

I . Safeguarding system & policy

1. National Law

Full title: Law on Intangible Cultural Heritage of Kyrgyz Rpublic

Section/Division in charge : Ministry of Culture

Year of Establishment : January 1. 1982

Established under the Intellectual Property Act No 36 of 2003. Mandated with the administration of the intellectual Property System in Sri Lanka. First established on January 1, 1982 with the same mandate under the provisions of Code of intellectual property Act no 52 of 1979.

Particular articles related to ICH:

Article1. The scope of this Act

The present Law regulates relations arising in sphere of identification, preservation and use of intangible cultural heritage of Kyrgyz Republic (hereinafter - the intangible cultural heritage), sets out the empowerment of state authorities of Kyrgyz Republic in the development of the intangible cultural heritage.

Article2. The basic concepts used in this Act

Definitions used in this Law have the following meanings.

1. Object of the intangible cultural heritage - is the customs, representations, expressions, knowledge and skills, as well as related tools, objects, artifacts and cultural spaces with and without individual authorship recognized as cultural heritage, transmitted from generation to generation constantly reconstituted by communities and groups, showing the cultural diversity of the nation of Kyrgyz Republic, which represents the historical and cultural significance, and included in the National List of Intangible cultural Heritage.

2. National List of Intangible Cultural Heritage of Kyrgyz Republic (here in after -the National List) - approved by the Government of the Kyrgyz Republic , which includes the collection of objects of intangible cultural heritage, unity and consistency, which are ensured by the formation of general principles, methods and forms of the list.

"Epic" is the kind of literature, the narrative of the event that happened in the past (as it happened, and remembered by the narrator). The epic consists of plots and genres of play in action in the space-time event-length and saturation. Epic genres: large - an epic novel, epic (epic poem), medium - a novel, small - the story, short story, essay. - "Art of Narrative" - the art of storytelling - manaschy;

"Oral Tradition" - folklore, represented by the epic works, folklore (proverbs, sayings, fairy tales, mysteries, myths and legends), the art of storytelling - manaschy and performing arts of akyns (authors);
- "The Cultural Space" - an area of social and geographical environment, represents a unique area of the most kept the tangible and intangible cultural heritage of the nation;

- "The forms of representation" - examples of folk art (wares of felt, chii, wood, leather, etc.) as the basic values of culture;

- "The forms of expression" - first of all, language, folk songs and melodies (kyuu), characterizing the elements of the intangible cultural heritage of the Kyrgyz nation;

- "Customs" - rich in the content of the ethno-cultural complexity, a form of collective human experience, which is the continuous and reproductive on the basis of the space-time transmission.

Customs, to a certain extent, have a dominant role because they are related to the milestones of life: from birth to funeral and memorial cycle;

- "Rites" - part of spirituality and way of life of people, regulated by the religious and everyday concepts, having ritual meanings.

3. The empowered government body - the body of state power of Kyrgyz Republic (hereinafter - authorized state agency), which in accordance with the legislation of the Kyrgyz Republic has the authority to regulate matters of identification, preservation and use of cultural heritage of the Kyrgyz Republic.

Article 3. Main types and protection of intangible cultural heritage objects

1. Types of intangible cultural heritage objects in the Kyrgyz Republic are epics, oral traditions and expressions including language as a vehicle of intangible cultural heritage; narrative art, customs, rituals, folk holidays,

knowledge and skills associated with traditional crafts, which are the cultural values of the nation of Kyrgyzstan.

2. The objects of intangible cultural heritage are used for spiritual and cultural development of the nation of Kyrgyz Republic, as well as in scientific, academic, educational, tourist and excursion purposes.
3. Protection of the Intangible heritage is provided by means of modern information and communication technologies, popularization and transmission of spiritual heritage to younger generations, conducting research, inventing databases of various forms of intangible cultural heritage of the nation of Kyrgyz Republic.
4. Protection of intangible cultural heritage objects, which are included into the National List, is carried out within the financial resources of relevant ministries and departments and approved annually in the state budget, donations and other sources not prohibited by the legislation of the Kyrgyz Republic.

Article 4. The National List of Intangible Cultural Heritage Objects of the Kyrgyz Republic

1. The Government of the Kyrgyz Republic approves the National List of Intangible Cultural Heritage Objects of the Kyrgyz Republic, takes measures for their conservation, use and further development.
2. The inclusion decision of the intangible cultural heritage in the National List (or exclusion) made by the authorized state body of the Kyrgyz Republic on the advice of the interagency commission.
3. Interdepartmental Commission carries out its activities on the constant basis in accordance with current tasks, and annually adopts a work plan. It also defines the procedure for monitoring, maintaining and inclusion of the object in the National List.
4. The objects of intangible cultural heritage from the moment of the inclusion in the National List are the property of the Kyrgyz Republic and are subject to mandatory protection and conservation in the manner provided in accordance with the legislation of the Kyrgyz Republic.

Article 5. Competence of the authorized state body for protection and use of intangible cultural heritage

- Monitoring the condition of the intangible cultural heritage;
- Creation of conditions and taking measures for conservation and development of intangible cultural heritage objects;

- Implementation and notation of the target programs for approval by the government of the Kyrgyz Republic, which are aimed at the revival, preservation, use and popularization of intangible cultural heritage;- Development of International cooperation in the field of conservation and use of intangible cultural heritage objects;
- Implementation of activities to raise public awareness about intangible cultural heritage objects.

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2. Developing Safeguarding policies and systems

A united consortium of various organizations and public institutions (in the format of associations, NGOs, University chair, and research groups) could influence considerably state bodies as well civic society in fostering safeguarding policies towards more efficient system.

One of the problems that a whole state system of cultural politics in Kyrgyzstan is very much connected or at least positioned as something which is related to the state budget and economic development. This attitude should be changed considering current challenges both in the surrounding regional process and cultural management practices such as fundraising.

A sort of reunion of all cultural associations and organizations should be gathered annually, led (but not dominated) by the Ministry of Culture and Tourism. An external partner (e. g. ICHCAP), together with National Committee for UNESCO is very much welcome in providing consultations during such Annual Reunion (Association for Cultural Heritage, forum).

This would raise better “voice” of cultural institutions at the highest level, where Kyrgyz parliament seeks to strengthen the cultural politics, on the other had, it rejects or postpone decision making process which is also related to complicated mechanism if budgetary control. However, we can not say that law making process in the field of cultural heritage is weak.

This association would foster adopting new legislation as well as create new social images of the cultural heritage including intangible one. Due to financial deficits, it is not desirable to empower local authorities with cultural politics. It would be beneficial to involve them as one of the informative partners but not as the main actors.

Considering current reforms at the administrative-structural level, it is crucial to analyze the relationship between international organizations (including local UNESCO), NGOs, State bodies and the role of Ministry of Culture and Tourism. Another source of funding is privatization, which in the field of culture should have its own specifics. It is important to identify in which field the priority will be given to the regional authorities (ail okmotu). Would it be the only commercial or non-profit organizations will also have the chance in the safeguarding policies? This would broaden the base of civil society.

In the present situation of uncontrolled liberalism, it is important to take into consideration the emerging philosophy of "every man for himself" and develop more philosophy of cooperation and consolidation in this field, especially after soviet experience, where a certain practice of paternalism is still present.

3. Legal instruments related the ICH adopted in the Kyrgyz Republic

The Law on protection of historical and cultural heritage. The law of the Kyrgyz Republic "On Protection of Historical and Cultural Heritage" was passed on June 29, 1999 and it is the key law that provides legal norms in the field of protection and use of objects of historical and cultural heritage (the law as amended on February 13, 2006, #38);

The Law of the Kyrgyz Republic "On Culture" was passed on April 7, 2009, #119. It determines legal, economical, social, and organizational base of development of activities in cultural field;

The Law of the KR on "Museums and museums funds" , February 5, 2000, #37;

The Law of the KR on "Establishing Nooruz as a national celebration day", February 5, 1991;

At present, the law on safeguarding of intangible cultural heritage and the state programme of the safeguarding of the ICH are being elaborated.

4. Key activities of the plan on safeguarding of the ICH

№	Kind of activity	Responsible body
1.	Approval of the national plan on inventorying process of the ICH elements in regions of the country	Ministry of Culture and Information of the KR and National Academy of science of the KR
2.	Carry out field works on identification and inventory making of the ICH elements	Ministry of Culture and Information of the KR, National Academy of science of the KR, Kyrgyz National Commission for UNESCO, NGO and communities
3.	Draw up the national inventory list of the ICH elements in danger of disappearance and need of urgent safeguarding	Ministry of Culture and Information of the KR, National Academy of science of the KR, Kyrgyz National Commission for UNESCO, NGO and communities
4.	Development of a consolidated education programme on training, knowledge transmission and issues related to the management of ICH	Ministry of Culture and Information of the KR, Ministry of education of the KR, National Academy of science of the KR, NGO and communities
5.	Organization national training-workshops “Strengthening national capacities for safeguarding ICH” and expert meetings on the safeguarding, management, selection and documentation of ICH	Kyrgyz National commission for UNESCO and UNESCO Almaty Cluster office
6.	Promotion. Creation of a series of telecasts devoted to the ICH of Kyrgyz Republic. Organization the International Festival Crafts Fair “Oimo”.	Kyrgyz public TV, CACSARC-kg