

LEGAL BASIS OF SAFEGUARDING OF INTANGIBLE CULTURAL HERITAGE IN UZBEKISTAN

It can be observed that the legal basis of safeguarding of Intangible Cultural Heritage in Uzbekistan is established on two levels – namely, on the national level and the international level. International Convention “On Safeguarding of Intangible Cultural Heritage” adopted in 2003 serves as an international basis.

Initial work on the ratification of this document in Uzbekistan started in 2005. As a result of studying the Convention in all respects, appropriate suggestions were prepared; the Convention was introduced to the Oliy Majlis through the Cabinet of Ministers in 2007 and eventually ratified on 29th of April, 2008, making the Republic of Uzbekistan a Member State of the Convention. According to the rules of acceptance of international documents, issues connected with existing laws on intangible cultural heritage should be reviewed and, if necessary, appropriate amendments and additions should be introduced.

To perform this task, a working group was formed on the initiative of the Legislative Chamber of the Oliy Majlis of the Republic of Uzbekistan. As a result of its work, the group submitted suggestions on the law of the Republic of Uzbekistan “On Safeguarding Intangible Cultural Heritage and their Usage”. These suggestions were considered by the Senate of the Oliy Majlis and as a result, on the 9th of October, 2009 the Decree № 228 on “Introducing Amendments to the Law of the Republic of Uzbekistan on Safeguarding and Use of Objects of Cultural Heritage” was adopted.

Along with the process of adapting national legislation to international standards, other studies have been undertaken to study the intangible cultural heritage, organize its preservation and transmission to next generations. In particular, in February-March of 2008, the issue of compliance with the provisions of the Convention on the Safeguarding of the Intangible Cultural Heritage was examined by the Ministry of Culture and Sports and local councils of people’s deputies.

On April 30, 2008, based upon information obtained by the special commission, the issue was discussed by representatives of the upper and lower houses of the Oliy Majlis of the Republic of Uzbekistan which adopted a relevant resolution.

One of the main tasks of this resolution was for the Ministry of Culture and Sports of the Republic of Uzbekistan in cooperation with interested ministries and agencies to develop a draft State Program on the Safeguarding of Intangible Cultural Heritage. In February 2010, a special Decree of the Cabinet of Ministers of the Republic of Uzbekistan on the development of the State Program on the Safeguarding of Intangible Cultural Heritage was published and on October 7, 2010 the Cabinet of Ministers adopted the Resolution of the Cabinet of Ministers “On the State Program for the Safeguarding, Preservation and Promotion of Intangible Cultural Heritage in 2010–2020, on Approval of the Resolution # 222 of the Cabinet of Ministers of the Republic of Uzbekistan.

The first part of this program is entitled “Enhancement of the regulatory and legal framework and the system of administra-

tive management aimed at the conservation and protection of intangible cultural heritage”, “Regulation on the List of Intangible Cultural Heritage Objects”. The Resolution of the Cabinet of Ministers of the Republic of Uzbekistan No. 269 dated July 29, 2002 “On the order of the Ministry of Healthcare of the Republic of Uzbekistan” relates to the regulations on the establishment of the state cadastre of cultural heritage. Regulations on the examination of the historical-cultural changes have been improved due to the regulatory framework functions.

In order to ensure the implementation of paragraphs on the safeguarding of the Intangible Cultural Heritage, a Decree of the Cabinet of Ministers “On approval of the regulatory documents with the Regulation on the list of intangible cultural heritage, historical and cultural examination procedure” was adopted on February 23, 2011. Necessary amendments were introduced to the regulation of the Cabinet of Ministers No.269 of July 29, 2002 “On Measures for further improvement of the Protection and Use of Objects of Cultural Heritage”. The legal basis for safeguarding of intangible cultural heritage was created by this document. Today, Uzbekistan has four separate lists of intangible cultural heritage.

These are:

1. List of Intangible Cultural Heritage in Need of Urgent Safeguarding;
 2. List of elements for inclusion in the Representative List of the Intangible Cultural Heritage of Humanity;
 3. National list of Intangible Cultural Heritage;
 4. Local Lists of Intangible Cultural Heritage.
- Registration of the intangible cultural heritage is carried out by the Ministry of Culture of the Republic of Uzbekistan.

Recommendations of local authorities, public organizations, as well as legal and natural persons are the basis for listing.

Historical and cultural expertise shall be carried out to substantiate the registration of intangible cultural heritage. The expertise is based on the Scientific and Methodological Council under the Ministry of Culture of the Republic of Uzbekistan. The structure of the Council encompasses representatives of state bodies, scientific institutions, non-governmental, non-profit organizations, as well as individual researchers and specialists engaged in the research and conservation of the intangible cultural heritage.

In connection with the adoption of the Convention on the Safeguarding of the Intangible Cultural Heritage, Intangible Cultural Heritage elements of Uzbekistan “Shashmaqom” and “Cultural Space of Boysun” have been inscribed into the Representative List of the Intangible Cultural Heritage of Humanity”. This list includes “Katta ashula” and “Navruz” (2009), “Askiya — The Art of Wit” (2014), “Palow Culture and Traditions” (2016). Thus, nowadays there are six intangible cultural heritage elements related to Uzbekistan.

Works on inscription of the samples of the intangible cultural heritage of Uzbekistan into the UNESCO list and register are being consistently implemented. For this purpose in 2016 the nomination file “The Marghilan Crafts Development Centre: Safeguarding of the Atlas and Adras Making Traditional Technologies” was prepared and submitted for the Register of Best Safeguarding Practices and the nomination “Khorezm dance — Lazgi” was presented for inclusion in the Representative List of Intangible Cultural Heritage of Humanity in 2018.