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ichcap

[SUMMARY]

ICHCAP Field Survey Report on ICH Safeguarding Efforts in Some Central Asian Countries (2009-2013)

Introduction

Based on the *ICHCAP Field Survey on Intangible Cultural Heritage Safeguarding Efforts* in some East and Central Asian countries from 2009 to 2012, this summary provides a brief overview on the ICH situation in Uzbekistan, Tajikistan, Kyrgyzstan, and Kazakhstan¹.

The summary focuses mainly on ICH safeguarding systems, safeguarding policies, and ICH inventories as well as on pending issues and the urgent safeguarding needs of these countries. Moreover, information on the main entities in charge of ICH safeguarding and opinions of each country on the issue of community involvement are provided. To give a quick overview these countries' participation in ICH safeguarding at the international level, some additional information related to UNESCO is specified as well.

This survey report offers a large sample of the diverse ICH situations in East Asian and Central Asian countries. Although each country has a different background on issue of intangible heritage, depending on its cultural, economic, and socio-political situation, the countries participating in the survey share a commonality: They are post-communist countries that were once under the Soviet system. Moreover, they share a traditional culture shaped by nomadic pastoralism that offers a variety of cultural similarities. For instance, they keep an ancient and rich tradition of epic singing, and they are highly concerned about this oral heritage as it is on the brink of disappearance. In this sense, they have much to exchange and share in regards to safeguarding ICH.

The countries participating in the survey are concerned with the threats against their ICH, but most of these nations are in the early process of defining ICH and establishing independent national ICH lists. At the same time, each country expresses a high degree of motivation and encouragement for safeguarding ICH, sharing experiences, and participating in international cooperation programmes.

Apart from the main subject, a brief glimpse is taken on the situation of intellectual property in ICH safeguarding in each country. Compared to the Southwest Asian countries that participated in the field survey, the East Asian and Central Asian countries provided little information on intellectual property issues, so it is recommended that ICHCAP undertake the Field Survey on Intellectual Property Issues in the Process of ICH Information Building and Information Sharing in some countries² to see their status on this subject.

¹ The countries are listed chronologically according to the submission date of the field survey.

² Kazakhstan, and Kyrgyzstan already participated in the survey on IP issues (2011–2012).

Abbreviations

- ICH Intangible Cultural Heritage
- UNESCO United Nations Educational, Scientific and Cultural Organization
- RL Representative List
- USL Urgent Safeguarding List
- IGO Inter-Governmental Organization
- NGO Non-Governmental Organization
- GO Governmental Organization
- IP Intellectual Property
- IPR Intellectual Property Rights

UZBEKISTAN

- Ratified the ICH Convention in 2008; conducted survey in 2009
- As of December 2014, has five ICH elements on the RL and two accredited NGOs

Safeguarding System and Policy

The Law on Preservation and Utilization of Objects of Cultural Heritage (2009) defines ICH and objects of ICH.

A long-term (2010–2020) national programme on preserving ICH has been drafted. Many events, festivals, meetings, and promotional activities on ICH have been implemented.

ICH Inventory

There are two ICH inventories in Uzbekistan, both of which are the ICH elements proclaimed as Masterpiece of Oral and Intangible Heritage of Humanity. The inventories are the National Inventory of the Cultural Space of Boysun (includes twenty items) and the National Inventory of Shashmaqom (includes five items). However, The field survey report emphasizes the need to establish a state ICH inventory.

Furthermore, there is a national list of traditional culture values of Uzbekistan, which includes oral folk poetry, traditional music, art of spectacular shows, choreography, applied folk art, cultural space, rituals, and rites/ceremonies. The main criteria for developing this list includes oral transfer, authenticity, ancient roots, originality, integrity of skills, knowledge and techniques of performance, exceptional value, cultural identity, and risk of disappearance. On the basis of this list, the following lists are also being composed.

- A list of regions, types, genres, skills of traditional culture
- A list of events and activities dedicated to traditional culture (holidays, rituals, rites, and customs)
- A list of living hearths of traditional culture (cultural spaces)
- A list of informants, performers—the bearers of traditions (groups, collectives, associations, and individuals)
- A collective list of traditional culture.

All objects in the inventory are divided into two general categories: *living objects* (phenomena of traditional culture that have been preserved to this day and have continuously existed in their own natural habitat) and *historical objects* (phenomena of ICH that have ceased to continue their independent development, but were documented and kept in archives, sound libraries, museums, and depositories and are acknowledged by the community as valuable elements and are typical or necessary for their identity).

As of 2009, Uzbekistan did not have any non-state inventories on any given object of ICH.

Pending Issues and Urgent Needs on Safeguarding ICH

Several ICH elements in the domains of performing arts and oral traditions are listed as the elements in danger of disappearance. However, National USL or a similar instrument hasn't been established yet.

A number of activities on documentation, promotion, diffusion, and enhancement of ICH along with support and promotion on research and studies on the ICH elements have been made progressively. There is a need to establish a national USL and a state inventory as well as adopt a national programme on preserving ICH.

Uzbekistan is much encouraged for international cooperation for sharing best practices, exchanging specialists, training, and organizing joint meetings and events as well as providing technical support.

Main Governmental Body in Charge of ICH

Ministry of Culture and Tourism—Republican Scientific and Methodological Center for Folk Arts

Community involvement

No comments were provided as the survey didn't include this question at that time.

Remarks

Uzbekistan appears to have developed various types of inventories and lists. But it seems that there is a need for creating a consolidated national inventory of ICH. Because ICH safeguarding circumstances have changed over the past few years, it is necessary to get updates on the numerous lists and inventories of Uzbekistan.

TAJIKISTAN

- Ratified the ICH Convention in 2010; conducted survey in 2010
- As of December 2014, has one ICH element on the RL and no accredited NGOs

Safeguarding System and Policy

Tajikistan doesn't have concrete legislation aimed at safeguarding ICH. During the time of survey, the country was drafting the Law on Culture³ and mentioned that ICH issues will be reflected in this law and in the Law on Copyright and Related Rights.

Presidential decrees Day of Shashmakoma (No. 295, 2000) and Day of Falaka (No.299, 2007) are part of national policy on traditional culture. Moreover, a government programme for developing culture between 2008 and 2015 (No.85, 2007) and a programme to develop arts and crafts between 2009 and 2015 (No.513, 2008) are important instruments for safeguarding and promoting traditional culture.

ICH Inventory

Within the framework of implementing the abovementioned government programs, a registration project to document folklore materials dated from 1940 to 2005 is being carried out. Furthermore, there are diverse regional archives of cultural heritage created from the 1990s by the state and international funds. Some ICH elements corresponding to the domains of the UNESCO 2003 Convention are provided as examples.

Pending Issues and Urgent Needs on Safeguarding ICH

The field survey report does not provide much information on this point. Tajikistan is a new player in the international effort to safeguard ICH. The nation faces challenges of institutional structures in the ICH sector, definition of ICH in a legal framework, absence of systematic action plan, and financial shortage for safeguarding ICH. Tajikistan is in need for international aid for professional and technical capacities, financial provision, and national inventory-making.

Main Governmental Body in Charge of ICH

Ministry of Culture—Academy of Sciences

Community Involvement

The field survey report notes the positive public recognition of ICH and insufficient involvement of local communities in making inventories.

Remarks

Tajikistan is starting its efforts to safeguard ICH. Its post-conflict context seems to hinder the establishment of a sound system for safeguarding cultural heritage in general.

³ Law of the Republic of Tajikistan on Culture was adopted in 2011. Source: <http://www.wipo.int/wipolex/en/profile.jsp?code=TJ>, accessed on April 26, 2013.

KYRGYZSTAN

- Ratified the ICH Convention in 2006; conducted survey in 2011
- As of December 2014, has four ICH elements on the RL, one element on the USL, and one accredited NGO

Safeguarding System and Policy

By 2011, the Republic of Kyrgyzstan was drafting the Law on Intangible cultural Heritage of Kyrgyzstan. In this law, some basic concepts related to ICH, such as object of ICH, oral tradition, cultural space, forms of representation, forms of expression, customs, and rites are defined. Moreover, the types of ICH are defined, but these definitions and types are not necessarily the same as those of the UNESCO 2003 Convention. Furthermore, the National List of ICH Objects of the Kyrgyz Republic is promulgated in the draft law. Besides this law, a state programme on safeguarding ICH was under developed by 2011.

In regards to the existing legal framework on cultural heritage, the following laws are listed in the field survey report: Law on Establishing Nooruz as a National Celebration Day (1991), Law on Protection of Historical and Cultural Heritage (1999), Law on Culture (2009), and Law on Museums and Museums Funds (2000).

ICH Inventory

The field survey report notes that a national inventory of Kyrgyz ICH is being recognized at different levels and that a draft inventory is being discussed by various states and international bodies. However, the process has been slow moving.

Meanwhile, a table displaying general information of ICH elements (name, description, and distribution area, as well as the bearer's name, date of birth, and place of residence) is provided. In the table, ICH elements are regrouped in the following seven categories: oral and folk art, traditional handicrafts and trade, holidays, folk games and entertainment, martial arts and competitions, customs and traditions, national/folk music, and pre-Islamic religious beliefs.

Pending Issues and Urgent Needs on Safeguarding ICH

No information on ICH elements that face danger of disappearance is provided, as the list of such elements was being developed and hadn't been accepted at the legislation level. Regarding the factors threatening Kyrgyz ICH, urbanization and negative economic effects of globalization are indicated.

Concerning the future plan for safeguarding ICH, key activities are listed with the responsible bodies. It includes adopting a national plan on making an ICH inventory, researching and identifying ICH elements, developing a national USL, developing a consolidated programme on ICH transmission, and implementing major promotional and networking activities and meetings.

Kyrgyzstan recognizes the need to adopt necessary legislation—the Law on Manas and the Law on ICH and National Inventory Documents—and intensive awareness-raising programmes as well as the need to create a consortium of NGOs, GOs, and IGOs on the subject. With regard to the challenges facing ICH safeguarding, the lack of capacity, absence of institutional consolidation, financial constraints,

bureaucracy, and general prejudice over ICH as connecting it with economic growth and sustainability are listed.

Kyrgyzstan expects the international expertise on cultural and institutional management, fundraising skills, financial aid, expert exchanges, as well as fostering researches and projects with global and comparative perspectives.

Main Governmental Body in Charge of ICH

Ministry of Culture and Tourism

Community Involvement

Paternalistic attitudes and post-soviet logic and perception of state politics or external aid hinder community involvement and are highlighted in this section.

Remarks

Kyrgyzstan indicates the significant need for discussions on the notion of ICH, its importance, and reasons for safeguarding ICH at the public level to enlarge public understanding of ICH and safeguarding.

KAZAKHSTAN

- Ratified the ICH Convention in 2011; survey conducted in 2012
- As of December 2014, has two ICH elements on the RL and two accredited NGOs

Safeguarding System and Policy

By 2012, there was no independent legislation on ICH. However, Kazakhstan has a concrete legal framework on the protection of cultural heritage, which includes the following:

- Law on Safeguarding and Usage of Historical and Cultural Heritage Objects (1992)
- Governmental Act on Public Fund of Support of Culture and Arts In the Republic of Kazakhstan (1998)
- Governmental Act on the Concept of Craftsmanship Development in the Republic of Kazakhstan (1998)
- Law on Culture (2006)
- Law on Local Government and Self-government in the Republic of Kazakhstan (2001)
- Governmental Act on Adoption of the Procedures on Handling the State Registry of the Objects of National Cultural Heritage (2007)
- Regulations on Safeguarding and Keeping the Historical and Cultural Monuments, Public Natural Sites Recognized as the International and National Objects of Cultural Heritage (2003)
- State Registry of Historical and Cultural Monuments of National Significance (2008)
- Regulations on Compiling, Keeping, Inventorying and Utilization of the Documents at the National Archives Fund, and Other Archive Documents by Public and Special State Archives (2011).

In terms of cultural policy, following two programmes are provided: National Programme on Development and Function of the Languages in the Republic of Kazakhstan from 2011 to 2020 (2011) and the National Programme on Development of the Physical Culture and Sports in the Republic of Kazakhstan from 2007 to 2011 (2007).

ICH Inventory

Kazakhstan developed the Provisional National ICH List, which follows the ICH domains categorized by the UNESCO 2003 Convention, and it included 18 ICH elements by 2012.

Pending Issues and Urgent Needs on Safeguarding ICH

Kazakhstan recognizes globalization and environmental and climatic pressures as factors posing a threat to ICH, particularly to traditional craftsmanship.

Concerning its status on ICH, Kazakhstan states that as of 2012, the UNESCO 2003 Convention, which was ratified in December 2011 by the Kazakhstan parliament, is the only legal document in which “intangible cultural heritage” was included as a term. In broader terms, national legislation protects the intangible national heritage in number of legal acts and regulations. Hence, there is an urgent need in developing and adopting a national strategy on safeguarding and strengthening the intangible heritage.

With regards to its efforts, Kazakhstan developed the Draft Concept on the Safeguarding of ICH and started a website database of ICH, in which communities, groups, and individuals can register ICH, link the phenomenon to a heritage community and a set of safeguarding measures.

Main Governmental Body in Charge of ICH

Ministry of Culture and Information

Community Involvement

Although there is no information provided on the points to consider to ensure the involvement of the communities in the safeguarding of ICH, Kazakhstan states that ICH bearers should take measures to allow the continuous transmission of ICH and that the government should develop a policy in consultation with the cultural heritage field and the communities, groups, and individuals that transmit ICH.

Remarks

Compared to the other Central Asian countries that participated in the survey, Kazakhstan ratified the UNESCO 2003 Convention the latest or in 2011. However, it appears to be very active in catching up with the national and international efforts for the safeguarding of ICH, as it has already drafted the Concept on the Safeguarding of ICH and developed the Provisional National ICH List, and it is planning to nominate four ICH elements to the UNESCO RL.