Summary of Discussion

The 2nd International Conference on ICH Safeguarding Creative Value of ICH for Sustainable Development

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OPFNING

Dr Lee welcomed the participants and the attendees, and he expressed his high respect to President Chérif Khaznadar of the World Cultures House (Maison des Cultures du Monde) and the other distinguished scholars and experts from around the globe for travelling all the way to Seoul.

Dr Lee continued by emphasising the significance of the rapid adoption of the 2003 Convention around the globe. Over 140 nations have joined the program, and over 260 elements have been inscribed, and the competition and enthusiasm to register more ICH elements on the lists is growing in intensity each day. He cautioned, however, that because a large percentage of the world is still unfamiliar with the concept of ICH and because each nation differs in their scope, categories, and inscription criteria of ICH, a fair amount of difficulty and confusion remains and continues to impede implementation of the Convention.

He told attendees that ICHCAP was established to assist in implementing the Convention in the Asia-Pacific through information and networking. Dr Lee also mentioned that in this process of undergoing its functions, ICHCAP felt that there was a lack of systematic ICH understanding as well as an urgent need to further institutional improvements to implement the Convention successfully.

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Hwi-jun Ahn introduced the Overseas Cultural Heritage Foundation, which was established last July, and welcomed all the distinguished guests.

Mr Ahn mentioned that since the 2003 Convention was implemented, various activities concerning ICH safeguarding have been carried out locally, nationally, and internationally. Moreover, he emphasised role of culture for sustainable human development as well as the United Nations' Millennium Development Goals. He mentioned that the one of the reasons for the conference is to allow for a better understanding of the roles and values of ICH in sustainable development.

SESSION 1: WHAT IS THE SIGNIFICANCE OF THE 2003 CONVENTION?

Prof Geun-gwan Lee opened the first session with words of thanks to the organisers of the conference and to the participants. He gave some background to his experience with the 2003 Convection when it was adopted in Paris as he was a member of the Korean delegation. He then reiterated Tim Curtis's sentiments about the rapid success of the Convention over the past nine years, with 145 States Parties and 267 inscriptions. He then concluded that the conference is a timely and significant opportunity to take stock of the Convention's achievements and to discuss ways of moving forward.

Before giving the floor to the first speaker, Prof Lee commented on the first session's title, 'What Is the Significance of the 2003 Convention?' He said that one of the significances of the Convention is that it gave the international community the language with which and through which the international community could conceptualise problems and articulate ways to address these problems. In addition, he said that the Convention contributed to shifting emphasis from a Eurocentric conception of culture to non-Western and non-European cultural practices. He said that the Convention also has significant implication for international law and international relations, as it emphasises or stresses the role of sub-state or non-state actors, such as indigenous communities. As a final mention, Prof Lee said that the Convention also highlights the trans-frontier dimension of the problem as well.

Discussion of Janet Blake's Presentation Paper

Sangmee Bak Professor, Hankuk University of Foreign Studies

Dr Blake's paper highlighted several critical junctures in the historical process that led to the 2003 UNESCO Convention, and it illuminated the significance of the Convention in the global discourses on culture and development. As for the international environment that paved the way for the birth of the Convention, Dr Blake noticed that there had been an increasing recognition of 'culture' as one of the important pillars of 'sustainable development', a notion that received international endorsement with the Rio Declaration in 1992.

In the paper, it was also pertinently pointed out that the Convention marked a meaningful departure from the monument-oriented Western perspective of cultural heritage safeguarding policies while being an important step towards accommodating the voices of the local and indigenous communities into the establishment and implementation of such policies. Even in the context of the 1972 World Heritage Convention, the associative value of heritage and the role of relevant 'communities' have been receiving a growing amount of attention. For example, the inscription criteria, as part of the Operational Guidelines to the 1972 World Heritage Convention (revised several times afterwards), have increasingly emphasised the associative values (as explicated in Criteria VI: the intangible cultural aspects of the heritage).

Dr Blake noted that the Convention is being implemented in diverse political, economic, social, and ecological contexts. Local definitions, categories, and practices regarding ICH are quite varied, and this calls for safeguarding measurers that reflect such a variety of conditions accordingly. She also pointed out that ICH (or, more broadly, culture) does not correspond with the territorial boundaries between nations, and this also presents new challenges in implementing UNESCO's ICH programs.

Overall, Dr Blake seems to present a positive prospect for the UNESCO ICH safeguarding programs based on the Convention. For example, she stated that multinational ICH nomination may open the arena where regional or sub-regional communication on safeguarding ICH can be activated. She also said that defining the state government's role vis-à-vis the immigrant communities in the ICH field might contribute to the development of relevant international law. However, more

communication does not necessarily lead to better understanding. Instead, it may create conflicts especially among neighbouring, rival nations for whom cultural hegemony and historical origin and ownership of cultural elements are disputed. Such occurrences have already been observed in relation to UNESCO's ICH nomination processes.

Multinational ICH nominations that include geographically distant nations (as in the case of falconry) may posit a different kind of issue: that of the scope or scale of cultural elements. Can the mere similarity of form among cultural elements serve as sufficient grounds for multinational ICH nomination? What about the cultural meanings, contexts, and other variable conditions? Will there be a possibility of de-contextualising the cultural heritage when we group the ICH in diverse cultural contexts into one cultural element for the nomination purpose? Does 'origin' of ICH matter? If it does, it may bring up complicated (and quite possibly politically charged) historical issues especially among neighbouring nations, which may hinder the necessary collaboration in nomination process. If we decide not to consider any significant historical process of the distribution of an ICH (if such was the case), we might be taking the ICH out of its historical context.

Throughout the paper, Dr Blake emphasised the importance of involving local communities and incorporating the indigenous notions of ICH into implementing the 2003 Convention. Given the diverse cultural contexts where ICH safeguarding measures are implemented, there is no question that local perspectives need to be reflected for successful safeguarding. To effectively navigate and manage the often conflicting views and interests of the local, state, and global agencies will be a difficult, yet worthwhile task that may enlighten humanity with culturally sustainable paths of development.

Discussion of Tim Curtis's Presentation Paper

Soyoung Yook Professor, Chungnam National University

I appreciate Mr Curtis for his presentation. His presentation gives us a chance to understand how the 2003 Convention has been developed and implemented. Especially, he detailed the measures that each State Party has been taking to safeguard ICH and the status of the inscribed elements. In my opinion, there is nothing that I need to add to his presentation. Thus, in lieu of discussing his presentation, I would like support and supplement it by talking about the measures and current status to safeguard ICH in Korea.

In Korea, Cultural Heritage Protection Act (CHPA) has been the foundation to ICH safeguarding since its enactment in 1962. A basic frame of protection on ICH under the CHPA has been to preserve the original condition of ICH. For that, the Korean government has designated ICH holders as Valuable Intangible Cultural Heritage. Moreover, the government has designated other heritage, such as clothes, tools and houses related to an annual events, and religion, as Valuable Folk Cultural Heritage. Also, to transfer and develop valuable ICH, the government has made the holder of valuable ICH responsible to educate successors and may provide scholarships to successors. Moreover, the holder of valuable ICH must disclose his or her technology or artistry once a year. The government may subsidise total or partial cost to protect and develop Valuable Intangible Cultural Heritage. Accordingly, three theories—preservation of original condition, education of successors initiated by government, and mandatory disclosure—have long been fundamental to policy surrounding ICH in Korea.

However, UNESCO adopted the ICH Convention in 2003, and Korea joined it in 2005. The Convention went into force in 2006, and it has since provided new international circumstances to protect ICH. While a basic principle of the CHPA in Korea is preservation of the original condition, the Convention proposes to use various tools, such as evaluation, record, research, preservation, and protection, to ensure vitality. Thus, since joining the Convention, Korea has changed its methodology to safeguard ICH and has used various ways to protect ICH rather than focus on preservation under the CHPA. Also, in the past, the government protected tangible and intangible cultural heritage in the same way and under the same principle. However, subsequent to joining the Convention, Korea could no

longer treat ICH and tangible cultural heritage in the same way. Above all, under the CHPA, the original condition of intangible cultural heritage is hardly defined and the protection of ICH in itself has come under controversy. Then, a scholar proposed to enact the Intangible Cultural Heritage Act.

Despite such weakness of the CHPA, it is still a basic law for protecting ICH and based on this act, ICHCAP was established. Also, in 2009, to build up a fund to protect cultural heritage covered by the CHPA, the Cultural Heritage Protection Fund Act was enacted. The fund that was created should be used for preventive measures to preserve cultural heritage, foster and support private protective action, and so on. However, as one scholar pointed out, it is true that if a special act for protecting ICH is enacted, then ICH can be better protected under such a unitary act.

Currently, Cultural Heritage Administration (CHA) is in charge of safeguarding cultural heritage in Korea. It plays following roles: designating and registering cultural heritage; approving alteration and excavation; conserving cultural heritage and providing financial support; managing royal palaces, tombs, and historic sites of the Joseon dynasty; globalising cultural heritage and promoting exchange with North Korea; researching and investigating cultural heritage; and training specialists. Besides the mentioned roles, the CHA has other functions for ICH as well. First, it provides cultural heritage information services and manages sites regarding cultural heritage information, including the Korea National Heritage Online. Second, it provides several online educational videos to train people. Third, it tries to inscribe Korean ICH items on UNESCO lists.

However, it is still uncertain whether ICH can be protected under intellectual property law in Korea. For ICH to be protected as intellectual property, the definition of ICH must be clearly provided, and there is a need to strike a balance between the current basic form of ICH protection (i.e. preserving original condition) and protection of new creativity added to ICH. Thus, besides international discussion surrounding intellectual property protection on ICH, for the protection of ICH under intellectual property law, a new system for ICH must be created.

Currently, Korea has fourteen inscribed ICH, including Royal Ancestral Rite and Ritual Music of Jongmyo Shrine. Also the Korean government continues to try to inscribe other Korean ICH items on the UNESCO list. Such inscription of

Korean ICH on the UNESCO lists brings social attentions to ICH safeguarding and contributes to preserving ICH in Korea. Also several seminars and meetings regarding ICH protection have increased recognition of ICH protection among citizens. Thus, it is expected that such increased recognition will be a strong basis for safeguarding ICH from now on in Korea.

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Open Discussion

Professor Galla addressed the two presenters. He said that in drafting the Convention and the Operational Directives, one difficulty to deal with was related to the question of religious intangible heritage and religion. He pointed out that we are comfortable when dealing with indigenous spirituality and that inscribed elements surely support this. However, when it comes to any religious ideology that isn't indigenous and spiritually grounded heritage, we are somewhat uncomfortable to talk about it. He asked the presenters to give their views on the matter.

Janet Blake Senior Lecturer, University of Shahid Beheshti, Iran

Professor Blake thanked Professor Galla for the comment. She used Croatia as an example of where religious ICH elements don't pose any particular problem. However, she also mentioned that country reports show how, in some cases, the predominant religion can be quite hostile to ICH elements. She also said that it pleased her to see how openly states were reporting on this, as it is the kind of issue that one almost expects to be hidden. She agreed that it is indeed a matter that needs some serious consideration.

Tim Curtis Chief of Culture Unit, UNESCO Office in Bangkok

Tim Curtis added that he thinks it certainly is a sensitive issue for possibly a whole range of reasons. But perhaps technically it isn't all that dissimilar to the language issue, as the language issue can also have these sensitivities. He offered a way that the Convention could get around it is to say that just as we don't recognise the language per se, we do see language as a vehicle for certain ICH expressions. The solution might be to approach religion similarly. But the reality is that there will be opposition to this or that. But that will be something for the States Parties to determine.

SESSION 2: HOW TO SAFEGUARD THE VALUE OF ICH?

Dr Seong-Yong Park opened the session by giving special thanks to Dangjin city, which co-sponsored lunch for the participants and attendees. He went on to further state that today's conference on the creative value of ICH for sustainable development is not an isolated event, but rather a part of a series of conferences that have been organised by ICHCAP over the years. The topics of previous conferences include information and networking for ICH safeguarding as well as regional collaborative issues in the Asia-Pacific region in the ICH safeguarding field.

Dr Park said that creativity, which is basic but has intrinsic value as an attribute for ICH, comes to mind when it comes to ICH safeguarding. In this sense, it is thanks to the 2003 Convention that ICH is known to keep strong relevance with diversity and sustainable development and even human rights. And this is why, explained Dr Park, the topic for this second session is very important in relation to ICH safeguarding.

Discussion of Peter Seitel's Presentation Paper

Geon-Soo Han Professor, Kangwon National University

Dr Peter Seitel's paper, 'Sustainability and Cultural Diversity in Safeguarding

ICH: Tools and Perspectives', suggests using the conceptual framework of 'social institution' to understand ICH with wider vision. His main argument is to consider ICH not just as the cultural product but as the process of cultural production. The conceptual framework of social institutions makes clear the fact that change in ICH is inevitable and ICH practices are always affected by the social and cultural environment. It also connects positive relationships with other social institutions—collaborating institutions such as museums and NGOS—to safeguard local ICH.

I agree with the article's main point to broaden the concept of ICH and to use social institutions. The essentialist's interpretation of ICH has been criticised as neglecting the nature of culture. Culture is not a fixed entity and not exactly the same when it is reproduced. ICH also needs to be understood in this context. In this point, ICH can be related with the idea of cultural diversity. From the perspective of cultural diversity, the change in ICH can be interpreted as the creative process of cultural interchange and a product of cultural encounters. It does not need to be reviewed or criticised in terms of archetype, authenticity, or orthodoxy. However, what kinds of change can be accepted or not? It is also Dr Seitel's question. It is an important question because ICH is always related to the definition of tradition and authenticity in local communities. To safeguard ICH elements, they were recorded, coded, and reviewed in terms of authenticity and cultural tradition. Sometimes orthodox tradition is defined and human cultural properties are registered. In a society where the social institution of ICH practices has been weakened, ICH safeguarding needs more active involvement of the government or other social institutions. Registered ICH and human cultural properties are important policies to salvage dying ICH. At this point, we need to return what Dr Seitel asks us, that is, what kinds of change are acceptable or not in safeguarding ICH. In addition, we need to examine what adaptation of the social institution concept and acknowledge of dynamic change of ICH contribute to the safeguarding policies where the people do not reproduce ICH in everyday life.

Second, I agree with Dr Seitel's opinion that this new perspective of ICH can be useful to promote the spirit of cultural diversity. There are, however, many different stages of accepting the value of cultural diversity. Some societies, such as Korea and Japan, have recently gone through social change introduced by international migration. They have maintained homogenous features in culture

and ethnicity. In these societies, promoting cultural diversity and multiculturalism is misunderstood as removing the people's concern for traditional culture. In addition, what about the migrants' ICH? How do the hosting societies support the safeguarding of migrants' ICH? Can the host countries officially register migrants' or ethnic minorities' ICH as the national ICH or try to nominate these ICH elements for inscription on UNESCO ICH lists?

Third, Synchrotext, a digital tool that Dr. Seitel introduces, looks very helpful to archive various ICH data for disseminating, researching, and safeguarding. As he mentioned, the language tool needs to be extended to more languages, especially East Asian languages, but I also think it would be necessary to build a portal site in spreading cultural diversity for those who not only study but also transmit ICH—a portal site where everyone can have access to the ICH information. This could perhaps also be a mission for ICH in the long run.

Response by Peter Seitel

For the sake of time, Peter Seitel addressed just one point—the matter of whether the ICH of immigrants should be safeguarded in the name of cultural diversity. He said that in approaching ICH as a social institution, one of the implications is that there will be many ways of safeguarding ICH. By 'safeguarding' we mean enabling it to reproduce itself as a social institution. And it is not only official recognition by an international organisation like UNESCO as a modality of that safeguarding; there might be other ways, too. He said that he would argue that the ICH of immigrants is important to the immigrants in terms of maintaining a place in the world to retain their ethical knowledge and their material knowledge, and so safeguarding should be pursued. He added however that whether it should be pursued by UNESCO is another question.

Discussion of Kyung-koo Han's Presentation Paper

Adi Meretui Tuvou Ratunabuabua Principal Cultural Development Officer, Ministry of Education, National Heritage, Cultural and Arts)

The call for action to preserve ICH may be considered an imposition from the UNESCO 2003 Convention; however, for some Pacific Island Countries (PICs), the question has been asked: Why had measures for ICH safeguarding not taken place earlier? For others, another question has arisen: Why should we safeguard ICH when there are so many other lifestyle demands to consider in the modern world for survival.

For many PICs, the call to have national inventories initially came not from the 2003 Convention but from the response to implement the 2002 suis generis framework that was developed in the Pacific on the intellectual property rights model law for the protection of traditional knowledge and the notion of collective ownership in collaboration with a number of cultural practitioners, governments, and development partners.

This call was endorsed by ministers for culture who identified this as a priority instigated by the Pacific Intergovernmental Council of Pacific Arts and Culture (CPAC). The national focal points to the CPAC are members of the regional Secretariat of the Pacific Community (SPC) whose contact points are through the foreign affairs and ministries for culture and/or cultural centres.

The focal points went ahead after years of trying to work out how to start and to answer a multi-layered question: Why make an inventory and implement the model law with the two basic questions to be addressed: Who are the owners and what needs to protected? And to find this out was a long trialled-out process engaging and observing stringent traditional protocols involving government officials, local field research officers, and communities through rural village-based systems and networks (reference the Fiji model, which has covered eight provinces of fourteen mapped from 2005 to 2012, and the Papua New Guinea model, which used Fiji's model as a benchmark). The exercise also provided the challenge of outsiders accessing the ICH databases with a requirement for prior and informed consent from the ICH owners. Noting that information sharing on websites is not currently being encouraged, depending of what is permissible in the public domain, and this presents a dichotomised challenge of transmission versus

protection for educational purposes.

In 2011, initiatives through the SPC, which works with twenty-two Pacific island Member States, saw the production of a handbook and guide for Pacific heritage centres and governments on cultural mapping for ICH, including information on how to map tangible traditional cultural sites and link to migration patterns and to physical site locations based on documenting oral histories through a community-consultative process with a range of partners with ministries of culture as the focal point for data collection in communities.

The practical guide was produced as a model, noting that one size does not fit all and that circumstances are wide ranging in many PICs, depending on their governance structures, availability of resources and policies (still being developed), and capacity to engage in such systems. The guide should be seen as a starting point. It is available on the SPC website, http://www.spc.int.

A policy guide was also produced by Fiji on its ICH ratification process and an information paper to parliament to encourage collaboration and to share ideas and experiences in formal processes to engage in the convention.

In the Pacific, urban dwellers tend to have moved from the rural fishing, agricultural, and island-based villages to search for jobs and to look for 'better' educational opportunities for their children. And so, the question would be: Why should we preserve our ICH when there are pressures to put food on the table, pay the bills, and get the children educated in a school system that follows Eurocentric models?

There is now a move towards Education for Sustainable Development (ESD) programs that have seen a number of PICs through UNESCO's try-out education frameworks for the UN ESD decade to see initiatives using ESD for local content included in the curriculum and taught in schools from primary level for disaster risk management (using traditional knowledge in the case of natural disasters), revival of traditional boat building and navigational skills, and strengthening arts education with community participation and with retired school teachers as facilitators.

The establishment of a Pacific Heritage Hub is a very recent initiative by UNESCO National Commissions, funded by the UNESCO Australian Funds-in-Trust working collectively in the Pacific for information, communication, networking, and capacity building for the 1972 World Heritage Convention. The emphasis for the Pacific is to have the 5th C of the World Heritage Convention

COMMUNITY with emphasis and involvement for protection through local communities and national legislation, the preservation for sites of local and national significance, and a call for a more holistic approach for implementing the 2003 and 1972 Conventions for intangible and tangible cultural heritage for projects such as the revitalising traditional navigation skills and cultural voyaging sites and strengthening relationships in the Pacific for cultural sites and oral histories that link to traditional voyaging routes, cultural exchanges, and barter systems that were used to strengthen kinship ties in the past, through the Vaka Moana project.

Traditional house building has seen a decline due to lack of the availability of traditional building materials that used to be readily available. However, earlier national polices directed towards food security have affected crops planting, and areas that were once used for sustainable practices—for example, areas where roof-thatching materials for making for traditional houses were once grown are now being used for rice production or cattle farming—has seen the loss of availability of local resources to build the houses and has brought with it the loss of the skills and traditional know-how for continuing the ICH practices in the community.

Traditional agricultural and fishing practices have also seen a decline, and there is more reliance on the commercial products that are processed and come in tins or cans to meet the changing pressures and for a faster pace of living in towns.

Many indigenous fish and plant names and calendar cycles have not been passed down, and fishing practices have been forgotten and knowledge has diluted because the introduced education system did not place emphasis on passing down traditional knowledge. And this is being further intensified as the elders who do know the names and the practices are fast declining.

Making ICH inventories does not come without its challenges particularly when trying to ensure cultural diversity of all cultural groups as part of one's national identity and strength. But to start the process is a good step if communities and governments are concerned about the future and the methods of survival and know-how used by our ancestors. For the Pacific, we are prone to natural disasters, such as floods, cyclones, and tsunamis, and we have to revert to our local ICH knowledge and resource base in times of desperation. If the world's energy sources continue to deplete at the current rate, and we are forced to go back to using local natural resources based on our traditional knowledge, then having

the information on who is practicing the skills and its availability is a great start that can be referenced for future research and policy development and for the communities' heritage base for their children in the future.

At this meeting, I speak not just for Fiji but for the Pacific as the Pacific way is to work collectively through consensus. And we continue to move collectively through the CPAC with Pacific Regional Cultural and Environmental networks in addressing modern-day issues towards sustainable living as practiced in the past but now is looking to move to areas that include cultural diversity, cultural industries, the protection of traditional knowledge for small developing PICs.

Two recently adopted documents that include ICH as integral parts to the plan were endorsed in July this year by ministers for culture at the recent Festival of Pacific Arts, a quadrennial event celebrating its 40th anniversary in the Solomon Islands. These documents for implementation are 1) the Pacific Regional Culture Strategy 2010–2020 and 2) the Pacific Regional Culture and Education Strategy 2009–2015.

While the Pacific has gained the endorsement from the Pacific leaders to enable policy and funding to support ICH activities in the region for national governments to implement through the ministries of culture and environment, the real test is from the perspective of the community with its input into monitoring and evaluating the policies and activities collected through questionnaires and interviews for statistics to gauge the effectiveness of the ICH Convention and its implementation in relation to sustainable development and our future sustainable living. Thank you for your time.

Discussion of Antonio A. Arantes's Presentation Paper

Hwan-Young Park Professor, Chung-Ang University

In his paper, Prof Arantes earnestly discusses the challenges and perspectives in safeguarding ICH in developing countries, where elements are at risk of extinction in their socio-cultural contexts, based on a variety of cultural-anthropological experiences and theories regarding ICH. While I generally agree with his views and opinions, I would like to ask a few questions I had as I was reading his paper and mention some points I wish he could expand on for further discussion.

1. While this paper focuses the discussion of safeguarding endangered ICH on the situations in developing countries, I think the current policies and institutions adopted to safeguard ICH in developed countries, such as the elements of the Native Americans in the United States and Canada or those of the Ainu in Japan, need to be discussed as well in order to emphasise the unique challenges and perspectives in safeguarding ICH in developing countries caused by their particular conditions and situations. Furthermore, I think, when discussing the issues involved in safeguarding ICH, independent and distinctive factors that influence cultural traditions in individual countries or cultures can be regarded as important as common socio-economic factors confronted by the large majority of developing countries, including poverty and social exclusion.

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- 2. I would appreciate it if there were more concrete examples illustrating the impacts of the 2003 Convention on the ICH safeguarding policies of developing countries. Prior to the adoption of the 2003 Convention, UNESCO implemented two major initiatives to safeguard ICH elements: the Recommendation on the Safeguarding of Traditional Culture and Folklore (1989) and the Programme of the Proclamation of Masterpieces of the Oral and Intangible Heritage of Humanity (2001). I would like to know the contributions and limitations of the Recommendation and Proclamation in safeguarding endangered intangible heritage in developing countries compared to the 2003 Convention.
- 3. The safeguarding of ICH depends on diverse factors including creativity, authorship, and improvement efforts, not to mention knowledge and materials related to ICH elements. Thus, heritage practices can be improved or recreated in new forms with emphasis on their traditional values maintained for generations. Even though such changes can be made smoothly according to the demands of the time or social circumstances, we cannot exclude the possibility that the changes may be brought about artificially under the control of commercial interests. I would like to have Prof Arantes's opinion on this matter.
- 4. Social problems concerning ICH holders may arise depending on the specific society and its leadership, including prejudice and intolerance against ICH holders and hierarchies and power relations based on gender

- or age differences. If so, I want to know what solutions are available to safeguard ICH elements and create conditions for ICH holders to continue their roles and activities in such society.
- 5. As for the inventorying of ICH elements, I would like to learn about some of the inventorying projects undertaken in Brazil and other South American countries. I would also like to hear Prof Arantes's opinions on what similarities and differences there are between the South American cases and those of other developing countries and about the types of problems the former has faced.
- 6. While the safeguarding of endangered ICH is a definite imperative, I would also like to know more about the possible alternatives and future prospects for the sustainable development of ICH based on the current global trend of multiculturalism and urbanisation.
- 7. In my opinion, intellectual property rights concerning ICH could be treated as an important factor in the sustainable development and safeguarding of ICH, and I would like to hear Prof Arantes's view on this matter.
- 8. While I entirely agree with Prof Arantes's view on the role and responsibilities of anthropologists, I wonder if we can further discuss the ethical standards expected of anthropologists as they contribute to the series of policies and administrative activities aimed at systematically safeguarding ICH by continuing to identify, select, and inventory elements.

Response by Antonio Arantes

Antonio Arantes addressed the matter of using ethnographic material by saying that he is in favour of either using this sort of ethnographical material in full detail or not using it at all. He said that he is partial to raising questions and pointing out issues that he thinks might be relevant and inspiring for further research than to using bits and pieces of ethnographic evidence because these are very easily manipulated.

As to the opposition between developed and developing countries, Mr Arantes said that he has some doubts about how such a difference or distinction may clarify because there are so many aspects when you think of each country or the situation in a region in each country. Countries are not homogenously underdeveloped or developed; they are varied inside. He said more evaluation or

deeper thought about the effects or consequences of the conditions in which the Convention is being implemented.

As far as the politics of representation, Mr Arantes said he thinks the ethical problem about anthropologists, NGOs, and others being the voices of the communities is that they give themselves the authority to be the official interpreters of the community. And this is a very big problem because when it comes to politics, we cannot make choices or say this or that is better because it all depends on the visions that the people have about their own future.

In closing, Mr Arantes said that the 2003 Convention raises issues that should be given time to discuss, and in terms of professionals who put themselves in situations as translators of the communities for the sake of granting some kind of support, he said it is a delicate situation.

SESSION 3:

HOW TO PROMOTE BETTER ICH FOR SUSTAINABLE EVELOPMENT?

Tim Curtis, Chief of Culture Unit, UNESCO Office in Bangkok, thanked the organisers for asking him to chair the third session and introduced the presenters.

Discussion of Dawnhee Yim's Presentation Paper

Sang Hyun Lee Professor, Andong National University

In this paper, Prof Yim illustrates the characteristics of Korean institutions for intangible heritage, a subject she has researched with much interest, and especially those aspects that would be helpful or serve as a reference point for UNESCO in operating ICH systems.

Specifically, the paper summarises the backgrounds from which Korean ICH institutions developed and their characteristics—for instance, the experience of operating a range of systems for safeguarding ICH. As an expert in this field, she goes beyond merely describing such policies and deals with crucial challenges brought up in discussions taking place in Korea with regard to ICH institutions, including problems arising from unnatural means of conserving ICH, fossilisation of ICH, and the hierarchy imposed on ICH elements. Lastly, Prof Yim mentions

how UNESCO's ICH policies have influenced Korea's ICH policies, and then cautiously suggests a direction for future policies in Korea.

While part of my own study concerns intangible culture, I am not directly involved in policy, and therefore, not in a position to verify the details in her paper or raise questions. However, I believe that this conference is aimed at reviewing UNESCO's preservation and use of ICH, largely by examining the Korean experience. Therefore, as the designated commentator, I will discuss several points that I found interesting and some that need to be complemented.

ICH policies were adopted in Korea earlier than in other countries, making Korea a good example in the operation of ICH policies. The Korean case can be easily predicted to assist in safeguarding and using UNESCO's other ICH elements. Indeed, I think that some Korean institutions that provide systematic assistance for ICH bearers and designation of living human treasurers would contribute to the formulation and operation of ICH policies of other countries and UNESCO's safeguarding and utilisation policies of intangible heritage.

However, brief comments on the features of the ICH policies of Korea and latest developments in discussions are not enough for the Korean cases to be used as a reference for UNESCO in developing such policies. To this end, there instead needs to be an analysis of the backgrounds from which Korean ICH policies were prepared as well as their characteristics. Specifically, it is needed to illustrate the grounds and backgrounds of the three latest issues addressed in this paper and the stages of emergence of various safeguarding measures.

While it is true that Korea began to develop ICH policies earlier than other countries, it must also be noted that Korea's reasons for their initiation were more political than cultural. The main purpose of the ICH policies was not to safeguard disappearing intangible heritage, but rather to serve the political purposes of the then military dictatorship that seized power by a coup d'état and its attempts to reduce criticism against industrialisation policies. For this reason, ICH policies were launched without specified plans on how to preserve and use ICH elements, and therefore, were continuously complemented over time. In some cases, expressions of folklore that conformed to the ruling ideology of the regime at that time were designated as ICH elements.

As another problem to ICH policies in Korea is that certain scholars have exerted a great influence on designation of ICH. In many cases, folklorists or

relevant scholars participated in the both processes of investigation and approval for ICH designation, and this generally led to the identification of their favoured items of folklore.

These problems have resulted in artificial preservation and fossilisation of ICH, which was brought up by Prof Yim in a recent discussion about Korea's ICH, and other various challenges. Such developments are well shown in case studies conducted of many regions.

On the other hand, the influence of ICH policy is not confined to the culture of a country, but rather provides a reason for conflict among neighbouring countries. The struggle for cultural hegemony has begun between some countries in North-East Asia over recent inscriptions to UNESCO's Representative List of the Intangible Cultural Heritage. For instance, when Korea's Gangneung Danoje Festival was inscribed, China protested while Korea strongly opposed the inscription of Arirang as China's intangible element.

I am of the opinion that the cause of conflict lies in the fact that each country has long exploited, to varying extent, ICH policies for political purposes, and UNESCO's policies on intangible heritage also stand on the extension of such perspectives. It seems that this kind of conflict in relation to intangible heritage was plainly expressed as a form of severe confrontation over territorial ownership.

On 16 November 2005, at UNESCO's sixtieth anniversary celebration in Paris, two years after the declaration of UNESCO's Convention for the Safeguarding of the Intangible Cultural Heritage in 2003, the renowned anthropologist Claude Lévi-Strauss stressed that understanding cultural diversity will contribute to the promotion of peace throughout the world. Although UNESCO is pursuing a variety of programs including the 2003 Convention, one of its ultimate objectives probably is world peace.

However, in my opinion, a recent series of discords that took place in North-East Asia over UNESCO's designation of intangible elements do not stem from policies themselves, but wrong understanding of some staff or researchers in charge of intangible heritage in each country with regard to UNESCO's policies. To take all into consideration, in an academic conference on UNESCO's policies, just like this international conference, all participants surely need to make reference to various experiences of other countries to develop desirable policies for the preservation and use of ICH, but it is also time for us to discuss the ultimate

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goals of the ICH policies of UNESCO.

In this respect, I would like to make a few requests to the agencies in charge of this international conference that have no immediate relationship with Prof Yim's paper. Most of the academic conferences or research projects with regard to UNESCO's intangible heritage that have continuously been held in Korea are predominantly focused on international cooperation or safeguarding policies and the maximisation of value. This is understood as part of strategies to recruit many international organisations to Korea, or inscribe many intangible cultural items to the UNESCO lists.

In addition, I believe that it is also time to initiate academic discussions on the changes that occur after UNESCO's designation. So far, some items of traditional Korean culture were designated as UNESCO intangible heritage, but since then, few of the resulting changes have been discussed. As specified in the presentation regarding the relationship between the designation p'ansori, a form of traditional Korean music, and its impact, certain elements of Korea's intangible heritage have had positive impacts on the awareness of the general public after UNESCO's designation as an intangible heritage. However, such topics are rarely discussed among ICH experts, not to mention the general public.

I firmly believe that a study that explores the changes in relationships that occur after designation as an intangible heritage is necessary because it can provide the characteristics and limitations concerning ICH policies of UNESCO, based on which effective policies can be formulated.

Response from Dawnhee Yim

Prof Yim thanked Prof Lee and began by saying that Korea's institutions for ICH were established due to rationalising the administration of Chung-hee Park since he had gained power through a coup d'état. She said there are two sides of folklore. One is the 'old' side, and the other is the 'our' side. When a nation accepts the concept of folklore, it seems to be biased on one side. Generally, if that country has a history of suffering due to foreign powers, it tends to protect its identity through safeguarding culture. She also emphasised that many leaders have used culture politically.

Prof Yim admitted that Prof Lee raised a very important point: the listing mechanisms of the Convention seem to push competition and conflicts may occur, a situation that clearly goes against the spirit of the Convention. She suggested that

this may be a result of the 1972 World Heritage List, on which 80 per cent of the historical monuments were in Europe. This unintentionally brought a correlative assumption that the more the more listings a country had the more sophisticated or developed the country was. This mind-set, she said, has mistakenly been transferred to ICH listings.

To remedy this, Prof Yim indicated that there is a need to eliminate the idea that unlisted elements have lesser value than those listed. Such a paradigm change will help resolve conflict and enforce equality among ICH.

Discussion of Amareswar Galla's Presentation Paper

Thi Minh Ly Le Director, Center for Research and Promotion of the Cultural Heritage of Vietnam

ICH is one of the main potential resources for tourism as well as an opportunity for economic development. However, using ICH resources for tourism purposes will also create challenges that we will have to face and deal with. The concept of 'sustainable heritage tourism' that Prof Galla mentions is very important, and it should become a requirement for all countries.

A growing number of heritage tourism programs, especially those in the sphere of intangible heritage, have been initiated around the world. In my country, local governments are initiating plans to develop tourism wherever there is a heritage site or feature. This is understandable because tourism brings great economic benefits and entails less risk than other business sectors. However, not everybody understands that ICH is very sensitive and vulnerable and that the more it is exploited, the more it faces the risk of being changed and lost. There are many forms of ICH that cannot sustain the demands and pressures of large numbers of tourists. It is very hard to maintain both tourism on a large scale and the preservation of ICH. Tourism in itself can change or undermine the fundamental modes and forms of ICH and its expressions. ICH is like a beautiful landscape, and tourism is like a path across and through this field. The more tourism develops, the larger the path becomes, and then the landscape itself begins to change.

Here and there in my country and in some of the other places that I've been to, I've seen how vulnerable ICH is as tourism develops unsustainably. The

initiation ceremony of the Dao people in Ha Giang province is performed daily for tourists. The markets in Sapa, Lao Cai, (presented in part today as venues for the ritualised courtship of ethnic minority lovers) are held on Saturday evenings. These ICH performances of traditional cultural life are scripted and enacted today by professional artists. In some cases, there are such problematic developments as the use of massive choirs of as many as 3,000 people, in place of the malefemale pairs who once performed the traditional musical genre known as Quan ho singing—a feature of Vietnamese heritage now officially recognised in the UNESCO Representative List). Comparable problems include low-quality versions of traditional artefacts and products on sale to tourists, or the transformation of cultural bearers into business people or professional vendors and hawkers.

To achieve sustainable heritage tourism, I agree with Prof Galla that it is necessary to map out and record heritage, in other words, to make an inventory of ICH, then to point out what communities and what ICH need to be respected, and not to use ICH merely for tourism development purposes. It is also necessary to raise the awareness of local authorities, tourism programmers, and communities with regard to this policy.

To achieve sustainable heritage tourism, it is essential to build the capacity of communities before they engage with the tourist industry. Community people must make decisions about the ICH elements and the means by which these will be shared with visitors. In this case, community museums are of great importance as a means by which the community can develop and express their own voices and enhance the living heritage experience of travellers. Community people must be involved in planning, implementing, and monitoring the use of cultural heritage for tourism purposes. Active participation of the community will ensure the quality of tourism services as well as the authenticity of tourism products.

To achieve sustainable heritage tourism, the state must have a policy to cooperate and coordinate cultural and tourist activities. Sometimes, these two fields work along parallel rather than intersecting lines and thus never meet, which leads to a number of risks for safeguarding ICH.

To achieve sustainable heritage tourism, tourism programmers and visitors also have to be morally responsible for heritage. It is necessary to protect natural spaces and sites associated with the memory needed for the expression of ICH. As a result, investment in tourist infrastructure must give priority to heritage

conservation issues. To achieve these targets, it is extremely important to train professional staff, including those involved in heritage research activities, as well as officers and officials who have a wide knowledge of culture and tourism. Those people must be equipped with knowledge on cultural heritage conservation, rules, standards, objectives, and requirements in implementing professional work in heritage protection.

I also agree with Professor Galla's perspective on cultural diversity. Let's create opportunities for ethnic minority peoples to present their own heritage. Tourism is not only aimed at heritage that has already been acknowledged by UNESCO. The success or failure of sustainability depends on this.

Finally, self-management of heritage by communities should be supported and seen as a way of sharing economic and social benefits from cultural tourism with the communities. It needs to be done as soon as any plan or program of cultural tourism has been conceived. If ICH resources are managed properly, they will bring direct benefits to the local areas where the heritage has been preserved. Cultural heritage is both a potential and a driving force when its cultural bearers use it appropriately in today's market economy. Managers and researchers need to help the community to identify promotable elements and to transform cultural resources into forces for development.

Response from Amarswar Galla

Prof Galla thanked Dr Le for her review and indicated that he had just one comment to make. He said that overall we are talking about a standard-setting instrument—a hard law instrument. But a lot of tourism charters are soft law instruments, like the World Tourism Organization Charter and the ICOMOS Charter, and there are different ICOM charters. He said that given that a lot of these charters don't really embed intangible heritage, it is important to have some discussion and some analysis of case studies to come up with some kind of a soft law that would actually assist in promoting intangible heritage and implementing the Convention.

Discussion of Gaura Mancacaritadipura's Presentation Paper

Jeong-Sook Chung Senior Researcher, Korea Culture and Tourism Institute

Cultural diversity in twenty-first century does not simply mean the factual statement that culture exists diversely like the diversity of biological species. Culture should be considered as a norm that has the premise of periodic alertness that if the norm's not internalised and strengthened, cultural diversity can be damaged.

As the economic development grows rapidly, economy has become the big portion of people's life and the relationship they make. This can be a serious problem since the culture of the countries that take advantage of distributing structures can dominate other cultures or can even destroy them.

At this moment, cultural diversity is acknowledged as the common resource to all level from an individual to all of humanity across the world. International society has reached an agreement that without this cultural diversity, humankind will hardly have vitality and be worth living.

Beyond theoretical discussion of cultural diversity, we're here to discuss how to maintain and vitalise cultural diversity in reality. I'm glad and grateful to be a part of this meeting and would like to thank everyone who organised this meeting.

Culture is a living organism, and it is the way of intellectual, emotional, and spiritual expressions of every human being as well as the outcomes of the expressions. They exist in our lives through the shape of both of tangible and intangible cultural heritage.

Some might say it is extravagant to discuss culture while there are still numbers of extremely poor countries, but they all have unique cultures of their own. Their unique cultures make them proud and give them incentives to set their goals of developments. All cultures are worthwhile to safeguard and enjoy. They are all legacies of humankind.

Especially, ICH, unlike other forms of cultural heritage, is more vulnerable for it doesn't contain a physical shape. So it can be easily damaged and lost in the passage of time without any concern about it. For this reason, it is necessary to discuss this matter of how to safeguard ICH at the international level.

In this meeting, I'm going to discuss the case of safeguarding ICH through formal and non-formal education in Indonesia by Gaura Mancacaritadipura.

His article showed us the methodology of how the ICH can become the common resource of humankind by giving the example of Indonesian youths experiencing ICH through education.

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First of all, there are three ways to transmit ICH through education: formal, informal, and non-formal education. Formal education includes systematic and structured activities in school while informal education is a lifelong process through which each person obtains values, attitudes, skills, and knowledge in daily life experiences. Non-formal education includes the organised and systematic activities outside the standard school system, such as workshops for instance.

These three ways of education will be the clear guideline to transmit ICH from one generation to the next. If ICH education is done in all formal, informal, and non-formal ways, ICH will be sustainable even if there are shifts in time and social systems. Moreover, these three paths of education would construct the ecological environment that transmits the ICH in a natural way.

ICH will be appreciated and enjoyed not only in a specific class and field in society but in every field and space in society and maintain its vitality if we use the three paths of education on safeguarding ICH.

The case of batik cultural heritage, which the manager of the Batik Museum and the mayor of Pekalongan cooperated to give formal education at school, and the case of Wayang Puppetry safeguarding action plan are very precisely written.

Basically, in Law No.20 of 2003 of the Republic of Indonesia on the System of National Education, direct education diversification accords with the diversity of local potential and establishes 'local content' within the national curriculum. This local content includes local languages, art, cultures, and forms of ICH, and it supports the principle of cultural diversity.

But what's truly surprising is not the policy itself but the speed with which it has been implemented. In 2006, it started with only one school adopting a curriculum for Batik Cultural Heritage in Pekalongan City, but by 2009, all 230 schools in Pekalongan City incorporated Batik Cultural Heritage as a local content subject.

One more astonishing thing is that the students who were taught batik have also improved in other areas, such as concentration, patience, confidence, and the spirit of team work. Students voluntarily design batik styles of their own and the programs are expanding to the surrounding areas. This proves that what we can

achieve through ICH is nearly limitless.

I'd like to thank to the author once again for introducing me to these precious and wonderful cases, and I'd like to ask you few questions about them.

First, to safeguard ICH through both formal and non-formal education, have you ever received any help from ODA? According to your report, Article 21 of the 2003 Convention identifies 'the training of all necessary staff' as one of the activities to be considered for the granting of international assistance. The safeguarding of ICH will be more effectively practiced if it is supported by ODA.

Second, how much financial support do ICH holders get from the central or local government? Since Indonesia has the Ministry of Culture and Tourism and the constitution enacted in 1945 clarifies the duty of developing national culture, I'd like to know the detailed policy and system.

Third, are intangible heritage elements like Saman Dance performed elsewhere besides the place it originated? Has Saman Dance been performed in other countries as a cultural exchange program? If so, how many times a year abroad and in Indonesia? It would be much better to give the opportunity not only to students but also to common people and to the world citizens to enjoy and appreciate this ICH. Saman Dance was inscribed on the Urgent Safeguarding List in 2011. Please let me know the minimum number of people needed to perform the dance and the number of students currently obtaining this skill.

Fourth, there has been an increasing number of students who have been trained in batik culture in the Batik Museum, but the numbers declined from 2006 to 2008(4815 -> 12905 -> 5749), and the number of teachers shows the same pattern(1053 -> 1798 -> 925). Is there any reason why? One possibility might be the small size of the city. Because the city is small, there might be no more students left who haven't taken part in the program.

Fifth, various approaches to ICH education in Indonesia are considered good examples of safeguarding ICH. Are there any international networks or cooperating services that introduces and shares the method to other countries?

I'd like to thank Gaura Mancacaritadipura once again for introducing diverse approaches on education for safeguarding ICH with delicate explanations, and I'd also like to express my gratitude to every participant in the Batik Museum as they deserve credit for trying to transmit ICH from one generation to the next.

Response from Gaura Mancacaritadipura

Mr Mancacaritadipura thanked Jeong-Sook Chung for taking the time to go through the paper. In response to whether Indonesia has ever received ODA, he said that Indonesia did with the wayang, between 2005 and 2007, but after that, they didn't. He said that accepting overseas funds is sometimes overly complicated, both in the requesting and in the execution. Since local funding or self-funding is less complicated, most of the safeguarding activities going on in Indonesia are mostly locally funded through the government or even self-funded by NGOs and community members.

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As far as whether the Saman Dance is performed in other places, Mr Mancacaritadipura said that it is. And he elaborated by saying that since its inscription, interest has grown and that there will be a Saman summit later in the year.

Mr Mancacaritadipura also said that there would never be a shortage of students in Pekalongan because every year there is a throughput of students, with some graduating and new students coming in. Given this situation the education they will never run out of opportunities to run the education training programme for the students.

PLENARY DISCUSSION CREATIVE VALUES OF INTANGIBLE CULTURAL HERITAGE AND SUSTAINABLE DEVELOPMENT: ROLES AND TASKS

Dr Samuel Lee opened by saying that although he would like to hear everyone's opinion during this session, due to time constraints, it may not be possible.

He recapped the point he made in his opening speech about the rapid progress of the 2003 Convention since it was adopted. He expanded by briefly mentioning some of the related key points that appeared in some of the presentations. In particular he cited Dr Peter Seitel's mention of various fundamental values—religious and psychological—towards peace. Dr Lee also highlighted the points made in Dr Chérif Khaznadar's presentation regarding the definition of ICH and whether it has sustainable development and whether there is sustainable development for the Convention. He also gave his impressions about the Batik example given by Gaura Mancacaritadipura and said that it could be a model or a lesson for Korean ICH safeguarding and promotion.

Dr Lee closed by introducing Dr Khaznadar to give his commentary and summary.

Chérif Khaznadar President, Maison des Cultures du Monde

Dr Khaznadar started by likening the ICH Convention to love for a baby. He said that when you love a baby, you are very aware of the dangers that may occur, and you have to protect you baby. Through the day's communications and through evidence, he explained, that we are aware of some dangers that could harm the Convention. We need to avoid those dangers now, as the Convention is a young baby that needs to grow.

One of the dangers is to forget the initial aims of the Convention. Dr Khaznadar reminded the audience that when the Convention was drawn, it was very clear that this Convention is totally different to the 1972 Convection—there is no authenticity or outstanding value in ICH. We have to be very careful about this because some states may have the tendency to support and safeguard the elements on the list and forget about the others. The spirit of the Convention is totally different—that we safeguard ICH whether it is on the list or not on the list. And just being on the list doesn't make the element better; it is just there.

Dr Khaznadar said another danger we have to be aware of it is that inscribed elements are also living heritage that evolves. Unfortunately, in many cases, listed elements become fossilised as some think that if an element is inscribed, then it should not change. However, this is contrary to the spirit of the Convention. This element is alive, so it should be allowed to continue to life.

In closing, Dr Khaznadar said that we should take care of our baby, the Convention, and let us not forget the spirit in which it was created.

Samuel Lee Director-General, ICHCAP

Dr Lee thanked Dr Khaznadar and reiterated that ICH should not take outstanding universal value within its criteria. He said that we should focus on heritage that is valuable to the life of the people and community concerned and safeguard, develop, and transmit those elements for future generations, regardless of whether these elements are on the UNESCO heritage lists.

Janet Blake Senior Lecturer, University of Shahid Beheshti, Tehran

Dr Blake started by saying there were lots of extremely interesting ideas that we should think about and study. She pointed out that one idea in many comments throughout the day but wasn't explicitly stated. She said that the Convention is a state-driven process, and in being so, state sovereignty is jealously guarded. In fact, it is more jealously guarded in this particular framework than in many other conventions and treaties. She said that she would like to see the ICH Committee become more of an expert body than an intergovernmental one, since the General Assembly is clearly there as an intergovernmental policy-setting body.

She was pleased to hear that so many countries are developing legislation and institutions within the framework of the Convention. However, she cautioned, it is also important that UNESCO keep an eye on the direction things are going. In one or two cases, the specificities are moving rather far from the original idea of the Convention, so it is something worth keeping an eye on.

She supported Tim Curtis' idea that Best Practices get more prominence because there really are excellent practices that should be shared.

On matters about listing becoming too important to the states, and the aspects being ignored, she talked about the possibility of allowing elements to drop off the lists. Her idea is that if there were that possibility, then perhaps the elements

wouldn't be seen as being set in stone.

Dr Blake closed her commentary by addressing the matter of elements being lost because communities are no longer willing or able to continue enacting, practicing, maintaining, and transmitting them. This comes back to the Convention implicitly rather than explicitly being about human rights and particularly the social, economic, and cultural rights as well as the political rights of the communities. Many of the threats that have been identified to transmission particularly are threats that come back to failures to ensure and guarantee rights. The connection between guaranteeing human rights and ensuring the continuity of ICH is also something well worth looking. Really, if the communities are safeguarded, then that safeguards the elements themselves in many cases.

Samuel Lee

Dr Lee asked Dr Blake about what we should do when safeguarding traditional culture that collides with the social development, democracy, equality, or freedom issues.

Janet Blake

Dr Blake said that it is part of a wider discussion. In Iran, there are very lively and on-going discussions on how to reconcile the universal rights standards, concerning women's rights and the Islamic law that we practice. She said that while there have been no resolution reached yet, it does have lessons that perhaps can move over into the question of how to address these issues as far as intangible heritage is concerned. But most importantly, as with human rights issues, these are essentially questions that need to be resolved within a national context and it is about each society finding its own way of dealing with them and its own specific way of implementing. Once local responses have been found in one country or region, then they can perhaps be used to inform other countries.

Chairperson's Closing Statement

Samuel Lee

Dr Lee said that he would like to extend the time for more discussion, but since the originally promised time had already passed, he would have to close the meeting. He thanked everyone for their presentations and discussions.