (Aerial photograph of this island which has traditional environment practices enshrined in regulations, photo by Ngatuaine Maui)



Atiu orator - Papa Ina Teiotu. (Transmitting the history of Arangirea Marae which is protected under the Atiu Environment Regulations, photo by Ngatuaine Maui)



Fish traps on the island of Manihiki. (Traditional fishing methods are protected on some islands, photo by Ngatuaine Maui)



Aitutaki cultural heritage workshop 2005 – participants. (For a well- informed community to safeguard ICH, photo by Ngatuaine Maui)



Action Song - Manihik Island. (Government support should continue for events such a Te Maeva Nui, photo by Mahiriki Tangaroa)



Tivaivai making workshop with Vereara Maeva. (Imparting her knowledge, is more effective in small groups of up to 20 people, photo by Ngatuaaine Maui)



Tivaivai Exhibition - National Museum. (Exhibition is running simultaneously with the tivaivai workshop, photo by Mahiriki Tangaroa)



Mauke cultural heritage workshop 2005 - learning how to make fire(photo by Ngatuaaine Maui)



Imene Tuki – Atiu Island. (The CICC does not have an inventory of Cook Islands Imene Tuki composed and sung by each of their 64 congregations, photo by Mahiriki Tangaroa)



Drum Dance – Aitutaki Island (photo by Mahiriki Tangaroa)



Drum Dance – Manihiki Island (photo by Mahiriki Tangaroa)



Jnr Girl performer from the island of Atiu - Dancer of the Year 2005(photo by Mahiriki Tangaroa)



Open male performer from the the island of Rakahanga - Dancer of the Year 2005(photo by Mahiriki Tangaroa)



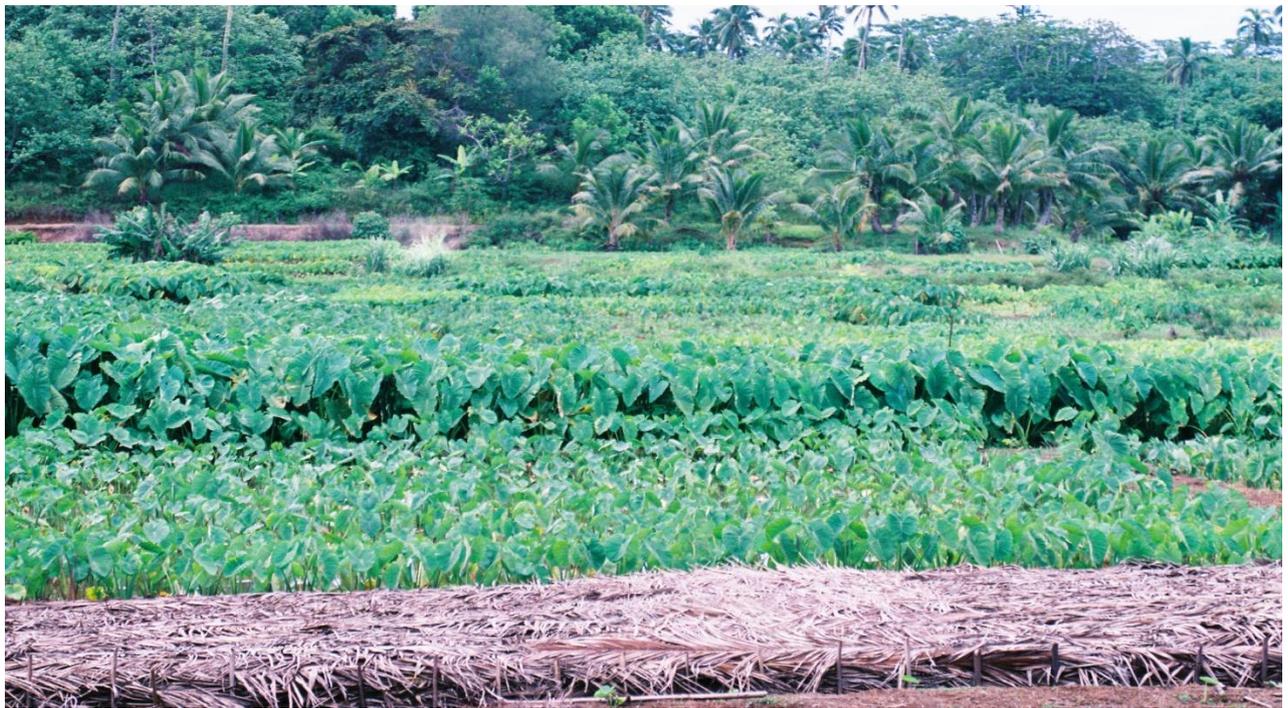
Mangaia Action Song - Te Maeva Nui 2011(photo by Mahiriki Tangaroa)



Investiture of Pa Ariki (photo by Mahiriki Tangaroa)



Investiture of Pa Ariki(photo by Mahiriki Tangaroa)



Traditional planting methods on the island of Mangaia. Rai is applied to land and sea areas(photo by Ngatuaine Maui)



Canoe building project - Mike Tavioni . (Helping young builders construct a fishing canoe)
(photo by Mahiriki Tangaroa)



Oire Avarua Imene Tuki - Te Maeva Nui 2005
(photo Mahiriki Tangaroa)



Mangaia Cultural Heritage Workshop 2005,
women learning to drum, photo by Ngatuaime Maui)



Tarai vaka – testing the vaka (photo by Mahiriki Tangaroa)



Mauke Drum Dance, Te Maeva Nui 2011(photo by Mahiriki Tangaroa)



Rito hats made by Cook Islanders living in Australia (photo by Ngatuaine Maui)



Tivaivai manu - National Museum tivaivai exhibition 2005(photo by Ngatuaine Maui)



Aitutaki cultural heritage workshop – Davey Davey, carver of traditional music instruments(photo by Ngatuaiane Maui)



Mangaia cultural heritage workshop – Mama Kareroa. (would qualify for the living treasures system as the only person alive on the island that knows how to perform the mire, photo by Ngatuaiane Maui)



Atiu Cultural heritage workshop 2005 – Tira Tararoa and the history of Orongo Marae (photo by Ngatuaiane Maui)



Vaka Puaikura chant - Te Maeva Nui 2011(photo by Mahiriki Tangaroa)



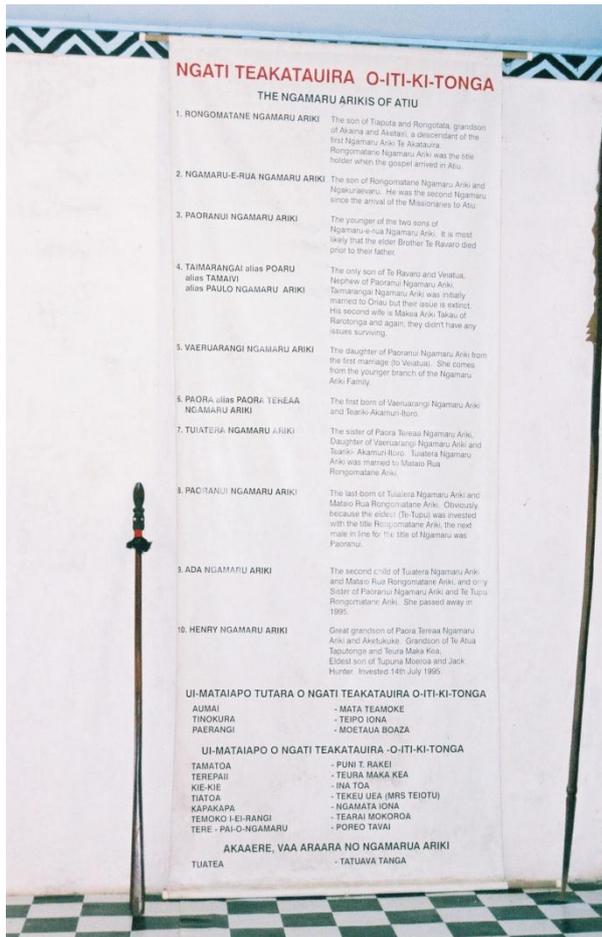
Aitutaki Cultural Workshhops 2005- Mama Josephine Lockington explaining the different motifs in weaving (photo by Ngatuaine Maui)



Atiu cultural heritage workshop - Old man just returned from his plantation(photo by Ngatuaine Maui)



Mangaia workshop 2005 - learning the MIRE(photo by Ngatuaine Maui)



Atiu cultural heritage workshop - Geneology of Ngamaru Aiki displayed inside the chiefs residence. (photo by Ngatuaine Maui)



Tivaivai taorei – National Museum tivaivai exhibition (Thousands of tiny square material pieces sewn in the correct sequence to make this beautiful tivaivai taorei) (photo by Ngatuaine Maui)



Manihiki Island - Practicing for Te Maeva Nui 2005 (The team travelled to Rarotonga 3 weeks later to attend the festival on a boat trip lasting 3days) (photo by Ngatuaine Maui)



The remote and vulnerable atoll of Manihiki(photo by Ngatuaine Maui)

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