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South-East Asia

Regional Collaboration for Safeguarding Intangible Cultural Heritage in South-East Asia: Overview, Tasks and Strategies¹

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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.

¹ This article is a transcript of the presentation given by Tim Curtis at the conference.

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.

Overview



15 elements from 5 countries inscribed in UNESCO Lists

Country	The Representative List of intangible Cultural heritage of Humanity	Register of Best Safeguarding Practices
Cambodia	<ul style="list-style-type: none"> • Sbek Thom Shadow Theatre (2008) • The Royal Ballet of Cambodia (2008) 	
Indonesia	<ul style="list-style-type: none"> • Angklung (2010) • Indonesian Batik (2009) • Indonesian Kris (2008 / <i>Proclaimed a Masterpiece in 2005</i>) • Wayang Theatre (2008 / <i>Proclaimed a Masterpiece in 2003</i>) 	Education and training in Indonesian Batik intangible cultural heritage for students, Pekalongan (2009)
Malaysia	<ul style="list-style-type: none"> • Mak Yong Theatre (2008) 	

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Overview



15 elements from 5 countries inscribed in UNESCO Lists

Country	The Representative List of intangible Cultural heritage of Humanity	the List of Intangible Cultural Heritage in Need of Urgent Safeguarding
Philippines	<ul style="list-style-type: none"> • The Darangen Epic of the Maranao People of Lake Lanao (2008) • The Hudhud Chants of the Ifugao (2008) 	
Viet Nam	<ul style="list-style-type: none"> • Gióng festival of Phù Đổng and Sóc temples (2010) • Quan Họ Bắc Ninh folk songs (2009) • Nha Nhạc, Vietnamese Court Music (2008) • The Space of Gong Culture (2008) 	Ca trù singing (2009)

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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 a little bit of an idea listing in the context of the Convention.

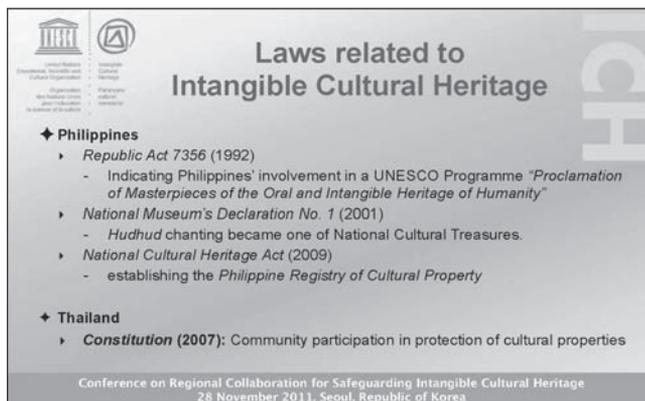
II. Laws Related to Intangible Cultural Heritage

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.

Laws related to Intangible Cultural Heritage

- ◆ **Cambodia**
 - ▶ *Law on the Protection of Cultural Heritage (1996)*
- ◆ **Lao PDR**
 - ▶ *Law on National Heritage (2005): (Article 46) Protection and Conservation of National Heritage in the Form of Intangible Items*
 - ***Protection as well as promotion***
 - Emphasis on the need of high-standard research by Lao and foreign researchers
 - Mentioning of copyright especially for records that are considered national secrets
- ◆ **Malaysia**
 - ▶ *National Heritage Act (2005)*
 - **Conservation of Intangible Cultural Heritage (Art. 60)**

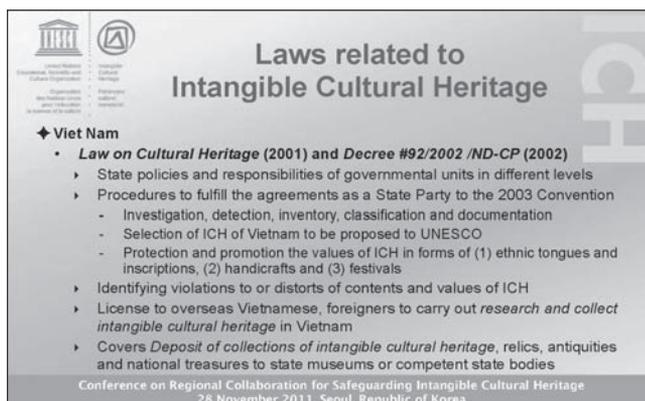
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Laws related to Intangible Cultural Heritage

- ◆ **Philippines**
 - ▶ **Republic Act 7356 (1992)**
 - Indicating Philippines' involvement in a UNESCO Programme "Proclamation of Masterpieces of the Oral and Intangible Heritage of Humanity"
 - ▶ **National Museum's Declaration No. 1 (2001)**
 - Hudhud chanting became one of National Cultural Treasures.
 - ▶ **National Cultural Heritage Act (2009)**
 - establishing the *Philippine Registry of Cultural Property*
- ◆ **Thailand**
 - ▶ **Constitution (2007):** Community participation in protection of cultural properties

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Laws related to Intangible Cultural Heritage

- ◆ **Viet Nam**
 - ▶ **Law on Cultural Heritage (2001) and Decree #92/2002 /ND-CP (2002)**
 - ▶ State policies and responsibilities of governmental units in different levels
 - ▶ Procedures to fulfill the agreements as a State Party to the 2003 Convention
 - Investigation, detection, inventory, classification and documentation
 - Selection of ICH of Vietnam to be proposed to UNESCO
 - Protection and promotion the values of ICH in forms of (1) ethnic tongues and inscriptions, (2) handicrafts and (3) festivals
 - ▶ Identifying violations to or distorts of contents and values of ICH
 - ▶ License to overseas Vietnamese, foreigners to carry out *research and collect intangible cultural heritage* in Vietnam
 - ▶ Covers *Deposit of collections of intangible cultural heritage*, relics, antiquities and national treasures to state museums or competent state bodies

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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.

		
Inventories		
Country	Publication	Important Details
Cambodia	Published in 2004 by UNESCO Phnom Penh	<ul style="list-style-type: none"> * including categories on minority languages, folklore, literature and poetry * Focusing on cultural elements surrounding the art of <i>Royal Ballet of Cambodia</i>
Indonesia	In Process (2009): Following categories recommended by UNESCO in <i>Practical Handbook for Inventory of Intangible Cultural Heritage of Indonesia</i>	
Malaysia	In Process: Ministry of Culture, Arts and Heritage (KeKKWa)	
Myanmar	In Process: Ministry of Culture 3 inventories being compiled	6 categories: Customs and tradition, religion and religious practices, language and literature, art and artistic activities, seasonal festivals, and attires and costumes

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Country	Publication	Important Details
Philippines	In Process: The National Commission for Culture and the Arts (NCCA)	<ul style="list-style-type: none"> * Preparing draft inventory since when the Convention was being drafted * Intangible Heritage Committee (IHC) * in relation to the development of a Living Human Treasures (LHT) system
Thailand	In Process (2009-2011): Department of Cultural Promotion	<ul style="list-style-type: none"> * Including a category for traditional sports * in total 80 elements considered as Thai intangible heritage
Viet Nam	In Process: Department of Cultural Heritage, Ministry of Culture and Information	<ul style="list-style-type: none"> * List of Living Human Treasures: Pilot Project for Quan Ho Singers (with UNESCO)

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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.

Safeguarding Initiatives
A Platform for Capacity-Building Programmes on ICH

- ◆ **Brunei Darussalam**
 - ▶ An international training course on "Conservation of Collections and Intangible Heritage" (Mar 2011)
- ◆ **Malaysia**
 - ▶ Seminar on Documentation and Safeguarding of Intangible Cultural Heritage (Mar 2011)
- ◆ **Timor-Leste**
 - ▶ Capacity-Building Workshop on the Ratification of the 2003 Convention (Nov 2011)
- ◆ **Thailand**
 - ▶ Regional Consultation Meeting on Intangible Heritage beyond Borders: Safeguarding through International Cooperation (July 2010)
- ◆ **Lao PDR**
 - ▶ Stakeholders' Workshop on the Convention for the Safeguarding of Intangible Cultural Heritage (July 2011)

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Safeguarding Initiatives
Short-term Action Plans

- ◆ **Malaysia**
 - ▶ A five-year Action Plan
 - to identify the intangible heritages to be safeguarded
 - to draw programs for development and for inventORIZATION purposes
- ◆ **Philippines**
 - ▶ A three-year Action Plan (2004-2007): *mainly for Hudhud Chanting*
 - Focuses: education, research, publication and promotion
 - Ifugao intangible Cultural Heritage Sub-Committee (under NCCA-ICH)

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Safeguarding Initiatives
Living Human Treasure System (LHT)

- ◆ **Cambodia**
- ◆ **Philippines**
 - ▶ National Living Treasures Committee (2007):
 - ▶ For documenting Darangen Epic tellers
- ◆ **Viet Nam**
 - ▶ **List of Living Human Treasures: Pilot Project for Quan Ho Singers** (with UNESCO)

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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.

Other Safeguarding Initiatives

Indonesia

- ▶ **Legal Implementation after the Ratification**
 - A Draft Joint Ministerial Regulation for Execution of Duties and Responsibilities of local Government in Preservation of Culture
 - A draft Law on Protection and Utilisation of Intellectual Property and Expression of Traditional Culture
 - A draft Law on Management of Traditional Knowledge

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Other Safeguarding Initiatives

Malaysia

- The Ministry of Culture, Arts and Heritage (KeKKWa)
 - funding to NGOs, educational institutions and performing arts companies.
 - National Arts Awards Compulsory Usage of the National Language and the Teaching of Ethnic Languages in Schools
- Registration of Traditional Medicine Practitioners
- Arts Acculturation Program for the Masses: the year-round schedule for cultural events in state's capitals
- Digital documentation of traditional songs (2003)



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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.



United Nations
Educational, Scientific and
Cultural Organization



ASEAN
Intangible Cultural
Heritage Initiative

Other Safeguarding Initiatives

- **Myanmar**
 - Educational institutes for Intangible Cultural Heritage
 - e.g. State Schools of Music, Drama and Fine Arts, University of Culture
 - Recent academic interest in Intangible Cultural Heritage, especially on aspects of ICH that are related to Theravada Buddhism.



Hive Oo Traditional Puppetry
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United Nations
Educational, Scientific and
Cultural Organization



National Commission on
Cultural Heritage
Department of Education
Cultural Heritage Division
Department of Education
Cultural Heritage Division

Other Safeguarding Initiatives

ICH

- **Philippines**
 - ▶ A three-year Action Plan (2004-2007):
mainly for Hudhud Chanting
 - Focuses: education, research, publication and promotion
 - Ifugao intangible Cultural Heritage Sub-Committee (under NCCA-IHC)
 - ▶ 2007: National Living Treasures Committee: *mainly for Darangen Epic*
 - The Living Human Treasure System (LHT)



The Darangen Epic of the Maranao People of Lake Lanao
© J. Uñaliw/NCCA-IHC

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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.



United Nations
Educational, Scientific and
Cultural Organization



National Commission on
Cultural Heritage
Department of Education
Cultural Heritage Division
Department of Education
Cultural Heritage Division

Other Safeguarding Initiatives

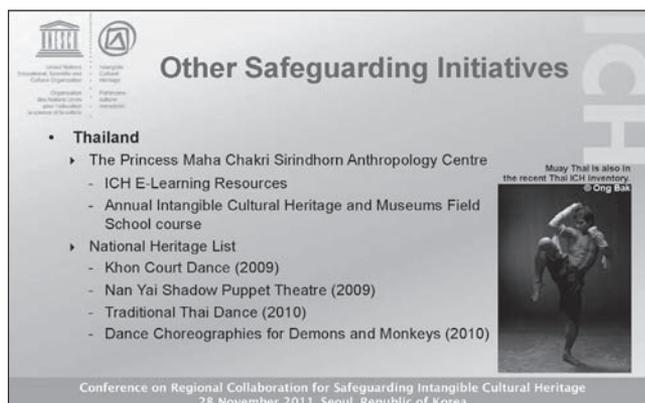
ICH

- **Viet Nam**
 - ▶ Ministry of Culture and Information
 - *Vietnam Committee for Intangible Cultural Heritage* (2001)
 - documentation, recognition, transmission and revitalization of ICH
 - *Vietnam Cultural Heritage Association* (2004): involving public sectors
 - ▶ Vietnam Museum of Ethnology is a leading agency for public projects on ICH.



The Space of Gong Culture
© Institute of Culture and Information /
Duong Thanh Giang

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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.



Challenges and Issues

National level

- ❖ *Socio-economic factors*
 - Some countries hesitate to realize fully the ethnic diversity within their territories.
 - Some changes in national education system tune out the notion of the importance of traditions.
 - Economic growth, modern medicine, technology, communication and practices related to majority's lifestyles undermine the necessities of local knowledge and rituals related to people's livelihood.
 - Contemporary forms of entertainment sometimes replace festivals and folk performances.

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Challenges and Issues

National level (con'd)

- ❖ *Lack of collaboration between governmental sectors*
- ❖ *Lack of understanding among people involved in the implementation process on the definition and the key concepts of ICH*



Wayang Shadow Puppetry, Indonesia
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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.

Challenges and Issues

International Level

- ❖ **Similar ICH elements**
 - ❖ Some cultural elements have been expressed across boundaries.
 - ❖ Some countries are unwilling to acknowledge shared heritage.

Falconry

One of the ICH elements shared by 11 countries across continents:
 United Arab Emirates, Belgium, Czech Republic, France, Republic of Korea, Mongolia, Morocco, Qatar, Saudi Arabia, Spain, Syrian Arab Republic
 Inscribed in 2010 on the Representative List of the Intangible Cultural Heritage of Humanity

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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.




Assistance from UNESCO through Field Offices

National capacity-building in implementation

- ❖ Partnering in inventory-making
 - ❖ E.g. *Inventory of Intangible Cultural Heritage of Cambodia* (UNESCO Phnom Penh and Ministry of Culture and Fine Arts)
- ❖ Publishing guidelines to help States Parties achieve their obligations



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Assistance from UNESCO through Field Offices

Cultural Promotion and Awareness Raising

- ❖ Carrying out projects relating to documentation of intangible cultural heritage in the region



Animation from interactive documentation of Traditional Children's Games in Cambodia, Lao PDR, Malaysia and Thailand (Pilot Project)
© UNESCO Bangkok

Project funded by City of Gangneung

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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.

Assistance from UNESCO through Field Offices

Programme for National Capacity-Building in the Implementation of the 2003 Convention

- ❖ *Safeguarding Intangible Cultural Heritage through the Strengthening of National Capacities in Asia and the Pacific*
- ❖ **Beneficiary Countries**
 - ▶ Bhutan
 - ▶ Cambodia
 - ▶ Cook Islands
 - ▶ Lao PDR
 - ▶ Mongolia
 - ▶ Nepal
 - ▶ Papua New Guinea
 - ▶ Sri Lanka
 - ▶ Timor-Leste

Budget supports from
Japan: 1 million USD
Republic of Korea: 200,000 USD

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Assistance from UNESCO through Field Offices

Programme Activities

- ❖ Ratification Workshop
- ❖ Implementation Workshop
- ❖ Community-based Inventory Workshop and Inventorying
- ❖ Urgent Safeguarding Workshop

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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.