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PARTNERSHIPS

A joint issue with the
Getty Conservation Institute

DEC 2004
Quarterly review

Editorial

The principle of collective responsibility for the protection and conservation of cultural heritage forms the basis of international cooperative efforts to preserve that heritage. Partnerships among cultural heritage organizations, which have gained increasing legitimacy from a number of successful projects such as the recent reconstruction of the Mostar bridge in Bosnia, include a wide variety of participants and public-private collaborations. As heritage conservation becomes more complicated – sometimes involving development issues such as urban expansion and poverty reduction, as well as the preservation of identities, specifically for indigenous peoples – the partnership concept becomes all the more appealing, as well as complex.

It is in this context that partnerships have developed between UNESCO and its affiliated organizations and programs of the J. Paul Getty Trust. One project, Object ID, set up an international standard of information for the documentation and identification of objects in order to facilitate the rapid transfer of information in case of theft. Initiated at the Getty, it was established through the participation of the art trade, law enforcement, the insurance industry, and major heritage organizations, and is now managed by the International Council of Museums (ICOM), which was founded by UNESCO and remains affiliated with it (see icom.museum/objectid). Sharing information worldwide is a form of partnership that goes beyond selective actions and represents a change in the *état-d' esprit*: it builds a common ethical ground.

A second project is also emblematic of change. The creation of the top-level Internet domain (TLD), ".museum", in November 2000, resulted from the foresight and dedication of ICOM and Getty staff. UNESCO embraces and values the creation of the only sponsored TLD for cultural heritage, in view of its long commitment to place culture at the top of international agendas and its advocacy of initiatives that advance knowledge societies. At the same time, UNESCO encourages the significant participation of conservation research and operational institutes, such as the Getty Conservation Institute (GCI), in partnerships that promote sustainable conservation approaches for cultural heritage.

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Partnership is an essential element of project work at the GCI. The leadership of the Getty Trust recognized early on that appropriate partnerships offered an effective way to leverage limited resources, as well as – and equally important – to expand the capacity of the conservation community. In scientific research, no single institution can possibly address the diversity of questions posed by conservation problems. Even investigations of single issues benefit from the variety of perspectives and facilities that are possible in collaborative endeavors. The GCI has valuable partnerships with a variety of public and private institutions, studying questions related to modern paint materials, exhibition lighting of old master drawings, organic materials used in wall paintings, and variations in early photographic processes. In field projects, *every* GCI project has involved a partnership, usually with the agency or institution that is responsible for the heritage that is the subject of the project. Building a relationship of mutual understanding and trust – and shared objectives and responsibility – requires as much attention as addressing the particular conservation problems afflicting a site. Without such a relationship, a project will not succeed.

By "partnering" our two publications – *MUSEUM International* and *Conservation*, *The GCI Newsletter* – on the subject of partnership, we hope to illuminate the varieties, value, and power of partnership in the museum and conservation fields, to distinguish where partnership is valuable and where it is not, and to emphasize partnership as a critical element of institutional work and policy. Beyond advancing the specific work of preservation and conservation, partnerships, by bringing different parties together for a common objective, contribute to the overarching goal of increased human understanding.

Mounir Bouchenaki
Assistant Director General for Culture
UNESCO

Timothy P. Whalen
Director
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Stari Most: rebuilding more than a historic bridge in Mostar

by Maha Armaly, Carlo Blasi and Lawrence Hannah

Maha Armaly is an operations officer for the World Bank and is a member of the team supporting the project. Ms Armaly has worked on cultural heritage projects in other countries.

Carlo Blasi is an expert in building restoration and structures consolidation. He is Full Professor of Restoration at the University of Parma. In 1997, he was the chief coordinator of the UNESCO International Group for the 'Rehabilitation Plan of the Historical Centre of Mostar'; he has been advisor to the World Bank for the design of the reconstruction of the old bridge in Mostar.[1]

Lawrence Hannah is an economist for the World Bank and has served as Task Team Leader for the Pilot Cultural Heritage Project since December 1999.

> *'In everything that man pushed by his vital instinct, builds and raises, for me, nothing is more beautiful or more precious than bridges. Bridges are more important than houses, more sacred because they are more useful than temples. They belong to everybody and they are the same for everybody, always built in the right place in which the major part of human necessity crosses, more durable than all other constructions.'* (Ivo Andric)[2]

Stari Most was more than a historic Ottoman bridge straddling the Neretva River in Mostar, Bosnia and Herzegovina. Stari Most, which means 'old bridge' in the local language, was a stunning architectural jewel built in the Ottoman style in 1557. The bridge came to represent not only the crossing of a river but the weaving of Mostar's multi-cultural and multi-ethnic fabric of Bosnians, Croats, Serbs and Muslims, Orthodox Christians, and Jews. The senseless destruction of the Stari

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Most in 1993 during the war signalled the peak of intolerance between neighbours.[3]

The people of Mostar vowed to rebuild their city and its monuments and bridges as soon as the fighting stopped on 1994. Eleven years later, the Stari Most stands again, as a symbol of reconciliation and solidarity. An extraordinary partnership of local residents, national leaders and the international community worked, with enthusiasm, side-by-side in the City of Mostar. The reconstruction of the Stari Most was a crucial step in repairing the economic and social damage of war.[4]

A 'coalition of the committed' was created by the World Bank, the United Nations Educational, Scientific and Cultural Organization (UNESCO) and the Aga Khan Trust for Culture and World Monuments Fund to oversee the reconstruction of both the bridge and the historic city centre. Other donors – Italy, the Netherlands, Croatia and the Council of Europe Development Bank joined forces with the government of Bosnia and Herzegovina. Turkey, France and the European Union provided additional financial and technical support.

Local residents, the Chairman of Bosnia and Herzegovina's tripartite presidency and institutions and government representatives gathered in Mostar on 23 July 2004 to inaugurate the reconstructed bridge. They came to celebrate the renewal of a cultural heritage that the people of Mostar and Bosnia and Herzegovina hope will bring new understanding, reconciliation and economic revitalization. The story of the reconstruction of the bridge, however, begins with the decision to finance and rebuild a replica of a sixteenth-century Ottoman bridge in the twenty-first century.

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1. The Mostar Bridge before its destruction, 1965.

© UNESCO/Lucia Iglesias (2003)

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2. The temporary bridge in Mostar (1994–2004).

Stari Most: an Ottoman architectural triumph

Historians agree that the town of Mostar probably originated in the first half of the fifteenth century

as a defence outpost on the road leading from the merchant city of Dubrovnik into the Balkan interior,[5] and may have been built upon the ruins of an earlier Roman settlement. During the sixteenth century, Mostar grew quickly owing to its position on the main road to the Adriatic Sea, and, in the second half of the century, the local Ottoman ruler built mosques, a library, *caravanserai*, lodgings for travellers, schools and bridges.

3

3. The new Mostar Bridge inaugurated on 23 July 2004.

An inscription on the original Stari Most indicated that it was completed between July 1566 and July 1567, and old documents reveal that Sultan Suleiman the Magnificent ordered and paid for its construction. The renowned Ottoman architect Mimar Hayruddin, a student of the celebrated Sinan, was chosen to build the bridge. Hayruddin chose the narrowest point of the Neretva River, with the most stable rocks on both banks, as the site for the bridge. The architect took into account the water level during flooding; this explains why the arch of the bridge is higher than the adjacent street levels.

The old stone bridge had a single span of almost 28 metres, was about 4 metres wide and had a curvature close to a lowered centre semi-circle. The arch of the bridge was made of 456 white *tenelia* stone blocks and was flanked by two fortified towers, the Halebiya Tower on the right bank and the Tara Tower on the left. The slender

© France Air Force

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4. Aerial view of the old town and the Mostar Bridge which was destroyed in 1993 during the war in the former Yugoslavia.

and elegant profile of the bridge reflected the changing colours of the sunlight and of the green waters of the Neretva. The beauty of the bridge rested in its deceptively simple structure, which blended harmoniously with the river it spanned. The conscious omission of decoration and ornamentation gave the bridge a timeless beauty.

The people of Mostar became known as the *bridge keepers* or *guardians*. It was a well-earned epithet. The bridge withstood 427 years of natural disasters, earthquakes and war. But on 9 November 1993, the Old Bridge in Mostar collapsed into the waters of the Neretva River after being subjected to three days of heavy shelling. The bridge was deliberately destroyed for its symbolic significance rather than its military value, which made its loss even more devastating. Mostar was defined by the bridge and with its loss the identity of the city was literally broken apart.

International support for the Pilot Cultural Heritage Project

The first appeal for reconstruction was launched by UNESCO in early 1994.[6] The restoration of national monuments in war-torn Bosnia and Herzegovina became an important component of the 1995 Dayton Peace Accords, which ended the war. The rehabilitation of shared symbols of cultural heritage, especially in Mostar, was seen as a necessary step in reunifying the city and the country. The early European Union Administration of Mostar set up in 1994 to

administer the city supported this objective; and finally, the Government of Bosnia and Herzegovina requested the World Bank to include the rebuilding of the Stari Most in the financing programme for the country.

The reconstruction of the bridge and the two towers became an opportunity for the many multilateral, bilateral and humanitarian organizations working in Mostar to join efforts. The objective of the project was to do more than simply rebuild a bridge. The supporters of the project hoped to improve the climate for reconciliation among the people of Bosnia and Herzegovina. Successful implementation was seen as a prerequisite for the economic and social revitalization of the country. The project became known as the *Pilot Cultural Heritage Project* to reflect the complexity and uniqueness of the endeavour.

International peacekeepers in Mostar helped in the early stages of the reconstruction effort.[7] The World Bank and UNESCO, along with the local authorities, launched a joint appeal for the reconstruction of the Stari Most, which generated international support, with donor organizations and countries answering the call. The World Bank was responsible for the financial aspects of the project in conjunction with the City of Mostar, while UNESCO managed the technical and scientific coordination.

Turkey, the European Union and France provided funds and technical assistance during the early stages, which helped with fund-raising. An international agreement among donors provided the opportunity to work together. The Council of Europe Development Bank as well as the Governments of Italy, the Netherlands and Croatia came forward with much-needed financial support to ensure the successful completion of the project.

An International Committee of Experts (ICE) was formed by UNESCO in October 1998 to oversee the design and to monitor the quality of the work. The ICE met periodically to supervise and to deliberate on all aspects of cultural integrity and

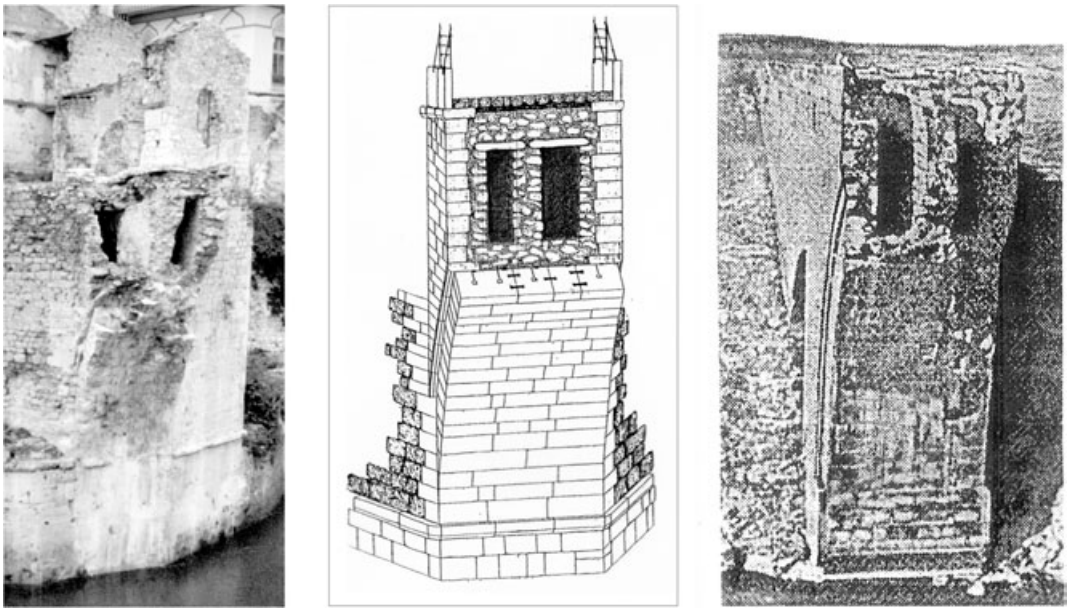
5. Workers during the first interventions for protection of the cultural heritage in Mostar in 1994.

architectural authenticity of the reconstruction design. Two smaller organizations, the Aga Khan Trust for Culture and the World Monuments Fund, provided critical support in implementing the project and reconstructing other historically and socially significant buildings in the historic city.

Technical management of the project

Local management of the rebuilding project and extensive technical cooperation between national and international experts guided the project. An inclusive and complex organization of the project was entrusted to the City of Mostar. The city, in turn, created a Project Coordination Unit (PCU) to manage the reconstruction of the bridge and towers. Other elements of the reconstruction of the historic centre were managed locally and by international donors.

Engineer Ruzmir Cisic and architect Tihomir Rozic, both native residents of Mostar, were chosen as the directors of the PCU. They were the leaders of the local partnership among the formerly warring citizens, who ensured that ongoing consultation and cooperation among the various groups kept the project moving forward. They were responsible for hiring and working with the internationally-recruited engineering firms that rebuilt the bridge and towers. The commitment of the officials of the City of Mostar and the dedication of the staff of the Project Coordination Unit contributed to the strengthening of the partnership and the success of the work.



© Carlo Blasi

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6. The Mostar bridge section compared with the Nerkin Djarpi bridge in Armenia.

UNESCO oversaw the scientific and cultural quality control through the ICE, which was composed of international and local experts in Ottoman architecture and bridge restoration. The European Union and France provided technical

assistance to the PCU by funding an expert to assist in the supervision of the bridge design, who had already worked on the reconstruction of other destroyed bridges in Mostar. The World Bank concerned itself with the transparency and efficiency of the procurement and financing processes, and supplemented its team on the technical side during the design process with an architectural adviser. The local Project Coordination Unit used international competitive

7. The original stones recovered by the SFOR's Hungarian Engineer Contingent (HEC), damaged by bullets and water.

procedures, according to World Bank guidelines, in order to ensure a transparent and efficient implementation of the reconstruction task.

The surveys, preliminary studies, designs, supervision and work for the reconstruction of the bridge and the restoration of the towers were conducted by internationally renowned experts, laboratories, universities and companies:

1. CONEX Company (Croatia) for geological investigations and surveys of the foundations;
2. LGA laboratory (Germany) for laboratory tests on construction materials;
3. General Engineering Company (Italy) for surveys and architectural designs;
4. OMEGA Engineering Company (Croatia) for the design of the tower reconstruction and for supervision of the building work;
5. Erbu (Turkey) for the reconstruction of the bridge;
6. Yepi Merkezi (Turkey) for the strengthening and repair of the bridge foundations;
7. Gradevinar-Fahic for the reconstruction of the towers;
8. Kara Drvo for the cutting of Tenelija stone.

The preliminary studies constitute a remarkable scientific contribution to the knowledge of Ottoman architecture and to the history of the town of Mostar. Archival research of historical documents was undertaken in such diverse cities as Istanbul, Sarajevo, Vienna and others.[8]

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8. The new arch of the bridge reconstructed with the original technique using stainless steel.

A new bridge, no bridge or a new old bridge: the philosophy behind the reconstruction

The design objective of the reconstruction was to build new structures similar to the destroyed bridge. The other choices were to insert a contemporary architectural bridge next to the surrounding ruins or to build a memorial rather than a new bridge. Each of these possibilities was examined thoroughly according to cultural heritage protection standards and techniques. The ultimate choice of rebuilding a new bridge 'as it was' by using the same technology and materials as in the original bridge was decided by the people of Mostar.

In architecture, the reconstruction of war-damaged historic structures or buildings in their original style and built with original materials has been increasingly applied, especially since the Second World War. Some scholars, of course, view these reconstructions as false replicas, but in many cases people are not overly mindful that the reconstructed buildings are not original. In order to justify the project of reconstruction and its success, it must contribute positively to the environment in which people live and to the self-identification of the people and community.

The loss of important historical monuments such as the Stari Most, which played a vital social role in the development of the city, changes the environment in which people live and how they physically relate to each other in the community. The absence of the familiar structure that was part of the folklore and a cultural touchstone of the community and the nation reinforced the horrors of the recent war. In the case

© Andrea Bruno

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9. Three-dimensional image representing architect Andrea Bruno's proposal for the reconstruction of a modern bridge on the ruins of the ancient Mostar Bridge.

of bridges, this axiom holds true; bridges are part of the life of a city because they often represent a historical connection between people. Indeed, the reconstruction of the bridge and towers was an essential step in repairing the social fabric torn by the cruelty of war. Thus, the fact that the new Stari Most is not an original is, for people, of limited significance.

Numerous are the bridges that were reconstructed after wars. The parallel history of the Santa Trinita Bridge in Florence and the Ottoman Bridge in Mostar is one good example. The Santa Trinita Bridge was built in 1566 at about the same time as the Stari Most, and was destroyed during the Second World War. The bridge was rebuilt shortly after the war in its original style and has come to represent renewal rather than devastation. Both bridges were reconstructed as they were originally built, and their reconstruction provided an opportunity to study the architecture, shape and old techniques of designing and building.

Accurate reconstruction of the bridge in Mostar was made possible by the existence of a wealth of documents, photos and surveys from the past and the reconstruction has provided remarkable insight into the design and construction of Ottoman bridges. The reconstruction of the bridge provided scholars, architects and engineers with a unique opportunity to study centuries-old techniques of building stone arch bridges. The old materials, especially the lime mortars, provided insight into the traditional methods of cutting and connecting the stones by cramps and dowels, which were then anchored with molten lead. The preliminary studies produced interesting scientific results, but the need to complete reconstruction on time prevented some scholars from a deeper study that would have made the reconstruction site itself an 'international scientific laboratory' for old stone conservation.[9]

The geometry of the Stari Most

The Stari Most is world famous for its almost circular form and its delicately arched peak. Many scholars have tried unsuccessfully to find a geometrical reference to this form, but only the precise surveys, the old photographs and the structural analysis undertaken in the reconstruction project provide insight into its genesis. The bridge also had other geometrical irregularities that have long puzzled scholars. The axis of the peak is slightly asymmetrical by about 40 cm. The arch is constructed by some perfectly circular sections that are joined by points of discontinuity. Notably, the cornice on the left base of the arch was 14 cm lower than the corresponding right cornice.

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The Ottoman builders during this period were well acquainted with the principles of geometry and their constructions were characterized by perfect adherence to geometrical symmetry. Furthermore, the military engineers who built the Ottoman bridges used codified rules in their constructions. The application of these precise codified guidelines is evident in other similar bridges throughout the former Ottoman Empire.[10]

It is unlikely that the master builder Hayruddin would have unintentionally built a bridge with so many inaccuracies and with an asymmetrical peak. The original bridge almost certainly had perfect geometry in its original construction: a circular arch, with a dropped centre in respect to the cornices of the springs of the arch. The geometry was based on the use of the Ottoman measure named the *arshin*, which is about 71 cm. The diameter of the arch was 40 *arshin*; the centre was dropped by 4 *arshin* (a tenth of the diameter). The geometry of the bridge was very similar to that of the contemporary mosques. The left foundation of the bridge has settled about 12–14 cm lower, which has resulted in the deformation of the original geometry. The impressive asymmetrical peak is the result of unexpected ground movement, most likely an earthquake, as the bridge was built on a seismic site and across a fault line.

Construction techniques

The Stari Most was rebuilt with local materials – Tenelia stone found in nearby quarries – and according to traditional methods, the construction techniques used quoins, cramps and dowels. The studies conducted on the remains of the bridge and the recovery of the old stones from the river allowed scholars to replicate the original building technology used on the bridge. It was well known that the bridge was built with iron cramps and dowels to connect the stones, but architects were surprised to see how much iron and lead were used in building the bridge.

A similar construction technique was used in building Babylonian bridges, as noted in great detail in Herodotus's written *Histories*. The Romans also used cramps and dowels to connect stones in buildings and bridges but only the Ottomans, due to their advanced technology in metal processing, could safely use such a large quantity of iron and lead in the buildings.[11]

The analysis of the remains of the bridge conducted by the LGA Laboratory in Germany,[12] showed that the lead used to seal the dowels entered joints between the stones. The stones were then connected more with lead than only lime mortar. Since lead is more adaptable than lime mortar, it is apparent how the bridge itself could be flexible enough to adapt to the settlement of a pillar without cracks in the stones.

For the reconstruction, parts of the original stones, which had fallen into the Neretva River, were retrieved. This recovery work, which was carried out by the Hungarian Army serving in the international peace-keeping force in Mostar, was especially noteworthy in that it allowed further study of the original construction methods. Only a small number of the rescued stones were used in the reconstruction. Most of them were unusable for the reconstruction process because of damage inflicted by bullets and corrosion in the water.

After two years of scientific and archaeological research, reconstruction began on 7 June 2001. Reconstruction was done with new stones extracted from the same quarry as the original ones. It is anticipated that the old stones and the large fragment of masonry that is still compact with metal cramps, which constitute the main original parts remaining from the old bridge, will be conserved in a park or museum, alongside all the documentation of the reconstruction.

The rehabilitation of the Stari Most and Historic Centre

There are many who contributed to the rebuilding of this magnificent bridge. The new bridge is much more than meets the eye, however pleasing it may be. It is the fruit of an extraordinary partnership between the people of Mostar, the national and local authorities, and the international community. The reconstruction of the Stari Most and its surroundings reflects the combined efforts of all who are determined to help Mostar and Bosnia and Herzegovina rebuild and start afresh after the suffering and strife of the 1990s.

The residents of Mostar were the critical factor in determining whether the project would succeed. Although negotiations among the various ethnic groups were difficult due to the bitterness of the war, the continued efforts of local and national leaders were instrumental in persuading the people of Mostar to support the project. The rebuilding of the bridge and two towers is the most important and visible component of this rehabilitation project. The next challenge is to protect the new Stari Most and to bring back the former magic atmosphere, while at the same time encouraging responsible commercial and tourism development that is sensitive to the historic fabric of the city centre. This would require cooperation among the citizens and the city officials to ensure that new buildings do not detract from the beauty of the old city. It is hoped that the new bridge will help the people of Mostar, and of Bosnia and Herzegovina, to remember that the new Stari Most was built in peace to unite a divided people.

NOTES

1. Thanks and comments by Carlo Blasi: 'My human and scientific experience in Mosar, from 1994, have been unique and I want to thank all the friends I met in Mostar, especially Milan Gojcovič, not here with us any more, who taught me the secrets of the Ottoman bridges, and Mohamed, who taught me how to fish in the Neretva River.
The preliminary studies constitute a remarkable scientific event and a contribution to the knowledge of Ottoman architecture and to the history of the town of Mostar, even if, the needs and the urgency of the building did not allow to transform the reconstruction of the bridge in an international scientific laboratory of old stones conservation. A lot of appropriate restorations have been made in Mostar, but too many new and tall buildings have been built inside, or close to the old core of the city, changing the famous traditional skyline of the town. The reconstructed bridge is a successful, even if it seems too new, and even the original stones have been heavily ''cleaned''; it will be certainly criticised for this, but, I hope, time will begin soon to leave its signs on the stones and to make Mostar citizens forget the wounds of the war.'

2. Ivo Andric, a Bosnian-born writer, won the 1961 Nobel Prize for Literature.

3. See *World Cultural Report 1998*, A. Bescahouch.

4. *Association of the Architects of Mostar: 'Urbicid: Mostar '92'*, Zagreb Turistkomerc, 1992.

5. According to a historical outline provided by Professor Machiel Kiel, University of Utrecht, Netherlands and member of the International Committee of Experts for the reconstruction of Stari Most.

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6. UNESCO representative Colin Kaizer was on the ground in Mostar in 1994 and he later led a fact-finding mission in June 1994 to assess the damage and to implement emergency measures.

7. Hungarian soldiers (serving under the international peacekeeping force) dived into the River Neretva to rescue the ancient stones of the fallen Mostar Bridge, and British and Spanish military engineers built a temporary bridge in place of the Mostar Bridge.

8. *'Mostar: Urban Heritage Map and Rehabilitation Plan of Stari Grad'* Florence, UNESCO, Angelo Pontecorboli Editore, 1997.

9. J.C. Bessac, G. Pequeux and C. Blasi: *'Archéologie et restauration du Pont de Mostar', Archéologia (Dijon)* No. 376, March 2001.

10. C. Blasi, *'Construction Techniques and Restoring Intervention of the Ottoman Building and Bridges in Mostar', Proceedings of the 11th International Brick/Block Masonry Conference*, Shanghai, China, Tongji University, Vol. 2, pp. 1168–77. October 1997.

11. A recent structural analysis, made by Dr Andrea Vignoli, University of Florence, demonstrated that the presence of the iron cramps and dowels increases the strength of the masonry of the bridge by about 30 per cent against seismic events and the pressure of water.

12. In association with Dr Luigia Binda, University of Milan.

The UNDP's Commitment to Defend Cultural Diversity with UNESCO[1]

by Mark Malloch Brown

Mark Malloch Brown has served as the Administrator of the United Nations Development Programme (UNDP), the organization's global development network, since July 1999. In May 2003, United Nations Secretary-General Kofi Annan appointed him to a second four-year term. He is also the Chair of the United Nations Development Group, a committee consisting of the heads of all United Nations funds, programmes and departments working on development issues.

This is the first time that as Administrator of UNDP I have been formally a speaker at UNESCO, and I would like to pay tribute to the fraternal collaboration and friendship between UNDP and UNESCO as well as to what Koïchiro Matsuura, Director-General of UNESCO, has done in renewing this organization. I have a good nose and eye for fellow United Nations reformers, as sometimes I think we do not yet constitute the majority in terms of the leadership of the United Nations system. I know we have a huge base amongst the staff and colleagues who actually run our organizations, but in the leadership level we sometimes feel still a somewhat beleaguered group, and it's been wonderful to have Koïchiro Matsuura as a colleague in the chief executive board of the United Nations where he is always a great spokesman for the United Nations working more effectively together as a system.

I think our two organizations actually have had a rather successful history of collaboration in recent years. We went together with other

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colleagues of his staff to Bam (Iran) after the terrible earthquake there and worked together on the follow up, supporting the Iranians in the reconstruction of that historic city. We have a broader partnership around the world heritage sites in general with our environmental work through the Global Environment Facility and our common partnership with the United Nations Foundation.

We have put quite a lot of additional resources into the environmental preservation of world heritage sites and have been rather successful together in raising other resources from outside, from the private sector and elsewhere, to support these activities. Of course perhaps until now our biggest area of collaboration has been in education, where my leadership within the United Nations on pushing towards the achieving of the Millennium Development Goals is utterly dependent on UNESCO's leadership on education for all and the drive towards success in achieving universal primary education for boys and girls alike by 2015.

Today we open a new front in our partnership in that UNESCO has always been a champion of cultural diversity. UNESCO is also a great champion of the vital dimensions of free speech and the other components that are so critical to cultural diversity in practice. But perhaps we in the development community have not been as effective in recognizing that this theme of diversity is at the centre of development success overall.

The Human Development Report began distinctly focusing on the social as against economic dimensions of development. Its singular initiating insight at its creation, by Mahbub ul Haq and Amartya Sen, was that development was more than economics. It was about the quality of life, the ability of men and women to secure education and decent health for their children and families. But more broadly, through participation in the work force and in the broader life of their societies, to be able to exercise choice and to meet at least their basic needs as individuals.

As we move forward with the human development idea, very much under Sakiko Fukuda-Parr's, Director of the Human Development Report Office (UNDP), leadership we realize that the ability of people to exercise these choices depends very much on their full political participation in the systems of government of their countries. So in recent years, the Human Development Report, and UNDP more broadly, has become an often-controversial champion of the indispensability of democratic governance as key to the fulfilment and success of human development. A version of democratic governance that certainly recognizes it will take many different forms, many different constitutional and institutional arrangements. Many countries have a long path to go, and rightly a long path to go, to complete the development of a full democracy. But nevertheless, this is a vital and indispensable aspiration for all if human development is to be achieved.

This year with the new report, we take the argument about the conditions required to achieve full human development a stage further and argue that political emancipation, along with social and economic participation as citizens is still not enough. Citizens everywhere must have the right

10. Bam's Arg-e Bam in the back and Khale Dhoktar in the foreground.

to seek their own personal fulfilment through the ability to preserve, respect and honour what differentiates them, the issues important to them and their own sense of identity in terms of their ethnic backgrounds, their cultural backgrounds, their cultural identity including obviously their sense of religious identity as well.

We have argued in this report that in an era of globalization, with all the drive towards homogenization that it creates and this need to be able to differentiate oneself, to show a deeper sense of where one comes from as an individual and a family, is more indispensable than ever, and that the emphasis on it has been thrown into even starker contrast by globalization. All of us in our own lives, particularly those of us who are international civil servants working away from our home countries, understand that. As we bring up our own children, we feel a need to have them hold on to what it is to be British, or what it is to be Japanese or American, in an era where the forces of globalization are driven by mass marketing, and all the forces in our own and in our children's lives breed homogeneity where we want to demonstrate difference, and to give

ourselves and our children a pride in our own heritage and where we come from.

In this sense the 2004 Report is perhaps the most liberal and the most conservative report we have written at the same time. Conservative, because it's a song of praise to conserve what matters about where we come from, to conserve it to inform our futures and shape our values and attitudes. And liberal because in a very, very strong sense it is about the whole issue of how we conserve those values in a globalized world. When dealing with ideas and the communication of ideas, commerce and its communication, trade and investment, people no longer know the barriers they face as they did in the former world of nation states.

So I think we have an exciting important message, but it is one still linked to our earlier role of a vision of why this matters to human development. That there is an economic price to the poorly managed issue of differentiation in today's world, where one in seven people, some 900 million, consider themselves to be discriminated against or disadvantaged because of their cultural identity. And the statistics are extraordinary in terms of what minority status still means in economic terms.

In Mexico, very typical of the broader Latin American region, whereas 81 per cent of the indigenous Indian population falls beneath the poverty line, only 18 per cent of the non-indigenous population falls beneath the poverty line. In Romania, a country that ranks 78 in the Human Development Index,[2] its Roma population would rank 128. In Namibia, a country with a very small German-speaking élite, that élite has a Human Development Index (HDI) better than that of Norway, the country at the top of the HDI, whereas the non-German speaking population in Namibia comes 174 lower in the overall index.

So it is striking that where you see countries that have taken on this issue of minority, or often majority, discrimination and built the integrative economic and political policies, which both preserve and respect difference but allow people whatever their cultural origins to participate broadly in national life, the results can be striking. Take Malaysia, where it was the 62 per cent Malay population that was excluded from the commanding heights of the economy, whereas the 30 per cent of the Chinese population enjoyed dominance. Today by deliberate policies to spread the benefits, to build a more inclusive economy for all, Malaysia has enjoyed dramatic growth. Over the last twenty or so years it has been one of the top ten performing economies in the world.

So policies of inclusion, far from being anti-development, ensure that the benefits of human development are felt by minorities or majorities previously excluded from the political mainstream, and at the same time can ensure overall improved economic performance for the country as a whole because the conditions of stability, consensus, the stability that attracts foreign investment, the stability that allows high levels of work and commitment and secures high rates of growth, are in place.

We believe that this call or respect for diversity is one that certainly has a cultural and political payoff, but it is also one that has an

economic and social payoff as well. When we look at our Human Development Index, which is always the other story in each year's report, we have plenty to be worried about. For me as the sort of internal United Nations conductor of the orchestra on the Millennium Development Goals,[3] one of the striking findings in the index is – whereas last year we gloomily reported that Sub-Saharan Africa would not achieve the goal of halving poverty until 2147, 130 years later than the 2015 deadline we had set ourselves in the Millennium Development Goals – we now find that very, very narrow line just above neutral, which was slowly trending towards poverty reduction in Africa, the latest statistics reverse even that and suggest that the poverty line is widening. So we cannot even predict 2147. On current trends the proportion of the poor in Africa will just grow. We have some really major issues to be tackled in next year's five-year review of the Millennium Declaration.[4]

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11. UNDP coordinated a joint UN appeal for emergency funds for the reconstruction of Bam in Iran after the earthquake.

We will use this report to sound the warning that governments have got to get together late next year in a very serious way to tackle this group of countries, the cultural issues in the group of countries who are falling behind these goals. The report also, however, has plenty of good news. In Asia, where two-thirds of the world's poor live, we are broadly on task to meet many of the Millennium Development Goals, including poverty, by 2015, and I think you'll find that part

of the report as interesting in its own way as the first half that deals with cultural diversity.

The 2004 Report on Human Development is intended to contribute to the debate on diversity and freedom while not being overly prescriptive and saying there's a 'one-size-fits-all' way of solving issues of cultural diversity. France has been struggling with the issue of headscarves in schools, which we cover in the report. While we tip our hand a little bit and our writers cannot resist making it clear that if it had been our decision, it would have gone the other way; nevertheless, what we argue is that every country must find its own balance between the best way to preserve cultural difference in a way which reinforces rather than undermines national integrity.

We argue that the principles, the trade-offs, the issues that have to be addressed by every country, whether it's around headscarves, whether it's around ballots in India or Nepal, whether it's around indigenous minorities in Latin America, whether it's around the issue of Islam in Europe or Christianity and Jewry in the Middle East. Whatever the issue, it has to be approached in a spirit of tolerance and mutual respect, and not just a respect for others' values and culture, but a celebration of others' values and culture.

The recognition, the real human cultural capital of our world, as the Director-General of UNESCO argues, comes from its very richness and diversity. When we stamp out differences in an effort to impose political solutions on others, a little bit in the same way that we destroy plant life when we destroy forests, we are destroying the political and cultural biodiversity of our world, and we will live to regret it.

NOTES

1. This article is the transcript of remarks by Mark Malloch Brown on the occasion of the presentation of the Human Development Report 2004: *Cultural Liberty in Today's Diverse World,* at UNESCO Headquarters, Paris (France) on 16 July 2004.

2. See http://hdr.undp.org/reports/global/2004/pdf/presskit/HDR04_PKE_HDI.pdf

3. See http://www.developmentgoals.org/.

4. See http://www.un.org/millenniumgoals/.

Conservation Partnerships in the Commons? Sharing data and information, experience and knowledge, as the essence of partnerships

by Thomas Daniel Moritz

Tom Moritz began his professional career in 1975 at the National Natural Resources Library of the U.S. Department of the Interior in Washington, DC. He is a member of the IUCN Species Survival Commission and currently serves on the National Visiting Committee for the core integration system, U.S. National Science Digital Library and is a member of the National Science Committee for ITIS (the Integrated Taxonomic Information System). He has actively participated in BCIS (the Biodiversity Conservation Information System), an international consortium of international and non-governmental organizations focused on the management and dissemination of biodiversity information. He is currently Boeschenstein Director of Library Services at the American Museum of Natural History.

The Commons

Ultimately there is but one commons, it includes nature as it existed before fences and walls, borders and laws, the high seas, the skies, the air we breathe – and its remnants are now found within the world's more than 100,000 protected areas (about 10 per cent of the earth's terrestrial surface) and in the wild populations of plants and animals that still survive – and it includes millions of years of naturally selected genetic experience carried by each human being and by our fellow organisms.

Wise stewardship of the commons, of these places, of these organisms, of our genetic heritage,

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represents the traditional 'heartland' of The International Union for the Conservation of Nature (IUCN)[1] and of the conservation movement. But it has never been more clear than in the past decade that a narrow focus on protection of this 'heartland' as a mere physical landscape overlaid with living things would fail to meet the high standard that the conservation movement has set for itself. For 'the commons' also includes our human heritage of knowledge and wisdom gained through thousands of year of learned experience by human cultures and gained through hundreds of years of the more or less methodical culture of science.

This is 'the commons', the full integrity of nature addressed in the IUCN Mission. And, to achieve effective stewardship, it must be consciously informed by the principles of equity and justice as suggested by the IUCN mission.

Yet, the commons has also been under attack for centuries…

In England, the first enclosure movement 'stole the commons out from under the goose' as one protest ballad of that era had it. The locally shared land of the real 'commons' was largely transformed into what we now consider to be 'real estate'. And in a now famous essay published in 1968, University of California Professor Garret Hardin predicted an inevitable 'Tragedy of the Commons'[2] – arguing not simply that force of numbers (in the form of human population growth) would overwhelm the capacity of the commons to sustain people but even more fundamentally and more pessimistically that individual human self-interest, selfishness, would inevitably lead to the destruction of the commons.

Recently, Professor James Boyle of Duke University Law School has warned of a second enclosure movement.[3] He describes and forecasts the emergence of an increasingly restrictive legal regime that will constrain access to all forms of data, information and knowledge.[4] In our own era not just the physical terrain of the commons but our human knowledge of the commons, the mind and heart, the intellectual and emotional substance of the commons is being relentlessly restricted and reduced.

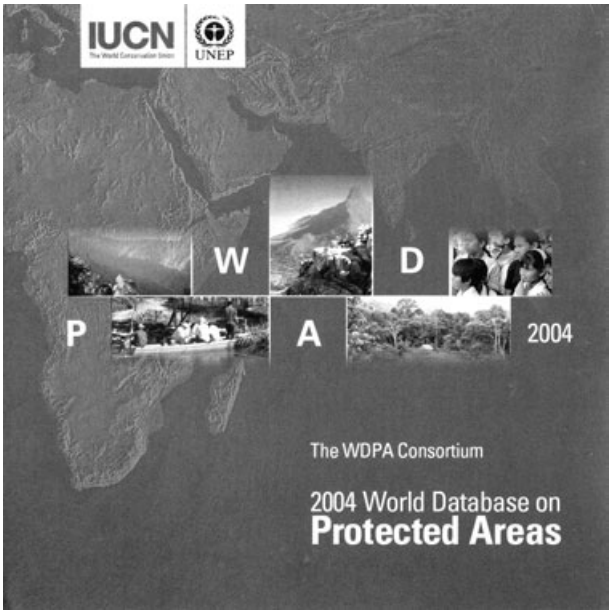
Data, information and knowledge describing the natural world is distributed worldwide in a bewildering array of formats. It exists in the form of huge specimen collections in the world's museums, herbaria, botanical gardens, zoos and aquaria. It is embedded in centuries of formal scientific publications held by the world's libraries. It exists in 'grey literature' – not formally published – by both governmental and non-governmental organizations. It exists in maps and images and recorded sounds. It exists in the form of indices such as Zoological Record (extending back to 1864). It exists in archives and collections of manuscript field and lab notes. And it exists in the observations and expertise, the experience-based knowledge, of scientists, conservationists and indigenous human cultures worldwide.

This universe of data, information and knowledge is weakly integrated[5] and efforts at integration are immediately confronted by a complex array of legal and cultural barriers to use, this cultural and legal matrix can pose serious impedance to our efforts to address the global environmental crisis.

More than ever before in human history, we have an exceptional opportunity to share our knowledge of nature in support of conservation. The convergent development of powerful technologies – computer hardware, software, networking (the Internet / the World Wide Web), imaging, digital documents, digital storage, among others – has meant that technology no longer need be a barrier to effective global communication (at least for those who can afford access). But as Professor Lawrence Lessig, of Stanford University Law School, has noted[6] there are other 'modalities of constraint' that operate to limit effective use of the Web – these constraints involve laws and policy, economic factors and perhaps most significantly cultural or normative factors. Put more simply, human beings may, for a variety of reasons, choose not to share resources even when they have access to a common global communications network and share a common vision and goals. For the global environmental conservation movement, the elimination of all barriers to effective cooperation and collaboration is critically important.

It has been my experience in a series of IUCN initiatives in the past decade that cultural factors – whether they operate at the level of individuals, social or cultural groups, professional societies, organizations, institutions, nations or international organizations – are actually the primary, most significant obstacles to effective partnerships in conservation. The perception that personal or collective interest is best served by controlling and restricting access and use of conservation data, information or knowledge defeats our common purpose – and effective use of data, information, expertise, knowledge and technology for research and education and applied conservation practice.

Most often there is a perceived advantage to controlling access to data, information or knowledge that is under proprietary control. Individuals may seek to advance themselves in order to secure jobs or promotions, reputations or professional stature. Individuals may also fear that recognition of their deserved priority of discovery will be appropriated without proper attribution or that the integrity of their works will be distorted. Professional societies may be dependent on information assets for revenue to sustain their membership or other activities. Non-governmental organizations may seek competitive advantage with funders – whether individual donors or



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12. The Cd-Rom cover of World Database on Protected Areas 2004, prepared on behalf of the WDPA, which is the largest repository of global information on protected areas. See http://sea.unep-wcmc.org/wdbpa/download/wdpa2004/.

private foundations, governmental aid agencies or international programmes. Institutions may be under pressure to optimize every available source of revenue, at times even in disregard of the institutions' fundamental mission. Commercial publishers, given the proprietary incentive of 'perfect monopolies'[7] over scientific knowledge and driven by the profit motive, may impose unsustainable costs on users[8]. Governments may feel politically obliged to defend themselves against internal or external criticisms of their environmental policies. All of these factors (and others) may limit willingness to share.

There are, however, costs of restricting access to our information resources. The World Bank is perhaps the most prominent exemplar of this effect. Spurred by criticism of environmentally disastrous policy decisions – taken in apparent ignorance of on-the-ground environmental factors – the Bank recognized its absolute requirement for more fully developed sources of environmental knowledge. In fact, recognizing the importance of information resources, World Bank President James Wolfensohn, has proposed redefining the Bank as a 'knowledge bank'.[9]

But there is yet another and less obvious cost of restrictions on access to conservation knowledge. Effective sustainability depends on the full involvement of local peoples in the most critically threatened, biologically mega-diverse areas of the world. Without access to basic information and to interpretation of that information from the perspective of conservation, local peoples may not make balanced and informed judgments about their own resource use. The benefits of direct informed communication between peoples are also restricted. Each year millions of young people – particularly in emerging economies – reach maturity without access to essential knowledge of their national biodiversity, of their natural patrimony.

The framework for sharing: public domain and commons

In a letter written almost two hundred years ago, U.S. President Thomas Jefferson – author of the Declaration of Independence – proclaimed: 'The field of knowledge is the common property of all mankind'.[10]

This principle found embodiment in the Constitution of the United States, particularly in its provisions for copyrights and patents and their reversion to free public use after prescribed periods of time. These forms of 'intellectual property' are placed in the 'public domain' for use – including commercial use – by all. Some scholars have perceived in these provisions a fundamental source of the United States' great successes in technical and scientific innovation.

It is also the case that the ethos of science strongly supports open access to scientific data, information and knowledge. Sir Isaac Newton gave voice to this fundamental ethic of science when he wrote: 'If I have seen further it is by standing upon the shoulders of Giants.'[11] In 1942, R.K. Merton of Columbia University offered a more analytical expression of this ethos: 'The substantive findings of science are a product of social collaboration and are assigned to the community. They constitute a common heritage in which the equity of the individual producer is severely limited.'[12] But in

recent years, with intensified advocacy of proprietary control on knowledge[13] many owners of data, information and knowledge have become less willing to see their resources exploited or actually claimed by others. The public domain has ceased to be a fully trusted repository for the common good.

Placement of scientific data, information and knowledge into the public domain for free and open use by all, poses a dilemma – for it permits economic exploitation by commercial enterprises. And there is a strong and growing sensitivity about such development on the part of those who have historically lost economic or cultural control of their own resources. This concern has found focus in the World Intellectual Property Organization (WIPO),[14] in the ongoing evolution of the Convention on Biological Diversity,[15] the evolution of 'TRIPS'[16] agreements and in collective expressions of concern (such as the 2002 'Cancun Declaration').[17]

Proposed solutions

Concern for protection of the knowledge of indigenous peoples or of the national biodiversity patrimony of developing countries has led to a proposed alternative as a complement to the pure public domain. A 'knowledge commons' defines a 'zone of free and equitable use for data, information and knowledge' or a 'zone of fair use'. The model is an intermediate proposal for a conditional (or 'impure') domain of use compatible with the existing legal regime of intellectual property rights and with the global market-based economy. It is made possible by certain unique properties of digital resources. Digital resources are both non-rivalrous (of near zero cost for additional increments of use) and non-exclusive (of potentially universal benefit).[18] These special properties of the digital commons effectively defeat Hardin's arguments for the inevitability of the 'tragedy' of the commons.

The Conservation Commons Concept and IUCN's recent responses

The development of a 'Conservation Knowledge Commons'[19] (or more simply a 'Conservation Commons') is consistent with the spirit of the Universal Declaration on Human Rights[20] as well as the international Convention on Biological Diversity[21] – now ratified by virtually all countries in the world[22] (currently excepting the United States). And the commons model while making data, information and knowledge available for conservation, research and educational uses, fully protects the knowledge of indigenous peoples and the biodiversity patrimony of developing nations from commercial expropriation. We should stress that we do not believe that advocacy of a focused 'conservation commons' precludes larger and more inclusive development of a 'global science commons' or even of a 'global knowledge commons'; we believe that the 'conservation commons' represents an intermediate – immediately achievable – goal.

It is worth noting that since 1987 (at least) IUCN has routinely made its formal publications available through a commons-style permission statement printed on the page following the title page. This permission states: 'Reproduction of this publication for educational or other non-commercial purposes is authorized without permission from the copyright holder, provided the

source is cited and the copyright holder receives a copy of the reproduced material. Reproduction for resale or other commercial purposes is prohibited without prior written permission of the copyright holder.' But in the mid-1990s, seeking a more consciously strategic approach to sharing, IUCN – with significant support from the Center for Applied Biodiversity Sceince at Conservation International – formed BCIS (The Biodiversity Conservation Information System).[23] BCIS was a substantial and sustained effort to draw together international conservation NGOs and IUCN Commissions in consciously fostering partnership and collaborative sharing of data, information and knowledge. For a number of reasons, BCIS produced mixed results – it did succeed in building working relationships of trust among major conservation organizations but failed to evolve a stable, sustainable 'business model' for ongoing partnership. Nevertheless, it marked the first time that such a broad group of partners from the international conservation community had sought to create a common framework for sharing of data and information.

The global World Database on Protected Areas (WDPA) Consortium, formed in 2002, was a direct result of the BCIS partnership. The Consortium has evolved with a common mission to produce the World Database on Protected Areas.[24]

This initiative was a watershed development for major conservation organizations who, it seems fair to say, had often considered each other (at best) as 'friendly rivals', if not outright competitors. Within the WDPA Consortium framework, these major organizations agreed to share proprietary data for a common good and, with a landmark commitment by Dr. Mark Collins, Director of the UNEP World Conservation Monitoring Centre (in Cambridge, United Kingdom), the core WDPA dataset was placed in the public domain and released publicly at the World Parks Congress in Durban South Africa in 2003. A new version with substantial improvements was released at the Council of the Parties of the Convention on Biological Diversity in Kuala Lumpur in 2004. The benefits to the conservation community are yet to be fully measured but among the early results are:

- a critical review of the dataset by a far broader international community than ever before possible,
- dramatic improvements in both the quantity of records and the quality of records (and particularly the inclusion of GIS files for many of the protected areas represented),
- the possibility of performing global, regional, national or local scale analyses (for example, see the GAP analysis done at global scale for the World Parks Congress – http://www.conservation.org/xp/frontlines/species/strategy24-2.xml.

The WDPA Consortium prototype is important for at least two reasons:

First, operationally, it recognizes that no single member of the international conservation community is likely to be able to supply accurate, up-to-date information adequately at comprehensive global scale and that there are real benefits to collaborative approaches. This is particularly true in the Web environment where it is possible to involve a full community of conservation practitioners who are widely

distributed geographically and yet can contribute constructively to the compilation and review process. Secondly the decision to place the core dataset in the public domain reflects a realization that certain types of data are essential public goods that are the common heritage of all peoples. This recognition is consistent with an emerging international consensus that there are a range of public goods – particularly those concerning public health, environmental conservation and agriculture and specifically including scientific data, information, expertise, technology and knowledge that must be shared among all peoples.

The Conservation Commons: part of a global movement

Many individuals and institutions worldwide are contributing to a global commons. The 'open source' software movement, the Global Biodiversity Information Facility[25] (GBIF), the GenBank[26] initiative to share genetic sequence data, open access publishing initiatives like BioMedCentral,[27] Public Library of Science[28] and the self-archiving[29] movement in science – and many others – are all important contributors to this trend. UNESCO does the same in its respective fields of competence. IUCN has recently taken its next step towards building the global framework for conservation partnership. At a meeting in Switzerland in May 2004, attended by representatives of many sectors of the conservation community, a decision was taken to promote and develop the 'Conservation Knowledge Commons'. This initiative will be formally inaugurated at the World Conservation Congress[30] in Bangkok, Thailand in November 2004.

NOTES

1. The IUCN Mission: 'To influence, encourage and assist societies throughout the world to conserve the integrity and diversity of nature and to ensure that any use of natural resources is equitable and ecologically sustainable'. See: http://www.iucn.org/about/index.htm.

2. Garrett Hardin, 'The Tragedy of the Commons' *Science*, New Series, Vol. 162, No. 3859. (13Dec. 1968), pp. 1243–1248.

3. James Boyle, 'The second enclosure movement and the construction of the public domain.' *Law and Contemporary Problems*, Winter/Spring, 2003, vol 66:33–74.

4. For working definitions see: Tom Moritz, 'Building the Biodiversity Commons,' D-Lib Magazine, June 2002:http://www.dlib.org/dlib/june02/moritz/06moritz.html.

5. *The Role of Scientific and Technical Data and Information in the Public Domain: Proceedings of a Symposium*. Julie M. Esanu and Paul F. Uhlir, Eds. Steering Committee on the Role of Scientific and Technical Data and Information in the Public Domain Office of International Scientific and Technical Information Programs Board on International Scientific Organizations Policy and Global Affairs Division, National Research Council of the National Academies, p. 8.

6. Lessig, Lawrence, *Code and other laws of cyberspace*. NY, Basic Books, 1999, pp. 86–90.

7. Carl T. Bergstrom and Theodore C. Bergstrom. 'The costs and benefits of library site licenses to academic journals.' *Proceedings of the National Academies of Sciences*, 20 Jan. 2004, Vol. 101, No. 3: pp.897–898. [http://www.pnas.orgcgidoi10.1073pnas.0305628101].

8. Data from the Association for Research Libraries indicates that in the 1986–2002 time period the Consumer Price Index increased 64% while serial [journal] unit costs increased 227%. *ARL Statistics 2001–2002*. Association of Research Libraries, Washington, DC. http://www.arl.org/newsltr/218/costimpact.html; "…figures released by the largest publisher of scientific journals – Amsterdam-based Elsevier – help explain why many scientists and others are frustrated. Its 1,700 journals, which produce $1.6 billion in revenue, garner *a remarkable 30 percent profit margin*. [emphasis added] Rick Weiss, "A Fight for Free Access To Medical Research," *The Washington Post*, 08/05/2003 (Section: Nation, A01).

9. http://info.worldbank.org/etools/bSPAN/presentationView.asp?EID=311&PID=629.

10. Thomas Jefferson writing to Henry Dearborn (1807).

11. Letter to Robert Hooke, 5 February 1676.

12. Robert K. Merton, 'A Note on Science and Technology in a Democratic Order,' *Journal of Legal and Political Sociology*, Vol. 1, No. 1–2, (October, 1942), pp. 115–126.

13. SEE for example: Julian Birkinshaw and Tony Sheehan, 'Managing the Knowledge Life Cycle,' *MIT Sloan Management Review*, 44 (2) Fall 2002: 77.

14. http://www.wipo.int/.

15. *Access and benefit-sharing as related to genetic resources. Progress report on the implementation of decisions V/26 A-C*, CONFERENCE OF THE PARTIES TO THE CONVENTION ON BIOLOGICAL DIVERSITY Sixth meeting The Hague, 7–19 April 2002. UNEP/CBD/COP/6/19, 9 January 2002. http://www.biodiv.org/doc/meetings/cop/cop-06/official/cop-06-19-en.pdf.

16. http://www.wto.org/english/tratop_e/trips_e/trips_e.htm.

17. http://www.semarnat.gob.mx/internacionales/reunion/doc/CANCUN-DECLARATION.doc.

18. Reichman, Jerome H. and Paul F. *Uhlir, Promoting Public Good Uses of Scientific Data: A Contractually Reconstructed Commons for Science and Innovation*. http://www.law.duke.edu/pd/papers/ReichmanandUhlir.pdf.

19. Gladys Cotter, 'Biodiversity Informatics Infrastructure: an Information Commons for the Biodiversity Community,' 26th International Conference on Very Large Databases, September 2000. http://www.vldb.org/archive/vldb2000/presentations/cotter.pdf; Thomas Moritz, 'Building the Biodiversity Commons', *D-Lib Magazine*, June 2002 , v8:6. http://www.dlib.org/dlib/june02/moritz/06moritz.html; Jonathan Adams, Frank Biasi, Colin Bibby, Martin Sneary, 'The Biodiversity Knowledge Commons,' *Conservation in Practice*, Fall 2002, v.3:4.

20. Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers. [emphasis added] http://www.un.org/Overview/rights.html.

21. http://www.biodiv.org/convention/articles.asp See for example Article 17: 'Exchange of Information' Section 2: 'Such exchange of information shall include exchange of results of technical, scientific and socio-economic research, as well as information on training and surveying programmes, specialized knowledge, indigenous and traditional knowledge as such and in combination with the technologies referred to in Article 16, paragraph 1. It shall also, where feasible, include repatriation of information.' (emphasis added)

22. http://www.biodiv.org/world/parties.asp?lg=0.

23. http://www.biodiversity.org/simplify/ev.php.

24. See for example: http://maps.geog.umd.edu/WDPA/WDPA%20info/WDPA%20Consortium.html.

25. http://www.gbif.org/.

26. http://www.ncbi.nlm.nih.gov/Genbank/.

27. http://www.biomedcentral.com/.

28. http://www.publiclibraryofscience.org/.

29. http://www.eprints.org/self-faq/.

30. http://www.iucn.org/congress/index.cfm.

Cooperation between UNESCO and Japan in the Safeguarding of Cultural Heritage

by Tsukasa Kawada and Nao Hayashi-Denis

Kawada Tsukasa has been Deputy Director-General of the Cultural Affairs Department of the Ministry of Foreign Affairs in Japan since June 2003. A graduate of Hitotsubashi University, he entered the foreign ministry in 1977 and has served in numerous posts in Japan and overseas, including that of minister of the Embassy of Japan in Paris.

Nao Hayashi-Denis has a Master's degree in Ancient History, specialized in archaeology and comparative religious studies (Roman Empire and Ancient Japan). She is currently Assistant Programme Specialist in the Tangible Heritage Section for Europe and Asia and coordinator for the UNESCO/Japanese Funds-in-Trust for the Preservation of World Cultural Heritage. She worked previously for the Japanese Ministry of Foreign Affairs as Cultural Attaché and Press Officer at the Embassy of Japan in Paris.

Japan has been one of the most committed partners of UNESCO in all its mandatory fields of action ever since it joined the Organization in 1951, and was a major partner of UNESCO even before it joined the United Nations itself. For over half a century this partnership has yielded many fruitful results. Why has Japan given such importance to UNESCO through its cultural, intellectual and financial contributions and its numerous partnerships in common activities? And in what respects can this partnership be leveraged for further action in the global context, while ensuring that the interests of both parties are met? The answers to these questions lie in Japan's willingness to share its experience of development with countries facing similar difficulties in their development efforts and in UNESCO's long-term objective of multilateral cooperation.

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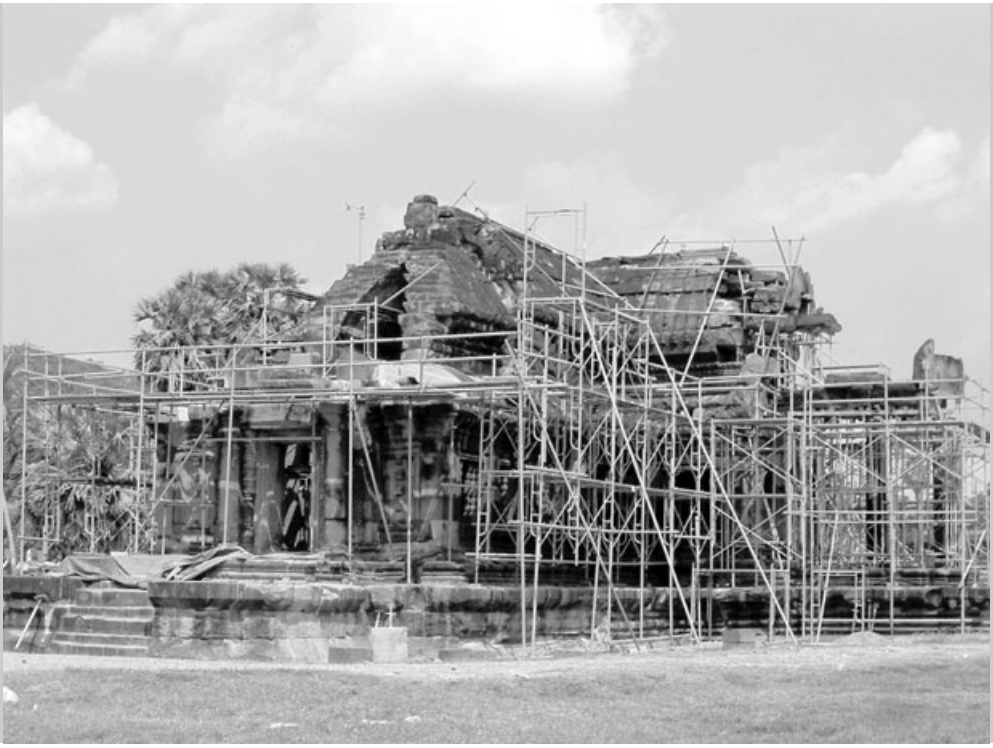
Japanese cultural policy abroad

It may safely be said that Japan was the first non-Western country to succeed in 'developing' or 'modernizing' itself. Japan opened its doors to the outside world some 150 years ago, ending the closed-door policy pursued by the Edo-Shogunate that lasted for three centuries. Since then, Japan has made efforts to develop a modern democratic society and to industrialize. In the course of these efforts, conflicts between modernization, or the introduction of Western values, and Japanese traditional and cultural values have been encountered. Today, however, Japan has resolved these conflicts, enabling it to modernize while preserving the essence of Japanese values, as can been seen in contemporary Japan. While Japanese culture and traditions have been influenced or transformed by Western culture, the country has also managed to assimilate Western culture by giving it a Japanese flavour. Most Japanese people admire Western culture, but at the same time they consider Japanese culture to be the source of their identity and pride, particularly when feelings of inferiority in the face of "advanced" Western culture are in evidence. New forms of Japanese culture, such as Manga, cartoons, and Japanese pop-songs, now attract the interest of people beyond the country's borders. For Japan, the encounter of different cultures has not produced a 'clash of civilizations', but has contributed instead to a merging of cultures that has universal value.

Japan has long promoted cultural exchange and cooperation with other countries as one of the pillars of its foreign policy. The Japanese Ministry of Foreign Affairs (MOFA) has a Cultural Affairs Department in charge of policy-making, planning and implementation of cultural exchanges and cooperation. In addition, the Japan Foundation, established in 1972 and reorganized as an independent semi-governmental body last year, is working in close cooperation with MOFA to promote cooperation in cultural activities with other countries, and Japan considers UNESCO to be a valuable partner in its efforts to contribute to the international community through cultural cooperation. However, cultural exchange and cooperation are not seen only as tools that can help other peoples understand Japan and the Japanese and enhance Japan's image abroad. They are also seen as a means by which Japan can contribute to the efforts of other countries in achieving development, since many of these countries face the kind of difficulties that Japan itself once experienced in this endeavour. The Japanese Government encouraged UNESCO to adopt the *Convention on the Safeguarding of Intangible Cultural Heritage* last year, in the belief, from Japanese experience, that it is important for each country to preserve its individual culture in the course of development. In 2003, the Government of Japan sent a cultural-exchange mission to the Middle East which participated in a symposium on 'Modernization and Traditional Values'. The aim was to share Japanese experiences of modernization with Middle Eastern countries that are now endeavouring to modernize themselves while at the same time aiming to preserve their traditional values.

In recent years, Japan has been keen to strengthen its partnership with UNESCO in every field, particularly in the safeguarding of cultural heritage. Thus, Japan has so far contributed some $46 million to the UNESCO/Japanese Funds-in-

Trust for the Preservation of the World Cultural Heritage, including major contributions to the Nubian temples of Abu Simbel in Egypt, the Temple of Borobudur in Indonesia, the city of Moenjodaro in Pakistan, the Angkor Monuments in Cambodia, Bamiyan in Afghanistan, and more recently, the restoration of the infrastructures of the National Museum in Iraq. The history and most significant features of this cooperation are described below.



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13. Northern Library, Temple of Angkor Wat under restoration by the Japanese Governmental Team, Siem Reap, Cambodia.

Japan and UNESCO's activities to safeguard cultural heritage

Since the beginning of the 1960s, activities carried out in partnership with other countries have been a significant part of UNESCO's multilateral cooperation strategy. Extra-budgetary cooperation is based on the receipt of voluntary contributions from Member States, which are channelled through UNESCO in line with the host country's political commitments, thus ensuring the smooth execution of activities undertaken with these funds. A Plan of Operations, signed by all the parties concerned, ensures that the safety of experts and of international civil servants sent to implement such projects will be respected. It also bears witness to efforts made to associate institutional partners with UNESCO's aim of safeguarding the world's treasures and shows the Organization's willingness to guide the international community towards a multilateral approach.

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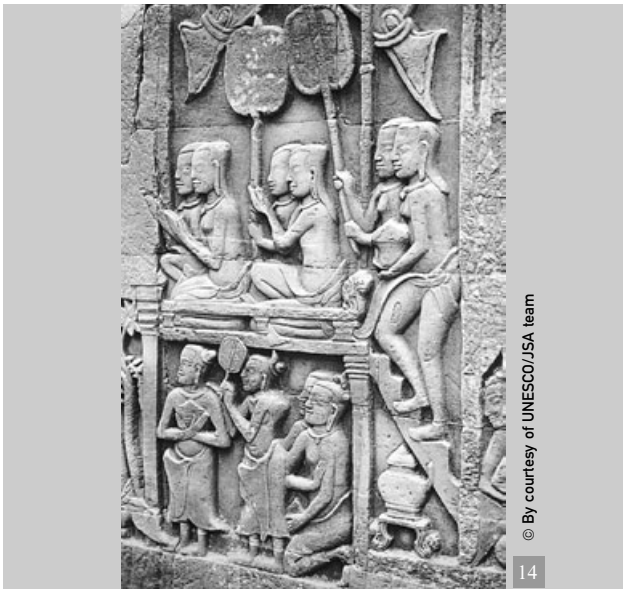

14. Temple of Bayon, bas-relief, Angkor Thom, Siem Reap, Cambodia.

As part of such cooperation, specialists provide their expertise to activities undertaken under the leadership of UNESCO most often in the framework of an international steering committee. This procedure helps to identify priorities from proposals put forward by a sovereign state, guarantees scientific accuracy and supports decision-making committed to the principle of dialogue in order to reach the most appropriate solutions. The efficacy of this approach has been confirmed by activities carried out in difficult areas, such as those undertaken in post-conflict situations. However, the approach, and the establishment of a forum for cooperation involving a number of countries, has only been possible as a result of tireless efforts, mutual understanding and respect for the sovereignty of the host country, as well as of skilful mediation on the part of all concerned.

The UNESCO/Japanese Funds-in-Trust

Japan first participated in an UNESCO International Safeguarding Campaign in the 1960s, when the country played a role in the safeguarding of the Nubian Temples of Abu Simbel in Egypt. Japan also participated in the following campaign, that for the Temple of Borobudur in Indonesia, from 1975 onwards. Later, with the end of the Cold War, Japan, like many other countries, realized that the world now faced new challenges in international cooperation, with the result that Japan began to develop valuable exchanges with other countries in Asia from the 1980s on, and started to participate on a greater scale and more actively in global affairs as a result of the country's growing economic power. It was at this time, too, that the United States withdrew from UNESCO.

In 1988, Japanese Prime Minister Noboru Takeshita announced in London that the strengthening of cultural exchange would henceforth be one of the pillars of Japanese foreign policy, and cooperation in the preservation of the world cultural heritage was selected as a part of this. One year later, a trust fund, the UNESCO/ Japanese Funds-in-Trust for the preservation of the cultural heritage, was established at the request of UNESCO and on the initiative of Japan itself to provide financial and technical assistance to developing countries. This partnership framework, based on so-called 'multi-by' cooperation, makes UNESCO responsible for the management of funds and the development of projects, with the Japanese Government agreeing to decisions on how such funds are to be used. Funds made available in this way are used to send

international experts selected by UNESCO into the field, to purchase materials and equipment and to improve the facilities necessary for work at an endangered site. UNESCO makes available its extensive international network of technical experts, as well as its skills in removing any political obstacles to the carrying out of projects. For its part, Japan makes project funding available, subject to mutual prioritization and the prior approval of projects. The system also enables work to be carried out in areas where bilateral cooperation schemes may not always be possible.

At first, Funds-in-Trust projects of this sort were undertaken mainly in Asian countries, but they have now been extended to other continents. To date, 30 projects in 24 countries have been carried out or are under way with funding from the Japanese Funds-in-Trust. Meanwhile, Japan's contribution to UNESCO's regular budget has increased from 1.8% in 1951 to 22% in 2002. As of June 2004, the country has set up 18 trust funds at UNESCO, and Japan's contributions to the fund for the preservation of cultural heritage have now reached over $46 million.

The most important project funded under the UNESCO/Japanese Funds-in-Trust is that for the site of Angkor in Cambodia, where UNESCO has been very active since 1991, and in particular after the Paris Peace Agreement of 1993 and the inscription of the Angkor site on UNESCO's World Heritage List that year. The importance of Cambodia for Japan can be explained by the country's geopolitical position, Cambodia's stability being vital to that of South-East Asia as a whole. It can be explained, too, as part of Japan's commitment to a country to which a Japanese Self-Defence Force was sent in 1992, the first time a Japanese force had participated in United Nations peace-keeping operations in accordance with Japan's International Peace Cooperation Law. Since then, Japan has assisted Cambodia in its reconstruction and economic development efforts, and it is now the country's foremost foreign donor. Japan took the initiative of restoring and safeguarding the cultural heritage of Cambodia by organizing with UNESCO the first Intergovernmental Conference for the Safeguarding of the Angkor Site in Tokyo in 1993. This led to the adoption of the Tokyo Declaration, which set out main guidelines for international cooperation in the safeguarding of one of the world's most important heritage sites. Among other things, the Declaration asserts the need to respect the sovereignty of the Cambodian Government over the site and the need to accord it primary responsibility for the site's safeguarding. The Declaration also notes that safeguarding activities carried out at the site should be properly coordinated, that partners should be as various as possible and should include governmental and non-governmental organizations, as well as the private sector, and that the Cambodian people should be fully involved in restoration efforts and in cooperation based on wide-ranging perspectives, including perspectives for regional development.

Since the 1993 meeting, Japan has presided with France over the bi-annual sessions of the International Coordinating Committee (ICC) for Angkor, UNESCO playing a supporting role by providing the Committee's Permanent Secretariat. This cooperation with France, a country that has had a long history of involvement with Angkor

dating back to the site's 'rediscovery' at the end of the nineteenth century and the establishment of the Ecole Française d'Extrême-Orient in 1908, has brought very successful results. The two countries have been able to act together to consolidate the mechanisms of the ICC and to carry out very significant activities at the site. Japan and France have jointly built a solid, cooperative relationship during the building of peace in Cambodia, and they have supported the building of an institutional framework determining of Angkor, as well as of a framework to decide on the conservation methods to be used at the site. The presence of two such important countries at the head of international activities at Angkor, both mobilizing their own financial and human resources for the site, has given tremendous prestige to UNESCO-led attempts to save the huge archaeological park (40,000 ha) of Angkor and to raise awareness of it among the international community.

The success of this decade-long cooperation was recognized unanimously by the international community on the occasion of the Second Intergovernmental Conference for the Site of Angkor, held in 2003 in Paris at the initiative of the French Government.

The meaning of cultural heritage today

As is the case for other countries threatened by cultural conflicts, the importance of the site of Angkor for Cambodia does not lie only in the site's exceptional architectural and archaeological value. For Cambodians, whose society's family and social structures were largely destroyed during the Khmer Rouge period, Angkor is also the symbol of ethnic and national unity. This is the case because, apart from the period of the Khmer dynasty when the Angkor temples were built, Cambodia has never been a unified country, and for this reason the conservation of the cultural heritage can help not only to protect the monuments themselves, but also to rebuild links between the country's past and its present, giving it a landmark that is recognized worldwide. Indeed, this trend which emphasizes the role played by the cultural heritage as being at the core of a people's common memory has increased in recent years, particularly after the end of the Cold War, and the Cambodian case is one of the most significant examples of it. Activities co-ordinated by UNESCO in Cambodia have been praised for the rich experience represented in the preservation and development of cultural sites in post-conflict situations. The Cambodian case can certainly be considered an important landmark for further such activities elsewhere, bearing in mind its relevance to work in other post-conflict situations, such as in Afghanistan and Iraq, where UNESCO/Japanese projects are already under way.

Beside its role as co-president of the ICC and moderator in leading debates on the scientific quality of proposed projects Japan has given extensive funds for the safeguarding of important monuments at Angkor through the UNESCO/ Japanese Funds-in-Trust. A large-scale operational project started in 1995, for example, for the Temple of Bayon, the Royal Plaza of the walled city of Angkor Thom, and for Angkor Wat. Unlike France, which had already been very active in cultural heritage conservation in the former French Indochina and had had a great deal of experience, Japan's project was almost its first attempt at

undertaking such a large project abroad. Furthermore, it dealt with the conservation of stone-built heritage, which is not typical of Japanese architecture. The Japanese Governmental Team for the Safeguarding of Angkor (JSA), which is in charge of the project, is made up of architects, archaeologists, geologists, stone experts, conservators and measurement specialists, and it is backed by a total of 650 Japanese experts conducting field research. 120 Cambodian experts are also involved. This kind of large-scale intervention in Cambodia, undertaken through UNESCO, has been a showcase for Japan and has borne witness to the quality of the country's scientific and technical work. It has also served as a recognized laboratory for the development of approaches relevant to other post-conflict situations.

The ultimate goals of cooperation for both Japan and UNESCO in Cambodia involves the capacity-building of adequate human resources in the form of national experts and in the strengthening of national authorities. Thus, another large-scale Japanese project, in place since 1993, is that for the Royal University of Fine Arts in Phnom Penh, mainly for its faculties of Architecture and Archaeology. This project was designed to assist in the long and difficult process of modernizing the university's management and day-to-day running from the administrative, financial and educational points of view. Over the past ten years, 200 students have benefited from the project each year, and some of them have been hired by international teams, or by the Cambodian Authorities for the Safeguarding of Angkor (APSARA).[1]

Prospects

In the world following the end of the Cold War, where globalization is steadily advancing, many countries and regions are increasingly focusing on their sources of identity. However, in this renewed interest in the expressions of identity the cultural heritage should not just be seen as the remains of an ancient culture, but instead should be seen as an element that can connect the past with the future. For countries struggling with the challenges of development, the cultural heritage can be a source of pride and encouragement.

As noted at the beginning of this article, Japan continues to extend its cooperation in the safeguarding of cultural heritage to other countries and to share its experience with them, in close cooperation with UNESCO. All the members of the international community should make greater efforts to ensure the world's stability and prosperity, helping to build an enriched, universal culture on the basis of mutual respect for all cultures and the values of every nation.

NOTE

1. See the special issue of *MUSEUM International* on Angkor No. 213–214 (Vol. 54, No. 1 & 2) May 2002, at www.unesco.org/culture/museumjournal.

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15. Museum of Contemporary Art, Sydney (Australia) in partnership with the Telstra financial firm provides free admission to its exhibitions. Telstra's support has resulted in a high increase in the number of visitors to the museum.

A Debated Museum Concept: partnership in universality

by Geoffrey Lewis

Geoffrey Lewis chairs the ICOM Ethics Committee. A past-president of ICOM and of the Museums Association (UK) he directed the museums of Sheffield and Liverpool (now National Museums Liverpool) before becoming Director of Museum Studies at the University of Leicester. Now retired, he continues to write and advise on museum matters.

The idea of universality can be found at the heart of the first public museums. A product of world exploration and developing global trade among the maritime nations of Western Europe, these museums reflected the spirit of inquiry and enterprise of their age. Since then some museums have endeavoured to emulate these pioneering institutions, albeit in different circumstances and for different reasons. A declaration on the importance and value of universal museums by some nineteen of the world's leading museum directors might therefore have been taken as commonplace. In fact it has raised a fundamental debate about the role of museums in the twenty-first century.

Universal museums and other models

The declaration drew attention to the contribution universal museums make to the admiration for ancient civilizations and the opportunities the artefacts of these cultures present to artistic appreciation both in themselves and when studied in direct proximity with those from other civilizations. To this end, the declaration states, 'calls to repatriate objects that have belonged to museum collections for many years … should

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acknowledge that museums serve not just the citizens of one nation but the people of every nation.'[1]

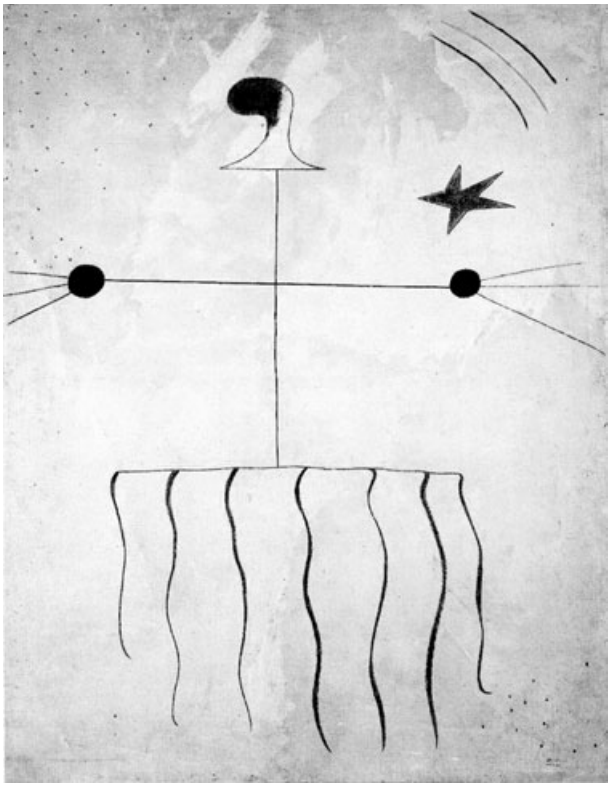
The earliest public museums were formed from private collections, often as the result of partnership between state and benefactor. Many of these collections were highly eclectic both in their subject coverage and geographical origin. This was a tradition which can be traced back to the European Renaissance but which took on new meaning as the spirit of the Enlightenment emerged. They were no longer collections of curiosities but well ordered, classified and from many parts of the world. This was certainly the case of the Tradescants' collection which formed the basis of the Ashmolean Museum at Oxford, the first public museum opened in 1683; sources for the animal collection alone included Arabia, Brazil, Cape Verde, Greenland, India, Ireland, Virginia, West Africa and the West Indies.[2]

The encyclopaedic approach of this period, which contributed so much to the development of the arts and science at this time, undoubtedly influenced the formation of those two archetypal universal museums, the British Museum and the Louvre. The founding legislation of the former in 1753 states the encyclopaedic rubric 'all arts and sciences have a connexion with each other ….' and then goes on to indicate its public function: 'not only for the inspection and entertainment of the learned and the curious, but for the general use and benefit of the public.'[3] These, and certain other public museums of the late eighteenth and early nineteenth century, are themselves documents to these important developments and worthy of preservation in their own right.

But universality of collections has not been the only model for the development of museums. By the beginning of the nineteenth century the significance of the museum to developing national consciousness led to the establishment of the national museum in Budapest in 1802; there were similar developments in Prague in 1818 and the Danish government founded the National Museum of Antiquities in Copenhagen in 1819. With this came subject as well as geographical specialization, soon to be reflected within nations by regional and local museums.[4]

There has been therefore a built-in tension for museums in their collecting for at least 200 years. The national museum collects from a region, while a regional museum will house highly significant material from a locality. There is no satisfactory solution to this sort of dilemma although different approaches have been adopted by different nations. The legal and political structures of a particular country allow such matters to be determined but cultural identity is not always defined by national boundaries as illustrated, for example, by the Lapp-speaking Sàmi of Norway, Sweden and Russia.

The co-incidence of national and cultural boundaries cannot be a foregone conclusion. The transitory nature of political boundaries too has been a feature of the European mainland over the last two centuries, not least recently in central and southern Europe. Here, and on other continents changing boundaries and new nationhood have generated a heightened awareness of the significance of museum collections in establishing national and cultural identity. This is particularly poignant in Africa and amongst the first peoples of Australasia



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16. *Head of a Catalan Peasant*, 1925, painting by Joan Miró, purchased jointly with the Scottish National Gallery of Modern Art, the National Art Collections Fund, the Friends of the Tate Gallery and the Knapping Fund 1999.

and the Americas. Nigerian commentators on the declaration on universal museums see it as retrogressive and far removed from 'jump-starting the process of cultural repatriation and inter-museum co-operation.'[5] They identify with the view of George Abungo in Kenya that repatriation does not imply 'emptying the vaults of the big museums' but involves the return of objects vital to understanding a nation's history and establishing her cultural identity as a people.[6]

To bring meaningful collections of this nature together within a legal framework normally transcends national laws with a resulting dependency on such international legislation as there is and, then, whether it may have been adopted by the nations concerned. Rarely is the transfer of cultural property included in treaties establishing or re-establishing nationhood. Perhaps the best-known example is the Congress of Vienna in 1815 which resulted in the restitution of the collections appropriated from across Europe during the Napoleonic Wars. In the absence of such multinational decision-making, it becomes a matter of goodwill among the international museum community. The last forty years has seen UNESCO legislation providing a basis for safeguarding cultural property both in the event of armed conflict and which has been the subject of illicit import, export or transfer between nations. Implicit in this legislation is the principle that the cultural property of a nation provides an important means of expressing its cultural identity in its own territory. The doctrine of universal collections and universal museums does not fit comfortably in this.

The way forward

The international legislation rightly reflects a very different world order from that pertaining two hundred – or even fifty – years ago. It ignores, however, the historical reality of the universality of culture, the universal museum and the contribution it has made to cultural identity and understanding. The historical realities cannot be dismissed and international law is not retroactive, but today's world order in which the nation has priority to its cultural heritage is paramount. The way forward can only be through partnership agreements where there is a clear understanding of the role and needs of all the parties concerned.

In this the International Council of Museums (ICOM) provides clear guidance for all museums in its Code of Ethics. This document states the principles on which excellence in the museum profession may be achieved and offers guidelines of desirable professional practice. It has much to say that is relevant in the present area of debate. This Code has the affirmation of the organization's 18,000 members which in itself gives it strength and professional standing.

No museum today should collect indiscriminately. The Code requires that collecting is in accordance with a clear published policy, determined by the museum's mission and objectives. This policy may be defined in agreement with neighbouring museums or it may well be determined nationally through legislation or other mechanisms. It would be inappropriate for two public institutions in the same country to be in competition to purchase the same item of that nation's heritage and there are increasing cases of museums making joint purchases. Examples of joint acquisition include Joan Miro's *Head of a Catalan Peasant* by the Tate Gallery and the Scottish National Gallery of Modern Art or John Glover's painting *Mount Wellington and Hobart Town from Kangaroo Point* acquired by the National Gallery of Australia with the Tasmanian Museum and Art Gallery. Such partnerships have extended beyond national boundaries in the case of joint acquisition of a work by American artist Bill Viola by the Pompidou Centre, the Tate Modern and the Whitney Museum. This entails sharing ownership and alternating presentation of the work in the three museums. As the director of the Tate Gallery said in this context 'we have to be both less possessive and more imaginative in sharing items which are already in the public domain'.[7]

ICOM has had a clear statement on the ethics of acquisition since 1970[8] as have a number of museums, among them the University of Pennsylvania Museum (1970), the British Museum (1972) and the Berlin State Museums (1976). ICOM's present Code of Ethics[9] requires museums to ensure that they have valid title for any acquisition and that the item has not been illegally exported from its country of origin or resulted from unauthorized or unscientific fieldwork. In exercising due diligence in this regard it is reasonable for the full history of an item, from discovery or production, to be established. This is not, of course, only a safeguard against illegal transactions but a key element in maintaining and furthering knowledge. Museums collect and preserve much of the primary evidence associated with different academic disciplines; objects without information are of limited value. A recent international conference of archaeologists have recommended that all objects offered on the market should carry a 'pedigree' providing verified support of their provenance and ownership.[10]

Dialogue and partnership

The eclectic collections of former years have a different significance today. They were made at a time when there were few museums and many national boundaries bore no relationship to those of today. Requests for the repatriation of cultural property are therefore inevitable. ICOM promotes a positive approach to this. Its Code of Ethics encourages the development of partnerships with museums where a significant part of the cultural

heritage has been lost. It advocates the initiation of dialogues that might lead to the return of cultural property and encourages prompt and responsible steps where specific requests are made. It particularly encourages this activity at a professional rather than a political level. But each such claim has to be viewed and determined between the parties concerned having regard to all the circumstances.

The current debate has been largely about ownership. This is not the most propitious premise on which to argue a case when the circumstances are often buried in history and the doctrine of retroactivity mitigates against a legal solution. Some museums have responded positively on moral grounds or where the matter may be considered the solution to a lawful dispute.

Much more can be achieved by partnership between museums, not least through display, loans and exchanges. This should be actively promoted. It does not necessarily involve the preparation of major exhibitions but rather ensures the availability of appropriate material at suitable locations. This would be done to professional standards, as defined for example, in the *ICOM* Code of Ethics. The objectives will be to ensure both the public availability and the safety of the material. There are constraints in certain countries as immunity from seizure cannot always be assured. It was this that prevented the State Hermitage Museum, St Petersburg, from lending Titian's *St Sebastian* to London two years ago.[11] The invoking of a order seeking to prevent the return to London of Dja Dja Wurrung material loaned for exhibition in the Museum Victoria in Melbourne[12] will not encourage the wider international museum community in making further such loans.

Successful partnership is based on mutual confidence and respect. There is a need for greater transparency by museums. It would be encouraging for example to see each of the signatories of the declaration on universal museums indicating clearly their acquisition policies including their stance on the scourge of the contemporary cultural world – illicit trafficking. Successful partnership among the international museum community needs to be addressed in the context of both the world order and the role and function of museums in the twenty-first century. The declaration on universal museums draws our attention, unwittingly, to one of the challenges facing the world's museums which is not being met. Museums should, in the words of the ICOM Code of Ethics, 'work in close collaboration with the communities from which their collections originate as well as those they serve.' This would be a profitable partnership with museums in countries currently unable to present the primary evidence of their cultural heritage to their people.

NOTES

1. The Declaration has been published on the Internet at: http://www.thebritishmuseum.ac.uk/newsroom/current2003/universalmuseums.html http://www.clevelandart.org/museum/info/CMA206_Mar7_03.pdf Also available in *ICOM News* 57(1), p. 4: ICOM, Paris, 2004.

2. Arthur MacGregor (ed), *Tradescant's Rarities*, p. 17: Oxford, Clarendon Press, 1983.

3. Edward Miller, *That Noble Cabinet*, London, Andre Deutsch, 1973.

4. For a brief history of museum development see Geoffrey Lewis, 'Museums and their precursors: a brief world survey' in J. Thompson, *Manual of Curatorship*, London, Butterworth and Museums Association, 1992 or 'Museums' in *Encyclopaedia Britannica*, 24, pp. 480–492.

5. Museums Association of Nigeria and National Commission for Museums and Monuments, *Universal Museums: An anomalous declaration – a rejoinder* (May 2004, Unpublished).

6. For a summary see George, Abungu, 'The Declaration: A Contested Issue' in *ICOM News* 57(1), p. 5: ICOM, Paris, 2004.

7. Serota, Nicholas, *Why Save Art for the Nation*? Lecture given at the Art Fund Centenary Conference, available at http://www.tate.org.uk/home/news/whysaveart_11-11-03.htm/.

8. ICOM, 'Ethics of acquisition'/éthique des acquisitions', *ICOM News* 23(2), pp. 10–13 & 49–51, Paris, ICOM, 1970.

9. Available at http://icom.museum.

10. In press. Statement available at: http://www.unesco.org/culture/legalprotection/theft/images/berlin2003.pdf/.

11. See review of exhibition catalogue at http://www.kunstform.historicum.net/2003/03/1857099044.html/ or *Daily Telegraph*, London, 5 July 2004, p. 8.

12. *The Age*, 27 May 2004; 27 July 2004, Melbourne.

Partnership for Restitution of Jewish Cultural Property in the Czech Republic: principle and reality

by Pavel Jirásek

After completing his studies at the Czech Technical University, Pavel Jirásek worked as an analyst in the industrial sphere, then as a programmer at the State Institute for the Preservation of Monuments in Prague. He is currently director of the Department for the Protection of the Moveable Cultural Heritage, Museums and Galleries at the Ministry of Culture of the Czech Republic (1999). Since 2001, he is the head of the International Committee for Museum Security of the International Council of Museums (ICOM). He lectures and publishes independently as well as in various professional Czech and foreign magazines on the topic of the protection of cultural heritage and its restitution.

Restitution, and restitution processes, are an issue which has to be faced, whether they like it or not, by many institutions keeping collections of art objects, both in the Czech Republic and the world. There is an eternal conflict between the basic mission of museums, namely to preserve the cultural heritage for future generations and the principle of recognition of ownership rights of certain entities, be they legal entities or natural persons, from whom such cultural goods had been seized or whom historical circumstances had forced to take such steps as they would never have taken in a normal situation. Looking at the collections of major institutions that preserve, for humankind, significant heritage monuments bequeathed by our ancestors, one becomes aware of the absence, even in their case, of adequately documented provenance of their collections – or rather of the fact that much of their acquisition

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activities would hardly have been approved if currently applied ethical criteria had been observed at the time (ICOM Code of Ethics for Museums, UNESCO Conventions, etc.). The finding might be surprising. There are many pressing questions. How many sovereign nations feel they have been damaged due to the fact that their cultural heritage had been looted in the hundreds of armed conflicts in past centuries? How humiliating must it be to see objects linked to the spiritual identity of a people enclosed in glass showcases! Custodians will, of course, point out that it is in fact thanks to the closed and air-conditioned showcases and to the depositories that the objects could be preserved for future generations. Sadly, in most cases they are right. But it is not the objects as such that are important, but rather the information they provide. And it is the secondary information they bear that may conceal much blood, violence, humiliation and crime.

Brief history of spoliation in the Czech Republic

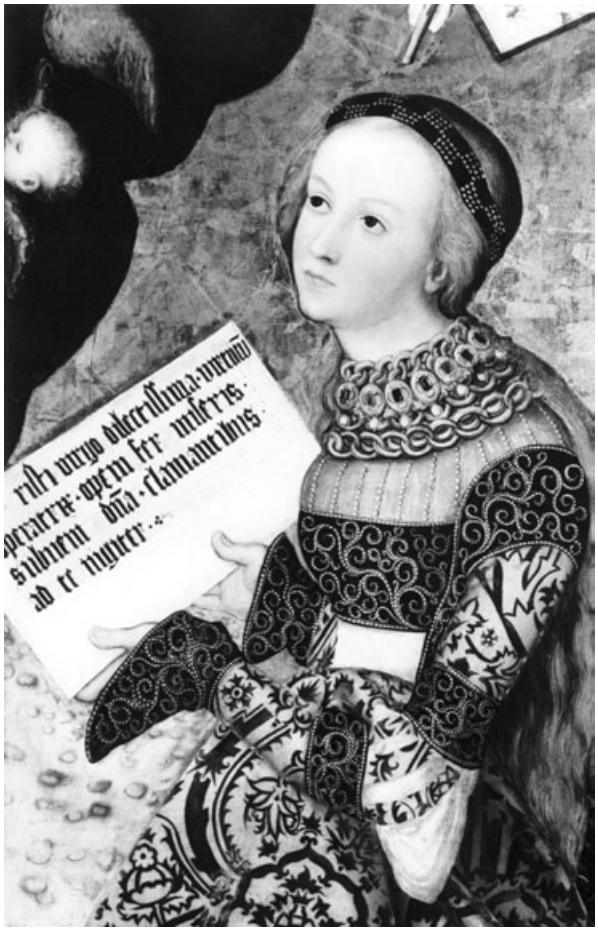
The Czech Lands and their cultural heritage are no exception amongst the small countries of Europe. In the last four centuries alone, armed conflict and confiscations have often shuffled the cards in ownership relations. Until this day, many jewels of the Prague of Emperor Rudolph II, hauled away by Swedish troops during the Thirty Years War, are on display in Sweden. The start of that war was marked by the liquidation of prominent Czech noble families, whose property, too, was confiscated and divided amongst aristocracy loyal to the new masters. Until the establishment of the independent republic in 1918, the lands of the Bohemian crown were considered a part of the Habsburg Empire – and this fact had the expected effect on cultural heritage (certain important monuments originating in the Czech lands are to this day deposited in Austrian museums). The short existence of independent Czechoslovakia was followed by Nazi occupation and the accompanying new confiscations and theft, carried out by the various *Einsatzstabs*, were targeted systematically and especially against citizens of Jewish descent. Then, after the Second World War, the property of the German occupiers – most of it stolen – was confiscated. Confiscated also was the property of expelled Sudeten Germans. The largest wave of confiscations rose after 1948, when the Communists came to power and nationalized aristocratic property and businesses. Forty years later, when the Czechoslovak nation rejoined the family of democratic countries and opened its borders, there followed crime, especially theft of ritual objects and statues from churches – the new, unsaturated demand for such objects in the countries of our western neighbours resulted in the accumulation of wealth (usually temporary) by some of the thieves. Some of the injustices were remedied by the restitution process and property confiscated by the state after 1948 was returned to its original owners. A massive transfer of cultural property occurred, for example, during the public administration reform of 2001, when the state transferred a large number of collection-building institutions to regional governments. The last restitution cases, after 2000, concerned the return of works of art from the property of Holocaust victims which for various reasons had not been returned immediately after the end of the Second World War.

The Czech Republic is thus an example of a country with a high mobility of cultural heritage in the last centuries. Since mitigation of certain wrongs caused to victims of the Holocaust is still topical, I

shall try to share with the reader some of my own experience in this still sensitive and painful, specific field, focusing on works of art and collections.

The process of restricting the property rights of the Jewish population in connection with the Second World War can be divided into three main phases. The first is the period of the 'Second Republic' and the first months of the Protectorate of Bohemia and Moravia (October 1938–June 1939) when such property started being exported; gifts were given in exchange for export permits and mass sales occurred. The second phase is the period from July 1939 to October 1941, when inventories of Jewish property were made, the right to dispose of such property was restricted and the property itself confiscated in various ways. The third phase, starting in October 1941 and closing with the end of the war, brought the forfeiture of Jewish property and its seizure by the Reich at a time of mass deportations and criminal persecutions and continuing confiscation of property by the Gestapo.

The confiscation of art objects was conducted primarily on the basis of Reich rules and regulations or of regulations issued by the *Reichsprotektor*. The complicated structure of legal rules and regulations was reflected in the complicated structure of the German bodies in charge of the confiscation. Confiscation of art objects was mainly the responsibility of the Office of the Protector of the Reich (from 1943, of the German State Ministry for Bohemia and Moravia) and of a special property fund of the Vermögensamt, Zentralstelle für jüdische Auswanderung (from 1942, the Zentralamt für Regelung der Judenfrage) and the subordinate Treuhandstelle (formally, a branch of the Jewish Religious Community in Prague), the Auswanderungsfond, established by the Zentralstelle, as well as of a number of German security bodies, namely the Gestapo.



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17. Lucas Cranach, *St Christine, from restitution Morawetz*, repurchased by the government for the collection of the National Gallery in Prague.

The restitution processes

The restitution of these objects took place immediately after the war. In the years 1945 to 1948 the most difficult problem was to identify the

heirs of Holocaust victims, to establish their nationality, to collect relevant documents and to identify the individual art objects. When the Communists took over in February 1948 all these problems became more complicated as the Communists were very reluctant to return large properties. Another issue was the property of those Holocaust victims and their heirs who had become nationals of other countries and whose property had been nationalized or confiscated in accordance with the Decrees of the Czechoslovak President (Beneš Decrees).

Thus, a part of the objects was recovered only after 1989, when democracy returned to our country. On the basis of restitution laws, a number of collection objects confiscated after 1948, e.g. objects from the Waldes and Morawetz collections, were returned. Nevertheless, there are still objects remaining in state collections which had been confiscated during the Second World War and were not returned, neither after 1945 nor after 1989. Such objects had either not been identified or were not provided for by the legislation passed for this purpose.

Therefore, and also on the basis of conclusions and recommendations adopted by the Washington conference,[1] and based on Decision No. 773 of the Czech Government of 25 November 1998, a Joint Working Commission was established.

The Commission was set up to mitigate the effects of the violation of property rights inflicted on victims of the Holocaust in all areas of confiscated property. The Commission included representatives of the Ministries of Finance, Culture, Foreign Affairs, Justice, the Interior and the Land and Geodetic Registry Office. An expert team was set up to assist the Commission in clarifying historical and economic issues relating to the Aryanization of Jewish property. Its task was to research the confiscation of works of art and of art collections. The result of the work of the team was an extensive study entitled '*Art Objects Originally Owned by Jews in the Czech Lands – Unlawful Interference with Property Rights, the Scale of Such Interference and Outline of the Following Fate of the Property*'.

The expert team came to the conclusion that, drawing on preserved and available archive material, it was not possible to determine accurately the real number of art objects that had originally been Jewish property confiscated from 1939 to 1945. This was due to the fact that:

1. Preserved, summarized lists of confiscated objects, attached to various documents, do not give the nature of the 'art objects' (the lists sometimes include handicrafts and pieces of furniture that have been randomly included in the category of 'art objects'; many of the items would not be considered art objects today);
2. The documents that provide an overview of the number of confiscated objects refer to limited periods; unfortunately, there are no documents available (they cannot be identified at present or have been destroyed in accordance with the ARLZ plan[2]) that would cover the entire period, i.e. 16 March 1939 to May 1945 in this case;
3. The documents containing the lists refer only to the territory of the Protectorate.

They do not list art objects confiscated in the Czech territory sequestered following the Munich Agreement;

4. The documents refer to the property confiscated by the Gestapo. They list not only Jewish property, but 'the property of enemies';
5. On the basis of the documents available, it is only possible to trace the art objects that have ended up in different institutions, not those that were confiscated and went into private Aryan collections or homes.

Then the first phase of the inspection of state collections in the custody of museums, galleries, state-owned castles and châteaux, executed by the Ministry of Culture, was carried out in the period between December 1998 and the end of June 1999. The purpose of the inspection was to determine whether state collections in the custody of museums, galleries, state castles and châteaux include objects that:

- had been the property of Holocaust victims (individuals and legal entities in the sense of the Nuremberg laws) and were obtained in connection with the racial and political persecution of these victims in the period between 30 September 1938 and 5 May 1945;
- had been the property of Holocaust victims and became part of the current collections after 5 May 1945 as a result of the so-called Beneš Decrees or by transfer from the National Restoration Fund;
- had been the property of Holocaust victims and became part of the collections by other transfers.

In the first phase only such objects were sought that could be **identified without any doubt as objects confiscated in connection with racial or political persecution**. Museums, galleries, libraries, state castles and châteaux founded or administered by the Ministry of Culture, district authorities and bodies of the statutory cities of Prague, Brno, Plzeň and Ostrava were asked to inspect their collections. The inspections in the first phase were to be completed by 30 June 1999.

After the first phase of inspection of national collections falling within the remit of the Ministry of Culture in 1999, came the second phase. This inspection was to detect the wrongs caused to Holocaust victims and to identify their property in collections and depositories. The search was for the following items:

- Art objects owned by Holocaust victims that were **presumably** obtained through racial and political persecution of the victims in the period between 30 September 1938 and 5 May, 1945;
- Art objects presumably owned by Holocaust victims that were obtained after 5 May 1945 in connection with the Presidential Decrees by their transfer from the National Restoration Fund or by any other transfers.

Local authorities administering museums, galleries, and historical depositories, relevant government departments, higher education establishments, organizations and businesses not administered by the Ministry of Culture, as well as state libraries not participating in the 1999 phase were asked to inspect their collections.

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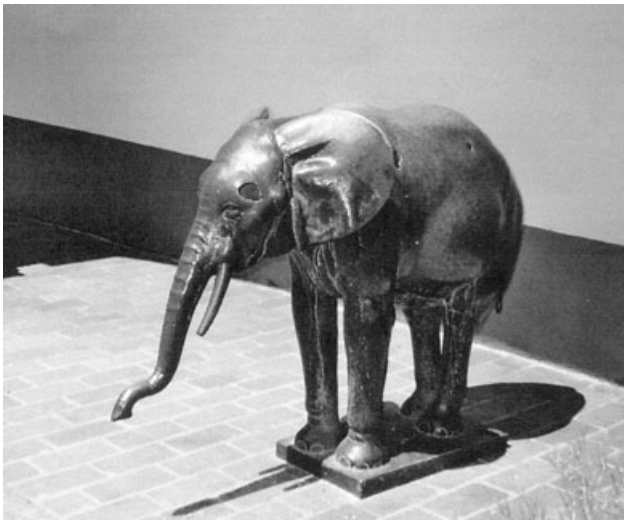
In the first phase, 2,475 objects were identified as having been originally owned by Holocaust victims. In the second phase, 4,275 objects and more than ten collections were identified. The information thus obtained was published on the Internet. The database is financed by the government and is updated and upgraded by the Moravian Museum in Brno. Financial support has also been received from Sotheby's.

So far, more then 700 objects have been returned.

The challenge for cultural institutions

To mitigate certain property-related wrongs, Parliament passed Act No. 212/2000 Coll., which stipulates the responsibility of the director of a contacted institution for returning the objects. In case of dispute, the ruling by an independent court is decisive. The Czech Government is aware of the necessity to continue the project; thus, on 1 November 2001, following the decision of the Joint Working Commission, chaired by Deputy Prime Minister Pavel Rychetský, a Documentation Centre for Property Transfers of Cultural Assets of World War II Victims was established. The Commission wound up its activities on 15 May 2002. The activities of the Commission's expert team, which had studied the historical and economic circumstances of the Aryanization of Jewish property, particularly works of art, have been followed up by the Documentation Centre which has also expanded the field of activity by carrying out a consistent heuristic research of Czech and foreign archives and by scrutinizing books of additions and inventory books of individual museums and galleries, which were made available to the staff of the Documentation Centre thanks to close cooperation with the Ministry of Culture. The remit and activity of the Centre was endorsed by the Decision of the Government of the Czech Republic of January 22, 2003, No. 87 on the *Concept of a More Effective Care for Movable Cultural Heritage in the Czech Republic in 2003-2008 (Museum Management Development Concept)*. The objective of the Centre is research and documentation of confiscated Jewish property, mainly art collections. The intention is to incorporate issues relating to the movement of the confiscated cultural assets into international research networks.



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18. Elephant from Rozmberk Castle ≃ 100–110 cm high.

Although a major part of the restitution of works of art and collections has been completed in the Czech Republic, some open cases are still waiting to be resolved. The item returned most recently, on the basis of the above-mentioned Act No. 212/2000 Coll., was Dr Feldmann's collection

in the Moravian Gallery in Brno. A large subsidy provided by the Ministry of Culture allowed the purchase of the three most important drawings from this collection for the nation, i.e. for the Moravian Gallery. The surrender of certain other collections is purely a matter of time (e.g. 42 manuscripts originally from the Jewish Seminary in Wroclaw, currently deposited in the National Library of the Czech Republic). A very touching event was the handing over of the statue of an elephant which has stood since the end of the Second World War in the courtyard of the Rožmberk castle in southern Bohemia. The bronze statue was left behind in 1945 by the American soldiers who had liberated the south of the country. That was all that was known about the statue, which had been entered on the list of movable assets without a note on its provenance. It was thus not registered as Jewish property confiscated by the Reich. Meanwhile, attorneys of the Zwillenberg family were searching for art objects confiscated by the Berlin Gestapo in Upper Austria, where it was thought these objects had been concentrated for Hitler. The search for the statue of an elephant by sculptor August Gaul was unsuccessful until the end of 2002. By chance, one of the attorneys of the family visited South Bohemia and Rožmberk and saw the elephant there. The object then had to be identified, its origin documented and, finally, surrendered in accordance with Act 212/2000 Coll. The heiress to the original owner, Dr Helga Zwillenberg, had a faithful bronze copy made of the statue, which she had been trying to find for so long and which was associated for her with fond memories, and in June 2004 donated it to Rožmberk castle as an expression of her gratitude for the elephant being found and returned.

But not always is the situation so clear. In some cases the return of similar objects has to be decided in court proceedings. One such criticized instance is the fact that Act No. 212/2000 Coll. allows the return of art objects only to descendents in the direct line or to a spouse of the original owner. There had been objections also to the deadline for the submission of requests. The original deadline was the end of 2002. Parliament has now changed the date and the amended law stipulates the end of 2006.

Laws and the goodwill of certain countries can only mitigate some of the property-related wrongs inflicted on victims of the Holocaust. In spite of all the difficulties unavoidably accompanying such a process, the Czech Republic has taken a giant step forward. Nobody, however, will ever be able to remedy the human dimension of the whole tragedy, in which confiscations of all kinds of property were but an accompanying phenomenon. It is thus the fate of individuals that must be seen behind each of these art objects. It is our duty both to take care of the art objects which have no one to claim them, and to remember their owners – our disappeared neighbours, who everywhere in central Europe have been taken away from us.

NOTES

1. The Washington Conference on "Holocaust-Era Assets" was held in November 1998 by the Department of State and the United States Holocaust Memorial Museum. This conference resulted in a document outlining 11 principles to assist in resolving issues relating to Nazi-confiscated art.

2. ARLZ – Auflockerung, Räumung, Lähmung, Zerstörung

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The Nazi-Era Provenance Internet Portal*: collaboration creates a new tool for museums and researchers

by Helen Wechsler and Erik Ledbetter

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Erik Ledbetter is Project Manager for the Nazi-Era Provenance Internet Portal in the same association.

Historical background

From the time it came to power in Germany in 1933 until the end of the Second World War in 1945, the Nazi regime orchestrated a programme of theft, confiscation, coercive transfer, looting, pillage, and destruction of art objects and other cultural property in Europe on a massive scale. Some objects were sold or traded to fund Nazi activities. Others were retained for the private collections of high-ranking officials such as Reichsmarschall Hermann Goering, who by the end of the war possessed one of the largest and most important art collections in Europe, or Adolf Hitler, who intended to build a monumental museum in his childhood home of Linz, Austria.

The Nazis created a number of bureaucratic agencies to 'collect' art. They did this through purchase, forced sales, and outright confiscation – but almost always, their methods

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were legitimized through the discriminatory and punitive laws they created and the heavy bureaucracy that enveloped all their activities. Ironically the records created by that bureaucracy are useful today for tracing provenance (the history of ownership and transfer of objects) of works that passed through Nazi hands. The art-looting operations of the Nazis began in Germany and followed their movement through Europe: 1938 Austria; 1939 Czechoslovakia and Poland; 1940 Holland, Belgium, Luxembourg, and France; 1941 the former USSR.

As Allied bombing intensified and the war drew to a close, the Nazis spirited many of the objects they had appropriated to hidden repositories throughout lower Austria and Germany. The most famous of these is the salt mine at Alt Ausee. It had constant temperature and humidity and was transformed into a storage facility for thousands of objects.[1]

Following the war, art historians serving in the American army as officers of the Monuments, Fine Arts and Archives programme undertook to collect, document, and return art looted by the Nazis that had been discovered in the hidden repositories. Art was transported to a series of collecting points, catalogued, and returned to its country of origin; it was then incumbent on individual countries to complete the restitution process by returning the objects to original owners or their legal successors. The last collecting point closed in 1951.

These efforts succeeded in processing huge numbers of works stolen by the Nazis. However, the restitution process was imperfect, and many objects were never reunited with their original owners or legal successors. Many owners or heirs were impossible to find because so many families had perished during the Holocaust. Other works had already entered the international art market through Nazi-era auctions or the work of Nazi-collaborating dealers, and were never recovered by the collecting points in the first place.

Museums address the issue

In recent years the US museum community has recognized that objects unjustly appropriated in Europe during the Nazi era may have made their way into our institutions in the decades since the war. While US museums were not repositories or direct recipients of objects recovered after the war, objects entered their collections through a chain of sales in the robust, post-war art market. Standards for acquisition research were not yet in place, and few US museums had a clear understanding of the extent of art looting during Second World War. As a result, museums sometimes acquired objects that passed through Nazi hands via a series of good faith purchases and donations. The potential presence of these objects in our collections raised troubling questions. Had US museums, even unknowingly and innocently, become receivers of stolen property? As publicly accountable institutions, what obligations did we have to clarify the status of the objects in our custody? What did our public expect of us? And, in a real-world context of limited resources, what could we do to meet those expectations?

To explain how these questions were answered, we must first describe the organizational

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19. US Soldier examine Edouard Manet's *In the Conservatory,* April 25, 1945. (NARA#SC-203453-S).

structure and governance of museums in the United States. American museums, unlike many of Europe's museums, are not under the auspices of a Federal Ministry of Culture. We estimate that there are between 15,500 and 16,000 museums in the Unites States of which roughly 23 per cent are art museums. Most of these (70 per cent) are non-profit organizations, governed by a voluntary board of trustees, accountable to the public, and subject to rules for tax-exempt charitable organizations under US tax law. They are not part of the government. Another 20 per cent have parent organizations such as universities. And about 10 per cent are governmental (most at the state or local rather than the Federal level). Museums must comply with applicable laws; however, they are not overseen by any governmental regulatory agency. Rather, the standards and practices for the museum field are determined by the museum community itself, through the mechanism of its professional associations – for the topic under discussion, the

American Association of Museums and the Association of Art Museum Directors. These voluntary membership organizations set standards and define best practices, but they have no regulatory authority. This is not to say that the US non-profit sector has nothing to do with the government sector. Actually, US non-profit organizations like museums work very closely with the government. The topic of Nazi-era assets is a good example of this cooperation, as we will discuss below.

To help museums address the issue of Nazi-era assets in their collections, AAM and the United States National Committee of the International Council of Museums (AAM/ICOM) formed a joint working group on Nazi-era cultural property issues in January 1999. The working group began by reasserting the core principle that '*stewardship of collections entails the highest public trust and carries with it the presumption of rightful ownership, permanence, care, documentation, accessibility, and responsible disposal.*' Applied to the question of Nazi-era objects, this suggested three actions. First, museums should identify objects in their collections that might have changed hands in continental Europe and that had incomplete or uncertain provenance between 1932 and 1946. Second, they should make current provenance information on these objects accessible to the public. Third, museums should give priority to continuing provenance research on these objects as resources allow. These recommendations are included in formal *Guidelines of the AAM* adopted in November 1999.[2] Concurrent with the adoption of the AAM Guidelines and an earlier report on the topic by the Association of Art Museum Directors (AAMD),[3] museums began focusing research resources on the Nazi-era topic. Curators and registrars surveyed their collections records and identified gaps or 'red flag' names – dealers and galleries known or suspected to have been associated with looting – in the Nazi-era ownership history of objects in their custody.

Working with the government

Meanwhile, a Presidential Advisory Commission on Holocaust Assets in the United States (PCHA), appointed by President Clinton in June 1998, likewise concluded that a standard for disclosure of information would be beneficial to claimants seeking the return of unlawfully appropriated property that may be in the custody of museums. The commission began weighing the acceptance within the museum community of a standard it termed '*full disclosure*' – making public information on all objects in the collection that could have changed hands in Europe during the Nazi era, not solely those with incomplete or uncertain provenance.[4] In October 2000, AAM and AAMD joined with PCHA as it wrote its final report to define more precisely a standard for disclosure of information on collections. In January 2001, PCHA issued its final report, which incorporated the agreed standard for disclosure and recommended the creation of a searchable central registry of information provided by museums in accordance with the new standard. The body of objects included in this standard – referred to in AAM documents as *covered objects* – were all objects that either were or might reasonably be thought to have changed hands in continental Europe between 1932 and 1946. AAM adopted this standard by amending its Guidelines in 2001.[5]

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20. American soldier inspects German loot stored in a church at Elligen, Germany, April 24, 1945. (NARA#111-SC-204899).

Providing Nazi-Era provenance information on-line

Circulating the findings from these collection surveys became the next task, made all the more urgent as museums found themselves in a race against negative press. Early 2000 saw a spate of newspaper articles accusing US museums of everything from laziness to stonewalling in connection with the Nazi-era assets issue.

'American museums are dragging their feet,' the *Wall Street Journal* quoted critics as saying in February 2000; *"US curators are not making good on promises to uncover plundered works,"* alleged an AP wire story in March 2000; *"Suspicion Hangs in US Museums,"* blared a *Washington Post* headline from May. Museum directors and curators recognized that providing as much provenance information as possible, as swiftly as possible, and in the right context was the best antidote to such reporting.

Many museums turned to the Internet to convey their findings to the public. Institutions such as the Metropolitan Museum of Art and the Museum of Modern Art (MoMA) in New York, the Art Institute of Chicago, Boston's Museum of Fine Arts (MFA), and the Cleveland Museum of Art created specialized websites where users could learn more about objects with incomplete or questionable Nazi-era provenance. Researchers and the public were invited to review the museums' provenance records and help fill in gaps.

Helpful as these individual websites were, they still felt short of the community-wide response many members of the public were seeking. The separate museum websites did not fulfil the expectation created by international forums on Holocaust-era looted cultural assets in Washington, D.C. (1998)[6] and Vilnus, Lithuania (2000)[7] which called respectively for the creation of a "central registry of information" or "central reference and point of inquiry" concerning potentially looted cultural assets. Moreover, there was little consistency in the information available from the different Web sites: some listed all objects that had been sold or transferred in Europe during the Nazi era, while others initially listed only objects whose provenance included gaps or 'red flags.' Finally, many smaller museums had no ability to offer online collections information of any kind.

Improving the process through cooperation

Recognizing the need for a more comprehensive approach, AAM convened a task force of museum professionals and other stakeholders to improve the way American museums provide Nazi-era provenance information. The members included museum curators and registrars, archivists, information technology specialists, representatives from the US Government, and representatives of people seeking lost art. Simple demographics underscored the urgency of the issue for everyone at the table. Many claimants and Holocaust survivors in general are in their mid to late 80s, and the group felt a great need to make any available information accessible as quickly as possible.

The committee considered two major issues – what information museums should provide, and how that information should be made available to the public. In considering what information museums should provide, the task force found common ground in the principles outlined in the amended AAM Guidelines of April 2001: information should be released concerning all objects which changed hands in Continental Europe between 1932 and 1946, not simply those with known provenance gaps or 'red flag' names. The task force then identified 20 categories of information about these objects that museums should strive to compile and make available (Table 1).[8]

In determining how best to make this information accessible, the task force faced competing pressures. Claimants needed centralization, consistency, and usability so they were not forced to approach each separate museum's website and start from scratch learning how to search. They also felt that having a description field was important, because claimants may remember the content of a painting, but not the name or artist. Providing images of objects is important as well. Seeing a picture of an object is the quickest way to eliminate false positives or to make an initial match.

TABLE 1

20 CATEGORIES OF OBJECT AND PROVENANCE INFORMATION ARE IMPORTANT FOR AIDING POTENTIAL CLAIMANTS IN IDENTIFYING OR RULING OUT A SPECIFIC OBJECT. MUSEUMS SHOULD MAKE THIS INFORMATION ACCESSIBLE, ORGANIZING IT ACCORDING TO THEIR OWN STANDARDS.[9]

Category	Comments
Artist/Maker	To include artists' names, alternate names, and previous attributions.
Nationality of Artist/Maker	—
Life Dates of Artist/Maker	—
Place or Culture of Object	Only if artist unknown.
Object Title or Name	To include alternate titles.
Date of Work	To include approximate date, if specific date is unknown.
Medium/Materials	—
Measurements	—
Date of Acquisition	—
Accession Number	—
Object Type	Painting, sculpture, decorative arts, etc.
Subject Type	Landscape, portrait, mythological subject, historical, religious, genre, Judaica, etc.
Signature and Marks (obverse)	To include signatures, inscriptions, and marks; for paintings, what appears on the front
Labels and Marks (reverse, frame, mount, etc.)	To describe marks and labels (prior to 1960) on the reverse of an object (including frame, mount, etc.). Indicate if images are available.
Description	To contain description of object (its content, subject, etc.). Museums should make this a priority.
Provenance	To contain, at the minimum, known owners, dates of ownership, places of ownership, method of transfer (sale, gift, descent, etc.). To include, if known, lot numbers, sale prices, buyers, etc. To include information on unlawful appropriation during the Nazi era and subsequent restitution. Museums should ensure that provenance information is understandable and organized chronologically.
Exhibition History	—
Bibliographic History	—
Other Relevant Information	To contain anything about the object that would be useful in identifying it for this purpose. If the object fits the definition of Judaica contained in this document, so state.
Image	An image is key to identifying an object. Museums should make every effort to include an image with their records.

Museums responded that retaining institutional control of the presentation and maintenance of information about objects in their collections was important to them. Not every museum would have available the full 20 categories of information AAM suggests should be provided about objects in museum collections. Since the Guidelines recommend that museums make public currently available information and add to it as research continues, the records would be continually changing, ultimately containing a significant amount of detailed information. Maintaining and updating this information in two locations would require an inefficient duplication of effort.

In the end, the task force struck a balance. The committee agreed on the need for a single Internet search tool, to be called the Nazi-Era Provenance Internet Portal. Museums would be responsible for populating the tool initially with a basic set of information about objects in their collections, and would retain control of that information at all times. Searching this set of information would provide a researcher with a powerful tool for narrowing their field of inquiry. For detailed information about an individual object, including images, the portal would refer researchers to individual museums to continue their inquiries. Because all the major stakeholders – museums, government, and claimants' representatives – had been involved in defining the portal, the final recommendations of the task force commanded wide support. Funding to design and develop the portal was provided by Federal agencies, by private foundations traditionally associated with the fine arts community, and by foundations associated with Holocaust survivor issues. That all these stakeholders invested resources to build the portal testify to the success of the collaborative planning process.

How the portal is used

In designing the portal software and website, AAM understood that in order to be useful the portal must first be usable by busy museum professionals. Creating a portal account and populating it with object information had to be fast and easy, or museums would be reluctant to participate. Yet the utility of the portal to researchers depends entirely on broad participation from the US museum community. With these considerations in mind, AAM sought to make creating an account and listing objects as easy as possible. To join the portal project, a museum must fulfil only two criteria: it must have one or more objects in its collection which may have changed hands in Continental Europe between 1932 and 1946, and it must have an authorized staff member with access to a standard Web browser.

Participating museums complete a brief museum profile. Then they can begin adding objects to the portal registry. For each object they list, they supply some basic identifying information: Accession number; Artist's name; Nationality of the artist (or nationality/culture of the object if the artist is unknown); Object type (painting, drawing, etc.); Object title; A brief description. Finally, museums provide a URL on their website at which researchers can find out more about the object. Museums with small numbers of objects to register can input objects using a form on the portal. Large museums with numerous objects can supply the required information to the portal staff as a

spreadsheet, and the portal staff will create the records as a batch. Museums can view and update their object records at any time.

For museums without collection information online, the portal hosts this information in a PDF file.

The Nazi-Era Provenance Internet Portal opened to the Public to search for lost art on 8 September 2003, with 66 museums participating and 5,700 objects registered in the portal database. After ten months of public operations, museum membership stood at 110, while the number of objects registered has risen to 12,600. The portal continues to enrol a new museum member roughly every week, and is still adding new objects at the rate of 170 a week.

Public use of the portal has also been very gratifying. During its first week of public use in September 2003, the portal received 22,819 hits on its home page at http://www.nepip.org, and executed 24,637 searches for objects against its database. After falling somewhat from that high initial peak, daily use has stabilized at 80 home page hits and 70–80 searches per day. In ten months of operations up to June 2004, the portal has received 47,983 home page hits and executed 50,000 searches for objects against its database.

A professional responsibility

In the end, the Nazi-Era Provenance Internet Portal is about trust. Researching the Nazi-Era provenance of objects and providing provenance information to the public is consonant with the fundamental mission of museums to document and publish their collections. In designing and developing the Portal, AAM has tried to ease the burden of conveying the results of provenance research to the public. By participating in the Portal, museums demonstrate that they are committed to the open and responsible stewardship of the objects under their care. In so doing, they show themselves to be worthy of the high public trust we as a community are privileged to enjoy.

Funding for the Nazi-Era Provenance Internet Portal is provided by The Institute of Museum and Library Services; Commission for Art Recovery of the World Jewish Congress; Samuel H. Kress Foundation; The Getty Grant Program; The Conference on Jewish Material Claims Against Germany–Rabbi Israel Miller Fund for Shoah Research, Documentation and Education; and The Max and Victoria Dreyfus Foundation Inc.

NOTES

* See http://www.nepip.org

1. Lynn H. Nicholas. *The Rape of Europa: The Fate of Europe's Treasures in the Third Reich and the Second World War*. New York, 1994.

Jonathan, Petropoulos. *Art as Politics in the Third Reich*. Chapel Hill, N.C., University of North Carolina Press, 1996.

2. *AAM Guidelines Concerning the Unlawful Appropriation of Objects During the Nazi Era*. Washington, D.C., American Association of Museums, 1999, amended 2001. Available at http://www.aam-us.org/.

3. *Report of the AAMD Task Force on the Spoliation of Art during the Nazi/World War II Era (1933–1945)*. New York, Association of Art Museum Directors, 1998, addendum 2001. Available at http://www.aamd.org/.

4. *Plunder and Restitution: The United States and Holocaust Victims' Assets: Finding and Recommendations of the Presidential Advisory Commission on Holocaust Assets in the United States and Staff Report*. Washington, D.C., US Government Printing Office, 2000.

5. *AAM Recommended Procedures for Providing Information to the Public about Objects Transferred in Europe During the Nazi Era*. Washington, D.C., American Association of Museums, 2001. Available at http://www.aam-us.org/.

6. *Washington Conference Principles On Nazi-Confiscated Art*. Released in connection with the Washington Conference on Holocaust-Era Assets, Washington, D.C., 3 December 1998.

7. *Vilnius Forum Declaration*. Released in connection with the Vilnius International Forum on Holocaust Era Looted Cultural Assets, Vilnius, Lithuania, October 2000.

8. See also Helen Wechsler, (ed.) *Museum Policy and Procedure for Nazi-Era Issues*. Washington, D.C.: American Association of Museums, 2001, and Nancy H. Yeide, Konstantin Akinsha, and Amy L. Walsh. *The AAM Guide to Provenance Research*. Washington, D.C.: American Association of Museums, 2001.

9. From *AAM Recommended Procedures for Providing Information to the Public about Objects Transferred in Europe during the Nazi Era*.

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International Collaborations with the Institut National du Patrimoine (INP)

by Geneviève Gallot

Geneviève Gallot, Inspector General of creation and artistic education at the Ministry of Culture, was appointed Director of the École Nationale du Patrimoine by decree of the President of the Republic in December 1999. Doctor of Philosophy and graduate of the École du Louvre, Geneviève Gallot worked for the Fonds d'Intervention Culturelle (1977–80) and was Secretary General of the Fonds d'Incitation à la Création (FIACRE – Endowment Fund for the Arts) at the Ministry of Culture from 1982 to 1984. Technical advisor in the cabinet of Jack Lang, French Minister of Culture, from 1990 to 1993, she was Commissary for the Government at the Centre National d'Art et de Culture Georges Pompidou. She was a member of the Board of Directors of the Louvre Museum and UNESCO consultant from 1993 to 1995.

The extensive cultural influence of France is due in great part to its policies on the conservation and restoration of its cultural heritage. Its influence also reflects the high level of professionals working in the field. Likewise, the preservation of world heritage depends in no small way upon the skills and level of professional training of those in charge of the preservation and development of cultural heritage.

The Institut National du Patrimoine, a high-level training institute for curators and restorers of cultural heritage, has trained, since its creation until 2004, in excess of 300 state curators, more than 100 territorial curators, and 300 conservators of heritage, as well as some 50 foreign professionals. The Institut National du Patrimoine, part of which was recently relocated to the Carré Colbert, near to major French cultural institutions, is the only institute in Europe and in

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the world to have brought together two branches of professional training, that of curators and that of restorers of cultural heritage. Owing to its special status in France, the Institute has become a magnet for specialists from throughout the world, and is an authority for many international institutions within Europe. The Institut National du Patrimoine is closely involved today in various projects and training programmes in Asia, Africa, and Europe.

The Institut National du Patrimoine: a leader in the field of training of cultural heritage professionals

Multidisciplinary training

A distinctive feature of the Institut National du Patrimoine for international institutions lies in the multidisciplinary nature of its training programmes. Founded in 1990 as the École Nationale du Patrimoine, the school was first entrusted with organizing the competitive entrance examination and with providing training courses for curators of cultural heritage who would later be recruited by the state, the City of Paris and regional authorities. The school took over the task of selecting and training curators of cultural heritage after merging with the Institut de Formation des Restaurateurs des Oeuvres d'Art (IFROA) and undergoing structural reorganization in 2001. Today the Institut National du Patrimoine comprises two academic divisions, each dealing with specific and closely complementary fields. The aims of the Institute include serving the needs of the diverse professions encountered within the field of cultural heritage, reinforcing the ethics of each one of those professions, promoting discussion on their development in France and abroad, and, as far as possible, anticipating future developments. The Institute thus brings together a wide range of expertise and practices, reflecting the various paths taken by the many professionals – nearly 700, including academics, curators, restorers, researchers, administrators – who take part each year in the Institute's activities.

An exchange of information among cultural heritage professionals

In an environment undergoing profound change, the INP makes the greatest efforts to keep abreast of developments in all fields by proposing each year a series of some forty continuing education workshops in the area of archives, museums, inventory, historic monuments, archaeology, and scientific, technical and natural heritage. The Institute has also recently set up continuing education seminars for restorers of cultural heritage. This particular aspect of the INP is of special interest to international professionals of cultural heritage.

The 'core' curriculum lays emphasis on strategy and service programmes, and approaches the profession by stressing the necessary basic skills, as well as proposing further study in more specific areas. 'Current trend seminars' allow students, *inter alia*, to rethink practices and procedures, and to up-date skills, for example, in damage prevention, or in public relations and mediation. Open to the various practitioners of cultural heritage in general, these workshops are designed to improve the exchange of information and experience between professionals of varying backgrounds working in different fields and at different levels. The seminars deal with topics of

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21. Seminar-workshop for the scientific and cultural programme, Porto-Novo (Benin), May 2004.

general interest, as well as specific topics touching on various fields of cultural heritage conservation. Since 1991 some 1,000 cultural heritage professionals have come together each year to take part in pedagogical meetings organized by the Institute. Half of these participants come from state sector heritage, while the other half comprises professionals from regional organizations and cultural heritage associations and from the private sector.

These two particular aspects of the INF, the promotion of multidisciplinary training and access to continuing education, have nurtured the basic partnership agreements entered into at international level.

The establishment of international collaboration programmes for training and expertise in the field of cultural heritage

In the interest of responding to the needs of several international cultural heritage institutions, the INP has undertaken several ambitious programmes of international cooperation in the field of vocational training. Each of these programmes aims to meet specific expectations, responding to the needs expressed by partner institutions, and all are conceived within the framework of the principle of reciprocity. We have chosen here four international collaborative projects undertaken by the Institute.

Training professionals in Chinese museums

At a time when the issue of conservation and preservation of cultural heritage in China is extremely sensitive, with the Olympic Games four years away, and at a time of cultural exchange between France and China, the Chinese Ministry of Culture has chosen to raise public awareness and to enhance its museum collections which, in many respects, are quite remarkable. The Central Institute of Fine Arts in Beijing, together with the Chinese Academy of Museology, have decided to entrust the Institut National du Patrimoine with the task of devising a training workshop with a view to establishing dialogue between French and Chinese cultural heritage practitioners. This is the first time the INP has proposed an ambitious training programme abroad. During two weeks in December 2003 six French experts trained some 70 curators and directors of Chinese museums, focusing on three areas: administration of museums in France, cultural mediation and economic development, and preventive conservation.

On the basis of this first experience, the Office of Cultural Heritage of the City of Beijing has asked the Institut National du Patrimoine to

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22. Seminar-workshop, visit of the Ganvié lake city (Benin), May 2004.

develop a new training programme specially conceived for the curators of the 123 municipal museums in Beijing. In order to meet this urgent request for training, the Institut National du Patrimoine will hold a series of workshops in Beijing in spring and autumn of 2005–06 devoted to the management of collections, the creation of cultural and educational services, preventive conservation, and even an introduction to restoration techniques.

African cultural heritage: a strategy for long-term cooperation

'Knowledge is the only thing which increases when you share it,' stated Souaybou Varissou, curator of the Plant and Nature Garden of Porto-Novo (Benin), during the seminar organized by the INP and the African École du Patrimoine. These sound words show just how eager African professionals are to acquire the necessary skills for the safeguard and dissemination of their cultural heritage. But, as everyone knows, museums in Africa are currently in difficult circumstances. Entire collections are decaying while museum staff are left powerless to take the necessary preventive measures, in a political environment where the safeguard of cultural heritage seems to hold little importance. Although extremely rich while often unrecognized, African cultural heritage is being threatened as a whole, and its transmission placed in serious jeopardy. Two schools, however, have been established in order to train specialized professionals: the West-African Museum Programme (WAMP) in 2000 following an agreement between the International Centre for the Study of the Preservation and Restoration of Cultural Property (ICCROM) and the National Museums of Kenya, and the École du Patrimoine Africain (EPA) in 1998, the fruit of another agreement between ICCROM and the University of Benin. The Institut National du

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23. Training seminar in Beijing (China), visit of the Great Wall, December 2003.

Patrimoine has decided to collaborate with the EPA in the framework of a triennial convention of scientific, technical, and professional cooperation.

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The first training session was held in May 2004 in Porto-Novo (Benin), where the École du Patrimoine Africain is located, and brought together some twenty cultural heritage professionals. The meeting took as its theme the 'scientific and cultural programme' of a cultural heritage establishment, and was aimed specifically at African directors of heritage sites and museums. With special attention to a 'scientific and cultural programme', and aiming to define the general policy of a cultural institution as regards the safeguard of its collections and dissemination to the public, this seminar set out to situate the heritage institution in its own environment, as a working tool in a territory's development.

Another seminar is due to take place in late 2004, and will bear on natural and cultural heritage. This seminar is intended for African directors in the areas of environment, town-planning and housing, and will enlist the participation of the Centre des Hautes Études de Chaillot. The purpose of these meetings will be to demonstrate how cultural heritage plays a new role in the make-up of modern society: it is no longer simply a question of preserving here and there the remains of the past, but of integrating them into the environment of the present. For instance, one of the concerns of cultural heritage professionals today is the coexistence of new buildings alongside older ones. This training seminar should in such a way encourage the creation of new urban projects which remain closely tied to the safeguard and improvement of the local cultural heritage.

24. International school-worksite for the restoration of mural paintings in the church of Saint Anasthasia in Voskopoja (Albania), August 2004.

International restoration school-worksite in Albania

The international projects of the Institut National du Patrimoine also include a practical 'course' which can enable teachers and students to become actively involved in foreign restoration sites. Together with Patrimoines sans Frontières, and within the framework of the project 'Voskopoja sans Frontières', financed in large part by the European Commission (Culture 2000), the

Institute has co-organized an international school-worksite for the restoration of mural paintings in the church of St Athanasius, Voskopoja, in Albania.

Of incredible beauty but practically unknown, only five basilicas – the Assumption (Dormition) of the Virgin, St Athanasius, St Elias, St Nicolas, the Archangels, and just one monastery (St John), built between 1630 and 1780 – have survived from among the thirty religious buildings which stood in Voskopoja in the eighteenth century. These churches bear the distinction of having their interiors (vaults, walls, pillars) as well as their exteriors covered with rich religious paintings with Biblical themes. Executed by masters of Neo-Byzantine iconography, including David Selenica, whole sections of these paintings, rich and unique in the Balkans, have already been lost. In the St Athanasius church is to be found the most beautiful and most interesting collection of mural paintings in Voskopoja. Built in 1724 by Greek masters, it was decorated in 1745 by the brothers Konstatin and Athanasius Zografi. Over the years the paintings have been seriously damaged by humidity, lack of maintenance, mildew, and the presence of animals. It was therefore a matter of great urgency to come to the aid of the Albanian Institute of Cultural Monuments (IMK) by supplying technical as well as financial and scientific support for the safeguard and restoration of this exceptional site.

The worksite-school took place over three weeks in the summer of 2004, and under the supervision of the INP. Directed by the teaching faculty, it included its own students as well as students and teachers from the Technical Education Institute (TEI) in Athens. This collaboration, which involves the participation of young European and Albanian professionals, is due to continue, and should make possible a wider sharing of knowledge and skills in the years to come.

Training of restorers in Morocco

At the request of the Minister of Culture of the Kingdom of Morocco, Mr Mohamad Achaari, Morocco has decided to take part in several major cultural heritage projects, including the creation of a royal museum of the heritage and civilizations of Morocco, a museum of modern and contemporary art, and a national library. The creation of a royal museum of the heritage and civilizations of Morocco involves an overall reorganization of the museums of Morocco, requiring the redistribution of collections at a national level. Now that these major projects are about to be undertaken, Morocco would like to take advantage of the experience of highly qualified restorers and curators of cultural heritage. The Institut National des Sciences de l'Archéology et du Patrimoine (INSAP) has asked the Institut National du Patrimoine to establish a training programme for restorers specially devised for these new projects. This programme will begin in late 2004, and, like the other collaborations already mentioned, it will be a long-term project. Student restorers benefiting from the training programme will be given guidance throughout their studies. Organized as a collaboration between the Institut National du Patrimoine and the Institut National des Sciences de l'Archéologie et du Patrimoine, this programme should cater for some 15 restorers, over a period of several consecutive

years, and should provide a valuable contribution to the running of Moroccan heritage institutions.

The first exploratory visit took place in 2004, involving France Dijoud, General Curator of Cultural Heritage and Assistant Director of the Centre de Recherche et de Restoration des Musées de France, and Gennaro Toscano, University Professor and Scientific Advisor at the Institut National du Patrimoine. It provided an opportunity to identify the specific needs of the Kingdom of Morocco in respect of conservation and restoration, and to determine the outline of the training programmes to be set up.

Through various international collaborations with clearly defined goals, the INP places its training programmes firmly in a context of exchange and *ouverture* which has been shown to be indispensable to cultural heritage professions. In such a way the Institute clearly confirms its unique position in the international field of professional heritage training. Last but not least, it contributes to the cultural and scientific influence of France and to the dissemination of the expertise of its professionals and experts.

The Pan-African Museum of Music: the Need for partnership

by Ferréol Constant Patrick Gassackys

Ferréol Gassackys is arts administrator in Brazzaville, Congo. He is Commissioner General of the Pan-African Festival of Music (FESPAM) since February 2003.

The Pan-African Museum of Music is one of the African Union's projects. During the 7th regular session of the Council of Ministers held in Port-Louis, Mauritius, from 24 June to 3 July 1976, the recommendation was made that specialized festivals be organized every two years under the auspices of the African Union.

It was in this perspective that the Secretary General of the A.U. proposed the creation of the Pan-African Festival of Music and the Republic of Congo accepted the task of organizing the festival and established the headquarters in Brazzaville.

The creation of a Pan-African museum of traditional musical instruments was one of the objectives assigned to the Festival.

The museum was created essentially to ensure the preservation, study, communication and promotion of various objects typical of African music. The global objective of the museum was defined in order to provide an institutional framework for the development, coordination and implementation of the various activities linked to the scientific study of African musical heritage. While giving pride of place to the preservation, safe-keeping and display of the instrumental

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25. Instruments of the museum's collection. From right to left: Cordophone/luth from Togo; cordophone/ngomfi from the Democratic Republic of the Congo and membranophone/kété from Ghana.

heritage of Africa, the Pan-African Museum of Music is also a centre for musicological research and sees itself as the organological memory of the continent.

In addition to these tasks, the Pan-African Museum of Music pursues the following objectives:

- the acquisition of collections in instrumental, technological and iconographic fields;
- the exploration and development of the musical phenomenon in the broadest sense, in contact with major African and international institutions;
- the development of research connected with the management and preventive conservation of collections;
- educational activities aimed at different social groups (children, students, workers, etc.).

The Pan-African Museum of Music is a non-profit, scientific and cultural international institution. It is under the supervision of the Management Committee of the Pan-African Festival of Music, made up of fourteen members and placed under the Executive Management of the General Commissionership of the Festival.

The museum is in the process of building up its collections which cover the whole spectrum of African music. The items come from two sources: purchases and donations.

In January 2003, 147 instruments were listed on the inventory.

Instruments acquired through purchasing were the result of fund-raising events held in four of the ten departments of Congo, for a total of 129 instruments. Eight instruments were purchased in the Democratic Republic of Congo and the remaining six instruments were purchased from a Togolese craftsman who exhibited at the African Music Market during the third edition of the Pan-African Festival of Music. All of these collections were brought together in July 2001.

The objects acquired as donations in 1999 come from Ghana (a set of four drums). It is the first donation from an African country to the Pan-African Museum of Music.

The instruments of the collection are organologically grouped together in the following manner:

– 53 membranophones;
– 65 idiophones;
– 11 coordophones;
– 18 aerophones.

It should be noted that the Pan-African Festival of Music organizes for each edition, every two years, an exhibition of traditional African musical instruments which is a prefiguration of the Pan-African Museum of Music.

The first exhibition was held from 9 to 16 August 1996 at the French Cultural Centre in Brazzaville. Three countries participated: Cameroon, Congo and Nigeria.

The second exhibition was held at the Parliament Building in Brazzaville from 2 to 7 August 1999 with Benin, Congo and Ghana as participating countries. Several musical instruments from Zimbabwe, Uganda and Rwanda that are part of the collections of the Royal Central African Museum were also exhibited.

Five countries took part in the third exhibition: Algeria, Republic of the Congo, Democratic Republic of Congo, Cameroon and Ghana. The musical instruments of these countries

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26. The future location of the museum made available by the government.

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were exhibited at the Parliament Building from 4 to 19 August 2001.

The fourth exhibition, planned from 4 to 8 August 2003 in Kinshasa (Democratic Republic of Congo) was cancelled for budgetary reasons.

Since November 2003, the Republic of Congo has allocated a building to the Pan-African Music Festival for hosting the Pan-African Museum of Music.

Various museum departments will soon be installed in this building so that initial tasks, essential for the functioning of the institution, can be carried out in the best possible conditions.

The Pan-African Museum of Music is the shared creation of African specialists: musicologists, ethnomusicologists, museologists, documentalists, etc. It cannot highlight its activities in a vacuum; on the contrary, it is integrated into the network of African museums through close collaboration made up of exchanged exhibitions, partnerships in fields of training, museographic and museological research and the shared organization of workshops, seminars and conferences.

Partnership, whether public or private, offers several advantages for the development of museums in Africa. These advantages can include, for example, improved management of museum infrastructure and a higher standard of service in order to respond better to the demands of the specialized public and the greater public. By combining efforts, it may be easier to meet major professional challenges, such political non-interference and transparency in partnership agreements.

Partners in development are currently dealing with these problems. They are committed to inducing African museums to adopt another vision in order to develop and reinforce their capabilities.

The Pan-African Museum of Music aspires to meet short-, medium- and long-term challenges with partners in development that encourage and support its progress through assistance and financial aid. To achieve this, it seeks to create partnerships with private and public enterprises so as to acquire technical, scientific and educational material and also to develop the kind of cultural action based on patronage and corporate sponsoring.

This kind of partnership should be seen as offering significant, reciprocal advantages, such as public recognition that may result from partnership with the Pan-African Museum of Music which is destined to become an institution of international renown. Several possibilities are envisioned. The Pan-African Festival of Music has already signed two protocol agreements with the Petroleum Engineering & Industries Company for the production of the catalogue of traditional African musical instruments, and with the School of African Heritage for the training of technical and scientific personnel. These partnerships which enhance the role of actors in the cultural field are all the more desirable in those regions where there are many development issues and objectives.

The endemic shortage of funding for African museums by the public authorities combined with the many issues raised by globalization have given partnership the status of a potential development model on the African continent.

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27. *The Geee! in Genome*, Canada's first national travelling exhibition on DNA and the science of genomics, is produced by the Canadian Museum of Nature (CMN) and presented nationally by Genome Canada in partnership with the Canadian Institutes of Health Research.

A New Partnership: indigenous peoples and the United Nations system[1]

by Judith P. Zinsser

Judith P. Zinsser is professor of history at Miami University. A former president of the World History Association, she has focused her research in world history on women and the United Nations, and particularly the impact of the United Nations Decade for Women. Her books include: A History of Their Own: Women in Europe from Prehistory to the Present, *co-authored with Bonnie S. Anderson, (2nd ed., 2000);* History and Feminism: A Glass Half Full *(1993),* A New Partnership: Indigenous Peoples and the United Nations System *(1994). Her articles on women and gender topics have appeared in the* Journal of World History, Rethinking History, French Historical Studies, Notes and Records of the Royal Society, *and the* Journal of Women's History.

Defining basic principles

The history of the world tells many stories of conquest. Only one such tale continues into the twentieth century and perhaps into the twenty-first. Almost 500 years ago European adventurers sailed their caravels and galleons across the Atlantic. They looked for a passage to the Indies, the source of silks, spices and all that defined luxury in their world. In the 1490s and the early decades of the sixteenth century they found instead semi-tropical islands, a vast continent and urban civilizations beyond their experience. They called themselves 'discoverers' and named the peoples 'Indians'. Their cartographers declared this the 'New World' and named the lands 'the Americas'.

But the peoples already had names. They called themselves Arawak, Kayapó, Aztec, Maya, Inca, Aymara, Tlingit, Seminode, Mapuché,

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Pueblo, Mohawk, Innu. For them the islands and continents were not a 'new world' but their ancestral homes.

In the next centuries the Europeans conquered, settled and reshaped the land to their needs. They wanted the indigenous nations for their labour, their knowledge of the mountains, forests and plains, and for their goods, their silver, their maize, their cloth, their furs. When 'the first peoples' of the Western Hemisphere would not accommodate the conquerors and settlers, or opposed them, they were killed.

The 'discovery of the new world' has continued in the twentieth century with the same consequences. Encounters between settlers and indigenous people in the Amazon River Basin, in the islands of south-eastern Asia, have meant violence, death form disease, the destruction of the forest and thus the indigenous peoples' way of life just as they did for the Carib Indians in 1942. State trusteeship in the Americas and in southern Africa has at best meant temporary protection. All over the world, the impact of one culture on another has become more and more acute as differences in values, perspectives, resources and technology have made some more vulnerable than others. In recent decades competition over land and land usage has increased exponentially. As a result, no group can remain isolated and intact.

Who are the indigenous peoples?

Indigenous peoples number over 300 million and constitute 4 per cent of the world's population. They live in every part of the world, in the cities of the most technological cultures, along terraced hill-sides in heavily populated agricultural provinces, on the wide prairies and savannahs of sparsely settled regions. They share a tragic common history: invasion of their territories and alteration of their environment, abrogation of treaties, continuing violence against their peoples, discrimination and abuse, poor health care and disadvantaged living conditions, attacks on their beliefs and customs, desecration of their sacred sites, imposition of alien education systems and language, the undermining of their way of governance and rejection of their adherence to community over individual rights. Even when they represent the majority of the country's population, as they do in parts of the Americas, they lead a marginalized existence, kept away from the main sources of political power, isolated, often exploited economically and relegated to the lowest social strata. Everywhere they are dying. Indigenous peoples ask only what others have asserted for themselves: to continue as distinct and separate cultures.

The definition of 'indigenous peoples', or 'nations', formulated by the United Nations underscores this ability to survive despite centuries of ill-treatment. The United Nations defines them as peoples who have continued to 'consider themselves distinct; and are determined to preserve, develop and transmit to future generations their ancestral territories, and their ethnic identity in accordance with their own cultural patterns, social institutions and legal systems'.[2] They have resisted for over 500 years, and they have survived as separate cultures 'despite centuries of deprivation, assimilation and genocide'.[3] Now they are once again active on their own behalf. They are claiming what their leaders

refer to as 'the first rights of their people'. A Torres Strait Islander from the western Pacific described his peoples to the United Nations Working Group on Indigenous Populations as the 'original owners of the land'. He continued: 'We have not lost our islands. We do not ask for them back. They have always been ours. We have right on our side, we now seek justice.'[4]

Beginning in the 1960s indigenous nations, bands and tribes organized their own advocacy groups and began to use existing international organizations to gain recognition and support. To achieve their goals they adopted some of the protest methods and tactics of their adversaries. A Mescalera Apache activist explained that she, like others, 'learned your language … learned American culture to gain access to the academy'.[5] Academic credentials gave other access: to the media, to the courts, to legislatures. Marches, demonstrations and collective gestures of passive resistance have been used to bring indigenous demands to the attention of the governments and the world community? In just a little over a decade they made the world aware of their past history. They have brought attention to their present circumstances. They have gained international acknowledgement of the wrongs done to them and approval from the United Nations Commission on Human Rights for the drafting of a separate declaration of the rights of indigenous peoples.

There must be a specific statement of their rights because existing human rights declarations and covenants have not included them. Nowhere in the many international human rights instruments are all aspects of their history and current circumstances addressed and protected. They are distinct peoples and nations with unique origins and special needs? It is important that they gain their rights. For their past history and present reality raise profound human rights issues for all peoples. On the broadest level this concerns the rights of distinct ethnic and racial groups to exist within the modern technological state. It concerns the rights of cultures to continue. It challenges the dominant settler cultures to collaborate in new ways, to visualize 'a society within which they are merely a part rather than in … control'.[6] Most significantly it concerns an alternate view of humanity's relationship to the environment. In order for all peoples to survive, it is the indigenous view that must prevail.

Indigenous peoples and the United Nations system

Indigenous peoples have been active in their own countries. They have formed regional associations. They have allied with international humanitarian groups. They have formed their own international councils and federations. Each type of action has brought them into contact with the United Nations system in one way or another. Now it is the United Nations that has recognized their special circumstances and their unique needs and has called for a Declaration of the Rights of Indigenous Peoples. From the perspective of indigenous peoples the process has been slow, especially given the urgency of their situation, given the numbers who have died and will continue to die because of the destruction of their environment, their ways of life, their customs and beliefs. It demonstrates, however, how issues come to the attention of the United Nations, how the concerns are defined, validated and acted upon. The story of indigenous peoples and the Unites Nations shows the

interaction between the international community and national governments on human rights violation. Most important, it shows the ways in which humanitarian groups and the various parts of the United Nations work to redress grievances and to guarantee fundamental freedoms for all peoples.

The role of non-governmental organizations

Non-governmental organizations have played a key role in bringing the concerns of indigenous peoples to the attention of the United Nations and its agencies. Groups of anthropologists first in Denmark, then in the United Kingdom and finally in the United States founded three of the earliest and most effective advocacy groups. The International Working Group for Indigenous Affairs (IWGIA, founded in 1968) responded to the situation of indigenous peoples in the Amazon River Basin. It gathers information, speaks and lobbies at international meetings and publishes a newsletter and yearbook that bring current issues to the attention of the world community. *Survival International*, a British non-governmental organization founded in 1969 also to aid Amazonian peoples, advised the groups of experts convened by the International Labour Organisation (ILO) in the 1980s and contributed to the ILO's decision to revise its Indigenous and Tribal Populations Convention (Convention No. 107, 1957). On the basis of reports from Survival International, the ILO cited a South Asian country for violations of indigenous peoples' rights.

Cultural Survival, founded in 1972, takes pride in supporting a wide range of activities across the globe, from Malaysia to Venezuela, from Tibet to Namibia.[7] For example, the SNA Jtz'ibajom Project funds a writers' co-operative working to recover and preserve the Mayan oral traditions. The Regional Indian Council of Cauca (CRIC) receives support for its reforestation project in the Colombian Amazon. Contributions to the Black Women's Education Fund of Australia give a student graduate school tuition at a United States university. Through its newsletter and its position papers, Cultural Survival has played a key role in informing the international community and groups within the United Nations of the needs of indigenous peoples.

In the late 1980s and the 1990s Cultural Survival's budgets also provided funding for transportation and translating so that indigenous peoples could meet and make their own case at international forums. Each year more of the first peoples acquire the techniques of modern-day advocacy. They have created their own organizations and federations. They have learned the value of newsletters, position papers, conferences and 'networking' with their 'brothers and sisters' in all parts of the world. They have learned to use the United Nations as a forum for their grievances.

The first international non-governmental organization Conference on Discrimination against Indian Populations of the Americas met in Geneva in 1977. The participants issued the first draft declaration for the defence of the indigenous nations and peoples, and suggested the creation of a United Nations Working Group to study their situation and make recommendations. The Declaration approved by the Conference voiced many of the peoples' major concerns: their right to

'recognition as nations' with jurisdiction over their own peoples and protection for their own cultures; their title to, and special relationship with, their lands; their need for enough good land to live according to their own traditions and to develop 'at their own pace'; acknowledgement by governments of their organizations, their land claims and their right to negotiate.[8]

Subsequent meetings convened by non-governmental organizations such as the World Council of Churches or indigenous non-governmental organizations themselves (such as the International Indian Treaty Council, the World Council of Indigenous Peoples and the Inuit Circumpolar Conference) listed other principles and defined the separate and unique character of the peoples; they are the original inhabitants, sometimes the majority rather than the minority, groups kept subordinate and dependent as a result of 'invasions, colonization, brutal subjugation, and genocidal practices'.[9] Through the efforts of these non-governmental organizations, other internationally active indigenous groups and sympathetic members of the United Nations human rights commissions, the Working Group on Indigenous Populations was established ion 1981 with a mandate to draft a declaration.

By 1993 the leaders of many indigenous organizations with and without non-governmental organization status had become active and more knowledgeable of the workings of international human rights organizations. They described their attendance and their sponsorship of meetings around the world as the way of 'opening spaces', of pressing their demands. In addition, their own organizations had come to represent even more constituencies, not only tribal and regional interests, but also those united across age and gender. For example, international conferences and indigenous women began to meet in 1989 and brought attention to patterns of inadequate health care, states' violence against women, 'sexual trafficking' in women and forced prostitution, and the need for greater representation of women throughout the movement for the peoples' rights. Indigenous young people have held two conferences. At the Working Group in July of 1993 they spoke in particular of their right to learn about their heritage and to acquire traditional knowledge in the traditional ways 'to help us reclaim our past, so we may claim our future'.[10]

Indigenous peoples and the United Nations Conference on Environment and Development (UNCED)

UNCED, held in Rio de Janeiro in June 1992, demonstrated more dramatically than any other international gathering the impact of indigenous peoples on the world community and the way that non-governmental organizations have helped them to gain a hearing. In Agenda 21, the programme of action from the Earth Summit or Rio Conference, representatives of the settler governments acknowledged many of the concerns first raised by indigenous elders at non-governmental organization-sponsored meetings in the early 1970s; in particular, that the world's leaders consider the consequences of unregulated industrial expansion and exploitation of natural resources. More than other regions, the image of a devastated Amazonia has captured the imagination of the industrialized world.

By the late 1980s United Nations agencies had created a whole vocabulary of words and phrases to describe the new awareness of the tropical forest environment and its indigenous inhabitants. Publications now spoke of 'sustainable development' and of the lessons to be learned from indigenous peoples skilled 'in managing complex ecological systems' through 'agro-forestry' and 'shifting cultivation'.[11] Indigenous leaders and their non-governmental organizations also learned to speak in these new phrases when articulating their demands at their own and at United Nations sponsored meetings. Hunting and fishing became 'wildlife management and harvesting'. Their way of life became 'sustainable and harmonious relationships with their lands and environments'. They agreed that their willingness and ability 'to share this knowledge with others, is vital for overcoming environmental degradation throughout the world'. The alterindigenous, they explained, led to 'ecocide'.[12]

A 1989 Co-ordinating Body for Indigenous Peoples' Organizations of the Amazon Basin (COICA) declaration summarized this new political awareness. The declaration described indigenous peoples as 'the keys to guaranteeing the future of the Amazon Basin, not only for our peoples, but also for all of humanity'. Protecting this fragile environment, so essential to all peoples, meant development 'compatible with Indigenous People's principles of respect and care for the world around them [and] their concern for the survival and well-being of their future generations'. In the end, 'The most effective defence of the Amazon Biosphere is the recognition and defence of the territories of the region's Indigenous Peoples and the promotion of their models for living within the Biosphere and for managing its resources in a sustainable way'.[13]

The Rio Conference made such language part of the international development 'dialogue'. The Secretary-General of the Conference underlined the urgency expressed by COICA in the foreword to Agenda 21. He refereed to 'global environmental degradation' and to 'the movement to turn the world from its self-consumptive course to one of renewal and sustenance'. The document used now-familiar phrases to describe 'the efficiency of indigenous people's resource management systems', the role that they can play in the 'conservation and management of ecosystems' and the value of their 'traditional knowledge' for the sustainable utilization of biological resources and conservation of biological diversity'.[14]

UNESCO

UNESCO and other organs and intergovernmental agencies have acted to affirm other rights of indigenous peoples. In 1981 UNESCO sponsored a meeting of experts to consider the destruction of cultures and charges of ethnocide in Latin America. The San José Declaration[15] issued as a result of the deliberations affirmed indigenous peoples' cultural and especially language rights. It gave support to education in mother tongues and proposed a declaration of linguistic rights. International conventions drafted under the auspices of UNESCO in the early 1970s against the theft of 'cultural property' and for the protection of the 'World's Cultural and Natural Heritage' have sometimes proved useful in indigenous efforts to reclaim objects taken over the centuries.

UNESCO's actions in the mid-1980s have proved of direct relevance to the situation of indigenous peoples. UNESCO co-authored 'model provisions' for laws to protect the oral traditions and knowledge of peoples from 'illicit exploitation and other prejudicial actions'.[16] The World Intellectual Property Organization (WIPO) was established, in theory, to monitor violations. UNESCO's 1986 meeting of the International Council of Museums favoured the return of stolen artefacts to indigenous groups and the peoples' involvement in museums established to preserve and display their cultural traditions.

The United Nations Working Group on Indigenous Populations

The Charter of the United Nations specifically states that one of the Organization's obligations is to protect and promote the 'human rights and fundamental freedoms' of the world's peoples. In 1946 the Economic and Social Council, one of the United Nations' main organs, established the Commission on Human Rights to take on this task. At its first meeting in 1947 it created the Sub-Commission on Prevention of Discrimination and Protection of Minorities to study and make recommendations on cases of racial, religious or linguistic discrimination throughout the world.

Concern for indigenous peoples began in this sub-commission. In 1971 the group authorized an international study of the situation of indigenous peoples. Ten years later four volumes of description, analysis, documents and recommendations were formally presented by Special Rapporteur José R. Martinez Cobo.[17] The study surveys all previous United Nations actions that might relate to indigenous peoples: work of committees, specialized agencies, intergovernmental organizations. It comments on the relevance and application of existing conventions protecting human rights – economic, social, cultural, civil and political – and on conventions against such specific practices as racial discrimination, enslavement and genocide. It gives the recommendations of the non-governmental organization-sponsored international conferences. It presents a definitive study of indigenous peoples' circumstances as of the late 1970s: government policies, administration and social service programmes; disadvantaged living conditions; discriminatory education and the gradual death of traditional languages and cultures; and exploitative training and employment practices. The last volume contains recommendations for protecting the peoples' access to the land and its resources, and for safeguarding their political and religious rights.

The report, in conjunction with the efforts of indigenous and philanthropic non-governmental organizations, led to the creation of the Working Group on Indigenous Populations in 1981[18] and recognition of these nations and tribes as unique. The United Nations has accepted that they are separate peoples, unlike other national populations, defined by unique criteria, that they live in unique circumstances and have been denied their rights in ways others have been spared. More significantly, the United Nations agreed that, unlike other groups, such as racial or ethnic minorities, indigenous peoples need more than just protection against loss of rights; they need active promotion of the enjoyment of those rights. With

their cultures and their environments under attack, not only their rights but also their traditional ways of life, and in some cases their survival, are in danger.

Having accepted these views, the United Nations sees a specific role for itself: to formulate in consultation with the indigenous peoples and with governments the basic principles that should underlie all of their relations; and to define the fundamental rights that must be guaranteed to all indigenous peoples both collectively for each nation and individually for each member of that nation. Once completed these principles and freedoms will become another human-rights declaration.

The Working Group was proposed and authorized to carry out this role. It has met annually since 1982 (except in 1986 due to United Nations 'economy' measures) and reports to the Sub-Commission on Prevention of Discrimination and Protection of Minorities. Five members chosen from the major regions of the world meet for one week in Geneva, at the Palais des Nations (originally built for the League of Nations, the United Nations' predecessor). Initially they gathered information and heard presentations on indigenous concerns and circumstances, on government perspectives and actions. Beginning in 1985 they started to discuss how to turn these concerns and perspectives into the language of international law, into specific paragraphs and articles that could be used as a standard for evaluating relations between indigenous peoples and national governments. When completed these paragraphs and articles will have become the underlying principles and basic freedoms of the Universal Declaration of Indigenous Rights. The chair, Erica-Irene Daens, presented the first draft declaration in 1988. In 1993 the group finished and authorized the dissemination of the final version to indigenous nations for comment and recommended that the Declaration be presented to the Sub-Commission on the Prevention of Discrimination and the Protection of Minorities at its next session in 1994.

Accomplishments of the Working Group

In the first years of the international meetings on indigenous concerns, participants came primarily from the Americas with one representative of the Aboriginals of western Oceania. In 1993 they travelled from Africa, Asia, the Arctic Circle and the Pacific: the Southern Sudan Group, the Karen National Union (Union of Myanmar), the Daliit Youth Movement (India), the Alliance of Taiwan Aborigines, the Finno-Ugrik Peoples' Consultative Committee (Arctic Circle), the Cordillera Peoples Alliance (Philippines) and the Chamorro Organization of People for Indigenous Rights (Guam); groups of elders from the Pacific and North America; and women's groups from three corners of the world, Peru, New Zealand and Tibet.

The Working Group has become, in fact, the third largest human-rights meeting in the United Nations. Typically, as many as fifty to seventy governments send observers. In the course of its meetings between 1982 and 1993 all the major issues and concerns of indigenous peoples have been raised and discussed. The Working Group has become their 'gateway to the United Nations system'.[19] The Working Group members

accept the special nature of indigenous peoples' relationship to the land. They generally agree when indigenous peoples speak of the significances of the land and of the group's right to collective access to its resources. The Working Group favours compensation for lands lost, negotiation over claims and consultation about uses. There is acknowledgement of centuries of injustice and disadvantage which must in some way be addressed.

The members of the Working Group endorse the separate and unique status of indigenous groups as distinct peoples whose needs are not met by guarantees of rights for minorities. In particular, these peoples and nations must have autonomy in their own affairs and the right to decide how, when and in what ways they want to change. At the same time they must have rights to guarantee the preservation of all that they do not want to change. The Working Group members condemn what has been described as the 'systematic destruction' of indigenous peoples' culture, of their language, their customs and their religious beliefs and practices. Members favour 'affirmative action' by states to remedy the wrongs of the past, to guarantee rights in the present and to improve indigenous peoples' disadvantaged circumstances for the future.

The Working Group has been authorized to conduct two studies: one on 'treaties, agreements and other constructive arrangements between states and indigenous peoples' and one on (the cultural and intellectual property of indigenous peoples', both of which could become useful precedents in the establishment of international and national law on these subjects.[20] The study of treaties is intended to define and clarify official agreements between states and indigenous peoples, and to suggest how such formal arrangements may contribute to amicable relationships in the future.

In much the same way the study on 'cultural and intellectual property', describes the 'heritage' of indigenous knowledge and practice – both spiritual and practical – and the ways it has been appropriated by settler cultures. Most important, for the future, the study explains the inadequacy of current legislation to protect or ensure compensation for use of this knowledge or its products.

The draft declaration on the rights of indigenous peoples

The draft declaration[21] completed by the Working Group at its eleventh session in 1993 represented a hard-won compromise between the views of indigenous nations and the settler states, between the precedents set in previous United Nations declarations and covenants and the new human rights concepts formulated to meet the unique needs of the 'first peoples'.

As the spokeswoman for the Lubicon Cree from north-western America explained to the Working Group at the 1993 meeting, the principal disagreement have always centred on four interrelated issues. First, the indigenous peoples insist on the recognition of indigenous nations as having a prior claim to the lands they occupy and use, and to the validity of the treaties negotiated with their forbears. Prior claim to land means prior consent to, not just

consultation about, use of resources of those lands, whether it be the minerals under the earth or the medicinal properties of a tree's bark. Secondly, the Universal Declaration on the Rights of Indigenous Peoples must make clear that there are many different peoples, not just minorities to be subsumed under some general designation such as 'populations'. To be separate peoples means acceptance of many different customs and beliefs. From the indigenous perspective one of the most important differences – and part of their uniqueness as peoples – stems from their belief in 'collective' as well as 'individual' rights. Acknowledgements of this principle that groups as well as individuals may hold and exercise rights – has become the third of their demands. The fourth principle, and the one indigenous peoples consider the most basic to their survival, is 'self-determination'. For indigenous nations, 'self-determination' means autonomy, the right, as they expressed it at the 1992 meeting of the Working Group, 'to determine their own destiny'. In specific terms they explain that this means: the right to govern their internal affairs according to their own 'political, economic, cultural and social structures'. They can determine their own membership, negotiate with states, plan, participate in and then benefit from the uses of their territories. They can celebrate their own beliefs on their sacred sites, have the means to preserve their traditions, customs and laws, administer their own health care, teach their children, and reclaim lost artefacts of their culture and the bones of their dead in need of ritual burial.[22]

To indigenous peoples these concepts represent inherent rights, powers that they never relinquished. Only conquest by alien peoples interrupted their exercise of these rights. The first peoples assert that no state and no international body needs to 'give' them these rights. As inherent rights they cannot be 'given', they belong to nations by definition. Rather, the world must acknowledge what has always been: that the first peoples are separate, autonomous nations able to decide their own present and their own future.

The Member States' perspective

To governments all four of these demands appear potentially dangerous. In the eyes of some governments, self-determination threatens not only the unity of the state, but also its very survival. Any mention of special status and autonomy seems by definition a prelude to secession, or at the least to authorization for a group to legislate its own status 'without regard to the laws of the surrounding state'. Such powers therefore must not be considered inherent. They cannot be granted without qualification. Otherwise governments believe that they would be giving up their authority to rule all of their citizens and would be compromising their territorial integrity.

All questions of collective rights, land title, treaties and prior consent to development also can be seen as challenges to state authority and the Member State's ability to provide for all of its people not just one specific group. For example, both East Asian and North American governments are concerned that the granting of collective rights may jeopardize the individual liberties their constitutions have enshrined.

The Working Group's perspective

Since 1988 the five members of the Working Group have listened to these positions. The draft declaration that they drew up and which has been submitted to the Sub-Commission on the Prevention of Discrimination and the Protection of Minorities in 1994, and ultimately to the Economic and Social Council and the General Assembly, attempts to reflect what the chair calls 'the consensus of the majority'.[23] A careful reader can find amendments made by settler governments, phrases and articles proposed by indigenous leaders. It is a compromise document.

From the earliest meetings on the declaration the Working Group has tried to find language that would resolve the conflict over 'self-determination'. In the end the members decided to use the phrase but to give it a new meaning. They have assumed that indigenous peoples are not agitating to establish new states, but rather to be allowed to live as they wish, to be left alone, as the African member of the Working Group, explained.[24] Thus, 'self-determination' in this declaration can be conceived of as 'a new contemporary category of the right' without 'any implications which might encourage the formation of independent states'. In this declaration it means indigenous peoples' control over 'internal' not 'external' affairs, and the ability to negotiate 'their status and representation' with the state claiming sovereignty over them.[25] Thus, from the perspective of the Working Group the right defined in this way can be given unqualifiedly.[26]

Between the first meeting of indigenous peoples in 1977 and the presentaiotn of a draft declaration in 1993 the process may seem slow by ordinary measurements of time. In the context of international negotiations, however, and given the complexity of the issues and the extraordinary economic and political implications of indigenous peoples' demands, the progress has been rapid.

Indigenous nations have created their own organizations and international networks and learned the language and politics of international meetings. The United Nations has acknowledged and validated their concerns. It has created a forum for them to voice their opinions, and accepted their right to participate in the setting of international standards. With the adoption of the Declaration of the Rights of Indigenous Peoples the United Nations will have again proved its effectiveness in the area of human rights.

The Working Group has continued its work after the writing of the publication and in April 2000, the Commission on Human Rights adopted a resolution to establish the Permanent Forum on Indigenous Issues during the International Decade of the World's Indigenous Peoples. Three months later, the Economic and Social Council endorsed the resolution, and the Permanent Forum came into formal existence.

The Permanent Forum is now an advisory body to the Economic and Social Council with a mandate to discuss indigenous issues related to economic and social development, culture, the environment, education, health and human rights.

For further information consult the very informative web site at **http://www.un.org/**

partners/civil_society/ngo/n-indig.htm. Most of links mentioned in endnote in the text can be accessed through this site.

NOTES

1. This text is an excerpt from the publication *A new partnership: indigenous peoples and the United Nations system*, Educational studies and documents 62, Paris, UNESCO Publishing, 1994. *MUSEUM International* has wished to reprint the text in agreement with the author, Judith P. Zinsser, as a tribute to the launching of the International Decade of Indigenous Peoples in 1994 and its closing year. See http://www.unesco.org/culture/indigenous.

2. José R. Martinez Cobo, *Study of the Problem of Discrimination Against Indigenous Populations*. Vol. V: *Conclusions, proposals and Recommendations*, p. 29. New York, United Nations, 1986, (Sales No. E.86.XIV.3).

3. See Appendix III, Indigenous Peoples Earth Charter, declaratory paragraph 5.

4. The ideas and quotations in this paragraph come from a variety of sources: Paul Coe, chair of the National Aboriginal and Islander Legal Services Secretariat, statement before the United Nations Working Group on Indigenous Peoples, Geneva, Switzerland, August 1988; George Mye, chair of the Torres Strait Islander Advisory Board, statement to the Working Group on Indigenous Populations, Geneva, Switzerland, 28 July 1993; Mgate te Koruo, a Maori teacher, went so far as to suggest the repatriation of Europeans and thus the return of Aeoratoa (New Zealand) to its rightful guardians, as quoted in *Indigenous Peoples: A Global Quest for Justice* (report for the Independent Commission on International Humanitarian issues), p. 39, New Jersey, Zed Books Ltd, 1987.

5. Inéz Talmantez, statement before the World History Association National Conference, Philadelphia, June 1992.

6. 'Viewpoint', Waitangi Action Committee presentation to the United Nations Working Group on Indigenous Populations, Geneva, August 1988.

7. See for example, the list of activities supported in 1990, *Cultural Survival Quarterly*, Vol. 14, No. 4, 1990, pp. 86-8.

8. See 'Declaration of Principles for the Defence of the Indigenous Nations and Peoples of the Western Hemisphere', in A. Leroy Bennett, *International Organizations: Principles and Issues*, pp. 86-7, Englewood Cliffs, N.J., Prentice hall, 1988.

9. See Lee Swepston and Roger Plant, 'International Standards and the Protection of the Land Rights', *International Labor Review*, Vol. 124, No. 1, 1985, pp. 91–106. For a complete list of indigenous organizations as of 1984, see 'Organizing to Survive', *Cultural Survival*, Vol. 8, No. 4, December 1984.

10. The phrase 'opening spaces' comes from the *Final Report: First Summit of Indigenous Peoples*. Chimatenango, Guatemala, may, 1993. On indigenous women's activities see, for example, the report of the Asian Indigenous Women's Conference, January 1992, sponsored by the Cordillera Resource Center. The statement from the Second World Indigenous Youth Conference can be obtained from the Organizing Committee, Second World Indigenous Youth Conference, P.O. Box 40133, Casuarina 0811, Northern Territory, Australia.

11. The United Nations World Commission on the Environment and Development (founded in 1987), as quoted in DPI/1294-93206 November 1992.

12. *Report of the United Nations Technical Conference on Practical Experience in the Realization of Sustainable and Environmentally Sound Self-Development of Indigenous Peoples*, May 1992, Santiago, Chile, pp.16, 17. (E/CN.4/Sub.2/1992/31.)

13. COICA Statement, *Cultural Survival Quartely*, Vol. 13, No. 4, 1989, p 75.

14. *Agenda 21*, New York, United Nations Department of Public Information (Sales No.E.93.1.11). See the Statement of Principles, Chapters 11, 15, 17 and 26 (specifically on indigenous peoples); especially pp. 11, n. 88, 228, 132.

15. See http://unescodoc.unesco.org.

16. For a description of UNESCO's activities in this area of indigenous rights see Erica-Irene Daes, *Working Paper on the Question of Ownership and Control of the Cultural Property of indigenous Peoples*, July 1991, pp. 4–8. (E/CN/Sub.2/1991.34.).

17. Although the Ambassador of Ecuador generously sponsored the study, a Guatemalan lawyer, Augusto Willemsen Diaz, did the principal research and drafting.

18. See http://www.unhchr.indigenous/groups.htm.

19. Erica-Irene Daes' closing statement, Working Group on Indigenous Populations, Geneva, 30 July 1993.

20. For example the draft declaration has already been used successfully in a Canadian court case argued by Michael Jackson for the Gitksan and Wet'sowet'en Nations.

21. See http://www.unhchr.ch/indigenous/groups-01.htm and click on the link to the Draft Declaration.

22. See Sharon Venne, intervention at the Working Group on Indigenous Populations, Geneva, 20 July 1993; and the *Report of the Working Group on indigenous Populations* (E/CN.4/Sub.2/ 1992/33).

23. Erica-Irene Daes, remarks at the Working Group on Indigenous Populations, Geneva, 26 July 1993.

24. Amb. Judith Tsefi Attah, interview, Geneva, 28 July 1993.

25. Erica-Irene Daes, as quoted in the 1992 *Report of the Working Group on Indigenous Populations*, p. 17, (E/CN.4/Sub.2/1993/33) and in her explanatory note concerning the draft declaration on the rights of indigenous peoples, 19 July 1993, pp 3–5. (E/CN. 4/Sub.2/1993/26/Add.1.)

26. See Appendix I, preambular paragraph No. 14, and Articles 3 and 3.

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Partnerships in the Heritage of the Displaced

by Denis Byrne

Denis Byrne manages the Research Section of the Cultural Heritage Division in the Department of Environment and Conservation, Cultural Heritage Division in New South Wales, Australia. His interests include the contemporary religious/spiritual context of heritage sites in Asia and Australia, the history and heritage of racial segregation in Australia, and the push towards greater acknowledgement of the social value of heritage places.

The intangible and the marginal

The global heritage conservation community's decision to take seriously the category of intangible heritage has major implications for our partnership with indigenous minorities and displaced people generally. People may think of the 2003 UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage as being mainly concerned with the 'heritage' of performing arts, traditional crafts, ritual practices and other distinct cultural acts that might define the 'difference' of a group in the eyes of outsiders. But the Convention's definition of intangible heritage has clearly been written to be as inclusive as possible:

> *The 'intangible cultural heritage' means the practices, representations, expressions, knowledge, skills – as well as the instruments, objects, artefacts and cultural spaces associated therewith – that communities, groups, and, in some cases, individuals recognize as part of their cultural heritage (Article 2)*

I suggest that this definition can comfortably accommodate, as a form of heritage,

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the life experiences of indigenous minorities living in colonized landscapes.

The defining characteristic of these life experiences is that they take place in landscapes that no longer belong to indigenous people. These people are now displaced in their own traditional country. As Delores Hayden has shown in the context of the United States of America, the lives of underclasses (women, the poor, African Americans) tend to be dramatically unrepresented in the heritage stakes.[1] The same is true of indigenous minorities: the traces of their lives have little or no visibility on official heritage maps. This is not to say their life stories are unmapped: the people themselves possess detailed 'mental' maps of those areas of the colonized landscape that they inhabit. Such maps may include the places they have worked, camped, fished, gone to school, or experienced racial discrimination. They may also include the network of pathways or other routes they have used to move between these places.

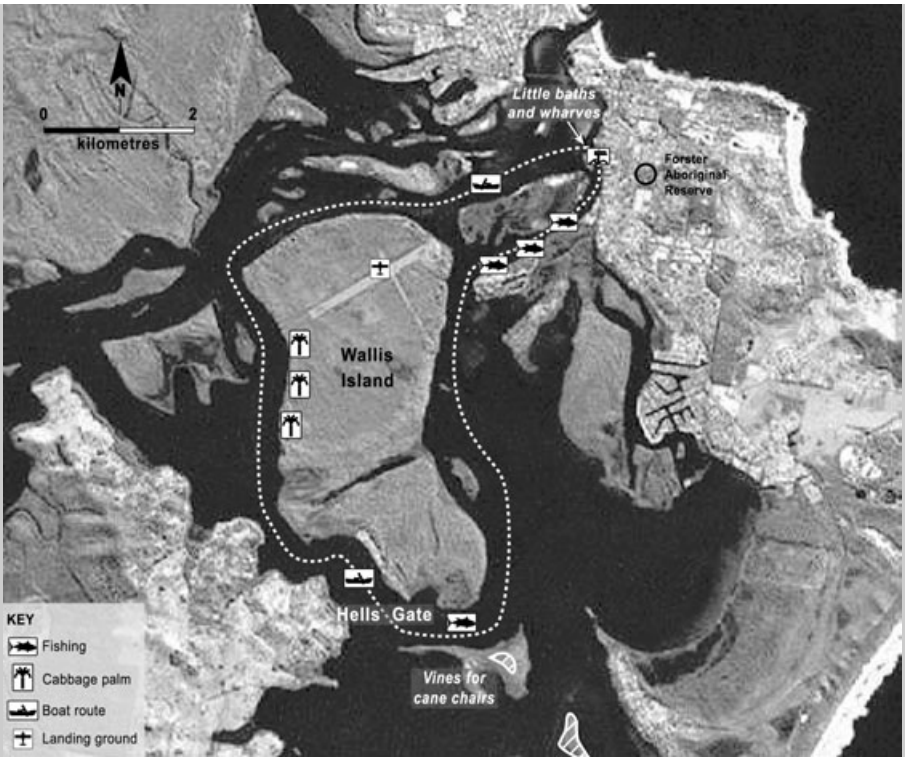
These places, at first glance, may seem to belong in the category of tangible rather than intangible heritage but the very nature of these peoples' marginality renders their 'footprint' in the landscape relatively invisible. It has often been the case that the only space in the colonized landscape that has been available for them to live has been on the edge/margin of colonial and post-colonial towns and cities of the colonized where they live in shantytowns or fringe camps. Alternatively, they may live in pockets of economically marginal land that the authorities have set aside for them in the form of reservations. Their dwellings in such places have typically been makeshift and fragile, reflecting both their economic impoverishment and their knowledge that at any moment they may be forced by the authorities to relocate. Their settlements have been regarded as eyesores and all trace of them has often been removed by bulldozers. In North America and Australia, even the reservations set aside for the use of indigenous people were often subsequently revoked and the land sold or granted to non-indigenous farmers. In this way, being forced continually to move on, people left behind them a trail of memories rather than a trail of structures.

Even when domiciled in fringe camps or reservations, however, indigenous people have typically moved around over extensive areas of landscape. This is the landscape of the colonizer: it is the towns, suburbs, rural farmland, state forests, national parks, beaches and other areas managed and defined by the majority culture. They typically own none of this land; they are often unwelcome in it; they have no legitimate 'foothold' in it. But still, their presence in it is the basis of the mental or conceptual maps referred to earlier.

Although these people had lived for generations in the same landscape as the white settlers who had displaced them, they had their own quite distinct map of that landscape. Unlike the 'official' map, this 'alternative' Aboriginal map did not exist in print.

Mapping the intangible

In the course of an oral history recording project carried out in 1999–2003 with Aboriginal people on the mid-north coast of New South Wales,



28. Aerial photograph with overlay showing the Wallis Lake landscape indicating fishing spots and boat routes.

Australia, it became clear that such a map could be rendered as heritage.[2] As Aboriginal people recounted their own oral histories and the remembered histories of their parents and grandparents they recreated, verbally, a detailed geography of their local area. They spoke of the pathways they used to move through the colonized landscape and the many places they had camped, hunted, fished, or harboured their boats.

This area of New South Wales is home to several hundred Aboriginal people, many of them descendants of the Biripi and Worimi tribal groups, the area's original owners. The project was carried out as a partnership between a heritage agency and two Aboriginal land councils.[3] In addition to recording their personal and family histories on tape, Aboriginal people also drew maps that recorded places and pathways that were meaningful to them. Enlarged prints of aerial photographs were used for this purpose since the local landscape depicted on these was more recognizable to most local Aboriginal people – showing, as it did, familiar trees, houses, and laneways – than the lines and symbols of the topographic map of the same area.

Many of the pathways that people drew on the maps illustrated a mode of movement that took advantage of gaps and openings in the pattern of

white settler land ownership. Aboriginal people, for instance, often moved through the mosaic of privately owned farm blocks via various corridors of reserve land that had been set aside by government surveyors for future roads or for the movement of cattle and sheep. Rivers also provided corridors of movement for Aboriginal people who had boats. Indeed, the rivers, estuaries and coastal lakes served as neutral zones where both Aboriginal and white people could move around without the constraint of property boundaries. It also became evident that areas of forest and bushland were often favoured by Aboriginal people for movement and camping because of the shelter they provided from surveillance by the white authorities and the gaze of white settlers. As these maps emerged it became clear that while, at a macro level, Aboriginal and white people shared the same landscape, at a micro level there existed intricate patterns of avoidance. Like the spatiality patterning of racial segregation, these patterns of avoidance left little or no physical trace in the landscape – they are only accessible through memory and oral-history.

Indigenous patterns of resistance and transgression also emerged. Colonization of their country meant Aboriginal people were forced to live within a radically alien grid of boundaries. Their country came to be criss-crossed by the rectangular pattern of farm fences. They had to live in box-like houses and had to walk the straight lines and turn the right-angled corners of the streets in the towns and villages. Their children would go to school and sit within a grid of desks in a rectangular room and when they died they would be buried in rectangular graves (the precise dimensions of which were stipulated in the Public Health Act) within a grid of other graves inside the rectangular bounds of the cemetery. In their oral histories, however, Aboriginal people recount the many ways they broke through this colonial grid. I refer here to the jumping of fences, the raiding of orchards and corn fields, the short-cut across a hostile farmer's lower paddock in order to get to the river, the Aboriginal children sneaking into a property to swim in a farmer's dam. Historical records indicate that incursions such as these were common across the whole of New South Wales and were an ongoing source of inter-racial tension.

Listening to the way Aboriginals recall and narrate these acts of trespass, often carried out against the real threat of shotguns and dogs and the spectre of the police, one is inclined to think of them almost as a systematic refusal of the boundaries of a cadastral system, a refusal to acknowledge its legitimacy, a constant prodding and testing of its resolve. These experiences and the relating of them are a significant part of Aboriginal folklore, as are the stories, particularly from the 1970s, of how individuals defied boundaries in segregated picture theatres and the previously racially bounded space of white bars and discos. All these experiences are spatial and therefore eminently mappable as heritage.

The elements of a partnership

Indigenous minorities and other marginalized peoples are displaced not merely by having been rendered landless; they have been displaced from the consciousness of the majority. They have little tangible foothold in the landscape in terms of structures, infrastructure, or monuments. It goes without saying that in such situations it is not just

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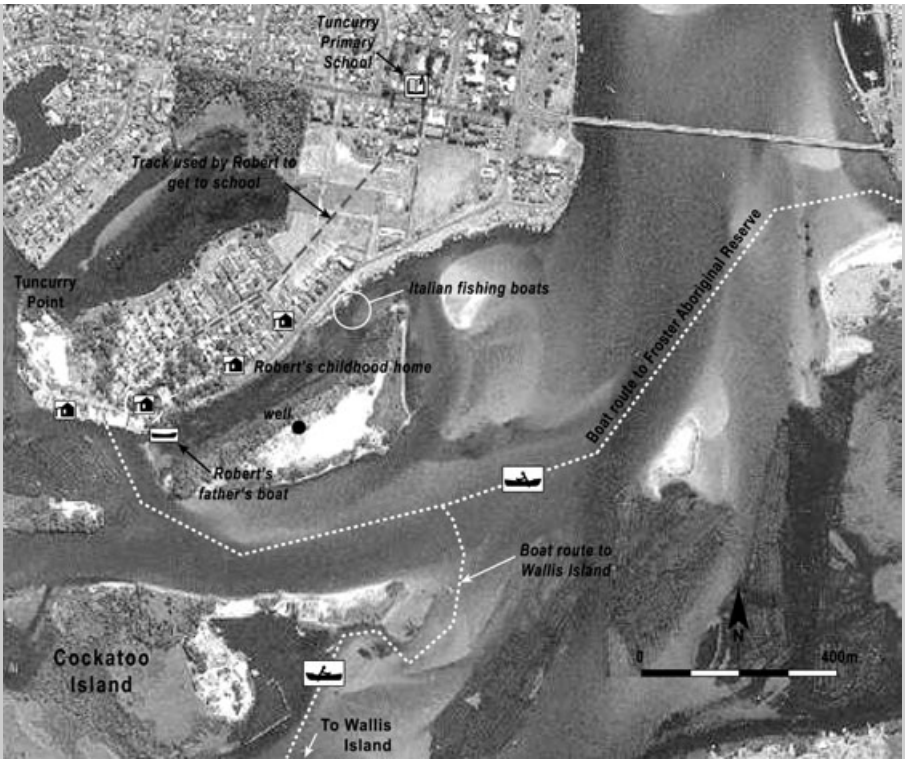

29. Aerial photograph with overlay illustrating Robert Paulson's remembered landscape, indicating route to Wallis Island and Froster Aboriginal Reserve.

the landscape that is owned by the non-indigenous majority: the latter also own the heritage process.

In the early decades of the Australian heritage agencies' involvement in Aboriginal heritage (c.1960–90), Aboriginal people for the most part had only a passive role in the partnership. In the more populated south-east of the continent the focus was on the recording and conservation of prehistoric (i.e. pre-1788) sites. This work was seen as the natural domain of archaeology. The non-indigenous professional archaeologists who recorded and researched the Aboriginal shell middens, camp sites, and rock art sites might be said to have translated these places into a language of science that Aboriginal people could listen to but not speak.

In more recent times in Australia and North America, indigenous people have been invited to participate in the heritage process. Jobs have been created for them in agencies formerly exclusively the domain of non-indigenous archaeologists and historians and it has become usual or even mandatory for indigenous communities to be consulted about the management of their heritage places. Yet the sense in which the heritage process is still 'owned' by the majority culture is illustrated by the way that

cultural heritage has been framed overwhelmingly in terms of physical objects and places. While it is true that natural landscape features that are indigenous sacred sites have for decades been recognized and protected by heritage laws, the intangible heritage of indigenous peoples' marginal existence in the colonial landscape has for the most part remained unrecognized, unrecorded, and unprotected.

The new recognition being given to the category of 'intangible heritage' has the potential to remedy this. Since I am conceptualizing this as the form of a partnership, it is relevant to ask what benefit each side stands to gain from it. For indigenous people, the 'alternative map' referred to earlier has been something they have possessed in private. Knowing this unpublished map – having it in one's mind – has been a means of surviving in an often hostile landscape while at the same time being a source of identity and community solidarity. By allowing this knowledge to be mapped into the official heritage system it becomes public knowledge and something, in a sense, is lost.

Weighing against this, on the positive side, however, is what they stand to gain by the public acknowledgement of their history. Up until now, settler society has been able to monopolize the heritage landscape of the last 180 years (the period of white settlement). They have done this by energetically recording and listing the old homesteads, courthouses, schools, shops, and bridges that tell the story of colonial settlement. Settler society's footprint on the landscape can be described as 'fabric heavy' in its plenitude of substantial built structures. The mapping of the Aboriginal intangible heritage record of the last 180 years is a way of insisting that the cultural landscape of this period was a shared one.

From the point of view of the non-indigenous majority a partnership centred on intangible heritage has other things to offer. The majority may be uncomfortable at being reminded of the way that it has displaced and marginalized the original owners of the land. The tendency for heritage professionals to neglect the recording, for instance, of sites of segregation and inter-racial conflict may reflect this discomfort.[4] But, ultimately, the distortion of the heritage record that this neglect produces is counter-productive in terms of our ability to understand present-day race relations and to understand ourselves.

Racial segregation is by its very nature a spatial practice. It is about the separation of people in space and the spatial rules and devices set up to achieve this.[5] The infrastructure of racial segregation may, of course, have been of a built-physical nature and have survived in the form of tangible heritage. The District Six Museum in CapeTown[6] has, for instance, preserved signage and other material relics of apartheid in South Africa. Often this infrastructure was of the most flimsy kind: in country towns in Australia in the early to mid-twentieth century Aboriginal people were obliged to sit in designated rows of seats separated off by a rope. More often there was not even a rope: Aboriginal people simply knew where they had to sit and they knew there would be trouble if they tried to sit elsewhere. People on both sides of the racial divide knew where the boundaries were – physical barriers were not necessary. The spatial subtlety of racial

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30. Robert Yettica drawing a plan of the Aboriginal housing at Froster Reserve in the 1950s.

segregation means that its heritage is equally a matter of subtlety: it is the province of intangible heritage.

One of the things a partnership in cultural mapping, such as that described here, has to offer the majority, non-indigenous population is a powerful insight into the way that others live their lives in our midst. It is striking how little is known by non-indigenous people of the alternative indigenous geography, even though it exists right under their noses.

Indigenous people and the technologies of heritage

There is an irony in the fact that the recognition of intangible heritage requires that the intangible be translated into material form.[7] Music and folktales, for instance, are fixed and "frozen" on audio-cassette tape or digital record. In the case of the project described above, the invisible map that Aboriginal people carry in their minds becomes a visible, reproducible map on paper and GIS files. People's oral histories about life in the landscape are represented as pathways and various categories of place (e.g., camping place, fishing place) in order that they can be entered on heritage inventories.

Does this mean that the last vestiges of what indigenous people own becomes global property?[8] It seems true that the larger world has an insatiable desire to possess what indigenous people have. Their land, their labour, their artefacts and artworks were among the first objects of this desire but it soon extended to a desire for biological (e.g. anthropometric, genetic) information about their bodies and knowledge about the functioning of their kinship systems, the subtleties of their mythologies, their knowledge of the medicinal use of plants and so on. The larger world also wants their past: archaeologists want to excavate their old sites, historians want to mine their memories. There is no question that a vast body of indigenous material culture and knowledge have 'gone global', with indigenous people having little or no influence over its use.

In the face of this craving indigenous people have nevertheless, frequently and with increasing success, negotiated partnerships in

cultural heritage conservation where they retain agency and enjoy acceptable levels of ownership. The Australian Institute of Aboriginal and Torres Strait Islander Studies maintains an archive of sound recordings where indigenous people can lodge oral history recordings. Access to these is controlled by the donors and their immediate descendants. A number of heritage agencies are experimenting with on-line site inventories which allow local people to access site information locally via the internet. Access to specific information, however, is password-controlled and only available to the original provider of the information and those others that he/she has approved.

It would be wrong, though, to imply that partnerships between indigenous people and heritage agencies are cosy and unproblematic. Tensions over the ownership of information have the potential to be even more challenging than those over the ownership of indigenous artefacts and human skeletal remains.

Discourse and struggle

In the last decades of the twentieth century such strong links were created between archaeology and heritage conservation that it seemed as if the two fields were a seamless continuum. However, if we look at them as discourses[9] rather than simply as practical fields of action, we see that while there is considerable overlap, archaeology's principal roots are in Enlightenment science whereas heritage conservation's principal roots are in nineteenth-century nationalism.

Indigenous people have often been reluctant to engage with the discourse of archaeology since to do so might seem to confer legitimacy on the idea that their past belongs to science. By contrast, many indigenous people have become fluent and enthusiastic participants in the discourse of heritage. From an indigenous viewpoint, the discourses of archaeology and heritage conservation both originate in the culture of the colonizer, but heritage discourse is far more 'available' for indigenous purposes. This, I suggest, is because the defining concept of heritage conservation is patrimony, the idea of ownership via descent. This idea strongly favours the proposition that indigenous heritage rightly belongs to indigenous people even though it is situated within the territory of a nation state (in which the indigenous are a minority).

Having earlier described some of the ways that Aboriginal people in our case study area have survived in the colonial landscape by "poaching"[10] across the boundaries of gridded colonial space, it may not be too much to think of them poaching on the discourse of heritage. There are many instances where the indigenous have used their skill in heritage discourse to "turn the table" on heritage practitioners and agencies. I am primarily thinking of cases where this has involved substituting indigenous priorities for agency-practitioner ones. It would be no surprise to find that the area of intangible heritage is seized upon by indigenous minorities – who number among those whom history has forgotten[11] – in order to make tangible that which has been rendered invisible.

NOTES

1. Delores Hayden, *The Power of Places*, Cambridge Mass. MIT Press, 1995.

2. Denis Byrne & Maria Nugent, *Mapping Attachment: a Spatial Approach to Aboriginal Post-contact Heritage*, Sydney, Dept of Environment and Conservation (NSW), 2004. http://www.nationalparks.nsw.gov.au/npws.nsf/Content/Publications

3. The NSW National Parks and Wildlife Service was represented by Denis Byrne (archaeologist) and Maria Nugent (historian), both non-indigenous. Representing the Aboriginal partners were Vienna Maslin, for the Purfleet-Taree Local Aboriginal Land Council, and Robert Yettica, for the Forster Local Aboriginal Land Council.

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6. See http://www.districtsix.co.za.

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Partnerships with Indigenous Peoples on the Development Gateway

by Charlotte Moser

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Indigenous knowledge has been described as 'people finding ways to recognize, extend and reinvent tradition.'[1] Another kind of knowledge has also been extended through invention of a technological kind: knowledge on the Internet. For the world's indigenous people and the traditional practices they follow, knowledge sharing on the Internet is helping to create a supportive new kind of 'virtual village.'

This has never been truer than today for the Development Gateway,[2] an Internet portal founded in 2000 and now operated by the non-profit Development Gateway Foundation based in Washington, D.C. From the Development Gateway's 'Indigenous Issues' Topic Page to the Rwanda Development Gateway's web page devoted to 'Indigenous Knowledge and Pharmacopoeia,' indigenous people are making their voices heard through tools provided by information and communication technology (ICT).

An important key to knowledge-sharing on the Internet among indigenous people is the creation of partnerships as vehicles for two-way communication and support. As an interactive Internet portal, Development Gateway relies on its

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network of partners in 70 countries that shares its technology platform, uses its 30 Topic Pages to communicate online with a community of practitioners, and is building locally owned development portals called Country Gateways in 55 countries with technical and financial assistance from the Development Gateway.

ICT for development and indigenous people

The world's 300 million indigenous people have much to gain from knowledge transmitted by the Internet. Among the poorest and most excluded people on earth, they typically live in remote areas of the world where terrain can be inhospitable to telecommunication landlines. For Quechua people living in mountainous Andean regions of Ecuador or for Mali's nomadic Tuareg tribes of the Sahara Desert, satellite communications and the Internet can provide efficient and economical 'digital bridges' out of isolation, opening up vital two-way communication with the outside world. Knowledge shared on the Internet can lead directly to education and income generation, political participation, and the preservation of cultural heritage. But, most important for projects like the Development Gateway, it can mean a way out of extreme poverty.

The Internet was still relatively new as a communications technology in the mid-1990s when James D. Wolfensohn, president of the World Bank, embarked on an initiative to transform the financial institution into a 'Knowledge Bank.' ICT, including such technologies as email, telephone, fax, CD-ROMs, and community radio as well as the Internet, was rapidly adopted by development agencies as a powerful new tool in what practitioners call 'community-driven development' that promotes local decision-making for economic and social growth. In 1995, to incubate projects that used ICT for grassroots development, the Bank started its Information for Development Program, known as infoDev. Then, in 2000, the Bank launched its own ICT for development project – the Development Gateway portal – with the goal of its becoming an independent self-sustaining project.

Community-driven development was also then providing new information about models for local development that practitioners wanted to share. In response to the UN Conference on Environment and Development in Rio de Janeiro in the early 1990s, the World Bank had established an institution-wide Cultural Diversity and Indigenous Peoples Thematic Team that produced a policy document to ensure the safeguarding of traditional knowledge in Bank projects. In its African region, the Indigenous Knowledge (IK) for Development Program was begun specifically to find new ways to incorporate community-based knowledge systems into Bank-supported programmes. The programme documented examples of how indigenous knowledge was being used for local development in Africa in its publication *IK Notes*. Bodies of traditional knowledge known to indigenous people – such as botany, medicine, or agriculture – were studied as well as more intangible cultural practices, like local modes of storytelling, social governance, or learning techniques. Typical articles in *IK Notes* were, for example, short studies about how village banking systems or cultivating indigenous vegetables might spur economic growth or fight off hunger.

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31. In 2003, the Development Gateway Foundation partnered with Fondo Indigena and the World Bank to conduct internet training for Peru's Ashaninka indigenous group.

Disseminating information about indigenous knowledge on the Internet could potentially have wide repercussions for indigenous people. With greater awareness about the role that indigenous knowledge could play in sustaining well-being in traditional cultures, development practitioners were likely to have greater concerns about safeguarding traditional cultural practices and to find more ways to preserve them. More importantly, publishing original reports about indigenous knowledge on the Internet gave indigenous people, by law, the intellectual property rights to legal ownership of their culture's own traditional practices.

'One of the most important aspects of the Internet for indigenous people is that it can empower them,' says Reinhard Woytek, a German agronomist who heads the World Bank's Indigenous Knowledge for Development Programme and oversees production of *IK Notes*. 'If the people themselves own intellectual property rights to their indigenous knowledge, then they can control it.'

There were sceptics, however, about the prospect of the Internet remaining a public good for knowledge-sharing that would be freely accessible to all. The digital divide between the technologically rich and poor countries, between

the empowered 'haves' and the disempowered 'have-nots' seemed an insurmountable obstacle in ensuring that poor people would benefit from – or even have access to – the Internet. In many parts of the developing world, including countries in Africa and Latin America where the largest indigenous populations live, information had often flowed in one direction – from the powerful to the powerless – and freedom of expression was relative to where a country falls on the democracy continuum. People who most needed ICT skills, such as indigenous people and women, were often excluded from training for cultural reasons.

Social applications of the internet

The Development Gateway was envisioned as an ICT for development project that could address some of the problems in the social application of the Internet. Going beyond technological invention, its ambition was to provide a tool that would stimulate the creation of global online communities, cultivate local expertise in Internet usage and in topic areas, generate content that would help bridge the digital divide, and still remain a public good offered free of charge to all users. In development terms, such activities would be significant contributions to creating the kind of 'social capital' that might socially and economically stabilize a poor country. The answer to achieving, and sustaining this model, was partnerships.

Setting the stage for partner participation was the Development Gateway's powerful technology platform hosted by the World Bank and staffed by the Bank's Information Solutions Group. In its earliest days, to encourage the developing world to go online, the Development Gateway agreed to provide the Internet server for several international NGOs or other groups who wanted to launch websites. One of these was Fondo Indigena, a Peru-based NGO founded in 1992 which today is one of the leading grassroots organizations for indigenous people in Latin America and the Caribbean. On its website, which the Development Gateway still hosts, Fondo Indigena (http://www.fondoindigena.org) promotes its annual general assembly, now in its fifth year; maintains a bulletin board of notices and calendar events related to the region's indigenous people; and hosts chat rooms and discussion groups. In return, Fondo Indigena served as Guide for the Development Gateway's 'Indigenous Peoples' Topic Page for several years.

The larger goal of the Development Gateway, however, was to create online communities which would find such value in the communication opportunities offered by the portal that individuals would become true partners by taking on 'ownership' to sustain the communities. To do this, the Development Gateway provided an interactive platform with eXtensible Telephony Markup Language (XTML) at its core. This web-based publishing technology essentially combined a basic interactive email concept with HTML computer coding to allow external users instantly to publish digitized documents on the Development Gateway in one of four languages (English, Spanish, French, and Russian). They could also contribute to calendars and news, make comments and participate in online discussions, in most cases, with minimal intervention from portal content managers. Communication was possible not only online between users, but off-line as well

through an email members directory automatically available to anyone who signed up for the Development Gateway's free membership. To keep members actively involved, a series of email alerts and newsletters could be selected as member preferences.

Today, the portal is organized around four pillars of activity: Topic Pages designed to create online communities devoted to 30 key development topics; locally owned Country Gateways; an online directory called AiDA (Accessible Information on Development Activities), the largest source of public information on development projects and activities; and dgMarket, an international tendering service providing access to 30,000 current public procurement notices on any given day. By far, the most interactive of these are the Topic Pages where users contribute to a dynamic cyber-library of resources, including pdf and Word documents, that search and indexing functionalities organize for use by students, researchers, development project managers, and policy analysts.

Management of the Topic Pages is decentralized through a series of multi-tiered partnerships. With staff content managers facilitating the process, NGOs or other external experts are invited to serve as Guides, Advisers and Cooperating Organizations who together make up the team shaping the direction of the Topic Page. Team members are then asked to encourage their organizations to contribute resources and to solicit participation among their colleagues and members. The scheme works well. By 2004, the Topic Pages alone had 250 partners and more than 200,000 Topic subscribers who had collectively contributed more than 46,000 resources to the Gateway's database.

Indigenous content on the Development Gateway

One of the earliest advisers to the Development Gateway was Reinhard Woytek, from the Bank's Indigenous Knowledge for Development programme. Working with information officer Bjorn-Soren Gigler, another German who had moved to the Gateway from the World Bank's civil society unit, Woytek helped launch the Gateway's *Indigenous Knowledge* Topic Page in 2001. In addition to Woytek, the page team included advisers like Peter Croal, a Senior Environmental Specialist with the Canadian International Development Agency, and, as Guides, the IK unit of the Netherlands Organization for International Cooperation in Higher Education (Nuffic), based in The Hague, and the Uganda National Council for Science and Technology. The launch of two more indigenous pages – *Indigenous Peoples* and *Indigenous Rights* – followed, focused on content related to broader social and political issues primarily from Latin America. Guides for these pages were Peru's Fondo Indigena, the Inter-American Development Bank, and Cultural Survival, a US-based NGO that focuses on human rights for indigenous people. Recently merged into a single *Indigenous Issues* page, the page now contains 25 advisers and more than 30 cooperating organizations. More than 2,500 resources had been added, with more than 4,000 registered members from more than 100 countries.

People use a wide range of resources posted on the *Indigenous Issues* Topic Page.

Among the most popular are development field job notices, online toolkits for addressing specific sectors working with indigenous people, and scholarly case studies of development projects involving indigenous people. Comments from users about posted resources are also frequent on the *Indigenous Issues* page, contributing substantially to contextualizing content. For instance, a recent highlight about inoculation programmes conducted in South America's Andean region by the Pan-American Health Organization (PAHO) brought a comment from an aid worker in Thailand about the dangerous impact of vaccines on indigenous populations in that country.

In addition to providing a platform for online contributions from external partners, the Development Gateway itself occasionally produces content. This was particularly true earlier on the indigenous pages where the scarcity of digitized documents in indigenous languages, combined with the alien technology culture, required a different community-building approach. Looking to the audiovisual capacity of the Internet, the Development Gateway produced video conferences with the Global Development Learning Network (GDLN), another global ICT project supported by the World Bank, as follow-ups to the 2001 World Conference Against Racism in Durban, South Africa. In 2002, a series of video conferences was organized in conjunction with the Rigoberta Menchu Foundation and the University of the Autonomous Regions of the Nicaraguan Coast (URUCCAN) leading up to the United Nations Permanent Forum on Indigenous Issues in 2002. In both cases, indigenous leaders figured prominently and both events were videostreamed on the indigenous Topic Page.

Documents about the Development Gateway's efforts to build capacity in using ICT also appeared on the Topic Pages. In 2003, for instance, the team from the Indigenous Peoples Topic Page provided ICT training for the World Bank's Indigenous Peoples Leadership Capacity Building Program for the Andean Countries. Training conducted for indigenous leaders from Bolivia, Colombia, Ecuador, Peru and Venezuela was accompanied by an Indigenous Peoples Training Program node on the Development Gateway which became an online focal point and training tool for the programme.

From knowledge sharing to capacity building

The information explosion brought on by the Internet has given new focus to the importance of ICT training so that production of Internet content is not centralized, but spread throughout the world. The Country Gateways are a network of locally owned portals in 44 countries for which the Development Gateway Foundation provides technical and financial support. Founded by partners ranging from universities and NGOs to governments and private enterprise, these local Internet portals produce content that speaks directly to their own communities, often using indigenous languages and traditional knowledge as content.

Because incorporating local cultures on the Internet helps achieve the dream of ICT as a community-building tool, creating local Internet content is a capacity-building activity as important

as learning how to maintain technology or manage an online enterprise. For instance, the Morocco Country Gateway, now in its implementation phase preparing for launch in 2005, will post material in the script of the indigenous Berber language – Tifinagh – in addition to French and Arabic. The Rwanda Development Gateway has already posted a page devoted to Indigenous Knowledge and Pharmacopoeia. Several Country Gateways in Latin America, notably Venezuela's Apalancar and Uruguay's Portal Uruguay, prominently feature indigenous civil society groups and cultural activities. The Sri Lanka Country Gateway extensively features its indigenous arts and crafts. Azerbaijan's Country Gateway has launched an e-commerce portal devoted to marketing native crafts and will soon expand its services to craftspeople throughout Central Asia and parts of the Middle East.

Internet connectivity for the world's indigenous people also plays a pivotal role in capacity building at both local and national levels. At the World Summit on the Information Society in Geneva in December 2003, the Global Forum of Indigenous Peoples and the Information Society was one of the Summit's largest official parallel events, attended by 90 indigenous and non-governmental organizations, six Member States, and eight United Nation entities. Among its conclusions was the need for increased indigenous networking, both regionally and internationally, to advance participation by indigenous people in the information society.[3]

Many of the social and cultural dimensions of Internet usage in the developing world are just now being explored.[4] Efforts, like the Development Gateway, to build online communities around indigenous issues will provide important insights into how ICT can be most effective in fighting poverty through knowledge sharing – for all people. But, if there is any hope that 'digital bridges' will transport indigenous people out of poverty, partnerships will be key to laying a solid foundation for building supportive new 'virtual villages.'

NOTES

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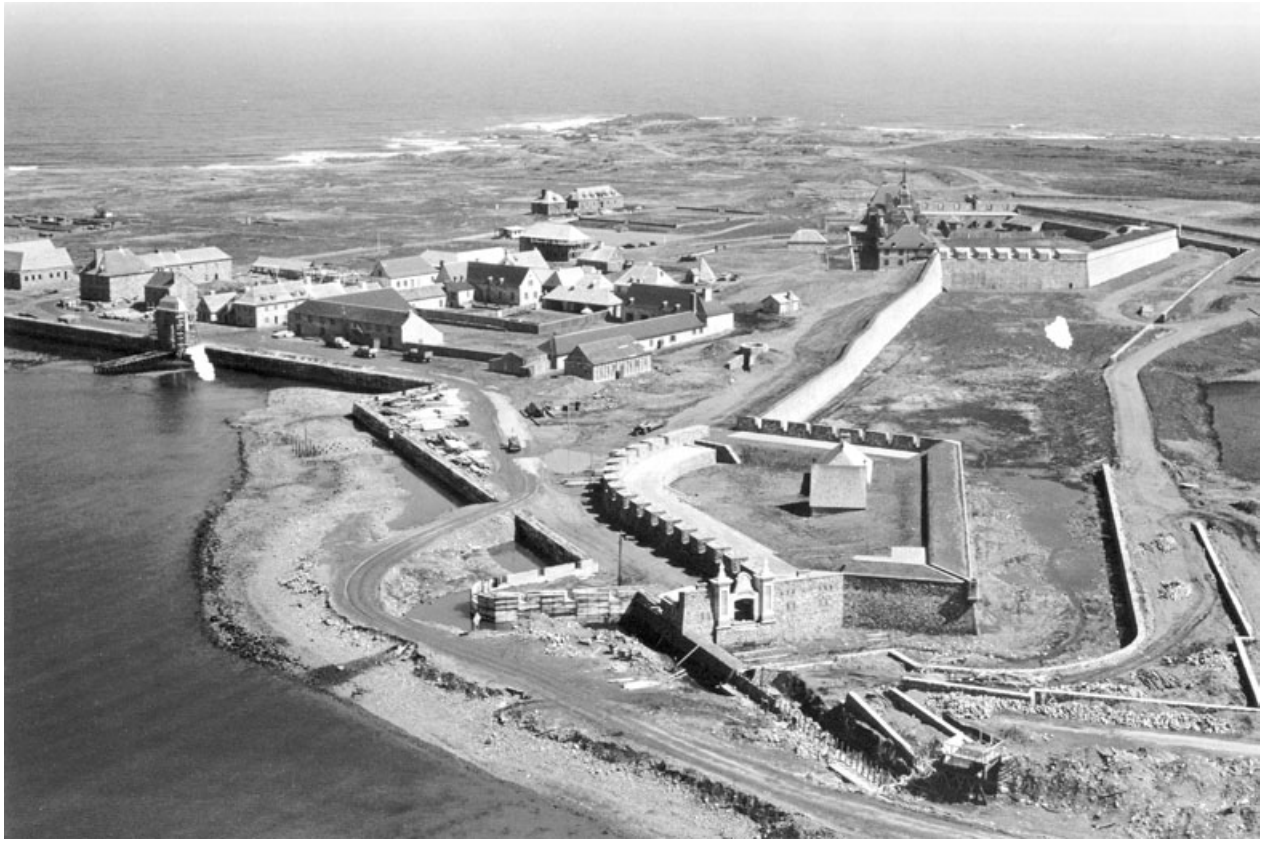

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32. The Fortress of Louisbourg National Historic Site of Canada in partnership with Aboriginal people developed the Mi'kmaq Trail which interprets the different aspects of Mi'kmaq history and culture.