

2013

ichcap

## **[SUMMARY]**

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

## **Introduction**

East Asian region is developed a rich of variety in the intangible heritage manifests, from oral traditions, performing arts, customs, and rituals to festivals, clothing, crafts, and food throughout the centuries. However, as with other counties in the Asia-Pacific region, which is a treasure house of ICH, traditional cultural heritage of East Asia was in a crisis of extinction due to shifts in industrial structures and the population outflow of younger generations to urban areas. In response, the Republic of Korea and Japan introduced the concept of intangible cultural heritage in policies related to safeguarding cultural heritage more than fifty years ago. Mongolia, with the support of its respective government, followed suit by establishing an institutional foundation for national ICH inventory making and ICH safeguarding after ratifying the UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage (2003).

Moreover, in relation to ICH safeguarding activities, UNESCO Category 2 Centres, which support ICH safeguarding activities, have been simulataneously going through the establishment process in the Republic of Korea, China, and Japan. As a well-intentioned objective for the future activities, the three centres are making efforts to build a cooperative mechanism among themselves. Another effort made in the region is the establishment of the ICH safeguarding system in Mongolia. The government of Mongolia has drawn up a national ICH inventory and identified bearers as well.

The countries in East Asia have been very active in safeguarding, and their participation at regional and international levels. Therefore, countries in the region need to build trust and collaborative relationships while safeguarding ICH at national, regional, and international levels.

## **Abbreviation**

- 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

## MONGOLIA

- Ratified the ICH Convention in 2005; conducted survey in 2009
- As of December 2014, has seven ICH elements on the RL, five elements on the USL, and four accredited NGOs
- In December 2012, submitted its periodic report on implementing the Convention on the status of elements inscribed on the RL to UNESCO

### Safeguarding System and Policy

The Law on the Protection of Cultural Heritage (2001) is the main law on cultural heritage in which ICH and its forms are defined. Moreover, a recently renewed State Policy on Culture reflects the spirit of the UNESCO 2003 and 2005 conventions. Also, the Ministry of Culture Sports and Tourism foresees a renewal of the Law on Culture (1996) and the Law on the Protection of Cultural Heritage (2001) as well as an elaboration on the Law on Cultural Expressions and National Traditional Knowledge.

In addition to the aforementioned laws, the following laws have also been enacted and thus constitute the legal framework of culture.

- The Constitution of Mongolia (1992)
- The Law on the State Official Language (2003)
- Presidential decrees on protecting, promoting, and transmitting traditional cultural elements
  - Decree on introducing fundamentals to traditional Mongolian mentality and thoughts in the secondary school curricula (2010)
  - Decree on measures to increase the official usage of Mongolian classical script (2010)
  - Decree on honouring and developing the *morin khuur* (2002)
  - Decree on transmitting and diffusing the *urtyn duu* (2004)
  - Decree on developing the *khuumei* (2006)

To implement these instruments, a number of national programmes have been adopted and carried out, including the following.

- *Morin khuur and urtyn duu* (2005–2014)
- *Mongol tuuli* (2011–2014)
- *Mongol khuumei* (2008–2014)
- *Mongol biyelgee* (2009–2014)
- A Mongolian-Korean joint project for establishing a safeguarding system for the ICH of Mongolia (2007–2012)
- A national inventory system (2010–2012)

### ICH Inventory

The national ICH inventory system of Mongolia is called the Consolidated ICH Registration and Information System. It is designed to be updated, enriched, and improved annually. It includes the following four elements:

- The National Representative List of ICH and a tentative list of ICH to be added
- The National List Of ICH In Need Of Urgent Safeguarding and a tentative list of ICH to be added

- Registration and information of ICH and its bearers in Mongolian territory (written research materials, photos, audio and video recordings, and other relevant materials)
- A national list of ICH bearers possessing a high level of skills and knowledge

First adopted in 2009, the National Representative List of ICH and the National List of ICH in Need of Urgent Safeguarding have been renewed in 2011 and 2013, respectively. These lists classify the ICH domains according to five categories outlined by the UNESCO 2003 Convention. As of April 2013, there are eighty-one ICH elements inscribed on the National RL and sixteen ICH elements on the National USL. Furthermore, the local administrative units of Mongolia are obliged to develop ICH lists in their territories in accordance with the abovementioned model.

Concerning the registration and information of ICH and its bearers in Mongolian territory, a survey called “Primary Registration Work of ICH and its Bearers” was conducted in 2010, covering 85 percent of all the administrative units in Mongolia, including 283 communes of 21 provinces and all 9 districts of Ulaanbaatar. Overall, 88 ICH elements were identified and registered, and 3,339 individuals were identified as ICH bearers. Covering 314 soums and the 9 districts, the re-registration in 2011 increased the number of identified ICH bearers to 5,701.

Finally, in regards to the National List of ICH Bearers Possessing the High Level of Skills and Knowledge, as of April 2013, there are one hundred individuals listed and awarded with certificates. For Mongolia, this system is an alternative to the Living Human Treasures system, but it should be clarified whether the designated individuals are granted with constant subsidies for transmitting their heritage.

Besides the national ICH inventories, since the middle of twentieth century, different types of surveys and studies have been conducted on various categories of traditional cultural expressions and folklore, and there are numerous publications.

### **Pending Issues and Urgent Needs on Safeguarding ICH**

Endangered ICH elements are listed on the National USL List. Some major steps for ICH safeguarding, have included national programmes on several ICH elements—Introducing the Living Human Treasures System (2008–2010) and Developing a National Inventory (2011)—but the country still lacks financial, technical, and professional capacities.

Increasing public awareness and the awareness of decision makers about safeguarding ICH is important. Mongolia is very much encouraged for inter-sectorial and international cooperation for networking, raising awareness, and building capacity through a number of activities.

### **Main Governmental Body in Charge of ICH**

Ministry of Culture, Tourism and Sports—Centre for Cultural Heritage

### **Community Involvement**

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

### **Remarks**

Compared to the other Asia-Pacific countries participating in the survey, Mongolia appears to be very active in the ICH sector, thanks to the contribution of previously influential actors and earnest

international partnership. It is crucial to keep the engine moving and to contribute to international cooperation for safeguarding ICH.

Concerning intellectual property issues in ICH safeguarding, no relevant information is provided in the field survey report. However, the Law on Copyright and Neighboring Rights protects the derivative works based on traditional culture.

## **JAPAN**

- Accepted the ICH Convention in 2004; conducted survey in 2013
- As of December 2014, has twenty-two ICH elements on the RL and five accredited NGOs

### **Safeguarding System and Policy**

The Act on Protection of Cultural Properties (Act No. 214 of 1950) enacted in 1950 intended to protect intangible cultural heritage as Intangible Cultural Property. It categorises three part of ICH objects; Intangible Cultural Properties, Intangible Folk Cultural Properties and Selected Conservation Techniques. It has been amended thirty seven times to date (as of September, 2013) and has been entirely dedicated to ICH safeguarding.

Policies about safeguarding intangible are mainly about the national subsidiaries. It was in 1952 when the grant for transmission of intangible cultural property started based on the Law. At first, it was intended to subsidize only important elements and those at risk of disappearance. As for the recent development, however, subsidiary and support towards undesigned and unselected intangible cultural heritage transmission have attracted attention.

### **ICH Inventory**

There are three ICH inventories in Japan: the National Inventory of Intangible Cultural Property, Intangible Folk Cultural Property, and the Selected Conservation Techniques.

Intangible cultural property is defined as “drama, music, craft techniques, and other intangible cultural products, which possess a high historical or artistic value for Japan.” Two fields among intangible cultural property are:

- performing arts
- craft techniques

Folk cultural properties are defined as “manners and customs related to food, clothing, housing, occupations, religious faiths, and annual events; folk performing arts; folk techniques together with clothes, utensils, houses, and other objects used therefor, which are indispensable for understanding transition in the modes of life of the Japanese people.” The following categories are regarded intangible folk cultural property;

- manners and customs
- folk performing arts
- folk techniques

Techniques or skills necessary for the preservation of cultural property is defined: “The Minister of Education, Culture, Sports, Science and Technology may select, as Selected Conservation Techniques, such traditional techniques or skills as necessary for the preservation of cultural properties and for which preservation measures need to be taken.”

Specifically, in the case of intangible cultural property, the Japanese government recognizes ‘Holders’ or ‘Holding Groups’ who embody an outstanding degree of relevant skills or crafts to promote the transmission of traditional skills and crafts.

### **Main Governmental Body in Charge of ICH**

Performing Arts Section, Craft Technique Section, and Folk Properties Section are under the Traditional Culture Division, Cultural Properties Department and the Agency for Cultural Affairs.

### **Community Involvement**

There are essentially as many holders' groups and preservation associations as the number of national and local designations. Moreover, in terms of the undesignated intangible cultural properties, it is impossible to identify the number, as each of the relevant individuals who unite to form the groups hold preservation activities on their own.

### **Remarks**

Japan is one of the earliest pioneer countries that built an ICH safeguarding system and worked on its policies. The distinctive ICH safeguarding system has been established successfully based on the experience and know-how that had accumulated over the years. The UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage (2003) is, however, demanding a new paradigm towards the existing system and policy on ICH safeguarding. As a result, discussions are currently being held at the national level.

## KOREA (REPUBLIC OF)

- Accepted the ICH Convention in 2005; conducted survey in 2013
- As of December 2014, has seventeen ICH elements on the RL and eight accredited NGOs

### Safeguarding System and Policy

The Republic of Korea has undertaken great efforts to safeguard intangible cultural heritage (ICH) since the Cultural Heritage Protection Act was enacted in 1962. The following steps have been taken at the national level to ensure the implementation of the 2003 Convention for the Safeguarding of the Intangible Cultural Heritage:

First, ICH inventories were prepared and have been updated on an ongoing basis. Introduced in 1964, the inventories currently include 132 state-designated ICH elements and 506 local elements designated by a city or province as of December 2014.<sup>1</sup>

Second, ICH elements have been documented and archived. A variety of national institutions have taken charge of documenting and archiving ICH elements in consideration of their domains and characteristics.

Third, the country has strived to foster individual transmitters and relevant communities. The transmission system (consisting of masters, teaching assistants, apprentice graduates, and apprentices) has been managed at the national level to enable ICH masters to nurture their successors through apprenticeship training systems.

Lastly, efforts have been made to raise public awareness of ICH and enhance its use. To raise awareness of the importance and value of ICH, government support has been provided for various domestic and overseas performances and exhibitions.

### ICH Inventory

The inventories of Korean intangible heritage are divided into two categories: “important intangible cultural heritage” managed by the central government and “city- or province-designated intangible cultural heritage” managed by local governments. Important intangible cultural heritage are managed by the CHA, a central governmental agency under the Cultural Heritage Protection Act. The lists of city- and province-designated intangible cultural heritage are under the responsibility of sixteen different local governments and are operated by the head of each local government authority.

The criteria for the inclusion of ICH elements in inventory can be specified as follows:

- A. Drama: Puppet play and mask drama
- B. Music: *Jerye-ak* (court ritual music), *yeolye-ak* (banquet music), *daechwita* (military processional music), *gagok* (lyric songs), *yeongchang* of *gasa* or *sijo* (aria of prose-poetry or poem of three lines), *sanjo* (scattered melodies), *nongak* (farmer’s music and dance), *jappa* (miscellaneous songs), *minyo* (folk-songs), *muak* (dance-accompaniment music), and *beompae* (Buddhist ritual chants)

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<sup>1</sup> Source from <http://english.cha.go.kr/english/new/index.action>

- C. Dance: *Uisigmu* (ceremonial dance), *jeongjae-mu* (court banquet dances), *talchum* (masked dance), and *minsokmu* (traditional folk dance)
- D. Craftsmanship: Ceramics, fur and leather, metal, bone, art of mother-of-pearl inlaying, paper manufacturing, woodworking, architecture, paper, textiles, dyeing, jade, embroidery and decorative knotting, clothes and ornaments-making, musical instrument, straw mats, bamboo, and battle gear
- E. Other rituals, recreational activities, martial arts, and cuisines
- F. Techniques that are important to the establishment or composition of elements described in sections A to C or technology vital to manufacturing or repairing relevant equipment.

### **Pending Issues and Urgent Needs on Safeguarding ICH**

In the Republic of Korea, the intangible cultural assets of regions in the Democratic People's Republic of Korea (DPRK) are being transmitted mainly by communities of persons whose home towns are now in the DPRK. However, the communities are finding it increasingly difficult to transmit such intangible cultural assets as they continue to be disconnected to their geographical foundations. Several items of the highest artistic merit including the Bongsan Mask Dance are sometimes being transmitted as forms of art, but their disconnection from the regional communities from which the assets originated is hindering the transmission through methods that are more natural.

### **Main Governmental Body in Charge of ICH**

Ministry of Culture, Sports and Tourism  
Cultural Heritage Administration  
National Intangible Heritage Center

### **Community involvement**

The intangible cultural assets of Korea have been protected under the leadership of the ROK government for about half a decade. In this process, a practice settled in which the government regards intangible cultural asset transmitters not as main agents but rather as a community to be supervised while the individual transmitters in the private sector also consider themselves as receivers of government support. ROK government is currently establishing a bottom-up safeguarding system for intangible heritage, where the participation of local governments is more important than that of the central government.

### **Remarks**

The traditional cultural heritage of Korea was facing the threat of extinction due to the aftermath of the Japanese colonization and Korean War. However, the ROK government has recognised the importance of ICH safeguarding early on and proceeded to build the ICH safeguarding system under the law. Notably, the ROK government has established the "Human Cultural Assets" and encourages the practice of safeguarding ICH.