



United Nations Educational, Scientific and Cultural Organization

**International Round Table**  
**“Intangible Cultural Heritage” – Working definitions**  
(Piedmont, Italy, 14 to 17 March 2001)

**CONSULTATION WITH MEMBER STATES ON  
« LEGAL PROTECTION OF FOLKLORE  
AND ADMINISTRATIVE MEASURES »**

## REPLIES TO CIRCULAR LETTERS ADDRESSED TO NATIONAL COMMISSIONS FOR UNESCO (February and August 2000)

### Legal protection of folklore and administrative measures Questions (i) to (iii)

xxxxxx Replies to questionnaire of February 2000 (countries with national legislation containing provisions on the «intellectual property aspects» of folklore)    xxxxxx\* Replies to questionnaire of August 2000

	<i>(i) (a) Kind(s) of intangible cultural heritage protected by laws</i>	<i>(i) (b) Particular traditional cultural form or expression that is afforded special legal status and protection</i>	<i>(ii) How is traditional culture and folklore protected in your country, i.e. using an « intellectual property » approach or otherwise ?</i>	<i>(iii) Legal protection extended to traditional communities, including cultural minorities, that create traditional culture and folklore</i>
<b>Africa</b>				
<i>Benin</i> <sup>1</sup>	---	---	---	---
<i>Ethiopia</i> *	---	---	<p><i>1<sup>st</sup> reply (5.10.00) :</i> Article 51/3 of the Constitution states that the federal government shall establish and implement national standards and basic policy criteria for the protection and preservation of culture and historical legacies.</p> <p>The cultural policy was endorsed by the Council of Ministers in October 1997 and is put into effect.</p> <p>A draft of a new copyright law is being prepared by the Ministry of Information and Culture and is sent to the concerned authority for approval. When it is endorsed and put into effect detailed information will be send on the legal protection and administrative measures concerning folklore.</p>	---
<i>Madagascar</i>	---	La liberté de culte et la protection de la langue nationale figurent dans des articles de la Constitution.	<p>Existence d'un Office Malgache des Droits d'auteur (OMDA) pour les œuvres intellectuelles.</p> <p>Certaines œuvres musicales de source traditionnelle sont déposées sous une forme modernisée tout en gardant leur fond originel.</p>	Aucune.

<sup>1</sup> La partie « protection juridique » concerne le Bureau béninois du droit d'auteur (BUBEDRA) (réponse non reçue). Voir lettre du 26 octobre 2000 (traitant seulement l'identification de la culture traditionnelle et populaire).

<i>Republic of Guinea*</i>	Tous les aspects du patrimoine culturel immatériel sont protégés par la loi.	Les productions musicales modernes bénéficient d'une protection particulière.	La culture traditionnelle et populaire est d'abord protégée par la tradition et ensuite par le Bureau guinéen du droit d'auteur (BGDA) pour les œuvres déclarées.	---
<i>Zimbabwe</i>	All the items that are outlined in question (iii) (identification) as being covered in our inventories are protected by laws.	A particular traditional cultural form that is regarded as of national importance and afforded special legal status and protection is the national monument of Great Zimbabwe. The major reason for its significance is that the country was named after this monument. The carved birds found at the site are now symbolic Zimbabwe birds which appear on all state properties, particularly currency, state buildings and flags.	<p>a) The division of culture in the Ministry of Education, Sports and Culture is charged with the responsibility of protecting and monitoring culture and folklore. It also works closely with other ministries which have « cultural » responsibilities like Home Affairs which administers institutions which are custodians of cultural heritage like the National Archives, National Museums and Monuments and also administers the Censorship and Copyright Acts ; Justice, Legal and parliamentary Affairs which administers family laws in which a certain amount of tradition and custom are incorporated (also National Museums and Monuments Act 25/11).</p> <p>b) The government ministries outlined above work towards the improvement of access to knowledge on copyright and neighbouring rights by rights owners, users and all involved directly or indirectly with copyright.</p> <p>c) Training programmes that embrace copyright specialists, creators, performers and also officials that deal indirectly with copyright such as the judiciary, customs and police, creators and performers are being developed.</p> <p>d) Linkages are being established with our broadcasting institutions, with a view to increasing the use of broadcasting material of local content.</p> <p>e) There is also reinforcement of collaboration among institutions involved in copyright, neighbouring and cultural industries in the region.</p> <p>f) There is also striving of systems of administration that will encourage free flow of information and the fair distribution of economic benefits emanating therefrom.</p>	The traditional communities and cultural minorities that create traditional culture and folklore are also protected by the same legal instruments outlined above. However, they also enjoy protection enshrined in the Copyright Declaration if their work is recorded say by the National Archives of Zimbabwe as a way of protecting their rights.

			g) Over and above Zimbabwe continually seeks co-operation with UNESCO, WIPO and various foreign NGOs such as SIDA and NORAD.	
<b>Arab States</b>				
<u>Kuwait</u>	Folk songs, local dances and others coming under intangible art.	All categories of national folklore, whether tangible or intangible, are on the same level of national importance according to Law n° 64/99 (issued 9.1.00), which covers all categories without any distinction.	The protection is mentioned in article 42 of the intellectual property protection law, which equalizes between folklore and other classifications such as artistic, literary and scientific works which come under the protection of this law. It also equalizes between these works in the case of any attacking.	These communities, including cultural minorities that create traditional culture and folklore, come under legal protection according to the terms of the law as well as the copyrights of their cultural heritage works, beginning with their creations until they are considered a folkloric or a cultural heritage.
<u>Palestinian Authority*</u>	Nothing.	Nothing.	Nothing. Protection is not included within a national legislation. ( <i>reply to question (x)</i> )	Not available.
<b>Asia and Pacific</b>				
<u>Indonesia*</u>	Temples, books, etc.	---	1. Cultural law n° 5 RI, 1992 2. National education system law n° 2 RI, 1989 3. Copyright 4. Patent right 5. Printed and recorded right	---
<u>Lao People's Democratic Republic</u>	---	Mis à part le décret du Président sur la conservation du patrimoine culturel, historique et naturel national, aucune loi n'a encore été établie pour protéger le patrimoine culturel tant matériel qu'immatériel. Cependant, si l'on admet que dans chaque objet matériel il existe des éléments de culture immatérielle, on peut considérer que lesdits éléments sont plus ou moins protégés par ce décret. Plusieurs catégories de la culture immatérielle ont besoin d'être protégées par un statut juridique pour éviter l'appropriation illicite (voir exemples dans la lettre du ministère de l'information et de la culture).	Mis à part les Résolutions du Congrès du Parti Populaire Révolutionnaire Lao et résolutions adoptées par le Ministère de l'information et de la culture sur la préservation et la promotion de la culture polyethnique lao, les lois sur les propriétés intellectuelles et créatrices font encore défaut.	Article 8 de la Constitution : « L'Etat applique une politique de solidarité et d'égalité entre les diverses ethnies. Toutes les ethnies ont le droit de préserver et de développer leurs belles mœurs, traditions et cultures ainsi que celles de la nation. Il est interdit tout acte de division et de discrimination entre les ethnies ». Article 22 de la Constitution : « Tous les citoyens lao, quels que soient leur sexe, leurs conditions sociales, leur niveau d'instruction, leur croyance et leur appartenance ethnique, sont égaux devant la loi ».
<u>Myanmar*</u>	---	---	---	---
<u>Republic of Korea</u>	---	---	---	---
<b>Europe and North America</b>				
<u>Andorra*</u>	---	---	Certains aspects de la loi sur le droit d'auteur et les droits voisins (10 juin 1999) y sont applicables ( <i>voir copie de la loi en annexe 2</i> ). <sup>2</sup>	---

<sup>2</sup> Traduction.

<u>Austria</u>	---	---	---	---
<u>Bulgaria</u>	---	---	See in annex the project of law on « le folklore et les études folkloriques.	---
<u>Croatia</u>	<p>Traditional culture (folklore) is part of the entire cultural policy that is established on an extensive legal basis.</p> <p>There are, within the intangible culture of Croatian traditional heritage and folklore, forms of intellectual creativity which, according to their values, deserve protection [...]. This refers first of all to oral and traditional literature, music and dance, and to a number of customs related to the cycle of seasons rituals typical for particular cultural-ethnographical zones.</p>	<p>Article 2 of the Law on the protection and conservation of cultural property (Official Bulletin n° 69/1999) : « Cultural property in the sense of this law is defined as follows :</p> <ul style="list-style-type: none"> <li>- movable and immovable objects of artistic, historical, palaeontological, archaeological, anthropological and scientific significance,</li> <li>- archaeological sites and archaeological zones and landscapes, their parts testifying of human presence in the area, also having an artistic, historical and anthropological value ;</li> <li>- intangible forms and phenomena of human intellectual creativity in the past, as well as documentation and bibliographical heritage ; and</li> <li>- buildings, respectively spaces used for permanent safekeeping and exhibiting of cultural property and documentation on them ».</li> </ul> <p>The Law on the protection and conservation of cultural property in Part II <i>Types of cultural property</i> distinguishes the cultural property as : (i) immovable cultural property, (ii) movable cultural property, and (iii) intangible cultural property.</p> <p>Article 9 explains the notion of « intangible cultural property » as :</p> <p>« Intangible cultural property may cover different forms and phenomena of intellectual creativity being transmitted by tradition or in any other way, and particularly :</p> <ul style="list-style-type: none"> <li>- language, dialects, tongues and toponymics, and traditional literature of all kinds,</li> <li>- folk creative works from the fields of music, dance, tradition, games, rituals, as well as other traditional folk values,</li> <li>- traditional skills and crafts.</li> </ul> <p>The preservation of intangible cultural property is carried out by establishing and encouraging their transmission and taking care for in their original and other surroundings ».</p>	<p><i>Abstract :</i></p> <p>The law on the protection and conservation of cultural property, (Official Bulletin 69/1999) which distinguishes three main groups of cultural property : (i) immovable cultural property, (ii) movable cultural property, and (iii) intangible cultural property.</p> <p>The law on archival materials and archives, 1997</p> <p>The law on museums, 1998</p> <p>The law on libraries, 1998</p> <p>The law on the protection of the environment, 1994</p> <p>The law on the protection on intellectual property, 1999.</p> <p>The above-mentioned laws and a number of others relating to cultural heritage constitute a common legal system. [...]</p> <p>The current legislation referring to the field of the protection of « intellectual property » has been in the process of harmonization with the regulations and international conventions for the purpose of entering the WTO.</p>	<p><i>Abstract :</i></p> <p>The Constitution guarantees to all its citizens, including the members of national minorities, the right to use and approach their own culture. National minorities realize their rights additionally by the Law on the rights of national minorities. The Office for ethnic and national minorities of the Government supports, among other things, particular programmes and activities relating to the national minorities' cultures by granting additional funds.</p> <p>With the exception of the fundamental provisions included in the Constitution and the Constitutional law on human rights and freedoms and on the rights of ethnic and national communities or minorities, regulations are not specified.</p> <p>A special law on education in ethnic and national minorities or minorities languages is being prepared. [...]</p> <p>Cultural activities of the minority communities (21.9% of the total population) are financed from the state budget, but not as a systematic part of the total state policy in culture. Their presence in Croatian cultural life depends on the level of their organization and activity (The Italian minority has up to now articulated in the best way its activity in this field). The second key element of the emancipation of ethnic and minority communities is the relation of the Croatian State with them, and the third one is the relation of their motherland countries and cultures with them.</p>
<u>Cyprus*</u>	---	---	---	---

<i>Czech Republic</i>	---	Pas de législation particulière pour la protection de la culture traditionnelle et populaire. La protection est assurée par des normes légales générales se rapportant au patrimoine culturel, par exemple la loi sur la protection par l'Etat du patrimoine culturel monumental, la loi sur les musées et les galeries, la loi sur les archives, la loi sur la vente et les exportations d'objets de valeur culturelle, les lois sur la protection de la propriété intellectuelle, etc.	Du point de vue des droits de propriété intellectuelle, les chansons, contes et récits populaires sont considérés, dans l'esprit de la loi tchèque sur les droits d'auteur, comme des ouvrages dits libres. Cependant, tout prolongement de la création traditionnelle, par exemple une interprétation sur scène d'une chanson ou danse populaire, est considéré, dans l'esprit de cette même loi, comme une performance artistique protégée de ce fait par cette loi. Les œuvres de collection en tant qu'œuvres autonomes d'auteur sont protégées au même titre.	La protection des minorités ethniques est assurée non seulement par les dispositions générales de la Loi constitutionnelle n° 23/1991 (Acte des droits et libertés fondamentaux), mais aussi par des articles spécifiques de cette même loi qui garantissent aux membres des minorités ethniques le droit de développer leur propre culture, de se regrouper en associations ethniques, de disséminer et de recevoir des informations dans leur langue maternelle et de participer à la gestion des affaires concernant les minorités nationales ou ethniques. La possibilité de concevoir une loi qui définisse plus en détail la condition des minorités ethniques est en discussion. C'est dans ce cadre qu'on mène aussi un débat sur des mécanismes particuliers de soutien aux projets lancés par des minorités ethniques. Ces projets peuvent concerner aussi la culture traditionnelle et populaire d'une minorité donnée.
<i>Finland</i>	---	---	Comprehensive legislation for the protection of folklore does not exist in Finland. Traditional culture and folklore are protected as works by copyright and by legislation concerning archives or as performances by neighbouring rights, as far as the general conditions for the protection are fulfilled. The rights of informants and donors of data are protected by legislation concerning personal data apart from copyright. In practice, data cannot be used without the permission of its informant. For example, the Folklore Archives require that those who use their collections respect the rights of the persons who have provided information to it and do not use the information to the detriment of these informants. The users commit themselves to these principles by signing a form. The materials may be used for the purpose for	The Folklore Archives support the aspirations of local communities to obtain both information and copies of local materials. Information can be published or delivered to local archives only on condition that it does not harm the persons who have provided it or infringe on their rights. <sup>3</sup>

<sup>3</sup> See also annex on the « protection of cultural minorities and traditional communities ».

			which they have been given. The problems of legal protection of folklore have been regularly discussed in order to create a collection of ethical codes that would systematically be followed in the field of folklore research. The Nordic project « Folklore Fellows – Code for Ethics » is preparing a proposal for a code that would be discussed in the largest organization of folklore scholars Folklore Fellows.	
<i>Germany</i> <sup>4</sup>	---	Non.	Il n'y a pas de protection légale proprement dite de la culture traditionnelle. La sauvegarde de cette culture se pratique surtout au niveau régional et local dans d'innombrables institutions et associations de toutes sortes.	---
<i>Iceland</i> <sup>5</sup>	---	---	---	---
<i>Israel</i>	---	---	---	---
<i>Italy</i> *	No.	No.	No.	Four regions (Valle d'Aosta, Trentino-Alto Adige, Sicily and Sardinia) have a special status allowing them greater autonomy and therefore the possibility to better protect linguistic minorities.
<i>Macedonia</i> *	---	Indirectly, through the provision in respect of copyright and related rights : - The Law on Copyright and Related Rights (primarily by indicating the source and origin of the folk creativeness work in exploitation as well as the non-permissiveness, namely ban on their distortion and disrespectful use and the sanctions as violation in respect of oral musical and art forms of folklore) as well as directly through the provisions in the field of industrial property protection. - The Law on industrial property (the right to indicate the origin of the product of handicraftsmanship productions and homemade handmade objects) as presented in point 9 a). All folklore forms and expressions, from the national aspects, are basically equally important.	See also question 9 a) and (i). While the protection of the material folk heritage is a result of the existing provisions in the field of protection and exploitation of the tangible and intangible cultural heritage, ( <i>for</i> ) the non-material folklore heritage, except indirectly (through the protection in the fields of copyright and related rights) and directly (through indications of the origin of the product as part of the industrial property rights), there are no other regulations on the protection and exploitation of the spiritual cultural heritage, the composite and inseparable part of which is the folklore creativeness ( <i>not clear</i> ). In the next period (2001-2002) the adoption of a new law on the protection and exploitation of the cultural heritage is expected including tangible as well as intangible cultural wealth and	See previous point.

<sup>4</sup> En raison de la structure fédérale de l'Allemagne qui se manifeste surtout dans le domaine des compétences en matière de politique culturelle, cet Etat n'est pas en mesure de répondre au questionnaire.

<sup>5</sup> No answer to the questionnaire. Only a lecture by a specialist of the National Museum of Iceland was sent.

			spiritual language. Independently of the present legal status (the non-existence of regulations on the protection and exploitation of the spiritual heritage), there is in the State the Institute of Folklore « Marko Cepenkov », Skopje, which has created certain practice in this field.	
<i>Poland</i>	---	---	---	---
<i>Republic of Lithuania</i>	The adopted Law on the Principles of State Protection of Ethnic Culture protects the entire intangible heritage.	---	(See attached law.)	The Law on Ehtnic Minorities has been adopted.
<i>Romania</i>	---	The intangible patrimony is not the object of special laws. The items collected and recorded especially by researchers employed by the national archives should be protected.	The copyrights law does exist in Romania (without any specification on the domain of oral culture).	The communities that create traditional and popular culture, being them minorities or majority, benefit justly by conditions for preserving and developing their cultural creactions.
<i>Spain</i>	Spanish protection for cultural heritage is focused on movable and immovable items referred to by the Law of Historical Heritage,. This law enables an item to be designated of cultural interest, a mechanism that is designed to implement the protection of such items in a material sense.	On a national level, there is no traditional cultural form or expression of an intangible kind which has been afforded a legal status or particular protection. However, the attention given by Spanish legislation to traditional culture is reflected, as far as the historical heritage and the procedures for preserving it are concerned, in Decree 798/1971 (3 April) which stipulates that in works and monuments and projects of historical and artistic importance traditional materials and methods should be used as far as possible (Spanish State Bulletin of 24 April 1971). This law states (article 1) : « In whatever work is carried out in monuments, buildings of historical and artistic interest and sites of outstanding beauty which are expressly declared as such and, therefore, subject to the corresponding dispositions of the legislation to protect the National Artistic Heritage, traditional materials and methods will be used as far as possible ». [translated] One example of exceptional protection for a common intangible cultural heritage, however, is the guarantee of protection for the languages of the State established in article 3 of the Spanish Constitution, as follows : 1. Castilian is the official language of the State (...)	In Spain, traditional and popular culture is protected by the 1985 Law of Historical Heritage, although culture is understood in the material sense determined by movable and immovable items which are the subject of the declaration, such as those which comprise the ethnographic material preserved in the Museums of the State. Spanish legislation on intellectual property protects traditional and popular culture in the same way as other cultural expressions, that is to say, by defending the economic rights of the authors.	As a basic premise, Spanish legislation does not allow any conceptual confusion between « traditional communities » and « cultural minorities ». Indeed, there is no political or cultural protection for minorities under the 1978 Spanish Constitution although article 14 of the legislation governing the Spanish legal code establishes the general principle of equality of all Spaniards before the law, « without there prevailing any discrimination whatsoever for reasons of birth, race, sex, religion, opinion or any other personal or social condition or circumstance whatsoever». [translated] Traditional cultural communities are, in any case, protected more by measures designed to develop and promote their activity than by any legal protection of their community nature. The scope of this protection falls within the general legislation regulating associations. The <i>Dirección General de Cooperación y Comunicación Cultural</i> (Department of Co-



		<p>2. The other Spanish languages will also be official in the respective Autonomous Communities (...)</p> <p>3. The richness of the different linguistic forms in Spain is a cultural heritage which will be the subject of special respect and protection. [translated]</p>		<p>operation and Cultural Communication) of the Ministry of Education is responsible for the preparation and implementation of cultural action programmes in collaboration with other institutions and individuals or legal entities.</p> <p>As part of the development of these programmes, the Department of Co-operation and Cultural Communication each year offers competitive grants for cultural activities. Among these grants are those for associations involved in promoting and carrying out activities related to traditional and popular culture. They include grants for cultural action and promotion and grants for the training of cultural professionals. Entities applying for grants for cultural action and promotion must be non-profit making.</p>
<b>Latin America and Caribbean</b>				
<i>Argentina*</i>	---	There are no laws protecting the intangible cultural heritage.	There are no protection measures.	Currently, this is under consideration.
<i>Brazil</i>	---	---	Les questions concernant la propriété intellectuelle et plus particulièrement la protection des connaissances traditionnelles sont actuellement en discussion au sein du Groupe interministériel de travail lié à la Présidence de la République.	---
<i>Dominican Republic*</i>	---	All the intangible cultural assets of the Dominican heritage are protected by legislation. All intangible cultural expression that is of importance is considered for protection.	<p>With the recent creation of the Department of State for Culture, the State is reorganizing the State cultural sector in an effort to regulate the protection of intangible heritage.</p> <p>In the Law setting up the Secretariat of State for Culture, Chapter II concerning the fundamental principles establishes that :</p> <p>Art. 2 « All persons have the right to take part in the cultural life of the community, to enjoy the arts and to participate in scientific progress and the benefits which result from it. » [translated]</p> <p>Art. 3 « All persons have the right to the protection of the moral and material interests which correspond to them for reasons of the</p>	There is no legal protection nor incentives for culturally creative activity. The Ministry of State for Culture is being structured to take account of such aims.

			<p>scientific, literary or artistic products of which they are author ». [translated]</p> <p>Art. 5 « The State will promote and encourage cultural processes, projects and activities, focusing on the recognition of and respect for the cultural diversity and variety of the Dominican nation». [translated]</p> <p>Art. 8 « It is a fundamental obligation of the State and of individuals to value, protect, recover and disseminate the cultural heritage of the Nation ». [translated]</p>	
<u>Mexico</u>	<p>There is the Federal Law of author rights, which covers literary, musical and photographic works, artists, performers, producers of audio recordings, producers of video recordings, the public domain, symbols of the nation, expressions of popular culture and the management of collective rights. All these may be useful with relation to intangible heritage.</p>	No.	<p>The recovery and defence of cultural heritage, understanding the latter in its widest sense, is based on the following legal instruments which are the product of wide-ranging debate and even social movements :</p> <p>Art. 4° of the Constitution points out that « the Mexican Nation has a pluricultural composition founded originally on its indigenous peoples. The Law will protect and promote the development of their languages, cultures, habits, customs, resources and specific forms of social organization and will guarantee its members effective access to the judicial system of the State. In rural court cases and proceedings in which these people may be a part, account will be taken of the their practices and legal customs in the terms laid down by the law». [translated] (this paragraph was included in 1992).</p> <p>The Federal Law concerning Archaeological, Artistic and Historical Monuments and Areas : it is based on a chronological definition of the items belonging to our cultural heritage, comprising the prehispanic, colonial, nineteenth and twentieth century eras. The law was passed in 1972.</p> <p>There is currently an initiative to modify this law ; amongst other changes, the Senate is proposing the widening of the very concept of cultural heritage to include intangible heritage. This proposal is currently at the consultation stage, and is being debated in public debates and round table discussions.</p>	<p>They have the same protection as any other Mexican citizen and, as far as intangible heritage is concerned, with those mentioned above.</p>

			<p>The New Federal Law on Author Rights. This law (passed in 1986, with certain chapters modified in May 1999), already adopts the concept of popular cultures, protecting « ... literary, artistic, popular art and craft work, as well as all original expressions in their own languages, and the habits, customs and traditions of the pluricultural composition which forms the Mexican State, which have no identifiable author » (art. 157) [translated].</p> <p>« Literary, artistic, popular art and craft works developed and perpetuated in a community or ethnic group originating in or settled in the Republic of Mexico will be protected by the present Law against deformation designed to discredit the work or damage the reputation or image of the community or ethnic group to which these works belong (art. 158) [translated].</p> <p>« In all display, representation, publication, communication or any other use of a literary, popular art or craft work, protected under the present chapter, mention must be made of the community or ethnic group, or, where appropriate, the region of the Republic of Mexico of which it is part » (art. 160) [translated].</p> <p>With regard to related rights (<i>derechos conexos</i>), legislation has been passed concerning artists and performers, book publishers, producers of audio recordings and video recordings, and radio organizations.</p> <p>With regard to knowledge in the public domain, the law notes that « works in the public domain may be freely used by any person, the only restriction being that the moral rights of the respective authors must be respected ». (art. 152) [translated].</p> <p>« Free use may be made of the work of an anonymous author while the author remains unknown and there is no identified owner of the hereditary rights ». (art. 153) [translated].</p>	
<u>Peru</u>	Intellectual and artistic creation,	- - -	By payment of royalties for copyright ( <i>see annex 2</i> ).	Title I, Chapter I, Article 2, Paragraph 19 of the Political Constitution of the State protects

	ethnic and cultural identity.			the ethnic and cultural plurality of the Nation.
<i>Venezuela</i>	- - -	<p>The Law for the Protection and Defence of the Cultural Heritage of Venezuela, passed in 1993, establishes for the first time in national legislation the management by the State of the cultural assets relating to what internationally is known as « intangible heritage » or « immaterial heritage ». The regulation dealing with this subject is to be found in chapter 2, article 6, point 7, indicating that this ruling will cover cultural assets relating to the « ... living heritage of the country, its customs, its cultural traditions, its experiences, its musical expressions, its folklore, its language, its rituals, its beliefs and its national identity » [translated]. In order to advance the work entailed by this legal obligation, an expert authority has been established within the organizing structure of the <i>Instituto del Patrimonio Cultural</i> (Institute for Cultural Heritage) : this is the <i>Dirección de Conservación de Testimonios y Procesos Culturales</i> (Department for the Conservation of Cultural Testimonies and Processes).</p>	<p>The protection of the living cultural heritage is achieved by designations such as Cultural Asset of the Republic as prescribed in the Law for the Protection and Defence of Cultural Heritage. Likewise, there are other legal instruments which promote certain cultural expressions, such as the Law for the Promotion and Protection of Craft Development. On the other hand, article 100 of the Constitution of the Bolivarian Republic, passed in December 1999, indicates that : « the popular cultures constituting Venezuelanity enjoy special attention, interculturality being recognized and respected within the principle of equality of cultures. The law will establish incentives and encouragement for individuals, institutions and communities who promote , support, develop or fund cultural plans, programmes and activities in the country, as well as Venezuelan culture abroad. The state will guarantee to cultural workers their incorporation in the social security system which will allow them a decent living, recognizing the particularities of cultural work in accordance with the law. » [translated]. With regard to current national legislation concerning intellectual property and author rights, we must mention that currently it only protects works by a known author and does not consider the specific characteristics of works originating in traditional and popular cultures. However, article 124 of the current Constitution includes amongst its principles the following : « a guarantee and protection is given to the collective intellectual property of the knowledge, technologies and innovations of the indigenous peoples. All activity related to genetic resources and knowledge associated with them will seek to obtain collective benefits. The registration of patents for these ancestral resources and knowledge is forbidden ». As a result, we may presume that either legislation on author rights will in the future</p>	<p>The Constitution passed in 1999 contains two chapters which consider both cultural aspects and traditional communities, namely : Chapter VI, « Concerning cultural and educational rights (art. 98 to 111) ; and Chapter VIII « Concerning the rights of the indigenous peoples » (art. 119 to 178).</p>

			recognize this constitutional mandate or else appropriate legislation of this type will be drawn up.	
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**Legal protection of folklore and administrative measures**  
**Questions (iv) to (vii)**

	(iv) Does traditional customary law have any influence –direct or indirect– on the national legislative system ?	(v) Entity (central or local government) which protects traditional culture and folklore	(vi) Duration of legal protection for traditional culture and folklore	(vii) Legal status of NGOs and other groups such as workers' cooperatives that work in the field of traditional culture and folklore
<b>Africa</b>				
<i>Benin*</i>	---	---	---	---
<i>Ethiopia*</i>	---	Federal government (article 51/3 of the Constitution)	---	---
<i>Madagascar</i>	Le droit coutumier existe dans le système juridique. Il est toujours respecté et appliqué en général sous forme de conventions sociales.	Ministère de l'information, de la culture et de la communication	---	---
<i>Republic of Guinea*</i>	Le droit coutumier n'a pas d'influence sur le système législatif national. Il ne fait que renforcer celui-ci dans la protection du patrimoine culturel immatériel.	Toutes les entités sociales guinéennes protègent les aspects du patrimoine culturel immatériel liés à la circoncision, à l'excision et à la médecine traditionnelle.	---	Elles ont le statut de petites et moyennes entreprises.
<i>Zimbabwe</i>	Traditional customary law does have a direct influence on the national legislative system because in nearly all the national laws there is a certain amount of tradition and custom incorporated. The two are intertwined together.	The Ministry of Education, Sports and Culture, Home Affairs and Justice, Legal and Parliamentary Affairs protects traditional culture and folklore.	There is no stipulated duration of law protection for traditional culture and folklore.	NGOs and other groups such as workers' cooperatives can legally encourage and assist national arts associations, art groups and individual artists to promote traditional culture and folklore.
<b>Arab States</b>				
<i>Kuwait</i>	According to the international legal system, legal written rules are to be applied when they are available and if there are no such rules, one should refer to the conventions that have been used for a long time.	The Ministry of Information is protecting traditional culture and folklore according to law n° 64/99 regarding intellectual property protection.	It is endless regardless of the nature of folklore and heritage.	Public societies and groups that work in the field of culture and folklore are under the control and protection of State's Public Law.
<i>Palestinian Authority*</i>	No.	Not available.	Nothing.	Non-governmental institutions have a legal and effective role in collecting and studying folklore.
<b>Asia and Pacific</b>				
<i>Indonesia*</i>	It is stated under the cultural law n° 5 (1992) related to article 32 of the Constitution (1945).	Central government: Directorate General for Culture Local government : technical executive unit	---	Law n° 8 (1985) on non-government organizations.
<i>Lao People's Democratic</i>	Le droit coutumier et traditionnel garde encore son importance et exerce une	Les deux entités, centrale et locale, ont le devoir de protéger la culture	Imprécis.	Imprécis.

<u>Republic</u>	grande influence sur le système législatif national du pays. La RDPL est pluriethnique. Ses habitants continuent à vivre une société aux multiples traditions ancestrales. Chaque ethnie, chaque région possède son identité et sa spécificité sociale et traditionnelle. Aussi, le règlement de quelque affaire que ce soit doit nécessairement passer par le droit coutumier.	traditionnelle et populaire.		
<u>Myanmar*</u>	Yes.	Cultural Association.	---	---
<u>Republic of Korea</u>	---	---	---	---
<b>Europe and North America</b>				
<u>Andorra*</u>	Non.	Ministère du Tourisme et de la Culture et ??? (à traduire) <sup>6</sup> .	---	---
<u>Austria</u>	---	---	---	---
<u>Bulgaria</u>	---	---	---	---
<u>Croatia</u>	<i>Brief summary of official reply :</i> According to a scientist, Baltazar Bogisic, modern legislation should be based on traditional national (customary) law.	The Ministry of Culture.	<i>Abstract :</i> There is no specific law on the protection of traditional culture and folklore. The principles of the protection of cultural property are determined by the rules of the international law, international conventions, recommendations, resolutions [...].	<i>Abstract :</i> The activity of the NGOs and other associations is regulated by the Law on associations while the procedure of establishing art organizations is considerably facilitated by the possibility of entering the Register at the Ministry of Culture.
<u>Cyprus*</u>	---	---	---	---
<u>Czech Republic</u>	Non.	La protection de la culture traditionnelle et populaire est confiée au Ministère de la culture. Etant donné que la plupart des musées locaux sont gérés et financés par les conseil municipaux et les administrations départementales (préfectures), ces derniers assument une certaine responsabilité en la matière. Quant à la protection de la propriété intellectuelle et des performances artistiques appartenant au domaine de la culture traditionnelle et populaire, ce sont les organismes chargés de l'administration collective des droits d'auteur qui ont une grande responsabilité.	La durée de protection varie. Par exemple, les ouvrages d'architecture populaire ou les biens meubles déclarés nommément monuments culturels n'ont pas de limite pour la durée de leur protection. Il en est de même pour les objets qui font partie des collections abritées dans les musées mis sur pied par les organes d'administration publique. En ce qui concerne les éléments relevant du domaine de la propriété intellectuelle, la protection est définie par la loi sur le droit d'auteur. Ils sont protégés pendant 50 ans après la disparition de l'auteur (ce délai sera	Les organisations et les coopératives qui exercent des activités dans le domaine de la culture traditionnelle et populaire jouissent du même statut légal que les entreprises. Or, les personnes morales à finalité non-lucrative, comme par exemple les associations civiles qui regroupent le plus souvent les personnes intéressées à la culture traditionnelle et populaire, qu'il s'agisse des amateurs de la culture traditionnelle et populaire ou des associations d'intérêt professionnel, se constituent et développent leurs activités à la loi n° 83/1990 sur les associations civiles aux termes de ses prescriptions ultérieures.

<sup>6</sup> Translation.

			porté à 75 ans à partir de 2001).	
<u>Finland</u>	---	---	---	---
<u>Germany</u>	---	---	---	---
<u>Iceland*</u>	---	---	---	---
<u>Israel</u>	---	---	---	---
<u>Italy*</u>	No.	Ministry of Culture	No such provision is envisaged.	Non-profit associations.
<u>Macedonia*</u>	Traditional customary law has no great influence – direct or indirect – on the national legal system.	Central entities, i.e. national institutions, protect folklore. The institutions are listed under point (iv) of the questionnaire on « identification and documentation of folklore ». The process of decentralization of competencies in the field of protection and exploitation of the cultural heritage and in general in the activities in the field of culture is yet ahead.	Folklore is not directly protected in accordance with the regime on intellectual property (copyright and related rights and the rights of industrial property), except the right on indication of origin of the product which, according to the provisions, is permanent. Thus, the protection of cultural heritage is protected permanently.	The NGOs work on folklore on a non-profit base in accordance with the Law on associations of citizens and foundations (primarily these are cultural-artistic societies active in the field of protection of the tangible and intangible cultural heritage and other fields of culture). The workers (cooperative) societies note a trend of increased inactivity, as participants in the production and commercial exploitation of folklore, in the legal system of the Republic of Macedonia.
<u>Poland</u>	---	---	---	---
<u>Republic of Lithuania</u>	No.	Both the central and local government do.	The attention has become much greater during the last 10 years of independence.	NGOs operate in accordance with the provisions established by the Law on Non-Governmental Organizations and their Statutes.
<u>Romania</u>	There is no relation among the mentioned items.	There are district centres for folk creation and, at the national level, the Centre for Preservation and Valorization of Folk Tradition and Creation . There are also city cultural centres and cultural centres for minorities.	There are no specifications in this regard.	There are different individual or of cooperation forms that work in the domain of traditional and folk culture. The intangible culture, which has a specific character, is lesser focussed by.
<u>Spain</u>	According to the system of source in Spanish law, as included in the civil legislation, customs are considered a secondary legal source, after laws and before the general principles of law. The influence of customs is considered doctrinally according to three types of circumstance : <i>ante legem</i> (custom against and before law), the application of which is not admitted in any case ; <i>secundum legem</i> (custom in favour of law) the application of which is deemed to be complementary ; <i>praeter legem</i> (custom in the absence of law), the application of which is a point of	The protection of traditional and popular culture falls within the responsibility and remit of the State and the Autonomous Communities, as a result of the regulation established by the 1978 Spanish Constitution (see articles 148 and 149 in annex). The high degree of decentralization in Spain has nowadays enabled expressions of traditional and popular culture to be regulated, developed and promoted principally by the Autonomous Communities. For this reason, there is no State-run body that has the responsibility for protecting	There is no legal protection, except the protection afforded to cultural expressions worthy of promotion and dissemination. The force of this protection depends on the actual existence of the activity.	The legal status of the private sector bodies working in traditional culture areas corresponds to that of associations and foundations, in a generic sense, similarly in the case of workers' co-operatives.



	<p>constant debate. However, in specific cases, common practice is for tradition and generality of acceptance by the community to be admitted, as occurs, for example, in the case of the activity of the <i>Tribunal de las Aguas</i> (Court of the Waters) in Valencia, as long as it does not contradict any ruling of statute law.</p>	<p>traditional and popular culture, except in co-ordinating the actions of the Autonomies.</p> <p>Noteworthy in the context of the Autonomous Communities is the work carried out by the relevant Departments of Culture (<i>Consejerías de Cultura</i>) of each of the Autonomies and the promotional work they perform. Relevant examples include the promotion and protection of the following expressions, through the bodies that are named below :</p> <p>the <i>Generalidad Valenciana</i> (Valencian Government), <i>Dirección General de Promoción Cultural, Museos y Bellas Artes</i> (Department for Cultural Promotion, Museums and Fine Arts,) in cases corresponding to the promotion and care of : the <i>Ministerio de Elche</i> (Ministry of Elche), the Corpus Christi Festival in the city of Valencia and the « Sexenni » festival in Morella.</p> <p><i>Generalidad de Cataluña</i> (Government of Cataluña), the <i>Centro de Promoción de la Cultura Popular Catalana</i> (Centre for the Promotion of Popular Catalan Culture), for the cases of : the « castells » (human towers), the <i>sardana</i> dance and varied traditional festivals (Festivals of the Virgin of Tura, of Olot, etc.).</p> <p><i>Junta de Castilla y León</i> (Government of Castilla and León) : (i) <i>Dirección General de Patrimonio y Promoción Cultural</i> (Department for Heritage and Cultural Promotion), for cases relating to the promotion and protection of the so-called 'earthenware' craft industries (tilers, potters, adobe makers and wall makers) and other craft industries such as textile looms, bell foundries, leather crafts and natural fibre craft items. (ii) the <i>Centro de Cultura Tradicional</i>,</p>		
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		<i>Diputación de Salamanca</i> (Centre for Traditional Culture, Provincial Administration of Salamanca). (iii) <i>The Centro Etnográfico, Fundación Joaquín Díaz</i> (Ethnographic Centre, the Joaquín Díaz Foundation) in Ureña, Valladolid.		
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<b>Latin America and Caribbean</b>				
<i>Argentina*</i>	No.	Since there are protection laws, there is no body to apply them.	There is no legal duration, since there are no protection laws.	There are cultural workers' associations in various areas : for craft workers, musicians, traditionalist centres and, in urban areas, local district actors' and musicians' organizations. Some of these groups have a legal status – and are therefore registered – and others are de facto associations.
<i>Brazil</i>	---	---	---	---
<i>Dominican Republic*</i>	No.	The Ministry of State for Culture as the chief authority responsible for co-ordinating the National System of Culture of the Dominican Republic and responsible for implementing and launching of policies, plans, programmes and projects for cultural development, preserving the cultural heritage of the nation as a fundamental element of national identity, supporting and encouraging individuals, communities and institutions devoted to the development or the promotion of artistic and cultural expression throughout the country.	Permanent.	They are protected by Law n° 520 of 1920. Their legal status has not been regulated by the State, and their actions have been dispersed.
<i>Mexico</i>	Only as far as is indicated in the above mentioned article 4 of the Constitution.	Both.	Indefinite.	Citizens' Associations, Citizens' Societies, trusts, public corporations, trusteeship.
<i>Peru</i>	No.	The National Institute for Culture, through the « José María Aeguedas » <i>Escuela Nacional Superior de Folklore</i> (National College for Folklore).	Indefinite.	The NGOs are private bodies. There are no workers' co-operatives in the country; they are either self-employed professionals or employees.
<i>Venezuela</i>	The current Constitution, in the Chapter entitled « Concerning the rights of the indigenous peoples » indicates : Art. 119 : « The State will recognize the existence of the indigenous peoples and communities, their social organization, politics and economy, their cultures, habits and customs, languages and religions, as well as their habitat and native rights to their ancestral lands which are necessary for the conducting and guaranteeing of their ways of	The <i>Instituto del Patrimonio Cultural</i> (Institute for Cultural Heritage).	Designations such as Cultural Asset of the Republic are irrevocable.	We have no information on this.

<p>life... » [translated].</p> <p>Art. 121 : « The native peoples have the right to maintain and conduct their ethnic and cultural identity, their view of the world, values, spirituality and sacred places and places of worship. The State will encourage the valuing and dissemination of the cultural expressions of the indigenous peoples, who have the right to their own education and to an intercultural and bilingual educational regime, giving due regard to their special sociocultural characteristics, their values and traditions. » [translated]</p> <p>Art. 122 : « The indigenous peoples have the right to integral health that takes into account their practices and cultures. The State will recognize their traditional medicine and complementary therapies, subject to bioethical principles. » [translated]</p>			
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## Legal protection of folklore and administrative measures

### *Questions (viii) to (xi)*

<i>(viii) Financial measures</i>		<i>(ix) How far is the producer community of traditional culture and folklore formally included in the national system for safeguarding such heritage and related-policy-making ?</i>	<i>(x) How far is the safeguarding of traditional culture and folklore conducted on a local (community) level as opposed to through national bodies ?</i>	<i>(xi) What collection and documentation of traditional culture and folklore is currently being undertaken and how far are the producer communities « traditional bearers » themselves directly involved ?</i>
<i>What financial measures are practiced for the protection of traditional culture and folklore ?</i>	<i>Do they encourage private sector investment in this area ?</i>			
<b>Africa</b>				
<i>Benin*</i>	---	---	---	---
<i>Ethiopia*</i>	---	---	---	---
<i>Madagascar</i>	L'Etat encourage les initiatives locales des ONG.	---	Création et existence de coopératives, syndicats et associations privés sous tutelle des ministères concernés.	Par des initiatives locales des coopératives, syndicats et associations privés.  Par la création d'une banque de données culturelles (en cours).
<i>Republic of Guinea*</i>	Les travailleurs et les ONG producteurs de biens culturels immatériels bénéficient de l'assistance de l'Etat qui les appuie auprès des bailleurs de fond et leur fait bénéficier de subventions à partir du budget national de développement.	---	La communauté des producteurs de culture traditionnelle et populaire est formellement incluse dans le système national de sauvegarde de ce patrimoine dans la mesure où elle bénéficie de la sollicitude de l'Etat qui met tout en œuvre pour perpétuer leurs arts.	Il n'y a aucune restriction à la pratique de la culture traditionnelle et populaire. Tout individu, toute famille, toute confrérie et entité villageoise est libre d'exercer son art dans le respect des principes moraux de la société.  ---

<u>Zimbabwe</u>	Funds have been mobilized for programmes in order to protect traditional culture and folklore by bodies like the Government, NGOs, UNESCO and SADC. The private sector also plays a leading role in this initiative. This support is in the form of financial assistance as well as in the area of training and procurement of equipment. Some of the programmes that benefit are Arts and Cultural Festivals.	Commercial companies like Chibuku Breweries promote oral traditions through annual competitions in dance, song and poetry (praises). These competitions involve traditional groups from all over the country. Publishers, especially the Literature Bureau and Mambo Press, are enhancing the protection of traditional culture and folklore through publications in the form of books and booklets on proverbs, narratives, praises and customs.	The producer community of traditional culture and folklore is formally included in the national system for safeguarding such heritage in that they get official state recognition. These cultures are also taught in schools and broadcast on both electronic and print media respectively as state policies. The languages of these communities are also recognized as official. Their works are also kept and made accessible to researchers in public institutions like archives, museums, libraries and galleries. Over and above all this heritage is also enshrined in the Cultural Policy of Zimbabwe.	(a) At village level praise poetry, heroic recitations, folktales, songs, games, riddles and stories are recited by the fireside and these are also meant to be vehicles of education for the young people. (b) Children use local languages from elementary stages of education as a way of preserving it. (c) Medical practitioners use herbal medicine in the community. Their knowledge is passed on to their other selected people in the society for continuity sake. Related to this is that indigenous trees with medicinal value are being preserved to avoid their destruction. (d) Material culture like traditional dress, drums, knobkerries, shields including sites that have a bearing on the history of a community are widely used and preserved by the locals. (e) Artists and performers are alive in the community crafts and carvings portraying Zimbabwean culture are made. Traditional dances are also performed in the society. (f) The kinship and family systems are strongly observed in the society. These values are passed on from generation to generation. Such values include beliefs, morals, taboos, laws and systems of governance in the village. (g) Indigenous forms of knowledge of this technology is passed on from generation to generation in a community.	The National Archives of Zimbabwe is in the forefront of collecting and documenting traditional culture and folklore in its Oral History Programme. The National Museums and Monuments and the University of Zimbabwe also work closely with it. The National Archives is currently undertaking a project of updating a Guide on Oral History and carrying out interviews as a follow-up to one done with the assistance of UNESCO in the last few years. The producer communities –« traditional bearers »- are involved in that they will be the informants providing information during interviews. They are acknowledged as the copyright holders. Their rights project publication of their testimonies without their consent.
<b>Arab States</b>					
<u>Kuwait</u>	No financial measures are provided but it is in process.	---	The producer community is protected by the State's system.	Through encouraging programmes that are performed at the local level.	Folklore and culture authorities in the National Council for Culture, Arts and Letters are taking care of registering cultural and folkloric groups with its producer communities.

<i>Palestinian Authority*</i>	Non-governmental institutions receive support for protecting the popular heritage.	---	The producer community of traditional culture and folklore is given freedom [as governmental institutions to look for resources for funding??]. (answer not clear)	Protection is not included within a national legislation. (Applicable to question (ii))	---
<b>Asia and Pacific</b>					
<i>Indonesia*</i>	None.	---	They are related.	It is safeguarded by the local authorities in the local areas while it is safeguarded by national bodies (Directorate General for Culture) in the central government.	---
<i>Lao People's Democratic Republic</i>	Le budget national est minime et insuffisant.	Pour la raison qui précède on encourage le secteur privé à investir dans ce domaine.	L'Etat accorde son autorisation aux producteurs qui pourraient répondre aux normes prescrites par l'Etat, c'est-à-dire que leurs produits constituent un apport qualitatif à la sauvegarde et au développement de la culture nationale.	La plupart des villages possèdent une ou plusieurs pagodes qui sont des centres culturels dans lesquels se déroulent toutes les activités spirituelles, culturelles, traditionnelles voire artistiques. On encourage les villageois à sauvegarder et à développer leurs traditions artistiques et littéraires telles qu'ils les possédaient dans le passé, à savoir les chants, les danses ainsi que la littérature orale.	Ce travail devient une des préoccupations pressantes de l'Institut de recherche sur la culture (IRC) qui, faute des moyens nécessaires, a tâché de l'entreprendre de manière sporadique, ne pouvant suivre une méthodologie adéquate.
<i>Myanmar*</i>	Public donation of cash.	---	Through culture-related NGOs such as Artist's Association, Literary Associations.	---	---
<i>Republic of Korea</i>	---	---	---	---	---
<b>Europe and North America</b>					
<i>Andorra*</i>	Subventions à des associations.	---	---	NA	---
<i>Austria</i>	---	---	---	---	---
<i>Bulgaria</i>	---	---	---	---	---

<u>Croatia</u>	<i>Abstract</i> : Funds for culture are provided for in the budgets of the State, of the counties, towns and municipalities (one third is allocated from the State budget and the remaining parts of the programme from local budgets of municipalities, towns and counties). The financing system is based on annual programmes of cultural activities, actions and events, also including the protection of traditional culture and folklore.	---	<i>Abstract</i> : The possibility of active participation of the communities in the protection of its traditional values will be more clearly articulated. Pilot projects have been developed in which the diversity of regional areas is becoming prominent.	<i>Abstract</i> : Data on the allotment of financial resources at the local level are not available.	As researching and documenting of traditional culture is carried out by a number of public institutions, it is difficult to give exact information. Basic cultural and scientific institutions concerned with research and documentation are : Institute of Ethnology and Folkloristics Directorate for the Protection of Cultural Heritage of the Ministry of Culture Ethnologic Institute of the Philosophy Faculty (Department of Ethnology) Ethnographic Museums in Zagreb, Split and Pazin (Istria) Ethnographic Department Rupe of the Dubrovnik Museums Ethno-Museum Old Village in Kumrovec And more than 50 museum institutions.
<u>Cyprus*</u>	---	---	---	---	---



<i>Czech Republic</i>	<p>Les mesures sont prises par le Ministère de la culture par l'intermédiaire de ses organismes budgétaires tels que l'Institut de la culture populaire de Straznice et le Centre d'information et de consultation pour la culture locale et les musées. La contribution de l'Etat constitue la plus grande partie du budget de ces organismes. Outre cela, le Ministère accorde des soutiens sous forme de bourses aux projets présentés surtout par les associations spécialisées dans la culture traditionnelle et populaire ou les organisateurs de festivals.</p> <p>Le Ministère de l'éducation, de la jeunesse et des sports attribue, lui aussi, des bourses pour financer des projets visant à faire adopter la culture traditionnelle et populaire aux enfants et aux jeunes dans leur temps libre.</p> <p>Les municipalités accordent des bourses et parmi les projets présentés aux commissions de sélection, il y en a qui se focalisent sur l'assimilation et la présentation de la culture traditionnelle et populaire. Les communes figurent souvent parmi les organisateurs des festivités traditionnelles et populaires locales et financent des établissements culturels à but non lucratif tels que les musées locaux ou les ensembles folkloriques pour lesquels la culture traditionnelle et populaire représente le principal axe de leur action.</p>	- - -	<p>Les communautés créant la culture traditionnelle et populaire ne bénéficient pas d'un statut particulier. Leurs membres se regroupent cependant en associations civiles d'intérêt ou associations professionnelles susceptibles de présenter aux organes d'administration publique leurs suggestions et revendications (demande d'octroi de bourses spécialisées, etc.). En fonction des besoins et de leurs spécialisations le Ministère de la culture invite leurs représentants à faire partie de ses organes de consultation et d'initiative en vue de résoudre des tâches concrètes.</p>	<p>Les obligations des communes en matière d'action culturelle sont définies par la loi n° 367/1990 sur les communes. Les compétences exclusives des communes dans le domaine culturel comprennent les tâches à vocation culturelle grâce auxquelles les communes assurent le développement culturel sur leurs territoires. La commune est cependant libre, à moins que la loi ne le prévoit différemment, de donner ses priorités à la culture traditionnelle et populaire ou à d'autres projets culturels (par exemple, la loi sur la protection par l'Etat du patrimoine culturel monumental astreint les propriétaires de monuments culturels, et donc aussi les communes, à s'en occuper dûment, sous peine de sanctions).</p>	<p>Le collectage systématique et le travail de documentation sont réalisés par l'Institut d'ethnologie de l'Académie des Sciences (anciennement l'Institut d'ethnographie et de folklore) dans les régions. Le travail est confié à ceux des musées dont les fonds comprennent aussi des collections ethnographiques (cette activité de collectage et la protection des collections sont prévues par leurs statuts ou leurs actes de fondation). L'Institut de la culture populaire de Straznice est une institution d'Etat chargée par le Ministère de la culture de documenter les phénomènes actuels relevant de la culture traditionnelle et populaire. Ce travail de documentation trouve un écho favorable auprès des producteurs d'artisanat populaire qui contribuent à la mise en commun de témoignages concrets. Les collections de témoignages de culture traditionnelle et populaire n'appartenant pas à l'Etat peuvent être mises à contribution, avec l'accord de leurs propriétaires (communes, associations, personnes particulières), à des fins de présentations publiques.</p>
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<i>Finland</i>	The Ministry of Education supports folklore (applied folklore) as part of local cultural activities. The Ministry also subsidizes many associations, cultural events and festivals acting in the area of folklore. It also gives contributions for collecting and recording folklore.	The Folklore Archives are a private institution which obtains most of the funds needed for the storage, archival and research operations from the government. Under relevant legislation, the collections of the Archives must be accessible to researchers and other users. The Finnish Literature Society also provides financial support to the Archives. Private funding is raised especially for competitions and for processing the materials thus obtained.	---	---	The Folklore Archives continuously collect folklore and recollections by means of competitions, through its informant network, by means of field work, etc. Other institutions also have various compilation projects. The Folklore Archives sends a questionnaire to these institutions concerning their activities on a regular basis, and the results are published in leaflet.
<i>Germany</i>	---	---	---	---	---
<i>Iceland*</i>	---	---	---	---	---
<i>Israel</i>	---	---	---	---	---
<i>Italy*</i>	In some regions local groups receive money from the province and/or the region.	Private investment in this area is not directly encouraged even though sponsorships are possible.	They are not formally involved.	It is sometimes exploited for political reasons by certain political parties (e.g. by the Lega Nord).	---

<i>Macedonia*</i>	<p>The folklore as part of the overall creativeness in culture is stimulated and assisted through the financing of programmes and projects based on Ministry of Culture competition.</p> <p>The Institute « Marko Cepenkov » (Skopje) is financed on the basis of programmes through the Ministry of education and science in the same way as other education institutions.</p> <p>MRTV as a public service is financed on the basis of RTV subscription and other sources.</p> <p>Through tax on profit relaxations, sponsorship is motivated in the field of publishing and presentation of folk creativeness. Other tax benefits exist also, primarily in the domain of VAT and others.</p>	---	<i>(See point vii).</i>	<i>(See point v).</i>	---
<i>Poland</i>	---	---	---	---	---

<p><i>Republic of Lithuania</i></p>	<p>The State budget, as well as financial measures from different funds, are being used.</p>	<p>The private sector invests in this field. It does not yet enjoy any exclusive taxation privileges.</p>	<p>Through non-governmental organizations.</p>	<p>The role of communities in safeguarding traditional culture and folklore has become much stronger during the ten years of independence.</p>	<p><i>Reply to question 5 which applies to question (xi)</i>  Special classified catalogues of oral folk-art expressions, such as fairy tales, song texts, etc. have been developed in the Institute of Lithuanian Literature and Folklore. They are used for handling the accumulated folklore heritage and for preparing publications at the national level. The narrative folklore is being catalogued according to Aarne-Thomson's cataloguing system of fairy tales, which has been slightly modified, taking into account specific local features. The tunes of Lithuanian folk songs are being catalogued according to two different systems which are being applied by the Institute mentioned above and the Lithuanian Music Academy. The systematic card-catalogue of folk dances is being accumulated by the Centre of Lithuanian Folk Culture and the Choregraphic Department of Klaipeda University. Customs and traditions are recorded and documented, material is accumulated and researched by the Ethnological Department of the Lithuanian Institute of History, by the Centre of Lithuanian Folk Culture, as well as by other institutions which use questionnaires that are either unified or satisfy specific objectives.</p>
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<i>Romania</i>	Budgetary support exists.	Private investments are supported.	There are collaborations with museums regarding acquisitions. Under the control of museums, there are periodically organized national and regional markets ; art crafts demonstrations and prize hands take place (through this manner the intangible culture is less promoted).	There are district and city responsibilities.	IEF, AFC and AMB have annual obligations for collecting, archiving, treasuring, systematizing and indexing traditional and popular culture (of the genuine folklore) ; all ethnographic museums have acquisitions and restoration of (material) objects as a task.
<i>Spain</i>	The financial measures for the protection of traditional culture lies within the remit of the Ministry of Economy and Treasury (encouragement for Small and Medium-sized Enterprises) and of the Autonomous Communities, in their respective remits to protect and disseminate these traditional products and craft industries.	---	There is no national system for safeguarding the intangible heritage.	It is, on the level of the Autonomous Communities, as described in the response to question 5.	NA.
<b>Latin America and Caribbean</b>					
<i>Argentina*</i>	The lack of specific policies and legislation lead to a lack of funding for the protection of traditional culture and folklore. In the narrow field of craft industries, the few development and protection programmes that existed were abandoned, with the resulting loss of sources of funding. This in turn leads to a lack of incentive for the private sector to invest in this area.	---	The lack of policies leads to a lack of legislation, which means that producer communities of traditional culture and folklore are not able to participate in any way in safeguarding and drawing up policies related to this heritage.	It does not happen.	---
<i>Brazil</i>	---	---	---	---	---

<i>Dominican Republic*</i>	There are no financial measures from the State which encourage the protection of traditional cultures and folklore. The Ministry of State for Culture works in the regulation of these traditions.	The figure for overall private sector investment is not known.	The mechanisms for direct participation in the decision-making processes concerning the protection of intangible heritage have been taken into account by the Ministry of State for Culture, in an effort to achieve collective decision making.	There are no differences nor opposition between the communities and State bodies.	The register adopted in the <i>Inventario regional sobre el Patrimonio Cultural</i> (Regional Inventory for Cultural Heritage), as well as those adopted in the inventory of other intangible cultural assets.
<i>Mexico</i>	CONACULTA has acted as a facilitator with the business sector to obtain resources and as a financial mechanism to allow tax to be reclaimed on contributions which its cultural institutions receive from the private sector, through : <i>The Fondo Nacional Arqueológico</i> (National Archaeological Fund) which co-ordinates rescue and conservation work. <i>The Comisión Nacional para la Preservación del Patrimonio Cultural</i> ) National Commission for the Preservation of the Cultural Heritage, which promotes the organization and participation of ordinary citizens at State, municipal and local level for the protection of the tangible cultural heritage of communities. The « Adopt a Work of Art » programme, in which individual and legal entities work together with communities to recover and conserve specific cultural items determined by the communities. <i>The Federación Mexicana de Asociaciones de Amigos de los Museos</i> (Mexican Federation of	The private sector has shown interest in promoting popular art and the recognition of the artistic quality of our popular artists through : <i>The Fomento Cultural Banamex</i> (Banamex Cultural Promotion, belonging to the largest private bank in the country), is behind the « Great Masters of Popular Art » programme. Its aim is to consolidate and promote the work of outstanding craftspeople so that they can maintain and extend their workshops and contribute to the preservation of basic heritage ; this will add to the fuller understanding of our roots, identity and culture. <i>The Fundación Cultural Bancomer</i> (Bancomer Cultural Foundation, belonging to the second biggest bank in the country) runs two programmes : the « Masters of Popular	In Mexico, the first organizations who began to make demands and who continue to fight for respect for their language, customs and traditions and the defence of their natural resources are the indigenous organizations who have attempted to preserve their cultural habits and customs in spite of modernization. City-based cultural organizations have also addressed the reappropriation of community spaces in order to maintain the way of life of local districts and neighbourhoods, where relations based on co-operation and mutual help are established. Numerous non-governmental organizations working in popular culture have appeared which have revitalized public spaces for use for cultural events ; they have made cultural productions linked to the social and political reality of the artists and performers. In the same way, other organizations mobilize cultural resources ranging from traditional craft methods to	In Mexico, the safeguarding of traditional culture and folklore is undertaken by varied Government institutions which act on a local and national level and which participate in both national and local cultural policy as well as the social development policy of the country and the communities.	The DGCP, in collaboration with the <i>Instituto Nacional de Antropología e Historia</i> (National Institute for Anthropology and History), has launched the Community Museums Programme which sets out to pick up the thread of the rich alternative museographic experience that has been produced in Mexico, in pursuit of the following aims: Encouraging the active participation of those communities interested in the rescue, research, conservation and dissemination of their cultural legacy ; promoting the expression and creativity of communities, as well as providing reflection on the past, present and future.

	<p>Associations of Friends of Museums), which contribute to the preservation, increase and dissemination of cultural heritage.</p>	<p>Art Exhibition », a huge annual exhibition, and the « Popular Artist of the Year » award, the aim of which is to grant recognition to the best creative master working in the field of popular art, tracing his/her career and of course exhibiting his/her work. The <i>Fondo Nacional para el Fomento de las Artesanías PULSART</i> (PULSART National Fund for the Promotion of the Craft Industry, a powerful private consortium), sponsors the « Grand Prix of Popular Art », inviting craft workers specializing in traditional techniques and materials to enter and exhibit their pieces.</p>	<p>radio programmes and videos. With just a few local funds and a considerable amount of voluntary work, and with the occasional subsidy from universities and international foundations, they promote festivals, exhibitions, cultural colloquiums, workshops, magazines and books where cultural traditions are documented. One of the new trends are the networks and projects bringing together indigenous peoples, country people, factory workers, popular urban organizations, schoolteachers, students, non-governmental organizations, intellectuals, etc., who as part of the process of globalization and by using the new technologies have come together to lay claim to popular wisdom and traditions as a means of reinforcing our very cultural identity and, therefore, the very concept of nationhood. This is all taken into account by the DGCP in carrying out its programmes, since it would not have a <i>raison d'être</i> without the participation of such groups and communities.</p>		
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<u>Peru</u>	There are fiscal measures, referred to specifically as tax exemptions for staging events that are considered cultural. Likewise, there are regulations which assist benefactors to cultural bodies.	---	Cultural producers have minimal involvement in drawing up policies in the area. The National Institute of Culture tries to include their opinions when establishing guidelines for cultural policy.	The conservation of culture at a local level depends on the effort of a particular group of people and/or community. This effort seeks the sponsorship, help and/or backing of the conservation work that is going on at the national level.	State-run and private universities, cultural associations and centres, as well as private bodies linked to cultural work, all contribute, as part of their work, research leading to the publication of books and to the collection of valuable documentation in the area. In many cases, the « traditional culture-producing » communities are a direct source for the gathering of this information.
<u>Venezuela</u>	We have no information concerning this.	---	Through the Inventory of Cultural Testimony and Processes and designations such as Cultural Asset of the Republic. The management policy for these types of asset is currently being consolidated.	We have no information concerning this.	There is a considerable amount of documentation or information on expressions of traditional cultures (videos, publications, recordings, photographs, etc.) in the universities, the Foundation for Ethnomusicology and Folklore, the Institute of Cultural Heritage and research centres and private foundations devoted to the promotion and dissemination of popular cultures and heritage. In the case of the inventory carried out by the Institute for Cultural Heritage, local organizations are always the basis for activity, and a system is being trialled in which the communities themselves report and document the heritage expressions taking place in their locality.



**Legal protection of folklore and administrative measures**  
*Questions (xii) to (xv)*

	<i>(xii) Is there any form of official State recognition for the outstanding achievements of practitioners of traditional culture and folklore ?</i>	<i>(xiii) Are there any State supported programmes to encourage the transmission of traditional know-how and techniques, through apprenticeships, etc ?</i>	<i>(xiv) What official policy exists (if any) to promote traditional culture and folklore, especially to youth ?</i>	<i>(xv) What forms of international co-operation in the area of traditional culture and folklore are practised by your country ?</i>
<b>Africa</b>				
<i>Benin*</i>	---	---	---	---
<i>Ethiopia*</i>	---	---	---	---
<i>Madagascar</i>	Attribution de décorations et allocation de subventions par l'Etat Création d'une Charte de la culture (en cours)	Plusieurs programmes orientés dans ce sens figurent dans la Charte de la culture en cours.	Sensibilisation du grand public par : - L'appui médiatique des manifestations culturelles par les organes d'information publics - L'organisation de concours et de rencontres - La Charte de la culture prévoit une approche participative des jeunes dans la promotion de la culture.	Participation à des expositions et rencontres artistiques (festivals, MASA...) régionales et internationales.
<i>Republic of Guinea*</i>	Par l'organisation de foires, de rencontres culturelles (expositions, spectacles, etc.) et l'institution de prix à l'occasion de ces rencontres. Par ailleurs, les émissions radiophoniques et télévisuelles sont toujours organisées à l'intention de ces producteurs de culture immatérielle et populaire.	---	Notamment dans le secteur de la musique, de l'artisanat, de la médecine traditionnelle qui font l'objet de rencontres et d'émissions radiophoniques et télévisuelles.	Bilatérale et multilatérale.
<i>Zimbabwe</i>	Official State recognition for the outstanding achievements of practitioners of traditional culture and folklore is very limited and inconsistent. Notable recognition has been awarding of honorary degrees.	Official State-supported programmes to encourage the transmission of traditional know-how and techniques are very few and inadequate. This is an area which needs improvement. The National Archives only offer basic in-house and on-the-job training. However, the History Department at the University of Zimbabwe trains researchers who are able to conduct oral traditions research through its Honours and Masters programmes. The Departments of African Languages and Literature and Curriculum and Arts Education also do the same. The latter	The official policy that promotes traditional culture and folklore, especially to youth addresses the following as enshrined in the educational policy : a) Introduction of teaching and out-of-school curricula courses of traditional expressions and forms at schools. b) Inclusion of courses on traditional culture and folklore in school curricula. c) The National Arts Council also creates a climate in which diverse arts flourish. The organizations National Plans also cater for the youth.	The forms of international cooperation in the area of traditional culture and folklore that are practiced by Zimbabwe are diverse. Besides being a member of OTASA (the Oral Traditions Association of Southern Africa) Zimbabwe is also an active member of both the Linguistic Association of SADC (Southern African Development Community) Universities (LASU) and the Association of Teachers of Language and Literature (ATOLL). In addition to this, Zimbabwe, like other SADC countries, is a member of UNESCO. Thus, Zimbabwe is in co-operation with regional and international cultural organizations that are involved in

		Departments also train students in translation theory and practice, lexicography and have started work on computational linguistics. Researchers in minority languages are being identified for training at Masters and PhD levels.		<p>research on oral traditions.</p> <p>Co-operation among national institutes in Zimbabwe is effected through the Oral Traditions Association of Zimbabwe, the Department of Culture in the Ministry of Education, Sports and Culture and the UNESCO standing Committee.</p> <p>The SADC countries belong to the OAU, UNESCO, OTASA, the SADC Council of Ministries of Culture, ESARBICA (Eastern and Southern African Regional Branch of the International Council on Archives), the Association of SADC Museums, SADIS, LASU and ATOLL, which in one way or another deal with some aspects of oral traditions. Any regional research on oral traditions in Southern Africa would have to be done through Universities and National Archives that have existing links through academic associations like LASU, ATOLL, OTASA and ESARBICA. The National Archives is also a member of the IOHA (International Oral History Association). These elements can be illustrated in the following diagrammatic structure :</p> <ul style="list-style-type: none"> <li>- National institutes (universities, Departments of African languages and Literature and History, ATOLL, LASU, Oral Traditions Associations, Museums) ;</li> <li>- Regional Organizations (SADC Ministers of Culture, SADIS, ESARBICA (archives), OTASA (oral traditions), associations of museums) ;</li> <li>- UNESCO (UNESCO Standing Commissions).</li> </ul>
<b>Arab States</b>				
<i>Kuwait</i>	The State is officially intending to admit the achievements of the people who are interested in the field of cultural heritage and folklore.	The State is supporting special programmes by encouraging the public to know the cultural and folkloric techniques with the assistance of experts in this field.	Specialized authorities in special programmes in the State are taking care of opening the children and youth' eyes on their country's popular heritage and folklore.	International cooperation is practiced through experiences, programmes and international groups exchanges, that are related to cultural heritage and international folklore.
<i>Palestinian Authority*</i>	Only awarding the Annual State Prize for Popular Arts.	None.	None.	It consists in asking for international cooperation for collecting and studying folklore.

<b>Asia and Pacific</b>				
<i>Indonesia*</i>	Yes, in the form of rewards : Satya Lencana Kebudayaan (rewards for cultural explorer), Upakarti.	There is training for cultural apprentice to encourage the spirit of artists.	Government training for youth in the form of « dialogues, socialization ».	UNESCO community, ASEAN Cultural Committee for UNESCO : research studies, training costs, seminars, publications, workshops, exhibitions and festivals.
<i>Lao People's Democratic Republic</i>	Aucune forme raisonnable n'a encore été appliquée dans le pays.	Il en existe à l'Ecole des Beaux-Arts, à l'Ecole de Musique, à la Fédération des femmes lao (programme de tissage traditionnel), à l'Ecole d'apprentissage de l'Association de la jeunesse lao, dans le Laboratoire des tissus anciens de l'IRC, etc.	La promotion de la culture traditionnelle et populaire lao est considérée comme prioritaire dans la politique nationale du pays.	Une large coopération internationale est demandée sous toutes ses formes afin de préserver et de promouvoir avec efficacité les traditions culturelles multi-ethniques qui constituent une des richesses patrimoniales de l'humanité.
<i>Myanmar*</i>	Awarding prizes by the Government.	Yes.	There are four social objectives of the Government : 1. Uplift of the morale and morality of the entire nation 2. Uplift of the national prestige and integrity, and preservation and safeguarding of cultural heritage and national character 3. Uplift of the dynamism of patriotic spirit 4. Uplift of health, fitness and education standards of the entire nation.	Asean document on cultural heritage (1999), ASEAN Committee on culture and information.
<i>Republic of Korea</i>	---	---	---	---
<b>Europe and North America</b>				
<i>Andorra*</i>	Non.	Non.	Aucune.	---
<i>Austria</i>	---	---	---	---
<i>Bulgaria</i>	---	---	---	---
<i>Croatia</i>	<i>Abstract</i> : In 1995 the non-governmental association « Croatia nostra » established a Charter to be awarded to meritorious individuals, associations and institutions that have won recognition for their work in preserving and researching in the protection and promotion of cultural heritage as a whole, including the traditional culture.	<i>Abstract</i> : The Chamber of Trade together with the Directorate for the protection of cultural heritage of the Ministry of Culture make efforts in order to be able to take proper measures for the revitalization of traditional skills and crafts.	<i>Abstract</i> : Traditional cultural has no special status but is part of the programmes developed at the national or local level.	During recent years, Croatia has been involved in a number of multilateral and bilateral programmes of cultural co-operation, by concluding bilateral agreements on co-operation with a number of countries and accepting international conventions. Most of the partners are European countries such as Italy, Austria, Poland, Hungary, Slovenia, France, Netherlands and Great Britain. International co-operation is carried out at the level of counties and towns, mostly in accordance with traditional relations those counties and towns had in the past with the

				neighbouring countries. Co-operation is mostly carried out through traditional forms of cultural exchanges such as exhibitions, exchanges of artists and cultural amateurism, while more inventive forms of co-operation should be developed and encouraged. Regional co-operation is carried out through the Alps-Adriatic Working Community (within the activity of the Committee for culture and society programmes including traditional and folklore heritage). Multilateral co-operations is developed with international organizations (UNESCO, Council of Europe) and international non-governmental organizations (such as ICOM, ICOMOS, AICA, ITI, UNIMA, IFLA). The ICOMOS Croatian Committee is going to realize several programmes on the protection of traditional heritage, among which the project « Eco-park Pernat » on the island of Cres. It aims at revitalizing autochthonous traditional building, local economy and faded-away handicraft skills.
<i>Cyprus*</i>	---	---	---	---
<i>Czech Republic</i>	Pas pour le moment. Cependant, un Prix du Ministère de la culture pour le domaine de l'art non professionnel, y compris la culture traditionnelle et populaire, est en préparation.	Un important programme de soutien de l'Etat à la transmission des savoir-faire et des techniques à la jeune génération a été réalisé par le Ministère de la culture dans les années 1954-1990, notamment par l'intermédiaire du Centre de production artisanale populaire. Le projet « dépositaires d'une tradition » (ref. celui de l'UNESCO « Trésors vivants de l'humanité ») constituera un nouveau programme de soutien de l'Etat. Les disciplines d'apprentissage de l'artisanat populaire sont concentrées à l'Ecole secondaire technique et au Centre d'apprentissage professionnel de	Le gouvernement a donné son aval à la « Stratégie d'un soutien plus efficace de l'Etat à la culture » (politique culturelle) qui contient des mesures visant à la vulgarisation et à la protection de la culture traditionnelle et populaire. Le Ministère de la culture soutient le programme à long terme de développement de l'art non professionnel qui comprend des présentations de la culture traditionnelle et populaire telles que les festivals de folklore, le système d'octroi de bourses, etc. ( <i>Voir en annexe la Stratégie – document non joint-</i> ).	La coopération internationale est réalisée en particulier dans le cadre des organisations internationales non-gouvernementales. La République tchèque coopère avec le Conseil international des organisations des festivals de folklore et d'arts traditionnels (CIOFF) et l'Internationale Organisation für Volkskunst (IOV). C'est par exemple en coopération avec le CIOFF qu'elle a organisé en 1995 à Straznice un festival de folklore des pays membres de la section centre-européenne du CIOFF, le même festival étant prévu pour l'an 2000 à Straznice, relié cette fois-ci à une conférence sur l'art populaire.

<sup>7</sup> Les écoles élémentaires d'enseignement artistique sont un type particulier d'établissements. Il s'agit d'écoles établies par les organes d'administration publique et qui dispensent aux enfants et aux jeunes, en dehors des programmes scolaires obligatoires, des cours facultatifs dans un domaine artistique de leur choix. Les cours sont confiés à des professionnels et de nombreux élèves poursuivent après leur formation artistique dans des établissements secondaires ou supérieurs qui les préparent à une carrière professionnelle dans un domaine artistique.

		Luhacovice. Elles sont dispensées à titre exceptionnel dans d'autres établissements secondaires dans une ampleur moins importante. Dans certaines conditions prévues par les prescriptions légales, il est possible qu'un maître privé d'un métier artisanal forme des apprentis dans sa spécialité. Dans le cadre des écoles d'enseignement artistique <sup>7</sup> , les enfants peuvent, dans le domaine des arts plastiques, s'occuper de savoir-faire artisanaux reliés aux traditions populaires (peinture sur les œufs de Pâques, tressage de corbeilles, travail du bois, etc.). Il s'agit d'activités de loisirs parascolaires qui ne sont pas reliées obligatoirement à un type de formation professionnelle.		
<i>Finland</i>	At least private societies and organizations award recognition. For instance, the Folklore Archives reward folklore collectors and informants for the material it receives. The Finnish Literature Society has a Kalevala Society, which annually bestows recognition on distinguished folklore informants.	---	---	The Folklore Archives participate in international joint projects and maintain contacts with its counterparts especially in the Nordic countries, the Baltic States and the Republic of Karelia.
<i>Germany</i>	---	---	---	---
<i>Iceland*</i>	---	---	---	---
<i>Israel</i>	---	---	---	---
<i>Italy*</i>	The new organization of the Ministry of Culture envisages such a recognition in the form of « Cultural Prizes » delivered annually.	Some local administrations (regions, provinces, etc.) promote courses on handicrafts.	None.	There have been programmes in which the State and the regional government have collaborated with the European Union.
<i>Macedonia*</i>	(See question 9 a)).	The traditional know-how is in the process of dying out and for the time being there are no support programmes. This issue should be considered at a wider level - the level of cultural and primarily economic policy - with the aim of stimulating the revival of traditional old handicraftmanships as a form of cultural tourism.	The policy in this field is of campaign character (non-permanent approach) and is mainly concentrated on presentation and publication of folklore through the existing (listed) institutions.	Through international presentation of folklore (literature, folk dances and songs) based on bilateral international agreements in the field of culture but also based on invitation by various organizers of cultural events.

<u>Poland</u>	---	---	---	---
<u>Republic of Lithuania</u>	The State, municipalities and different institutions grant yearly awards for the safeguarding and dissemination of traditional cultural heritage. Names of honour are given.	There are no special State-supported programmes yet. The bearers of traditional culture and techniques participate in common educational and cultural programmes. Ethnic culture is being taught in schools. Extra-curriculum classes and summer courses are organized and craft schools are being established.	Extra-curriculum classes exist in schools. They are encouraged during special events and festivals. Official State policy is defined in the Law on the Principles of State Protection of Ethnic Culture (Article 9).	The institutions and specialists dealing with ethnic culture participate in international organizations, such as CIOFF, IOV, NORDLEK, BALTICA. Research and cultural exchange such as international conferences and festival take place. Besides, every group maintains contacts with similar groups in other countries.
<u>Romania</u>	Festivals and prizes supported by cultural and governmental institutions.	The archives of folklore of Romanian Academy are budgetary institutions. (Answer not clear.)	The local and regional initiatives are encouraged.	There is a network of interacademic exchanges of scholars and of publications, for the fundamental research on the domain of oral culture. Regarding the valorization through shows, Romanian folk ensembles usually attend international festivals, all over the world.
<u>Spain</u>	The Ministry of Education and Culture, through the <i>Dirección General del Libro, Archivos y Bibliotecas</i> (Department of Books, Archives and Libraries) organizes an annual Prize for the Best Artistic Binding, specifically for craft practitioners. Likewise, the <i>Dirección General de Bellas Artes y Bienes Culturales</i> (Department of Fine Arts and Cultural Assets) also has an annual award, the « Marqués de Lozoya » Prize for Cultural Research, for research carried out « from an anthropological perspective, on any of the aspects of the cultures of the peoples of Spain, and which is significant for its contribution to a fuller understanding of cultural forms and expressions and to the understanding of the relevance of such cultural forms in Spanish society. It should contain full, detailed and accurate information, the result of original research. »	The <i>Instituto Nacional de Empleo</i> (National Institute for Employment), in collaboration with bodies on a local, Autonomous and State level, has been financing the promotion and development of workshop training centres ( <i>Escuelas-Taller</i> ) designed to produce professionals in various areas of craft activity. In some cases, these centres have set out to pass on and teach traditional techniques and skills or know-how that is related to the protection and study of popular culture, especially of the recovery of traditional craft trades as a means of boosting youth employment. Since 1985, these centres, which are generally supported by local councils and provincial governments, have devoted their efforts to a wide range of trades related to popular and traditional culture : the rescue and restoration of historical heritage, building work, woodcrafts, metal work and forging, the environment, gardening, craft industries, the hotel and catering trade, leather working, forestry and masonry.	The body responsible for youth policy at a State level is the <i>Instituto de la Juventud</i> , (Institute for Youth, INJUVE, of the <i>Ministerio de Trabajo y Asuntos Sociales</i> (Ministry of Employment and Social Affairs). For their part, the training centres mentioned in xiii, which are supported by various non-profit making bodies and financed to a large extent by the National Institute for Employment, have been working constantly to promote youth employment (defined as unemployed people under 25 years of age). The <i>Escuelas-Taller</i> and <i>Casas de Oficios</i> (vocational training centres) which have so far been running their own projects, have, in the vast majority of cases, been working on the recovery of historical heritage, through the training of master craftsmen/women in the varied disciplines mentioned, recovering a large number of traditional skills and methods which owe their origin to Spanish popular culture.	The Ministry of Education and Culture, through the Department of Co-operation and Cultural Communication, organizes and coordinates an annual series of cultural events involving international co-operation. Together with other forms of co-operation, such as specialist support to cultural and professional institutions, these programmes have in recent years been devoted to various Iberoamerican countries, which reflects the special bonds which link them to Spain. Thus, the « Spain in Venezuela » Cultural Programme was held throughout 1998, and « Spain in Peru » throughout 1999. As part of the latter programme, and linked to traditional and popular culture, the Lima Museum of Art held the « Mestizo paintings of Viceroy Amat » exhibition from 15 December 1999 to 13 February 2000. This exhibition came from Madrid's National Museum of Anthropology and comprised paintings showing the combinations produced by the racial mixes in colonial Peru. Coinciding with this exhibition, the Lima Museum of Art also presented « Mestizo images : Ethnographic representation in eighteenth century Peru. ». These

				<p>programmes normally include dance and choreographic performances of modern-day traditional Spanish dance and flamenco ; one example was the « Flamenco Direct » show, devised and developed by the <i>Nuevo Ballet Español</i> (New Spanish Ballet) for its performance in Lima, in the Auditorium of the National Museum on 19, 20 and 21 November 1999.</p> <p>For their part, the workshop school and vocational training centre schemes mentioned in xiv, financed by the National Institute for Employment, took their experience to Iberoamerican countries from 1990 onwards. This was possible through the Framework Agreement between the <i>Ministerio de Trabajo y Seguridad Social</i> (Ministry of Employment and Social Security) and the <i>Secretaría de Estado para Cooperación Internacional y para Iberoamérica</i> (Ministry of State for International Co-operation and Iberoamerica, and through the Agreement between the National Institute of Employment and the <i>Agencia Española de Cooperación Internacional</i> (Spanish Agency for International Co-operation. The main objective of both agreements was the development of programmes to recover and restore the historical heritage of that part of the Americas with Spanish roots. The aim was to achieve this through the use of techniques and craft methods originating in the artistic and architectural traditions of popular culture. The continuity of these programmes, aimed at preserving cultural heritage in Iberoamerica and other countries, was set out in the Ministerial Order of 3 August 1994 regulating the Workshop Training Centres Scheme. It was part of the agreements established by the <i>Ministerio de Asuntos Exteriores</i> (Ministry of Foreign Affairs) for the implementation of actions to revitalize historical centres and to restore both buildings of specific interest and</p>
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				movable items.
<b>Latin America and Caribbean</b>				
<i>Argentina*</i>	The creation and maintenance of national and provincial institutions devoted to research, training, education and dissemination, such as the National Institute for Anthropology and Latin American Thought, the « Carlos Vega » National Institute for Musicology and the National Market for Traditional Argentine Crafts.	The National Institute for Anthropology and Latin American Thought, the « Carlos Vega » National Institute for Musicology and the National Market for Traditional Argentine Crafts all have research, registration and documentation programmes for traditions, know-how and skills. The National Market for Traditional Argentine Crafts runs the « Federal Programme for the Development of Craftwork » which is aimed at supporting, encouraging and promoting craft activity in the rural communities (both indigenous and those of Spanish descent) in the country, encouraging the transfer of appropriate traditional technologies through the Training and Specialist Advice scheme.	There are currently no national policies for promoting it. In provincial cultural bodies, there are specific policies for the support and dissemination of folklore amongst young people. Previously, the National Market for Traditional Argentine Crafts has run 'adolescents at risk' support programmes, based around craft workshops.	International co-operation is minimal and is mainly focused on the organization of seminars and conferences in conjunction with other countries. In the same way, competitions, awards, fairs and exhibitions are organized with international bodies such as UNESCO. Some events, such as the Programme for the Development of Indigenous Crafts, are organized in conjunction with the <i>Fondo Mixto de Cooperación Hispano-Argentino</i> (Mixed Fund for Hispano-Argentine Co-operation).
<i>Brazil</i>	---	---	---	---
<i>Dominican Republic*</i>	---	Yes. A project is currently being put together to create craft workshops within potentially productive communities.	The Ministry of State for Culture is working to create incentives for the promotion of traditional culture and folklore amongst young people.	The participation of craft specialists and cultural exchange through international events.
<i>Mexico</i>	Yes, through various Government schemes, amongst the most prominent of which are : - National Awards The National Award for Science and Arts, including the category of « Popular Arts and Traditions » giving recognition to the most outstanding creators of popular art. Recipients of the awards may be individuals, groups or communities. The Popular Art Grand Prix, for craft workers who are producing crafts with traditional methods and materials. The Netzahualcóyotl Award for creative literary work in the indigenous languages.	Yes. This is done through various State bodies such as the <i>Programa Nacional de Empleo</i> (National Employment Programme), the <i>Fondo para la creación de Microempresas</i> (Fund for the Creation of Microbusinesses) and, in the case of the DGCP, the organization of craft workshops through its Music and Popular Art Programme.	There is an <i>Instituto « Causa Joven »</i> (« Young Cause » Institute) where research is carried out, publications produced and events staged for young people, and where current topics related to young people in the cities are tackled. Throughout 1996 and 1997 the National Award for Indigenous Young People was organized in conjunction with the DGCP.	There are twice-yearly educational and cultural co-operation programmes. These have included exchanges of exhibitions, documentary material, work experiences and methods.



	<p>- State-sponsored awards</p> <p>The María Sabina Award for literary work by Mazatec writers</p> <p>The Tlaltecatzín Award for writers in the Nahuatl, Totonac, Mixtec, Otomi, Tepehua and Mazatec languages of the state of Puebla</p> <p>The Tlamatini Award which grants recognition to writers in the Nahuatl language from the State of Morelos.</p>			
<i>Peru</i>	<p>Yes. There are the following forms of recognition :</p> <ul style="list-style-type: none"> <li>- Distinction Awards</li> <li>- Gracia Bursaries</li> <li>- National Culture Awards</li> <li>- Awards for the Promotion of Culture.</li> </ul>	<p>Yes. In the Curriculum of the National Educational System there is a unit on artistic education.</p>	<p>None. It is important to point out that Peru has an implicit cultural policy.</p>	<p>There are :</p> <ul style="list-style-type: none"> <li>- Cultural exchanges</li> <li>- Intergovernmental agreements.</li> </ul>
<i>Venezuela</i>	<p>The National Award for Culture and national, regional and municipal designations. It is important to note that the designations recognize the know-how, works and creations of individuals.</p>	<p>Yes. Amongst others, the revitalization and re-evaluation of traditional methods and know-how, carried out by the cultures of the communities themselves in the contexts adapted to the new historical and cultural conditions ; endangered languages, etc. are also being documented and revived.</p>	<p>Responsibility for cultural policy, in the sense of the promotion of values, is divided amongst several State bodies.</p>	<p>None.</p>

## Legal protection of folklore and administrative measures

### Question (xvi)

(xvi) What further information can you provide (if any) on the application of the 1989 Recommendation ?

<b>Africa</b>	
<i>Benin*</i>	---
<i>Ethiopia*</i>	---
<i>Madagascar</i>	---
<i>Republic of Guinea*</i>	---
<i>Zimbabwe</i>	<p>The further up-date on the application of the 1989 Recommendation is that after the UNESCO regional seminar in Ghana in 1999 the authorities and the governments were presented with recommendations made on safeguarding of traditional culture and folklore. A report of the full proceedings with information to equip Member States to effectively implement the Recommendation was going to be distributed to Member States.</p> <p>However, other recommendations are being implemented within the means of Member States like supporting of artists, promotion of local cultures, mobilizing resources to safeguard traditional culture and folklore and lobbying government support.</p> <p>Logistics of training those involved in culture under the « Living Human Treasures » project proposed by UNESCO however are still being worked out. Hopefully, the project will take off the ground soon.</p>
<b>Arab States</b>	
<i>Kuwait</i>	NA.
<i>Palestinian Authority*</i>	There is an opportunity in intensifying the process of protecting heritage through following up a publication entitled « the Palestinian Folklore Encyclopedia » of which the second edition was issued in 1988. The issuance of the third revised edition and following editions will enhance the protection of popular heritage.
<b>Asia and Pacific</b>	
<i>Indonesia*</i>	None.
<i>Lao People's Democratic Republic</i>	La volonté existe de coopérer largement avec la communauté internationale afin de pouvoir sauvegarder la culture nationale multiethnique, riche, mais gravement menacée et déjà fortement érodée par l'invasion des produits de consommation et des media électroniques de l'extérieur.
<i>Myanmar*</i>	---
<i>Republic of Korea</i>	---
<b>Europe and North America</b>	
<i>Andorra*</i>	---
<i>Austria</i>	---
<i>Bulgaria</i>	---
<i>Croatia</i>	The Recommendation was distributed in March 1999 -in order to answer to the UNESCO questionnaire on the situation and preservation of the traditional heritage and folklore in Central and Eastern Europe- to most of the museum institutions (around 40), to Matica hrvatska, Croatian Radio-Television, the abolished editorial board for traditional customs and culture, and to Matica iseljenika (an institution of national character taking care of traditional values of cultural heritage of Croats living in diaspora). It is proposed to organize a symposium on the situation of the traditional and folklore heritage in Croatia and then to start with the implementation of its instructions.
<i>Cyprus*</i>	---
<i>Czech Republic</i>	La Recommandation de 1989 a sensiblement impulsé en République tchèque le travail de protection de la culture traditionnelle et populaire et a même constitué un soutien à la formulation des dispositions correspondantes de la politique culturelle. Outre des publications et toute une série de projets, le Ministère de la culture a réalisé, en collaboration avec l'Institut de la culture populaire de Straznice et avec le soutien de l'UNESCO, un certain nombre de séminaires spécialisés d'experts des pays d'Europe centrale et de l'Est portant sur les questions soulevées par la Recommandation : (i) sur la mise en œuvre de la Recommandation dans cette partie de l'Europe, 1995 et 1996,

	(ii) sur la commercialisation des éléments de culture traditionnelle et populaire, 1996 et 1997, (iii) sur les questions concernant l'éthique et la culture traditionnelle et populaire. L'Institut de la culture populaire a fait paraître les actes de ces séminaires en plusieurs langues. Ils servent à un vaste usage international et constituent un outil de référence méthodologique recommandé.
<i>Finland</i>	---
<i>Germany</i>	---
<i>Iceland*</i>	---
<i>Israel</i>	---
<i>Italy*</i>	---
<i>Macedonia*</i>	---
<i>Poland</i>	---
<i>Republic of Lithuania</i>	---
<i>Romania</i>	---
<i>Spain</i>	The recommendation concerning the safeguarding of traditional and popular culture has not as yet been fully incorporated.
<b>Latin America and Caribbean</b>	
<i>Argentina*</i>	None.
<i>Brazil</i>	---
<i>Dominican Republic*</i>	The Centre for the Inventory of Cultural Assets of the Office of Cultural Heritage did not receive the 1989 recommendations.
<i>Mexico</i>	In the day-to-day work of the DGCP, through its national programmes : Support Programme for Municipal and Community Cultures ; Programme of Languages and Indigenous Literature ; Support Programme for Popular Music ; Community Museums Programme ; Popular Art Programme ; Centre for Information and Documentation of Popular Cultures ; Popular Culture Platforms ; Seminar for the Study of Cultures ; Afro-American Programme ; Our Third Root ; National Museum of Popular Cultures ; Publishing Programme ; Popular Culture and Biodiversity ; Historical Memory and Daily Life ; Cultural Dialogues and Mexican Cuisine.
<i>Peru</i>	---
<i>Venezuela</i>	---

**Replies to extracts from « questionnaire on the application of the Recommendation on the Safeguarding of Traditional Culture and Folklore (1989)  
Protection of folklore (question 9) (concerns only the questionnaire sent in August)**

a) Does the national legislation of your country contain provisions on the « intellectual property aspects » of traditional culture and folklore ?	b) What kind of support do folklore artists in your country enjoy (e.g. from the state, from the private sector, none) ?	c) Does your legislation deal with the economic, social and legal standing of the collector and informant of traditional and popular expressions (protection of privacy and confidentiality) ?	d) How are collected materials on traditional culture and folklore protected in your country ? Please describe, attaching any relevant acts/regulations.	e) What measures, in your opinion, are needed to enhance the legal protection of traditional culture and folklore or to adapt it to new circumstances ? nationally, regionally, with the assistance of UNESCO, WIPO and specialized NGOs	
<b>Africa</b>					
Benin*	S'en référer au BUBEDRA.	<p>De la part de l'Etat :</p> <ul style="list-style-type: none"> <li>- Organisation de festivals départementaux et nationaux dotés de prix d'encouragement ;</li> <li>- Octroi de subventions ponctuelles à la création ;</li> <li>- Assistance matérielle et financière quant à leur participation à des manifestations culturelles internationales ;</li> <li>- Création d'une Direction de la promotion artistique et culturelle (DPAC), d'un Fonds d'aide à la culture (FAC) et d'un Bureau béninois du droit d'auteur (BUBEDRA) dans le souci d'améliorer leurs conditions de travail, économiques et sociales, ainsi que leur statut juridique.</li> </ul> <p>De la part du secteur privé :</p> <ul style="list-style-type: none"> <li>- organisation périodique de festivals culturels dotés de prix (CONAVAB, Bénin Golden Awards, etc.)</li> <li>- production d'œuvres d'artistes de la musique et de la chanson traditionnelle (Laser Discothèque, Ava Promotions, Bénin Golden Awards, etc.).</li> </ul>	Non.	S'en référer au BUBEDRA.	S'en référer au BUBEDRA.

<i>Ethiopia*</i>	Yes	None	Yes	---	<p><i>1<sup>st</sup> reply (5.10.00) :</i></p> <p>- Existing laws of the country dealing with copyright and other related rights shall be amended and new laws pursuant to the advancing technology shall be effected.</p> <p>The right of ownership of the people concerned shall be protected while traditional fine art works of the different nations and nationalities are variously put into effect.</p> <p>A draft of a new copyright law is being prepared by the Ministry of Information and Culture.</p> <p>- With the assistance of UNESCO, WIPO and specialized NGOs.</p>
<i>Madagascar</i>	---	---	---	---	---
<i>Republic of Guinea*</i>	Oui.	L'Etat sauvegarde les droits d'auteur des artistes, les plus représentatifs appartenant aux ensembles artistiques nationaux et qui sont salariés de l'Etat. Le soutien du secteur privé se traduit par une demande accrue de leurs prestations.	Non.	Ces matériels sont conservés dans les musées publics et privés.	<p>Au niveau national :</p> <p>Aider à l'inventaire pour un pays comme la Guinée.</p> <p>Aider à la formulation de critères d'évaluation culturelle, dans le cadre d'une sensibilisation nationale.</p> <p>Au niveau régional :</p> <p>Aider à harmoniser les critères culturels, les cadres juridiques, la méthodologie de collecte et de formation.</p> <p>Avec le concours de l'UNESCO, de l'OMPI et des ONG spécialisées :</p> <p>Organisation de rencontres et soutien au plan national, régional et international dont l'un des avantages serait de dessiner une carte sous-régionale, régionale et internationale de la culture traditionnelle et populaire transfrontalière avec une protection juridique appropriée.</p>
<i>Zimbabwe</i>	---	---	---	---	---
<b>Arab States</b>					
<i>Kuwait</i>	---	---	---	---	---
<i>Palestinian Authority*</i>	---	---	---	---	---
<b>Asia and Pacific</b>					
<i>Indonesia*</i>	Yes.	From the State.	Yes.	They are well protected.	Nationally, central government

				Every finding is preserved in certain institutions (museums, State archives).	institutions should be set up to accommodate the local findings or heritage. Regionally, in every local area, institutions should be set up.
<i>Lao People's Democratic Republic</i>	---	---	---	---	---
<i>Myanmar*</i>	---	From the State : social and legal From the private sector : economic and social	---	Public and private museums inventory and register them. From time to time they display them and issue publications.	Promotional and preventive measures to stimulate public interest and awareness of cultural value of their protection through media (both educational and informational) ; e.g. the government has been holding annually Myanmar traditional performing art competitions with cash award and certificate of honour to the winners since the last 8 years. Nationally : governmental and non-governmental. Regionally : ASEAN Committee on Culture and Information (Asean COCI).
<i>Republic of Korea</i>	---	---	---	---	---
<b>Europe and North America</b>					
<i>Andorra*</i>	Oui.	Subventions à des associations de la part de l'Etat et des ???. <sup>8</sup>	Non.	Par le Règlement de consultation de l'Arxiu (voir annexe 3).	Dans la future loi du patrimoine culturel d'Andorre figurera l'obligation de la part du Ministère de la culture d'encourager la conservation, l'étude et la documentation du patrimoine ethnologique immatériel, ainsi que de soutenir les entités travaillant à sa conservation et à sa diffusion.
<i>Austria</i>	Yes, in the framework of general copyright provisions. <i>Reply</i> 25.8.98)	None.	No.	In the framework of general national legislation, particularly as to copyright and exportation.	Nationally, regionally and with the assistance of UNESCO, WIPO and specialized NGOs.
<i>Bulgaria</i>	Yes. Some paragraphs of the law on « intellectual property » were prepared by the Institute of Folklore. ( <i>reply</i> 19.2.99)	Small income from the State and from the private sector as well as self-support.	Yes.	<i>To be completed.</i>	<i>To be completed.</i>

<sup>8</sup> Translation from Andorran.

<i>Croatia</i>	---	---	---	---	---
<i>Cyprus*</i>	Yes.	From the State and from the private sector.	Yes.	(i) Copyright Law (ii) Antiquities Law (cap. 31 which covers traditional material culture up to 1940).	Nationally, regionally and with the assistance of UNESCO, WIPO and specialized NGOs.
<i>Czech Republic</i>	---	---	---	---	---
<i>Finland</i>	---	---	---	---	---
<i>Germany</i>	---	---	---	---	---
<i>Iceland*</i>	No. ( <i>reply 20.8.98</i> )	Very little, if any.	No.	We try to follow the general guidelines issued by NIF in their Newsletter 3/1984 pp. 26-27.	It is to be hoped that the authorities could – with international support and pressure – be made aware of the values of the cultural heritage which is kept alive orally.
<i>Israel</i>	---	---	---	---	---
<i>Italy*</i>	No.	From the State and from the private sector.	No.	By the Ministry of Culture.	National, regional and international.
<i>Macedonia*</i>	( <i>See attached pages –6 to 8</i> )	( <i>See attached page 9</i> ).	Regulations are in accordance with the regime of copyright and related rights and from the aspect of rights of industrial property, which are already elaborated in point 9 a). The aspect of protection of privacy is sanctioned by the Criminal Code, and the confidentiality of information, as a matter of the field of industrial property protection (protection of confidentiality of information), should be regulated by a separate regulation.	The protection of the collected materials of works of non-material folk creation (folk tales and similar folk songs and instruments and similar, painting works of folk creation and others) are processed and protected by the Institute of Folklore. Beside this institution, the Museum of Macedonia (through the Department of Ethnology), other museums in the Republic of Macedonia having ethnologic exhibitions (for example the Museum of the City of Skopje and others), other museums and institutes for the protection of monuments of culture (for example the Museum Exhibition of the Memorial House	- nationally The adoption of a new regulation on the protection and use of cultural heritage (tangible and intangible cultural works and spiritual wealth) on the non-material forms of folklore is necessary for the establishment of a single system of identification, inventory, documentation and other related protection, as well as protection and use outside of the aspect of intellectual property. - regionally Cooperation should be implemented in this part between related institutions of the region (the Balkans and the countries of Central and Eastern Europe) with the aim of establishing single standardization of the protection of the material and non-material forms of folklore. - with the assistance of UNESCO, WIPO and specialized NGOs It is necessary to prepare an international act for the protection and use of folklore aspects of the intellectual property (so called <i>sui generis</i> protection and use), which would unify the international

				« Urania » in Ohrid) and other institutions are responsible for the protection of material folk creations.	practice in this field. In the same time, at international level, it is necessary to determine the legal measures for identification, documentation, processing, conservation and other protection of folklore (in material and non-material forms) outside the regulations on intellectual property.
<i>Poland</i>	---	---	---	---	---
<i>Republic of Lithuania</i>	Yes.	From the State and the private sector.	Yes.	In accordance with the established internal rules of protection and usage, the Law on Principles of State Protection of Ethnic Culture and the Archive Law.	nationally : when implementing the Law on the Principles of State Protection of Ethnic Culture to adopt respective post-law acts. Sub-regionally : legal protection of oral and intangible heritage and of living human treasures of traditional culture with the help of UNESCO, WIPO or special NGOs : legal protection of oral and intangible heritage.
<i>Romania</i>					
<i>Spain</i>	---	---	---	---	---
<b>Latin America and Caribbean</b>					
<i>Argentina*</i>	No.	Sometimes from the National State and from provincial States and Municipalities. Also through some NGOs.	There is no legislation on the subject.	It depends on the technical and financial capacity of each institution, whether national or provincial.	The implementation of specific programmes that are measurable and temporary, with the participation of the communities who are affected. These programmes will need to range from specific to regional schemes (Municipalities, Provinces, Argentine Cultural Regions; Nation ; Southern American Cone ; Iberoamerica) with the participation and technical and financial support of UNESCO, the IDB, the WLO, the UN and the OAS.
<i>Brazil</i>	---	---	---	---	---
<i>Dominican Republic*</i>	Yes.	From the State.	No.	Using registration forms (in the Centre for the Inventory of Cultural Assets, the CIBC). (See legislation in annex).	Through laws providing incentives and encouragement to practitioners and through the implementation of a comprehensive system of protection.
<i>Mexico</i>					
<i>Peru</i>					
<i>Venezuela</i>					



**Replies to extracts from « questionnaire on the application of the Recommendation on the Safeguarding of Traditional Culture and Folklore (1989) Protection of folklore (question 10) (concerns only the questionnaire sent in August)**

*Apart from « intellectual property » approach, can you think of other measures to protect « folklore » ? If any, please explain.*

<b>Africa</b>	
<i>Benin*</i>	S'en référer au BUBEDRA.
<i>Ethiopia*</i>	---
<i>Madagascar</i>	---
<i>Republic of Guinea*</i>	Oui. La vivacité des traditions festives facilite son apprentissage, son application quotidienne et donc sa diffusion à travers tous les moyens traditionnels et modernes d'apprentissage, de formation et de diffusion.
<i>Zimbabwe</i>	---
<b>Arab States</b>	
<i>Kuwait</i>	---
<i>Palestinian Authority*</i>	---
<b>Asia and Pacific</b>	
<i>Indonesia*</i>	Every kind of folklore must be performed in certain circumstances so that the folklore does not die out.
<i>Lao People's Democratic Republic</i>	---
<i>Myanmar*</i>	By including teaching of folklore in school curricula at all levels of formal education.
<i>Republic of Korea</i>	---
<b>Europe and North America</b>	
<i>Andorra*</i>	Augmenter la recherche. Subventionner à titre personnel les artisans qui maintiennent des aspects de la culture populaire et traditionnelle.
<i>Austria</i>	---
<i>Bulgaria</i>	---
<i>Croatia</i>	---
<i>Cyprus*</i>	---
<i>Czech Republic</i>	---
<i>Finland</i>	---
<i>Germany</i>	---
<i>Iceland*</i>	---
<i>Israel</i>	---
<i>Italy*</i>	By promoting systematical researches and urging a deeper involvement of local communities.
<i>Macedonia*</i>	---
<i>Poland</i>	---

<u>Republic of Lithuania</u>	- - -
<u>Romania</u>	To build a European network for theorist scholars and to create a code of reference in order to avoid the piracy of repertories and the inadequate valorization of them. <i>(reply to question (xvi) which applies to question 10.</i>
<u>Spain</u>	- - -
<b>Latin America and Caribbean</b>	
<u>Argentina*</u>	The teaching of respect for cultural diversity. The implementation of laws to protect the intellectual property of the indigenous populations is being analysed and evaluated. There is a Federal Bill for Craft Development, which considers various aspects of the promotion and development of craft activity and, therefore, the protection of traditional production technologies.
<u>Brazil</u>	- - -
<u>Dominican Republic*</u>	- - -
<u>Mexico</u>	- - -
<u>Peru</u>	- - -
<u>Venezuela</u>	- - -