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UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION

COMMITTEE OF GOVERNMENTAL EXPERTS ON THE SAFEGUARDING OF FOLKLORE

(Unesco House, 22-26 February 1982)

REPORT

presented by Mr Bouadi Kindo, Rapporteur, and adopted by the Committee

- I. INTRODUCTION AND PARTICIPATION
- The Committee of Governmental Experts on the Safeguarding of Folklore (hereinafter referred to as 'the Committee') met at Unesco Headquarters, Paris, from 22 to 26 February 1982.
- 2. The Committee was convened by the Director-General of Unesco in pursuance of resolution 5/01 adopted by the General Conference of Unesco at its twenty-first session (Belgrade, September-October 1980).
- 3. The purpose of the meeting was to analyse on an interdisciplinary basis, within the framework of an overall and integrated approach, various aspects of folklore with a view to defining measures to safeguard the existence, development and authenticity of folklore and traditional popular culture and to protect them against the risk of distortion; including the definition of folklore, its identification, its conservation, its preservation and its utilization.
- 4. Experts representing the following forty-four Member States of Unesco participated in the work of the Committee: Albania, Algeria, Argentina, Belgium, Bulgaria, Byelorussian Soviet Socialist Republic, Chile, Democratic People's Republic of Korea, Egypt, Finland, France, Gabon, German Democratic Republic, Hungary, Indonesia, Iraq, Israel, Ivory Coast, Jamaica, Kenya, Republic of Korea, Luxembourg, Madagascar, Mexico, Netherlands, Niger, Nigeria, Pakistan, Panama, Rwanda, Saudi Arabia, Spain, Sweden, Switzerland, Thailand, Tunisia, Turkey, Uganda, Union of Soviet Socialist Republics, United Kingdom, United States of America, Venezuela, Yemen and Yugoslavia.
- 5. Experts from six Member States of Unesco (Angola, Australia, Federal Republic of Germany, Jordan, Malaysia, Zaire) and one non-Member State (Holy See) attended the meeting as observers.
- 6. The Palestine Liberation Organization also attended the meeting as an observer.
- 7. One Specialized Agency of the United Nations, the World Intellectual Property Organization, two intergovernmental organizations, the Agency for Cultural and Technical Co-operation and the Arab Educational, Cultural and Scientific Organization and fifteen international non-governmental organizations, namely, the European Broadcasting Union, the International Association of Art, the International Association of Sound Archives, the International Catholic Film Organization, the International Commission of Jurists, the International Confederation of Societies of Authors and Composers, the International Copyright Society, the International Federation of

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Translators, the International Film and Television Council, the International Institute for Audio-Visual Communications and Cultural Development, the International Literary and Artistic Association, the International Music Council, the International Theatre Institute, the International Writers Guild and the Society of African Culture also sent observers.

8. The list of participants appears as an Annex to this Report (Annex II).

II. OPENING OF THE MEETING

9. On behalf of the Director-General of Unesco, Mr Henri Lopes, Assistant Director-General for Programme Support, welcomed the members of the committee. In his address, Mr Lopes underlined the importance of safeguarding folklore as a fundamental element of cultural identity. He also recalled the various activities undertaken by Unesco at different levels since 1973, when the Government of Bolivia sent a request to the Director-General to carry out studies concerning folklore which led to the convening of the present Committee.

III. ELECTION OF THE CHAIRMAN

- 10. On the proposal of the delegation of France, seconded by the delegation of Belgium, Mr Javier Fernandez, head of the delegation of Argentina, was unanimously elected Chairman of the Committee.
- IV. ADOPTION OF THE RULES OF PROCEDURE AND ELECTION OF OTHER OFFICERS
- 11. The Committee adopted the rules of procedure contained in document UNESCO/CPY/TPC/I/2 Prov. and decided to elect four Vice-Chairmen. Accordingly, on the proposal of the delegation of Gabon, supported by the delegations of France and the Union of Soviet Socialist Republics, the heads of the delegations of Belgium, Bulgaria, Saudi Arabia and Thailand were elected Vice-Chairmen. Mr Bouadi Kindo (Ivory Coast) was elected Rapporteur.
- V. ADOPTION OF THE AGENDA
- 12. The provisional agenda for the meeting of the Committee as set out in document UNESCO/CPY/TPC/I/1 Prov. was adopted.
- VI. INTRODUCTION OF THE DOCUMENTATION
- 13. The Secretariat introduced document UNESCO/CPY/TPC/I/3 containing a 'Study of the Measures for Preserving Folklore and Traditional Popular Culture' prepared on the basis of an analysis of the replies received from Member States to a question-naire on the protection of folklore in Member States sent to them by the Director-General (CL/2670, dated 31 August 1979) in pursuance of paragraph 5022 of the Approved Programme and Budget for 1979-1980 (document 20 C/5 Approved) relating to resolution 5/9.2/1, adopted by the General Conference at its twentieth session (Paris, October-November 1978).

VII. GENERAL DISCUSSION

- 14. Following the observations by one speaker who pointed out that in such a sensitive field as the protection of folklore, it might have been useful, with a view to obtaining clearer definitions of the various positions, to have undertaken a preliminary survey in order to determine how the populations concerned regarded folklore in each country, most of the delegations whose representatives addressed the meeting said that in their view the results of the survey conducted among the Member States had been particularly constructive. They considered that the document prepared on the basis of those replies would enable states and all the organizations concerned with folklore and its protection to make further headway in their efforts. However, the idea of an additional survey to obtain, first, further information on the identification and protection of folklore, and second, replies from states which had not provided any information in response to the first survey, was accepted. Furthermore, some experts considered that it would be useful to collect information on the situation prevailing in the various countries before drawing conclusions on the findings of the survey.
- 15. All the experts emphasized that it was difficult, not to say impossible, to reach a consensus on the concept of folklore; some of them, in fact, suggested that the term be left undefined. Those experts felt that the definition would be of merely secondary importance, and the Committee should be content to discuss means of preserving whatever was regarded as folklore. It was finally agreed that the Committee should attempt to identify factors which would make a meaningful discussion of folk culture possible, and to distinguish certain parameters on which consensus might be reached.
- 16. With regard to the scope of the concept of folklore, it was acknowledged that folklore covered all phases of human life, all aspects of human creativity, and all forms of cultural behaviour. In the view of one delegation, it was a type of behaviour or conduct rather than a collection of objects to be preserved in museums. According to some experts, folklore as a social phenomenon in the broadest sense, which covered all cultural sectors, could not be broken down into material folklore and intellectual folklore. This gave rise to the suggestion that the more comprehensive expression 'traditional popular culture' should be used instead, one delegation suggesting that it should include the aspect of indigenous culture, and another considering that it included institutional practices which went far beyond the term 'folklore'.
- 17. Several delegations referred to the academic aspect of folklore (collection, storage and study) and to the crucial importance of folklore research within the context of the preservation of folklore. It was important, these speakers emphasized, to encourage scientific research in this field, and to make the findings available to researchers and folklore specialists.
- 18. The importance of the identification of folklore was also noted, and it was suggested that appropriate institutions should be established for the collection and protection of folklore.
- 19. A number of speakers presented folklore as a form of culture possessing an ethical role of social and cultural identification, one which contributed to the overcoming of prejudices and the assertion of freedom. Those considerations led the speakers in question to suggest that the term 'folklore' should be replaced by the expression 'national heritage' and that emphasis should be placed on the preservation of those elements specific to the cultural identity of a people.
- 20. Several experts emphasized the need to ensure that folklore retained its dynamic character, in so far as the concept of process was included in that of folklore; hence only 'good folklore' should be retained. These speakers also drew the meeting's attention to the dangers of using folklore out of its original context, and to the

need to ensure the continuation of tradition; this cultural heritage, they said, should not be sacrificed for the sake of commercial gain or exploitation for the benefit of the tourist industry, since harmful effects such as parodying and caricature might ensue.

- 21. Another aspect that was emphasized was the need to generate awareness among the intellectual élite and interest among the media and in political circles; it was important to ensure that the element of tradition did not assume the guise merely of a show for public performance.
- The question of what folklore needed to be protected from was also discussed. 22. It was pointed out that when the safeguarding of folklore was referred to, it was usually its material aspect that was meant, whereas it was equally important to protect the populations concerned from cultural imperialism and to preserve the moral identity of individuals. A number of experts emphasized the need to protect folklore against theft and cultural pillage, and indeed against any form of alienation leading to acculturation. On that issue, it was pointed out that communities might be plundered in the course of surveys, and one delegation drew the attention of the meeting to the ethical duty of all researchers or institutions to ensure that any gains accruing from the commercialization of their knowledge went to the communities concerned. One delegation stated that in its view, one factor with a severely distorting effect on folklore was the national educational system, which was dominated by a concept of education devoid of any truly national content. In addition, it was noted by one delegation that the safeguarding of folklore was frequently the work of private initiative, and to some extent it might not be advantageous to seek to place such protection under the responsibility of the law or a government department.
- 23. After several experts had spoken of the relationships between the protection of folklore and copyright, the Director-General's representative informed the Committee about the work being carried out jointly by Unesco and WIPO on the 'intellectual property' aspects of that protection. He referred to model national laws on the protection of the various expressions of folklore which had been drawn up by a working group in the course of two meetings held in 1980 and 1981, and would be submitted to a committee of governmental experts scheduled to meet in Geneva from 28 June to 2 July 1982.
- 24. The WIPO representative provided the Committee with information on the content of the model provisions in question, and drew members' attention to the fact that the concept of copyright did not prove to be an adequate approach; it would be better, he said, to adopt a more flexible and more satisfactory formula within a body of rules sui generis based on the principles governing intellectual property.

VIII. DEFINITION OF FOLKLORE

- 25. As had previously been indicated during the general discussion, it was understood that consensus could only be arrived at with respect to certain parameters which might serve to define folklore.
- 26. One delegation pointed out that the term 'folklore' covers a very broad spectrum, ranging from mere quasi-folkloric activities to genuine tradition going back to time immemorial.
- 27. Another delegate mentioned that in his country the term 'folklore' was used both in the narrow sense of artistic phenomena and in the broad sense of virtually the entire traditional popular culture, and that in the latter case it was difficult to distinguish from ethnography.

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- 27. Another delegate mentioned that in his country the term 'folklore' was used both in the narrow sense of artistic phenomena and in the broad sense of virtually the entire traditional popular culture, and that in the latter case it was difficult to distinguish from ethnography.

- 28. One expert noted that the working document made virtually no mention of the actual people who produced the folklore among the characteristics of the cultural phenomenon in question. He went on to remark that in his country folklore was not created by the population as a whole, but only by certain sectors of it that were the products of cultural intermingling. In his view, he said, the characteristic features of folklore culture were that it was a popular culture produced by the people and for the people. Other distinctive features were that it was an oral culture and anonymous in nature, and that it might be either a creative or an individual creation. In conclusion, this expert emphasized that the traditional and oral aspects could not be separated from their social context.
- 29. In the opinion of one delegation, folklore was related to oral literature.
- 30. Another expert suggested that folklore phenomena were indissociable from the culture of the people. These phenomena, he said, were social realities created by social groups, or products constituting the interaction of popular creativity. The process of communication between individuals was, in the opinion of that expert, an excellent means of defining folklore.
- 31. One delegation emphasized the fact that in the view of some observers folklore represented the entire complex of intellectual and material creation, whereas others considered that it comprised only a part of it. In that context, the speaker added, an effort should be made to narrow down differences between standpoints by agreeing on points of convergence and temporarily disregarding those characteristics which gave rise to divergence in the definition of folklore.
- 32. According to another expert, folklore constituted an important aspect of culture in that it was the very basis of the community's mode of existence and life; its creative role made it one of the elements validating a country's social and political norms.
- 33. Another delegation expressed the view that tradition placed man as a social being at the centre of every activity, and that the spiritual and dynamic aspect should appear in the definition, which should also mention the problem of the survival of peoples.
- 34. One delegation thought that so far as folklore was concerned the concept of region could be adopted, while another expert considered it right to refer only to the concept of nation.
- 35. One expert thought the definition should take into account the replies to the questionnaire as they appeared in the working document submitted for the Committee's consideration.
- 36. Yet another expert thought the definition would usefully deal with the relationship between each people's folklore and its cultural identity.
- 37. At the conclusion of the discussion on this subject, proposed definitions contained in the documents of the series UNESCO/CPY/TPC/I/DR. (hereinafter identified under the reference DR.) and picking out the various elements regarded as characteristic of folklore were submitted by the delegations of Chile, Egypt, Finland, Hungary, Kenya, Rwanda, the United States and Yugoslavia (DR.1); the delegation of Rwanda (DR.2); the delegation of Hungary (DR.3); the delegation of Venezuela (DR.4); the delegation of the Union of Soviet Socialist Republics (DR.5), the delegation of Tunisia (DR.6); the delegation of Albania (DR.7); the delegations of Finland, Hungary and the United States (DR.8); the delegation of France (DR.11); and the delegation of the Netherlands (DR.12). These suggestions were conveyed to a drafting committee consisting of representatives of the delegations of Chile, Egypt, Finland, Hungary, Kenya, Rwanda, Thailand, the Union of Soviet Socialist Republics, the United States of America and Venezuela, plus the Chairman and the Committee Rapporteur.

- IX. IDENTIFICATION OF FOLKLORE
- 38. The representative of the Director-General stated that once folklore had been defined, it was necessary to move on from conceptual considerations to reality; that was where the problem of identification lay. It was a complex problem and the work lying ahead was important since all solutions to the problems engendered by the existence of folklore must rest upon methodological bases, one of the assential aspects of which lay in determination of the relevant analytical frameworks. In more precise terms and in the light of the findings of the survey conducted by the Director-General, activities might be undertaken in the following areas:

methods of identification (usefulness of preparing a standard questionnaire);
systematization of the data collected;
training of personnel;
exchange of information in this field;
classification of the data collected.

- 39. As observed by one delegation, folklore was a cultural phenomenon in all its complexity which possessed the features inherent in any cultural expression, culture being everything that was made by man. The expert concerned stated that with regard to the training of personnel specializing in research and the teaching and dissemination of folklore, shortcomings existed in many countries in that universities and institutions of higher education did not attach due importance to that form of culture. Each country should, he added, possess a training centre for folklore specialists; this would enable it to rid itself of any vestiges of foreign domination.
- 40. Another expert considered that in the industrialized countries folklore was, to a certain extent, part of universal international culture and that efforts should be co-ordinated to take account of the problems of the Third World. He spoke of the difficulty of subdividing folklore effectively into all kinds of aspects and categories, and he expressed the view that it was neither timely nor profitable to undertake an enumeration.
- 41. With regard to methods of identification, one delegation recommended use of the extensive method by all countries, to be supplemented by adoption of the intensive method in the case of countries possessing teams of adequately trained researchers. Classification of the data collected, which in his view represented one of the most arduous aspects of identification, should be the subject of exchanges of information among archival institutions. Mention was also made of a project to devise a common language for the indexing of folklore archives.
- 42. Still on the subject of identification methods, another delegation observed that the only methods referred to in the working document were those concerning quantitative aspects and that the problem of the qualitative aspect had rightly been avoided, although folklore engendered all expressions of culture and on that score constituted the prerogative of all human groups.
- 43. One expert pointed out that the range of areas concerned by the identification of folklore presented a major problem owing to the fact that it was difficult to distinguish between folklore in the European sense of the term and culture in its African acceptance.
- 44. It was observed that written material was not sufficient for the purposes of identifying folklore since it possessed a spontaneous character which could not be described solely by means of words. The development of sound recording, visual

documentation and video tapes was an important factor in identification, but the collection of all the data would be to no avail if it were not followed by orderly archiving and classification and if it were not carried out under good climatic conditions and with the special equipment required. Documentation centres should not be graveyards of knowledge but placed for the recycling of material compiled in the field.

- 45. One expert furthermore stated that identification was dependent on comprehension of language and emphasized that intensification of research in the country concerned was of great importance inasmuch as creative artists were themselves associated with that activity.
- 46. According to one expert, the social sources of folklore should also be identified in order to arrive at a common understanding, which was the desired objective; this identification could be by:
 - (i) individuals, groups, ethnic groups, regions and nations;
 - (ii) type of folklore;
 - (iii) type of communication and dissemination.

The speaker further stressed the need to compile a catalogue, to train specialist personnel and to establish a suitable institution for conserving and maintaining the identity of folklore.

- 47. In the opinion of another delegation, it may not be enough to undertake an exhaustive enumeration; what was needed was to grade the various items and identify the different fields as they related to one another, adopting for the purpose five main fields of action and a fivefold cultural recovery:
 - (i) recovery of language and communication;
 - (ii) recovery of the domain of history (recovering memory);
 - (iii) recovery of knowledge (systematizing knowledge);
 - (iv) recovery of space;
 - (v) recovery of cultural identity (recovering a social space).
- 48. Some delegations submitted proposals in writing which are contained in draft resolutions submitted by the delegation of Hungary (DR.3) and by the delegations of Finland, Hungary and the United States of America (DR.8).
- X. CONSERVATION AND PRESERVATION OF FOLKLORE
- 49. The representative of the Director-General introduced this point by recalling that the Bolivian authorities had, in their communication to the Director-General dated 24 April 1973, suggested the establishment within Unesco of an 'International Register of Folk-cultural Properties'. He also pointed out that a similar system had been instituted by the 'Convention for the Protection of the World Cultural and Natural Heritage', adopted in 1972 by the General Conference of Unesco at its seventeenth session, Article 11 of which provided for a 'World Heritage List'.

- 50. In the opinion of some experts, the concepts of conservation and preservation overlapped. They accordingly suggested that they be grouped under the titles 'conservation and analysis' and 'preservation, enhancement and reactivation', and that all activities relating to documentation, archival work and scholarship be included in the first category and activities intended to promote folklore by prolonging its life or reviving it be placed under the second heading.
- 51. Most delegations welcomed the idea of establishing an 'International Register of Folk-cultural Properties' at Unesco. One delegation insisted on the potential benefits of such a register in that it would facilitate research and make gathering practices in other countries better known. In that respect, one delegation considered the phenomenon of the conservation of folklore to be closely linked to the legitimate idea of recovery of cultural property, both nationally and internationally.
- 52. One delegation considered that, as well as an international register, coordination was needed for the conservation of folklore. Several delegations,
 supporting this idea, expressed the hope that such a mechanism would be set up within
 Unesco, while others took the view that the collection and archiving of folklore
 should be left to regional initiative. One expert stressed that conservation and
 preservation constituted two activities converging towards the self-enhancement of
 culture.
- 53. One delegation made the point that although folklore was generally associated with rural culture there also existed-particularly in Latin America--urban folklore of fundamental importance. The delegation therefore emphasized the need for studies of that phenomenon, in which elements of traditional popular culture were combined with modern elements.
- 54. Several delegations expressed the view that the conservation and protection of folklore should respect criteria identified by the creative artists actually living in the context giving birth to the folklore. In the opinion of one expert, those criteria should also take account of the following four areas of concern:
 (i) the official education system, which in some countries impeded the enhancement of folklore; (ii) the problem of consumption of folklore in an improper way by modern society outside its original setting; (iii) the right of the community to have at its disposal its traditional knowledge and capacities; (iv) revitalization of folklore through state intervention.
- 55. After being informed that centres for research into folklore and for its conservation, safeguarding and revitalization had been or were being set up in certain countries, the Committee recommended that such centres or institutes be established in countries where they did not already exist. Several experts also urged that close co-operation be instituted on an egalitarian basis between such bodies, and that exchanges between folklore specialists from different countries be organized in order to enable them to keep abreast of one another's experiences. The idea of an international forum having been mooted in this connection, reference was made to the machinery already existing. It was also suggested that national commissions with responsibility for the preservation and safeguarding of folklore might be established, with all those concerned, including plastic artists, taking part in their work.
- 56. Two delegations advocated the development of modern electronic techniques for archival and conservation purposes. One of these expressed regret that in developing countries investment priority was given to activities which fostered technological and economic development, and that due consideration was not given to preserving cultural identity. Another delegation also drew attention to the possibility of setting up map libraries and to the publication of catalogues compiled by categories, types and regions.

- 57. Another delegation stressed the need to encourage the use in conservation and preservation of appropriate technologies that had been handed down from generation to generation. It also recommended that, under programmes of aid to the technologically least developed countries, plans should be made to organize training schemes in environments that were as similar as possible to the conditions with which researchers must contend in the field, rather than resembling those with which the trainers were familiar.
- 58. With a view to enlarging the scope for the preservation of folklore, one delegation suggested that it be linked with the recovery of cultural property, whether physical or intellectual, through specific ethnic projects in the sense of integrated and coherent activities carried out simultaneously in the fields of research, promotion, dissemination and education, preferably forming part of the cultural policies of countries and their governments.

An ethnic project is a concept that combines thought and action in respect of culture, based on plans drawn up by the ethnic groups themselves or for them if stemming from governmental action, for purposes of discovering, safeguarding and fostering the development of traditional popular culture.

An ethnic project reorders the various aspects of the popular traditions, systematizes them, and determines their respective priorities.

An ethnic project originates and develops through a <u>fivefold process of recovery of the cultural heritage</u> (language and communication, history of the ethnic groups, enhancement of their traditional knowledge, and the development of their social organizations and ethnic identities) in correlation with the programmes and projects of research, cultural promotion, dissemination and education.

- 59. The Committee's attention was also drawn by two delegations to the existence—greatly beneficial for the conservation, preservation and dissemination of folklore—of amateur folk groups, which contributed to the establishment of archives relating, inter alia, to dances, songs and costumes. Special care should be shown for such groups, whose existence had made it possible to carry out studies on folklore.
- 60. Two other delegations placed emphasis on sustained educational effort based on the organization of festivals; the most effective means of preserving a given cultural feature is not to put it in a museum, which is static, but to use it dynamically by means of public events. One of these delegations, referring to the situation in its country, pointed out the great concern shown for the protection of authentic folklore, a concern reflected in the organization of an annual national festival and the establishment of two specialized training institutions whose purpose it was to safeguard the best folk traditions. The other delegation also stressed the importance of including folklore studies in the curricula of secondary schools. In this connection, a third delegation expressed the view that the main task was to train professionals to be in charge of the conservation of the folk heritage, without, however, overlooking the potential role of the artist in this field.
- 61. On the other hand, one delegation referred to the activities undertaken in his country in the form of expeditions organized annually in different regions, followed by the publication of reports on those missions and indications concerning regional sources of information. The active role which should be played by the public in the conservation of folklore was also stressed. According to one expert, that was a task which should not be entrusted to the state, but rather to the common conscience, for folklore was a living thing and could not be protected either by official archives or by museums.
- 62. The attention of the Committee was also drawn to the need to study and preserve the folklore of minorities, whether ethnic, linguistic, religious, occupational or cultural.

- 63. Then again, one delegation wanted to have included in the bilateral cultural agreements a clause concerning exchanges of documentary information and of persons specializing in folklore.
- 64. Finally, one delegation expressed a desire for more meetings, particularly methodological seminars to be organized by Unesco at regional level with a view to pinpointing the different problems in homogeneous environments.
- 65. A draft resolution concerning the conservation of folklore was submitted by the delegation of Jamaica (DR.9). Draft resolutions concerning its preservation were also submitted by the delegation of Belgium (DR.10), the delegation of Venezuela (DR.13) and the delegation of Mexico (DR.14).
- 66. At this stage of the discussion, the representative of the Culture Sector of Unesco described to the Committee the various activities carried out by the Organization for the purpose of contributing to the conservation and protection of folklore.

XI. USE OF FOLKLORE

- 67. The Director-General's representative reviewed the work done by Unesco jointly with WIPO on the 'intellectual property' aspects involved. A working group, which met in 1980 and again in 1981, had worked out model provisions for national legislation on the protection of expressions of folklore. Those provisions would be considered by a panel of governmental experts to be convened jointly by Unesco and WIPO in Geneva from 28 June to 2 July 1982. It was also stated, in answer to fears expressed by some of the experts, that the model provisions left national legislators free to decide whether to apply fees deriving from the use of an expression of folklore to the promotion and safeguarding of national culture or to the promotion and safeguarding of national folklore. It was further explained that the model provisions stipulated the return of a part of such sums—the amount to be decided by the competent national authority—to the community that had provided the expression of folklore whose use had occasioned the payment of those sums.
- 68. On the basis of that information, the Committee decided to recommend to Unesco and WIPO that they continue their work in that area and it was agreed that in the meantime the question should not be discussed further.

XII. CONCLUSIONS

69. The Committee had before it document UNESCO/CPY/TPC/I/DR.15, containing the text of the draft recommendations prepared by the Drafting Committee, which had met on Thursday 25 February under the chairmanship of the Rapporteur. Following its deliberations, the Committee adopted the recommendations that appear in Annex I to this report. As regards the recommendations aimed at ensuring the preservation, enhancement and reactivation of folklore, and among them those addressed to the Member States (Item IV.B recommendations 16 to 23), the delegation of the United Kingdom declared that while it was in favour of the intentions behind these texts, its government would have administrative difficulties in implementing all of them.

XIII. ADOPTION OF THE REPORT AND CLOSURE OF THE MEETING

70. During the closing session, two English language texts of recommendations concerning respectively recruitment of specialized personnel and publication of basic information necessary for international protection of folklore were handed to the Chairman.

- 71. Noting that the provisions of Article 12 of the Rules of Procedure, which provide that:
 - '12.1 Draft resolutions and amendments may be proposed by the participants referred to in Rule 1 and shall be transmitted in writing to the Secretariat of the Committee which shall circulate copies to all delegations.
 - 12.2 As a general rule, no draft resolution or amendment shall be examined or put to the vote unless it has been circulated sufficiently in advance to all delegations in the working languages of the Committee'.

had not been complied with, the Committee did not take these texts into consideration.

- 72. The Chairman further informed the Committee that the delegation of Chile had handed in to the Secretariat recommendations concerning the use of folklore for the committee of governmental experts on the 'intellectual property' aspects of the protection of this cultural heritage, which is to meet in Geneva from 28 June to 2 July 1982 under the joint auspices of Unesco and WIPO.
- 73. The present report was unanimously adopted.
- 74. After the usual expressions of thanks, the Chairman declared the meeting closed.

ANNEX I

RECOMMENDATIONS

I. PREAMBLE

Folklore is integral to the cultural heritage of mankind. Hence it is a living, changing and developing phenomenon. Its manifestations include the various kinds of popular, ethnic, regional and national often syncretic traditions which, to the common understanding of the range of social and cultural research disciplines, must be properly maintained, collected, stored or archived, published, studied, and utilized under special protection by nationally and internationally acknowledged means. Protection against neglect, distortion, and abuse covers the rights of tradition bearers, folklore specialists, and the users of folklore data, as well as the needs of archives, museums, and research institutions.

II. DEFINITION OF FOLKLORE

Folklore (in a broader sense, traditional culture) is a group-oriented and tradition-based creation of groups or individuals reflecting the expectations of the community as an adequate expression of its cultural and social identity; the standards and values are transmitted orally, by imitation or by other means.

III. RECOMMENDATIONS CONCERNING THE IDENTIFICATION OF FOLKLORE

Folklore, as intellectual property must be safeguarded by and for the group (familial, occupational, national, regional, religious, ethnic, etc.) whose identity it expresses. Its forms include: language, literature, music, dance, games, mythology, rituals, beliefs, customs, handicrafts, architecture, and other arts. The identification of each traditional form requires appropriate research methodology.

It is therefore recommended that:

- an international register of folk-cultural properties be established at Unesco and that a model card index system be designed and placed at the disposal of Member States;
- 2. Unesco provide intellectual and technical assistance to the developing countries to enable them to obtain the recording materials (tape recorders, cassettes, video equipment) necessary for collecting the manifestations or expressions of folklore;
- 3. Unesco promote the training of specialized personnel in the fields of research, collection, transcription and storage of folklore elements and consider as part of the aid provided to the countries that are least developed technologically, the possibility of organizing training programmes in environments that resemble as closely as possible the conditions under which the researcher will have to work in the field rather than those familiar to the trainer;
- 4. Member States design identification and registration systems so as to provide classified records of folklore data;

- 5. Member States systematize and standardize methods of collecting, transcribing and classifying relevant data;
- 6. Member States prepare inventories, which should be as comprehensive as possible, of the manifestations or expressions of folklore.
- IV. RECOMMENDATIONS CONCERNING THE CONSERVATION AND ANALYSIS OF FOLKLORE AND ITS PRESERVATION, ENHANCEMENT AND REACTIVATION

Conservation and analysis are concerned with documentation regarding folklore traditions and their object is, in the event of non-utilization or development of such traditions, to give researchers and tradition-bearers access to data enabling them to understand the process of evolution and modification of tradition.

Preservation is concerned with protection of folk traditions, having regard to the fact that the people have a right to their own culture and that their belief in that culture is often eroded by the impact of centrally produced, industrialized culture purveyed by the mass media. While high culture and industrialized culture have their own means of economic sustenance, measures must be taken to guarantee the status of and economic support for folk traditions both in the communities which produce them and beyond.

- A. With a view to ensuring the conservation and analysis of folklore, it is recommended that:
 - 1. Unesco help developing countries to establish centres for the teaching and conservation of folklore and popular tradition;
 - 2. Unesco assist developing countries in defining the equipment and supply requirements and concerning the funds for the purchase thereof;
 - 3. Unesco draw up an inventory of archival facilities in the field of traditional culture at present existing in Member States;
 - 4. Unesco compile a list of existing university departments, academic institutions, research centres, tradition archives, museums, etc., interested in conservation and analysis of traditional culture and distribute this list to interested parties, preferably in the form of regular newsletters or similar serial communications;
 - 5. international co-operation in the field of folklore studies and traditional popular culture be furthered considerably through the establishment of one basic working classification for data and another for the performance style in which the data were collected. Ultimately, the content of archives of folklore and traditional popular culture should be co-ordinated nationally through a data centre which in turn should be co-ordinated through international data centres. As a first step Unesco should initiate this work in co-operation with other similar efforts (N.A.T.I.S.) begun nationally and continued regionally as in the Nordic countries, for example, and leading to continental information services;
 - 6. Unesco continue its work of collecting and producing audio-visual materials on the folklore of Member States;
 - 7. Unesco promote contacts among researchers by means of methodological seminars at which they can exchange the results of their work and compare their experiences;

- 8. Member States collaborate with research institutes in publishing and disseminating works on past and present national or regional folklore and carry out exchanges among various groups and countries in this field;
- 9. Member States organize training courses for those interested in the conservation and analysis of folklore.
- B. With a view to ensuring the preservation, enhancement and reactivation of folk-lore, it is recommended that:
 - 10. Unesco encourage the organization at regional, national and international level of folklore events such as festivals, fêtes, exhibitions, films, seminars, symposia, congresses and so forth;
 - 11. in view of the growing importance of urban popular cultures as a concomitant of increasing urbanization in the world, Unesco consider the holding of a meeting to study this phenomenon and promote a better understanding of it in order to give satisfaction to those engaged in creating urban popular cultures in the world today.
 - 12. in their publications, Unesco and Member States link the concerns of conservation and analysis, on the one hand, with those of preservation, on the other. They provide a means for the universal availability and increased understanding and respect for folklore traditions.
 - 13. Unesco and Member States encourage institutions, organizations and spontaneously formed groups to initiate or to support folklore festivals, exhibitions, programmes, etc.;
 - 14. Unesco make available expert help for the above-mentioned purposes, through all feasible means;
 - 15. Unesco formulate criteria to ensure that the use of folklore outside its original environment does not lead to its distortion or debasement;
 - 16. Member States establish inventories of structures and measures providing assistance to people interested in folk traditions (their own or otherwise) and distribute them nationally in all necessary languages;
 - 17. Member States include the systematic teaching of traditional culture in educational curricula at all levels;
 - 18. existing archives or similar establishments in Member States make available copies of all materials collected in a community or region, or that such archives or establishments be set up for this purpose;
 - 19. Member States take steps to encourage the competent authorities in the fields of folklore, popular tradition and tourism to co-ordinate their efforts with a view to safeguarding the authenticity of folklore events and the integrity of traditions;
 - 20. Member States, in the context of action to preserve folklore, set up national committees on an interdisciplinary basis, made up of folklorists, ethnologists, sociologists, historians, musicologists, writers, artists, etc.;
 - 21. Member States recognize and promote the right of groups that create traditional popular culture to remain in control of their traditional knowledge and skills and of their customs;

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- 22. Member States formulate cultural policies aimed at reviving folklore in communities that so desire;
- 23. Member States ensure that action to preserve folklore is extended to include indigenous or aboriginal cultures since both types, folklore and indigenous cultures, are an integral part of the world's traditional popular cultures.

V. UTILIZATION OF FOLKLORE

Having regard to the work currently being conducted by Unesco jointly with WIPO on the intellectual property aspects of folklore protection, it is recommended that these two organizations continue their studies of these aspects, consulting experts in folklore research and taking into consideration all the factors relating to intellectual property.

VI. CONCLUSIONS

- 1. The Committee of Governmental Experts recommended that, in order to facilitate the programming of the implementation of the above recommendations, Unesco set up a task force of experts in documentation, archives and classification of material relating to traditional culture.
- 2. The Committee also recommended that Unesco continue its studies and deliberations aimed at formulating an international recommendation on the preservation and safeguarding of folklore and of traditional popular culture, in accordance with resolution 5/03 adopted by the General Conference of Unesco at its twenty-first session.

ANNEXE II/ANNEX II/ANEXO II/ПРИЛОЖЕНИЕ II/ الملحق ٢

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PECHYBINKA/

REPUBLIQUE POPULAIRE DEMOCRATIQUE DE COREA/KOPENCKAS HAPOJHAS JEMOKPATUYECKAS

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UNESCO/CPY/TPC/I/4
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II. OBSERVATEURS/OBSERVERS/OBSERVADORES/НАБЛЮДАТЕЛИ/

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REPUBLIQUE FEDERALE D'ALLEMAGNE/FEDERAL REPUBLIC OF GERMANY/REPUBLICA FEDERAL DE ALEMANIA/ФЕДЕРАТИВНАЯ РЕСПУБЛИКА ГЕРМАНИИ/ جمهورية المانيا الاتحادية

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ii. ETAT NON MEMBRE DE L'UNESCO/NON-MEMBER STATE OF UNESCO/ESTADO NO MIEMBRO DE LA UNESCO/ГОСУДАРСТВА, НЕ ЯВЛЯЮЩИЕСЯ ЧЛЕНАМИ ЮНЕСКО/

الدول غير الأعضاء بالبونسكو

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- M. Omar Massalha Observateur permanent de l'OLP auprès de l'Unesco

iv. ORGANISATION DU SYSTEME DES NATIONS UNIES/ORGANIZATION OF THE UNITED NATIONS SYSTEM/ORGANIZACION DEL SISTEMA DE LAS NACIONES UNIDAS/OPFAHUЗАЦИИ СИСТЕМЫ ОРГАНИЗАЦИИ ОБ'ЕДИНЕННЫХ НАЦИЙ/ منظمات تابعة لمنظومة الأمم المتحدة

ORGANISATION MONDIALE DE LA PROPRIETE INTELLECTUELLE (OMPI)/WORLD INTELLECTUAL PROPERTY ORGANIZATION (WIPO)/ORGANIZACION MUNDIAL DE LA PROPIEDAD INTELECTUAL (OMPI)/BCEMUPHAR OPFAHUSALUR UHTEJJJEKTYAJBHOÑ COBCTBEHHOCTU (BOUC)/

Mr György Boytha Head Copyright Law Division

v. ORGANISATIONS INTERGOUVERNEMENTALES/INTERGOVERNMENTAL ORGANIZATIONS/
ORGANIZACIONES INTERGUBERNAMENTALES/МЕЖПРАВИТЕЛЬСТВЕННЫЕ ОРГАНИЗАЦИИ/
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AGENCE DE COOPERATION CULTURELLE ET TECHNIQUE (ACCT)/AGENCY FOR CULTURAL AND TECHNICAL CO-OPERATION

Mme Lody Noueiss Responsable du Secteur "arts populaires"

ORGANISATION ARABE POUR L'EDUCATION, LA CULTURE ET LA SCIENCE (ALECSO)/ARAB EDUCATIONAL, CULTURAL AND SCIENTIFIC ORGANIZATION

M. Ahmed Derradji Représentant permanent de l'ALECSO auprès de l'Unesco

vi. ORGANISATIONS INTERNATIONALES NON GOUVERNEMENTALES/INTERNATIONAL NON-GOVERNMENTAL ORGANIZATIONS/ORGANIZACIONES INTERNACIONALES NO GUBERNAMENTALES/МЕЖДУНАРОДНЫЕ НЕПРАВИТЕЛЬСТВЕННЫЕ ОРГАНИЗАЦИИ/ منظمات دولية غير حكومية

ASSOCIATION INTERNATIONALE D'ARCHIVES SONORES/INTERNATIONAL ASSOCIATION OF SOUND ARCHIVES (IASA)

Mr Poul Rovsing Olsen President International Council for Traditional Music

Mr. Trefor Owen Curator Welsh Folk Museum

ASSOCIATION INTERNATIONALE DES ARTS PLASTIQUES (AIAP)/INTERNATIONAL ASSOCIATION OF ART

M. Hédi Turki Professeur à l'Ecole des beaux-arts, de Tunis (Tunisie) UNESCO/CPY/TPC/I/4 Annexe II/Annex II/Anexo II/Приложение II/ ۲ الملحق page 12

ASSOCIATION LITTERAIRE ET ARTISTIQUE INTERNATIONALE (ALAI)/INTERNATIONAL LITERAR! AND ARTISTIC ASSOCIATION

M. Raoul Castelain Avocat à la Cour, Paris (France) Membre du Comité exécutif de l'ALAI

COMMISSION INTERNATIONALE DE JURISTES (CIJ)/INTERNATIONAL COMMISSION OF JURISTS (ICJ)

Mrs Esi Sutherland-Addy

CONFEDERATION INTERNATIONALE DES SOCIETES D'AUTEURS ET COMPOSITEURS (CISAC)/INTERNATIONAL CONFEDERATION OF SOCIETIES OF AUTHORS AND COMPOSERS

M. Mark Pickering Assistant du Secrétaire général

CONSEIL INTERNATIONAL DE LA MUSIQUE (CIM)/INTERNATIONAL MUSIC COUNCIL (IMC)

Mr Nils L. Wallin Executive Secretary

Mr. Poul Rovsing Olsen
President
International Council for Traditional Music

CONSEIL INTERNATIONAL DU CINEMA ET DE LA TELEVISION (CICT)/INTERNATIONAL FILM AND TELEVISION COUNCIL (IFTC)

M. Emmanuel Flipo

FEDERATION INTERNATIONALE DES TRADUCTEURS (FIT)/INTERNATIONAL FEDERATION OF TRANSLATORS

M. René Haeseryn

Secrétaire général de la FIT

Chef de travaux scientifiques au Séminaire du folklore à l'Université de Gand (Belgique) Conservateur du Musée du folklore de Gand

INSTITUT INTERNATIONAL DU THEATRE (IIT)/INTERNATIONAL THEATRE INSTITUTE (ITI)

M. Lars af Malmborg Secrétaire général

M. Cherif Khaznadar

Directeur de la Maison de la culture de Rennes (France)

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INSTITUT INTERNATIONAL POUR LES COMMUNICATIONS AUDIOVISUELLES ET LE DEVELOPPEMENT CULTUREL (MEDIACULT)/INTERNATIONAL INSTITUTE FOR AUDIO-VISUAL COMMUNICATIONS AND CULTURAL DEVELOPMENT

M. Dietrich Schüller Directeur des archives phonographiques Académie autrichienne des sciences

INTERNATIONALE GESELLSCHAFT FÜR URHEBERRECHT (INTERGU)/SOCIETE INTERNATIONALE POUR LE DROIT D'AUTEUR/INTERNATIONAL COPYRIGHT SOCIETY

Mr Gaston Halla Secretary-General

Mr Josef Kuckertz Professor of Comparative Musicology Free University of Berlin

ORGANISATION CATHOLIQUE INTERNATIONALE DU CINEMA (OCIC)/INTERNATIONAL CATHOLIC FILM ORGANIZATION

M. Emmanuel Flipo

SOCIETE AFRICAINE DE CULTURE (SAC)/SOCIETY OF AFRICAN CULTURE

M. Bougoul Badji

Mlle Voahangy Rajaonah

SYNDICAT INTERNATIONAL DES AUTEURS/INTERNATIONAL WRITERS GUILD (IWG)

M. Emile Le Bris Secrétaire exécutif du Syndicat français des auteurs

UNION EUROPEENNE DE RADIODIFFUSION (UER)/EUROPEAN BROADCASTING UNION (EBU)

M. Raymond Laurent Juriste France Régions 3 UNESCO/CPY/TPC/I/4 Annexe II/Annex II/Anexo II/Приложение II/ ۲ الملحق page 14

III. SECRETARIAT/SECRETARIA/CEKPETAPHAT/

M. Henri Lopes Sous-Directeur général du Secteur pour le soutien du programme

Mlle Marie-Claude Dock Directeur Division du droit d'auteur

M. Syed Naqvi Directeur p.i. Division du patrimoine culturel

M. Abderrahmane Amri Division du droit d'auteur

Mlle Madeleine Gobeil Division du développement culturel - section création artistique

M. A.M.N. Alam
Division du droit d'auteur.