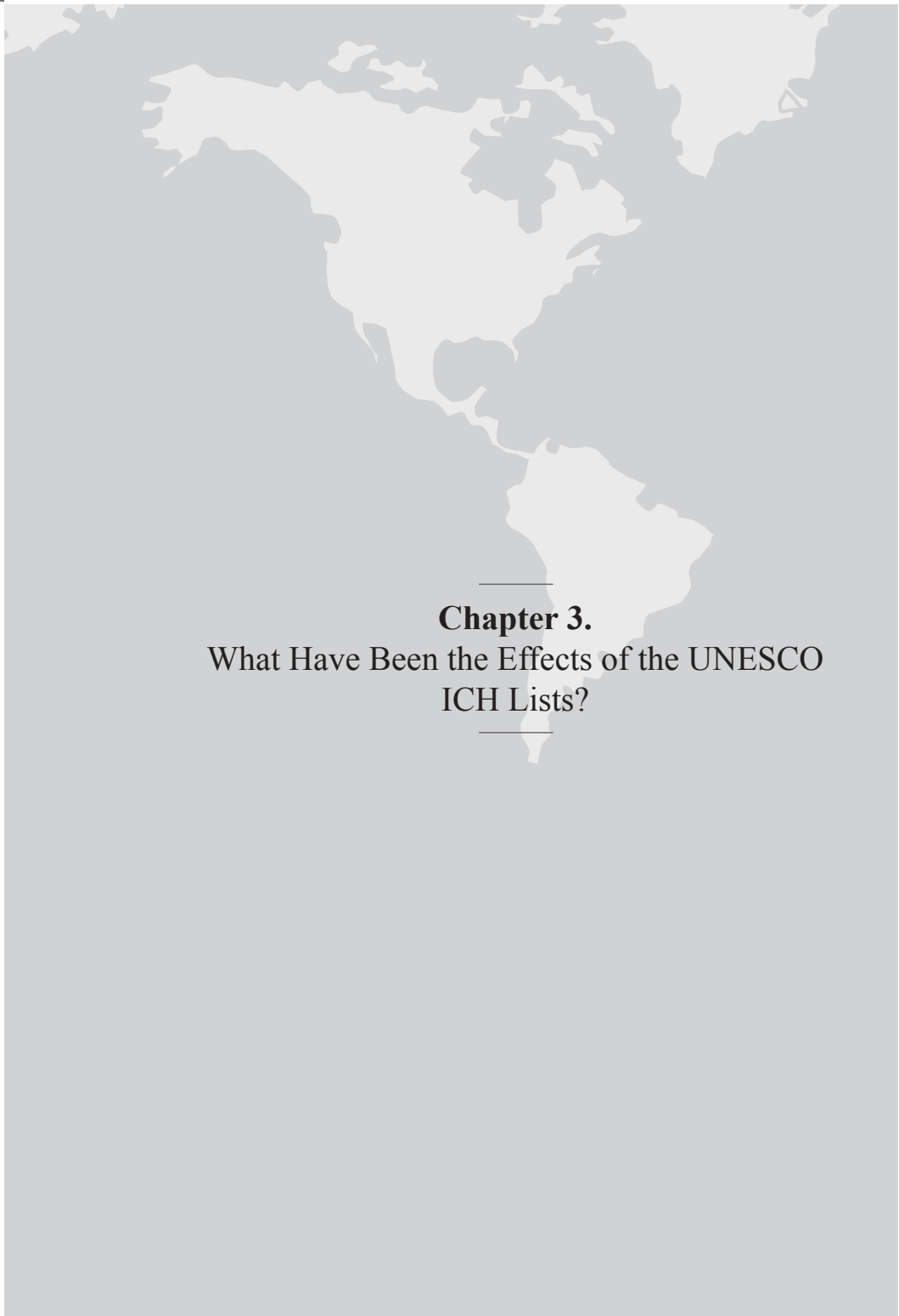


national and community involvement as well as international cooperation.

But real success and practical results in safeguarding and revitalizing ICH can be expected only when States Parties are determined to be involved with implementing the Convention within a specific national strategy and policy on the priority tasks that are shared by all ICH stakeholders of, government, civil society, and communal organizations.

I hope this vision and dream can be realized in next ten years with our strong solidarity and common efforts on which we are now going to discuss during this international conference commemorating the ten year anniversary of the Convention 2003.

Thank you.



Chapter 3.
What Have Been the Effects of the UNESCO
ICH Lists?

What Have Been the Effects of the UNESCO ICH Lists?

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Abstract

Until the last moments of the drafting process of the Convention, the Intergovernmental Meeting of Experts was debating the issue of whether the Convention should employ a listing system or a registration system. The Convention for the Safeguarding of the Intangible Cultural Heritage was finally adopted in October 2003 using a listing system. Some of the experts who were not in favor of this system are still criticizing it today.

Today, the Convention has 155 States Parties. There are 288 elements inscribed on the two lists and a selection of ten elements on the Registry of Best Practices. The inscription of elements of intangible cultural heritage (ICH) on the Lists has triggered unprecedented enthusiasm for the ICH among practitioner communities as well as the general public.

The Chengdu International Conference held last June to celebrate the tenth anniversary of the UNESCO Convention discussed the listing system currently being used and identified points concerning, on the one hand, the procedure for inscription on

the Lists and, on the other, the impact of public recognition on the inscribed elements and their practitioners. This paper offers some suggestions that might be taken to mitigate the problems raised, such that the Convention will not become the victim of its own success.

Introduction

Whether to use a listing system or a non-listing system as part of the Convention for the Safeguarding of the Intangible Cultural Heritage was a thorny topic throughout the drafting process. Most of the Asian and African States were in favor of a listing system while most of the European and some of the Latin American and Caribbean states were strongly against. The Convention was finally adopted in October 2003 using the listing system. But some of those who were against this have continued to criticize this system.

Since the adoption of the Convention, the ICH listing system has been in force for a period of almost five years and today 257 ICH elements have been inscribed on the Representative List of the Intangible Cultural Heritage of Humanity (henceforth RL), 31 elements on the List of Intangible Heritage in Need of Urgent Safeguarding (henceforth USL), and 10 elements selected for the Registry of Best Practices (henceforth RBP). The inscription of ICH elements on the lists has triggered unprecedented enthusiasm for ICH among practitioner communities and the general public. The Intergovernmental Committee (henceforth IC) has also endeavored to make up for any shortfalls in the nomination, evaluation, and inscription mechanisms.

The Chengdu International Conference held last June to celebrate the tenth anniversary of the UNESCO Convention assessed, among other things, the listing system currently being used and identified points concerning the procedure of implementation of the listing system, on the one hand, and the impact of public recognition on the inscribed ICH elements and their practitioners, on the other.

In my presentation, I will present the discussions held in Chengdu, including my own comments on the points relating to the advantages of the listing system and its pitfalls, the nomination/evaluation/inscription process, the impact of inscription, and finally, an alternative and hypothetical scenario for the Convention without a listing system. In the conclusion to the presentation, I will refer to two periodical reports submitted

by twenty-one States Parties to the Convention and the Internal Oversight Service (henceforth IOS) evaluation report on the implementation of the 2003 Convention submitted to the 192nd Session of the UNESCO Executive Board in September 2013. Finally, I will make some concrete suggestions to facilitate the future assessment of the impact of the UNESCO listing system on ICH worldwide.

The Chengdu International Conference on the Intangible Cultural Heritage: Celebrating the Tenth Anniversary of the UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage, June 2013

During roundtable two of the Chengdu Conference, which I had the honor to moderate, the topic of inventorying and listing was discussed. The panelists first discussed the advantages of an international listing system. A Latin American panelist described how strongly one practitioner community had expressed its enthusiasm at the moment of the inscription of its ICH element. Members of the community had taken unprecedented initiatives in undertaking diverse forms of safeguarding measures, such as seminars and conferences, and had succeeded in obtaining the government's assistance for their safeguarding actions. No spirit of competition was noted between the community whose ICH element was inscribed and those communities whose ICH elements were not inscribed.

An African panelist wondered how the term "community" could be defined. In Africa, practitioner communities take diverse forms, and the transmission of messages from the government down to the practitioner communities is a complex exercise unless appropriate channels are identified and used. The important effects that inscription had had on the practitioner communities, as well as on the government, had been obvious. A European panelist also admitted the effectiveness of the listing system for raising awareness of ICH, notably when the awareness-raising efforts were combined with a media campaign. The panelists also said that the nomination process provided an opportunity to ensure close cooperation between practitioner communities, experts, and administrators. However, he regretted the fact that any kind of list-making implied selection by its very nature, thus creating a gap between those ICH elements that were selected and those that were not selected.

The discussion then turned to the pitfalls of the listing system, described as “hit parading”, “labelisation” (in French), “patrimonization”, “fossilization”, “folklorization”, “fixation”, “freezing”, or the “inappropriate use of the lists”, etc. One panelist noted that when the practitioner community was sufficiently large, its ICH elements were not affected by the effect of inscription, including “fossilization”, but that when the community was of a smaller scale, its ICH elements could be more fragile. Some groups or individuals could also try to exploit the inscription for the wrong purposes.

Another panelist cautioned that listing should be seen as a tool for the purposes of safeguarding actions and should not become the purpose of the Convention itself. He said that in his view competition between the selected and the non-selected ICH elements was inevitable. Another panelist regretted what he called the “politicization” of the process of the evaluation and inscription of elements on the RL, while admitting that a certain degree of politicization was inevitable given the intergovernmental nature of the Committee.

The roundtable then tackled the topic of the nomination/evaluation/inscription process. Today, the RL is enjoying much more success than the USL: 257 elements are inscribed on the former while only 31 have been inscribed on the latter despite the priority given to the latter by the governmental experts during the negotiation of the Convention. Why have States Parties been privileging the RL? One reason could be that many States Parties have misunderstood the fact that the great visibility of the ICH that the RL guarantees concerns the inscribed elements alone, while Article 16 of the Convention refers to the visibility of the ICH in general and to more general awareness of its significance.

This misunderstanding has been even more obvious in the nomination files submitted by the States Parties to the Convention. In section 2 of Form ICH-02, where States Parties are required to describe how the inscription will contribute to ensuring the visibility and awareness of the significance of the ICH in general, more than half of the nominations have referred to the visibility of the nominated element alone and not to the ICH in general.

Another reason for the popularity of the RL may be that one group of experts that was against the listing system during the negotiation period of the Convention has since called for a simpler evaluation of items to be inscribed on the RL and an unlimited

number of nominations and inscriptions in an attempt to reduce the negative effects of selection.

The Third IC Meeting held in Abu Dhabi in 2009 also had some striking results. In it, the Subsidiary Body evaluated 111 nominations for the RL and the Committee inscribed 76 elements on it, while it only inscribed 15 nominations on the USL. During this period, States Parties were therefore presumably convinced that they had a better chance of the inscription of ICH elements on the RL than on the USL.

A third reason for the greater popularity of the RL could be that States Parties might have considered that nomination to the USL could have had the effect of revealing a government’s lack of capacity in safeguarding that element, or they might have confused the USL under the 2003 Convention with the Endangered List under the 1972 Convention, sometimes seen as a form of “disgrace” for the State Party concerned. The point was also made that the high cost incurred for the nomination of an ICH element to the USL could discourage States Parties, as it required deeper research work into future safeguarding measures than for the RL. It appears, in sum, that States Parties have been unable to identify the merit of this List, apart from the stimulus it provides for them to undertake safeguarding measures.

Finally, the panelists wondered how to reverse this imbalance, agreeing that the capacity-building activities relating to all aspects of the implementation of the Convention should be fostered at the community level as well as at the regional and national governmental levels.

Regarding the evaluation and decision-making process for inscription on the RL, the panelists unanimously regretted the politicization of the most recent IC meeting, where more than 50 per cent of the nominations recommended by the Subsidiary Body were later inscribed by the Intergovernmental Committee in Paris in 2012. This reversal of the evaluating body’s decisions led the panelists to question the legitimacy of the Subsidiary Body, which is composed of six representatives of the committee members. In fact, this point was also discussed at the 2011 IC meeting in Bali, and the Committee then recommended abolishing the Subsidiary Body in order to centralize the evaluation of all nominations with the Consultative Body¹. However, this recommendation was

1 Decision 6.COM 15

not accepted by the States Parties General Assembly² in 2012. In order to improve the quality of the nomination files, and thus to gain more inscriptions, the view was expressed that the Secretariat should accompany the States Parties more closely during the process of drafting their nominations.

One panelist expressed her concern over the numerical limitation of one nomination per State Party and per year and sixty nominations in total per year. This limitation could not meet the increasing enthusiasm of the community for the ICH, she said. Certainly, the numerical limit of yearly nominations favors nominations for the RL, as States Parties consider that they have a better chance of inscription on this List than on the USL. It therefore increases the gap in the numbers of inscriptions on the two Lists. However, it also partially resolves the problem of geographical imbalance, and it has prevented competition among States Parties regarding the number of elements inscribed.

The roundtable went on to discuss the impact of the inscription of the 257 elements on the RL and the 31 elements on the USL at the national and international levels. Although the Convention itself is now celebrating its tenth anniversary, given that the listing mechanism has been implemented for only four to five years, the panelists considered that it would be premature to evaluate the impact of the inscriptions. They agreed that more research should be undertaken in this regard.

One panelist noted, however, that the USL was a starting point for implementing concrete and practical safeguarding actions. Other panelists wondered whether it was worthwhile going through a costly and complicated process of preparing a nomination for the USL, of which the success was not guaranteed, while the State Party concerned could instead undertake safeguarding actions itself, making use of the same amount of funding and human resources.

Conversely, an African panelist expressed the view that in Africa, communication between the government and the practitioner communities was not always smooth and that as a result the preparation of a nomination for the USL could serve as a lever to capture the government's attention regarding the need to safeguard the element in question. Inscription on the USL could also raise awareness of the practitioner communities, who had been told to abandon their "old-fashioned cultural traditions"

during the colonial period. She underscored the importance of building capacity among members of the community such that they could then prepare and implement safeguarding measures.

The European panelists mentioned that some European countries had never nominated an element to the lists because their governments had privileged section 3 of the Convention, referring to national safeguarding measures, more than they had section 4, referring to international safeguarding measures, including the listing mechanism. However, the practitioner communities in his country had been pressing the government strongly to nominate elements of the ICH to the RL, and this would mean that the government would have in time to respond, he said.

Finally, the panelists discussed an alternative and hypothetical scenario prepared by the Secretariat under which the Convention could have been adopted without the use of international lists. Would this lack of international lists have made it possible for the Convention to be adopted, or would it have affected its wide support from the international community?

The European panelists, who approved of the alternative scenario, mentioned that the great success of the global capacity-building strategies implemented by the Secretariat outside the Convention's framework had demonstrated that without the listing mechanism the safeguarding measures could indeed be promoted. Another supporter of the scenario from the audience expressed the view that instead of the listing system the activities enumerated in the hypothetical scenario, such as capacity-building activities relating to the contribution of the ICH to sustainable development and peace-building, should have been reinforced and the International Assistance and the Best Safeguarding Practices should have been the core feature of the Convention.

The round table concluded by saying that the existing listing system being unavoidable, the international community should now harness this system for the benefit of the safeguarding of the ICH, notably for and by the practitioner communities and avoiding the inconveniences deriving from the system.

2 Resolution 4.GA.5

Conclusion

Five States Parties, including China and Japan, submitted their periodical reports in 2011³, and sixteen States Parties, including Mongolia, the Republic of Korea, and Viet Nam, submitted their reports in 2012⁴. The majority of the states wrote in their reports⁵ about the significant effect inscription had had on the visibility of the element concerned and the other advantages that inscription had generated. The reports, however, reported more on the activities undertaken since the inscription, such as research, publications, conferences, festivals and educational activities, than on the kind of effects that inscription had had on the elements concerned and on the related practitioners or practitioner communities. This is because the question of both the positive and negative impacts of the inscription had not been specifically asked for in the reporting Form ICH-10.

The recent IOS evaluation report recognizes⁶ that the RL has contributed to reaching its objectives, but that its relative importance has been overrated. Other mechanisms, such as the USL, the RBP and international assistance, had been under-used, the IOS report said. Recommended improvements concerned areas such as community participation in safeguarding activities, the contribution of NGOs, the link between ICH and sustainable development, gender and ICH, knowledge management, inter-convention cooperation, a results framework with objectives, indicators and benchmarks, and a results-oriented monitoring system. As concrete measures to rationalize and depoliticize the implementation mechanism, the report recommended the suppression of the RBP and the Subsidiary Body.

The Chengdu Conference was prudent enough to consider that it was still premature to discuss the impact of inscription of the ICH elements on the lists. Yet some anticipatory measures could be taken to facilitate the future impact study on the effect of inscription. One of these could be to revise the nomination form for the RL (ICH-02), requesting States Parties to introduce a monitoring mechanism among the future

safeguarding measures. In fact, in the current form ICH-02-3b (i), States are requested to describe “What measures are proposed to help to ensure that the element’s viability is not jeopardized in the future, especially as an unintended result of inscription and the resulting visibility and public attention?” However, neither the States, nor the Subsidiary Body, have paid much attention to the question of the “unintended result of inscription”. The evaluators should accord more importance to this question.

Finally, section C, the status of elements inscribed on the RL of the Periodical Report Form (ICH-10), could be revised to introduce a new box requesting the States Parties to report on how the monitoring mechanism has functioned and what the results of the monitoring have been. The States could also describe more specifically what effects the inscription has had on the elements, as well as on the practitioners or practitioner communities concerned.

3 ITH/11/6.COM/COF.206/6 Rev

4 ITH/12/7.COM/6

5 Section C: “Status of the elements inscribed on the RL” of the periodical report form (ICH-10)

6 Evaluation of UNESCO’s Standard-Setting Work in the Culture Sector, Part I 2003 Convention for the Safeguarding of the Intangible Cultural Heritage, September 2013, p68