I would like to express my deep gratitude to the Asia/Pacific Cultural Centre of UNESCO (ACCU), and in particular its Director General, Mr. SATO Kunio, for having kindly invited me for this lecture.

I am particularly honoured to speak before such an important audience on a topic of great interest, here, in Japan, where ICCROM developed such a long-standing and fruitful collaboration with Japanese institutions such as the Agency for Cultural Affairs (Bunkacho), the Tokyo National Research Institute, various prestigious universities, and naturally the Asia/Pacific Centre for UNESCO (ACCU), which is hosting us today.

My intervention will approach the subject: “Development of the 2003 UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage and the first steps of its implementation” in three main parts:

- The historic development of the 2003 Convention for the Safeguarding of Intangible Cultural Heritage
- Integrated approach in relation to tangible heritage
- Community participation and potential initiatives

Dear colleagues, ladies and gentlemen,

After this short introduction let’s pass to the first part of this presentation, I would like to propose to you a short historical overview on how legal provisions were made for the protection of intangible cultural heritage at UNESCO.

As you know, the intangible cultural heritage has been the weak part of cultural heritage legal protection until quite recently because the UNESCO Conventions (1954, 1970, 1972, and 2001) focused on safeguarding the tangible heritage.

Safeguarding the intangible cultural heritage is nevertheless an issue of long-standing concern. It was essentially after the 1970s that the question began to be studied, following a proposal submitted in 1973 to the UNESCO Director-General by the Bolivian government to work on an agreement to regulate the preservation, development and dissemination of folklore.

Following this initial initiative a dual approach was adopted. The first, undertaken jointly with WIPO, led in 1982 to the drafting of Model Provisions for National Laws on the Protection of Expressions of Folklore against Illicit Exploitation and Other Prejudicial Actions. And it was on the basis of this text that a draft treaty was drawn up by these two organisations in 1984, but nothing came out of this project. The second track
which was pursued by UNESCO consisted of a series of meetings leading to the adoption, by the 1989 General Conference, of the Recommendation on the Safeguarding of Traditional Culture and Folklore. The Director-General then created a section in the Cultural Heritage Division specifically tasked to follow up this recommendation. A colleague from Japan, Mrs Noriko Aikawa, was nominated as Director of this Section. She is now retired and Mr Rieks Smeets is now covering the position.

As you know, this Recommendation was the only international legal instrument, before 2003, dealing with intangible cultural heritage, but it did not meet with the hoped-for success because it had not sufficiently captured the attention of the Member States, and it was not a binding text (soft law).

Eight regional seminars were held, and organized by Mrs Aikawa, between 1995 and 1999 on the implementation of this Recommendation. The assessments conducted in the course of these workshops led to the International Conference in Washington organised jointly by UNESCO and the Smithsonian Institution on 27-30 June 1999, entitled “A Global Assessment of the 1989 Recommendation on the Safeguarding of Traditional Culture and Folklore: Local Empowerment and International Cooperation”. These assessments led to the conclusion that some aspects of safeguarding traditional culture and folklore, particularly terminological issues, the scope of the spheres involved and the types of definitions used, had to be addressed in a new or revised normative instrument.

The Washington Conference emphasised the need to give greater leeway to creators/artists or bearers of tradition rather than to researchers, and to take account not only of forms of artistic expression - stories, songs etc - but also of their know-how and source values, the creative processes enabling them to emerge and forms of interaction through which these products are duly taken up and appreciated.

After this 1999 meeting, a Resolution was adopted at the 30th session of the UNESCO General Conference (1999) “requesting UNESCO to undertake a study on the feasibility of adopting a new normative instrument on the safeguarding of traditional culture and folklore”.

At the same time and without awaiting the drafting of a new instrument on intangible cultural heritage, which necessarily takes a long time, in 1997 the General Conference launched the programme for the Proclamation of the Masterpieces of the Oral and Intangible Heritage of Humanity.

This programme enabled UNESCO to draw up a list of certain manifestations of the oral and intangible heritage of exceptional value, but at the same time threatened with extinction. This list, accompanied by action plans to safeguard them, also provides a sample of best practices. The first Proclamation of Masterpieces in 2001 started a first intangible cultural heritage stock-taking process.

Implementing the resolution adopted at the 30th session of the General Conference, the Director-General, Mr Koichiro Matsuura, submitted a report on the preliminary study at the 161st Session of the Executive Board (May 2001). Following its presentation, the Executive Board recommended “the General Conference to take a decision to continue action aimed at advancing the preparation of a new international standard-setting instrument for the safeguarding of the intangible cultural heritage.”

A number of meetings were held to pave the way for drafting an international convention on intangible cultural heritage.

The first meeting was an international Round Table of Experts, organised in Turin in March 2001 thanks to the generous support of Italy and hospitality of the Grinzane Cavour Foundation, at which an operational definition of intangible cultural heritage and the purposes of a standard-setting instrument were laid down. The definition that was adopted was the following:

“the skills acquired by people as well as the knowledge, competences and the creativity of which they are the heirs and which they develop, the products which they create and resources, spaces and other dimensions of the social and natural framework necessary to their durability; these skills inspire
at the alive communities a feeling of continuity compared to the generations which preceded them and are of a crucial importance for the cultural identity as well as the safeguard of cultural diversity and the creativity of humanity.”

In addition it decided that the aims of a standard-setting instrument were “(I) to preserve human creations which are likely to disappear forever; (II) to offer a recognition on a worldwide scale to them; (III) to reinforce the identity; (iv) to allow a social cooperation within the groups; (v) to guarantee a historical continuity; (VI) to promote the creative diversity of humanity; (vii) to support the access to the fruits of this creativity.”

A detailed report on the results of this international Round Table was submitted to the May 2001 session of the Executive Board. Pursuant to article IV (5) of the UNESCO Constitution, the Director-General, on 3 August 2001, sent a circular letter to all the Member States with:

The report on the preliminary study regarding the appropriateness of having an international set of regulations for a new normative instrument, the safeguarding of traditional and popular culture and the observations made by Member States of the Board and the text of the decision taken in this regard by the Executive Board at its 161st session.

Consistently with the decision adopted at the 161st session of the Executive Board the Director-General tabled documents 31 C/43 at the final session of the 31st General Conference in October-November 2001 containing the report on the preliminary study regarding the advisability of having an international set of regulations, in the form of a new standard-setting instrument, governing the safeguarding of the intangible cultural heritage, and the Executive Board’s decisions and observations on this matter at its 161st session.

On the basis of this document the 31st General Conference adopted a resolution recalling the importance and urgency of establishing adequate protection of the intangible cultural heritage. It also emphasised UNESCO’s specific mandate in this field and decided that the most appropriate legal instrument for achieving this purpose would be an international convention, of which the preliminary draft was to be examined at its 32nd session (2003).

Taking into account the opinions expressed by the vast majority of Member States at the General Conference, the adopted approach was based on the 1972 Convention carefully avoiding any overlapping or duplication in respect of similar activities being conducted by other organisations, and in particular the World Intellectual Property Organisation.

In implementation of this General Conference resolution a number of meetings were held, as milestones for holding a very wide-ranging debate.

Firstly, the Director-General convened a meeting in Rio de Janeiro (Brazil) on 22-24 January 2002 of 20 distinguished anthropologists, ethnologists, historians and jurists, who had been invited in their personal capacity to examine the priority areas to be included in an international convention for safeguarding intangible cultural heritage. Some of these experts were members of the Jury for the Proclamation of the Masterpieces of the Oral and Intangible Heritage of Humanity.

The experts confirmed the relevance of the definition of intangible cultural heritage drawn up at the abovementioned International Round Table, held in Turin, in March 2001, and recommended consultations on the terminology. They also made it clear that at the national level every Member State should freely decide on the areas requiring priority protection, acting in consultation with non-governmental organisations and the communities concerned.

With regard to the international safeguarding of intangible cultural heritage, the Convention was required to incorporate a mechanism whose main purpose would be to ensure that public opinion was better informed about the various aspects of the intangible cultural heritage chosen to meet a number of internal criteria (namely, the importance of this heritage to the creation and permanence of a given social group’s identity) and external criteria (with regard to respect for human rights, for example, and the ability to foster intercultural dialogue).
The Convention was to be based specifically on the experience acquired under the programme for the Proclamation of the Masterpieces of the Oral and Intangible Heritage of Humanity, and particularly with regard to the detailed selection criteria (drawn up at the special session of International Jury at Elche, Spain in September 2001) and best practices for safeguarding and protecting the intangible cultural heritage.

The first meeting of a small group of experts asked to write the preliminary draft of the international convention for intangible cultural heritage was held on 20-22 March 2002 at the UNESCO Headquarters, and chaired by H.E. Judge Mohammed Bedjaoui, former Director General of the International Court of Justice. Numerous ambassadors of Member States attended the meeting as observers, at the invitation of the Director-General.

The purpose of that meeting was to draft an outline of the first preliminary draft of the international convention to accompany the report on the situation in the field to be regulated and the possible scope of that work, to be submitted to the 32nd session of the General Conference.

This first draft was based on the 1972 Convention whose success could not be ignored when drafting the new standard-setting instrument. But it should also be pointed out that "based on" the 1972 Convention in no way implied neglecting the undeniably specific character of intangible cultural heritage (in comparison with tangible cultural heritage, which formed the subject matter of the 1972 Convention).

With this in mind, here is a summary of some results achieved:

- The principle of "list" system (as in the 1972 Convention) was accepted because of its locomotive role, driving the States parties, and the effectiveness of protecting the heritage featuring on the list.
- But even though the "list" is important it should not be forgotten that it is equally important - as has been stated many times - to safeguard the intangible cultural heritage not recorded on the list.
- Civil society and the local communities have to be involved in identifying and safeguarding the intangible cultural heritage by applying the Convention.

Following the timetable adopted by the experts at that meeting several meetings were held in Paris in June-July 2002 to take the work forward. In particular, one meeting of the experts dealt with the terminology on 10-12 June with the specific task to produce an intangible cultural heritage glossary, to be used throughout the preparatory work on the future standard-setting instrument. This technical meeting was followed by a second meeting of the small drafting group on the preliminary draft of the Convention on 13-15 June.

Lastly, a committee of experts met to examine the preliminary project to be drafted at the second meeting of the drafting group. This was not an intergovernmental committee because the experts were invited to sit on it in their personal capacity.

A dense calendar was followed by the Member States and the UNESCO governing organs for analysing the preliminary draft of the Convention, prepared in March 2002:

- In May 2002, a progress report was submitted on the work at the 164th session of the Executive Board.
- In July 2002, which was 14 months before the 32nd session of the General Conference, a preliminary report was sent to the Member States by the Director-General together with the preliminary draft of the Convention.
- The Member States were then given four months to submit their comments on the preliminary draft.
- In October 2002 that preliminary report accompanied by the draft Convention was placed before the Executive Board at its 165th session.
- In March 2003 the final version of the report was sent to the Member States taking account of all the comments and observations submitted, accompanied by the draft of the Convention.
- In October 2003 the final report was submitted to the 32nd session of the General Conference.

During the same period, two new UNESCO programmes demonstrated the increasing importance of the intangible cultural heritage, namely, the "Living Human Treasures" system, which was established in 1993 and the "Proclamation of the Masterpieces of the Oral and Intangible Heritage of Humanity", which started in 1998.

In one of his first statements, Mr. Koichiro Matsuura, who was elected Director-General of UNESCO in 1999, declared that he considered the promotion of the oral and intangible cultural heritage to be one of UNESCO's priorities during his mandate.

Within the framework of the Programme of the “Proclamation”, 19 different forms of cultural expression or spaces were proclaimed as "Masterpieces of the oral and intangible heritage" by the Director-General of UNESCO in May 2001, and 28 other masterpieces were given international recognition in November 2003 and a further 43 in 2005.

Let me mention here the three Japanese masterpieces already proclaimed: the Nôgaku Theatre (2001), the Ningyo Johruri Bunraku Puppet Theatre (2003), and the Kabuki Theatre (2005)

This programme of “Proclamation” provided useful information and shed light on the nature of the intangible heritage which Member States wished to safeguard. The experience gained in the course of these programmes confirmed the need for the new standard-setting instrument to protect the intangible heritage.

The draft of the new convention was submitted to the 32nd session of the General Conference in October 2003 and was adopted with a very large majority on 17 October 2003. This major success demonstrated that the Member States were increasingly more widely recognising the need to protect heritage through wide-ranging actions, coupled with the adoption of standard-setting instruments.

The extremely positive dimension of work at the international level is therefore evident. Since the debate on the standard-setting instruments on cultural heritage required all the Member States of UNESCO to be present and offers each one the chance to put their points of view, the new concepts and new notions that have emerged through international standard-setting are truly the expression of a universal approach.

In comparison with the geo-cultural composition of the meeting of experts which drafted, for example, the Venice Charter, the debates on defining intangible cultural heritage were marked by an exceptionally wide representation of different cultures.

Now I would like to address some issues regarding the relation between tangible and intangible heritage

The success of the 2003 Convention is also explained by the fact that in every culture the tangible heritage and the intangible heritage are two aspects of the same reality.
and are always closely connected. Cultural heritage stems from a synchronised relationship involving society (that is to say the systems of interaction linking people), standards, rules and values (that is to say ideas and belief systems).

The objects form part of the heritage of the physical evidence of the standards and values. They therefore establish a symbiotic relationship between tangible and the intangible. The intangible heritage must be seen as the larger framework within which tangible heritage takes on its shape and significance.

In September 2002, the Istanbul Declaration was adopted at the round table of 71 ministers of culture convened by the UNESCO Director-General, Koichiro Matsuura, in Istanbul, emphasising the need to

“An all-encompassing approach to cultural heritage should prevail, which takes into account the dynamic link between the tangible and intangible heritage and their deep interdependence.”

The same Declaration stated that the tangible heritage can only acquire its true meaning when it sheds light on the underlying values. Conversely, the intangible heritage has to be embodied in tangible manifestations, visible signs, in order to be preserved - even though conservation is nevertheless only one possible means of safeguarding heritage.

This dialectic has proven to be particularly productive because it is more broadly representative of the world's cultures which give pride of place to the oral traditions. The regions able to benefit most from this concept of heritage are Africa, Asia, Latin America and Oceania, whose heritage consists of an unequalled wealth of traditions and oral cultural practices, which the "monument-oriented" approach neglected for too long.

However, the idea underlying this new approach, forged 52 years ago by Claude Lévi-Strauss, by his well-known works on cultural anthropology, only goes to show that the large groups comprising humanity have made a specific contribution to our common heritage, and that consequently the incremental addition of these specific contributions will gradually build up the world's heritage.

Through the development of this approach to heritage, guaranteeing equal representation of all cultures, we are gradually approaching the idea that it is essential to safeguard the "the very fact of diversity".

The Shanghai Charter, adopted in October 2002 by the 7th Regional Assembly of the Asia-Pacific Organisation of the International Council of Museums (ICOM) recommended “to establish interdisciplinary and cross-sectoral approaches that bring together movable and immovable, tangible and intangible, natural and cultural heritage” and “to develop tools and standards of documentation for the implementation of coordinated practices in the field of museology and heritage”

But what is meant by "coordinated practices" or a global approach with regard to tangible and intangible heritage, and how can they be applied? The tangible cultural heritage, whether monuments, historic cities or landscapes, is easy to catalogue, and safeguarding it mainly consists of conservation and restoration. The intangible heritage, on the other hand, belongs to different processes and practices and consequently requires another approach and a different methodology. By its very nature it is fragile and hence far more vulnerable than other form of heritage, because it depends on players and social and environmental conditions which do not change very quickly.

Safeguarding the intangible cultural heritage entails collecting, documenting and archiving, as well as protecting and supporting the people holding the culture. While the tangible cultural heritage is destined to survive a long time after the death of the people who
have produced it or commissioned it, the fate of the intangible cultural heritage is much more closely linked to its creators, because in most cases it depends on oral transmission.

The legal and administrative measures traditionally used to protect the tangible elements of cultural heritage are therefore often inappropriate for safeguarding a heritage, of which most important elements often have to do with specific knowledge systems, values, and the social and cultural context in which they have been created.

Taking account of the different needs raised by the preservation of monuments, cities or landscapes, and the safeguarding and transmitting of cultural practices and traditional know-how, it has therefore become necessary to develop a threefold approach dealing equally with:

a. Setting the tangible heritage in its global context;
b. Giving the intangible heritage some form of "materiality";
c. Supporting the practitioners and the transmission of their know-how and skills.

A global approach to heritage effectively entails considering the tangible heritage in its broadest context, particularly with regard to religious sites and monuments, and more closely linking them to the communities to which they belong in order to better account for their spiritual, political and social values.

There are numerous examples which show the close connection between material and intangible heritage. Besides, it is extremely interesting to note the association, certainly not intended at the beginning but currently strong, between sites inscribed on the World Heritage List and the Masterpieces of the Oral and Intangible Heritage of Humanity.

If the intention is to safeguard the intangible heritage, its 'oral' nature must be given a 'material' form, whether this is through archiving it, or through inventories, recording in museums or by audio or video recordings.

This enterprise can certainly be considered a form of "freezing" the intangible heritage in the form of documents, but it must be borne in mind that it is only one aspect of the work of the safeguarding heritage which certainly requires greater consideration and the greatest care to ensure that the most appropriate methods and materials are used.

The fact that, in 2004, the General Assembly of ICOM, held in Seoul, Korea, which has been closely linked to UNESCO's work on heritage-related matters, was on the theme "Museums and the intangible heritage" is tangible proof in itself of the increasing international recognition given to the deep-seated links that exist between the tangible heritage and the intangible heritage.

Let me conclude this part of my presentation on the originality of the 2003 Convention compared with the 1972 Convention by mentioning the very important result, indeed unique success, following its ratification after its adoption by UNESCO General Conference, in October 2003. It is important to note that 87 Member States had ratified it by December 2007 (the most recent being Belize, on 04/12/2007) or have deposited their instruments of acceptation.

If we compare this process of ratification of the 2003 Convention on safeguarding the intangible heritage with the one of the 1972 Convention on the Safeguarding of the World Cultural and Natural Heritage we can see that the speed of ratification in each case has been quite different.

Certainly today, the 1972 Convention is the most popular one, because it has 185 States party to it, but it has taken 34 years to reach that figure and persuade every country, or most countries in the world, to accept the concept of the world's cultural and natural heritage. But it has only taken three years for one-third of the world's States to accept the concept of the worldwide intangible value of the heritage of humanity.

I quite sure that in the next three or four years this new Convention of 2003 will enjoy the same degree of acceptance and success as the 1922 Convention.

The third part of this intervention concerns the actions taken by UNESCO following the adoption of the 2003 Convention on the Safeguarding of Intangible Cultural
Heritage (ICH), and the main issues that are to be tackled by UNESCO, the Member States and the specialised institutions, such as ACCU, ICOM, ICOMOS, ICCROM, etc.

The first important step following the adoption of the Convention of 2003 by the General Conference of UNESCO at its 32nd Session in October 2003 was the ratification by Member States. Following Algeria and Mauritius, Japan was the third State to ratify this Convention. Japan participated actively in the discussion about the formulation of the 2003 Convention, in particular with the participation of Mr Toshiyuki Kono, from the Kyushu University, and supported financially international activities for the protection of intangible cultural heritage thanks to the Japan FiT. This support was unique and remarkable.

Friday, 20 January 2006 marked a milestone in UNESCO’s long-standing campaign to protect the world’s living heritage. On that day, the Permanent Delegate of Romania deposited his country’s instrument of acceptance to the Convention for the Safeguarding of the Intangible Cultural Heritage with the Director-General of UNESCO, Koïchiro Matsuura. In doing so, Romania became the thirtieth State Party to the Convention.

This event takes on special significance in light of article 34 of the Convention, which stipulates that the Convention will enter into force three months after the deposit of the thirtieth instrument of ratification, acceptance, approval or accession. Accordingly, the Convention took effect on 20 April 2006, just 3 months after its adhesion of 30 Member States.

In the words of the Director-General, the exceptionally rapid ratification of the Convention by 8 Asian, 6 European, 6 Arab, 6 African and 4 Latin American states bears witness to “the great interest in intangible heritage all over the world… and the widespread awareness of urgent need for its international protection given the threat posed by contemporary lifestyles and the process of globalization”.

As foreseen by article 4 of the Convention, the Convention’s decision making organ is the General Assembly of States Parties, which had its first session on 27-29 June 2006 in Paris, at UNESCO Headquarters.

The main items discussed during the First General Assembly were:
- The provisional rules of procedure;
- The equitable geographical distribution of the members of the Intergovernmental Committee foreseen by article 5 of the Convention;

At the end of this session the first intergovernmental Committee for the Implementation of the 2003 Convention was elected with 18 members and the General Assembly welcomed by acclamation the proposal of Algeria to host the First session of the Intergovernmental Committee which met for two days in Algiers, on 18 and 19 November 2006.

Prior to this meeting, an extraordinary session of the General Assembly met on 9th November in order to increase the number of States Members of the Committee from 18 to 24.

Discussions were held on:
- The operational directives for the implementation of the Convention, according to article 7. This is one of the questions that are posing some problems if we compare it with the Operational Directives of the 1972 Convention – but, at the same time, it is an opportunity to benefit from the experience of the World Heritage Committee. Concerning the advisory bodies and their role in evaluation and reporting, their name is already in the text of the 1972 Convention, article 8(3), namely ICOMOS, IUCN, and ICCROM.
- Another important issue is related to the criteria for inscription on the Representative List of the Intangible Cultural Heritage of Humanity (article 7, article 16 and article 17) and the List of Intangible Cultural Heritage in Need of Urgent Safeguarding.

The questions were discussed during the First Extraordinary Session of the Intergovernmental Committee for Intangible Cultural Heritage which took place in
Chengdu (China) from 23 to 27 May 2007. It gave rise to a long and lively debate, as reported by the Rapporteur, in which most of the States Members of the Committee spoke out in favour of “open-ended and mutually independent lists, each with quite specific criteria.”

It is interesting to note that Chengdu Meeting prepared the ground for the Second Session of the Intergovernmental Committee which took place in Tokyo from 3rd to 7th September 2007, under the chairmanship of the Ambassador [of Japan to UNESCO], H.E. Seiichi Kondo.

Among the issues addressed during this meeting, held in Odaiba Island, in Tokyo, five are of major importance for the future implementation of the 2003 Convention, namely:

a. The preliminary draft directives for implementing article 18 of the Convention, which emphasize the need to select and promote “national, sub regional and regional programmes, project and activities for the safeguarding of the heritage. In putting the accent on this article, the Committee confirmed the orientation given by the Director-General of UNESCO since 1999 of an operational approach to the question of safeguarding of intangible heritage.

b. The participation of communities or their representatives, practitioners, experts, centre of expertise and research institutes in the implementation of the Convention. I have noted that Tokyo meeting reaffirmed the crucial role that communities, groups, and, where applicable, individuals play in safeguarding the intangible cultural heritage at national level. On this particular point, I am pleased to present, on behalf of ICCROM, in a few minutes, some concrete examples on how this Intergovernmental Organisation has developed a programme and launched activities involving communities’ participation, under the title “Preserving our Living Heritage”.

c. The draft operational directives for the inscription of Intangible Cultural Heritage on the Representative List and on the list of ICH in Need of Urgent Safeguarding. Here also we can make a parallel comparison with the 1972 Convention but also underline the differences and the specificity of the 2003 Convention. It is clear in the decision taken by the Committee in Tokyo, last September on this item that lessons drawn from the implementation of 1972 Convention were duly taken into consideration.

d. The incorporation of the Masterpieces of the Oral and Intangible Heritage of Humanity into the Representative List of the Intangible Cultural Heritage of Humanity. I remember that during the discussions of the Government Experts Meeting aiming at drafting the 2003 Convention, article 31 was drawn up to prepare for a transitional clause which could permit to incorporate the declared masterpieces (three declarations made by the Director-General of UNESCO, Mr. Koichi Matsuura in 2001-2003 and in 2005 for a total of 90 masterpieces) into the Representative List. In Chengdu meeting and then in Tokyo meeting the Legal Advisor of UNESCO presented an analysis of article 31 and a written note by the Office of International Standards and Legal Affairs was submitted to the Committee. On the basis of the discussions and all supporting legal documents the Committee in Tokyo took the decision 2, com 14 and decided: “that all the items that had been proclaimed Masterpieces of Oral and Intangible Heritage of Humanity are to be automatically incorporated into the Representative List of Intangible Cultural Heritage of Humanity (hereinafter List) immediately upon the establishment of that List.”

e. The operational directives concerning the criteria and modalities for the accreditation of non-governmental organisations with recognised competence in the field of ICH to act in an advisory capacity. The Committee, conscious of the fact that ICH is covering a large spectrum; it would be difficult to limit the consultation and the advice to a limited number of organizations. It, therefore, requested the Secretariat to prepare a list of NGOs and non-profit organizations that are active in the fields covered by the Convention. As Mr. Matsuura said at the Tokyo meeting: “this is a crucial stage in preparation for the implementation of the Convention, the objective being to launch its operational
The community connection to intangible heritage begins with the definition itself and continues to dominate the main body of the Convention and some of the follow-up actions. According to the definition in the ICH, “The” intangible cultural heritage” means the practices, representations, expressions, knowledge, skills – as well as the instruments, objects, artefacts and cultural spaces associated therewith – that communities, groups and, in some cases, individuals recognize as part of their cultural heritage’. We should note the emphasis placed on the communities and groups.

This is a distinct departure from the indirect reference to community in the WHC, in stating that the countries should ‘adopt a general policy which aims to give the cultural and natural heritage a function in the life of the community’. Thus a community linkage is a pertinent starting-point for a discussion on what is meant by intangible.

Mr Gamini Wijesuriya, our colleague at ICCROM wrote in one of his articles:

“I argue that the need to recognize the linkage between communities and heritage has also been the main reason why professionals in the tangible heritage sector have placed more emphasis on intangibles. For instance, the strong linkage between heritage and community in the African continent led to the choice of the theme of intangible heritage at the 14th General Assembly of ICOMOS held in Zimbabwe in 2004. Other important stimuli towards stressing the link between communities and heritage have been the discussions concerning the application of cultural criterion VI of the WHC Operational Guidelines and the threats posed to cultural diversity by globalization and standardization of culture.”

I want also to quote here what Richard Kurin, Director of the Smithsonian Centre for Folk life and Cultural Heritage, USA, and Member of the UNESCO Jury and expert of USA Government to the Drafting Committee of the 2003 Convention wrote about the role of communities:

“What role should cultural communities play?

More than any previous international cultural treaty, the ICH Convention places a great deal of attention and responsibility on the communities whose cultural traditions are being safeguarded. It is an extraordinarily ‘bottom-up,’ grass roots, participatory provision. According to Article 11(b), each States Party shall: identify and define the various elements of the intangible cultural heritage present in its territory, with the participation of communities, groups and relevant non-governmental organizations.

Article 15, titled Participation of communities, groups and individuals states: Within the framework of its safeguarding activities of the intangible
cultural heritage, each State Party shall endeavor to ensure the widest possible participation of communities, groups and, where appropriate, individuals that create, maintain and transmit such heritage, and to involve them actively in its management.

Taken at its word, this implies that members of the communities whose heritage is being safeguarded are to be full partners with any and all such efforts. Governments, or university departments or museums, cannot just assume they have permission to define ICH and undertake its documentation, presentation, protection or preservation. Community participation is meant to be significant and meaningful - involving the consent of community leaders, consultation with lead cultural practitioners, shared decision-making on strategies and tactics of safeguarding and so on. Article 15 strongly empowers the community in the operation and realisation of the Convention.”

In this context, the second part of the definition of the intangible heritage given is useful in understanding characteristics of intangible heritage: it is ‘transmitted from generation to generation, is constantly recreated by communities and groups in response to their environment, their interaction with nature and their history, and provides them with a sense of identity and continuity…’. Continuity, therefore, is an inherent characteristic of heritage where intangible aspects are evident.

The ICH, in isolating a category of heritage called’ intangible heritage’, has understood it in spatial and temporal terms as tangible heritage has been. As a result both categories can be explained as places, regardless of whether there are tangible remains or not, or whether temporary events are held there, such as festivals, rituals and traditional practices which also contain certain tangible elements. This explains the apparent paradox between the Conventions’ texts, noted above, and the difficulty of drawing sharp distinctions between the tangible and intangible heritage.

**Living Heritage Sites Programme**

a community based approach to conservation

In conclusion, I would like to show how ICCROM has been approaching the issues related to living heritage, among its various programmes.

The Living Heritage Sites Programme of ICCROM promotes a community-based approach to conservation of heritage, and includes both tangible and intangible aspects in defining living heritage, in which community connection to culture and continuity have been identified as defining characteristics.

Interestingly, those who promote the Intangible Heritage Convention have now begun to use the term ‘Living Heritage’ to identify heritage that comes under that Convention, as it is evident in the slide on the screen, the UNESCO Website the “Intangible Heritage Messenger”, Newsletter of the Section, has a logo in the background reading: “Living Heritage”. This further underlines the interdependency of intangible and tangible.

This requires us to understand heritage as a dynamic concept and to recognize the “tangible” remains of the past as well as its contemporary expressions. We need to recognize the intangible values of heritage on the basis that they continue to influence the life of the community. Thus intangibles should be privileged over tangibles in the conservation decision-making process.

We therefore need new definitions and approaches in determining whether or how to intervene for the concrete initiatives of safeguarding the Intangible Cultural Heritage. In this regard it must be noted that the issue of community involvement in safeguarding the
intangible heritage has already been addressed by an Expert Meeting, which was organized by UNESCO and ACCU, and held in Tokyo between 13 and 15 March 2006.\(^1\)

The existence of the two Conventions with their own conceptions of tangible and intangible heritage has made this all the more necessary. What is needed is a revised terminology that reflects a true integration of tangible and intangible heritage, not as distinct concepts, but as inseparable aspects of a single whole.

This is why I am confident regarding promising perspectives of collaboration between Japanese specialised institutions and ICCROM in developing initiatives in the field of living heritage, notably in the training and capacity building components.

Finally, I would underline again that, by adopting the Convention for the Safeguarding of the Intangible Cultural Heritage, the October 2003 General Conference of UNESCO of 190 Member States, signalled a historic turning point in the comprehension of the concept and definition of heritage within contemporary societies, and of related actions for its safeguarding and preservation.

Only two decades following the adoption of the World Heritage Convention in 1972 were needed to progress to a new stage in the analysis of heritage on an international scale. For some, this was an indication of the extreme mobility of ideas; for others it restored the cultural balance or simply reflected the rapid acceleration of ideas through time, among the actors of the international community of heritage. However, it really represented the achievement of an idea born in 1946 with the coming into being of UNESCO itself: that of the universal nature of cultures.

Mounir Bouchenaki, Director-General ICCROM

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\(^1\) Export Meeting on Community Involvement in Safeguarding Intangible Heritage: Towards the Implementation of the 2003 Convention, UNESCO-ACCU, Tokyo, Japan, 13-15 March 2006