

Proceedings of the International Symposium on Glocal Perspectives on Intangible Cultural Heritage: Local Communities, Researchers, States and UNESCO

7 -9 July 2017

Tokyo, Japan

Center for Glocal Studies (CGS), Seijo University
and International Research Centre
for Intangible Cultural Heritage in the Asia-Pacific Region (IRCI)



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Foreword

Since United Nations Educational, Scientific and Cultural Organization (UNESCO) in 2003 adopted the Convention for the Safeguarding of the Intangible Cultural Heritage and its subsequent commencement in 2006, more than 170 countries have become States Parties to the Convention, and about 430 intangible heritage elements have been inscribed on the Urgent Safeguarding List, the Representative List and the Register of Good Safeguarding Practices. Therefore, we can assume that the spirit and the concept embedded in the Convention have been accepted globally as the basic principles for safeguarding intangible cultural heritage (ICH). In the process of implementing the Convention, stakeholders involved in this endeavour and their interactions are diverse not only at the global level but also at the local and national levels.

In order to grasp this diversified interaction, the Center for Glocal Studies of the Seijo University (CGS) and the International Research Centre for Intangible Cultural Heritage in the Asia-Pacific Region under the auspices of UNESCO (IRCI) jointly hosted an international symposium on Glocal Perspectives on Intangible Cultural Heritage: Local Communities, Researchers, States and UNESCO, on July 7-9, 2017, at Seijo University, Tokyo, Japan.

The CGS has been striving to examine the socio-cultural dynamics in various settings from not only a global perspective but also local perspective, that is, from a glocal one. A decade after the UNESCO Convention commenced, the CGS attempts to observe and examine the realities and consequent issues relating to the Convention from a glocal perspective.

The other co-organiser of the Symposium, the IRCI under the National Institutes for Cultural Heritage, Japan was established as the Category 2 Centre under the auspices of UNESCO in 2011. Since its establishment, the IRCI has been promoting and contributing to the implementation of the UNESCO Convention. The IRCI instigates and coordinates research into practices and methodologies for ICH safeguarding, cooperating with researchers and local community members internationally.

These two organisations held this Symposium with the aim of overviewing and

analysing how intangible cultural heritage have been safeguarded. It also aimed to examine, from local as well as global perspectives, how local communities, researchers, states and UNESCO had been interacting in the process of safeguarding such heritage in the Asia-Pacific region. The invited participants coming from ten countries and UNESCO, together with general participants held discussions for two days. During two days fifteen papers were presented in five sessions and discussions were held on the topics. We would like to express our sincere thanks to all the participants.

The report of this symposium will be published by the CGS in near future, while this proceedings aims to share the outcomes promptly and widely to those who did not participate in the Symposium. Therefore all the papers included in this publication are kept an original state, with minimum edit by IRCI.

To conclude, we would like to acknowledge funding for our symposium from two bodies; the Japanese Agency for Cultural Affairs, and the Japanese Ministry of Education, Culture, Sports, Science and Technology.

November 2017

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Director-General
International Research
Centre for Intangible
Cultural Heritage in
the Asia-Pacific Region
(IRCI)

Tomiyuki UESUGI
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Center for Glocal Studies
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Seijo University

**WELCOME REMARKS
AND OPENING REMARKS**

Welcome Remarks

Junichi TOBE

President

Seijo University

Good morning, ladies and gentlemen.

I am Junichi Tobe, president of Seijo University.

I am delighted and honored to open this international symposium entitled “Glocal Perspectives on Intangible Cultural Heritage”, which will be held here at Seijo University for next three days. I am also very pleased to welcome you all here. My special gratitude goes to the researchers and presenters who have gathered for this occasion from both within Japan and abroad.

Seijo University is hosting this international symposium because our Glocal Studies Center, led by Professor Tomiyuki Uesugi, has established itself within the last decade as a mecca for serious and exciting research on glocal issues. I hope that this international symposium will not only expand the horizons of our Glocal Studies Center but also contribute to further conversation and research on intangible cultural heritage from a the viewpoint of glocalization.

The global and the local often appear to be in opposition. And when they meet, they often clash. However, in many cases, it is the global that changes and adapts to the local. Conversely, the dramatic advances in information technology have made us feel the world smaller and this has opened up opportunities for the local to go global overnight.

Today, amid the trend towards the globalization of international society, how can we maintain that which is extremely local and rooted in the community? Or how can we globalize and sustain it? I look forward to all the intriguing presentation and trust that the discussions that follow will be lively and fruitful.

Thank you.

Opening Remarks

Tomiyuki UESUGI

Director/Professor

Center for Glocal Studies (CGS), Seijo University

Good morning, ladies and gentlemen.

As the director of one of the host institutes of this symposium, the Center for Glocal Studies, Seijo University, I would like to extend our sincere welcome and thanks to you all and, particularly, to the distinguished presenters and chairs who came here from the Asia-Pacific regions and the UNESCO.

It is a great pleasure for the Center for Glocal Studies to hold the symposium today entitled *Glocal Perspectives on Intangible Cultural Heritage: Local Communities, Researchers, States and UNESCO* here at Seijo University.

Our Center for Glocal Studies (CGS) was founded almost ten years ago in October 2008 at Seijo University in order to conduct and promote “glocal studies,” which the center has formulated as the examination of socio-cultural dynamics in various settings, not only from a global perspective but also from a local perspective, i.e. from a glocal perspective. Drawing on the framework of glocal studies, the CGS has been striving to shed light on hitherto not-fully-examined socio-cultural dynamics within myriad contact zones between the global and the local, the center and the periphery, and the external and the internal of various contexts.

Meanwhile, since the adoption of the Convention for the Safeguarding of the Intangible Cultural Heritage by the UNESCO (the United Nations Educational, Scientific and Cultural Organization) in 2003 and its subsequent effectuation in 2006, the convention has been globally adopted and considered as the basic principles for safeguarding intangible cultural heritage. As of the end of 2016, more than 160 countries have become members of the convention and about 340 heritage elements have been inscribed on the Representative List of the Intangible Cultural Heritage of Humanity. Needless to say, in the process of adoption and practice of the convention in each case of inscription, various kinds of persons, parties, and institutions are involved, not only at the global

level but also at the local and national level.

The research interests of our Center for Glocal Studies, combined with the particular interests of our co-sponsors of the symposium, the International Research Centre for Intangible Cultural Heritage in the Asia-Pacific Region (IRCI) and the Agency for Cultural Affairs, the Government of Japan, have brought about the plan to hold a symposium examining the socio-cultural dynamics pertaining to the UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage from glocal perspectives. Now, we are starting the symposium.

By the way, before holding the symposium today, the CGS also held two preliminary or complementary symposia: One entitled *Glocal Perspectives on Intangible Cultural Heritage: Local Communities, Researchers, States and UNESCO, with the Special Focus on Global and National Perspectives* was held on February 18, 2017, and the other entitled *The Roles of ICH Practitioners and/or Local Administrators as Cultural Brokers* was held on May 13, 2017. As the themes, topics and focuses of those symposia were obviously relevant but something different; it is difficult to give an over-arching description of those symposia in a few words. But, as the organizer and sponsor of those complementary symposia, I would like to highlight one point: Almost all of the participants of the symposia emphasized the importance, the need as well as the difficulty of having the participation of the ICH practicing and/or relevant communities, groups and individuals (CGIs) in safeguarding intangible cultural heritage. Hence, the special focus of the symposium today has been put on the CGIs' and local perspectives.

While the focus of the former symposia was put on the global and national level, that of the symposium today will be on the local and national level. Through these complementary symposia, I am sure we will promote better understanding as to the interactions between local communities, researchers, states and UNESCO regarding safeguarding of intangible cultural heritages.

By the end of the symposium, hopefully, we will be able to provide feedback from “the local” to “the global” in terms of safeguarding intangible cultural heritage.

Once again, I thank you all for attending the symposium today and hope this opportunity will spur more fruitful discussions and collaborations in the future.

Opening Remarks

Wataru IWAMOTO

Director-General

International Research Centre for Intangible Cultural Heritage in the Asia-Pacific Region (IRCI)

Mr Koïchiro Matuura, Former Director-General of UNESCO,

Mr Tim Curtis, Representative of UNESCO,

Professor Junichi Tobe, President of Seijo University,

Professor Tomiyuki Uesugi, Director of the Center for Glocal Studies, Seijo University,

Ms Yasue Hamada and Mr Minoru Kobayashi from the Japanese Agency for Cultural Affairs,

Dear Chairpersons, Dear participants, Ladies and Gentlemen,

It is my great honour and pleasure to say a few words on behalf of the International Research Centre for Intangible Cultural Heritage in the Asia-Pacific Region (IRCI) and at first I would like to express my hearty welcome with great gratitude to all of you who participate in the Symposium ‘Glocal Perspectives on Intangible Cultural Heritage.’ My name is Wataru Iwamoto, Director-General of IRCI.

As you know, IRCI was established under the National Institutes for Cultural Heritage, Japan on 1 October 2011 as a category 2 centre under the auspices of UNESCO based upon the Agreement between the Government of Japan and UNESCO. Since then, IRCI has been promoting and contributing to the implementation of the UNESCO 2003 Convention. IRCI instigates and coordinates research into practices and methodologies for the safeguarding of the intangible cultural heritage in the Asia-Pacific region, cooperating with researchers and local community members internationally. Thus, it is our tremendous honour and pleasure to coorganise this symposium with the Center for Glocal Studies (CGS), Seijo University which has long academic history of 100 years, with the participation of UNESCO representative, outstanding experts and Governmental official, and community members from the Asia-Pacific region. Our Centre has a purpose of promoting research in the region, but it is needless to say that we also target Japanese researchers. In this sense the cooperation with Japanese research institutions is essential.

In fact this is the first symposium for our Centre to coorganize with the university in our country. I would like to express my sincere gratitude again to Professor Uesugi, Director of CGS and Ms Aikawa who has facilitated our cooperation. I would like to take this opportunity to mention the name of Professor Michael D. Foster here present, whose instructive book entitled “ UNESCO on the ground” marked also the start of our joint venture.

As already explained by Professor Uesugi, the UNESCO 2003 Convention becomes more and more important and its importance has been widely recognized We can assume that the spirit and the concept embedded in the Convention have been accepted globally as the basic principles for safeguarding intangible cultural heritage. In the process of implementing this convention, stakeholders involved in this endeavour and their interactions are diverse not only at the global level but also at the local and national levels. In this context, this symposium aims to overview and analyse how ICH has been safeguarded. It also aims to examine, from local as well as global perspectives, how local communities, researchers, states and UNESCO have been interacting in the process of safeguarding such heritage in the Asia-Pacific region.

As you know, the international legal instruments like convention bind the States through ratification and at the same time the State affects through national legislation various stakeholders in its territory. The viewpoint of “glocal” is of great interest especially in case of the UNESCO 2003 Convention which emphasises the communities, while we should recognise that the government is a composite entity in a sense and a community is not monolithic. And this reminds me of the definition of governance given by Professor Mark Bevir, University of California, Berkeley, that is ‘the process and interactions through which highly diverse social interests and actors produce the policies and effects of governing.’

I sincerely hope, as Director-General of IRCI, your active involvement and participation in the discussions for two-day symposium will bring this symposium success and contribute to the promotion of the research on the safeguarding of the Intangible Cultural Heritage.

Thank you for your attention.

Opening Remarks

Tim CURTIS

Secretary of the Convention for the Safeguarding of the Intangible Cultural Heritage,
Chief of the Intangible Cultural Heritage Section, UNESCO

Your Excellencies, Ladies and Gentlemen,

I am delighted to be joining you all here today for this international symposium on ‘Glocal Perspectives on Intangible Cultural Heritage: Local Communities, Researchers, States and UNESCO’. Allow me to offer my warmest greetings to everyone taking part in this event. This is an excellent platform to discuss how ICH has been safeguarded through the implementation of the 2003 Convention in the past 11 years, and to examine the interactions between the various stakeholders engaged in safeguarding ICH in the Asia-Pacific Region.

I would like to extend my sincerest thanks to the Centre for Glocal Studies of Seijo University and the International Research Centre for Intangible Cultural Heritage in the Asia-Pacific Region for making this event possible. Thanks to their initiative and hard work, we are able to come together to discuss and share experiences in what promises to be a highly enriching deliberation.

I am also delighted to have the opportunity to rediscover the wonderful city of Tokyo, and the rich diversity of cultural heritage Japan is home to. Ten years ago, Tokyo hosted the second session of the Intergovernmental Committee for the Safeguarding of the Intangible Cultural Heritage. On that occasion, the Committee made a number of landmark decisions for the operational implementation of the Convention and the drafting of the Operational Directives. These concerned not only the criteria for inscription on the Lists, but also the Register of Good Safeguarding Practices, the use of the Intangible Cultural Heritage Fund, as well as the modalities for accrediting NGOs to provide advisory services to the Committee.

It was also an important chance for the Committee to highlight the crucial role communities, groups and individuals play in safeguarding ICH. This has always been

and remains at the very heart of the Convention. In that same spirit of cooperation, the Committee also underscored the importance of the participation of experts and centres of expertise and research in such efforts. This symposium offers a welcome opportunity to continue to reflect on these questions, to explore and take stock of the various ways in which local communities, researchers, States and the Secretariat can work together towards common goals.

A great deal has been achieved since the Convention entered into force. Since its inception, the Convention has been ratified by no fewer than 174 States Parties, which is a clear testimony to the wide interest of Members States around the world. It has had a transformative effect on how ICH is perceived around the world, broadening its understanding among States, communities and research circles alike, and it continues to reinforce the viability of ICH and support the communities that practise it.

I would like to draw your attention to an important recent milestone, which is of relevance to our symposium. Last month, an open-ended intergovernmental working group on developing an overall results framework for the 2003 Convention was convened in Chengdu, China. During the meeting, a set of indicators and assessment factors were identified for effectively measuring the outputs, outcomes and impact of the Convention. The collaboration between communities, researchers and States will be key for many of these indicators, and international networking among communities, groups, individuals, NGOs, experts and research institutes is paramount.

However, this overall results framework is only one way of assessing the impact of the Convention. Eleven years into its implementation, time has come to ask ourselves whether the Convention is actually fulfilling its objectives. We need to ask ourselves the right questions, including:

- Has the Convention actually contributed to safeguarding living heritage?
- Has it increased respect for and awareness of ICH?
- Has international cooperation improved in the field of ICH through the Convention?
- Have communities actually benefitted from its implementation?
- Has the Convention transformed the way ICH is perceived, transmitted and practised? And if so, in which way? Has the social and cultural meaning of practices been affected?

- Has the listing system achieved its purpose?

This is an opportunity to explore what the Convention has done but also what it has not done, a chance to reflect on what the future of the Convention could and should be. In this broader context, this international symposium on ‘Glocal Perspectives on Intangible Cultural Heritage: Local Communities, Researchers, States and UNESCO’ is an excellent platform to share experiences and reflect on the success stories but also the challenges and lessons learnt from this first decade of implementation.

But for this, we need to hear about ‘the good, the bad and the ugly’. We need feedback, not only from all of those who are professionally involved in the safeguarding of ICH, but also from stakeholders whose activities impact the viability of living traditions. As part of the efforts to promote a diversity of perspectives in the ongoing monitoring and reporting of expected results, States Parties are strongly encouraged to involve communities, groups or individuals when preparing periodic reports on specific elements. Following a decision taken during the tenth session of the Committee, they are also urged to engage in multi-stakeholder consultations and to continue to include information provided by relevant NGOs and centres of expertise. Section III.1 of the Operational Directives further stresses the importance of encouraging experts to participate in a wide range of activities, including identifying and defining ICH, drawing up inventories, and safeguarding and awareness-raising activities.

It is therefore essential that States Parties remain committed working closely with communities, cultural brokers, mediators and researchers: implementing the Convention has always been and must remain an intrinsically collaborative effort.

As part of this endeavour, Category 2 Centres are key partners with a very important role to play. With its mandate to instigate and develop research into practices and methodologies of safeguarding endangered ICH in the Asia-Pacific region, in cooperation with universities, research institutions, community and other governmental and non-governmental organizations, IRCI’s important work is perfectly in tune with the objectives and collaborative spirit of the Convention. Allow me to take this opportunity to encourage IRCI to continue and further reinforce its collaboration with universities, research institutions and centres of expertise in Japan and elsewhere in the Asia-Pacific

region. It is indeed the expectation of the Secretariat of the Convention that IRCI becomes a research hub on ICH safeguarding in the region. To this end, IRCI's initiative to establish a Researcher's Network in the Asia-Pacific Region is an important step and I wish to extend my sincere wishes for its success.

Ladies and gentlemen, I look forward to our fruitful and lively discussions and wish you all the best for our debates over the coming three days.

Thank you.

KEYNOTE SPEECHES

Keynote Speech

The UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage and Its Glocal Perspectives

Koichiro MATSUURA

Former Director-General, UNESCO

I am very happy to have this opportunity to say a few words about the 2003 Convention, which is still very dear to me as it took a great deal of work to present the idea as a UNESCO official.

First of all, I would like to thank the two organisers of this symposium, Seijo University and the International Research Centre for Intangible Cultural Heritage in the Asia-Pacific Region. I am really happy to see many participants from both home and abroad. This suggests that more people are becoming aware of the importance of intangible cultural heritage. This was not the case when I decided to propose the new programme back in 1999.

In 1998, I had the chance to be the Chair at the meeting of the World Heritage Committee held in Kyoto, and throughout 1999, I became involved in the Convention as the President of the Committee. As a result, I learned so much about the merits and demerits of the Convention Concerning the Protection of the World Cultural and Natural Heritage in 1972. One of the major demerits of this Convention was that it did not include intangible heritage as much. I therefore decided to promote awareness of intangible cultural heritage in my campaign and drafted a manifesto to suggest that UNESCO must establish a new international system for its safeguarding and promotion. I was honoured to be present at the UNESCO General Conference held in the autumn of 1999, where the decision on the Proclamation of Masterpieces of the Oral and Intangible Heritage of Humanity was adopted. Nevertheless, at that time, it was still a very small step towards safeguarding intangible heritage at the international level. Therefore, I repeat that I openly promised in my campaign that once elected, I would work towards establishing a new mechanism for safeguarding as well as promoting intangible cultural

heritage. After a complicated process that lasted four years, as many of you already know, the UNESCO General Conference in 2003 finally adopted the Convention.

Ms Noriko Aikawa-Faure, who is present here at this symposium, worked for many years in the Secretariat of UNESCO and offered her tremendous and invaluable help in putting my promise into effect. Ms Lourdes Arizpe, who will later deliver a video message for us, is also one of other experts who worked tirelessly to achieve the goal. Still, we faced a lot of opposition, largely from some major Western countries, who believed that the only cultural heritage to be protected was what is covered by the Convention Concerning the Protection of the World Cultural and Natural Heritage and that no other convention is necessary or required. They further insisted that if we were to protect and safeguard the world's intangible heritage, it should be done within the context of the 1972 Convention. At the UNESCO General Conference in 2001, I encountered strong opposition when I sought authorisation from the authorities of the member states for preparing a preliminary draft for the new convention for safeguarding intangible cultural heritage. Besides the Western countries, there were quite a few developing countries that insisted that intangible heritage was important but not necessarily to be protected by an international convention. Only gradually, I succeeded in gaining the authorisation to organise expert meetings to discuss the new international convention on safeguarding intangible heritage. I then assembled a group of experts, which included researchers and professors, to discuss the definition of intangible cultural heritage in the context of a new international convention. I attended a number of important sessions and realized that it was time to begin intergovernmental negotiations for preparing a preliminary draft for the convention. I vividly recall that the Round Table of the Ministers of Culture on Intangible Cultural Heritage held in Istanbul in September 2002 was the most crucial moment for the future of the Convention. Although all Asian countries supported my proposal, some major European countries led by Denmark, at the time, strongly opposed it. A decision was finally made, and I was authorised to organise the intergovernmental negotiations. Finally, owing to the tremendous work by Noriko Aikawa-Faure, we succeeded in preparing the preliminary draft of the Convention. This draft was supposed to be presented in a preliminary form at the UNESCO General Conference in 2003; however, succeeded in presenting it as a formal draft, which consequently gained wide support from most member states. But it was unfortunate that eight major countries openly opposed the convention. Denmark initially opposed in

2002 but later proceeded to ratify it. Switzerland and Germany also changed their stance and agreed to ratify it after exhibiting strong opposition in the process. Today, 174 of the 195 member states have already ratified the Convention. All these episodes recount the different process behind the adoption of the 2003 Convention. We worked tirelessly to overcome a number of such difficulties, and today the result is apparent in the support of 174 countries that have ratified the Convention.

With regard to the symposium's overall theme, which is to take further important steps to safeguard and promote intangible cultural heritage, I would like to draw your attention to an important idea in the Preamble of the 2003 Convention:

Recognizing that communities, in particular indigenous communities, groups and, in some cases, individuals, play an important role in the production, safeguarding, maintenance and re-creation of the intangible cultural heritage, thus helping to enrich cultural diversity and human creativity.

I mention this idea here because the Convention is not simply meant to safeguard intangible heritage. As you can see, one of the major objectives of the Convention is the re-creation of intangible cultural heritage. I claim that the provisions for the safeguarding and promotion of intangible heritage in this convention are different from those of the existing 1972 Convention of World Heritage, in which authenticity and integrity are crucial: historic buildings and monuments must be maintained without any change, whereas intangible heritage must be recreated. For example, Nohgaku, Bunraku, and Kabuki originated in Japan more than several centuries ago; however, over time, they were recreated and new elements were added to the styles, and the process continues even today. This concept of recreation goes against the 1972 World Heritage Convention and is one of the major differences between the two conventions.

One point I must mention is that the Preamble of the 2003 Convention stresses the importance of the cooperation between the two conventions. A new initiative was developed in 2004 at the UNESCO expert meeting in Nara, Japan. This meeting was organised to commemorate the 10th anniversary of the Nara Document on Authenticity and was attended by experts in the fields of world cultural heritage and intangible cultural heritage. This resulted in the adoption of the Yamato Declaration on Integrated Approaches for Safeguarding Tangible and Intangible Cultural Heritage, which argues

that these two conventions must cooperate closely with each other. It can be seen that cooperation is a significant keyword.

The title of the symposium, at which we are all present today, includes the term ‘glocal’, which was coined by the Japanese business community. The Japanese, by the way, often use the phrase ‘Think Globally, Act Locally’. I would rather say ‘Think Globally and Locally, Act Globally and Locally’. This may help us redefine the term ‘glocal’. While the importance of cooperation amongst local communities, researchers, and UNESCO is not underrated, I would like to further emphasise the role of member states in the context of cooperation between the two conventions. As of today, 174 member states have ratified the 2003 Convention, including 42 countries in sub-Saharan Africa (Group Va). I must argue that even though sub-Saharan Africa regards intangible cultural heritage as important, their elements of intangible heritage that are registered in the UNESCO’s lists, namely the Representative List of the Intangible Cultural Heritage of Humanity and List of Intangible Cultural Heritage in Need of Urgent Safeguarding, are limited. One of the major purposes of this Convention is to urge member states to take new measures to safeguard the intangible heritage within their own countries. However, sub-Saharan African countries require international cooperation in taking such measures, and therefore we must offer the required assistance. Today, out of 174, 60 member states have still not registered any of their intangible heritage elements in the lists, and many of these countries are from sub-Saharan Africa. Therefore, we must bear in mind that international cooperation is urgently required for sub-Saharan African countries, so that they can establish an internal system to submit proposals to UNESCO.

Now let us go back to the issue of the lack of cooperation between the two conventions. The List of World Heritage, adopted at the 1972 Convention that has been ratified by 193 of 195 member states, includes more than 1,000 properties. However, almost all of the top heritage sites and monuments are from Western countries and China. Whereas in the Representative List of the Intangible Cultural Heritage, there are more than 400 elements inscribed that are mostly from Asian countries, but not many from Western countries. This clearly shows a significant imbalance between the conventions. Experts and researchers are required to establish a new cooperation between the two conventions. We have to call for active participation of Western European countries in the 2003 Convention, so that they can establish safeguarding systems within their

countries and submit more elements to be included on the UNESCO list.

I have explained that the role of member states will continue to be crucial in the context of the 2003 Convention. We also must pay attention to other actors such as local communities, researchers, and the UNESCO. Close cooperation amongst these is absolutely essential in rectifying the imbalance that exists between the two conventions.

Once again, I am honoured to deliver the keynote address today and pleased to see actors from universities, institutes, researchers, community members, states, and UNESCO working together. I would like to pay my tribute to the good work done by IRCI and would like to hope for close collaboration amongst the three Category 2 Centres of UNESCO in the Asia-Pacific region in the field of intangible cultural heritage. I wish to thank you all who are involved in this work and look forward to further cooperation for the Convention in the future. Thank you.

Keynote Speech

Toward Incorporating Local People's Creativity in a New World Culture

Lourdes ARIZPE

Professor, National Autonomous University of Mexico

Mr Koïchiro Matsuura, Mr Junichi Tobe, Mr Tomiyuki Uesugi, Mr Wataru Iwamoto, and Madam Noriko Aikawa. It is indeed a great honour for me to be invited to deliver a keynote address at this very important symposium on Glocal Perspectives on Intangible Cultural Heritage: Local Communities, Researchers, States and UNESCO hosted by the Center for Glocal Studies of Seijo University in Japan.

Culture: The “Dreamcatcher” of Human Experience

The extraordinary appeal of the word “culture” is that it is the “dreamcatcher” of the peoples of the world and, at the same time, the “golden account” of their civilizational achievements. The Navajo native peoples of the United States build a circle of twigs with a finely woven mesh inside it with coloured threads of small feathers that, hanging over one's slumber, catches dreams and foretells the future. In just such a manner, culture seems to capture so many dreams, so many questions, so many possibilities around the world. The rapid rise in the use of culture in liberation movements in the fifties and sixties, the “cultural turn” in art and critical theories from the 1980s onwards led to culture becoming a policy instrument for international development, national political management, human rights, gender equality, and ethnic and religious assertions and the transformation of identities in the second decade of the millenium. At the same time, the “golden account” in the national GDP of countries is now recognized as the economic contribution of the arts and cultural activities to overall growth in parallel with the “green account” of environmental activities. Most importantly, many of these changes are part of the ongoing transformation of cosmopolitical models about human existence in the Earth system.

Culture is often said to be unique to human beings. Even though genetically close

primates may acquire some elements of language and cognition, I propose that there are two traits that allowed humans to evolve from *Homo habilis* to *Homo sapiens*: the desire to know and the will to exchange. All peoples of the world have engaged in co-producing knowledge and exchanging it as well as goods for millennia. The combined effect of producing knowledge and exchanging leads to the human characteristic that is highlighted in studies of cultural evolution: cumulative learning. This gave humans a fundamental advantage in accumulating meanings and in sharing, copying and adopting these from other groups. Who do we learn from? Other people. Who has been adventurous enough to change what had been learned? Individuals. That is why the definition of culture chosen, among the myriad others available, is that culture is made up of meanings activated through social relations that allow persons to transform their lives and their environments.

In terms of the ontology, culture has indeed been changing because of the impact of scientific discoveries and their technological applications to the ways in which human beings develop notions of self, relate to each other individually, in groups and in countries, and think about the world and the cosmos. Indeed, a new slate for discussion has opened on the concept of “human nature”. My contention, is that humans are characterized by two key traits: the desire to know, which creates knowledge, and the will to exchange, which ensure social reproduction and cumulative learning. On the basis of these two traits, I believe humans develop the capacity to cooperate leading to concerted actions and the power to transform their environments. Thus, we are the only eusocial species that accumulates knowledge, transmits it to younger generations and uses it to cooperate in carrying out its social and political goals. The assumption made then is that every individual is a scientist and a spiritual seeker who engages with others in bringing about deliberate outcomes.

Culture, in this sense, keeps adding very favourable connotations in that it represents reflexivity, empathy and ethics. And if there is anything humanity needs today, it is that. As several participants in many meetings in UNESCO have discussed “Culture speaks from the heart.”

Today the unprecedented challenge is that people are co-producing knowledge and exchanging within a single global space of communication and trade. The ethical

and political framework of this space is still based on the values of the Enlightenment, capitalism, the nation-state, democracy and human rights but they now need to be recast in the new conditions of the post-Recession world market. Culture has been brought into the complex transactions leading to the Sustainability Transition, fair globalization, ethnic and religious inclusion and reconceptualising the role of the West and other regions in world development. Such negotiations now risk being derailed by actors intent on reviving totalitarian systems no longer based on political ideologies but on non-negotiable claims to religious and ethnic identities enforced through control of communications and terrorist violence. In other words, through recent events of destruction of cultural heritage, imposition of religious law, and terrorist assassinations culture may become a nightmare.

The ideas and processes that have generated such contrasting outcomes need to be understood in order to stop conflicts that lead to a dead end for human civilization and to manage the sustainability transition in the new framework of the Anthropocene. This is why I believe it is very important to focus on the local to global cultural relationships, in international meetings on culture from 1990 to 2016. As an anthropologist I had become a life-long ethnographer, that is an observing participant, before I had the honour of acting as Assistant Director-General of UNESCO in the Culture Sector, thus becoming a decision-making participant in managing culture programmes around the world. After returning to Mexico to do fieldwork on intangible cultural heritage, I realized that the very rich debates on culture should be usefully systematized to understand how culture was discussed and transacted for international political and policy purposes. This vast process to build a world perspective on the most important characteristic of human societies, was summarized and given key concepts in the report of the World Commission on Culture and Development presented to the UNESCO General Conference in 1995.

During the nineties, many different international institutions, science organizations and political and social movements began to take culture as a key issue in discussing

1 After I became a member of the World Commission on Culture and Development, Mr. Federico Mayor designated me Assistant Director-General for Culture in UNESCO. Soon after I was put in charge of the Secretariat of the World Commission.

development, world governance, anthropogenic causes of climate change and loss of biodiversity while concepts such as the “cultural exemption” influenced trade and market policies and investment in creative economies. The second wave of feminism surged to become a worldwide movement of introspection into how cultures construct notions of femininity and masculinity that end up being oppressive to women. Themes related to the policies applied to cultural groups brought debates on cultural diversity, related to indigenous knowledge and intellectual property, physical and intangible cultural heritage and the clash or dialogue of civilizations. The fact that many of these debates were political in nature is shown in the proliferations of “-isms”: multiculturalism, cultural pluralism and what should also be called ethnicism and religionism. The proliferation of such debates, which have surfaced in many different cosmopolitical and international and now national settings, indicates that people all over the world are deeply concerned with what they perceive as the basic components for a future global society: cultural survival, cultural hegemony and cultural liberty.

International Transactions on Culture

In recent times, many conflicts, especially as reported by the media or when given a viral whirl in social media, have been interpreted as cultural phenomena. In fact the majority of them only reflect the simultaneity of advances in rights and reconfigurations of previous cultural forms on the one hand, and retrenchments of cultural holders or religious institutions precisely against those advances and reconfigurations on the other. Previously, many such conflicts would have been qualified as political or ideological. In fact, in the purportedly “borderless” global world proposed in the neo-liberal programme, multiculturalism has transformed cultures into political ideologies, identity markers and surrogates for religions.

Many of the threads of these discussion help explain the meteoric rise in the use of the term culture during the 20th century. In the Ngrams offered by Google, which plot the uses of particular words and phrases throughout the corpus of texts written in the world’s main languages that have been scanned by Google (dating from 1500 to 2008), the frequency of the word “culture” has overtaken other important concepts used in English in reference to human society in the following years: “mankind”, 1892; “humanity”, 1897; “tribes”, 1900; “conscience”, 1901; “democracy”, 1920; “consciousness”, 1925; “civilization”/“civilisation”, 1926; “soul”, 1939; “Indians”, 1945; “progress”, 1959;

“religion”, 1966; “nation”, 1971; “spirit”, 1971; and “revolution”, 1972. “Society” and “country” have both exhibited significant decreases in usage in comparison to “culture” in recent years.

Ngrams are, of course, a blunt analytical tool. The dataset is reliant upon optical character recognition, which can produce inaccurate renditions of text. The information is also skewed towards scientific literature, and there are issues with incorrectly dated texts. Finally, the analysis ceases in 2008, so more recent correlations cannot be charted. However, comparison can be made with the frequency of “culture” in book titles in significant academic library catalogues. The Copac catalogue, which covers nearly one hundred major UK and Irish libraries, records 173 titles from 1800 that included the word “culture”. Numbers were still small in 1880 (288) and 1948 (862) but had more than doubled by 1970 (2,434). Thereafter growth was almost exponentially rapid: 3,516 in 1982, 8,342 in 1995 and 16,382 in 2015. A similar pattern can be charted by searches in the Library of Congress catalogue and on worldcat.org. Again, this is a blunt tool, but it gives some sense of the phenomenal rise in the use of the term “culture” in our language.

It is also interesting to note that, in coining the word “meme” as the core aspect of “culturemes”, Professor Richard Dawkins probably never expected it to become viral in Internet and social media especially among young people. In fact, if meme is taken as an abbreviation of cultureme, then the use of the word meme has not only been meteoric, as mentioned in previous paragraphs, it has broken the time barrier at warp speed, projecting the 20th century concept of culture into the 21st century microelectronic revolution of modes of thinking. Of course, its connotations are changing as rapidly but because it is young people who use this catchy term, meme may become a core concept in the near future global culture.

So, why has culture absorbed or overtaken all the concepts assessed in the ngram search? And why has it become particularly prevalent in the last twenty-five years? It is clear that the wealth of local intangible cultural heritage must now be the basis for a new vocabulary, semantics, consensual ideas and political platforms that must be built. Unfortunately, a reified concept of culture has become a staple of political discourses that lead back only to the same old debates and to fossilized culture policies in many countries.

One of the aims of this Symposium, then, must be to show how debates and negotiations have been conducted between local peoples, governments and international institutions in the last twenty years. My intention is to demonstrate the progression of ideas defined heuristically as condensations of vocabularies, discourses and propositions that were developed in meetings and formalized in documents as the concept of culture became a sharpened diplomatic and political instrument in the international agenda. In so doing, I hope to give guidance on how steps can be taken away from merely rhetorical discourses towards processes that have a real impact on local people's possibilities of living. In other words, consciously advancing towards evidence-based transactions on culture.

At the same time, it is important to guard against what I call "flat culture syndrome", as a paraphrase of Thomas Friedmann's coining of the phrase "flat world" to signal that the world was moving towards equal participation and representation. In terms of cultures, Christoph Brumann made a very pertinent case for taking into account the textures of cultures (Brumann 1999). At present, through the influence of multiculturalism, flat narratives about cultures abound. Yet cultures are not equal, because "cultures" do not exist. They are a heuristic used to organize a fundamentally fluid or even liquefying, according to Zygmunt Bauman reality in which cultural practitioners choose and decide which path they and their immediate social entourage will take. The key elements in this selection are the knowledge and cooperation that groups of cultural practitioners contribute to their environment and to the world. This must become the most important value and measure of the worth of human collective endeavours. Indeed, I will propose that instead of endlessly debating how values of cultural variants fit together in a global cosmopolis, a new template must be created in which the positive contribution that each culturally or defined group, in continuing to develop their intangible cultural heritage is the measure by. In other words, the important question to ask is the question: how do we advance systematically in rebuilding a cosmopolis in which local peoples' creativity provides new insights into thinking about the world.

PRESENTED PAPERS

Session 1. How do local communities, local officials, researchers and government officials collaborate for the implementation of the UNESCO's ICH Convention by inventory making, safeguarding, nomination and inscription?

How to Find Shared Values and Consensus in ICH Communities: the Case of Multi-national Inscription of Tugging Rituals and Games

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Introduction

This paper reveals the process and issues arising in the case of the multi-national inscription of tugging rituals and games of four Asian countries: Cambodia, Republic of the Philippines, Viet Nam and the Republic of Korea. These games were inscribed in 2015 after the submission of a joint nomination file of the ICH to UNESCO. Tugging rituals and games are practiced around the world; however, practice of the games are concentrated mainly in East Asia and Southeast Asia where they are currently actively performed. To find out the commonality of the games within the context of the Asian countries, the city government of Dangjin, where Gijisi's Tug-of-War is identified as a point of cultural pride, initiated the process for making a joint nomination beginning in 2012. Gijisi, a local ICH community, actively participated in the initial process of inventory and creation of the joint nomination files. Within the other ICH communities of tug-of-war, however, such a positive response and active participation were not the norm. Some villages were not actively involved in the filing process. In order to present a complete picture of the multi-national inscription process, I will first review the relevant international and domestic safeguarding policies and issues. Secondly, the practices and consciousness of ICH community members, local officials, and researchers are reviewed from the perspective of the UNESCO Convention. Such a study regarding the practice and consciousness of ICH community members will contribute to the development of the multi-national ICH safeguarding policy.

Pursuing Multinational Inscription

The 2003 Convention of UNESCO indicates that "States Parties are encouraged to jointly submit multi-national nominations to the List of ICH in Need of Urgent Safeguarding and the Representative List of the ICH of Humanity (RL) when an element is found on the territory of more than one State Party."¹ The concept of multi-

1 Operational Directives, I.5 Multi-national files, 13.

national files in the realm of safeguarding policies of ICH operates under the premise that certain cultural heritage exists beyond the boundaries of one, single state. In recent years, the ICH sector of UNESCO has actively promoted international cooperation and consultation due to the large influx of nomination files for inscription on the lists of RL. UNESCO has also come to realize that it is often difficult to confine a cultural heritage to a territorial boundary identified as a state and to recognize a cultural heritage as an exclusive heritage of a specific country.

With the encouragement of UNESCO, Cultural Heritage Administration of Korea (CHA) swiftly adopted the multi-national file policy. It should be noted that CHA pursued other options when Korea received a restriction of nomination files to RL from the Intergovernmental Committee.² Before receiving the restriction, CHA had been focused on nominating for inscription to RL only those ICH which drew much attention from the national and local governments and even practitioners of ICH in Korea. CHA attempted to increase the numbers of nomination files of ICH and it eventuated in the growth of RL. Some policy makers and practitioner groups set as their goal and focused their attention on being listed on the RL, which was not aligned with the spirit of the convention.

After receiving the restriction, CHA changed its strategy and began to focus on the multi-national nomination which was prioritized by UNESCO after the 7th Intergovernmental Committee meeting. In April 2012, CHA informed the local governments regarding the change in ICH nomination policy and simultaneously posted a notice recruiting applicants for multi-national nominations. The Mask Dance team of Andong and the Tug of War team of Gijisi submitted applications to CHA. Yet, CHA expected more application files for joint nominations to be submitted by ICH communities and groups. CHA's strategies for drawing attention to the multi-national nomination at the national level was not successful considering that many applicants for RL nomination are on the waiting list. In May of 2012, CHA selected the Tug-of-War of Gijisi between the two

2 By the influx of nomination files the 7th intergovernmental Committee held in 2012 decided to limit the number of acceptable nomination files to be no more than sixty on a yearly base. It means a long waiting list is created. In addition, there are a regional imbalance in the inscription lists of RL. Due to these unexpected problems, the Intergovernmental Committee decided to limit the nomination files submitted by Korea, Japan and China.

applications and provided guidelines and an administrative aide to Gijisi community's Tug-of-War.

Gijisi actively participated in the joint nomination process. First, a preparation committee, consisting of some leaders of Tug of War Preservation Society, officers, curators, folklorists and other specialists, was formed. The committee invited other tug-of-war communities within Korea to join the multi-national inscription process. Yeongsan, the national intangible cultural property designated in 1969, accepted Gijisi's invitation. The two tug-of-war communities cooperated in making the nomination files. Four other domestic communities - Uiryeong, Samcheok, Gamnae and Namhae - joined Gijisi and Yeongsan, but those communities did not have the same level of interest in preparing the joint nomination. Some intermediary officers and administrators were working hard to connect the six communities.

Once formed, the preparation committee solicited other communities in East and South-east Asian countries, particularly member states of the Convention, to participate in the multi-national nomination filing. The city government of Dangjin where Gijisi is located, hosted several international forums for the discussion on the feasibility and validity of multi-national inscriptions of tug-of-war within East and South-east Asia region. Researchers, specialists and scholars of folklore were invited to take part in the forums. The attendees of these academic forums mainly discussed whether there were commonalities among Asian tug-of-war games. Meanwhile, rationality of multi-national inscription was correspondingly pursued. Since the main purpose of the forums was, in fact, to investigate the appropriateness of a joint inscription in the Asian context, there was less attention paid to some important points during the forums regarding the distinctiveness or diversities within the Asian tug-of-war games.

Four rural communities from Cambodia, Philippines and Viet Nam whose villagers practice tug-of-war games decided to take part in the multi-national nomination filing process. There are several commonalities within the heritage communities; the games mainly function as a driver of social unity through diverse steps of social and religious rituals, including festivity. Another commonality is that all four communities are agrarian communities practicing rice farming. After harvest or during the New Year's holiday season, almost all community members participate in the game with a certain

kind of roles and contributions. The game is composed of a large number of community members. It is also noted that each game has a long tradition and are still performed every year. Yet, the Japanese and Chinese communities are not participating in the joint inscription on the RL and their absence seems to indicate of lack of something vital in the joint inscription.

Coping with the Convention

The Convention attempts to improve the mechanism for sharing information in order to encourage multi-national nominations. Multi-national nominations are encouraged under the premise that ICH are frequently found in similar forms in territories which consist of more than one State. It is true that certain communities and people living near but on opposite sides of an international border share the same or similar ICH even if their nationalities are different. In other cases, we find the same or similar forms of ICH in separate, remote areas. In such cases, migrations of communities and people could explain the co-existence of such cultural heritage in separate geographic areas. There are many examples of ICH shared across international borders. In addition, cultural similarities may be based on ecological similarities, such as the shared rice farming culture of the four communities which are working together on the joint application for the tugging rituals and games. Below, I briefly summarize some of the commonalities within the tugging rituals and games of four heritage communities participating in the joint nomination file. (Nomination File No. 01080 for Inscription in 2015 on the Representative List of the ICH of Humanity)

Known in Khmer language as Ibaengteanhprot, in Cambodia, the heritage element is performed during the Khmer New Year and/or Chlong Chet, a rice-related ceremony. It represents social solidarity, entertainment, and the start of a new agricultural cycle. Moreover, it includes profound religious significance, marks the start of a New Year and a new cycle of rice cultivation, and helps bring social stability and prosperity.

In the Philippines, the punnuk is a tugging ritual held at the Hapao River. It is the final activity performed in the huowah or ritual-activities observed after the completion of harvest. The enactment of the punnuk formally closes the agricultural cycle and signals the beginning of a new one. The communities are already cooperating in their work in the rice terrace fields. Their participation in the activity further strengthens their ethnic

identity as Tuwali. The punnuk highlights their strong belief and high regard for the ancestral and nature spirits.

In Korea, most towns in agricultural regions hold tugging rituals and games. This practice is particularly prevalent in regions with broad flat plains, such as in the southwest region of the Korean Peninsula. In each region, the practice of tugging rituals and games is concentrated in the period between the Lunar New Year and the third month of the lunar calendar, during which all practitioners, transmitters, and local residents unite to participate in preparations for the ritual. This encourages solidarity for the sake of communal well-being and the sharing of a sense of unity. Since the tugging rituals and games allow children to participate alongside adults, it confirms a sense of equality within the members of a shared community.

In Viet Nam, the element is concentrated mostly in the northern midlands, the Red River Delta, and the north-central region, which is the ancient land of the Viet and the cradle of the native wet rice culture, as exemplified in VinhPhuc, BacNinh, and Ha Noi. In addition, it is regularly practiced by certain ethnic groups, such as the Tay, the Thai, and the Giay in Lao Cai Province, who are the pioneers of rice cultivation in the northern mountains. It is often held as a part of the spring festivals held in villages, marking the beginning of a new agricultural cycle and expressing wishes for bumper crops.

Despite that tugging rituals and games in the four participating countries have their differences in scale, complexity, and historical background, they all share meaningful themes such as fertility, prosperity, and harmony. In the nomination files, the farming cultures of East Asia and Southeast Asia which have survived through the cultivation of rice are emphasized as one of the shared values which should be sustained.

Supports from the Outside

The multi-national nomination files of tugging rituals and games were successfully inscribed in 2015. Many participants from domestic and foreign governments, communities and NGOs were involved in the preparation. Local governments and preservation societies of tug-of-war games tried to raise awareness of the element by providing public programs and activities. In particular, the Dangjin city government established the Gijisi Tug-of-War Museum to promote and raise awareness of the

ritualized game. Local and central governments contributed significant funding for the establishment of the museum.

Specialists and folklorists in alignment with local governments and preservation societies in Korea held international and domestic seminars and forums in order to discuss meanings, rationale, and common themes of the joint nomination. Some researchers studied the communities of tug-of-war and documentations of the element. The research project lacked time, funding and manpower to be effective so there is a need for further effort in this regard. The joint research team consisting of members from the four countries will be organized to take an inclusive research on the element within the various regions.

The Korean government has provided the necessary legal and financial support for the activities related to the preparation of the joint nomination files. In fact, the whole process of joint nomination consisted of a diverse range of support and effort provided from many participants outside of the communities.

Concluding Remarks

In Korea, most local practitioners and communities greatly aspire to be listed in the RL. Having UNESCO's emblem on their titles seems to be an ultimate goal for the national and local intangible cultural property holders, groups and communities. The reason why they have such aspirations may be that they believe that UNESCO listing is an honor. They are not really interested in what the Convention is all about or what the multi-national inscription actually stands for. First and foremost, they think it is an honor to be placed on the list. Secondly, they may believe that being on such a list will lead to more benefits and greater protection and promotion from the national and local governments or maybe UNESCO as well.

In UNESCO, an ideal form of safeguarding process has been established. The Convention has repeatedly encouraged "the submission of multi-national nominations to the Lists of the Convention, considering that such nominations exemplify the Convention's purpose of promoting international cooperation. When safeguarding an element is at stake, better results will be achieved with the full participation of the whole community, regardless of its geographic location." (7 COM (ITH/12/7.COM/14).

The reality within the multi-national nominations, however, as evidenced in the case of tugging rituals and games is not aligned with the goals suggested by UNESCO. In particular, it is very difficult to achieve participation by the entire community in the multi-national nominations. Language barriers, lacks of funds for communications and network are practical problems that the communities face. Diversity in the forms and contents of a seemingly similar element is also problematic. It should be studied by specialists and scholars. Even if the community is supposed to play a key role in identifying its heritage, it would be relegated to a secondary status in the process of multi-national nominations. The central and local governments have great decision-making power as to which elements are selected and the preparation of nomination files. They expect to be able to choose the international partners to work with. CHA necessarily controls every step from the selection of which heritage is nominated to the completion of nomination files. Under the guise of uplifting local practitioners and groups of ICH, the heritage administration achieves authority and power over those practitioners and groups. The community members of tugging rituals and games in Korea said that they do not feel that anything is different even after being listed in the RL. They are proud that their culture is listed in the RL but they do not fully grasp the significance. A few of the community members could vaguely understand the international safeguarding efforts initiated by UNESCO. But many of them would not be familiar with the concept of international cooperation and safeguarding through joint inscriptions even though their heritage has been listed in the RL through the joint inscription process.

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Appendix

7 COM (ITH/12/7.COM/14 Paris, 18 Oct. 2012) Convention for the Safeguarding of the Intangible Cultural Heritage Intergovernmental Committee for the Safeguarding of the Intangible Cultural Heritage Item 14 of the Provisional Agenda, Mechanism for sharing information to encourage multinational nominations.

1. The Committee has repeatedly encouraged the submission of multinational nominations to the Lists of the Convention, considering that such nominations exemplify the Convention's purpose of promoting international cooperation. When safeguarding an element is at stake, better results will be achieved with the full participation of the whole community, regardless of its geographic location. At the same time, there are already numerous elements inscribed on the Lists in their own right that might instead have been the subject of a multinational inscription, had circumstances been different. In its previous debates, the Committee had suggested that such parallel or multiple inscriptions could be avoided, and multinational inscriptions encouraged, if there were a convenient means by which States Parties could inform other States Parties and communities concerned of their possible plans to nominate a given element. In its Decision 5.COM 6, the Committee therefore requested the Secretariat 'to propose, for its sixth session, an information-sharing mechanism through which States Parties may make known their intentions to submit nominations, so as to encourage, where relevant, the submission of multinational nominations'.

The Government Management and the Role of Communities in the Safeguarding, Inventory and Nomination of ICH: The Case Study of Vietnam

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The Convention 2003 states that the works on ICH including the inventory making, safeguarding, and nomination and inscription shall have the involvement of the wide range of communities. There is the discourse on the active and important role of the communities in the safeguarding of ICH, but the Vietnam's law and other legal documents on cultural heritage do not state clearly about the role of the stakeholders and communities. Within the administration system in Vietnam, the management of the ICH is approached from the top-down from the Prime Minister to the Ministry of Culture, Sports and Tourism at the central level to the grassroots level. At the local level, the Provincial Department of Culture, Sports and Tourism is in charge of managing the ICH in its territory. At the grassroots, the vice chair of the community is in charge of the culture (including ICH). In reality, the community members, the master practitioners, and the numerous local non-governmental organizations engage in managing and practicing ICH. In my presentation, I will give a brief overview of the most important legal documents on ICH, examine the government management and the role of the communities in Vietnam and then analyze the collaboration between the government and local officials, researchers and communities in making the inventory, the safeguarding, the nomination of ICH. At the end, I will give some proposals and suggestions on the enhancement of the consonant collaboration between the government and the communities.

Law and Legal Documents on ICH

In Vietnam, among the legal documents related to ICH, there are the Law on Cultural Heritage and together with it there is the Resolution No 98/2010/NĐ-CP, the Circular No 04/2010/TT-BVHTTDL on the inventory, and the Resolution 62/2014/NĐ-CP on the designation of “the people folk artists” and “eminent folk artistes” in the field of ICH.

- Law on Cultural Heritage

Law on Cultural Heritage indicates clearly that the cultural heritage in Vietnam is the valuable property of all ethnic groups of Vietnam and has its significant role in the sustainable development of the country.

In compatible with the 2003 Convention Vietnam ratified in 2005, the Law on Cultural heritage (2001) amended in 2009 with some articles on the identification of ICH, management, its safeguarding measures and designation of the master practitioners. The Article 1 on the identification of ICH states that “ICH is the spiritual product that is attached to the communities or individuals, relevant to tangible culture and cultural space. It expresses the cultural identity of communities, and has been continuously recreated and transmitted from generation to generation orally, through apprentices, performances and other modes of transmission.”

In the Law there is the Chapter 5 on the government management of CH in general. The content of the government management includes 8 tasks including: (1) Build and direct the implementation of the strategy, project, plan, and policy on the development of the safeguarding and promotion of CH; (2) Promulgate and implement the legal documents on CH; (3) Organize and direct the activities on safeguarding and promotion of CH; propagandize, publicize, and educate the law on ICH; (4) Organize and manage the scientific research activities; training workshops for the cultural cadres on CH; (5) Mobilize, manage, and use the resources on the safeguarding and promotion of CH; (6) Organize and direct the award (communities and individuals) in the safeguarding and promotion of CH; (7) Organize and manage the international collaboration on the safeguarding and promotion of CH; (8) Inspect and check the implementation of the law on CH.

The law also has the following important articles on the ICH as follows:

- The article 14 states on the inventory of the cultural heritage as the identification activity and evaluation and establishment of CH.
- The article 17 states that the government safeguards and promotes the ICH with the safeguarding measures as follows:
 - (1) Organize research works, collection, inventory, and classification of ICH;
 - (2) Organize transmission, publicization, publication, performance and revitalization

of ICH elements;

- (3) Encourage and create favorable conditions for organizations and individuals to do research, collect, archive, transmit and introduce the ICH elements.
- (4) Organize workshops on professional competence on safeguarding and promotion of ICH per request of ICH bearers.
- (5) Financially support the safeguarding and promotion of ICH, preventing the risk of falling into oblivion and losing ICH.”

- Article 26 states that the government designates and issues policies on the designation of master practitioners for their excellent skills and credits in safeguarding and promotion of ICH.

- Resolution No 98/2010/NĐ-CP

The resolution No 98/2010/NĐ-CP on September 21, 2010 regulates concretely on the implementation of the articles of the Law on Cultural Heritage, amendment of some articles of the Law, and regulates in details on the safeguarding and promotion of the ICH.

Basically, the Law on Cultural Heritage and the Resolution No 98 are the important legal documents that push up the renovation of the activities in order to manage, safeguard and promote the cultural heritage in Vietnam and that are more compatible with the 2003 Convention and meet the principles of safeguarding of ICH in accordance to the international Convention. These two documents create favorable conditions to build up the file of ICH elements to submit to UNESCO with the definitions, safeguarding measures, national inventory and the consent of communities. Under these important legal documents, Vietnam has developed the national program and a number of other sub-law documents on the management, safeguarding and promotion of ICH.

- The Circular No 04 /2010/TT-BVHTTDL

The Circular was issued by Ministry of Cultures, Sports and Tourism on June 30, 2010 that regulates the inventory of ICH and files of ICH for the National List of ICH. From 2010 to present, the Department of Cultural Heritage, Ministry of Culture, Sports and Tourism has held the capacity building workshops on the inventory for the local cultural managers and communities at the local provinces in all over country. Through the workshops, the inventory on ICH in local grassroots in all over country has been

developed. The local communities have sent their updated entries to the local districts that make their reports to the provincial departments of culture, Sports and Tourism and then the provinces send their reports to the Department of Cultural Heritage at the Ministry of Culture, Sports and Tourism. In these ways of the updating the entries for the inventory at all levels, the national inventory has been updated annually.

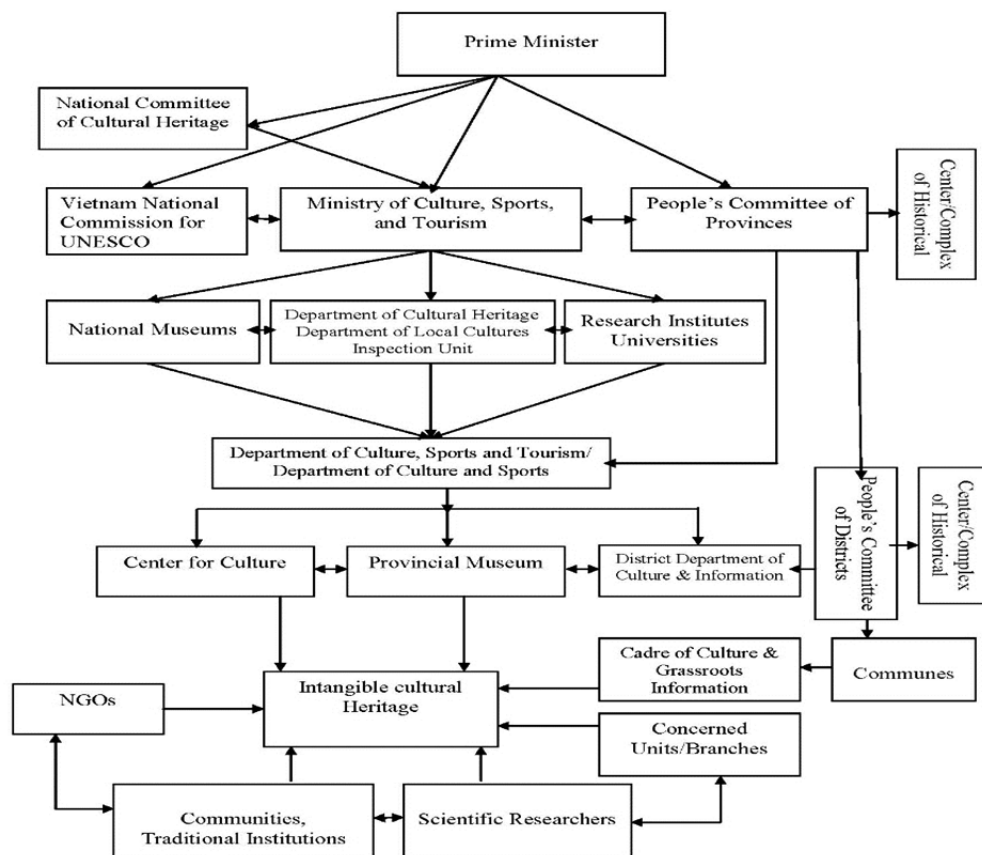


Figure 1: *Decentralized Administration Related to Intangible Cultural Heritage in Vietnam (See Nguyen Thi Hien 2017)*

The Government Management and Role of Community in Safeguarding and Promotion of ICH

The government directs, orients, and supports the community in the safeguarding and promotion of ICH. Details are as follows:

- + Promulgate and manage the implementation of the Law on Cultural Heritage and other legal documents.
- + Direct safeguarding activities of ICH with the national target program on culture, the

- cultural development of ethnic groups and the annual plans of local provinces.
- + Direct and manage the research activities with the ICH projects within the national target program on culture. There are two Centers at Vietnam National Institute and Vietnamese Institute for Musicology for archiving visual products and texts of ICH.
 - + Publicize: The government directs the propaganda and publicization of ICH in a number of ways such as cultural diplomacy for ambassadors and international ICH experts, on the national and local television programs. The performing troupes of ICH such as Quan ho folk songs, Vi and Giam folk songs, and groups of master practitioners of spirit mediums, gong players, so on perform at international folklife festivals.
 - + Mobilize resources: The government financially supports the activities of ICH from the national target program on, the national research program, the national safeguarding program on ICH of ethnic communities. Some provinces such as Phú Thọ, Bắc Ninh, Nghệ An and Hà Tĩnh financially support their ICH elements.
 - + Set up the designation of master practitioners: The government started to award the title of “people’s folk artists” and “eminent folk artists” with the implementation of the Resolution No 62/2014/NĐ-CP . On November 13, 2015, the President signed the Decision No 2533/QĐ-CTN to designate 600 master practitioners as “eminent folk artists” and posthumously awarded 17 individuals who had gained their merits in the safeguarding of ICH.
 - + Education Program: On January 16, 2013, Ministry of Culture, Sports and Tourism and Ministry of Education and Training co-issued the Circular No 73/HD-BGDĐT-BVHTTDL on the education of cultural heritage at schools. Within this program, the relevant institutions and bodies have their workshops for teachers of history, geography and music in 7 provinces and cities. In some provinces, some of the ICH elements have been taught at the extra-circular programs such as Vi and Giam Folk Songs of Nghe Tinh, Xoan Singing in Phu Tho province, Quan ho Folk Songs at Bac Ninh province, and so on.

The Role of Communities in the Safeguarding of ICH

Active roles: Community members are the bearers who have created and transmitted their ICH elements for thousands or hundreds of years. Their active roles are the keys in the safeguarding measures of ICH. They are the practitioners who participate widely in the all steps such as the managing, the practicing, and transmitting of ICH elements.

Numerous individuals and community members are the devoted people who spend their time, money, and works for the collection, archiving, and transmitting of ICH, especially the elders who are knowledgeable about their cultural expressions. The authorities and the cultural managers and researchers are the individuals who assist the local community members in other related works such as security, monitoring, publicizing and so on.

- + Initiative roles: Community members are the initiative practitioners who have created, practiced and managed their ICH elements such as village traditional festivals, rituals, folk games, folk performances, so on. The ICH elements that the communities have been safeguarded themselves have been kept with their values and functions better for their cultural bearers. For years, they contribute their energy, time and money to safeguard them as their responsibilities and duties.
- + Decisive roles: Communities roles in safeguarding ICH are decisive, because they are the people who have their rights to decide what and how their ICH elements are and safeguarded. The communities are in the best position in the identification and safeguarding ICH. Thus they involve virtually in their practices and self-decide, self-manage the activities of the ICH. The community members play their decisive role due to the fact that they themselves practice their ICH elements for hundreds, even thousands of years. The outsiders and government management may lead to the appropriateness of the ICH elements from their cultural bearers (Salemink 2013) and lose their values and functions for the local community.

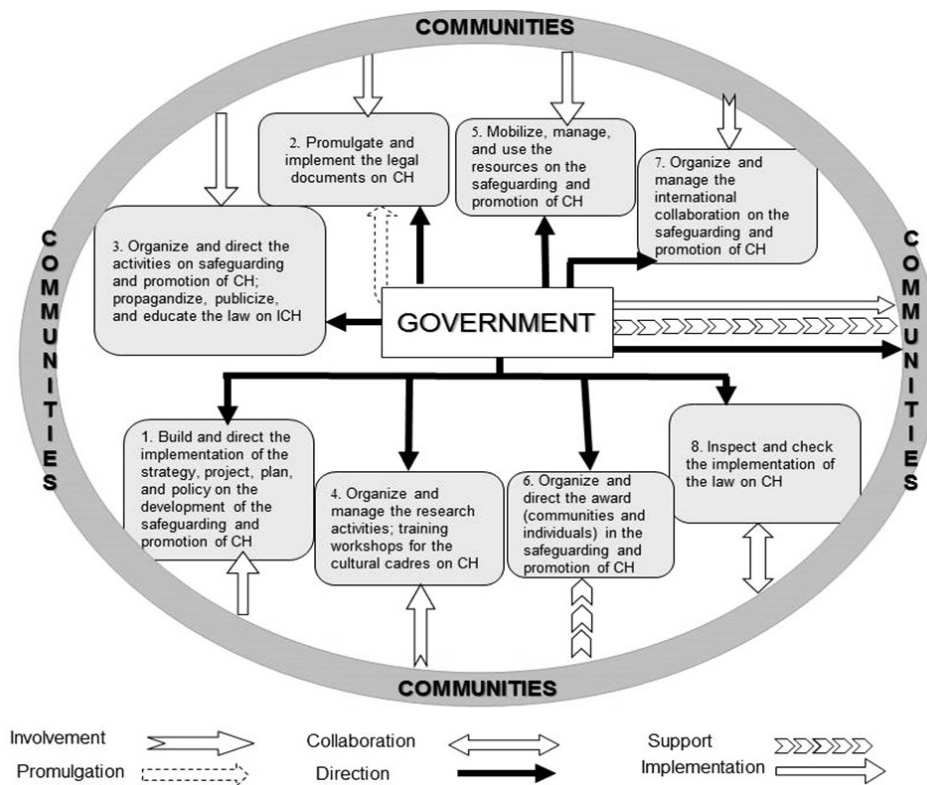


Figure 2: *The relationship between the government management and the role of communities in safeguarding and promotion of ICH elements (see Nguyen Thi Hien 2017)*

National Inventory

Since Vietnam launched the Law on Cultural Heritage in 2001 and amended in 2009, the inventory of the ICH has been an important task in the safeguarding and promotion by the cultural management institutions from the central organizations to the local divisions.

In 2010, Ministry of Culture, Sports and Tourism issued the Circular No 04/2010/TT-BVHTTDL regulating how to make the inventories and the files for the National List of ICH. The Department of Cultural Heritage (Ministry of Culture, Sports and Tourism) has organized the workshops on the implementation of the Circular to cultural managers and local community people who involve in the inventory. The researchers, local cultural managers and community members concerned discuss on the appropriate approaches to the inventory of the ICH depending on the domains and locations of the ICH.

Up to present, there are 61 of 63 provinces have their reports on the ICH elements at

their territories to be sent to the Department of Cultural Heritage to update the national inventory.¹ The national inventory is updated annually with the total of more than 63 thousand ICH elements.

People's committees in all provinces and cities direct the plan and budget for the inventory as being regulated in the law on the state budget for the provincial departments of Culture, Sports and Tourism to carry out the work.

The inventory work is to meet the following requirements:

- To identify fully communities and their representatives;
- To ensure that only the elements which the communities see as theirs are inventoried.
- To ensure that there is the free, prior and informed consent to the inventory from the community, group or individuals concerned;
- To respect the customary practice governing access to the specific aspects of the ICH;

Updating of the National Inventory of the ICH:

The Directors of the Department of Culture, Sports and Tourism in provinces and cities have their duty to annually make their reports to the Chairman of the People's Committees of the provinces and cities and Ministry of Culture, Sports and Tourism on the inventory and make it publicity.

The Department of Cultural Heritage has the software program and website on the management of the data on the ICH including the inventory and the other institutions concerned and provincial Departments of Culture, Sports and Tourism have their access to the website for their use and updating of the data on the inventory. Besides this, the Vietnam National Institute of Culture and Arts Studies also has created the Cultural Heritage Data and its inventory on the ICH that is based on the products from the projects funded by the National Target Program on Culture. The Institute has collaborated with the Department of Culture, Sports and Tourism to provide more data for the national inventory, especially on the heritage on the Representative List of the ICH and the List of the ICH in Need of Urgent Safeguarding (See the national inventory

¹ See the annual report by the Department of Cultural Heritage in 2016.

by Ministry of Culture, Sports and Tourism at <http://dsvhpvt.dsvh.gov.vn/HeritageLocal.aspx>).

Nominations and Inscriptions

The National List and Inscriptions

Vietnam has established the National List of ICH since 2012. With the agreement by the provincial People Committee on the national nomination, the cultural managers from the provincial Department of Culture, Sports and Tourism collaborate with the local communities (master practitioners and knowledgeable elders) to work on the file of the local ICH element. It includes the national ICH form, the short video up to 10 minutes, 10 photos and the other supporting documents such as the consent letters signed by the communities members and the extracts of the inventory about the element. The file is signed by the leader of the provinces and submitted to the Ministry of Culture, Sports and Tourism. The Committee of ICH (established by the Ministry of Culture, Sports and Tourism) will evaluate the element and then recommends to the government for its inscription on the National List. At present, in June 2017, there are 221 elements that have inscribed on the National List.²

The UNESCO's Lists

In the context of Vietnam, the National Committee of Cultural Heritage has the functions and duties to provide its advices to and counsel the Prime Minister on heritage, including the ICH. Thus, Vietnam has its UNESCO's potential list that has been approved by the Office of the Government in 2012. The document included 10 elements approved that are supposed to be submitted to UNESCO during the period of 2012-2016. By now, some of the elements on the approved list by the Vietnamese government have not been submitted to UNESCO. There are only two elements on the list that have been inscribed, including *Việt and Giặm Folk Songs of Nghệ Tĩnh* (inscribed in 2014) and the *Practices related to the Việt beliefs in Mother Goddesses of Three Realms*, the original title of which was the *Chầu Văn* ritual of the *Việt*. And elements on the list have been approved for the compilation of the files and submission to UNESCO, including the *Art of Bài Chòi of the Việt in the Central Part of Vietnam* (to be inscribed in 2017), the *Then*

² See the biannual report by the Department of Cultural Heritage in June, 2017.

Ritual of the Tày (submitted to UNESCO for the evaluation in 2019). The other two elements such as *the Xoè Art of the Thai People, the Art of Cultivation in Small Stone Caves of the Minorities in Ha Giang province (Nghệ thuật canh tác hóc đá của các dân tộc thiểu số ở Hà Giang)* are in the nomination process. The other elements, namely the *Art of Đông Hồ Woodblock Painting, the Initiation Ritual of the Dao people, the Art of the Traditional Pottery Making of the Cham, the Art of Dù Kê of the Khmer people in the South*, have not been considered for the compilation of the files for submission to UNESCO. Meanwhile, the inscribed elements of the *Art of Đờn Ca Tài Tử Music and Song in Southern Vietnam (2013)* and the *Tugging Rituals and Games (2015)* were not on the approved list.

To build up an UNESCO's nomination, the general procedure is as following:

- The local province makes its request to nominate an element in its territory to the Ministry of Culture, Sports and Tourism.
- The responsible organization such as Vietnam National Institute of Culture and Arts Studies or the Vietnamese Institute for Musicology is designed by the Ministry of Culture, Sports and Tourism to work on the file.
- The local province and the designated institution work together on the nomination process.
- The nomination committee is set up including the provincial authorities, the institute's director, the research members, the secretary, and the local representatives.
- The working research group goes to the field and work with communities on the updated inventory, identification, film and photo of the current status of the element.
- They collaborate with master practitioners, knowledgeable elders and the community representatives to carry out the nomination works and data.
- The community members such the elders and master practitioners provide their knowledge on the identification, on the practice, transmission and proposals on the safeguarding measures.
- In some cases the local communities provide their videos, photos and collections to the research group.
- The research group organize workshops to explain the nomination process and have their free, prior, and informed consent letters.

Through these collaboration process, the nomination process has the full support of the

local communities and their involvement in the all steps including the updated inventory, the identification, safeguarding measures, and film and video.

- The final nominations have been presented to the National Committee of the Cultural Heritage and approved by the Prime Minister and then signed by the Minister of Ministry of Culture, Sports and Tourism.
- The nomination file is submitted to the Secretariate of 2003 Convention for the evaluation process.

Proposed Suggestion and Conclusion

As abovementioned, the Law on Cultural Heritage has been effective since 2001 and then amended in 2009, but the sub-law documents have been issued slowly and very lately, such as the National List was set up in 2012 and the Circular on the designation of the people folk artists and the eminent folk artists in ICH was on 2014 and the first batch of the designation was in 2015 (13 years after the effectiveness of the Law on Cultural Heritage).

As seen from the top-down approach in the Law on Cultural Heritage and other legal documents, the roles of the concerned communities, groups and individuals are not stated clearly. In reality, the works on the safeguarding, inventory, and nomination started to be in collaboration with the local community members and their active, initiative and decisive roles have been acknowledged. One of my suggestions is that the Law on Cultural Heritage would be amended and adapted more objectives of the 2003 Convention on the role of local communities in the safeguarding, inventory, and nomination. The law and the sub-law documents shall have their articles on the involvement of the local communities and stakeholders in the ICH and encouragement of their roles and contributions in the safeguarding of ICH. This way will help to have the balance of the top down and bottom-up approaches in the safeguarding of ICH element.

In Vietnam within the national target program on culture including the projects on ICH the required products are the video and photos and texts and are archived at the Vietnam National Institute of Culture and Arts Studies and the Vietnamese Institute for Musicology and the provincial museums. The new national program on culture was launched in 2016 shall focus on the safeguarding of ICH in communities and for

communities, not for archiving. Thus, in 2017, my institute started 5 projects on ICH on the transmission of the epics of ethnic groups in the Central Highlands and the revitalization of the gongs in the Central Highlands. The concerned research groups have worked closely with the local communities in safeguarding of the epics and the gongs in the Central Highlands.

Thus, on the one hand the law, the sub-law, and the legal documents on ICH serve as the legal framework to develop safeguarding plans, research projects, national inventory and set up the National List and build up the UNESCO's nominations. In reality, they have not met fully to acknowledge and encourage the role of the local communities, groups, and individuals in the field of ICH. However, recently the central researchers have been worked themselves closely in collaboration with the local communities in the safeguarding, national inventory, and nomination. The discussion on how to encourage and work out in a consonant manner with the local communities members has been paid attention in the scholarly conferences on the ICH and scholarly publications (See Le Thi Minh Ly 2008; Nguyen Van Huy 2012; Le Hong Ly and et al 2014).

To conclude, I would like to emphasize that Vietnam has developed numerous policies, national programs and strategies on culture in general and ICH in particular, but only a part of the allocated money from the government was provided for the communities in the safeguarding of their ICH elements. In the future, Vietnam shall have safeguarding measures and plans on ICH with the focus on the community's roles and more financial supports are allocated to the local communities for safeguarding measures, transmissions and performances of their ICH elements.

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The Current State and Future of the Safeguarding of Cultural Properties in Japan: Focusing on Intangible Folk Cultural Properties

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Agency for Cultural Affairs

Introduction

The Convention for the Safeguarding of the Intangible Cultural Heritage operates with the premise that its target cultural elements are protected by safeguarding measures taken by States. Therefore, in Japan, the cultural properties covered by the Convention are basically those designated by the national government. Japan has a basic law called the Law for the Protection of Cultural Properties. The national government implements various safeguarding measures in accordance with this law and its related regulations. Under the Law for the Protection of Cultural Properties, it is not only the national government that plays a part—local public organizations also have roles. The national government is also not directly involved in safeguarding measures of bearers (preservation associations); rather, there is a support system that is comprised of three administrative groups including representatives of prefectures or cities, towns, and villages.

*Law for the Protection of Cultural Properties=enacted in 1950, amended in 1954, 1975; system of designation for Important Intangible Cultural Properties=established in 1954 with the amendment; system of designation for Important Intangible Folk Cultural Properties=established in 1975 with the amendment

The Process of Safeguarding Cultural Properties

In Japan, those elements of intangible cultural heritage considered important are identified as Important Intangible Cultural Properties or Important Intangible Folk Cultural Properties in accordance with the Law for the Protection of Cultural Properties. Then, after these elements are designated appropriately, safeguarding measures are put in place. This sort of process exists not only in the national government, but in the prefectures or cities, towns, and villages as well—in fact, the process has three levels that are related to each other. Currently, there are 47 prefectures and 1,741 cities, towns,

and villages (including special wards). All of these prefectures and cities, towns, and villages have local ordinances that are in line with the provisions of the Law for the Protection of Cultural Properties, and cultural properties are being safeguarded by administrative district. It should be noted that this system is not meant to show how superior or inferior certain cultures are. Rather, the national government, the prefecture, the city, town, or village have different ways of viewing the significance of cultural heritage in the region. Consequently, when viewed from the national level, the system of designation is a “pyramid” of cultural properties, so to speak.

Typical and Representative Examples of Nationally Designated Cultural Properties

Needless to say, the elements of intangible cultural heritage designated by the national government are based in Japan. They are designated after considering their geographical range, their current state, or their historical nature and comparing them with other elements. Hence, nationally designated cultural properties are those that show a kind of regional distinctiveness, such as those found in the domains of the old Japanese clans, those in local natural environments, or those in local geographical conditions. They are elements that are typical to or representative of the region. In other words, other than the cultural properties designated by the national government, there are many similar cultural properties designated by the cities, towns, and villages and similar elements of cultural heritage that have yet to be designated. Therefore, the cultural properties that have been designated by the national government are only the tip of the iceberg. The relevant regions consider the local cultural properties treasures born in the region that should be transmitted under the local leadership. This is called the “on-the-site preservation” principle regarding cultural properties.

Various Safeguarding Measures for Transmission and Utilization

Japan implements various safeguarding measures for transmission and utilization based on the process and way of thinking explained above. For example, there are subsidized programs of various types, such as those that aim to repair or create tools; secure raw materials; nurture successors; hold lectures, recitals, performances, or other events to show cultural heritage; make the element more well known or disseminate information; or create and publish or distribute written or visual documentations. In some cases, these

programs are carried out with the advice of experts or researchers. Cultural properties designated by the national government are supported by a system comprised of three administrative groups: the national government, the prefectures, and the cities, towns, and/or villages; a similar support system exists for cultural properties designated by prefectures or cities, towns, and villages.

*Percentage of subsidy provided to subsidized programs 50% from the national government and the other percentages vary by prefecture, city, and/or preservation association.

Conclusion

The safeguarding of cultural properties in Japan begins with each element of cultural heritage being identified, being compared to other elements and deliberated on, the group that should transmit the element to the future (preservation association) being identified, and the person(s) responsible for safeguarding being made clear. In terms of legislation, this can be said to be an extremely inductive approach. Furthermore, it is not only the national government that involves itself in safeguarding. Local public organizations also join in on safeguarding through dialogue with the relevant parties. This is the current state of safeguarding. However, this inductive method that is based on the current law makes it difficult to designate elements as cultural properties that are cultural acts practiced by individuals or families over a wide area and that do not always have preservation associations or person(s) responsible for safeguarding. Therefore, how to take a deductive approach to designating cultural properties is an issue for the future.

A Voice from the Heritage Community of Yeongsan in Korea

Young Joon HA

Yeongsan Tug-of-War Preservation Society

Introduction

We are proud of our annual tugging rituals and games called Yeongsan juldarigi. The main reason is that even if we do not know when it began, we still practice it every year. It has been transmitted as a part of our village life. We are enjoying ‘juldarigi,’ performing worshipping rituals, procession parade, and tug-of-war. It consists of many festive events so that all the villagers and even outsiders love to participate in it. During the festive events people would pray for winning, good harvest and prosperity of community. The 1st of March and before and after in Yeongsan are full of enjoyment, vigorous energy and passion. Cooperation and solidarity among community members are enhanced by the main game and its succeeding events. It has been also praised as the best practice model among similar folk rituals and games in the contemporary Korea. It was thus designated as the nation’s important intangible cultural property in 1969 and eventually inscribed in the UNESCO’s representative list in 2015.

The town of Yeongsan consisting of 9 villages is located in Changnyeong-gun, Kyeongsang-namdo, a southeastern part of Korean peninsula. The main industry in this region is agriculture, which in the past was predominantly rice farming, but now mainly commercial crops. Onions, garlics, peppers and livestock are the main sources of income for the villagers. The size of population is about 6,000 and the number of households is about 2,500. The population of Yeongsan has been remarkably reduced since the 1980’s. In particular, not many younger generations are living in this town.

I will briefly introduce the Yeongsan Tug-of-War Preservation Society. Our society was established when the Yeongsan Tug-of-War was designated as Important Intangible Cultural Property in 1969. The society mainly works for transmitting, training and public relations. It now consists of 17 members including an honorary bearer who resigned as chief bearer, an assistant instructor, and 15 transmitters (isuja, literally means those who

complete the training course). Mr. Kim Jong Han's resignation left a vacancy in the post of chief bearer. He is now an honorary bearer. I am president of the society and also one of 15 transmitters.

Keeping Our Tradition

Yeongsan juldarigi is known to be the biggest festival practiced in rural communities of Korea. Guest participants from neighboring villages, cities and even overseas take part in the game. Yeongsan tug-of-war consists of several stages: collecting rice straw, formation of the two team, selection of generals, and making ropes. The collecting rice straw is the first step toward a successful festival. Each household donates its own share of rice straw. However, currently the collecting straw is not enough for making jul or ropes so that extra straws are purchased. Rope production itself requires the concerted efforts of the entire community over a period of almost a month. The ropes used in tugging rituals and games symbolize the mythological animal of a dragon, which is believed to bring rain in the rice-farming cultures of Korea.

The game is practiced between two teams. The community of Yeongsan is divided into the east and the west. The east team and the west team are formed. Each team selects three generals or captains as the presiders of rituals and games. They are supposed to be sturdy-looking since they are called 'janggun' or generals who must defeat enemies in the battle field. When the ropes are ready, we prepare special ceremonies as a pre-game ritual for the spirits of rope. The worshipping rituals are taken seriously in front of the rope because its spirits and/or village gods are believed to control the whole process of the game. The east and west teams have the worshipping rituals in separate places. After finishing the rituals villagers moved the ropes to the place where the tug-of-war game takes place. The two teams respectively proceed to the game field circling around the town of Yeongsan. The parade with a big size of rope carrying on the shoulders itself gets more people together in the game. The parade makes all people excited.

When the parade is over, the actual tugging game begins with a command of the captain or the highest general. The two team members are concentrated in pulling the rope with the desire of winning. When the game is finished, we are altogether playing music and dance in order to celebrate the festivals.

Inscribed as an Element of UNESCO's Representative List

Yeongsan tug-of-war is famous because it is very amusing and also has a high spirit of solidarity and harmony. The Korean government designated Yeongsan tug-of-war as an important intangible cultural property elements in 1969. Since then, we have made our tug of war the best local festival in Korea. In addition it was successfully inscribed on the UNESCO's representative lists in 2015.

However, we do not exactly know what the UNESCO's representative lists are. One day a phone call came from the curator of the Gijisi Tug-of-War Museum to us. He said that the Gijisi Tug-of-War Preservation Society planned to submit the multi-national nomination file. He also asked if our team would join them. At that time I was a regular member so that I did not have direct contact with them. The former president, Shin Jun Shik, had in charge of contact with them. Upon receiving the proposal Mr. Shin started to discuss about it with our society members. Even if we did not know much about the joint inscription on the UNESCO's Representative Lists, we all agreed with the proposal. Since then the former president delivered our consent form to the preparation committee. Mr. Shin had many calls and meetings with the committee members. In the first place, there were only two teams that showed interests in making the joint nomination files. Gijisi and Yeongsan teams were thus expected to lead the preparation process. However, we, Yeongsan team, did not have man power and funds to do so. Gijisi held an initiative. Curators, specialists and folklorists gathered in the town of Gijisi and helped the preparation process. We had to stand aside and watched.

In Korea there are many rural communities still performing tug-of-war games when they hold their festivals. However, those communities did not show any interests to the joint nomination files. I fully understood it since we had the same problem when we had the proposal from Gijisi. Not us but those who had manpower and aids from outsides did take the role of leadership in preparation for the joint nomination file. They were active and had passions for doing complicated communications with regional and central governments, specialists, and other overseas' communities' of tug-of-war. They did lots of administrative work including internet communications. Finally and successfully, the multi-national nomination file was adopted by UNESCO in 2015.

We think that to be listed in the UNESCO's RL is good in the sense that we get an

honorable ‘prize.’ Furthermore, it is even better that the ‘prize’ is awarded by an internationally renowned organization, UNESCO. However, we would ask ourselves why and how our tug-of-war was inscribed. It is questioning what we are going to do as a UNESCO listed heritage community. At present we are facing many difficulties such as demographic decline, aging and economic hardship. In order to overcome these crisis, our community members put much efforts into finding a good solution.

Facing a New Stage

Lastly we are now in the process of transition. As noted above, there was a ranking system for the preservation of intangible cultural property element: bearer, assistant trainer, and transmitters. It was clearly indicated in the law of Cultural Property Protection Law (CCPL) in Korea. It applied to all elements of intangible cultural property. However, a new law called ‘Intangible Cultural Property’s Preservation and Promotion’ which was enacted last year (2016) states differently about the system of transmitting, training and preservation. We are in confusion. CHA proclaims that heritage communities without the selection of any bearers are encouraged. It means that the transmitting system through the preservation societies is no longer necessary for the community based elements like us. We are advised not to select a new bearer. It means that CHA would not fill a vacancy in a bearer position. Whether a new bearer would be selected or not is at stake in our community. Some agree with the CHA’s new proposal but others strongly oppose to it. The new protection system needs to be discussed more seriously within our community and within the policy makers as well.

PRESENTED PAPERS

Session 2. *What has been the transformative impact of the Convention, notably how have communities assessed its impact?*

Safeguarding Intangible Cultural Heritage, and Community Involvement in India: An Individual View from the Field

Shubha CHAUDHURI

Archives and Research Centre for Ethnomusicology, American Institute of Indian Studies

This symposium raises important and interesting issues about the 2003 Convention in terms of the “glocal” the intersection of local and global among others. The issue that I have been charged with is the role of the community in the light of Intangible Cultural Heritage, based on my own field experience. To provide some background of my work, I have been working in an ethnomusicology archive that receives field collections as well as carries out field work projects from time to time, for the past three decades. My interaction with the Intangible Cultural Heritage is through this work, and later coming in contact with the 2003 Convention through meetings and conferences addressing these issues. This also extended to my involvement with the International Council of Traditional Music. Perhaps the most intensive and recent involvement has been as a trainer for capacity building which has deepened my understanding of the Convention and its implications on the ground.

Coming to the issue of community and ICH - to assess the involvement and benefit to the community becomes a difficult issue as the concept of community is wide, and to some extent nebulous as it needs to be. In which case how does one assess the extent of benefit - limited to the practitioners, the audience and patrons, to a region or cultural area?

The question I would like to address is whether we are looking at the issue of community involvement as part of the implementation of the 2003 Convention (as a signatory of the convention), or are we looking at safeguarding through documentation, preservation, revitalisation and sustainability whether or not as a formal implementation of the Convention? I will attempt to address this through some issues related to the Implementation of the Convention in India and case studies of institutional initiatives which are based on community participation.

In India, initiatives of documentation, preservation and safeguarding some aspects of what we now term Intangible Cultural Heritage predate the convention though they may not always be in what we call the “spirit of the convention”. This includes governmental as well as non-governmental institutions and agencies.

We need to look at these against the issue of the awareness of the Convention and implementing it with the definition of ICH that it involves, and along the lines stipulated by the Operational Directives, as well as various initiatives that deal with the issues and concepts that the Convention represents.

Implementing the 2003 ICH Convention

Though the implementation of the Convention in India leaves much to be desired, there is no doubt that the Convention has brought issues regarding ICH to the fore, given them a place in governmental structures and provided a vocabulary and concepts that are appropriate to it.

Inventorying

The creation and maintenance of a National inventory is one of the obligations of the State Parties who are signatories of the 2003 Convention. An official inventory related to nomination of ICH was maintained by the Indira Gandhi National Centre for the Arts (IGNCA) and more currently by the Sangeet Natak Akademi.

These are not comprehensive and do not go beyond the very minimum needs of the nomination process. There are also multiple levels of what may be termed inventories at state, region level and the national level, in various stages of detail and completion. They are the product of documentation projects rather than databases created with the express purpose of inventory making, and do not necessarily follow the UNESCO criteria.

Cultural Atlas

An attempt to carry out the cultural mapping of India was undertaken by the UNESCO New Delhi office including tangible and intangible cultural heritage. To this end, templates were designed for monuments, spaces, crafts, performing arts and folklore, events such as fairs and festivals. The intention was to carry out the cultural mapping of to create an online space which would work with a wiki model so that various agencies

could input data along with audio video and image files. However for various reasons, this initiative has failed to take off.

Major Challenges

Creating a National Inventory

The aim of inventorying is to identify elements of ICH with the involvement of the community or communities, in a “systematic way” to create a baseline document, if we may call it that to be able to then create strategies to create respect and recognition, raise awareness and appreciate all elements in an inclusive fashion, and most importantly to safeguard the ICH within the borders of a nation. To prevent this from being a top down exercise, the Convention has further added the requirement that the inventorying, as well as Safeguarding plans be Community based and involve “free prior informed consent”.

If we then begin inventorying with an attempt to collate and combine existing inventories and databases in various countries, we may find that the data collected may not fulfil these criteria and thus perhaps not find place in a “national inventory” as per the “spirit of the Convention”.

To create a community based inventory which includes community members needs the creation of a large task force that would work in each region or province, state and town or city, with a focus on being inclusive. Those who have been involved in any ethnographic fieldwork would be aware of the extent of this work if we are to collect data from each community and cultural group the elements that constitute all or most of the domains of ICH.

There are also inherent issues in an inventory which is community based as the very definition of community is broad and variable as and thus the representation of a community or group or even an individual is allowed. Identifying the appropriate leader or representative needs sensitivity and time, and the ability to understand community dynamics which may not always be feasible. Inventorying can also include the idea of cultural ownership and shared ownership which is often contested, and like much of ICH fluid and changing.

Finally, the national and State level of inventorying is subject to bureaucratic structures

and mechanisms that may lead to giving a fixity to the ever changing nature of ICH elements if they are to be kept alive and vital.

It is however important to point out that it is not only the process of inventorying that carries with it the risk of “freezing” traditions. Any form or official recognition, whether through broadcasting, festivals and competitions carries the same risks.

The issue of rights and permissions is a complex one and in many situations “free prior and informed consent” may be difficult to procure and thus is often implemented in the letter rather than the spirit. There are many elements such as festivals where there is no representative who can provide consent or permission.

Inventorying and Nomination

Though the process of inventorying is meant to be a precursor to nomination, the issue of inscribing elements to the Representative List seems to become the centre of the Convention in public perception. Often the emphasis of the implementation is on nomination rather than inventorying or safeguarding.

The challenge is thus to create a structure of Community based Inventorying where awareness and training is carried out at the community level where the practitioners themselves carry out the inventory, and are able to participate more actively in the nomination process.

Nomination:

The nomination of elements to the Representative List has been the most active part of the implementation of the 2003 Convention in India, which is perhaps not an uncommon trend.

India has been active in nominating elements for inscription on the Representative List: At this time, the elements that are inscribed are :Kutiyattam;, Ramlila; Vedic Chanting; Navroze (multinational); Ramman, Chhau dance; Kalbelia; Mudi yettu, Sattriya dance, Thatheras of Jandiala Guru, Buddhist Chanting, Sankirtana.

There have however been no nominations to the Urgent Safeguarding List or to the

Register of Best Practices.

The nominated elements do have the benefit of greater publicity and opportunity of exposure, and have benefited from safeguarding measures involving training centres.

The nominations and indeed the implementation activities of the Convention have been within the ambit of the Indira Gandhi National Centre for the Arts and the Sangeet Natak Akademi. I would like to discuss the examples of two elements here:

1. Kuttiyattam

Kuttiyattam was one of the earliest elements which was part of the Masterpieces of Oral and Intangible Heritage which later became part of the Representative List. In carrying out a literature survey for IRCI we found that it is the only element which has been written about in terms of the impact of the nomination. Perhaps most of these writings have as their source a seminar, papers of which were published in a special issue of Indian Folklife and also by Leah Lowthorp . The funds that were made available through the Government of India through various agencies such as the Sangeet Natak Akademi have had an impact for practitoners, on what was in the rest of India, a lesser known performing art. However as its language was Sanskrit, it has carried the prestige of India's ancient heritage, and authenticity which is associated with it.

To give an example, in 2005 I had carried out a survey for WIPO of archives, museums, musicians and cultural institutions to collate information on rights management and issues of IPR. I had added a last and perhaps unrelated question asking whether they were aware of the fact that Kuttiyattam was recognised by UNESCO as a Masterpiece of Oral and Intangible Cultural Heritage. There was not a single positive response, from a list that comprised institutions that worked in the performing arts and folklore. This illustrates the lack of awareness even in scholarly and academic circles about the status of nominated elements.

2. Ramman

Ramman, a ritual theatre form of the Garhwal was nominated to the Representative List in 2009. According to Dr. Molly Kaushal of the Indira Gandhi National Centre for the Arts, this element was at the cusp of being extinct when it was nominated. It is only through the recognition gained through the nomination process that the IGNCA, the national and state government and even the district authorities have provided funding and support that has led to the revival and revitalisation of this element. A

resource and training centre and museum is being created after members of the local community were provided training by the IGNCA. Thus according to Dr. Kaushal, apart from the funding from State agencies all the “safeguarding” activities are carried out by the community. This is an element which is restricted to a small area of a district in the state of Uttarakhand. Perhaps the very limited area which constitutes the community makes such a project possible.

As we see the State based emphasis on nomination, does raise awareness to some extent and safeguarding to the extent of supporting, training revitalisation, and performance opportunities, to at least a section of the community of practitioners. The limitation of an approach based on nomination is or has been that of ICH being largely limited to performative arts - extended to crafts at the most.

Awareness Raising

This remains a weak point of the implementation. Even where the term ICH is known, it does not always carry the association of UNESCO. The term is gaining currency mostly as providing an umbrella for oral traditions, performance and crafts to a certain extent.

As far as practitioners are concerned, the familiarity of the term UNESCO is largely limited to those individuals and institutions who are involve in the nomination process. The activities and in some cases the creation or support of institutions is attributed to the agencies that fund them or are seen as funding them such as the IGNCA and the Sangeet Natak Akademi.

Community Based Initiatives - a Few Case Studies

The concept of “community based” or community involvement has many and diverse implications. Some of the issues that need to be addressed are;

- to what extent does a community initiate a plan to safeguard its traditions?
- what can be the role of State parties or NGOs to create or support such initiatives?
- and finally,
- how successful can such initiatives be – in terms of safeguarding or to financially sustain the practice of ICH.

The documentation of cultural traditions has largely been the domain of academic and

cultural institutions in India. Though discussions of local versus global, and subaltern studies abound, the idea of a community based inventory even is one that is not seen as “practical” and to which there is unspoken resistance. Community based or community led programs have been more the realm of development initiatives, whether governmental or NGO based.

A common factor we see is that the idea of community involvement in the case studies that are describe here is not a part of ICH implementation or perhaps even awareness but the conviction of individuals or institutions that preservation or safeguarding of traditions can only succeed if it is part of the community.

Kutch Embroidery

The region of Kutch in Gujarat is known for its crafts and textiles - among which is the intricate and highly evolved tradition of embroidery. The embroidery done by women is specific to each caste in terms of stitches and patterns. Traditionally, women embroidered garments for themselves and their families. The beauty of these textiles started attracting museum buyers and tourists who bought them in most cases directly from the families, for what would be considered a pittance today. As these were not created as commercial commodities the idea of a market or price was not a major consideration. It was after a famine, and later a major earthquake, that a few NGOs emerged using the highly skilled embroidery tradition to create a market that would provide an income to women. Though it is not possible to list all the organisations and their specific contributions, Shrujan, Kala Raksha and Qasab are the organisations on which I am basing this case study. These organisations all undertook documentation of the embroidery traditions, worked at improving the declining standards, involved designers to create new products for an urban market and created cooperatives.

Kala Raksha has created a museum of embroidery that has been documented by the women of the community, and to which the community has access. The pricing and selection is also done by the women and profits shared. Kala Raksha Vidyalaya is a design school for practitioners where they learn elements of design and the ability of creating new products for themselves and the ability to market. Likewise, Qasab of the Kutch Mahila Vikas Sangathan runs as a women’s cooperative where the women make design and pricing decisions. Shrujan, which was a pioneer in this area has also created

a museum based on detailed documentation carried out by community members.

This very abbreviated description is to give a background to the issues that follow. These initiatives have emerged as highly successful in terms of providing women an independent income that contributes to their family, has provided women empowerment and their involvement with the NGOs have paved the way for greater exposure in the areas of health and education.

The issues here are to what extent is this successful as safeguarding, and what questions does it raise? These initiatives are clearly from institutions which were community based in their philosophy and thus worked towards not only community involvement but attempt to give financial control of the products to the artisans, hence the community. Such NGOs also provide training and empowerment by involving community members in decision making. The success has been the preservation of a craft tradition which may not have survived to the extent it has, based only on individual needs as it is very time consuming. The preservation of older pieces being made available to the community and the ability to sell items at a higher price when they have higher artistic value has also revived the standard of embroidery. However the major benefit has been to that of the empowerment of women.

What has been the change and where can we see the compromises? The tradition of ICH of embroidery for personal use with no financial gain has been changed to that of a market commodity. Creation of products for the urban market changes the items produced, and the creativity of the embroiders is to a greater or lesser extent subject or even subservient to the market forces and external designers.

As times change, and financial expectations and needs grow, the need for an income beyond subsistence level pastoralism and agriculture is to some extent fulfilled by women using their traditional skills which they may not have had the leisure and freedom to pursue.

However the tradition of women needing to embroider a certain number of blouses for their dowry still exists. In some communities where the embroidery is very intricate and time consuming, women have started commissioning pieces from within the community!

Goa Chitra Ethnographic Museum

This ethnographic museum in Goa - a coastal area of India with a history of Portuguese rule, is run by a private trust or more accurately an individual.

The Goa Chitra museum has a large collection of objects and artefacts related to agriculture and the everyday life of the people of Goa, representing traditional life styles. It has as its basis varying degrees of community involvement. A very important one, is the fact that the organisation of the implements and the documentation has been done with the involvement of the community that uses them, and are duly acknowledged on each panel in the museum. Thus one can distinguish a hoe that is used for breaking clods of earth is different in the North and South of Goa according to the soil type. Measures for grain varied between those used by the landlord or peasant. A more active part of community involvement are the workshops held by the museum for artisans, helping them adapt to the modern market, interactive workshops where children can work with artisans and so forth.

The Museum also provides a venue for performance for local traditions as well as those for the more global elite. The most recent initiative is a museum on the fishing traditions of Goa which is being developed for the fishing community to run it themselves involving a homestay run by them, which would contribute to its sustainability.

This is an initiative that needs to rely on tourism, whether cultural or educational in nature to sustain itself. It relies on gate fees, events and donations to support itself. The benefit to the community that is represented is variable. It creates a consciousness and perhaps respect and awareness of the agricultural community. A homestay that involves a museum opens up another venue for communities to extend their income showcasing their traditional knowledge in times when perhaps the traditional ways are no more practical or in use.

Archives and Research Centre for Ethnomusicology (ARCE)

I would like to describe here some initiatives and collaborations of the ARCE with which I have been involved.

1. Archives and Community Partnership

This project was carried out in two areas - Western Rajasthan and Goa. A primary

goal was archive musical traditions with the involvement or rather leadership of the community, of repertoire that they felt the need to preserve. The recordings included discussions and interviews as well as musical performance. Local documentation teams were trained in the use of recording equipment, as well as in the basics of documentation using their own perceptions. Copies of all recordings were given to the performers and community along with full rights to use them as wished.

According to the community, the process of documentation made them more aware of issues that they had not thought much about, and they felt the recording increased the interest of the younger generation. Though there were many aspects of the project - the ones that had the most impact according to the community members in Rajasthan specifically were the Manganar children's workshop and the CD Series "Master musicians from the archives". (The Manganar are a professional caste of musicians from Western Rajasthan, one of the communities involved in the project.)

Two week-long training workshops for children were held with senior musicians of the community providing the training. Though ARCE along with Rupayan Sansthan (a Rajasthan based institution) were involved in the first workshop, the second one was structured, planned and run by the musicians. The workshops have had a great impact on the young boys who were participants.

Likewise the CD Series 35% of which were given to the community, are a source of attraction to the younger generation, some of whom have started singing songs from them as the booklets contain the lyrics. The four CDs are of 3 iconic musicians of the community in response to requests for access to archival recordings of these famous musicians.

In an experiment to widen the scope of dissemination – a mobile app which featured 3 musicians and 9 tracks with detailed notes, and five programs on a local community radio were also developed. The community radio is one that targets migrant labour in urban areas.

Support to Community Archives

Manganiar Lok Sangeet Sansthan (MLSS)

A by-product of the Archives and Community Partnership project described above was the support to this community organisation of the Manganiar musician community of Western Rajasthan which is based in Jaisalmer.

It should be mentioned that this community has over 200 registered organisations. The MLSS was registered as a Society and had a small collection of recordings, newspaper cuttings, photographs and song texts. In response to the young musician who headed it, ARCE provided audio and video recorders, a scanner, a hard drive for backups and training in the use of these. The process of recording and documentation continue to be made and copies of these are also archived at ARCE.

Soorvani (Kutch Mahila Vikas Sangathan)

ARCE provided consultative support to Soorvani a musician's collective which is a part of the Kutch Mahila Vikas Sangathan, in the Kutch district of the state of Gujarat. This was to enable the setting up of a community archive, as well as a plan and a pilot project for documenting musical traditions with community participation. The KMVS is a NGO who work in Kutch using a cooperative model, and requested the help of ARCE to set up a structure and plan for local musician communities. A documentation project over two years was carried out with community participation on all levels, and an archive set up at Soorvani. Along with the documentation and archiving, various safeguarding measures were attempted – providing performance opportunities on a local as well as urban stage.

Chekrezemi Society for Cultural Preservation

This was the outcome of collaboration with U-ra-mi-li - a project recording the 'everyday' songs of communities. Their work in Phek, Nagaland with the Chakesang Nagas resulted in collaboration with ARCE, and resulted in the formation of the Chekrezemi Society of Cultural Preservation created by the village of Phek. ARCE donated audio and video equipment as well as a computer to this initiative. There was some training and support provided by U-ra-mi-li for this community organisation to work on documenting their own musical traditions.

The question to be asked here is - To what extent are these community initiated? In all cases, to some extent. The impetus was from the community and supported by ARCE took direction in a variety of ways.

Conclusion

The issue of community benefit is rather more complex and perhaps even ephemeral. As governmental implementation of safeguarding seems to center around nominated elements, there is a tendency to nominate performance traditions and crafts. This is probably impacted by the choice of governmental institutions which are charged with responsibility of nominations.

Non-governmental or privately run initiatives largely rely on urban markets and tourism to provide sustainability and thus also are limited in their scope of what is addressed within ICH. There are a few examples though small where traditions are supported locally or within the community.

Social practices, oral traditions that are not performative, and traditional knowledge are valuable aspects of ICH which find no place in safeguarding initiatives.

In cases such as those described by our own work in ARCE, it is more a case of being able to work in ways that support one's conviction. The benefits are to a few and slow to show any impact. These require an ongoing receptivity for opportunities to support community initiatives, and funding to sustain them.

The Campaign of Intangible Cultural Heritage Safeguarding in China: Significance and Challenge

Deming AN

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Since the traditional Chinese opera kunqu (昆曲) was listed as one of the first group of 19 Masterpieces of the Oral and Intangible Heritage of Humanity in May 2001, which was launched by UNESCO in 2000, and guqin (古琴), the seven-string zither was listed as one of the second group of 28 Masterpieces in November 2003, the Chinese people who were eager to distinguish their traditional culture in an international sphere have been greatly encouraged. Related agencies of the state and local governments, official or academic institutions, and organisations, various individuals from different backgrounds have all been engaged in the campaign of intangible cultural heritage safeguarding, which has currently been developed into a well-known and popular movement in China.

In 2003, the Ministry of Culture and the Ministry of Finance (财政部), in collaboration with the State Ethnic Affairs Commission and China Federation of Literary and Art Circles, launched a project of protecting folk and ethnic culture as a kind of a response to UNESCO's series of action on safeguarding traditional culture or intangible heritage. An administrative system in charge of related affairs has been hence set up, which included a leadership panel, an expert committee, and a national centre for the project. Organisational institutions on local levels have been also accordingly established in provinces, regions, and municipalities. The National Center for the Project of Protecting Folk and Ethnic Culture (中国民族民间文化保护工程国家中心) worked actively until 2006 when it was renamed to the China National Center for Intangible Cultural Heritage Protection (中国非物质文化遗产保护中心) after China ratified the Convention for the Safeguarding of the Intangible Cultural Heritage of 2003 in 2004. It was authorised as the sole official agency in charge of matters related to ICH safeguarding in China, such as providing policy advice for stakeholders, organising general investigations and academic discussions, and advising or guiding the implementation of safeguarding measures in various localities or communities.

The comprehensive participation of the governmental departments is very helpful in the further promotion and implementation of the project of ICH safeguarding. The Ministry of Culture, in cooperation with several other related ministries, formulated an Inter-ministerial Joint Committee as a focal point of the project, to address major issues in a coordinated way; the Ministry of Finance set aside a special fund, and a number of provinces, regions and cities also collectively appropriated funds to support the project. This has greatly attracted the wider attention of the whole society to the project of ICH safeguarding. Institutions and people from all backgrounds have become involved, and thus shaped a new cultural movement throughout the country.¹

The movement has already made great achievements in practice. Here are some statistical information about China by the end of 2015: The information about 879 thousand ICH elements has been collected; 38 elements have been inscribed on UNESCO ICH Lists (including 30 elements on the Representative List of the Intangible Cultural Heritage of Humanity, 7 elements on the List of Intangible Cultural Heritage in Need of Urgent Safeguarding, and one element on the Register of Good Safeguarding Practices); 1372 elements have been included in the national inventory of ICH; 1986 inheritors have been identified as Representative Inheritors of ICH at National Level; the central government has appropriated more than 4.2 billion Chinese Yuan (around 600 million US dollars) in total to support the ICH safeguarding programme.

It has shown its significance of the survival of folk tradition as well. Many genres of folk tradition, such as temple festivals and other activities concerning folk beliefs, have been functioning in people's everyday life for a long time. However, in the past they had been labelled as feudal, superstitious vestiges, and were restrictedly prohibited for several decades. Although these kinds of tradition became revived after the Cultural Revolution, they were still struggling to receive the legitimacy from the governmental discourse. As a most remarkable achievement of the ICH protection movement, in the

1 As mentioned by Barbro Klein (2006), since the term 'cultural heritage' had been introduced and applied widely in the academic domain in Sweden, not only many museum specialists celebrated it as a self-evident concept to describe what they had been doing all along, but also many university-based ethnologists who recently denied that their field had nothing to do with efforts of preserving and presenting culture or with any activities tainted with the worst aspects of 'the old folklife research' started to increasingly use it. Similarly in China, many other academic disciplines that used to look down on folklore studies have also began to 'jump on the bandwagon' initiated mainly by folklorists.

中国民族民间文化保护工程普查工作手册 (Guiding manuals for general investigation of Chinese ethnic and folk culture) published by the National Center for the Project of Protecting Folk and Ethnic Culture in 2005, folk belief was listed as one of the genres to be investigated. This is actually an indication that the folk belief or religious practice received considerable legitimacy in the official discourse. In this situation, officials or legislators will have to be cautious when they deal with folk culture such as temple festivals and other traditional religious practice. It therefore provided those kinds of tradition more space for survival and maintenance (Gao 2013).

Along with the confusing translation ‘intangible cultural heritage’ (非物质文化遗产, literally ‘non-material’ cultural heritage) which became increasingly popular, growing numbers of communities, tradition bearers, and even entrepreneurs would like to use this unusual coinage to label their cultural items. By doing so, these individuals or groups might not only gain economic benefits for their specific items, but also endow it with more significant and multiple meanings in the global perspective, and hence improve their social status. And this was greatly reinforced by the legislative establishment of the National Cultural Heritage Day (文化遗产日) in 2008, and the promulgating of the national Law on intangible cultural heritage in 2012.

Folklore studies and other related disciplines also celebrate new opportunities. This does not mean the superficial prosperity similar to when the one that the so-called folklore experts received through praise and recognition from the governments, local communities and mass media. Instead, this movement enables scholars to think thoroughly and deeply about the relationship between culture and people’s lives; it enables them to investigate Chinese folklore more deeply and more comprehensively, with strong support from governmental agencies; it also allows searching for a way to solve the big dilemma embedded in the movement itself. Therefore, it makes it possible to contribute with new perspectives and methods based on Chinese experiences, both to the academic domain and to the campaign of ICH.

During the 9th annual session of the Intergovernmental Committee for the Safeguarding of the Intangible Cultural Heritage held at UNESCO Headquarters in Paris from 24–28 November 2014, the Committee decided to establish the Evaluation Body (consisting of six NGOs and six independent ICH expert scholars) for the evaluation of nomination for

inscription on the UNESCO Lists from 2015. China Folklore Society (中国民俗学会) was successfully elected into the Evaluation Body for a term of three years. This enabled Chinese folklorists to participate in affairs concerning ICH on a more international level as opposed to the domestic one. Through closer communication with related policies and practices of UNESCO and various countries, Chinese folklorists have been ever since trying to build a new bridge for the mutual understanding of ICH between UNESCO and the Chinese government, and between communities and government. In terms of establishment of this rapport, we can mention two of the most notable examples: the modification of strategic principle of ICH safeguarding in China from the earlier 'safeguarding the ICH according to its original ecology' to the current 'safeguarding the integration of ICH' or 'safeguarding the ICH along with its living context', and the focus on tradition bearers that has changed from 'active bearers' (those who possess particular traditional knowledge) to all ordinary people, stated in the conception 'everyone is the culture bearer'.

Since the concept of intangible cultural heritage was introduced into China, for quite a while the dominant idea about the ICH safeguarding strategy among the involved scholars and governmental agencies has been maintaining the authenticity or the original nature of concerned items. As a result of strong concerns and alarms about the severe misuse of traditional culture and the widespread artificiality claimed as tradition based on rapid development of tourism and commercialisation, this idea emphasised the need to keep the tradition pure. Nevertheless, it resulted in a critique from some folklorists who had been focusing on the academic history of the controversial concept of 'folklore as survival', and that of the so-called authenticity. It was those scholars' continuous argumentation and promotion that led to the growing debate among different participants of ICH studies and practice. Most of the stakeholders finally came to a reflective agreement on the impossibility of 'safeguarding authenticity', and on the new principle of safeguarding ICH in an integrated way.

Tradition bearers are another main focus of ICH safeguarding. For quite a long time, in accordance with the situation of the academia, the attention of most participants of the ICH programme has been mainly paid to the active bearers, who are usually very active in the transmission of specific cultural items, and have special talents in particular cultural genres. However, when the concept of community as integration was introduced

to the public, together with more and more scrutiny on the distinction between the ‘active bearers’ and ‘passive bearers’ by some folklorists (Yang et al. 2011, 23–24), it has been gradually accepted that those ordinary people who are not specialists in any cultural items actually shape the main foundations of the viability and vitality of the concerned traditions. Based on increasingly more discussions and adequate communication, the concept of ‘everyone is the bearer of traditional culture’ was promoted as the theme word on the 4th Chengdu International Conference on Intangible Cultural Heritage in 2013. As a new way of understanding nature of people and their relation to culture, this modification was in fact in accordance with the idea of safeguarding the integration of ICH. Moreover, a new light has been shed on the timely and reasonable adjustment of the safeguarding strategies and measures throughout the country.

The entire project has also brought many negative impacts, among which there has been some competition and even conflict. Because of the system of inscription on the Representative Lists (or the proclamation of masterpieces at the beginning), or nomination on various administrative UNESCO levels (national or local), there has emerged a certain amount of discordance among local people, as well as disputes over the ownership of specific cultural items among communities or localities within same nation, or even between different nations. This has sometimes led to disturbances in people’s regular relationship within societies or among communities. For many specific culture items or events, there used to be various claims of origin and ownership from different areas or groups. Through long-term arguments and disagreements, the concerned people or communities have reached compromises or agreements, which has also formed a vital foundation to maintain the vitality of related cultural items. However, the proclamation of representative items would reinforce those existing tensions and upset this balance, especially as it is associated with economic and other visible or imagined benefits. In China, the most remarkable event concerning this affair was the debate about the ‘property rights’ to the Duanwu Festival between the Chinese and Korean internet users.²

2 In 2005, the Gangneung Danoje Festival (Dano Festival) in Korea was proclaimed by UNESCO as a Masterpiece of the Oral and Intangible Heritage of Humanity. Although this festival is different in content and ceremony form from the Chinese Duanwu Festival (or Dragon Boat Festival), since the two festivals take place on the same day (the 5 May according to the lunar calendar) and share the same Chinese concept of ‘Duanwu’ in the name, many Chinese people thought the Dano Festival came from China, and the UNESCO proclamation would disable Chinese ownership and intellectual property of the Duanwu Festival in the global context. This caused bitter hostility and fierce quarrel between internet users from the two countries, which lasted for several months and damaged the relationship, which costed a lot of time and effort of the two countries to make up.

Folklore, or intangible cultural heritage, is highly affected by transformation and transmission. Its time and space constantly change, adjusting and adapting to new contexts. In this process, many customs absorb influences from other cultures and hence retain their vitality. In the time when the world is closely tied together, emphasising the distinctiveness of each culture in a hierarchical way might to some extent create sources of new conflicts; the legislative proclamation of the bearers and practitioners who have special responsibilities in the practice and transmission of a traditional cultural item, which is simply understood by people as ‘ownership’ of the element concerned, in fact restricts or even hurts the viability and vitality of the cultural item itself.

The project of ICH safeguarding was founded on principles of equality and diversity of human culture, but unfortunately, it in fact produced new hierarchy among cultures, and within a unique culture. The experts and UNESCO have the privilege to determine what item is suitable to be inscribed on the Representative List, which in the public mind means a certificate to the more valuable; whereas the actual bearers of a particular cultural item cannot have their voice on it. This is another significant problem embedded in the project itself. Although community participation is always emphasised by UNESCO, community members actually are only objects in the schemed framework of ICH. To some extent, they might be treated according to the desire of those who are higher in hierarchy. This leads to a paradoxical situation where it is the government agency that decides which culture or whose culture constitutes culture (or cultural heritage), and folklorists who are supposed to be made by folklore will decide what is folklore. In this process, ordinary people are actually losing their last remaining power to express themselves through their own tradition, becoming divided into two separate groups through being recognised as ‘having the identified cultural heritage’ or ‘not having the identified heritage’.

All these issues are deeply rooted in the inevitable paradox between the ideal UNESCO theory and the actual practice in various situations. There exists a fundamental contradiction between UNESCO’s initial purpose of shaping equal understanding and mutual appreciation among different traditions, and the pursuit of the benefits related to intellectual property of various ICH items in the practice of different countries. The latter is in fact the initial motivation for many countries to start or participate in this campaign at the beginning, which derives from the perception or realisation of the people in

developing countries about the economic potential embedded in the industrialised culture, and the possibility of accelerating the development of the economy with this potential.³ It is hard to say that such kind of motivation or pursuit is wrong; instead, considering the contradiction mentioned above, either UNESCO or academia need to accept the fact that the ICH programme was originated and facilitated by diverse forces with different appeals. It is therefore crucial to stress the principles expressed in concepts such as ‘cultural diversity’, ‘ICH of humanity’ and ‘mutual respect’ in the ICH safeguarding campaign, and it is also necessary to pay close attention and genuine respect to the appeal to intellectual property embodied in various intangible cultural heritage items from many states parties of the 2003 Convention; especially nowadays, when the cultural industrialisation is becoming increasingly more popular and international. Only by doing so, UNESCO and various states parties can make a feasible step forward to solve this problem.

Another serious example of the paradox between theory and practice centres on the concept of ‘community’, which came from my observation when I participated in the UNESCO ICH evaluation work as a member of the Evaluation Body team as representative of the China Folklore Society. According to UNESCO’s requirement of the nomination for different lists (Representative List of ICH of Humanity, List of ICH in Need of Urgent Safeguarding, and the Register of Good Safeguarding Practices), the community’s participation, consent, and leading role in the whole process of safeguarding the ICH item should be adequately demonstrated in the nomination, and the lack of any of these counterparts will result in a ‘request for additional information’. The emphasis on the community is actually an emphasis on the tradition bearers, which is in agreement with the final aim of safeguarding the rights of ordinary people through culture protection. However, because of the heterogeneity and diversity even within a single community, and due to cultural, political, and economic differences between

3 For example, the Ministry of Foreign Affairs and Religion of the Republic of Bolivia submitted a Proposal for International Instrument for the Protection of Folklore to the Director-General of UNESCO in 1973, which was later regarded as one of the first signs of the ICH project in the UNESCO framework. The main argument in that proposal was to propose a legislative protection of the folklore or cultural forms of expression that were ‘undergoing the most intensive clandestine commercialization and export’ as a result of commercially oriented transculturation destructive of traditional culture, and thus to protect the proprietary rights of a nation or people in that nation to their traditional cultural heritage (Intergovernmental Copyright Committee 1973, Annex A).

various countries, it leads to the dominance of the government in the ICH safeguarding practice. In some situations, communities concerned with a specific ICH item might actually prefer to rely on the dominance of the government in the safeguarding of an item, which can be a better way in dealing with particular issues in this special context. Such a fact is however not an excuse for any government from the UNESCO state party to reject the central role of community, and states should aim to limit their ambition to interfere and exert their power in the process; however, a long time is necessary to solve this paradox.

Nevertheless, by closer and deeper investigations of the movement and by continuous reflection on the theory and practice, the ICH communities, scholars including folklorists worldwide, and the state powers will negotiate a better way to maintain the healthy development of the campaign. In this regard, the concept of ‘cultural conversation’ (Baron and Spitzer 2008, 77–103) developed by American folklorists might be helpful. As outsiders who cooperate with the community, the state power, as well as scholars should treat each other as cultural brokers instead of owners, in order to come to a cultural representation based on mutual collaboration. This might be one of the ways to reduce the difference between the insider and outsider, and thus to lead to a better practice of ICH safeguarding.

As a result of the stronger consciousness of national identity and closer contact with the international society of contemporary China, the intangible cultural heritage safeguarding has been developed into a quite prevalent and influential movement in the country. In accordance with the principles and actions of UNESCO, China has acted very positively and has made various achievements in the practice and academic studies of ICH safeguarding. The widespread prevalence of the movement also has shed bright light on the ways of life of Chinese society. However, by scrutinising different practices of the projects inside and outside China, we may also find that it causes a great deal of negative impact. For instance, it does only stimulate competition, but also conflict between different places, inside a country, or among various countries when claiming property of traditional events. It also facilitates a new cultural bureaucracy and hegemony, that might diminish the authority and confidence of the common people as traditional bearers to express themselves through their own culture. All those problems are deeply rooted in the paradox between UNESCO’s theoretical proposal and diverse

practices of different countries. And since the campaign of ICH safeguarding has already developed into an arena for different forces to display and present their views – which is far beyond UNESCO’s initial purpose of launching the programme – to ensure the respect and protection of cultural diversity according to the 2003 Convention – the space between theory and practice is much broader.

Moreover, the project has provided a framework for various participants from different backgrounds to communicate, understand, negotiate, and make compromises with each other. It is necessary for scholars to raise alarm in response to any ambiguous aspects both in theory and practice of the programme, in order to nurture it and ensure its healthy development.

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Would Inscription on UNESCO’s List of Intangible Cultural Heritage Contribute to the Sustainability of Intangible Cultural Heritage?: Cases of “Mibu no Hana Taue” and “Ojiya-chijimi, Echigo-jofu”

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Introduction

The theme of this session is “What has been the transformative impact of the Convention, notably how have communities accessed its impact?” I would like to discuss this theme in reference to a couple of case examples in Japan, namely Mibu no Hana Taue of Hiroshima Prefecture and Ojiya-chijimi and Echigo-jofu of Niigata Prefecture. Both are inscribed on the Representative List of the Intangible Cultural Heritage of Humanity.

In this presentation, I shall focus on whether or not the inscription of a heritage on the Representative List benefits its sustainability. In recent years, the UNESCO Convention for the Safeguarding of Intangible Cultural Heritage has come to be widely known in society, and the inscription of a heritage on the Representative List is now considered good news. However, I do not think that the inscription should be a goal. As long as the Convention’s purpose is the safeguarding of intangible cultural heritage, I think intangible cultural heritage must be able to be succeeded to the next generation in a sustainable fashion.

Mibu no Hana Taue

The first case we examine is Mibu no Hana Taue of Kitahiroshima Town, Hiroshima Prefecture. This is a custom in which young women plant rice seedlings while singing a song accompanied by drums and flutes that are played to a caller’s beating of a bamboo instrument called sasara. It is an agricultural ritual to worship the god of the rice paddy and pray for good health and agricultural fertility, at the same time it provides a creative way to enjoy the hard work of rice planting. In other words, it was originally a ritualistic festival that was performed by the hands of the local people for their own benefit.

Mibu no Hana Taue was designated by the government as an Important Intangible Folk Cultural Property in 1976. An organization called Association for Preservation of Mibu no Hana Taue was established at this time, mainly composed of local residents, and was certified as a conservation group by the government. Thereafter in 2011, Mibu no Hana Taue was inscribed on the Representative List as a UNESCO intangible cultural heritage.

In 2013, the preservation association established an NPO, as a first attempt of its kind by a conservation group for an Important Intangible Folk Cultural Property. Through the establishment of the NPO, the Association became able to sell DVDs, register a trademark, and otherwise engage in profit-making operations.

The safeguarding of Mibu no Hana Taue involved not only the Association for Preservation of Mibu no Hana Taue, but also the active participation of local residents in general. For example, the Mibu no Hana Taue Festival is held with the participation of some 200 local residents every year. Furthermore, primary schools in the region teach about the festival through a children's dengaku program. Children begin learning about dengaku rice-planting rituals in the fourth grade, and participate in a festival procession through the streets in the fifth grade.

These initiatives have become a model case of activity to surrounding communities that have similar festivals. Particularly after inscription on the Representative List, Mibu no Hana Taue has garnered administrative-level attention from the government and prefectures, and has received an increasing amount of support. Voluntary participation by private companies also increased, such as in the form of product development utilizing the Hana Taue theme, and earnings have come to be obtained from their use of the trademark.

In terms of tourism, the number of visitors who come to see Mibu no Hana Taue has increased from 7,000 in 2011 before its inscription to 15,000 in 2012 after its inscription. Since the festival is held only once a year, there is naturally a limit to how dramatically the number of visitors to the entire region can increase, but even so, the annual number of visitors to Kitahiroshima Town has increased by 84,000, from 1,663,000 in 2006 to 1,747,000 in 2012.

In this way, the inscription of Mibu no Hana Taue on the Representative List has clearly contributed to revitalizing the region. However, Mibu no Hana Taue itself is, for all practical purposes, an activity by the local residents, for the local residents, and not a performing art of professional entertainers. Mr. Takayuki Fujimoto, Chairman of the Association for Preservation of Mibu no Hana Taue, says as follows: “When someone begins to sing, a unison of young women’s singing voices is heard from somewhere, and the sounds of drums and flutes further overlap with the singing. The singing gradually becomes louder, and the drums resound even more strongly. Then, almost unawares, a troupe of dengaku dancers fall into formation and begin performing the Hana Taue. There are no spectators there, however. That is certainly fine as such.”

Ojiya-chijimi, Echigo-jofu

The next case is that of Ojiya-chijimi and Echigo-jofu. These are fabrics made from the ramie plant mainly in Ojiya City and Minamiuonuma City in Niigata Prefecture. They are cool and soft to the touch, and are particularly suited for traditional summer clothing. The surface of Ojiya-chijimi displays fine crepe-like wrinkles called shibo, while that of Echigo-jofu is smooth. The most salient characteristic of Ojiya-chijimi and Echigo-jofu is that they are bleached by exposing them to snow. It is for this reason that they developed in the snowy region of Niigata Prefecture.

In 1955, Ojiya-chijimi and Echigo-jofu were designated by the government as Important Intangible Cultural Properties. Thereafter in 1976, the Association for Preservation of Echigo-jofu and Ojiya-chijimi, composed of local producers, was designated by the government as a Holder Group of Important Intangible Cultural Property. Furthermore, in 2009, Ojiya-chijimi and Echigo-jofu were inscribed on UNESCO’s Representative List.

As National Important Intangible Cultural Properties, Ojiya-chijimi and Echigo-jofu must satisfy all of the following designated requirements.

1. Yarns must be made solely of hand-picked ramie.
2. The kasuri pattern must be applied by binding the yarns by hand.
3. The izari hand loom must be used to weave the cloth.
4. The shibo must be made by hot water rinsing and foot stomping.
5. The cloth must be bleached by exposing it to snow.

The definition of Ojiya-chijimi and Echigo-jofu as an intangible cultural heritage inscribed on UNESCO's Representative List is the same as their definition as National Important Intangible Cultural Properties. Therefore, Ojiya-chijimi and Echigo-jofu, as defined as a UNESCO intangible cultural heritage, must also satisfy all of the above-mentioned requirements.

It is also worthy of mention that Ojiya-chijimi as a woven fabric has also been certified by the Ministry of Economy, Trade and Industry as a Traditional Craft, based on the Act Concerning the Promotion of the Traditional Craft Industries. The Act was established in 1974 with the objective of protecting and promoting traditional crafts as important industries. It should be noted that designation under this Act differs from the designation as an Important Intangible Cultural Property under the Act on Protection of Cultural Properties.

Ojiya-chijimi, as a Traditional Craft by the Ministry of Economy, Trade and Industry, must satisfy all of the following requirements.

1. It must be a kasuri-patterned fabric woven according to the following technologies or techniques.
 - 1-1. It must be pre-dyed and plain-woven.
 - 1-2. The kasuri yarn should be used for the weft or for the weft and warp.
 - 1-3. The weft must be twined.
 - 1-4. The kasuri pattern should be woven by manually matching the kasuri patterns and selvedge marks.
2. The shibo texture should be produced by hot water rinsing.
3. The kasuri yarn should be dyed by hand-binding or hand-rubbing. In doing so, a kobajogi ruler should be used as a horizontal measure.

The raw material poses a problem here. As National Important Intangible Cultural Properties, Ojiya-chijimi and Echigo-jofu must use yarn made from hand-picked ramie. However, this is not necessarily a requirement for Ojiya-chijimi as defined as a METI-designated Traditional Craft. Moreover, only an extremely limited amount of ramie is produced in Japan today.

Showa Village in Fukushima Prefecture is one of the few regions where ramie is produced. Most of the ramie produced here is used in Ojiya-chijimi and Echigo-jofu.

As only a small amount of ramie is produced in Niigata Prefecture, Ojiya-chijimi and Echigo-jofu are in effect supported by the ramie produced in Showa Village.

Even so, the number of residents who engage in ramie production in Showa Village has decreased from before. For this reason, Showa Village's "karamushi (ramie) plant production" has been named a Selected Conservation Technique by the government in 1991, as a measure for its safeguarding, and the Showamura Association for Preservation of the Karamushi Production Technique, composed of agricultural producers of the ramie plant, was designated by the government as a Holder Group of the technique.

Furthermore, in Showa Village, the local government and the preservation association cooperated in launching the "Orihime (weaving princess)" experience-based ramie weaving program in 1994. Every year, the program invites a group of young people from outside of Showa Village to live in the village for roughly a year while experiencing the series of processes involved in making ramie fabric, from cultivating and harvesting the ramie plant, to reeling, dyeing and weaving the yarn. Some 100 people have taken part in the program so far, and around 20% of them have chosen to reside permanently in Showamura Village or neighboring communities thereafter.

Showamura Village's ramie production technique, however, is unfortunately not a component of UNESCO's intangible cultural heritage of Ojiya-chijimi and Echigo-jofu. In light of such situation, it should be necessary to hereafter properly recognize the value of intangible techniques that support intangible cultural heritage as a cultural heritage itself.

Next, let us focus on the economic aspect of Ojiya-chijimi and Echigo-jofu. Ojiya-chijimi and Echigo-jofu originally comprised a major industry in the region. Annual production is said to have reached 220,000 rolls of fabric during the middle of the Edo Period (1 roll corresponds to the amount needed to make one kimono). Today, however, production has fallen drastically. In 2014, the production of Ojiya-chijimi and Echigo-jofu that satisfy the requirements of Important Intangible Cultural Properties amounted to 3 rolls of Ojiya-chijimi and 30 rolls of Echigo-jofu, for a total of a mere 33 rolls.

Due to this limited production, Ojiya-chijimi and Echigo-jofu as Important Intangible

Cultural Properties became extremely expensive, with a roll worth one kimono selling at a retail price of no less than several millions of yen. Meanwhile, however, similar fabrics that do not satisfy the said requirements and are made using machine-spun yarn, for example, may be purchased for a moderate price of several ten thousands of yen at the lowest.

This situation has been brought about by the fact that the ramie plant, the raw material, has become extremely difficult to acquire, as well as because the process of making hand-picked yarn requires a lot of time and effort. The large decrease in the number of craftsmen who engage in the production of Ojiya-chijimi and Echigo-jofu compared to before, is also one of the background factors.

Still another factor is the major change that has taken place in the lifestyles of the Japanese people over the past half-century, which has caused a drastic drop in the absolute demand for Japanese clothing. This is an issue that not only pertains to the production regions, but also a nationwide issue.

Recent years have seen an increase in the production of Ojiya-chijimi using reasonably-priced, imported hemp yarn as a substitute for yarn made from the difficult-to-acquire ramie plant. Another large impact is that mass-produced, machine-woven fabrics have come to be imported from foreign countries. Ojiya-chijimi and other such traditional crafts tend to display slight surface irregularities compared to machine-woven fabrics, because they are woven by the hands of craftsmen. Originally, such irregularities were appreciated as lending a special touch, but consumers these days seem to tend to prefer affordable machine-woven fabrics that display uniform quality. In this regard, it may have been inevitable that Ojiya-chijimi and Echigo-jofu have taken the path of becoming luxury goods, to the contrary.

Conclusion

Lastly, let us compare the two cases. Kitahiroshima Town, Hiroshima Prefecture, where Mibu no Hana Taue is performed, and Ojiya City and Uonuma City, Niigata Prefecture, where Ojiya-chijimi and Echigo-jofu are produced, are both rural regions that face such issues as depopulation and ageing.

However, in the former, the inscription of Mibu no Hana Taue on the Representative List in effect revitalized the region, and new industries based on the Mibu no Hana Taue brand have begun to emerge.

On the other hand, in the latter, the inscription of Ojiya-chijimi and Echigo-jofu on the Representative List did not necessarily help to solve the fundamental issues of the region, such as the decline in production and craftsmen, although it did have the positive effect of strengthening brand power.

The two also differ in that Mibu no Hana Taue was originally performed by the local residents, for the local residents themselves, while Ojiya-chijimi and Echigo-jofu were originally a local industry. Additionally, it can be said that the former met success by attaching a new meaning to Mibu no Hana Taue and matching it with today's economic activities, such as with trademark-based product development and the tourism industry. The latter, on the other hand, is a case where the weaving industry has been left behind from the flow of today's economic activities due to changes in the lifestyle of the Japanese people over the past half-century. It can be said that even inscription on the Representative List could not reverse the decline of the weaving industry. That said, inscription on the list did in fact strengthen the Ojiya-chijimi and Echigo-jofu brand power, so their production and techniques might be able to be sustained by hereafter producing even higher-grade products.

In this way, the UNESCO convention for intangible cultural heritage is not a panacea for the safeguarding of intangible cultural heritage. The necessary measures for their safeguarding differ according to the type of heritage and their regional circumstances. In other words, inscription on UNESCO's intangible cultural heritage list should not be a goal. It is necessary to formulate a vision of how inscription on the list could ensure the sustainability of a region and its heritage.

Impacts of the Convention for the Safeguarding of the Intangible Cultural Heritage on the Preservation and Transmission of “Yama, Hoko, Yatai, Float Festivals” in Japan: Featuring Hitachi Furyumono

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Through this presentation, I would like to feature “Hitachi Furyumono” to report on the impacts of UNESCO’s Convention for the Safeguarding of the Intangible Cultural Heritage on the community.

“Hitachi Furyumono” was first inscribed on UNESCO’s “Representative List of the Intangible Cultural Heritage of Humanity” based on the Convention for the Safeguarding of the Intangible Cultural Heritage in 2009, and then re-inscribed again in 2016 as one of 33 “Yama, Hoko Yatai Float Festivals” celebrated in Japan.

Before I get started, let me introduce Mr. Hisakatsu Mizuniwa, President of the “Association for the Preservation of Hitachi Hometown Performing Arts,” a safeguarding association engaged in promoting and transmitting “Hitachi Furyumono” to the next generations. President Mizuniwa has been involved in succeeding and transmitting this festival since he was a teenager, and he is now nearly 80 years old. In recognition of his long-standing activities to safeguard and transmit the festival, he was awarded the Order of the Rising Sun, Silver Rays from the Japanese government in 2015.

I was born in Hitachi City, Ibaraki Prefecture in 1955. Hitachi city is home to an electronics giant, “Hitachi Limited.” When I was 10, I became a performer of Shishimai, or Lion Dance that has been passed down in the local communities for more than 300 years. Afterwards, I worked as a curator of folklore at the Hitachi City Museum, and then took on administrative work for preserving local cultural properties in 2003. Since I retired last year, I have been a member of the “Association for the Preservation of Hitachi Hometown Performing Arts” and playing a part in transmitting the tradition

to the next generations. As you can see, I have experience in the safeguarding and transmitting of the intangible cultural heritage not only as part of the local government but also as a successor of the element at the local safeguarding association.

I would like to emphasize here that this report is based on my own research and analyses and does not represent official views of either Hitachi city or the Association for the Preservation of Hitachi Hometown Performing Arts. Therefore, I clearly state that any responsibilities in regard to this report are attributed to me.

Here, I would like to present a conclusion first as to the theme in Session 2. Firstly, I will talk about “changes brought by the Convention.” The inscription of the element on the list of the Intangible Cultural Heritage “raised awareness of people in the communities towards their own culture.”

This festival has long been dedicated to their local shrine in prayers for peace and well-being of themselves but it is now recognized as a significant cultural heritage at the global level, too, giving them an opportunity to reaffirm their own identity. As a result, they are now empowered to take on new initiatives to rekindle the once stagnant “Spirits of Fuyu.”

Next, I will touch on the “impacts of the Convention on the communities.” The Convention for the Safeguarding of the Intangible Cultural Heritage brought to the communities a new value system that was different from the existing designation framework to preserve cultural properties under the Law for the Protection of Cultural Properties in Japan. This particular value system was quite significant in that this made the community members realize that their intangible cultural heritage transmitted for about 300 years as a “culture in the local area” is actually one of the diverse cultures existing in the world as well. In addition, the communities also feel that the status, “UNESCO Intangible Cultural Heritage” can serve as an appealing symbol to extensively promote their own folk performing art as well as attract young people who can be its successors.

In order to understand what a festival is truly like, we must actually go there and feel it. However, we cannot bring in the real float of Hitachi Fuyumono to this venue as it is 15

meter tall. Instead, I will show you its video submitted as one of the materials to apply for the inscription on the UNESCO Intangible Cultural Heritage in 2009. I hope you enjoy it.

The video you have just watched was produced all by amateurs including myself in charge of the script. We edited video footage collected from local people and had an ALT (assistant language teacher) from a local school narrate it. Therefore, the production cost was very small.

The following is the overview of “Hitachi Furyumono,” one of Japan’s traditional Yama, Hoko, Yatai, float festivals. There are a numerous number of Shinto shrines across Japan that enshrine their own “Kami” or indigenous deities. “Hitachi Furyumono” is a “Yama” or float dedicated by the followers of our local Kamine Shrine to its deity who comes down from heaven on the occasion of its rites and festivals. The float has an imitated big rock mountain in the back because this is a place considered as “Yorishiro” where the deity comes down and dwells. Equipped with various ingenious gimmicks and mechanics that are based on unique ideas, this “Yama” accommodates the puppet theater in order to entertain both the deity and people through puppet plays. Such creative and ingenious ideas and approaches are known as “Furyu,” and this is why this float is called “Furyu-mono (literally means an object of Furyu).” One of the important aspects of “Hitachi Furyumono” is that this huge, magnificent float is devised and operated completely by amateurs in the local communities.

Many of such Yama, Hoko, and Yatai floats in Japan, including “Yamahoko, the Float Ceremony of the Kyoto Gion Festival” that was inscribed on the Intangible Cultural Heritage concurrently with “Hitachi Furyumono in 2009, are adorned with various traditional art work made by professional craftspeople specializing in engraving, metal work, lacquering, textiles, and puppet making, etc.

In “Hitachi Furyumono,” however, everything used in the festival, including floats, puppets and all the gimmicks and mechanics, is devised, crafted and operated by amateurs who normally are commoners such as farmers, fishermen, and factory workers.

Next, I will explain the organizations that have been working on the transmission of

“Hitachi Furyumono.” Until the pre-war period, this festival was conducted by the entire communities in unity through the organizations of shrine followers and community members but most of the equipment and puppets were destroyed during World War II. Once the war was over, a revival project was launched for this tradition amid the restoration efforts for the communities even though its revival was thought to be impossible.

This move was triggered by the Law for the Protection of Cultural Properties that came into effect in 1950, and local people kept up their efforts with a view to achieving the designation of the element as a cultural property under this legislation. Thanks to that, “Hitachi Furyumono” became Japan’s first Important Folk Material in 1959, and the first Yama, Hoko, Yatai float festival designated as an Important Intangible Folk Cultural Property in 1977.

Then, let’s see how such traditional followers and community-based organizations are different from the safeguarding association that was formed after the Law for the Protection of Cultural Properties was enacted. Traditionally, young men living in the communities were obliged to join the junior groups of their neighborhood organizations once they reached about 17, and were required to play various roles in their community activities including festivals and events. It was within these organizations that various skills, techniques and traditions were handed down through generations.

Meanwhile, the safeguarding association, formed after the enactment of the Law for the Protection of Cultural Properties, became separate and independent from the followers organizations to preserve the folk cultural property based on the principle of the separation of religion and government stipulated in the Japanese Constitution. As a result, the members of the organizations of followers and community members now get involved in “Hitachi Furyumono” as their duties only when it is performed as part of the Grand Festival dedicated to the Kamine Shrine. However, they either stay away or get engaged on a voluntary basis when it is demonstrated in local events that are aimed to attract sightseers and revitalize the local economy because these events are not dedicated to their shrine but considered as the “exhibition programs of designated cultural properties.”

Traditionally, the entire communities were involved in transmitting “Hitachi Furyumono” through generations but the safeguarding association has been regarded as a party responsible for preserving and transmitting this tradition since its foundation.

Next, let’s take a look at how many times this “Hitachi Furyumono” has been demonstrated over time, and how the repertoires of performance have fallen into a rut. Until World War II, the floats of “Furyumono” were demonstrated in line with the rituals of the Great Festival held irregularly at the local Kamine Shrine by its followers. However, since its safeguarding association took on the role of preserving and transmitting the tradition, this festival has been performed approximately 10 times more frequently as an exhibition project of the designated cultural property at events to promote the local tourism and economy than it has at the Great Festival. Meanwhile, it was originally a rule to keep secret the titles of puppet plays performed in the festival until the festival day. This gave each community an opportunity to outsmart others and receive better reviews by surprising their audience with their unique, innovative ideas and approaches.

Since the safeguarding association took over the role, these puppet plays have been performed mainly at local events, resulting in their repertoires fixed and limited. Unfortunately, practitioners ended up performing the same plays over and over, losing chances for them to polish their skills of “Furyu,” the quintessential value of “Hitachi Furyumono.” This led the attraction of “Furyu” itself to diminish as well.

In addition, the safeguarding association is a voluntary group that doesn’t oblige young people to join it unlike community-based organizations until the pre-war period. Therefore, the loss of “Furyu” makes it difficult for them to magnetize young people as well. As a result, the members of the safeguarding association are aging and having a hard time finding their successors.

Amid such stagnant situations, however, this festival was able to earn the status of UNESCO Intangible Cultural Heritage in 2009. This inscription allowed the members to become conscious that people watch their “Hitachi Furyumono” performance as an intangible cultural heritage registered at UNESCO.” They also started to develop a sense of self-esteem that they want to show a decent level of traditional “Furyu” techniques

that deserve the inscription.

I think this epitomizes the purpose of UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage, “ensuring visibility and awareness of the significance of the intangible cultural heritage.” In line with the inscription, the local government, which I was part of back then, also launched a project to “nurture successors of this traditional festival” together with the safeguarding association.

This succession project consists of three main pillars. “Furyumono puppet-making workshop” is held to teach the general public the techniques required to make puppets that were once handed down only through generations of the first sons of the families in charge of puppet making and manipulation. Participants can take their puppets back home after the workshop. When this project was proposed, some members of the safeguarding association expressed strong dissatisfaction because most of them had never experienced making puppets before. Therefore, we invited local elderly people who had expertise in making puppets to teach the members before opening the workshop to public so that they could fully learn the puppet-making techniques beforehand. As a result, the members have developed confidence about puppet-making and now enjoy teaching these techniques to others.

As for the research activity, we expanded a scope of research not only in the Hitachi area but in other cities and safeguarding associations as well that are also responsible for transmitting their Yama, Hoko Yatai float festivals. We actually observed these festivals and interviewed local government officers in charge of cultural properties and the successors of each festival for analyses. In most cases, however, we had to take days-off on our own and conduct research voluntarily due to budget constraints. For the purpose of sharing the findings obtained in this research with other association members and the general public, we offered them the oral tradition course as the third pillar of the project. We also invited some renowned researchers as well to deliver lectures including Prof. Satoru Hyoki of Seijo University.

Although this project was launched for the purpose of “attracting new successors by showing them an inclusive, open-minded safeguarding association,” we also had hidden objectives of raising awareness and changing mindsets about “Hitachi Furyumono”

among the general public and within government organizations. Unfortunately, however, I am no longer engaged in this succession project directly due to mandatory retirement so similar events have been held repeatedly under this project every year recently.

This is a snapshot of the puppet-making workshop. One of our members is teaching a mother and her daughter how to make a puppet in a half scale.

This is the summary of my presentation. First of all, I would like to stress that “UNESCO Intangible Cultural Heritage” or “Intangible Folk Cultural Properties in Japan” have ever-changing characteristics.

Although how each element emerged vary, I think the significance of it is that its practitioners have handed it down from generation to generation and entrenched it in their communities with their strong wills in spite of various hardships they experienced over a long period of time. In order to be transmitted through generations, these elements had to keep changing according to the requirements of people in different periods. Through this process, many elements failing to meet these requirements and losing their practitioners became obsolete over time. That is why the cultural heritage still remaining today is invaluable.

In Japan, they say there are “*Yaoyorozu no Kami* (multitudinous gods).” Each Kami has their own characters that are reflected in a wide variety of festivals held in Japan. This epitomizes the “reflection of diversity and evidence of human creativity” advocated by the UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage. Therefore, all 33 “Yama, Hoko, Yatai float festivals” inscribed on the list of UNESCO Intangible Cultural Heritage last year should have their unique origins and different expressions. Because of this, I personally felt reluctant to recommend all of them as a single element for inscription. However, considering the members of other safeguarding associations who aspired to have their festivals inscribed on the Intangible Cultural Heritage List, I was not able to insist on my feelings. There are said to be over 1300 Yama, Hoko, Yatai float festivals in this country. I sincerely hope that these festivals will eventually become UNESCO Intangible Cultural Heritage elements in the future as well.

“Hitachi Fuyumono” was revived from the war devastation and became flourished as a

registered cultural property but it gradually moved away from the local people through the activities led by the safeguarding association that was separated from the traditional organizations of shrine followers and community members. However, its inscription on the Intangible Cultural Heritage List raised awareness of the people about their own culture and motivated them to promote its safeguarding and transmission activities with more local people and the local government involved again.

Thanks to the Convention for the Safeguarding of the Intangible Cultural Heritage, the people in the communities reaffirmed their own culture and discovered the significance of transmitting the tradition. Safeguarding and transmitting the intangible cultural heritage is a responsibility the entire nation should bear.

Taking this great opportunity, the inscription of 33 Yama, Hoko, Yatai float festivals on the UNESCO Intangible Cultural Heritage List, all interested parties including the safeguarding associations, local people and the governments should make coordinated efforts to further promote the safeguarding and transmission activities.

Lastly, let me show you the conclusion again. UNESCO's Convention for the Safeguarding of the Intangible Cultural Heritage enabled the successors, local people and even the local government to objectify "Hitachi Fuyumono." Previously, we had an inner-looking mindset that this tradition was "our own festival" but the Convention made us realize that this tradition is actually "one of the diverse cultures in the world, and succeeding and transmitting the festival is a significant task. This "light bulb" gave us motivation to launch the succession project. As this case indicates, the roles UNESCO's Convention for the Safeguarding of the Intangible Cultural Heritage is playing are quite important and significant for humanity. Therefore, I am determined to move forward various studies and activities for Intangible Cultural Heritage while respecting the Convention's purposes.

PRESENTED PAPERS

Session 3. *What is the role of researchers as “cultural brokers” in assessing the impact of the implementation of the Convention?*

Brokering Intangible Cultural Heritage in Thailand: Lessons Learned from a Nomination Process

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Introduction

When I began preparing my paper for this symposium, I quickly realized that the question posed for this session was actually more complex than I initially thought. Namely, this is because in this session, we are asked to consider not only the role of researchers in assessing the impact of the Convention, but more specifically, to discuss the role of researchers as “cultural brokers.” Reviewing the academic literature on this topic, I found a range of uses of the term “cultural broker” across different fields. In applied anthropology, for instance, Willigen (2002) described cultural brokerage as follows:

Cultural brokerage is an intervention strategy of research, training and service that links persons of two or more sociocultural systems through an individual, with the primary goals of making community service programs more open and responsive to the needs of the community, and of improving the community’s access to the services. While other types of intervention affect the community in substantial ways, cultural brokerage substantially affects the service providers. In other words, the focus of change processes are agencies themselves (130).

In the field of heritage more specifically, the prolific scholar and anthropologist, Richard Kurin, who has played an important role in the UNESCO Convention for ICH since its inception, authored a book titled *Reflections of a Culture Broker: A View From the Smithsonian* (1997). In the book, he argues that scholars working in the field of heritage are brokers in the sense that they must engage deeply with communities and help “people grapple with institutions and situations of power (24).” Furthermore, he proposes that cultural brokers are obligated to serve as advocates for communities and practitioners in negotiating with the various state and non-state institutions involved in documenting and representing cultural heritage to wider audiences, including museums, film, television,

radio and the internet.

Representations of peoples, cultures, and institutions do not just happen. They are mediated, negotiated, and yes, brokered through often complex processes with myriad challenges and constraints imposed by those involved, all of whom have their own interests and concerns ... Making these decisions necessitates due consideration of the meanings held by the participants, the public and the press, the power of the people involved, and their fiscal resources, expenditures and impacts. Like other forms of brokerage, cultural dealings rely on an extensive base of knowledge, formal and experiential, but they are, in the end, an art (27).

Linking these ideas of cultural brokerage directly now to the implementation of the UNESCO ICH Convention, it seems clear that the primary role of researchers should be to ensure that communities and local ICH practitioners are not only informed about the objectives of the ICH Convention, but moreover, that they are involved as equal partners in the development and implementation of safeguarding initiatives. When necessary, cultural brokers should help translate, represent and convey community and practitioner perspectives about ICH to government and nongovernment actors and UNESCO, with the aim of improving the quality and relevance of safeguarding measures, and ensuring that they reflect community concerns and interests.

The reality is, however, that given power relations around heritage management and the often marginal and temporary position of researchers, there is no guarantee that government and non-government agencies will be responsive to incorporating their ideas or recommendations. As numerous recent studies have shown (Arizpe & Amescua 2013; Bendix, Eggert and Pesselmann 2012), state heritage authorities in particular often have a different agenda with regards to the UNESCO ICH Convention, which has more to do with promoting national heritage on the international stage rather than fine-tuning community-based ICH safeguarding initiatives. What then, might be done structurally in terms of the implementation of the ICH Convention, to ensure that state and non-state agencies will listen and incorporate feedback from communities and their cultural brokers?

With these questions in mind, in this paper, I would like to share my own experience as a researcher and cultural broker who has been involved in the nomination process for

an element of Intangible Cultural Heritage in Thailand called the Salak Yom Festival. Through this case study, I hope to illustrate both the possibilities and the limitations faced by researchers vis-a-vis state heritage authorities, and in conclusion, I aim to propose measures that could potentially strengthen the role of cultural brokers in assessing the implementation of the ICH Convention.

Thailand and the UNESCO ICH Convention

In Thailand, the state authority in charge of implementing the Convention is the Department of Cultural Promotion under the Ministry of Culture (hereafter the DCP). The DCP initiated its involvement with the ICH Convention many years prior to becoming signatory in 2016, organizing regional public forums to introduce the Convention, discussing the terminology, and debating the merits and potential drawbacks of becoming signatory. It also launched a national ICH inventory process in 2009 broadly modeled on the Convention, listing new elements on the registry each year. In March 2016, Thailand promulgated a Law for Safeguarding Intangible Cultural Heritage, which established the legal framework for safeguarding ICH and identified responsible authorities for its implementation at the national and provincial levels. It should be said that while the Thai bill for safeguarding intangible heritage draws upon the UNESCO definition of ICH as living culture belonging to communities, it completely leaves out the UNESCO language of community rights to participate in safeguarding their heritage, and instead places authority to select heritage for the national registry in the hands of expert committees at the provincial and national level.

In spite of this gross omission in the Thai national law, the UNESCO Convention nevertheless obligates signatories to demonstrate how they are involving communities in the intangible heritage management plans, both in the development of nomination files for the listing of heritage on the Representative and Urgent Safeguarding List, and in their periodic reporting. Indeed, it was this prerequisite of community participation which led the Thai Ministry of Culture's Department of Cultural Promotion to contact me in December 2015, to ask whether I would be willing to serve as a project director for the nomination of the Salak Yom festival to the UNESCO Representative List in 2017. DCP acknowledged that they were in the habit of inventorying cultural heritage following the more familiar pattern of subcontracting to academic researchers, who gathered information for the national registry, without necessarily acquiring consent

or engaging communities actively in any way. As Thailand would become signatory in 2016, they were eager to support a nomination process that could serve as an example for what kinds of actions were involved in meeting the Convention's obligation of community participation. The Salak Yom was one of four elements whose nomination files would be prepared during 2016.

As for why the DCP selected the Salak Yom, this was mainly due to the fact that the agency was already aware of the community-based research on this festival that I had been involved in since 2008 under the auspices of the Sirindhorn Anthropology Centre's Intangible Cultural Heritage and Museums Fieldschool. Therefore, they knew that as a researcher and a cultural broker, I already had substantial data and local networks, not to mention English proficiency and familiarity with the ICH Convention.

Before agreeing, I consulted with my counterparts in Lamphun, including the local historian and museum curator, Naren Panyaphu. Naren felt it would be a good opportunity to draw wider attention to the history of the Salak Yom and the effects of its state-led revitalization, and also to garner perspectives from the communities where it was originally practiced about how it should be safeguarded going forward. He agreed to be part of the research team, along with Suwipa Champawan, a native of Lamphun and a researcher at the Lanna Studies Institute and Chiang Mai University, and Linina Phuttitarn, a Bangkok-based researcher and Field School alumni who had conducted her own research on the Salak Yom and had worked with UNESCO Bangkok on various ICH-related projects.

We agreed that our condition for accepting the DCP project was that we would take an impartial position with regards to the nomination. In other words, we would present the UNESCO ICH Convention to the communities, explain the objectives behind nomination and listing, and outline possible positive and negative impacts, including overcommercialization from tourism. If the communities did not want to nominate Salak Yom, we would not proceed further. We also agreed that one of our project aims would be to ensure that data gathered over the course of our community-based research would be accessible to the practicing communities for education and transmission purposes. Towards this end, my students at Media Arts and Design would be involved in developing web resources featuring audiovisual materials from fieldwork and interviews.

Engaging the Community: Brokering Differing Views on the Meaning of Salak Yom

In April 2016, we held our first community forum at the Senior Association in Luk Village. The aim of the forum was threefold: first, to explain about the UNESCO ICH Convention; second, to present the ICH nomination process and pros and cons of listing; and third, to garner perspectives from ethnic Yong communities about the significance of the Salak Yom festival and how it should be safeguarded.

One hundred and thirty one participants from three sub-districts joined the forum, including dozens of senior residents who had participated in the festival in their youth. Divided into four groups, participants were asked to create a timeline of Salak Yom events in the past in their own communities as they could remember them, to describe the preparation of the offerings and to explain the ritual's purpose and meaning.

Participants explained that the Salak Yom practiced among the ethnic Yong was a local variation of a northern Thai Buddhist ritual held in the tenth month of the lunar calendar, between September and October, known as Kuay Salak or Salakapat. The Kuay Salak is a collective rite of giving alms offerings to the Buddhist Sangha by lottery, to make merit for the deceased and to invite their spirits to receive offerings of food and other objects. The Salak Yom, however, was unique, in that the towering, tree-like offerings were traditionally given only by unmarried, ethnic Yong women around the age of twenty. These young women would spend months preparing the material components for the Salak Yom offering, such as the woven bamboo covers for the Buddhist palm leaf manuscripts, and they would save money for years to purchase gold necklaces, silver belts, and silver betel containers to hang on their Salak Yom trees. The Salak Yom offering was a demonstration of a young woman's diligence, handicraft skills and ability to manage a household economy—all of which was evidence that she was ready for the responsibility of marriage. Through their participation, young women not only made merit for their own future happiness and prosperity, but also for the spirits of the deceased, all of which cemented their ties to family and the Buddhist Sangha.

Another distinctive aspect of the Salak Yom was called the kalong singing. The kalong was a poem written by a former monk in the Lanna script, describing all aspects of the Salak Yom tree, the donor and her family. The poem included personal details about

the young woman's upbringing and her family, her birth, education, important events, hobbies and special skills. The *kalong* also described the *Salak Yom*, including the offerings of money and valuables, and the support provided by friends and family in constructing the tree. It also included Buddhist teachings as well as stories. The *kalong* was sung during the preparation of the *Salak Yom*, as well as on the day of the ritual, before the drawing of the lots, to remind everyone in the community about the virtues and qualities of the young women offering the trees.

In terms of purpose, offering the *Salak Yom* was a way to accumulate a great store of merit and virtue (*bun anisong*) for oneself, and was also a chance to transfer merit to a multitude of deities and spirits, including one's deceased ancestors, domestic animals, the Earth Goddess, Indra and Brahma, and hungry ghosts. When asked further about the meaning, participants said that it was a ritual that brought families together (*samakhi*) through the many days of preparation.

Regarding the history of practice and its transformation, older participants described the decades between 1930s-1960s as being the peak years of the *Salak Yom*. Mae Buariew, a 92-year old resident of Ban Luk, said she remembered seeing the first *Salak Yom* offerings in her village at the age of 7, in 1932. The biggest festival in the forum participants' memory was in 1947, when 32 *Salak Yom* trees were offered at Luk Monastery. And the last time the *Salak Yom* was organized locally according to participants was in 1982, at Lam Chang Monastery.

As for why the practice faded from the 1980s onwards, there were many reasons given, mostly related to major socioeconomic changes over the past 40 years. The most significant of these was the shift from agricultural to industrial production. While older generations are still employed in the agricultural and handicraft sectors, producing longan fruit, vegetables, and handmade cotton goods, the younger generations today are employed in the many industrial states in the province. The 8-5 workday means that most young people cannot participate in the *Salak Yom* preparation. Another significant factor were the rising costs associated with *Salak Yom*, as more of the offerings had to be purchased rather than made by hand, and the price of gold and silver had also risen steeply.

Forum participants explained that the Salak Yom practiced in Lamphun today was a very different event. Following the period of decline due to social and economic changes over several decades, the Salak Yom was revived in 2004 by the local Sangha and the Cultural Council, with the financial support of the Provincial Administrative Organization (PAO). Rather than encouraging young, unmarried women to prepare the Salak Yom, provincial religious and administrative authorities provided funding to communities to prepare a Salak Yom offering collectively, with the added incentive of competing for monetary prizes for the best Salak Yom tree. Whereas the Salak Yom used to be held at local monasteries with predominantly ethnic Yong residents, the new, provincially-sponsored event was held first at the royal temple, Wat Phra That Hariphunchai, and only then at the local temples that took turns hosting the event.

With regards to how the recently revived Salak Yom differed from the past, forum participants said that first and foremost, the Salak Yom used to be offered by women, whereas the contemporary Salak Yom were offered by lay communities of monasteries, organizations or very wealthy, prominent individuals. A second point was that the Salak trees were no longer adorned with handmade goods and other valuable items, but rather with purchased goods and colorful paper decorations, a situation that participants summed up as *ngern khaw kaad kradaad khaw wat*, which means “money flows into the market while paper flows into the monastery.” In terms of the kalong poem, today these were still recited at the annual festival to create an ambience, but some felt the content of the poems was lacking in substance compared to the past. Lastly, few young people participated in the preparation process, and those who did had a limited skills or understanding of the ritual’s significance. Participants acknowledged that the provincial authorities had tried to support community revival by providing funding of 20,000 baht and organizing a contest for the best Salak Yom, but this amount was not enough to cover all the expenses, and furthermore, the contest had led to conflicts between villages that were competing for the monetary prizes.

When we asked participants for their suggestions, many people said that it would be preferable not to have a competition, because so much emphasis was placed on constructing Salak offerings of ten meters or more, which was also very costly. They recommended that instead of focusing on height, the organizing monasteries should encourage devotees to offer smaller trees which are more elaborately adorned with

handicrafts rather than purchased goods. Finally, the participants proposed that it was vital for young people to acquire a deeper understanding of the history and meaning of the ritual, as well as to gain the skills to create the Salak Yom offerings.

As for submitting the nomination for the UNESCO Representative List of the Intangible Cultural Heritage of Humanity, we explained to the participants that one of the potential negative outcomes of listing could be an increase of the number of tourists and consequently even more of a focus on the festival as a cultural spectacle rather than a Buddhist ritual practice. In spite of this, many said they would be proud to have UNESCO recognition, and through a blind vote, the participants expressed unanimous support for nominating Salak Yom.

After this initial forum, our research team organized several more meetings with local stakeholders including participating schools and monasteries, and continued with individual interviews and field research to gather data for the nomination file and the web resources. We also participated in the Salak Yom festival organized from 14-16 September at the main temple, Wat Phra That, and the local festival at from 23-25 September at Wat Chaimongkol, and interviewed community leaders involved in the state-led revitalization, including the Abbot of Pratupa Monastery, the Abbot of Wat Phra That Hariphunchai, and the Head of the Lamphun Provincial Administrative Organization. On February 20, 2017, we met with the Governor of Lamphun to brief him on the research and the nomination process.

Over the course of the three days of the festival, the traditional significance of the Salak Yom for the women in Lamphun's ethnic Yong communities was mentioned a few times by loudspeaker by the event organizers, and thus it can be said that this history had not been completely forgotten. Nevertheless, it was clear that with the organization, promotion and sponsorship of the Provincial Administration, Sangha and Cultural Council, the Salak Yom had become a state-sponsored, cultural event, representing not the ethnic Yong but rather the collective identity of the province as a whole.

When asked about their rationale for organizing the Salak Yom as a provincial event, representatives of the Provincial Administration and Buddhist Sangha Council explained that the funding for the Salak Yom competition was an important financial inducement

for communities to participate. They argued that traditional gender roles had changed, and young women today had entered the workforce and were delaying marriage, and thus were no longer inclined to offer the Salak Yom as they had in the past. In order to revitalize the Salak Yom, key local government and religious authorities said that they had needed to adapt the traditional meaning and function of the ritual to the changing times, in part by offering material incentives for communities, and in part by making the Salak Yom a festive event that would draw more visitors to participate. Judging solely from the considerable turnout at the festival, one might be inclined to say that they had succeeded in reviving a waning tradition. And yet, as we learned from discussion with the ethnic Yong communities where the Salak Yom originated, the situation was much more complex, with wideranging viewpoints about how, or even if, the Salak Yom festival should be sustained.

Over the course of this research, it became increasingly clear that local views about how to safeguard the festival were far from uniform. These differing perspectives about the practice of Salak Yom today raise challenging questions around community representation and implementation of the 2003 ICH Convention. Returning now to the issue of the role of cultural brokers, whose perspective should be given priority? How does one begin to talk about measures for safeguarding given this range of perspectives within the ethnic Yong community and the broader context of stakeholders in Lamphun? If we give greater priority to older generations of ethnic Yong who are calling for a return to simpler times through an elimination of the contest, are we reifying the practice around nostalgia for the past and notions of authenticity? On the other hand, if we accept the premise of the Provincial Authority and Buddhist community leaders who advocate the promotion of the festival as a provincial event to draw tourists and outside donors, doesn't this constitute the "decontextualization," "commercialization" and "misappropriation" that the Convention's Operational Directives (UNESCO 2012: para 102) caution against?

I do not claim to have the answers to this dilemma. I do maintain, however, that the role of the cultural broker is to make an effort to ensure that these different local perspectives and understandings of intangible culture are given equal weight and recognition, and to facilitate discussions about safeguarding measures which might reflect the complexity of intangible heritage rather than simplifying it to a single unified narrative.

During the period of research and consultation in 2016, a number of concrete measures were developed in consultation with the original communities where Salak Yom was practiced, as follows: While local communities agreed that the provincial Salak Yom festival and contest at Wat Phra That Hriphunchai should continue, in order to encourage a renewal of Buddhist values at the local level, it was proposed that the Salak Yom held in the three subdistricts should do away with the contest, and instead residents should be encouraged to participate in the ritual by preparing their own Salak Yom offerings for the main purpose of donation and merit-making.

Secondly, the provincial Salak Yom festival should recognize the ethnic Yong communities of Pratupa, Rimping and Nong Chang Khuen as the original creators of the Salak Yom by providing information about the history of the ritual to visitors, i.e. through brochures, booklets, or temporary exhibits.

Thirdly, web resources about the Salak Yom should be developed, including historical information, archival photos, and interviews with senior residents who participated in the ritual prior to its revival. These materials should be incorporated into formal and non-formal school activities.

Fourthly, it was proposed that a local Salak Yom Association comprised of community leaders and representatives from the three ethnic Yong subdistricts be established in order to encourage dialog between communities and to plan and oversee safeguarding activities within these communities. The Association should formally register with the Provincial Cultural Council in order to be eligible for funding for activities.

Lastly, another proposed safeguarding measure was to strengthen youth networks and encourage young people's participation in the Salak Yom festival, particularly young women. Historically, the Salak Yom celebrated the role of women in the community, and this feature of the ritual should be transmitted by educating a new generation about this important history.

All of these proposed measures were incorporated into the nomination file, and were also presented in February 2017 by our research team to the recently established provincial committee responsible for implementing the ICH Convention according to the new Thai

ICH Bill. At present, however, it is unclear whether the committee is prepared to take action or provide resources to implement the above measures. This delay is due in part to the fact that the DCP decided in March 2017 to postpone the Salak Yom nomination in order to submit the Khon masked dance nomination, an element of ICH which represents Thailand's royal classical heritage and thus has greater national prominence and prestige when compared to the Salak Yom festival. This reflects the point made at the outset of this paper, namely that cultural brokers are frequently limited in their capacity to change the understanding of heritage authorities regarding the purpose of the ICH Convention. Ultimately, they will decide which ICH elements should receive special attention and support at the national and international level via listing.

Conclusions

As stated at the outset, the role of cultural brokers in assessing the impact of the ICH Convention is to advocate for communities and practitioners who are the primary stewards of intangible heritage. This means that cultural brokers must not only engage communities to gain a deep understanding of their ICH, but also to represent and convey their interests to state and non-state agencies involved in heritage management. As we have seen in the case of the Salak Yom in Thailand, however, cultural brokers may facilitate, advise and advocate for community inclusion in ICH processes, but they do not have decision-making power regarding how ICH is recognized or safeguarded. I would like to propose that researchers could be brought more formally into the assessment of ICH implementation by including a field-based, external evaluation component in the periodic reporting. In this way, researchers could confirm whether inventorying and nomination processes are genuinely community-based and participatory, and also advise in their own reports on how more effective participation could be achieved. While such a requirement might arguably be complex and costly for states parties, I argue that it would strengthen the community-based objectives of the Convention and lend credibility to the role of the cultural broker as a community advocate in the growing field of ICH management.

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Considering the Role of Researchers at Local Governments (as “Cultural Brokers”) in Japanese Cases of ICH

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History of the Policy for Preserving Intangible Folk Cultural Properties in Japan

The first law in Japan aimed toward the preservation of cultural properties is the Ancient Temples and Shrines Preservation Law (*Kosyaji hozonhō* 古社寺保存法), legislated in 1897. And after several waves of legislation and revision, the Law for the Protection of Cultural Properties (*Bunkazai hogohō* 文化財保護法, hereafter the Law) was established in 1950. This law has been in force for over 65 years and still has great influence.

This law, as is well known, has covered not only tangible but also intangible cultural properties from the very beginning¹. Along with these two categories, folk culture was also regarded as an object of protection, although its definition was very limited. The definition of tangible cultural properties in the first text of the law exemplified “folk materials” (*minzoku shiryō* 民俗資料) as one of the candidates for designation of important tangible cultural properties.

The first major amendment of the Law was established in 1954, adding a new category covering folk culture separated from tangible cultural properties. This new category covered both the tangible and intangible², even though the name of the category itself was “folk materials.” The reason why it was not called “folk cultural properties” (*minzoku bunkazai* 民俗文化財), in the same manner as other categories, seems to be that each item of folk materials had not been regarded as “property” that had its own value. The text of the Law defined folk materials as “indispensable for understanding the transition of the ways of life of the Japanese people,” which suggests they were regarded as important

1 Category of “intangible cultural properties” (*mukei bunkazai* 無形文化財) consists of two sub-categories: “craft techniques” (*kōgei gijutsu* 工芸技術) and “performing arts” (*geinō* 芸能).

2 The object of preservation of “intangible folk materials” was regarded as “manners and customs” (*fūzoku kansyū* 風俗慣習) in the broad sense.

materials, namely resources, for comparative study to figure out the historical transition of “national” culture. It was the most significant subject of folklore studies in Japan at that time.

Furthermore, the law regarded intangible folk materials as possessing unique characteristics. Unlike tangible folk materials recognized for their need of conservation, intangible folk materials were not considered an object of conservation. The chairperson of the Secretariat of the National Commission for the Protection of Cultural Properties (*Bunkazai hogo iinkai* 文化財保護委員会, hereafter the Commission) gave an account why the Commission had not recognized the need for the conservation of intangible folk materials. According to that, it seemed impossible, or even meaningless to conserve intangible folk materials as they were, because their forms naturally varied in tandem with social change. With this reasoning, it was enough to conduct intensive research and to make accurate records or documentation of their existing states. As a consequence, intangible folk materials became an object of “selection” (*sentaku* 選択) as “folk materials requiring documentation and other measures that should be taken” (*kiroku sakusei tō no sochi wo kōzubeki mukei no minzoku siryō* 記録作成等の措置を講ずべき無形の民俗資料).

In 1975, the Law underwent its second major amendment, and folk materials were renamed “folk cultural properties” in a similar manner to other categories. At the same time, “intangible folk cultural properties” became an object of designation linked to the intention of conservation. This might mean the change of recognition that “the form of intangible folk cultural property naturally varies in tandem with social change”, as mentioned in previous paragraph. And in accordance with this amendment, folk performing arts which had been treated as intangible cultural properties till then came to be regarded as intangible folk cultural properties. In 2004, a new subcategory of “folk techniques” was added to intangible folk cultural properties. Thus, the current system of intangible folk cultural properties was established³.

3 It consists of three subcategories: “manners and customs” (*fūzoku kansyū* 風俗慣習), “folk performing arts” (*minzoku geinō* 民俗芸能) and “folk techniques” (*minzoku gijutsu* 民俗技術).

Distinctive Way and Procedure for Preserving Intangible Folk Cultural Properties

I had worked for 10 years as a researcher of the intangible folk cultural properties section at the National Research Institute for Cultural Properties Tokyo, which was established by the national government after a few years of the Law was legislated. While I was in that position, I attended some international meetings held by UNESCO or its cooperative organizations to establish the 2003 convention. On those occasions, I was sometimes asked about what is the difference between “intangible cultural properties” and “intangible folk cultural properties”, and why we differentiate those two categories. Many of the people who asked such questions may have thought that this distinction would regard folk culture as something low against high culture such as fine art. For such questions, I usually answered that the differences were in the way and procedures for preservation.

The biggest difference is that implementing bodies of preservation of folk cultural properties are mainly local governments, such as prefectures and municipalities. In many cases, even the project plans for preservation of nationally designated intangible folk cultural properties are usually made by the local government, although it should be made according to the general guidelines established by the national government, and they propose such projects to the agency for cultural affairs to get subsidies from national government. Intangible folk cultural properties are diverse and each of them has its own circumstances. To address these issues, it is necessary to develop and implement preservation from the perspective of local context. In this regard, the importance of the role of the “cultural brokers”, which is the theme of this session, becomes a problem.

Local Government Workers as Cultural Brokers

When considering the role of cultural brokers or intermediaries, the involvement of NGOs seems to have become a topic in recent international discussions.⁴ In this regard, Japan seems to be behind the world. NGO activities related to the preservation of ICH have begun to emerge slightly, but it is difficult to say that they are very active. This

⁴ See, for example, Lewis, David. 2014. “Understanding the Role of Non-Government Organizations (NGOs) as Cultural Brokers.” *VOLKSKUNDE*, no. 3: 293–98.

situation, however, means that local administrative support, established in the long history and with a great deal of experience as described above, is still functioning appropriately. In this presentation, I would like to reevaluate their efforts. And I would like to get perspective for considering how to make them more effective and broaden their potential through that work.

I can find two types of typical cultural brokers in Japanese cultural properties system. The first are the public officers in charge of cultural properties at local government. Currently there are 47 prefectures and more than 1800 municipalities nationwide. Every local government has at least one, or sometimes a few, persons in charge of preserving cultural properties in its administrative area. Many of them are researchers of archaeology, anthropology and/or folklore. They may not necessarily be professional scholars (although some of them have more results than professors in universities), but in many cases, they have studied these disciplines at graduate schools.

The second are the curators of local museums which is mostly established by the local government. It is said that there are more than a thousand of local museums of history and/or folklife over the nation. About 780 museums among them belong to the Japanese Liaison Council of History and Folk Museums.⁵ Many of them are public museums and have been established by the subsidy by the agency for cultural affairs since 1970. These museums are powerful institutions of employment for postgraduate students of field science, especially of folklore studies. These widely allocated human resources and their organizations are one of the distinctive characteristics of “cultural heritage regime”⁶ in Japan.

Hereafter I would like to consider the role and importance of them as “cultural brokers” by focusing on three points that may attract our attention.

(1) Local Government Workers as a Member of the Community of Practice

In today’s social circumstances in Japan, involvement of local government workers

5 全国歴史民俗系博物館協議会 <http://www.rekimin.com>

6 Bendix, Regina F., Aditya Eggert, and Arnika Peselmann. 2013. “Introduction: Heritage Regimes and the State.” In *Heritage Regimes and the State*, edited by Regina F. Bendix, Aditya Eggert, and Arnika Peselmann, Göttingen:11–20. Universitätsverlag Göttingen.

is almost indispensable to practice and transmission of intangible cultural heritage (intangible folk cultural properties). It is not just that economic support from the local government is necessary. Various miscellaneous services such as permission to use facilities, publicity, advertisement, traffic regulation, and so on, which are indispensable to realize events, festivals, and performing arts, is commonly conducted through local government workers. Also, local government workers are often involved in training successors and raising awareness among residents. Their existence is essential, especially when considering the succession and education to younger generations. Because in many cases, the people in charge of cultural properties belong to the same board of education as they would take over school education among local governments.

I usually engage in academic research on performing arts. And from my experience, it is difficult to accept the idea that the essentials of performing arts will be attributed only to performers. The more deeply you know about performing arts, the more you can't ignore the importance of the people who helped behind the scenes. This must be the same for events or festivals.

It would be productive to think of community that is the holder of intangible cultural heritage as a community that appears through the practices of cultural expressions or cultural activities as a whole, rather than thinking as a group of specific essential attributes. By taking this way, the government workers should also be regarded as a member of the “community of practice”⁷ that transmits the intangible cultural heritage.

(2) Importance of “Cross-Community” Point of View

In the discussion on cultural heritage, the gap in recognition between different socio-political layers is often problematic. Everyday life in the world of local communities is far from the argument that is made in the state's policy and the international organization. The word “glocal”, another keyword of this symposium, is likely to be the intention of connecting such different scale or layer. When talking about the international convention of intangible cultural heritage, we usually focus on the cultural broker's role

7 Originally conceptualized by Lave and Wenger (Lave, Jean, and Etienne Wenger. 1991. *Situated Learning: Legitimate Peripheral Participation*. Cambridge: Cambridge University Press.), but here I referred to Japanese anthropologist Kyōnosuke Hirai's book. Hirai, Kyōnosuke. 2012. *Jissen to Shite no Komyunithi: Idō, Kokka, Undō*. Kyōto: Kyōto Daigaku Syuppanyoku.

of bridging such different layers. Of course, this is a very important role, and needless to say, the researchers of local government play the role of that kind.

On the other hand, if we think about their day-to-day work, they may have another role of brokerage. They are generally involved in various types of intangible cultural heritage, such as dances, dramas, shrine festivals, Buddhist ceremonies, New Year celebration events, funerals, or craft techniques with regional characteristics, and so on so forth, in a defined area. There are also examples that same type of performing arts or festivals are distributed in a certain area, but these groups do not always interact actively with each other group. In some cases, they are competitors that scramble for local audience or opportunity of performance. They are strongly concerned about the activities of neighboring groups, but there are limited opportunities to exchange information with each other.

In such a situation, the role expected to the researcher of local government is large. When a tradition faces a crisis, the core members of the community of practice will be interested in what the other groups that may be in similar circumstances are doing. In such a case, researchers of local governments, who are involved in across various communities as a marginal member, would be the best person who facilitate dialogue between the groups. In other words, researchers of local government can play a role of bridging not only over the different socio-political layers (the world and the state and the community) vertically, but also across various practices at the same level and make people have more general perspective.⁸

(3) Expected Versatility: Utilizing Cultural Properties/Heritage System

For those who have heard my presentation so far, safeguarding intangible cultural heritage led by UNESCO and preserving intangible (folk) cultural properties in Japan might be understood as almost the same system with same purpose. In fact, however, there is quite a little difference between those two concepts. The concept of intangible cultural heritage that has spread from UNESCO’s efforts is to respect the autonomy of traditional culture, and aims to revitalize the entire dynamic process that transmit ICH

8 Cf, Kitō, Syūichi. 1998. “Kankyō Undō/Kankyō Rinen Kenkyū ni okeru ‘Yosomono’ Ron no Syatei: Isahaya Wan to Amami Oshima no ‘Shizen no Kenri’ Sosyō no Jirei wo Tyūshin ni.” *Kankyō Syakaigaku Kenkyū*, no. 4: 44-59.

to the next generation. It is distinct from Japanese concept of protection of cultural properties, derived from protection of tangible culture, which aims to conserve certain styles as much as possible.⁹ Such a concept of ICH should be highly appreciated.

However, the philosophy or principles of convention do not always effect directly on the site of tradition facing crises or difficulties. What is important is not to infuse the philosophy and principles of the convention to the local community. For the researchers of local governments confronting the difficulties of tradition, a new development of concept of cultural heritage is meaningless unless it appears as the expansion of the measures of support that can be taken on people's request.

In recent years in Japan, political measures related to preservation and promotion of regional culture have rapidly diversified. It goes beyond past cultural policies, cooperating with tourism, regional development, agricultural promotion, and so on. The Agency for Cultural Affairs launched "Japan Heritage"¹⁰ in 2015, which might be influenced by the concept of UNESCO's cultural heritage, and may compete with cultural properties system.

Governmental organizations for cultural policies are vertically structured, but when it comes down to the tail end, only a few persons in charge have direct contact with local communities. They are required to have versatile ability to manipulate various programs for preserving or promoting local culture by their discretion. There is no one-size-fits-all way in safeguarding tradition. Rather, it is important for them to have a wide range of choices in order to fully respond to the people's expectations. And to achieve this, it is necessary not only to promote dialogue between communities, but they themselves also have active relationships with researchers in other regions and exchange their experiences.

We recently launched a study group concerned with administration of folk cultural properties. Members are all folklorists or anthropologists, but among them only two

9 See, Hyōki, Satoru. 2015. "'Mamoru-beki Mono' kara Manabu-beki Koto: Minzoku Geinō Kenkyū no Furonthia to shiteno Mukei Bunka Isan." *Minzoku Geinō Kenkyū*, no. 59: 56–75.

10 「日本遺産(Japan Heritage)について」http://www.bunka.go.jp/seisaku/bunkazai/nihon_isan/

belong to universities, and others are public officers of local government or curators of local museums. They have rich on-site experience, but from now on we need to share the experience and try to establish methodologies.

Conclusion

The idea of dichotomy between the world or the state and the community of holders of ICH is unproductive. Rather it is necessary to look at the importance of the researchers of local governments that bridge over the gap of different layers. In case of preservation of ICH, especially intangible folk cultural properties, the role of researchers of local government, those who have already been allocated over the nation, cannot ignore when we think about the importance of cultural brokers. This system and organization that has been prepared for a long time is an invaluable resource.

Their roles are complex and multivalent. In the sense that many intangible cultural heritage is difficult to be held without their engagement, they are members of the community of practice of ICH concerned. At the same time, they can also give community members more general perspective by cross-community involvement with various types of practice. In addition, they are required to have versatile ability to operate various programs provided by higher administrative organizations by listening to the voices of their communities constantly to fulfill their demands.

What I argued about here is ideal in a sense. In fact, it may not be said that researchers of local governments are always fulfilling their role in every case. Rather, it can be said their abilities are not fully demonstrated in various restrictions, and there are many of them who are unconscious of their role and importance. But I believe that they have such potential. That is why researchers like us and higher-level administrative agencies must consider how we can encourage them to display their potential, and create an environment that can be fulfilled. Unfortunately, Japanese bureaucracy system seems to be required to consider “what must not be done”, rather than “what can be done”. That is why there is a need for organizations that are not subject to administrative restrictions such as NGOs. However, as previously mentioned, the human resources that have already been allocated nationwide are important assets of system that safeguard cultural heritage in Japan. How to manage their potential is an important issue for the practical challenges of the “safeguarding” of intangible cultural heritage in this country.

From a Local Festival to the Hikiyama Festival in Nagahama: the Road Towards a World Festival

Seiichi NAKAJIMA

Former Director of the Nagahama City Hikiyama Museum

Originally a Local Yet a Global Festival, the Nagahama Hikiyama Festival

The Fujioka family, the creator of the Nagahama's Hikiyama floats were originally from Mita, a rural area in suburbs of Nagahama. The first generation created mikoshi (portable shrines) and the butsudan (family altars). From the fourth generation, the family has been crafting the Nagahama's Hikiyama floats for a long time. For the detailed parts, wooden curving was accomplished by craftsmen in the Maibara Nyu area, the metal fittings that decorates the Hikiyama done by blacksmiths from the Kunitomo area and the famous Okumura Sugaji living in the Zeze Otsu area. The stage paper screen along with the drawings of the Gakuya are artworks of the Nagahama's Yamaga Giho and other painters in Kyoto. Further, many of the stage curtains which are one of the biggest craftworks, were imported all the way from Europe and China.

The sanyaku including the choreographer, tayu (johruri reciter), and shamisen player which are the essential roles for the children's kabuki played on the Hikiyama stage were invited from the neighboring rural areas, Kyoto, Osaka and other regions. In addition, the shagiri music players and the Hikiyama float pullers mainly gathered from the rural areas. In this sense, both physical and human resources to perform in the Nagahama Hikiyama Festival were procured not in the festival area rather from the surrounding rural areas and other regions.

Interaction of people and exchange of goods by means of festival had been practiced in this Nagahama Festival ever since the Edo period on a global scale. This is the original scene of the "Nagahama Danna Festival" of the Nagahama Festival.

The Post-War Nagahama Hikiyama Festival that We See Today

The festival's system changed drastically after the Asia Pacific War. People in the rural villages in the Kohoku region turned in half farmers half industrial workers. This lead to

a decline of people's preference towards performance arts. At the same time, the festival started to face some difficulties in securing the sanyaku, the main roles for the children's kabuki. To help solve the situation, in 1990 (Heisei 2) local residents established a sanyaku training school where lessons for the tayu and shamisen players were offered. Today, students from the school perform on the Hikiyama stage. As for the shagiri, an association to preserve the tradition was formed in 1971 (Showa 46) and today it still carries out its activities.

The fall of the *danna-shu* in the post-war time brought about a big structural change in the economy of the Nagahama Hikiyama Festival. Residents of the town where the Hikiyama belonged too (*yamagumi*) started to share the festival cost equally. The *yamagumi* members called for financial support and in 1950 (Showa 25) during a full-fledged festival restoration after the war, the Nagahama City Tourism Association granted a subsidy for the first time for kabuki performance. In 1957 (Showa 32), the Nagahama Hikiyama Festival was designated as Shiga Prefecture's Intangible Folk Cultural Property followed by the national designation of the Nagahama Hikiyama Kyogen in 1970 (Showa 45), and finally in 1979 (Showa 54) the Nagahama Hikiyama Festival's Hikiyama Attraction became the nation's designated Important Intangible Folk Cultural Property. Moreover, in 1985 (Showa 60), among the many Hikiyama floats in Shiga Prefecture, the "Nagahama Hikiyama Festival's float *Tsukeyamagura*" was selected as the first Prefecture's Tangible Folk Cultural Property. This meant that the government's subsidies covered the performing of children's kabuki and repair of the Hikiyama floats which had now officially become a cultural property. The Hikiyama floats were originally built in mid-Edo period, started to have a *chin* (arbor) on top in late Edo period making it a two-story structure, went through various design changes until the Meiji and Taisho periods, and finally became an unchangeable designated cultural property which will be transmitted to the future generations.

Town and Public Reaction after Registration to the UNESCO's List

Finally, in 2016 (Heisei 28) the festival was inscribed on the UNESCO's Intangible Cultural Heritage Representative List, which was long desired by the local people in Nagahama. Stakeholders had started keeping records and forming promotion committees since 2010 (Heisei 22), thus the registration was truly significant to those involved. However, people do not actually know what they ought to do in concrete.

Amid such situation, the 13 floats performing for celebration in April 2017 (Heisei 29) and the performance at the National Theatre Tokyo in July were a big surprise for the yamagumi members. While challenges in preparing signs for non-Japanese tourists and accommodation raised, people hardly discuss the purpose and significance of the inscription to the UNESCO's Intangible Cultural Heritage list. There is an increasing sense of responsibility felt such as "now that our tradition has been registered on the UNESCO's list, we must transmit this festival in the current way to the coming generations". And it is the mass media that focuses on lack of successors who will pass down the tradition for years to come.

In the early Heisei period (early 1990s) the town of Yogo in the northern part of Nagahama City was facing a massive depopulation. It was in 1990 (Heisei 2) when the Shiga Prefecture's designated Intangible Folk Cultural Property "Nakakawachi taikoodori Tsuketari yakkofuri" marked its end of tradition due to population decrease and the town's aging society. The village population was 126 in 1989 (Heisei 1), and today as of June 13, 2017 (Heisei 29) it has dropped to 34. The old town of Nagahama Hikiyama Festival is not an exception too. Although the area looks prosperous with many souvenir shops and tourists around, in fact, the local population has declined thus some yamagumi are maintained only by around 10 groups. The number of children performing in the children's kabuki for the Nagahama Hikiyama Festival is shrinking as well.

Today it is a custom to have local village children to perform in the kabuki, however in the past not all actors were from the local area. Young village people have a keen observation on which child best fits the role of kabuki actor. Yet, in the Edo period, the quality of performance was prioritized, thus those talented children from other towns or prefectures were often invited as "borrowed actors". Taking the depopulation of the young into account, something had to be done at Nagahama to "maintain the quality of kabuki to be performed". In the near future, it is perhaps unavoidable for the Nagahama Hikiyama Festival to decline because of the falling population. Just as the afore-mentioned "Nakakawachi taikoodori", deterioration and extinction of folk cultural events deprive the local people of their dignity and affection to their native area. It is obvious that by having a certain event (festival) as the village's goal enhance the local ties and help stop depopulation. This links to the task which was cast upon registration

to the UNESCO's list of how to transmit the Nagahama Hikiyama Festival, a unique value, to the future generation. Each element among the 33 groups which were inscribed together now encounters the necessity to come up with effective measures. What will the way for Nagahama Hikiyama Festival to be sustainable? The author also intends to show the essential role of the museum, as there are not so many museums attached to the 33 elements of Yama, Hoko, Yatai float festivals inscribed on the list.

Museum as the Main Institution to Help Sustain the Festival

At present, the Nagahama Hikiyama Museum is operated by the Nagahama Hikiyama Culture Association. It opened in 2000 (Heisei 12) and exhibits the actual Hikiyama float stored in an air-tight case. The museum also has a humidity-adjustable repair workshop equipped with a lift for disassembling the float and coating lacquer. You can also find a transmission studio where the performing arts are shown to public. The facility is well designed with due consideration. Curators, the museum specialists, play an important role by making full-use of the resources. Here in this museum, curators not only exhibit tangible and intangible works related to the festival, but also conduct research, preserve and keep records, and they even patrol and pull the Hikiyama during the festival. Their work also covers receiving various complaints from people and providing consultancy services to the yamagumi members on festival matters. By assuming all these miscellaneous work, curators gain trust from the yamagumi, and become the other essential actor of the festival. The messages communicated from curators create an immense impact. Another way of supporting the sustainability of the festival is to keep on sending messages related to the spirit and soul of the ancestors who believed that "festivals are the only way to survive", along with the significance of the festival to both the local people and visitors through exhibitions, lectures, and the media. This is in other words, to "preserve the intangible cultural heritage which possesses a truly unique value". It is therefore the high-dimensional business of the museum that helps local residents be proud of their festival, which is an intangible cultural heritage, and to be attached to their region, thus be confident to keep the tradition of the festival.

PRESENTED PAPERS

Session 4. *What are the possible feedback mechanisms for local communities to communicate to UNESCO the impact of the Convention on them?*

Examining Possible Mechanisms for the Community Representation and Participation in the Implementation of the 2003 Convention at the International Level

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Introduction

The 2003 Intangible Heritage Convention represents the first time that the role of the community (and groups and individuals) in the identification, safeguarding and management of their heritage has been explicitly acknowledged in international law. This is a move that carries with it significance both for international law and for the paradigm by which government agencies have hitherto protected ‘national heritage’ and even for the identification of that heritage itself. Indeed, a central point I wish to make here is that the question as to how can communities be further integrated into the intergovernmental processes of the Convention cannot be dealt with in isolation from the issue of how they are integrated into national policy- and decision-making around ICH safeguarding.

With the adoption of the 2003 Convention a new paradigm in international heritage protection was established (Blake 2014) in the far more participatory and democratic relationship it envisages between the State and cultural communities in the safeguarding process.¹ In the past, much of what we now call “intangible cultural heritage” (ICH) was safeguarded without any official sanction, support or framework and the Convention has encouraged the development of related national legislative, administrative, financial and other responses. Communities and individuals (often operating through cultural associations and other similar groups) have been and continue to create, enact, maintain and transmit ICH elements as a matter of course and as a part of their way of life. The specific questions I will look at here are: (1) who or what are the “communities” as understood by the 2003 Convention (and how do they relate to other collectivities as conceived of under international law); (2) what is the specific role accorded to such communities (groups and individuals) under the 2003 Convention; and (3) what

¹ Certainly, one can now observe a number of examples of where governmental heritage agencies have begun to find new forms of engagement with communities over their intangible cultural heritage (ICH) and are, in some cases, creating new structures to enable this.

approaches should States Parties take towards engaging with them in its implementation at the international (and national) level.

In order to respond to this last point, I will consider how some other international treaty regimes and intergovernmental organizations have managed to fulfil a requirement for greater civil society participation in their governance structures. These include the World Intellectual Property Organization (WIPO), the UN generally (with regard to Indigenous peoples), the Food and Agriculture Organization (FAO), the UN Convention to Combat Desertification (UNCDC), the UN Convention on Biological Diversity (CBD), UN Economic and Social Council (ECOSOC), the International Labour Organization (ILO) and even UNESCO itself within the World Heritage Committee and the 2005 Convention on the Diversity of Cultural expressions. Since space is limited I will take a few representative examples of these to demonstrate how international bodies have thus far sought to accommodate the need to involve non-state actors — mostly Indigenous peoples — in their policy-setting and decision-making processes and consider how far these can be a useful model for the 2003 Convention. In addition, of course, it is also important to see what developments have already taken place within the intergovernmental committee of the 2003 Convention (the ‘IGC’) and see how these might be developed and built upon.

The “participation” of “cultural communities” in the implementation of the 2003 Convention was seen as a significant principle throughout the development of the Convention and even the early intergovernmental meetings.² However, it remains unclear as to what this should mean at all levels of implementation as noted by an internal UNESCO evaluation of the cultural heritage Conventions.³ This apparently progressive approach has turned out, according to Bartolotto⁴ to be “an opaque move”. The lack of

2 Noriko Aikawa-Faure in her essay “From the Proclamation of Masterpieces to the Convention for the Safeguarding of Intangible Cultural Heritage” in Laurajane Smith and Natsuko Akagawa (eds.) *Intangible Heritage : Key Issues in Cultural Heritage Series* (London and New York: Routledge, 2009) pp. 13-44 at p.14.

3 *IOS report*: “Although community participation is at the heart of the 2003 Convention, it has proven to be one of the most challenging aspects in its implementation. Community participation needs to be enhanced in many areas related to the implementation of the Convention, including in inventorying, in the elaboration of safeguarding programmes and projects, and in the preparation of nomination files.” (paras. 9-10) .

4 Chiara Bortolotto “UNESCO and Heritage Self-Determination: Negotiating Meaning in the Intergovernmental Committee for the Safeguarding of the ICH” in Nicolas Adell, Regina F. Bendix, Chiara Bortolotto, Markus Tauschek (eds.) *Between Imagined Communities and Communities of Practice* (Universitätsverlag Göttingen, 2015) pp. 249-272 at p. 251.

clarity on this question after more than 10 years of operation of the 2003 Convention (that entered into force in April 2006) has become a matter of some strong criticism today, even by representatives of the States Parties.⁵ This comes down to the simple fact that safeguarding ICH is by its nature controversial since it can be achieved only through recognition of the central role communities play in its creation and safeguarding.⁶

We must remember that the requirement placed on States Parties (by Article 15) to operate in as participatory a manner as possible is more exhortatory than obligatory⁷ and they can choose the manner in which they do this. In this way, State sovereignty is well protected and so it is important to demonstrate that they have signed up to such participatory approaches in other international fora in order to encourage them to do so in this one. However, achieving a strong role for “communities” in the intergovernmental process may be tricky because, unlike Indigenous peoples, they do not have any legal status per se in international law beyond the mention in the Convention.⁸

This paper, then, will examine how non-state actors (in large part NGOs representing Indigenous peoples) have been brought into the intergovernmental process through intergovernmental bodies and treaty processes to see what lessons may be learned for achieving this within the framework of the 2003 Convention. Following this, it will focus on the 2003 Convention itself, addressing its specificities, seeing what progress has been made thus far and, then, proposing some ways forward.

Examples from Various Intergovernmental Processes

Most of the models shown below relate specifically to mechanisms established specifically to ensure better representation of Indigenous peoples in treaty and other intergovernmental processes. Article 18 of the UN Declaration on the Rights of

5 Dawson Munjeri has stated in “Following the length and breadth of the roots: some dimensions of intangible heritage” in Laurajane Smith and Natsuko Akagawa (eds.) *Intangible Heritage - Key Issues in Cultural Heritage Series* (London and New York: Routledge, 2009) pp. 131-150 at pp. 143-4 that “one finds it incomprehensible that four years after the adoption of the ICHC, there is still debate on an acceptable definition of ‘community’, and on whether or not, and to what extent, the community’s consent should be sought when considering what constitutes intangible cultural heritage.”

6 Janet Blake *Commentary on the 2003 UNESCO Convention on the Safeguarding of the Intangible Cultural Heritage* (UK: Institute of Art and Law, 2006) at p. 35.

7 *Ibid* at p. 76.

8 The fact that the 2003 Convention always mentions them alongside “groups and individuals” further complicates the issue.

Indigenous Peoples (UNDRIP, 2007) states that Indigenous peoples “have the right to participate in decision-making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own Indigenous decision-making institutions”.⁹ This, then, is an approach based on the special status rights now accorded to Indigenous peoples in international law, including their right to a form of internal self-determination that includes control over ancestral lands, their natural resources and social, cultural and economic policy-making. It therefore goes much further than the rights generally ascribed to other local and cultural communities and so it is important to understand that the mechanisms established for respecting these rights of Indigenous peoples in intergovernmental fora do not automatically extend to non- Indigenous groups.¹⁰

(A) Intergovernmental organizations

UN Permanent Forum on Indigenous Issues

The UN Permanent Forum on Indigenous Issues was established in July 2000 as an advisory body to ECOSOC to discuss issues related to the Indigenous peoples’ economic and social development, culture, the environment, education, health and human rights. The Permanent Forum on Indigenous Issues is made up of 16 members acting in an individual capacity as independent experts on Indigenous issues. Eight of the members are nominated by Governments and eight by the President of ECOSOC, on the basis of broad consultation with Indigenous groups. It holds one two-week session each year, usually in May. Its mandate covers the following main actions:

- Providing expert advice and recommendations on Indigenous issues to ECOSOC, as well as to programmes, funds and agencies of the United Nations, through the Council Raising awareness and promote the integration and coordination of

9 Previous to this, the ILO Convention on the Rights of Indigenous and Tribal peoples (no. 169 of 1989) had called on Governments, in applying the Convention, to “establish means by which these peoples can freely participate, to at least the same extent as other sectors of the population, at all levels of decisions-making in elective institutions and administrative and other bodies responsible for policies and programmes which concern them” (Article 6.1 (b)).

10 Henrietta Marrie “The UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage and the protection and maintenance of the intangible cultural heritage of Indigenous peoples” in Laurajane Smith and Natsuko Akagawa (eds.) *Intangible Heritage - Key Issues in Cultural Heritage Series* (London and New York: Routledge, 2009) pp. 169-192 suggests at p.190 that “[T]o ensure their participation in the implementation of the Convention, Indigenous peoples would want to ensure that their appropriate representative bodies could apply for ‘observer status’ to enable them to attend, in a non-voting capacity, meetings held under the Convention.”

activities related to Indigenous issues within the UN system

- Preparing and disseminating information on Indigenous issues

Permanent Forum sessions are open to delegates from Indigenous organizations and NGOs working on Indigenous issues, responding to one of the fundamental demands of Indigenous peoples. Organisations of Indigenous peoples are therefore allowed to participate as observers in the meetings of the Permanent Forum, in accordance with the procedures that were developed in the Working Group on Indigenous Populations which was open to all Indigenous peoples' organisations, regardless of their consultative status with ECOSOC. States, UN bodies and organs, intergovernmental organisations and NGOs with consultative status with the ECOSOC may also participate as observers.

World Intellectual Property Organization (WIPO)

In 2000, the World Intellectual Property Organization (WIPO) established an intergovernmental committee looking into IP protection of traditional knowledge, genetic resources and folklore (WIPO IGC) which followed a series of consultations held in 1998-9 with Indigenous (and local) communities on sui generis IP protection of their traditional culture and practices.¹¹ Following this participatory start, the WIPO IGC made it possible for Indigenous and community representatives to observe and participate in its meetings. In order to facilitate this, WIPO works with an Indigenous caucus that helps newcomers to become familiar with the culture and mode of negotiation within WIPO.¹²

Today, there are 329 NGOs accredited to the WIPO IGC and this confers ad-hoc observers with a seat bearing the organization's name plaque during sessions of the IGC and they may be given the floor by the IGC Chair; generally, this provides an opportunity to engage with Member States in the course of the negotiations. Although observer status does not usually allow NGOs to present proposals, amendments and motions, the WIPO IGC has always given observers the opportunity of intervening during its sessions on all agenda items and to table proposals if they are supported by

11 Draft articles for the protection of (1) traditional cultural expressions and (2) traditional knowledge were adopted by the WIPO IGC in 2014.

12 This capacity-building aspect of the caucus is essential for effective participation, and the NGO Forum for the 2003 Convention is currently developing capacity-building modules for NGOs wishing to participate in the IGC.

one or more State member of the WIPO IGC. In addition, presentations are delivered by a panel of representatives of Indigenous and local communities at the beginning of sessions of the WIPO IGC in which they present information on the experiences, concerns and aspirations of Indigenous and local communities concerning the protection, promotion and preservation of traditional knowledge, traditional cultural expressions and genetic resources.¹³

At its tenth session, the WIPO IGC identified ten key questions relating to the protection of traditional cultural expressions/expressions of folklore (TCEs/EoF) and traditional knowledge (TK). It established a commentary process on these issues between its tenth and eleventh sessions. The WIPO IGC then undertook an extensive review of the issues and commissioned two factual extractions¹⁴ of the comments and viewpoints made on these issues. The following table shows the range of responses received from accredited observers to the WIPO IGC.

(B) Treaty bodies

UN Convention on Biological Diversity (CBD, 1992)

Article 8(j) of the Convention on Biological Diversity (UN, 1992) (CBD) requires States Parties (as far as possible and as appropriate) to “respect, preserve and maintain knowledge, innovations and practices of Indigenous and local communities embodying traditional lifestyles relevant for the conservation and sustainable use of biological diversity and promote their wider application with the approval and involvement of the holders of such knowledge, innovations and practices and encourage the equitable sharing of the benefits arising from the utilization of such knowledge, innovations and practices”. Importantly for this paper, the CBD text makes explicit use of the term “communities” and the principle of participation with relation to them as well as to the role played by the “knowledge, innovations and practices of local and Indigenous communities embodying traditional lifestyles” in preserving biodiversity.

13 Note on Existing Mechanisms for Participation of Observers in the Work of the WIPO Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (2011). Source: http://www.wipo.int/export/sites/www/tk/en/igc/pdf/note_igc_participation.pdf

14 The Protection of Traditional Cultural Expression/Expression of Folklore: Factual Extraction (January 31, 2008) and The Protection of Traditional Knowledge: Factual Extraction (February 18, 2008)

On the national level, States Parties should establish mechanisms to ensure effective participation by Indigenous and local communities in decision-making and policy planning, including by: establishing local-specific systems for acquiring, sharing and classifying knowledge based on customary law; full and equal participation and partnership in planning and management; ensuring free prior informed consent for access to, acquisition and use of knowledge; establishing mutually agreed terms (MATS) for this; establishing access and benefit-sharing agreements (ABS); the right to review research and authorise its dissemination; and community or joint ownership of copyright on publications based on traditional knowledge research.¹⁵

On the international level, the CBD COP established an Ad Hoc Open-ended Inter-Sessional Working Group (Working Group on Article 8(j)) to work on the implementation of Article 8(j) and related provisions. Representatives of Indigenous and local communities embodying traditional lifestyles relevant to the conservation and sustainable use of biological diversity participate in this “to the widest possible extent in its deliberations in accordance with the rules of procedure”.¹⁶ Issues on biological/genetic resources and associated Indigenous/traditional knowledge have expanded to include participation in discussions within the Working Group on Access and Benefit-Sharing, the Working Group on Protected Areas and within various other thematic and cross-cutting issues.

UN Desertification Convention (UNCCD, 1994)

The 1994 Convention to Combat Desertification (UN, 1994) encourages Parties to ensure that decisions on the design and implementation of programmes ‘are taken with the participation of populations and local communities’ (Article 3(a)). Article 10 calls for ‘(f) ... effective participation at the local, national and regional levels of non-governmental organizations and local populations ... in policy planning, decision-making and implementation and review of national action programmes ...’.

15 The Nagoya Protocol to the CBD at Art. 12(2) also requires community participation for the creation of mechanisms, which are useful for the implementation of international instruments. It foresees that parties, with the effective participation of the Indigenous and local communities concerned, create mechanisms to inform the potential users of the traditional knowledge associated with genetic resources about their obligations.

16 CBD COP Decision IV/9, paras.1 and 2.

In 2001, COP5 established the Committee for the Review of the Implementation of the Convention (CRIC)¹⁷ as a subsidiary body to the COP. It reviews and analyzes national reports submitted to the COP describing the status of the Convention's implementation by Parties and observers. The aim of the involvement of CRIC in this is to improve the coherence, impact and effectiveness of policies and programmes aimed at restoring the agro-ecological balance in arid lands. The composition of CRIC is (a) all Parties to the Convention and (b) any other body or agency, whether national or international, governmental or non-governmental, which wishes to be represented at a session of the Committee as an observer (unless one third of the Parties present at the session object).¹⁸ Hence, CRIC represents an interesting model of a mixed governmental and non-governmental treaty body, which may well encourage better cooperation between the two sides, and even greater mutual respect. The activities of CRIC are wide-ranging,¹⁹ and include:

- Identify ways and means of promoting experience sharing and information exchange among Parties and all other interested institutions and organizations
- Draw conclusions and propose concrete recommendations on further steps in the implementation of the Convention
- Submit a comprehensive report to the Conference of the Parties in the light of its programme of work, including conclusions and recommendations
- Review regularly the policies, operational modalities and activities of the Global Mechanism
- Review regularly reports prepared by the secretariat on the execution of its functions²⁰
- Elaborating draft decisions, where necessary, for consideration and, as appropriate, adoption by the Conference of the Parties.

Further to this, the COP has requested that:

- The Secretariat facilitate active participation of CSOs in the process in preparation

17 Decision 1/COP5.

18 ICCD/COP(9)/18/Add.1 (9th Plenary Meeting, 2 October 2009).

19 ICCD/COP(5)/11/Add.1

20 As an example, the Report of the fifteenth session of the Committee for the Review of the Implementation of the Convention, held in Nairobi 18-20 2016 [ICCD/ CRIC(15)/7, 8 December 2016] addressed such as: future implementation of the Convention; consideration of best practices in the implementation of the Convention; and accessibility of information on best practices through the Scientific Knowledge Brokering Portal (SKBP) and the Capacity Building Marketplace (CBM).

for the meetings of the COP and its subsidiary bodies, with the view of enhancing the effectiveness of inputs from the civil society²¹

- The Executive Secretary, in consultation with the Bureau of the COP, ensure that the programme of work of the COP includes open-dialogue sessions with the civil society in the first week of the COP in order to ensure effectiveness of its input in the deliberations of the COP²²
- The secretariat to review the provisions for regional meetings in preparation for the meetings of the CRIC and seek financial contributions to enable those regional meetings to occur.²³

It should be noted also that these documents from the COP make repeated requests to developed country Parties, relevant international organizations and financial institutions to provide financial contributions to facilitate the presence of civil society organizations in its meetings.

1972 World Heritage Convention

Although a large number of the recognized World Heritage sites are located in the territories of Indigenous peoples, the existence and role of the Indigenous peoples living in the respective sites is often not adequately reflected in the decisions of the World Heritage Committee. A proposal to establish a World Heritage Indigenous people Council of Experts (WHIPCOE) was discussed at the 24th session of the World Heritage Committee in Cairns (Australia, 2000).²⁴ The WHC commissioned a feasibility study which was presented at the 25th session of the Bureau of the WHC held in Paris (France) in June 2001. The proposal was ultimately not accepted by the WHC as it raised a number of legal concerns and issues relating to the funding, legal status, role and relationships with States Parties, Advisory Bodies, the World Heritage Committee and the World Heritage Centre.

Since 2005, the *Operational Guidelines* have promoted a “partnership approach to

21 ICCD/COP(9)/18/Add.1 at para.4.

22 *Ibid* at para.5.

23 *Ibid* at para.6.

24 Lynn Meskell in “UNESCO and the fate of the World Heritage Indigenous Peoples Council of Experts (WHIPCOE),” 2013 *International Journal of Cultural Property*, 20: 155-174.

nomination, management and monitoring”²⁵ and, in 2007, the WHC adopted a fifth strategic objective²⁶ “to enhance the role of communities in the implementation of the World Heritage Convention”. The involvement of Indigenous peoples and local communities in decision-making, monitoring and evaluating the conservation status of inscribed properties was encouraged by the World Heritage Committee in 2011. As a follow-up to an International Expert Workshop on the World Heritage Convention and Indigenous peoples (2012), the Operational Guidelines were amended in 2015 to include specific references to Indigenous peoples in paragraphs 40 and 123. The Sustainable Development Policy adopted by the WHC in 2015 makes specific reference to “respecting, consulting and involving Indigenous peoples and local communities” and emphasizes that recognizing the rights and the full involvement of Indigenous peoples and local communities lies at the heart of sustainable development.

Convention on the Protection and Promotion of the Diversity of Cultural Expressions (UNESCO, 2005)

Given that the role of civil society (and partnerships with civil society) plays a central role in this treaty, it is worth considering how the IGC for the 2005 Convention has addressed their participation in and contribution to the work of the organs of the Convention. Under the terms of the Rules of Procedure for the IGC, “civil society is encouraged to contribute to the work of the organs of the Convention according to the modalities to be defined by these organs” (at paragraph 7). Notably, the Rules of Procedure allow the Committee to invite them to attend a particular meeting of the Committee, “regardless of whether the organization or group has been accredited to participate in the sessions of the Committee” (paragraph 8). In addition, civil society organizations may also be authorised to participate as observers in both the Conference of Parties and the Intergovernmental Committee and the criteria for their admission²⁷ are relatively light and simple to fulfil. Their activities in this role may include:

25 Paragraph 40.

26 The WHC added a “fifth C” for “Communities” to the existing Strategic Objectives enshrined in the Budapest Declaration on World Heritage adopted by the WHC at its 26th session (Budapest, 2002) which should read: “To enhance the role of communities in the implementation of the World Heritage Convention.” Decision 31 COM 13B on The “fifth C” for “Communities”

27 As set out in Annex II to Decision 1.EXT.IGC 5, they should: “a. have interests and activities in one or more fields covered by the Convention; b. have a legal status in compliance with the established rules of the jurisdiction in the country of registration; and c. are representative of their respective field of activity, or of the respective social or professional groups they represent”.

- Maintaining a dialogue with Parties “in an interactive manner with regard to their positive contribution to the implementation of the Convention, preferably, as appropriate, before the sessions of the organs”
- Participating in the meetings of these bodies
- Being given the floor by the Chairperson of the respective body
- Submitting written contributions relevant to the work of the respective bodies when authorized by the Chairperson, to be circulated to all delegations and observers by the Secretariat to the Convention as information documents.

A further point worth noting is that the participation of civil society in the International Fund for Cultural Diversity (IFCD) is formalised within the treaty’s framework and the regulations for this are addressed within the framework of the Operational guidelines on the use of the resources of the Fund.²⁸ According to the IFCD’s Rules of Procedure, the beneficiaries of the IFCD include “Non-governmental organizations (NGOs) coming from developing countries that are Parties to the 2005 Convention, which meet the definition of civil society²⁹ and criteria regulating admission of its representatives at meetings of organs of the Convention ... and which present projects with impact at the sub-regional, regional or inter-regional level. Projects submitted by INGO must be implemented in two or more eligible countries.”

Community Participation within the 2003 Convention

Who are the “communities” of the 2003 Convention?

As has been discussed in more detail elsewhere,³⁰ the terms “minority”, “group” and “community” are relatively interchangeable in international law and there is no single agreed meaning for any of them. As a result, the way in which we understand and use

²⁸ Doc. CE/08/1.EXT.IGC/Dec. Rev. 2 at p.14.

²⁹ “civil society means non-governmental organizations, nonprofit organizations, professionals in the culture sector and associated sectors, groups that support the work of artists and cultural communities” Source: <http://en.unesco.org/creativity/ifcd/apply/who-can-apply>.

³⁰ Janet Blake “UNESCO’s 2003 Convention on Intangible Cultural Heritage: the implications of community involvement in ‘safeguarding’ in Laurajane Smith and Natsuko Akagawa (eds.) *Intangible Heritage — Key Issues in Cultural Heritage Series* (London and New York: Routledge, 2009) pp. 45-73; See also: Sabrina Urbinati “The Community Participation in International Law” in Nicolas Adell, Regina F. Bendix, Chiara Bortolotto, Markus Tauschek (eds.) *Between Imagined Communities and Communities of Practice* (Universitätsverlag Göttingen, 2015) pp.123-140 at pp.125-6 who notes a number of alternative terms used, such as: “local communities” (CBD), “local populations” (UNCDC), “civil society” (UNESCO’s 2005 Convention), “the public” (1998 Aarhus Convention), “farmers” (FAO 2001 Convention on Farmers’ and Plant Breeders’ Rights”) and “cultural site managers”.

these terms is, to a large degree, context-dependent: In terms of the 2003 Convention, the “communities, groups and ... individuals” (henceforth ‘communities’) are defined in relation to their ICH and, importantly, their self-identification with that ICH. Article 2(1) of the Convention defines ICH for the purposes of the Convention as “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 recognise as part of their cultural heritage. This intangible cultural heritage provides them with a sense of identity and continuity, thus promoting respect for cultural diversity and human creativity...” (Emphasis added). From this, we can see that ICH (which comprises some associated tangible elements as well as intangible ones) is defined with direct reference to the cultural community and in terms that recognise the human rights nature of an endeavour that aims to safeguard a heritage so essential to the sense of identity and continuity of communities. However, it is clear from the Executive Body’s report submitted to the IGC in 2016³¹ that the notion of “communities” with regard to the 2003 Convention remains uncertain in the case of many countries.

If we wish to look at the range of actors involved in the work of safeguarding ICH, it is helpful to draw upon the report on cultural heritage and human rights by the UN Special Rapporteur on Cultural Rights.³² This proposes differing degrees of access and enjoyment to cultural heritage according to the relationship of different groups with the heritage, with differing degrees of interest in heritage. With regard to ICH safeguarding, a list of relevant actors and stakeholders (beginning with those most closely associated with the heritage), might include: (1) cultural communities/bearers; (2) practitioner associations; (3) local (non- bearer) communities and individuals; (4) NGOs; (5) academic/scientific institutions (including museums); (6) national artistic academies; (7) local authorities; (8) central and regional governmental agencies; (9) the private sector.

31 “The [Evaluation] Body reiterates the need to clearly define and identify the communities, groups and, in some cases, individuals concerned with a particular element, and apply this definition consistently within and across the different criteria...Vague definitions (such as ‘all men in country X’) make the evaluation of a nomination file problematic.” [ITH/16/11.COM/10, Report of the Evaluation Body on its work in 2016, 31 October 2016 at para.40]

32 Human Rights Council, “Report of the independent expert in the field of cultural rights, Farida Shaheed” Human Rights Council Seventeenth session Agenda item 3, 21 March 2011 [UN Doc. A/HR/C/17/38].

How is participation in ICH safeguarding understood within the 2003 Convention?

Part III of the 2003 Convention that sets out the safeguarding measures to be taken on the national level to ensure the continued viability of ICH begins with Article 11 on “The Role of States Parties”; paragraph (b) of this article places a requirement on Parties to identify and define the elements of ICH on their territory “with the participation of communities, groups and relevant nongovernmental organizations”. Applying a participatory approach to the action of identification is of fundamental significance since the question as to who decides what is to be accorded the designation of ‘national ICH’ implies a democratic and human rights-based approach to the process. Beyond this, Article 15 encourages Parties to take an effective participatory approach towards “safeguarding” ICH as described in Article 2(3), namely its identification, documentation and research, preservation and protection, promotion, enhancement, transmission (particularly through formal and non-formal education) and revitalization, as well as its management.

A participatory approach to cultural heritage protection, therefore, will require a shift in the policy- and decision-making model from (in most cases) a strictly top-down one to one that allows for the inclusion of a range of different voices. According to the Periodic Reports submitted thus far to the Intergovernmental Committee, most States Parties have made efforts to ensure community involvement in inventorying and, up to some point, in safeguarding ICH in general. However, the degrees of actual participation differ widely and range from Flanders (in Belgium) where much of the policy development has been driven by two NGOs to some States Parties where lip-service only is paid to the idea of community ‘involvement’ with one or two ‘consultations’ held with selected community representatives. However, the significance of this shift towards a more participatory approach towards heritage protection should not be underestimated since it has deep implications for how government agencies relate to cultural communities: The key actors in legitimising heritage are no longer scientific heritage experts acting through the central authority, but the communities that identify themselves with particular cultural elements.

What is of specific importance for this paper is the question as to how far this shift in the heritage paradigm can be translated to the intergovernmental level. Although participation of communities is now regarded as necessary for nominating their ICH to the Convention’s lists (under the Operational Directives as adopted in 2010), it

remains moot (a) how far this is a real participation at the national level and (b) to what degree it can be possible to involve them in the intergovernmental policy- and decision-making processes. In 2010 a series of Directives on awareness-raising detail how the participation of communities, groups (and, where applicable, individuals) as well as experts, centres of expertise and research institutes in various safeguarding activities should be realised (paragraphs 79-89)³³ For example, on the national level, Parties should strengthen community participation through such measures as establishing networks of communities, experts, centres of expertise and research institutes (paragraphs 86-88), undertake capacity- building activities for community members and create a consultative body or similar coordinating mechanism to make participation in safeguarding activities easier. The ODs touch briefly on the participation of the aforementioned non-state actors in the international dimensions of implementing the Convention. They encourage States Parties to involve these actors in facilitating the removal of an ICH element from one (international) List or its transfer from one to the other (paragraph 80 at (e)).³⁴ Other chapters of the ODs, including those covering the use of the resources of the ICH Fund and on International Assistance (IA), also refer to the participation of NGOs and other non-state actors.

One of the strong messages of this paper is that the degree to which any participation by non-state actors on the intergovernmental level operates effectively is, to a large degree, dictated by their presence in ICH safeguarding on the national level. If the 2010 Directives are taken seriously enough by the Parties, it will go a long way towards ensuring meaningful community involvement at various stages of implementation. However, the mechanisms for ensuring real and effective community participation in the operation of the Convention remain weak, despite the importance apparently given to this approach when drafting the treaty³⁵ and how far States Parties are prepared or able to respect them

33 For example, in ODs 79, 80, 84, 86 and 89.

34 Paragraph 80 reads, in full: "States Parties are encouraged to create a consultative body or a coordination mechanism to facilitate the participation of communities, groups and, where applicable, individuals, as well as experts, centres of expertise and research institutes, in particular in: (a) the identification and definition of the different elements of intangible cultural heritage present on their territories; (b) the drawing up of inventories; (c) the elaboration and implementation of programmes, projects and activities; (d) the preparation of nomination files for inscription on the Lists, in conformity with the relevant paragraphs of Chapter 1 of the present Operational Directives; (e) the removal of an element of intangible cultural heritage from one List or its transfer to the other, as referred to in paragraphs 38-40 of the present Operational Directives.

remains to be seen.

To take an example, an Evaluation Body (EB) was established in 2014 by the IGC to evaluate nominations to the Representative List (RL), Urgent Safeguarding List (USL) and Register of Good Practices in Safeguarding (RGSP) and for International Assistance (IA) requests over \$25,000 (subsequently raised to \$100,000).³⁶ This is made up of six individual experts and six representatives from accredited NGOs, and so it brings the Convention's implementation at the international level closer to the spirit of Article 10bis of the Preliminary Expert Draft (2002). However, at its meeting in 2016, the IGC ignored approximately 80% of the evaluations of nomination files presented to it by the EB,³⁷ which suggests that its members are not yet ready to open up its discussions and determinations to non-state actors.³⁸ Moreover, although the IGC may invite "public and private bodies, as well as private individuals" to attend its meetings in order "to consult them on specific matters" under the terms of Article 8(4) and as further fleshed out in ODs 84 and 96(d), they have not up until now chosen to do so.

NGOs as the Representatives of Local and Indigenous Communities?

Many of the NGOs currently accredited to the IGC have membership predominantly comprising heritage professionals and other experts (such as academics) and, so, it is crucial that the roles of ICH bearers and heritage professionals be better understood and that communities become more prominent in the work of accredited NGOs. For example, experts from outside the cultural communities continue to play a prominent role in drafting nomination files and this does beg the question as to how far it is

35 Lucas Lixinski "Selecting Heritage: The Interplay of Art, Politics and Identity," *European Journal of International Law*, vol 22, no 1 (2011): pp 81-100.

36 The Rules of Procedure for the IGC allow for the Committee to establish ad hoc consultation and subsidiary bodies. However, as in the case of the change made in establishing the EB, they may feel it necessary to send such a proposal to the General Assembly of States Parties that is more likely to veto such an idea.

37 ITH/16/11.COM/10.a (2016) and ITH/16/11.COM/10 (2016).

38 The NGO Forum expressed its concern at this action by the IGC in the following terms: "The ICH NGO Forum is worrying about the fact that its recommendations were nearly systematically turned around. We consider the role of the Evaluation Body as crucial in relation to respect the values and the spirit of the Convention. The Forum reiterates that the success of the Convention should not be mainly be measured by the diplomatic gains related to inscriptions on the lists, but all the more by its real impact of its actions on numerous skills and practices transmitted from generation to generation, and in particular those who are in danger." ICH NGO Forum STATEMENT-11.COM, Addis Ababa, 2016

possible to have direct community involvement in this process in many countries.³⁹ At the same time, heritage professionals play an important role as cultural brokers in ICH policy-making, including advising the IGC and even as governmental representatives.⁴⁰ Here, it should be noted that the good governance paradigm sees academic experts as a bridge between government and public. However, they do have their own agendas and we should not assume that their interests always coincide with those of cultural community members. As Jacobs points out, this issue remains in a grey zone within the implementation of the Convention since, as yet, the ODs have not elaborated on brokerage and mediation between these two categories of actors.⁴¹ Indeed, many countries, including France and Italy, regard “participation” as a process mediated by experts; in addition, communities often use experts in this role as mediators.⁴² This is clearly a discussion that needs to be part of the broader question of community/NGO participation in the intergovernmental process.

If we assume, however, that NGOs offer the best framework for ensuring better community participation in the treaty bodies, it is appropriate to assess progress thus far. By 2016, there were 164 NGOs accredited to the IGC which have expertise in the field of ICH⁴³ and their role is to provide “advisory services” to the IGC as set out in OD 96:

39 As Deacon and Smeets also note, the forms and the instructions for their completion contained in the Aide-memoires that are provided by the Secretariat are increasingly complex and, as a result, completing them requires either extensive training or expert involvement in many cases. From the author’s personal experience, it can be seen that the capacity-building provided by UNESCO often reaches only to governmental and scientific experts and not to community members themselves.

40 Marc Jacobs, Jan Nyriink and A. ven der Zajen, *Brokers, Facilitators and Mediation: Critical Success (F)actors for the Safeguarding of Intangible Cultural Heritage* (Kontich: Volkskund, 2014).

41 Marc Jacobs (2014): Development Brokerage, Anthropology and Public Action. Local Empowerment, International Cooperation and Aid: Safeguarding of Intangible Cultural Heritage. *Volkskunde. Tijdschrift over de cultuur van het dagelijks leven*, 115(3): 299-318.

42 Laurajane Smith, Anna Morgan, and Anita van der Meer, “Community-driven Research in Cultural Heritage Management: The Waanyi Women’s History Project,” 2003 *International Journal of Heritage Studies*, 9(1): pp 65-80.

43 The criteria for selecting such NGOs are set out in OD 91: “Non-governmental organizations shall: (a) have proven competence, expertise and experience in safeguarding... intangible cultural heritage belonging, inter alia, to one or more specific domains; (b) have a local, national, regional or international nature, as appropriate; (c) have objectives that are in conformity with the spirit of the Convention and, preferably, statutes or bylaws that conform with those objectives; (d) cooperate in a spirit of mutual respect with communities, groups, and, where appropriate, individuals that create, practise and transmit intangible cultural heritage; (e) possess operational capacities, including: a regular active membership, which forms a community linked by the desire to pursue the objectives for which it was established; an established domicile and a recognized legal personality as compatible with domestic law; having existed and having carried out appropriate activities for at least four years when being considered for accreditation.”

Accredited non-governmental organizations who, according to Article 9.1 of the Convention, shall have advisory functions to the Committee, may be invited by the Committee to provide it, inter alia, with reports of evaluation as a reference for the Committee to examine [RL and USL nomination files, programmes, projects and activities mentioned in Article 18, requests for international assistance and the effects of safeguarding plans for USL inscribed elements].

However, the geographical spread of these remains heavily weighted towards Group I (Europe and North America) and, here, it is important to note that there are many countries from other electoral Groups where NGOs related to ICH are not well-established but where other forms of civil society/cultural associations represent cultural communities.⁴⁴ A further issue is that, in a number of countries, NGOs are not independent of State control and so cannot really be regarded as representing the communities of the Convention in any real sense.⁴⁵

Despite these potential misgivings, NGOs specialising in ICH-related issues are now increasingly playing a more prominent role in ICH safeguarding and acting as advisors to both Government and communities. In this way, they may be in a unique position to serve as a bridge between communities and state agencies. An interesting example of this in practice relates to the ‘Yaokwa, the Enawene people’s ritual for the maintenance of social and cosmic order’ element which was inscribed by Brazil on the USL in 2011. Given the extreme remoteness of the Indigenous community of the element which had almost no contact with the outside world, an NGO called Operation Amazon Native (OPAN) acted on behalf of the local Indigenous community to work in partnership with the government heritage agency (IPHAN) between 2006 and 2011 for the identification and safeguarding of the element.⁴⁶ In addition, NGOs often have specialised expertise which situates them well to play a role in the implementation of the Convention, particularly when governmental agencies may lack the expertise or personnel to do so themselves.

44 According to the Periodic report submitted by Mali in 2012, there are few associations, professional groups or NGOs involved in ICH safeguarding. This is mostly carried out by the regional offices of the Ministry of Culture acting alongside traditional chiefs.

45 As noted in the Report by the Secretariat on the periodic reporting cycle in 2012.

46 Brazil *Report of the Status of an Element Inscribed on the List of Intangible Cultural Heritage in Need of Urgent Safeguarding* (Report no.0347 of 2013).

If we look to the Statements made by the NGO Forum (of NGOs accredited to the IGC) since 7.COM (2012), we see some of the different contributions that NGOs can make to the intergovernmental process and how they can benefit from it:

- As stakeholders and intermediaries, they can “activate, mediate and connect” and so contribute to a participatory approach and problem-resolving attitude⁴⁷
- Accreditation has encouraged NGOs from developing countries, many of which have ICH community holders as members, and facilitates their “alignment to accepted international standard working concepts and methods”⁴⁸
- To provide advisory functions to the IGC
- To provide periodic reports of NGOs alongside the periodic reports of the State Parties⁴⁹
- To participate in debates of the IGC⁵⁰
- To access the Fund in order to contribute to implementation of the 2003 Convention⁵¹
- Potential participation “in the mechanics of the Convention” by NGOs in non-Party States and operating in an international capacity⁵²

In order to operate more effectively at the intergovernmental level, the NGO Forum has, since 2015, worked towards developing its organizational structure through establishing a Steering Committee that can provide a collective voice for the Forum’s members and, so, more effectively lobby States Parties and work with the UNESCO Secretariat. At present, the Steering Committee has members representing all six electoral groups, although not all are actually based in the countries /regions they represent.⁵³ The Forum has also begun to develop a capacity-building programme (in cooperation with

47 NGO STATEMENT ICH-7.COM, Paris, 6th December 2012 (final version) at para.5.2.

48 *Ibid* at 5.3.

49 *Ibid* at 6.3. This is done in the Human Rights Council, for example.

50 NGO STATEMENT ICH-8.COM, Baku, 7th December 2013 at para.10, referring to Decision 8.COM 5c.

51 *Ibid* at para. 12. At the 11.COM meeting, the Forum sincerely request[ed] the State Parties “to support our need for funding to carry out the concrete plans for capacity building and networking projects by which the NGOs strive to contribute progressively to the implementation of the Convention. We are happy to share that as part of our efforts to streamline organizational governance, the Forum will now also open a bank account for transparent management of funds.” NGO STATEMENT ICH-11.COM, Addis Ababa, 2016.

52 NGO STATEMENT ICH-9.COM, Paris, 27th November 2014.

53 For example, the members for the Latin America and Eastern Europe regions are represented by nationals from countries of those regions but working for international NGOs based elsewhere. Elections will be held at 12.COM in 2017. *ICH NGO Forum Statement for the 10.COM IGC for the 2003 Convention for the Safeguarding of Intangible Cultural heritage*, 2015.

UNESCO) that will be rolled out to NGOs in all regions and will be launching and developing the regional NGO-networks in 2017.

It is also worth considering in more detail what financial support can be made available for the greater involvement of community members and NGOs in the intergovernmental processes of the 2003 Convention. In a great number of cases, the motivation to take part and the expertise may be present, but financial constraints prevent this. The ODs relating to the ICH Fund do provide for use of the Fund's resources (at paragraph 67) for "(e) for the costs of participation of public or private bodies, as well as private persons, notably members of communities and groups, that have been invited by the Committee to its meetings to be consulted on specific matters". This last provides a significant opportunity to develop community participation in the work of the IGC if it is truly committed to doing so; this is particularly interesting given the lack of take-up of the Fund for its other uses by States Parties. Moreover, the Fund can also be used for covering "(d) the costs of advisory services to be provided, at the request of the Committee, by non-governmental and non-profit-making organizations, public or private bodies and private persons".

The opportunity already exists for the IGC to make more use of its accredited NGOs and other expert bodies and individuals to contribute in a more direct and concrete manner to its work: There is clearly the capacity and willingness in the members of the NGO Forum of accredited organizations and so, again, the ball is really in the court of the IGC on this. In many ways, then, this is also an issue of raising the awareness of all parties as to the possibilities available and the mutual benefits to be had from availing themselves of these, and a degree of suspicion of States Parties towards non-state actors needs to be broken down.

The experience from other intergovernmental frameworks set out above would strongly suggest that, however flawed this may be, a mechanism built around the existing NGO involvement in the operation of the Convention is the most appropriate one if we wish to actually achieve better community involvement in the evaluation and monitoring processes of the Convention, as well as in the decision-making of its organs. The existing status of the NGO Forum, although it has gained greater traction in recent years, is not yet sufficiently influential within the IGC process to answer to this ambition. However, in view of the evidence set out above that "communities" per se lack any

specific legal status either internationally or (in most cases) nationally, they cannot easily be brought into the implementation of the Convention at the international level. In contrast, NGOs not only have legal personality in most (but not all countries) but they have achieved some degree of status with regard to the IGC, and this therefore, offers a suitable platform upon which the deeper involvement of communities (acting through NGOs) can be developed.

In order to secure the support of the States Parties in the IGC and General Assembly for establishing a more effective mechanism for communities to have greater involvement in the international operation of the 2003 Convention, this should be built around a model that they have agreed to in other fora. In part, the challenge will be to persuade States Parties to accept a degree of participation in the intergovernmental process for types of communities not yet seen in any other forum (though the UNCDC and UNESCO's 2005 Convention offer some hope in this respect). It can be argued on the basis of the central role accorded to "communities, groups and ... individuals" in the 2003 Convention that developing such a mechanism would simply reflect the Parties' pre-existing obligations under Article 15 of the ICESCR to which almost all are Parties.

The discussion above would suggest that the answer may not actually be found in trying to adopt ever more complex layers of institutional structures to achieve this, but rather to concentrate on the following approaches:

- a) Working to increase the numbers of accredited NGOs that truly represent community (rather than expert) interests
- b) Building the capacity among these bodies to be able to interact more effectively at the international level
- c) Improving the level of flow of information and dialogue between States Parties and non-state actors
- d) Raising awareness of the capacities available in the NGO Forum members to support the Committee's work
- e) Tapping into the financial support available in the Fund to (i) facilitate the direct participation of more NGOs from around the world in the IGC and General Assembly meetings and (ii) use their expertise in concrete ways to support the IGC in its work.

Some Elements Needed for Effective Participation by NGO/CSO observers

1. Providing support to (including the creation/development of) NGOs related to ICH and its communities at the national level: This should be seen as a fundamental step in ensuring their stronger participation at the IG level. This includes:
 - the establishment of an effective mechanism at national level for consultation with/involvement of civil society entities in ICH safeguarding (at all stages)
 - capacity-building aimed at (i) strengthening civil society entities active in the field of ICH at national level and (ii) developing their capacity to intervene at intergovernmental level
2. Developing a set of criteria for accreditation that allow for the inclusion of a relatively wide range of types of NGOs and other civil society organizations/associations⁵⁴
3. Formal representation of accredited organizations at IGC meetings, including plaques with their names placed in the meeting room
4. Build a culture within meetings of the IGC whereby NGO/CSO observers are invited to speak on matters concerning their expertise
5. Establish a formal agenda item at the start of each IGC meeting for NGO/CSO observers (and, possibly, selected cultural communities) to give presentations (as per WIPO IGC)
6. Make it possible for NGO/CSO observers to submit written reports to be circulated by the Secretariat in advance of meetings (as per the 2005 Convention)
7. Encourage the IGC members to invite NGO/CSO observers and others as experts under the terms of Article 8(4) to provide advice on specific issues
8. Ensuring sufficient financial and administrative support for community-based NGOs to attend and be involved in the work of the IGC⁵⁵ and increase use of/access to the

⁵⁴ Criteria for civil society organizations to be accredited to the organs of the 2005 Convention are: “a. have interests and activities in one or more fields covered by the Convention; b. have a legal status in compliance with the established rules of the jurisdiction in the country of registration; and c. are representative of their respective field of activity, or of the respective social or professional groups they represent” [Annex II to Decision 1.EXT.IGC 5]. The criteria for accreditation of NGO observers to the WIPO IGC, for example are: a. The organization should essentially be concerned with intellectual property matters within the competence of WIPO; b. The organization should be able to demonstrate an existing relationship between its activities and the issues under discussion within the IGC; c. The aims and objectives of the organization shall be in conformity with the spirit, purposes and principles of WIPO and the United Nations; and d. The organization shall have authority to speak for its members through its authorized representatives and in accordance with the rules governing observer status.

Fund for this purpose

9. Ensure good access to information in order to ensure that community-based NGOs are able to participate in decision-making in an informed manner; this should be provided in culturally-appropriate ways and not, for example, rely too heavily on access to ICTs⁵⁶
10. Conduct consultations with NGO/CSO observers on key issues that can be presented in summary reports (aka the ‘factual extractions’ of WIPO IGC)
11. Establish an Ad-hoc Inter-sessional Working Group on issues pertaining to community participation in the operation of the 2003 Convention, with formal participation of NGO/CSO observers
12. Establish a joint governmental/non-governmental review body (equivalent to CRIC under the UNCDC) with the task of reviewing implementation of the Convention more generally and addressing a number of issues relevant to this that provides reports annually to the IGC.

55 A necessary precondition for “the full and direct participation of indigenous peoples in all international processes on matters that particularly concern them” is “consistent financial and administrative support is needed to ensure that indigenous peoples maintain appropriate participation in international bodies”. Human Rights Council Study on indigenous peoples and the right to participate in decision-making Item 3 of the provisional agenda at its Third session 12–16 July 2010, Doc. A/HRC/EMRIP/2010/2 (2010) at paragraph 96. For example, the WIPO Voluntary Fund was established in October 2005 to facilitate the participation of representatives of already accredited organizations representing indigenous and local communities within the IGC.

56 *Ibid* at paragraph 98.

Table 1: Responses received from accredited observers to the WIPO IGC

Observer	Traditional Cultural Expressions	Traditional Knowledge	Traditional Cultural Expressions and Traditional
Eurasian Patent Office		PDF 2	
Federación Ibero-latinoamericana de Artistas Intérpretes y Ejecutantes (FILAIIE)	PDF 1		
International Chamber of Commerce (ICC)		PDF 3	
International Federation of Pharmaceutical Manufacturers & Associations (IFPMA)		PDF 4	
International Publishers Association (IPA)			PDF 6
Intellectual Property Owners Association (IPO)		PDF 5	
Ogiek Community			PDF 7

PDF 1 (http://www.wipo.int/export/sites/www/tk/en/igc/pdf/filiae_tce_es.pdf)

PDF 2 (http://www.wipo.int/export/sites/www/tk/en/igc/pdf/eurasian_patent_office_tk.pdf)

PDF 3 (www.wipo.int/export/sites/www/tk/en/igc/pdf/icc_tk.pdf)

PDF 4 (http://www.wipo.int/export/sites/www/tk/en/igc/pdf/ifpma_tk.pdf)

PDF 5 (http://www.wipo.int/export/sites/www/tk/en/igc/pdf/ipo_tk.pdf)

PDF 6 (www.wipo.int/export/sites/www/tk/en/igc/pdf/ipa_tk-tce.pdf)

PDF 7 (www.wipo.int/export/sites/www/tk/en/igc/pdf/ogiek_tk-tce.pdf)

Community Participation in Folk Festivals for Protecting Intangible Cultural Heritage and the Role of NGOs as Facilitators of Feedback

V. JAYARAJAN

Folkland, International Centre for Folklore and Culture

Objectives of the Study

Main objectives of this study are as follows-

1. To analyze folk festivals and to understand their role in protecting intangible cultural heritage.
2. To identify how folk festivals promote the tourism industry.
3. To study the role of folk festivals in the economic growth of the state and its people.
4. To identify the role of NGOs as facilitators of feedback in order to protect the ICH.

The Area of the Study

Kerala - a tiny and one of the most scenic states of India, lies in the south western tip, is covered with lush green coconut palms and beautiful back waters. Blessed by the south west and north east monsoons, the state has a high level of development standard and enjoys nearly 100% literacy. This land is enclosed by the Arabian Sea on the west, the Indian Ocean on the South and the hill range known as the Western Ghats on the east. Total population is 34.8 million (2012). People of Kerala celebrate several festivals that include ritual and social.

Folk festivals are considered to be special occasions of feasting or celebrations. It is described as an exposition of intangible cultural heritage as it usually promotes music, dance, crafts, different kinds of culinary items, folk architecture etc. It also helps to encourage the traditions and recognize the tradition bearers as well. The method of conducting a folk festival in Kerala is very unique as it embraces different sections of people. All genres of folklore are also involved in a festival which passes down from one generation to the other orally.

General Classification

Festivals of Kerala can be generally classified as (A) Seasonal as conducted in

accordance with the lunar and solar calendar. (B) Religious festivals based on mythology of a religion are conducted by different religions. (C) Social festivals are common to the society. (D) Political festivals are the festivals connected with the important events of Nation or State. Some festivals are international in character, while the others are national. There are regional festivals too and have only regional importance. Community based festivals have its relevance only among the participating community.

Folk Festival and ICH

It is a fact that a folk festival is considered to be an opportunity for cultural exchange as it is an exposition of different cultures. In a folk festival as it hosts different genres of cultural expressions, the tradition bearers can participate and exhibit their original skill by way of performing the music, dance, making or preparing the handicrafts, costumes etc. Therefore a folk festival is a space of performance where the performers feel free to expose themselves “Within a museum without walls. “

Folk festival is an open invitation to the people to learn, sing, dance, eat and entertain as it provides platform for different folk performances and craft traditions. It also gives an opportunity for interaction between the participating artistes/artisans and viewers/observers.

Another feature of a folk festival is that it protects and promotes cultural diversity, as it embraces different cultural traditions. An international festival is a combination of cultures of different nations. A national festival on the other hand is an amalgamation of different ethnic groups of a particular country. A festival of a particular community also hosts different folk genres of that community.

Participation of Community Members

A folk festival encourages active participation of all community members. It is a festival of all the people belonging to that particular group. An organizing committee is elected by the members of the community or an organization that hosts the festival. Either internal democracy or a traditional system followed by precedent is maintained in selecting the office bearers of the organization and decision making. It also gives ample opportunity to all ethnic groups to participate.

Another remarkable merit of a folk festival is that it legitimizes the tradition and respects the tradition bearers. Authentic representation of artists is ensured in folk festivals. In Kerala, ritual performances are caste based performances. Crafts related to temple festivals are restricted to certain artisan communities.

Another feature of a folk festival is that it safe guards fair and equitable access to cultural resources of the respective communities of a region. Festival also brings together both the genders without any bias. In the case of ritual performances in temple festivals, there are some restrictions to feminine genders. But on the other hand female folk are also involved in making the crafts, selling the products along with their role in performing as an artist in the festival. A folk festival gives access to differently abled persons, and children.

A festival has several functions in the society. It is social as it brings together the different ethnic groups of the society; its religious function is satisfied when a festival involving religion is conducted. Another important function is economic as it involves huge amount depending the structure and size of the festival. Large revenue can be accumulated through the donation, ticket sales, sponsorships, leasing out the commercial plots etc. Laborers, vendors, business such as hospitality and transport, artists and artisans are also benefited economically in a festival. Another function of a folk festival is that it has to follow ritual duties when the festival is related to religion, temple or mythology etc. Political festival is a festival related to the nation or state. Independence Day, republic day, state reorganization day, commemoration of national, regional leaders etc. are also to be included in this.

Nongovernmental Organizations as Facilitators of Protecting ICH in a Folk Festival

NGOs have an important role in conducting a folk festival for protecting the intangible cultural heritage traditions. They act as facilitators in some festivals but mostly the execution of a festival whether it is regional or national lies in the hands of NGOs. The important Festivals of Kerala State such as Onam (Harvest festival) Vishu (New year festival) Thiruvathira (Mythological festival of Women folk) are conducted by various NGOs regionally with varieties of programs in order to protect the intangible cultural heritage. Extending the feed back in the conduct and protection of ICH in appropriate

manner is another role carried out by NGOs. Local clubs, cultural organizations , resident associations, temple organizations, youth, women wings of religious organizations and political parties also work towards the conduct of a folk festival as felicitators.

Preservation of Ha Kites Techniques by the Government

Yiqi HA

The fourth generation successor of Beijing Hashi-style Kite

Boasting a history of over 170 years, the Ha Kites was originated in the Late Qing Dynasty in Beijing China. And now, it has been inherited to the fifth generation.

The Ha Family was originally a minority tribe in Xinjiang in the western part of China. The tribe believed in the Islamism. The members were nomadic people serving in the army. According to Professor Ha Jingxiong, former President of Minzu University of China, “the Ha Family was originated in the Western Regions. And the earliest ancestors, Hala Buding and his brother Hala Buda, moved to the Central Plains on lunar February 22 in the 3rd year under the reign of Emperor Jingtai of the Ming Dynasty (1452). The members mainly settled in areas such as Nanjing and Hejian in the Ming and Qing Dynasties. The Ha Family had been separated and relocated for several times in the history. And the family members then lived and multiplied all across the country. Now the Family has a history of 568 years.”

The Ha Kites Family was the later generation of Ha Tingliang, the Number One Martial Art Scholar from the 9th generation of the Ha Family. Ha Tingliang (1714-1789) was from Xian County of Hebei Province.

The Number One Martial Art Scholar was the candidate ranked 1st in the Imperial Examinations in the 17th year under the reign of Emperor Qianlong (1752). He was demoted as a civilian later on for some incidents. To earn a living, he began to make and sell kites. When it came to the generation of my grandfather, Ha Kites Styles were finally established. At the 1915 Panama Pacific Interactional Exposition held in San Francisco in the United States, the four kites themed by “butterfly”, “dragonfly”, “red-crowned crane” and “phoenix” made by Ha Changying of the second generation were awarded Silver Prize at the event.

I began to learn oil painting and Chinese painting. And in 1977, I formally began to learn from my father Ha Kuiming on the patrimonial kite techniques. And now it has

been about 40 years. In 1986, the book *Chinese Artistic Kites* (The culture and art of China series) co-compiled by my father and it was published by the Commercial Press in Hong Kong. Later on, the English and Japanese versions of the book was published respectively in the United States and Japan. The book was awarded prizes in San Francisco (the United States) and Hague (Netherlands) respectively in 1983 and 1998.

Since the China's signing of the treaty on protection and preservation of international intangible cultural heritages in October 2003, the Ha Kites techniques have been supported on all aspects vigorously by the national government.

I. Social Position

In May 2005, Ha Yiqi, the 4th generation inheritor of the Ha Kites in China was recruited as researcher on folk art creation by the Chinese National Academy of Arts;

In September 2009, the *Oral History of Chinese Artistic Kites by Ha Family*, was published by the Ministry of Culture of the People's Republic of China, together with the oral histories of 9 other types of major folk arts;

In December 2008, craftsmanship of Ha Kites was listed into the national intangible cultural heritage program;

In December 2012, Ha Yiqi was elected as inheritor for national intangible cultural heritage.

II. Financial Supports

1. A fixed financial subsidiary of RMB 50,000 is granted by the state on a yearly basis;
2. Intangible cultural heritage inheritance and protection funds may be applied every year or every other year. A supporting fund of RMB 100,000 to 200,000 would be granted on average (as the case may be for each specific program).

III. Inheritance of Intangible Cultural Heritage

1. I have painted over 150 copies of picture copybook for Chinese artistic kites in my spare time for the past about ten years, of which 100 were donated to the National Gallery of Art in December 2015.

2. In 2014, I wrote and published the book *Ha Kites*(published in Chinese)

3. I have attended over 100 exhibitions of various types at home and abroad.

With learning and making kites for long years, I have comprehensively inherited the artistic features and craftsmanship of the Ha Kites and further stabilized the technique styles of the Ha Kites. I have made in-depth understandings on the artistic achievements of the ancestors and further promoted them. By carefully researching the excellent works of the Ha Kites of previous generations, I have meticulously reproduced the charms of such works while maintaining the original features of the structures and colors as possible. Furthermore, I have summarized five types of inheritance.

1. Written Records:

I have taken a great number of notes and published three books on the Ha Kites, with a total wordage of hundreds of thousands.

2. Works and Patterns:

I have taken 10 years to record the pictures of the kites inherited by four generations by means of picture copybook item by item in my spare time in hope of preserving artistic patterns of the Ha Kites for our later generations.

3. Mentorship:

Mentorship is an important form for dynamic inheritance. The next generation is instructed to learn and master the techniques of the Ha Kites by oral teaching that inspires true understanding within.

4. Publicity and Generalization:

Participate in various types of exhibition activities at home and abroad and give lectures in colleges, universities as well as primary and middle schools so as to make more people to understand the techniques and cultures of the Ha Kites.

5. Innovation:

Take innovative initiatives to design kites with new structures, patterns and colors based on the inheritance of the techniques of the ancestors so as to extend the artistic categories of the Ha Kites.

PRESENTED PAPERS

Session 5. *New initiative to encourage IRCI's ICH researchers' network*

New Initiative to Encourage IRCI's ICH Researchers' Network

Shigeaki KODAMA

International Research Centre for Intangible Cultural Heritage in the Asia-Pacific Region

The International Research Centre for Intangible Cultural Heritage in the Asia-Pacific Region (IRCI) was established in October 2011 under the National Institutes for Cultural Heritage, Japan as a Category 2 Centre of UNESCO. IRCI's objectives are to promote the UNESCO Convention for the Safeguarding of Intangible Cultural Heritage (ICH) and its implementation, and to enhance the safeguarding of ICH through instigating, facilitating, and coordinating research in the Asia-Pacific region. The IRCI has run the Mapping Project since 2013 to promote research on ICH safeguarding through analysing current trends and challenges by three activities, specifically; 1) holding international experts meetings and conferences, 2) literature survey on ICH safeguarding research in the Asia-Pacific region, 3) research data collection on ICH safeguarding in the Asia-Pacific region and optimisation of its use.

1. Session Background

As stipulated in its midterm programme (2016-2020), IRCI contributes to the enhancement of the safeguarding of ICH and the research for safeguarding through promoting research activities on the following domains in consistent with the 2003 Convention:

- A. (i) Current status of researches on the safeguarding of ICH;
- (ii) Policies and various methodologies for the safeguarding of ICH;
- (iii) Good practices of the safeguarding of ICH.

During the course of implementing what mentioned above, IRCI instigate following activities:

- B. (i) Participation of young researchers who are engaged in the research on the safeguarding of ICH into the activities of IRCI;
- (ii) Collaboration with researchers and research institutions;
- (iii) Organising international experts meetings and research workshops to discuss various methodologies and practices of the safeguarding of ICH.

According to this main line of action, IRCI promotes research for the safeguarding of ICH, through conducting the following activities regarding the practices and

methodologies of safeguarding, in cooperation with research institutions and researchers working in the Asia-Pacific region:

- C. (i) Instigate research activities and develop the researchers' community through international conferences, experts meetings, and publications;
- (ii) Examine and develop strategies for optimizing the use of research data, while collecting research information.

IRCI has been conducting its 'Mapping Project' from 2013 to achieve the objectives mentioned above. Through this project, IRCI tries to share research information and to promote researchers' community through international conferences and meetings and also research information collection (literature survey). IRCI had held 5 international expert meetings during the four years with the participation of 60 experts in the Asia-Pacific region including young researchers. 28 researchers in the Asia-Pacific region participated in the literature survey in 2015 and 2016. In the year 2017, IRCI hold an international symposium in collaboration with Center for Glocal Studies, Seijo University and conduct literature survey in 10 countries. The Literature survey will cover 38 countries in total by the end of 2017.

In this session, IRCI presents the outline of activities within the Mapping project and its results from 2013 to 2016 and asks comments from the researchers to reflect upon the future orientations of the project.

2. Outline and Outcomes of the activities in the Mapping project

The outline and outcomes are as follows:

FY	Activities and Results
2013	Activity: Preparatory Experts Meeting in Bangkok on 19-20 February 2014 (13 experts) Some recommendations to IRCI: 1. Conduct a survey on the research for the ICH safeguarding in the Asia-Pacific region. 2. Hold an experts meeting to map the research and identify key issues on the research. 3. Construct a database within the IRCI's own operation, not within the Mapping project.

2014	Activity: International Experts Meeting in Kuala Lumpur on 26-27 January 2015 (10 experts)
	Some recommendations to IRCI: <ol style="list-style-type: none"> 1. Conduct a survey on literature and research studies relating to the ICH safeguarding in the Asia-Pacific region in cooperation with the experts in the region. 2. Hold an experts meeting to analyse the result of the survey and to identify which areas of research need to be fostered in order to enhance research for safeguarding ICH in the Asia-Pacific Region.
	Activity: Research Database on ICH safeguarding in the Asia-Pacific Region 476 items were collected by IRCI and added to the database.
2015	Activity: Literature survey in 17 countries 702 items were collected and added to the database. The number of entries reached 1,178.
	Activity: International Experts Meeting in Bishkek on 8-9 December 2015 (18 experts) Some issues on the research for ICH safeguarding in the Asia-Pacific region were discussed. New survey foci were recommended: 1. Community participation in designing, implementing and evaluation/monitoring of the safeguarding measures; 2. Impact of the safeguarding measures implemented on the ICH elements.
2016	Activity: Literature survey in 11 countries 833 items were collected and added to the database. The number of entries reaches 2,011.
	Activity: International Experts Meeting in Sakai on 18-19 November 2016 (19 experts) The future orientation of the survey and mapping project and the result of survey in 2015-2016 were discussed. Some recommendations were proposed after discussion. <ol style="list-style-type: none"> 1. IRCI's literature survey will include research activities before the Convention because research activities on ICH in general can be traced back to the pre-convention periods. 2. As a research institute for ICH that covers the Asia-Pacific region, IRCI will not overlook both contemporary, post-Convention safeguarding activities and traditional ones. 3. IRCI will enlarge the scope of targeted literature including ethnographic reports on ICH, digital archiving, and the conventional documentation of various ICH.
2017	Activity: Literature survey in 10 countries
	Activity: 'Glocal Perspectives on Intangible Cultural Heritage' on 7-9 July 2017

3. Future Orientation of the Mapping Project

As shown in section 2, IRCI has been strengthening research network to instigate research activities for ICH safeguarding in the Asia-Pacific region. Considering the outcomes of the research activities, its midterm programme and the draft UNESCO Programme and Budget (UNESCO 39 C/5) under discussion, to instigate research activities (C (i)) through the established researcher networks IRCI drafts the future orientation of the Mapping project as following:

1. At the 2016 expert meeting, it is suggested that literature survey will include research activities before the Convention. The results of such kind of activities are thought to be stored in libraries or archives in and outside the target countries. It is also suggested at the meeting, that IRCI will not overlook both contemporary, post-Convention safeguarding activities and traditional ones and that IRCI will enlarge the scope of targeted literature other than printed matters.

Considering these suggestions, what IRCI can do to conduct more thorough and effective survey? For example, IRCI asks not only experts, but also national archives or libraries to conduct the survey where many research resources before the Convention, digital archiving and so on are expected to be stored. In that case, IRCI may develop new survey methodology suitable for such institutions. It may also strengthen the collaborative ICH-research network in the Asia-Pacific region.

2. As a follow-up activities to the current symposium, case studies on how communities, researchers and local and central governments collaborate for the safeguarding of ICH in his/her country will be investigated by research institutions/ researchers.
3. As UNESCO makes efforts to contribute to the realization of the objectives of SDGs approved two years ago, our survey or collaborative research can envisage the themes such as “inclusive social development”, “inclusive economic development”, “environmental sustainability” and “ICH and peace ” described in the Operational Directives revised in 2016, placing a particular emphasis on the participation of the young researchers (B (i)) and to the extent that the activities would not overlap with the other IRCI's projects.

4. The importance of research for the ICH safeguarding is increasingly recognized. Thus, IRCI is collecting information of researchers and research institutions in the Asia-Pacific region now. To enhance researchers' network, would IRCI also try to collect information of researchers and institutions outside the Asia-Pacific region? In addition, IRCI's challenge is how to promote research activities of each country's institutions while fostering young researchers (B (i)).

5. As described in the section 2, more than 60 researchers in total has been involved in the Mapping project and researchers' network was built within the activities of the project. How will IRCI utilize the existing researchers' network to enhance it and to create a shared academic platform in future?

Comments 1

Hanhee HAHM

Chonbuk National University

The mapping research for the safeguarding of ICH in the Asia-Pacific Region is quite useful in that different backgrounds and current situations of safeguarding ICH in each country become well understood. After reviewing of the eleven countries' summary reports, I have discovered that the concepts of 'safeguarding,' 'ICH,' and 'community' are used differently in the varied contexts of collecting and analyzing of literature relevant to ICH. In particular, the terminology of safeguarding from an operational perspective is to be discussed in order to arrive at a common ground with respect to its definition. I also found out that there are plenty of good ethnographic studies on indigenous people. More than many minority cultures were documented by researchers and specialists from developed countries. There are many good qualities of photos and films included in the documents recorded in early days.

I would like to try to answer each question that Mr. Kodama raised in his presentation.

Q1: Pre-convention materials: He mentioned about the pre-convention materials. Much of the literature reviewed in the Mapping project were completed before the Convention and therefore the contents of these literature are not closely matched or related to the concerns and issues brought by the Convention. However, there are plenty of good ethnographic studies on indigenous people in some countries (e.g. Palau, Vanuatu, and Nepal). Those are valuable research papers, books and reports documented by anthropologists, missionaries and journalists during the last hundred years through modernization, industrialization and urbanization. It would be good if the copies of the collections could be first digitalized and shared among the source communities and institutions. Not only the written materials, but also there are many good qualities of photos and films regarding indigenous people and their cultures. I recommend the contacts with libraries and archives having such collections to be necessary.

Q 2: Case studies on how communities, researchers and local and central governments collaborate for the safeguarding of ICH will be investigated by research institutions/researchers. ICH specialists should be involved in IRCI. I found out that some

researchers are not specialists in the field of ICH. Archeologists, artists, historians and even administrators who are not familiar with ICH. As Prof. Hyoki showed us yesterday, in Japan officials and curators working in local governments who know well about communities and their ICH are the specialists in the field. Particular in the area of East-Asian countries, researchers hired by governments or working for the governments are the backbones of ICH research fields.

Q 3: The promoting of SDGs in accordance with the safeguarding of ICH would sometimes meet the conflict of interest. It is not easy to make balance between the promoting of SDGs goal and the safeguarding of ICH. In the first place, some ICH communities may welcome the idea of SDGs to get benefits but in a long run they might be damaged by an unprepared and thoughtless proposal and practices. To prevent this, we need to have a more thorough consideration of the safeguarding measures before the implementing of the SDG programs.

Q 4 & 5: It is important to establish internet networks. Through the internet communication researchers could expand their networkings. In addition it helps to recruit young scholars who are apt to the digital activity.

Comments 2

Alexandra DENES

Chiang Mai University

It is my pleasure to have this opportunity to comment for this session on initiatives to encourage IRCI's ICH researchers' network. I read with interest to Mr. Kodama's paper on this topic, which succinctly summarizes IRCI's efforts over the past several years to support the enhancement of safeguarding and research on safeguarding ICH in the Asia Pacific.

I had the opportunity to participate in the IRCI's Mapping Initiative in 2015 ("Mapping Research for the Safeguarding of ICH in the Asia-Pacific Region"), as an author of the

Survey Summary Report for Thailand and as the author of the Survey Summary Report for the Asia Pacific, which covered 12 countries in the region, including: Australia, Bangladesh, Cambodia, China, Lao People's Democratic Republic, Kazakhstan, Kyrgyzstan, Republic of Korea, Tajikistan, Thailand, Uzbekistan, and Viet Nam. I also participated via Skype in the Bishkek meeting held on the 8-9th December 2015 to present these findings and contribute to the discussion about IRCI's future initiatives for research on safeguarding. It is with interest, therefore, that I read Mr. Kodama's latest report on more recent initiatives, including the continuation of the survey of an additional 11 countries and an the Experts Meeting in Sakai in November 2016. I am also encouraged to see that the IRCI has broadened the scope of the research to include safeguarding and ICH research prior to the Convention, as well as ethnographic reports, digital archives, and other forms of documentation. IRCI is to be commended for its continued efforts and commitment to compiling the ICH safeguarding database for the Asia Pacific, and to supporting regional networking among researchers in this field.

For the purpose of this session, I will limit my comments to two main points, the first pertaining to the research survey and database, and the second pertaining to the question of researcher networks.

In his conclusions, Mr. Kodama asks what might be done to conduct a more thorough and effective survey, pointing out the potential utility of collaborating with national archives, libraries, digital archives and others. While I agree that such collaboration would be an important way to gain access to additional existing research, I think it is important at this stage to first take a step back and revisit the original objectives of the database, and whether these aims have been realized in practice. From my perspective, the database offers a broad, and general picture of the kinds of ICH and research on intangible culture that is being undertaken in the Asia Pacific. However, because of the limitations of the database format, it does not provide access to the more detailed content of the research, or information on where the research is located or how the actual content might be accessed by researchers using the site. In response to Mr. Kodama's question about the effectiveness of the survey, therefore, one important consideration is how to make the actual findings more accessible to the researchers who are the target users of the database. This is where it would be helpful to collaborate with national archives, digital libraries, and others, to develop the IRCI database portal as a platform

for bringing together institutions in the region who have existing resources on ICH, and to provide links to content where possible, or further information about the location of written or audiovisual research.

Turning now to the second point regarding researcher networks, I believe it would be very important and valuable for IRCI to support the kinds of field-based research initiatives that Mr. Kodama proposes in his conclusion, namely, case studies on how communities, researchers and local and central governments collaborate for the safeguarding of ICH in his/her country. Such a project could be comparative in its approach, bringing together researchers in the Asia Pacific to exchange lessons during the research process and publish and share findings. This kind of field-based research could offer nuanced insights into the kinds of safeguarding initiatives being implemented at the grassroots level, including both the strengths and challenges faced by different stakeholders. I also strongly support the suggestion that regional research could take a thematic approach, looking at “social development”, “inclusive economic development”, “environmental sustainability” and ICH and peace, as again, these thematic, field-based projects would offer insights on how the Convention is actually contributing to these objectives through implementation of projects by local and state actors.

Comments 3

Thi Hien NGUYEN

Vietnam National Institute of Culture and Arts Studies

The National Institute for Cultural Heritage established the International Research Centre for Intangible Cultural Heritage in the Asia-Pacific region (IRCI) in October 2011. IRCI has operated its activities with its 6 missions including (1) to instigate and coordinate research into practices and methodologies of safeguarding; (2) to assist countries in the Asia-Pacific region; (3) to organize workshops and seminars focusing on the role of research; (4) To encourage and assist young researchers; (5) To cooperate with other category 2 centers and institutions active in the domain of safeguarding ICH; (6) To initiate cooperation among all other interested institutions active in the domain of

safeguarding ICH in the Asia-Pacific Region.

So far, IRCI has done quite a number of works including the mapping project, the organizing symposiums on various topics (ICH policies and safeguarding) as follows:

1. Mapping project

One of the achievements that IRCI have done is the mapping project. As in its report, since 2013, IRCI has developed the network of experts and researchers on the literature reviews on ICH researchers. The project covers the literature survey in 38 countries in total at the end of 2017. The quite numerous entries have been updated and accessed.

In the future IRCI will continue its the survey of the literature before the 2003 Convention in and even in the history if the past empires or dynasties in the Asia-Pacific countries that carried out the safeguarding measure of ICH in policies and in practice.

Also, there are archives in the central institutions and local museums that have archived the ICH's collections and writings. Also, in localities, there are research works and collections of ICH elements by local intellectuals who have done so far. A number of their works have archived at the local libraries, or the works are still kept by the collectors and their families. Thus, in the future, IRCI may have its strategy to have the literature entries of these local literature by collaborating with the local community members and local ICH cadres.

I expect that the literature reviews of the entries by the 38 countries are more thorough and in details and they are available online that the other researchers (especially young ones) can access both the literature review and entries.

2. The other activities

- The current symposium on the global perspectives on the ICH works (research, nomination, inventory, inscription) is interesting theme. The following up activities will collaborate with the institutions in the Asian-Pacific countries to organize such a symposium or to investigate this topic more in depth by exploring the case studies in the relevant countries.
- IRCI can do more works if they collaborate with the institutions in the Asia- Pacific countries to organize more symposium on the large range of themes as mentioned in its reports (ICH and sustainable development, ICN and inclusive social development, ICH and peace

3. Sustainable network of experts and researchers

- IRCI have developed the network of the researchers who have done the literature survey. IRCI can foster the network by collaborating with them to have the additional reviews that they have not covered yet and update the survey.

4. New initiatives

- There are some emergent issues on ICH safeguarding in specific countries. IRCI may have its initiatives to have symposiums on the themes that are very specific and emergent issues on the safeguarding of ICH in a specific country such as the politics of ICH and inscription, the animal sacrifice, the involvement of the outsiders and government/authorities in the safeguarding, the top-down and bottom-up approaches to the safeguarding.
- By exploring such specific emerging themes, it is interesting to see how the diversity of ICH is and how the Asia-Pacific countries reflect the Convention and how the management of ICH in the region faces.

CLOSING REMARKS

Closing Remarks

Wataru IWAMOTO

Director-General

International Research Centre for Intangible Cultural Heritage in the Asia-Pacific Region

As you know, the Preamble of the UNESCO's Constitution declares that "Since wars begin in the minds of men, it is in the minds of men that the defenses of peace must be constructed." In this regard, the Intangible Cultural Heritage is one of the most important policy measures for the construction of peace.

In one sense mutual respect of ICH should prevail in interactions between States and between communities, groups and individuals, as Ethical Principles stipulates. In the other sense, for the safeguarding of the ICH, the cooperation among these stakeholders is so important. As we have discussed yesterday and today, local communities, researchers, states and UNESCO have different, but essential roles. I personally think this is a good example of multi-stakeholder approach. Different from the traditional citizens' participation such as hearing or consultation, it implies the collaborative work of various stakeholders in the framework of the international and national legal framework. This is what I have learned from the energetic discussions of two days.

I sincerely thank the chairpersons and speakers for their active engagement. I also thank all the staff of Seijo University including young students for their support. I am also grateful for my staff of IRCI coming from Sakai for their assistance. My gratitude also goes to the interpreters. An Italian proverb says "Traduttore, traditore" that means "Translate is betray". However you have translated our discussions with fidelity and without betray. With your help, we could discuss on complex matters without difficulties.

Tomorrow we will enjoy the field trip to the Puppet Theatre arranged by Seijo University, but I would also wish a safe return for the international participants.

We would like to continue to discuss with you. Thus, I declare the closure of the Symposium.

Thank you.

ANNEXES

ANNEX I

Programme of the Symposium

Dates and Venue

Dates: 7-9 July 2017

Venue: Seijo University

Address: Daikaigishitu, Hōjin-tō 3F, Seijo Gakuen, 6-1-20 Seijo, Setagaya, Tokyo, Japan

Day 1: 7 July (Friday): (Venue: 3rd floor, Hojinkan, Seijo University)

9:00-9:30 Registration

9:30-9:40 Welcome Remarks

Mr Junichi TOBE, President, Seijo University (Japan)

9:40-10:00 Opening Remarks

Mr Tomiyuki UESUGI, Symposium President, Director/Professor, CGS (Japan)

Mr Wataru IWAMOTO, Symposium President, Director-General, IRCI (Japan)

Mr Tim CURTIS, Chief, Intangible Cultural Heritage Section, UNESCO

10:00-11:00 Keynote Speeches

Mr Koïchiro MATSUURA, Former Director-General, UNESCO

Ms Lourdes ARIZPE, Professor, National Autonomous University of Mexico

11:00-11:15 Coffee Break

11:15-13:05 Session 1: Session Chair: Mr Tomiyuki UESUGI (Japan)

Session Theme: *How local communities, local officials, researchers and government officials collaborate for the implementation of the UNESCO's ICH convention by inventory making, safeguarding, nomination and inscription?*

Session Participants:

Presenter1: Ms Hanhee HAHM (Republic of Korea)

Presenter2: Ms Thi Hien NGUYEN (Viet Nam)

Presenter3: Mr Minoru KOBAYASHI (Japan)

Presenter4: Mr Young Joon HA (Republic of Korea)

Comment from the Chair

13:05-13:55 Lunch

13:55-15:45 Session 2: Session Chair: Mr Michael D. FOSTER (USA)

Session Theme: *What has been the transformative impact of the Convention, notably how have communities accessed its impact?*

Session Participants:

Presenter1: Ms Shubha CHAUDHURI (India)

Presenter2: Mr Deming AN (China)

Presenter3: Mr Tomo ISHIMURA (Japan)

Presenter4: Mr Hiroyuki SHIMIZU (Japan) (Mr Hisakatsu, MIZUNIWA (Japan))

Comment from the Chair

15:45-16:00 Tea Break

16:00-17:50 Session 3: Session Chair: Ms Noriko AIKAWA-FAURE (Japan)

Session Theme: *What is the role of researchers as “cultural brokers” in assessing the impact of the implementation of the Convention?*

Session Participants:

Presenter1: Ms Alexandra DENES (USA)

Presenter2: Mr Satoru HYOKI (Japan)

Presenter3: Mr Seiichi NAKAJIMA (Japan)

Comment from the Chair

18:20-20:20 Reception Dinner (Venue: Basement 1st floor, Building No.7, Seijo University)

Day 2: 8 July (Saturday): (Venue: 3rd floor, Hojinkan, Seijo University)

9:00-10:50 Session 4: Session Chair: Mr Tim CURTIS (UNESCO)

Session Theme: *What is the possible feedback mechanisms for local communities to communicate to UNESCO, the impact of the Convention on them?*

Session Participants:

Presenter1: Ms Janet Elizabeth BLAKE (Iran)

Presenter2: Mr Vayalkara JAYARAJAN (India)

Presenter3: Mr Yiqi HA (China)

Comment from the Chair

10:50-11:05 Coffee Break

11:05-12:55 Session 5: Session Chair: Mr Wataru IWAMOTO (Japan)

Session Theme: *IRCI Session: New initiative to encourage IRCI’s ICH researchers’ network*

Session Participants:

Presenter1: Mr Shigeaki KODAMA (Japan)

Commentator1: Ms Alexandra DENES (USA)

Commentator2: Ms Hanhee HAHM (Republic of Korea)

Commentator3: Ms Thi Hien NGUYEN (Viet Nam)

12:55-13:35 Lunch

13:35-14:05 On-campus Excursion:

Institute of Japanese Folklore, and the Yanagita Library (Seijo University).

14:05-15:40 General Discussion and Wrap up Session

Session Chairs: Mr Tomiyuki UESUGI, and Ms Noriko AIKAWA-FAURE

15:40-16:10 Closing Remarks

Mr Wataru IWAMOTO

Day 3: 9 July (Sunday):

10:50-17:00 Post-Symposium Cultural Excursion: Sagami Ningyo Shibai (Sagami Puppet Theater)

Venue: Atsugi Southern Community Hall and Community Civic Center
(2-4-18 Asahicho, Atsugi-shi, Kanagawa 243-0014 Japan)

ANNEX II

List of Participants

Keynote Speakers	
Ms Lourdes ARIZPE (Video message)	Professor, National Autonomous University of Mexico
Mr Koïchiro MATSUURA	Former Director-General, UNESCO
Session Chairs	
Ms Noriko AIKAWA-FAURE	Former Director/Chief, Intangible Cultural Heritage Section, UNESCO
Mr Tim CURTIS	Chief, Intangible Cultural Heritage Section, UNESCO
Mr Michael FOSTER	Professor, Department of East Asian Languages and Cultures, University of California, Davis, USA
Mr Wataru IWAMOTO	Director-General, IRCI, Japan
Mr Tomiyuki UESUGI	Director/Professor, Center for Glocal Studies, Seijo University, Japan
Presenters	
Mr Deming AN	Researcher, Institute of Literature, Chinese Academy of Social Sciences, China
Ms Janet Elizabeth BLAKE	Associate Professor, Department of Islamic Law, Faculty of Law, Shahid Beheshti University, Iran
Ms Shubha CHAUDHURI (Video presentation)	Vice-President, International Association of Sound and Audio Visual Archives, India
Ms Alexandra DENES	Lecturer, Department of Media Arts and Design, Chiang Mai University, Thailand
Mr Yiqi HA	The Fourth Generation Successor of Chinese Hashi-Style Kite, China
Mr Young Joon HA	President, Yeongsang Tug-of-War Preservation Society, Republic of Korea
Ms Hanhee HAHM	Professor, Department of Archaeological and Cultural Anthropology, Chonbuk National University, Republic of Korea
Mr Satoru HYOKI	Associate Professor, Department of Cultural History, Seijo University, Japan
Mr Tomo ISHIMURA	Head, Audio-Visual Documentation Section, Department of Intangible Cultural Heritage, Tokyo National Research Institute for Cultural Properties, Japan
Mr Vayalkara JAYARAJAN	Chairman, Folkland, International Centre for Folklore and Culture, India

Mr Minoru KOBAYASHI	Chief Senior Specialist, Traditional Culture Division, Cultural Properties Department, Agency for Cultural Affairs, Japan
Mr Shigeaki KODAMA	Associate Fellow, IRCI, Japan
Mr Seiichi NAKAJIMA	Lecturer, Seian University of Art and Design/Formers Director, Nagahama City Hikiyama Museum, Japan
Ms Thi Hien NGUYEN	Vice Director, Center for Cultural Heritage, Vietnam National Institute of Culture and Arts Studies, Viet Nam
Mr Hiroyuki SHIMIZU	Lecturer, Ibaraki Christian University/ Former Curator of Folklore, Hitachi City Museum, Japan
Mr Hisakatsu MIZUNIWA	President, Association for the preservation of Hitachi Hometown Performing Arts, Japan
Agency for Cultural Affairs	
Ms Yasue HAMADA	Deputy Director, Office for International Cooperation on Cultural Properties, Traditional Culture Division, Cultural Properties Department, Agency for Cultural Affairs, Japan
Organisers	
Seijo University, Japan	
Mr Junichi TOBE	President
Mr Tomiyuki UESUGI	Director/Professor, Center for Glocal Studies
Mr Masato OZAWA	Deputy Director/Professor, Center for Glocal Studies
Ms Mari SHIBA	Postdoctoral Fellow
International Research Centre for Intangible Cultural Heritage in the Asia-Pacific Region (IRCI), Japan	
Mr Wataru IWAMOTO	Director-General
Ms Misako OHNUKI	Deputy Director-General
Mr Yohei HAYASHI	Chief Officer
Mr Shigeaki KODAMA	Associate Fellow
Mr Goro HASEGAWA	Associate Fellow

