South-East Asia
I’ve been asked to speak about regional collaboration for safeguarding intangible cultural heritage in South-East Asia, but I will be focusing more on safeguarding as it relates to the 2003 Convention, particularly on processes for ratification, inventory making, and legislative measures that have or have not been taken.

It is important to know that there is a broader sense in which safeguarding happens at its best when UNESCO is not needed by which I mean it is happening in the communities, and there is no need for international conventions, laws, and national measures. That is the ideal situation. Unfortunately, that is not the situation of the world today. That is why we have the 2003 Convention, and that is why these measures are being put into place. I am going to try to focus on that.
I. Overview

In talking about South-East Asia, I am particularly referring to ASEAN, the Association of South-East Asian Nations. We have six countries that have ratified the Convention—Brunei Darussalam, Cambodia, Indonesia, Lao People’s Democratic Republic, the Philippines, and Viet Nam. Then, we have some countries that are well on their way towards ratifying, and some that we are unclear of what their intention is. What we will see through this presentation is that some countries, although they have not ratified, are already implementing the principles of the Convention.

Here are some of elements on some of the UNESCO lists.

<table>
<thead>
<tr>
<th>Country</th>
<th>The Representative List of intangible Cultural heritage of Humanity</th>
<th>Register of Best Safeguarding Practices</th>
<th>the List of Intangible Cultural Heritage in Need of Urgent Safeguarding</th>
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<tr>
<td>Malaysia</td>
<td>Malaun Theatre (2009)</td>
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<tr>
<td>Viet Nam</td>
<td>Giong festival of Phu Dong and Soc temples (2010)</td>
<td>Quan Ho Bac Ninh folk songs (2009)</td>
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You may ask why an element from a specific country is listed even though the country hasn’t ratified the Convention; it is because there was, as many of you know, the proclamation of Masterpieces of the Oral and Intangible Heritage of Humanity in the beginning. And those elements that were proclaimed as Masterpieces were automatically included on the Representative List. Also interesting to note is that Indonesia has one element on the Best Practices Register; something we are actively trying to encourage. Viet Nam also has one—and one other as of a day or two ago, I believe—put on the Urgent Safeguarding List. So these are some of the positive developments. Some of these elements on the Representative List are recent nominations and some are carryovers from the Masterpieces programme. So this gives is a little bit of an idea listing in the context of the Convention.

II. Laws Related to Intangible Cultural Heritage

I’ve also put together some of the intangible cultural heritage laws that are in place in the sub-region. This is just a flash look across the sub-region.
Cambodia has its Law on the Protection of Cultural Heritage, dating to 1996, which makes some reference to living traditions, but it is not quite as comprehensive a legal framework for intangible cultural heritage as would be ideal under the Convention. However, I believe that they are in the process of reviewing and refining new laws related to intangible cultural heritage. Lao PDR is the same. They put in the Law on National Heritage in 2005, which has a specific article called Protection and Conservation of National Heritage in the Form of intangible Items. This does go a little bit more towards elaborating things such as protection as well as promotion and the need to enhance research standards. There is also some concern about copyrights of material within that law. So, the law is somewhat close to the kind of legislative measures that the Convention is advocating, although it is still intermingled with national cultural heritage laws.
For Malaysia, the Conservation of Intangible Cultural Heritage article is included in the National Heritage Act of 2005 is interesting itself. The same can be said of the Philippines; we will hear much more about the Philippines, so I won’t talk much about that now, but the Philippines has been quite active in the region on intangible cultural heritage, including setting up a Living Human Treasures system, which we heard about earlier, and establishing the Philippine Registry of Cultural Properties. In Thailand, there aren’t many legal provisions as of yet for intangible cultural heritage. However, in 2007, a new constitution was adopted in Thailand, and it called for community participation in protecting cultural properties, and without defining exactly what is included as cultural properties, it could be understood also to include intangible cultural heritage.

As far as Viet Nam is concerned, and since we are going to hear from Viet Nam soon, I don’t really want to go into the details of the exhaustive and extensive efforts Viet Nam has been doing in intangible cultural heritage. You can just see from this list that there are a number of policies and procedures that have been put in place in Viet Nam.

III. Inventory Making

Another thing that we have tried to get an idea of is where States Parties or non-States Parties are in terms of inventories. Again, as we will see there are some interesting issues.
Cambodia has published some inventory work in 2004 with the UNESCO Office in Phnom Penh. The work included categories on minority languages, folklore, literature, and poetry. It also focused on the cultural elements surrounding the Royal Ballet of Cambodia, which was listed as a Masterpiece and is therefore on the Representative List. The country doesn't have as of yet a national inventory, but it has the beginnings of it.

Indonesia has been doing a lot. Indonesia has set up a rather interesting model of online inventorying whereby communities can access, through the Ministry of Culture, a database to inventory their own heritage. There are some mechanisms in choosing how they have done it. It is not completely free of access because one needs to be sure that it is the right community people inventorying. This seems to be a very interesting process going on in Indonesia, given that the country also has six hundred languages and a vast range of communities to deal with. How that online process happens will be interesting to track.

Malaysia has also launched, as we will see later under Safeguarding Actions, an inventory process. Again, even though the country has not ratified the Convention, they are launching the principles of the Convention and taking up national projects to do that.

Myanmar has also just started work with identifying its own categories. As you know, UNESCO has deliberately not provided a standard, framework, or model for inventories because of the diversity among countries. We have had a lot of requests for model inventories, but during the elaboration of the Convention and the Operational Directives and expert meetings, it was deliberately decided not to
provide a one-standard model. So obviously, it takes longer for countries to do this; countries not only have to do the inventories, they have to devise and conceive of them and figure out what system would best work for their country. Next, we have the Philippines, but again we will hear a lot more about the Philippines. The National Commission for Culture and the Arts has been preparing a draft inventory. There has been quite a bit of work done on that, and we will hear later about that.

Thailand has over the past couple years been working quite seriously on this through the Department of Cultural Promotion. At the moment, they have inventoried about eighty elements. They have more or less followed the categories listed in the Convention except that they have a category on traditional sports.

In Viet Nam, as we know, there is a list of Living Human Treasures as well as other inventory processes. Again, I won’t speak much on Viet Nam because we have the benefit of having someone who knows a lot more than I do.

IV. Safeguarding Initiatives

Now, I’d like to talk about some of the safeguarding initiatives that have been happening in the sub-region by looking some of the projects over the past couple years.
Brunei Darussalam, which has only just recently ratified the convention has come along and is starting to become active and started an international training course that mixes both tangible and intangible heritage. Malaysia held a seminar on documenting and safeguarding intangible cultural heritage in March this year. Timor-Leste has just had a capacity-building workshop on ratifying the Convention. In Thailand last year, we organised a meeting discussing trans-border intangible cultural heritage and safeguarding through international cooperation. We also had a stakeholder workshop earlier this year on the 2003 Convention for various ministry and government officials in Lao PDR.

And then on the national level, there are some action plans. Again, two I can just quickly refer to where there is deliberate strategic policy or strategic policy for ICH, including Malaysia, which has developed a five-year action plan, and the
Philippines, which has an older three-year action plan. So these are just some of
the examples. Again, we will hear more about the Philippines. It is interesting to
see how Malaysia is engaging quite actively with intangible cultural heritage.

We heard earlier about Living Human Treasure systems, and in the region
there are three countries that have established these systems—Cambodia, the
Philippines, and Viet Nam. And those systems are still going.

V. Other Safeguarding Initiatives

There are other kinds of legal mechanisms and programmes that countries have
been doing.
In Indonesia, after ratification, they have established a Draft Joint Ministerial Regulation for Executive Duties and Responsibilities of Local Government in Preservation of Culture. That is a long title. My understanding is that because Indonesia has such a decentralised system with so many provinces, what they have done is put in a law that asks for local provincial authorities to incorporate intangible cultural heritage into their provincial budgets and programmes. They have also a draft law on using and protecting intellectual property in relation to traditional culture as well as a draft for the management of traditional knowledge.

Again, there are more examples from Malaysia, which has been awarding funding to a number of local NGOs, educational institutions, and performing arts companies. It has also set up a registry for traditional medicine practitioners and established an arts programme as well as one for documenting traditional songs. These are all the sort of safeguarding frameworks that governments are putting in place within or on the side of the Convention.
It is important to know that even if the countries have not signed onto the Convention, they have been clearly influenced by the international movement around the Convention, including Myanmar, which has set up state schools of music, drama, and fine arts.
I won't speak much about the Philippines here as there will be a presentation on it shortly. So, I'll move onto Thailand, where the Princess Maha Chakri Sirindhorn Anthropology Centre has been active in developing ICH e-learning resources and running field schools for the Greater Mekong sub-region, including Yunnan province in China, on documentation and looking at the role of local museums and how community museums can be involved with intangible cultural heritage. As mentioned earlier, Thailand has established the National Heritage List, which as a number of elements inscribed on it. And I will skip over Viet Nam, as we will hear more about that country later.

VI. Challenges and Issues

So that has been a quick overview of some of the initiatives, so what are the some of the challenges we see in the region?

Well, some of the challenges in relation to the Convention are related to cultural diversity and ethnic diversity within countries, and some countries are still hesitant to realise the full ethnic diversity within their territories. In some cases, the national education systems are pushing out intangible cultural heritage and traditional knowledge in favour of a modernised, Western education system, and that is clearly an issue that needs to be addressed. The Philippines has a very good example of trying to counter that with schools of living traditions. And, as we know, economic growth, modern medicine, technology,
and communications affect people’s lifestyle, and in South-East Asia, because economic growth is happening at such a rapid pace, these things are being affected quickly, and intangible heritage is being caught out in all of that. Contemporary forms of entertainment sometimes replace traditional forms, and so some intangible heritage is lost. Also at the government level, there is not always a clear collaboration between government sectors. So whilst one part of the government may be promoting intangible cultural heritage, another part might be promoting aspects that are undermining intangible cultural heritage. In fact, there is not always a clear understanding of the definition and key concepts of intangible cultural heritage.
On the international level, we have had some issues concerning trans-boundary ICH elements. It is clear that there are ICH elements that exist in very similar forms across national boundaries, and unfortunately, it is clear that sometimes countries are not so willing to accept that these forms exist in other countries. This is an issue in South-East Asia—we have had clear experiences with this.

We do have a very good element in the lists that show strong collaboration, and that is falconry, a listing that spans from Europe to Arab states and all the way to here in Korea—a broad international cooperation and collaboration on a shared heritage—which is a very good example of how things may move forward.

VII. Assistance from UNESCO through Field Offices

Finally, I will go into some of what we are doing in UNESCO to address some of these challenges.

There have been some national capacity-building workshops happening in different countries, such as Cambodia, where an inventory was done. In addition, there have been guidelines published to help States Parties achieve their obligations.
In the Bangkok Office, we have just been finishing up a project, funded by the city of Gangneung here in Korea, on documenting traditional children’s games. We worked among various ethnic minorities in rural and urban situations in Malaysia, Lao PDR, Thailand, and Cambodia, documenting children’s games that we have now put on a DVD. We have over a hundred games documented. And this DVD will be used as a resource for teachers. One of the interesting things that came out of the project is that a lot of people thought children in urban environments, such as Bangkok, would not be interested, but this is not true. Given the opportunity, the kids love going out and play with sticks and throw stones and to do these traditional games as much as they enjoy sitting in front of computer screens. So I think, the fact is often the children are not given the opportunity to learn the traditional games, and that is part of why interest in them may be declining.
Thanks to the generous funding by the governments of Japan and Korea, we are working on an Asia-Pacific wide programme for national capacity building in nine beneficiary countries. Some of you may have heard that UNESCO has been doing this on a global level, feeling that, rather than UNESCO trying to do individual safeguarding initiatives, the focus has to be on building the capacities of governments to implement and understand the principles of the Convention and undertake their own initiatives, including through accessing the ICH fund that has been established by the Convention, but which has not been used to its full amount up to now. So listed above are the countries we will be working with—there are various offices involved with implementing the Convention.

There has been a whole team of trainers of trainers established, which many of you know about, and we will be working with them. And these include a series
of workshops that include ratification, general implementation, and community-based inventories as well as workshops on raising awareness on the Urgent Safeguarding List. Of course, these go beyond South-East Asia and are for Asia-Pacific.