



Chapter 1

Challenges and Tasks toward the Safeguarding
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Prospects and Challenges in the Field of Safeguarding Intangible Cultural Heritage at the Regional and International Levels

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Mr Kim Chan, Deputy Administrator of the Cultural Heritage Administration, Mr Seong-Yong Park, Executive Director of the Intangible Heritage Center for the Asia and the Pacific, Ms Dawn-hee Yim, Chair of the Advisory Committee for the Center, Ladies and gentlemen, dear friends and colleagues,

I would like to start by thanking the authorities of the Republic of Korea and the organisers of this conference for having invited me as a keynote speaker. As Chief of the Section of Intangible Cultural Heritage of UNESCO and Secretary of the 2003 Convention, and as a representative of UNESCO, I am honoured to deliver this presentation at this important conference.

I find that the organisation of this conference is particularly timely because we can say that the 2003 Convention for the Safeguarding of the Intangible Cultural Heritage has finally become fully operational after the fourth session of the Intergovernmental Committee in Abu Dhabi concluded just one month ago. During the session, the Committee inscribed for the first time intangible cultural heritage elements on the Lists of the Convention, selected good safeguarding practices, and also approved requests for international assistance for safeguarding activities. It is an opportune moment for us to reflect on the first three years of the Convention's operational life since 2006 and take stock of lessons learnt. The conference is also timely because of the selected theme:

'how to apply information and networking' for the safeguarding of this heritage is indeed a question we should ask ourselves given the increasingly globalized and information-based world in which we live.

After briefly recalling the context of the birth of the 2003 Convention, I will discuss the work undertaken leading up to the fourth session of the Intergovernmental Committee for the Safeguarding of the Intangible Cultural Heritage, held in Abu Dhabi, United Arab Emirates, from 28 September to 2 October 2009 and major outcomes of the Committee session. I will then present prospects and challenges in view of the completion of the first cycle of the Convention's operational implementation.



As many of you know, UNESCO adopted in 2001 the Universal Declaration on Cultural Diversity. The Declaration is significant because it raises cultural diversity to the level of 'the common heritage of humanity', 'as necessary for humankind as biodiversity is for nature', and makes its defence an ethical imperative inseparable from respect for the dignity of the individual. The Declaration insists on the need to preserve cultural diversity as a living, and thus renewable treasure. This treasure must not be perceived as being unchanging heritage but as a process guaranteeing the survival of humanity, as well as to prevent segregation and fundamentalism which, in the name of cultural differences, would sanctify those differences and so counter the message of the Universal Declaration of Human Rights.

Two years later, in 2003, the Convention for the Safeguarding of the Intangible Cultural Heritage was adopted, placing emphasis on the equal recognition of expressions and traditions with no hierarchical distinctions among them. The Convention is a response to the crucial need to protect living heritage in the context of a widespread awareness of the possible threat posed by contemporary lifestyles and the process of globalization. Among UNESCO's normative instruments in the field of culture, the 2003 Convention is therefore one of the major instruments for the promotion of cultural diversity. Since many of you are already very familiar with the 2003 Convention and its mechanism, I will not dwell on what you already know. But let me briefly touch upon some essential concepts of the Convention.

The Convention focuses principally on safeguarding activities and the exchange of good practices, rather than the listing system. As stipulated in its Article 1, it has the following four primary goals:

- safeguarding intangible cultural heritage;
- ensuring respect for the intangible cultural heritage of the communities, groups and individuals concerned;
- raising awareness at the local, national and international levels of the importance of the intangible cultural heritage, and ensuring mutual appreciation thereof;
- and providing for international cooperation and assistance.

We are often asked what intangible heritage is. Despite the fact that intangible cultural heritage is as old as Humanity, this expression is relatively new in the scientific vocabulary, and many people try to identify it in comparison with tangible heritage, and attempt to give it an ‘objective definition’, with clear boundaries and description. The Convention takes a broad view of intangible cultural heritage: ‘the practices, representations, expressions, knowledge and skills – including the instruments, objects, artefacts and cultural spaces associated with them – that communities, groups and individuals recognise as part of their cultural heritage’ (Article 2.1). This last phrase is crucial, as it gives the community and the practitioners the central role, including the power to give, or not, value to their own heritage. It is in fact given the communities the ‘subjective’ role of defining and recognizing their intangible cultural heritage. This is why the notion of ‘outstanding universal value’ embodied in the 1972 Convention has been excluded on purpose from this Convention.

That is very original, as it puts outsiders or experts in the position of witnesses or supporters of this heritage, but in no way in the position of those that can ‘scientifically’ decide on what is, or what isn’t, intangible cultural heritage. It is therefore very far from what happens in other forms of heritage. To every community or group, each element has its value that cannot be compared to other communities’ heritage. This intangible cultural heritage is transmitted from generation to generation, 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. That is why we say it is a ‘living’ heritage. As a living phenomenon, it must continue to be actively produced, maintained, and transformed. Sometimes it is also abandoned because it no longer has functions for the communities, and we must accept it as being part of a normal step of the life cycle. Not all intangible cultural heritage can be maintained as ‘living’, and there is neither any notion of ‘authenticity’ applicable to this heritage, as can be the case for tangible heritage

for example, for this very reason. It is traditional, contemporary and living at the same time: it does not only represent inherited traditions from the past but also contemporary rural and urban practices in which diverse cultural groups take part. This approach, I must underline, is very forward-looking, placing culture at the very centre of the process of development.

The Convention does not provide a definition of communities because it recognizes that communities have an open character, not necessarily linked to specific territories. But the communities must be actively involved in the identification and definition of their own intangible cultural heritage as well as in its management since they are the only ones who create, recreate, maintain and transmit such heritage.

As I just said, the term ‘safeguarding’ is prominent to emphasize the main objective of the Convention (Article 2.3): to ensure the long-term viability of intangible heritage within communities and groups. ‘Safeguarding’ is defined in the Convention as ‘measures aimed at ensuring the viability of the intangible cultural heritage, including the identification, documentation, research, preservation, protection, promotion, enhancement, transmission, particularly through formal and non-formal education, as well as the revitalization of the various aspects of such heritage’.

To promote the safeguarding at the international level, the Convention has established, on the one hand, a List of Intangible Cultural Heritage in Need of Urgent Safeguarding (‘the Urgent Safeguarding List’) with a view to take appropriate safeguarding measures for elements that are facing serious threats; and on the other, the Representative List of the Intangible Cultural Heritage of Humanity (‘the Representative List’), in order to ensure better visibility of the intangible cultural heritage and awareness of its significance.

In addition to the two Lists mentioned above, the Convention has established a register of good safeguarding practices as stipulated in Article 18; this register should serve as a platform for sharing good practices for ensuring sustainable safeguarding measures worldwide. This is a very important mechanism, for the time being not well known and understood, as it allows States and communities to inspire themselves for their own purpose from safeguarding measures that proved to be effective in different contexts.

The State Parties are encouraged to jointly submit multinational nominations for these three lists. And this is not a small detail. As you know, culture doesn’t know boundaries, and people fortunately move with their intangible cultural heritage, settle on one or another side of a river, of a mountain, an ocean, and sometimes are carrying very far away from their

original place some elements of their intangible heritage. Recognizing as a single intangible heritage element the widespread geographical location where we can find it at a certain point of time is simply acknowledging the very nature of culture, its mobile character and its capacity to accommodate with different and diverse contexts faced by their communities.

Lastly, the Convention provides international assistance for safeguarding activities, in particular through the Intangible Cultural Heritage Fund.

With the adoption of the first set of Operational Directives of the Convention by the General Assembly in June 2008, the first cycle of the operational implementation of the Convention began. The Operational Directives, drafted through a series of Committee meetings between 2006 and 2008, provide a concrete framework for implementing the Convention at the international level. The sixteen-month-long first cycle that started in June 2008 was concluded in September 2009 with the inscriptions of ICH elements on the Urgent Safeguarding List and the Representative List, as well as the selection of good safeguarding practices by the Committee during its fourth session in Abu Dhabi.

For the Urgent Safeguarding List, out of 15 nominations submitted for inscription, 12 were considered complete at the time of the evaluation by the Committee. After presentations by examiners that were tasked to evaluate the nomination files and a question and answer period between the examiners and the Committee, all 12 elements were inscribed on the List.

UNESCO received five proposals for the register of good safeguarding practices, out of which three were considered complete and became the first three good safeguarding practices to figure on the register.

As for the Representative List, 111 nominations were submitted, out of which 76 received positive recommendations by the Body and were subsequently inscribed by the Committee. For the examination of these nominations, the Committee created, at its third session in Istanbul in November 2008, a subsidiary body whose responsibility was to examine and recommend to the Committee nominations submitted by States Parties for the Representative List. The Subsidiary Body, composed of Estonia as President, Kenya as rapporteur, Mexico, Republic of Korea, Turkey and United Arab Emirates took up its task with a strong sense of commitment, being conscious of the fact that their work was going to set important precedents that would steer the course for the Convention in the years to come.

Among various important issues raised, the Subsidiary Body highlighted the importance of community. In line with Article 15 of the Convention which stipulates the participation of communities, groups and individuals in

the safeguarding of intangible heritage, the Body expressed its strong wish to receive concrete evidence about communities' active participation and their free, prior and informed consent in the nomination file preparation, noting that communities' consent constitutes an essential aspect of the file because it determines their involvement in the overall safeguarding process. It echoes what I was just talking about: this is not to the national authorities or their experts to define and decide on what is intangible heritage (even though their active involvement is very often welcomed and necessary), it is to the communities themselves, that shall be the principal actor of the identification and of the safeguarding of their intangible heritage.

In Abu Dhabi, the Committee also engaged in a lengthy discussion about the proposed amendments to the Operational Directives put forward by the Subsidiary Body. In search of a sustainable way of dealing with the examination of nomination files, which were considered too numerous for this first cycle, the Body proposed to set an annual limit to the number of nominations to the Representative List to be submitted by each State Party. The Body explained that while it was fully mindful of the fact that the States Parties had not wished to limit the number of nominations when adopting the first Operational Directives, in order to avoid any sense of competition of ranking at the national level, it was quasi-impossible to deal with a large number of nominations annually as was the case for the first cycle, simply because of the sheer amount of work that their examination imposed on the Body and their evaluation by the Committee. The Committee was divided on this topic. Many members accepted the principle of a limitation (3 nominations per year was proposed), but others felt a limitation would go against the spirit of the Representative List, would introduce competition between communities and would create many internal problems at the national level. Acknowledging the importance of the issue at stake, the Committee promptly created an open ended working group which met several times during the Committee session and came up with a draft decision, 4.COM 19, requesting that the General Assembly discuss this matter during its third session planned to take place in June 2010.

As an emergency measure, and acknowledging it would be impossible for the Subsidiary Body and the Committee to proceed with the 147 new nomination files submitted for the second cycle, the Committee accepted on an exceptional basis that priority be given to those nominations submitted by States Parties who do not have or have only a few elements currently inscribed on the Representative List, together with those submitted as multinational, showing here again its strong support for these later nominations. The

Subsidiary Body subsequently asked the Secretariat to forward to it, for the 2010 cycle, around 50 nominations files out of the 147 received, which was deemed a manageable number for their examination.

Despite an extremely heavy agenda, the Committee managed, during the five-day session, to complete all twenty three agenda items, concluding with the adoption of the next Committee Bureau and deciding the venue of the next Committee to be Nairobi, Kenya. Mr Koïchiro Matsuura, the Director-General of UNESCO, was present on the last day of the Committee, adding significance to this Committee session. Ardent advocate of intangible heritage, he expressed his heightened satisfaction for having witnessed the successful conclusion of the first operational cycle of the Convention. As he prepares to leave the Organization, he will doubtless be forever remembered for having created the first steps of the Convention.

Today, the 2003 Convention has been ratified by the majority of the Member States of UNESCO (116 States as at 17 September 2009). As its ratification continues at a steady pace, it is a matter of time for the Convention to achieve universality. With the ending of the first cycle of the Convention's inscriptions, it is timely to reflect on the path that it has taken and on prospects and challenges that the Convention may face in the near future.

A particularly surprising outcome of the Abu Dhabi Committee meeting is the marked imbalance between the Urgent Safeguarding List and the Representative List. During the elaboration of the Convention and in adopting the Operational Directives in June 2008, the States Parties repeatedly emphasized that the primary aim of the Convention was to safeguard living heritage facing threats of deterioration, disappearance and destruction, and hence the overriding importance should be given to the Urgent Safeguarding List. Yet, for the first cycle of this List, UNESCO received only fifteen nomination files, while for the Representative List, 111 files were submitted. This apparent imbalance seems to imply that States Parties are giving more importance to raising awareness than to safeguarding.

While we can rejoice about the media attention provided to the first set of inscriptions as such attention did significantly raised the public's awareness about intangible heritage, it is important to remember that there exist countless intangible heritage that are on the verge of disappearance and desperately waiting for urgent safeguarding. The focus from the principal aim of the Convention, that is, the safeguarding of intangible heritage, should not be lost.

It might be that the States Parties are still under the influence of the World Heritage Convention's listing system, and particularly that of the List of World

Heritage in Danger. States should nevertheless be cautious and make a clear difference. The World Heritage List, which seeks to recognize the 'outstanding universal value' of a site, is THE list. The World Heritage List in Danger is a warning system that places properties inscribed on the World Heritage List on a 'special attention List', due to external causes like earthquakes or other threats, but also, we must admit, lack of proper management from the State Party concerned. Having a property inscribed on this List is therefore not always a pleasure for the State parties concerned.

But for the intangible heritage, THE List is the Urgent Safeguarding List, because the urgency is to safeguard those intangible heritage elements that are facing the danger of disappearance. There are countless examples of such heritage in every society. And that is all what the Convention is about: safeguarding what needs to be safeguarded. The nominations for this List are done by the States themselves, showing their sense of responsibility towards the intangible cultural heritage present on their territory and in urgent need of safeguarding. For the second cycle, UNESCO received only a handful of nominations for the Urgent Safeguarding List, even less than for the first cycle, and we will do every effort to continue communicating to the States Parties about the importance of this List, urging them to submit nominations for this List in parallel to the nominations for the Representative List.

Another issue of concern is the acute geographical imbalance of the intangible heritage inscribed on the Representative List. Looked at objectively, this crucial list is hardly 'representative' from a global perspective. The figures speak for themselves. Of the 76 inscriptions made during the Abu Dhabi Committee session and the 90 elements incorporated into the List in 2008, 44 % are from the Asia and the Pacific region, creating a false sense that more intangible heritage exists in Asia and Pacific. There is no doubt that the Asia and Pacific region does have rich and extremely varied intangible heritage, and it is no surprise that many elements are inscribed on the List because many States from this region spearheaded the safeguarding of intangible heritage long before the birth of the Convention. While it is understandable that the States are responding to the expectations of the communities who wish their intangible heritage to be put on the UNESCO List, it would be important that those States devise ways in which the intangible heritage on their national inventories receive as much visibility as the ones on the Representative List so that inscriptions on this List will become just one additional means to complement national efforts in raising awareness about all the intangible heritage found in their respective territories. The challenge is thus to find a

good balance among various safeguarding efforts undertaken at local, national, regional and international levels.

In addition to the question of how to create a balance between and within the Convention's Lists, an imminent challenge is to work at the critical question of linkages between tangible and intangible heritage. The 2004 Yamato Declaration on Integrated Approaches for Safeguarding Tangible and Intangible Cultural Heritage provides a basis for how to approach the issue. As the 2003 Convention becomes a sound body complementary to the World Heritage Convention, I hope that the Committees of the two Conventions will meet to start tackling this question. The General Assembly of the World Heritage Convention, which concluded its work a few days ago, when reflecting on the future of the Convention, also strongly emphasized the need for a complementary and coordinated approach.

But this is only one of the many challenges facing the Convention. Some ethical questions also remain to be answered. For instance, some communities whose intangible heritage has been inscribed on the Lists are already inundated with request for media coverage. While media are an important partner of the Convention in raising awareness about the importance of safeguarding intangible heritage, over mediatisation may create inadvertent results of misappropriating or misrepresenting certain intangible heritage and their practicing communities. To avoid such undesired consequences, we need to empower communities so that they could be in a position to take control of their heritage and become the actors and creators of media contents rather than the mere object of it. To achieve this end, I hope that we could mobilize ourselves to provide training for communities so that they could document their heritage and initiate various safeguarding actions.

Another ethical issue is the question of access. As information technology develops, we are experiencing an increasing flow of information. When it comes to intangible heritage possessing a secret or sacred character, we need to respect cultural codes governing that heritage and leave it in peace. International forums or conferences such as this one could play a vital role in communicating the importance of respecting cultural codes when approaching intangible heritage.

With respect to networking, the internet and digital new technology now enables instant communication with those who live a world apart, modifying radically the way we communicate with each other. Here again, I would like to hope that the increasing networking facilitates the participation of not only various governments, experts and NGOs but also intangible heritage practicing

communities because enabling communities to actively take part in the information and networking paves the way towards more democratic society based on active citizenship participation. That will be one of the challenges of the new International Information and Networking Centre for Intangible Cultural Heritage in the Asia-Pacific Region we are going to celebrate tonight.

As I am someone who truly believes in the power of intangible heritage to move the world forward, I see endless prospects in what intangible heritage could offer to the contemporary world. The simple fact that many intangible heritage expressions are found across national boundaries affords us with opportunities to cooperate with each other. As the register of good safeguarding practice develops, I hope that it will become a veritable platform on which States will be learning from each other about effective ways of safeguarding intangible heritage.

Safeguarding intangible heritage is not only essential to preserving the world's cultural diversity, but also to building more effective and sustainable development strategies. In addition to providing a sense of identity and continuity for practicing communities, and thereby enhancing overall social cohesion, intangible cultural heritage can serve the contemporary world in myriad ways. For example, in offering new insights into conflict resolution, or laying the groundwork for more sustainable natural resource management. In the field of education, integrating local intangible heritage into school curricula may increase student retention rates and ensure more relevant and inclusive educational environments.

Throughout human history, major obstacles have been overcome through collective efforts. There is no doubt that intangible heritage represents a positive force in the pursuit of our shared goal of building a sustainable future. This requires the participation of all stakeholders, beginning with intangible heritage practitioners, who are the main protagonists of this Convention, without forgetting the pivotal role of civil society and particularly NGOs, who are key actors in bridging the gap between local communities and governments.

As the Convention plunges into the second cycle, I would like to remind ourselves of the *raison d'être* of the Convention. The international community gave birth to the 2003 Convention as it witnessed various intangible heritage disappearing all over the world. Any action to be taken for implementing the Convention should therefore always be for the good of the communities who keep intangible heritage alive and who are the keepers of the world's cultural diversity.