Unit 9

**safeguarding**

**participant’s text**

This unit is about the safeguarding of intangible cultural heritage (ICH) elements at the national level, including both general safeguarding measures and safeguarding activities relating to specific element(s) of ICH. It covers the following topics:

* Safeguarding under the Convention for the Safeguarding of the Intangible Cultural Heritage[[1]](#footnote-1).
* General and specific safeguarding measures.
* Addressing threats and risks to viability.
* Safeguarding measures and plans.

Relevant entries in Participant’s text Unit 3 include: ‘Awareness raising’, ‘Domains of ICH’, ‘Elements of ICH’, ‘Ethics’, ‘Identification and definition’, ‘Inventorying’, ‘Preservation and protection’, ‘Promotion and enhancement’, ‘Respect’, ‘Revitalization’, ‘Safeguarding and safeguarding measures’, ‘Threats and risks’ and ‘Viability’.

Examples relevant to this unit can be found in Case studies 21–27.

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9.1 THE CONVENTION AND SAFEGUARDING

Article 2.3 of the Convention defines safeguarding as ‘measures aimed at ensuring the viability of the intangible cultural heritage’, (see Participant’s text Unit 3: ‘Safeguarding and safeguarding measures’).

In its focus on maintaining the viability of practice or expressions, safeguarding of ICH is quite different from conservation of tangible heritage and places

#### Safeguarding is the main goal of the Convention

Safeguarding ICH is the main goal of the Convention, as indicated by its full title, the Convention for the Safeguarding of the Intangible Cultural Heritage. Various provisions of the Convention and the Operational Directives (ODs) support this:

* States Parties are required to ‘take the necessary measures’ to safeguard the ICH present in their territory (Article 11(a)).
* States Parties are encouraged to support and assist communities living in their territories who wish to safeguard specific elements of their ICH.
* The ODs suggest many different ways in which States may assist in safeguarding ICH and in supporting communities to do so (e.g. ODs 80–82 and 85–86).
* The Convention establishes a special List for ICH in need of urgent safeguarding (Article 17; OD 1) and makes special provisions for elements that need safeguarding on an extremely urgent basis (OD 32).
* Article 18 of the Convention calls for the nomination, selection and dissemination of good safeguarding practices (ODs 42–46).
* One of the purposes of international assistance mentioned in Article 20 of the Convention is the safeguarding of heritage inscribed on the Urgent Safeguarding List (OD 9(a)).

#### General and specific safeguarding measures

Measures for safeguarding may aim at creating favourable general conditions in which the ICH present on the territory can thrive, e.g. through legislative, administrative, financial or awareness-raising measures. Safeguarding measures may also target specific ICH elements or groups of elements that face threats or risks to their continued viability. The design and implementation of any safeguarding measures should reflect the involvement of communities in safeguarding their own ICH and the significant role in determining what constitutes threats to their ICH. It should also reflect how to prevent and mitigate such threats and underscore the importance of cultural diversity, gender equality, youth involvement and respect for ethnic identities (see Ethical Principles).

9.2 MEASURES FOR SAFEGUARDING ICH IN GENERAL

Articles 11(b)–15 of the Convention give clear indications of how a State Party may fulfil its obligation to ‘take the necessary measures’ to ensure the safeguarding of the ICH present in its territory (Article 11(a)). The provisions in these articles may be summarized as follows (for the full text see the Convention):

Each State Party shall:

* Identify and define the ICH present in its territory (Article 11(b));
* Draw up one or more inventories of the ICH present in its territory (Article 12).

Each State Party shall endeavour to:

* Adopt general policies; designate or establish one or more competent bodies for safeguarding ICH; foster studies (‘with a view to effective safeguarding of the intangible cultural heritage’); and adopt appropriate legal, technical, administrative and financial measures (Article 13);
* Ensure recognition of, respect for and enhancement of ICH in society (Article 14);
* Ensure the participation of communities in safeguarding activities and involve them in the management of their ICH (Articles 11(b), 15).

These provisions aim at achieving the following objectives of the Convention at the national level (Article 1): (a) safeguarding ICH; (b) ensuring respect for ICH; and (c) raising awareness of the importance of ICH in general and ensuring mutual appreciation of ICH between and within different communities.

The Operational Directives elaborate further on these general measures:

* Ensuring community participation in and consent to safeguarding (ODs 1, 2, 7, 12, 79–80, 88, 101, 157 and 162);
* Ensuring capacity building for safeguarding (ODs 82, 107 and 155);
* Ensuring the existence of appropriate legal frameworks and codes of ethics for safeguarding ICH and raising awareness (ODs 103, 105 and 107), including ‘ensuring the rights of communities, groups and individuals concerned are duly protected when raising awareness about their heritage or engaging in commercial activities’ (OD 104);
* Raising awareness (ODs 100–123);
* Undertaking risk assessment, monitoring and evaluation of threats facing ICH (OD 116);
* Ensuring the existence of administrative structures to promote consultation between communities, non-governmental organizations (NGOs), experts and centres of expertise and others (OD 80).
* Foster the contributions of ICH and its safeguarding to greater gender equality and to eliminating gender-based discrimination (OD 181).

9.3 EXAMPLES OF GENERAL SAFEGUARDING MEASURES

There are a number of measures used for safeguarding ICH in general:

* Raising awareness about the value of ICH (discussed in detail in Participant’s text, Unit 5);
* Identifying and inventorying ICH (discussed in Participant’s text Unit 6); and
* Creating an enabling legal and administrative environment for safeguarding (discussed in Participant’s text Unit 9).

See Case studies 3, 6, 28 and 29.

When taking general measures, States Parties will not usually have to start from scratch: they will be able to make use of existing institutions, networks and programmes, expanding and reinforcing them as required.

Before ratifying the Convention, some States review existing regulations, laws and policies concerning the ICH present in their territory, collecting information about relevant programmes and networks, institutes and organizations, as well as about previous and ongoing activities for the identification, promotion and safeguarding of ICH.

#### Gender and safeguarding measures

Because gender plays a significant role in creating and maintaining ICH while, at the same time, ICH may provide an essential means for the expression of gender roles, it is extremely important that safeguarding activities are based on an awareness of the potential impacts on both ICH and gender roles. OD 181(e) encourages State parties to ‘ensure gender equality in the planning, management, and implementation of safeguarding measures, at all levels and in all contexts, in order to take full advantage of the diverse perspectives of all members of society’.

Once a sufficient level of gender awareness has been reached, the next consideration is what types of strategies, measures, and approaches are needed in order to ensure that safeguarding measures are gender responsive. A gender analysis informs us as to how gender roles and relations could impact and/or be impacted by safeguarding plans. It also allows for an identification of whether or not differences in roles in terms of gender – in interaction with other socially determined roles (e.g. ethnicity, disability, age, etc.) - generate the power to dominate and humiliate and, then, respond accordingly. Failure to conduct such an analysis may mean that significant assumptions are overlooked and safeguarding plans may be undermined, or indeed, unintentional harm may be caused to community or group members or the gender dynamics of their ICH.

Specific reference to gender in identifying and inventorying is discussed in Unit 6 while further discussion of gender in specific measures for safeguarding can be found below.

See Units 48 and 49 for more on gender and ICH, and gender-responsive approaches to safeguarding ICH; See also Gender and ICH in Participant’s Text Unit 3; ODs 181(a-e).

9.4 MEASURES FOR SAFEGUARDING SPECIFIC ICH ELEMENTS

Specific safeguarding measures seek to ensure the continued viability of a specific ICH element, or of a specific group of elements, when practice and transmission of the element/s is under threat in some way (see EP 10).

Specific safeguarding measures are not necessary when normal practice and transmission sustain an ICH element over time. Under these circumstances, the ICH does not face any specific threats or risks to its viability; no outside interventions are needed and general safeguarding measures (such as awareness raising) are more appropriate than specific ones (See EP 2, 3, 5, 6, 8, 9 and 10).

#### Addressing threats and risks

Identification and analysis of threats and risks is required before safeguarding measures can be elaborated. Sometimes the problems are relatively simple, but usually they are not. Safeguarding measures often propose changes in the practice or transmission of ICH in an effort to adapt it to the rapidly changing living circumstances of the communities concerned; similar adaptations commonly occur in the practice of thriving ICH elements.

EP 10 emphasises that communities, groups and individuals should play a significant role in determining what constitutes threats to their ICH, including the decontextualization, commodification and misrepresentation of it and in deciding how to prevent and mitigate such threats. If threats to the viability of ICH are not mitigated, the ICH might cease to be practised as living heritage although performances or products may continue to be produced for tourists or other outsiders purely for commercial reasons. Not all ICH should – or indeed can be – safeguarded or revitalized. If the community or group concerned no longer considers certain elements of ICH relevant or meaningful, they can hardly be safeguarded in the sense of the Convention. In such cases, elements may simply be recorded before they cease to be enacted at all.

#### Types of safeguarding measures

Safeguarding measures may be straightforward activities, such as the reinforcing of an organizing committee or the planting of new trees required for making musical instruments, collecting money within the community or setting up informal training sessions for the transmission of skills. Safeguarding measures may also involve more complex activities, grouped together in a coherent plan: multifaceted, medium-term safeguarding strategies, for example, involving numerous role players that might be coordinated by a community-based organization, assisted by NGOs, local authorities, specialized institutions, etc.

Safeguarding measures that could be applied to specific elements are mentioned in Article 2.3: ‘identification, documentation, research, preservation, protection, promotion, enhancement, transmission, particularly through formal and non-formal education [and] revitalization’ provides a detailed discussion of these terms; see also Participant’s text Unit 3. This list of safeguarding measures is non-exhaustive, and safeguarding activities may be categorized under several of the measures at the same time. In the context of safeguarding under the Convention, however, the classification of specific measures (as ‘research’, ‘documentation’, ‘revitalization’ and so on) is less important than the tailoring of these activities to address threats posed to the viability of the elements concerned.

9.5 EXAMPLES OF SPECIFIC SAFEGUARDING MEASURES

Some examples of measures that might be used in safeguarding projects are listed below. Any safeguarding measure chosen to address specific threats to an ICH element would need to be adapted to the specific circumstances of that situation.

In drafting safeguarding measures, inspiration may be sought from experiences of other States Parties. Examples of safeguarding activities are provided in the Register of Good Safeguarding Practices and safeguarding measures are elaborated in all nomination files submitted for inscription notably on the Urgent Safeguarding List. All nomination files are available on the ICH website (http://www.unesco.org/culture/ich/).

#### Research and documentation

Research and documentation of ICH often used to be undertaken by experts, centres of expertise, research institutions and State agencies or NGOs, only involving the communities concerned as informants. Under the Convention, however, these activities should be carried out with community participation and consent. EP 4 specifies that this should be characterized by transparent collaboration, dialogue, negotiation and consultation, and contingent upon their free, prior, sustained and informed consent. It is also important that those involved in researching ICH be aware of the potential for gender bias in the design of their research, including in activities of community-based researchers or among the community that is the subject of the research. Documentation of an element in the framework of the implementation of the Convention should take into account variations in its form and function. Possible activities include:

* Documenting ICH elements (with community participation), with a view to safeguarding, awareness raising and capacity building within the community;
* Helping the communities concerned to manage an archive of information about their ICH;
* Encouraging people to document ICH elements associated with their communities, for example by interviewing practitioners and tradition bearers, and to disseminate the resulting information;
* Capacity building among community members to support the documentation process;
* Mobilizing existing documentation and audiovisual recordings for revitalization projects;
* Helping the communities concerned have access to existing archived information about their ICH that has been compiled by others.
* Differences in gender roles vis-a-vis ICH is also in and of itself an important area for research. OD 181(d) specifically encourages fostering scientific studies and research methodologies including those conducted by the communities and groups themselves, aimed at understanding the diversity of gender roles within particular expressions of ICH.
* EP 7 states that the “communities, groups and individuals who create ICH should benefit from the protection of the moral and material interests resulting from such heritage, and particularly from its use, research, documentation, promotion or adaptation by members of the communities or others.”

**Example: Recording music, stories and linguistic material in Papua New Guinea**

In the late 1990s, the Austrian Academy of Sciences in Vienna collaborated with the Institute of Papua New Guinea Studies to make music, stories and other linguistic material recorded in Papua New Guinea in the early 1900s available to institutions and cultural centres in Papua New Guinea today. Public awareness of the availability of the material was promoted through local newspapers and radio stations. Some of the recordings documented ceremonial songs that were no longer performed – either prohibited by missionaries or replaced by ceremonies from neighbouring groups. Today, these traditions are only remembered in a very fragmentary form. Local performance groups are thus using the recordings to stimulate village elders to recall performance practices of their youth, which can then be passed on to younger generations. Without these recorded examples as a starting point, such revitalization efforts would not have been possible.[[2]](#footnote-2)

#### RevitaliZing the practice and transmission of ICH

The communities concerned may be assisted in this task by State agencies, NGOs, experts, centres of expertise and research institutions. Possible activities include:

* Awareness raising within the community concerned about the value of specific ICH elements;
* Encouraging the establishment of community organizations that will promote the safeguarding of their ICH and take steps to safeguard it;
* Analysing (by or with the communities concerned) threats to the viability of their ICH elements, if any (see also EP 10);
* Supporting experienced practitioners to transmit knowledge, skills and values required for the practice and appreciation of ICH elements by others in the community concerned;
* Providing education and training for young community members to ensure that the skills are in place for continued practice of ICH elements in cases where traditional methods of transmission are no longer viable (see also EP 11);
* In cases where traditional modes of transmission are weak, considering whether gender-based attitudes contribute to problems in transmission. This might consist in part of asking how the gender-specific aspects have come about (e.g. father-to-son, mother-to-daughter, etc.), and how, if at all, have they changed over time and why.
* Encouraging traditional contests and competitions, in particular where these were used in the past as vehicles for enacting and transmitting the element;
* Ensuring that the material conditions for continued practice and transmission are met, e.g. through the continued availability of sufficient raw materials, performance spaces or tools (see also EP 5);
* Ensuring funding for safeguarding projects;
* Monitoring the effects of safeguarding measures and development activities on the viability of the elements and taking remedial action if new threats to the viability of the element emerge (see also EP 9).

**Example: Batik cloth dyeing in Indonesia**

‘Batik is a method of cloth dyeing common in Indonesia [; it was] inscribed on the Representative List in 2009. In making batik cloth, craftspeople draw designs on fabric using dots and lines of hot wax, which resists vegetable and other dyes and therefore allows selective colouring of the cloth. Individuals skilled in batik making have been identified with a view to declaring them as National Treasures. In 2008, the Indonesian Batik Community Forum was established to facilitate communication and collaboration among batik community members for its safeguarding.’[[3]](#footnote-3)

The members developed various safeguarding measures: one of them was to ensure that specialized canthing tulis pens and canthing cap stamps were available to make the cloth, as the knowledge of how to make these pens and stamps has now become endangered. The Batik Museum Institute planned to carry out a training programme to teach the making of these tools. Additional information on safeguarding batik, including a short video, is available at: http://www.unesco.org/culture/ich/en/register

9.6 INVOLVING COMMUNITIES CONCERNED IN SAFEGUARDING

This issue of involving the communities concerned in safeguarding is also discussed in Participant’s text Unit 7.

Article 15 of the Convention is clear:

Within the framework of its safeguarding activities of the intangible cultural heritage, each State Party shall endeavour to ensure the *widest possible participation of communities*, *groups and, where appropriate, individuals* that create, maintain and transmit such heritage, and to *involve them actively in its management*. (Emphasis added.)

In particular, the voices of different age and gender groups need to be taken into account. Consideration should be made of how identified gender roles will affect both negotiations between different stakeholders and the design and implementation of successful safeguarding plans on different levels (local, national, and international).

The most promising safeguarding activities are initiated at the community level, by individuals who are concerned about threats to the viability of one or more elements of their ICH and mobilize themselves and others, often without outside support.

The documents of the Asia/Pacific Cultural Centre for UNESCO (ACCU), a Japanese non-profit organization, provide some examples of community-based safeguarding activities (see, for example, http://www.accu.or.jp/ich/en/pdf/2ndworkshop.pdf).

Case study 25 discusses the revitalization and renewed appreciation of a traditional practice, the Sanbasomawashi (New Year’s Performance) in Japan through community participation.

Refer to Participant’s text Unit 7 and Case study 25 and the Ethical Principles.

9.7 SAFEGUARDING MEASURES AND PLANS

Safeguarding measures may be developed for any ICH elements that face threats or risks to their viability, but they have to be developed for elements nominated to the Lists of the Convention (see ODs 1 and 2). Safeguarding measures should, if possible, be presented as a coherent set of measures (i.e. as a safeguarding plan). However, already a single measure can sometimes do wonders.

Where several safeguarding measures are proposed, it may be necessary to prioritize them, as budgets for safeguarding are usually rather limited. However, safeguarding measures are not always expensive to implement. If funds are required to implement them, especially in relation to elements (being) inscribed on the Urgent Safeguarding List, States Parties may seek international assistance under the Convention (discussed further in Participant’s text Unit 12). States may also turn to other States Parties for cooperation, for instance concerning ICH shared between them, or for other forms of assistance, such as documentation or advice.

Safeguarding plans should be assessed for feasibility. It is seldom possible to anticipate all the positive and negative effects of safeguarding interventions. Safeguarding measures should thus be regularly reviewed and assessed, and adapted where necessary, taking into consideration the varying contexts and threats.

Case study 22, discusses the safeguarding measures developed to address threats to the viability of the Ritual ceremony of the Voladores (‘flying men’) in Mexico.

Note on gender-aware safeguarding measures and plans

At this juncture, it is worth highlighting some of the central objectives for a gender-aware safeguarding plan: create better awareness of gender issues among government agencies and experts, and within communities; maximize the potential of ICH to develop wider social, cultural, and economic value of the skills and know-how of marginalized groups; ensure safeguarding measures respect gender equality.

9.8 DEVELOPING SAFEGUARDING MEASURES

Identifying, preparing and implementing successful safeguarding measures for individual elements might cover most if not all of the following actions, not necessarily in the order below:

* Establish who will work together and draw up an initial working plan. If the initiative does not come from within the community, involve community representatives from the start and make sure that they do indeed represent that community;
* Determine the current viability of the element;
* Identify any existing threats to the viability of the element (see also EP 10);
* Identify any future risks to the viability of the element (see also EP 9);
* Identify and evaluate previous and current safeguarding measures (if any);
* Take a gender-responsive approach to safeguarding measures.
* Inform and involve the community concerned, making use of means that are tailored to the occasion. If appropriate, inform other communities (see EP 4);
* Determine the commitment within the community concerned, and outside it, to safeguarding the element;
* If appropriate, identify or create a structure that will coordinate the implementation of the measures – with the involvement of community members;
* Prioritize and cost the safeguarding measures;
* Obtain free, prior and informed consent and, when applicable, sustained consent to the implementation of the safeguarding measures (see EP 4);
* Find resources (human and material) to implement the safeguarding measures;
* Implement the safeguarding measures;
* Monitor and evaluate the impact of the safeguarding measures;
* If necessary, adjust the safeguarding measures (see EP 4).

Case studies 22–27, provide various examples of safeguarding measures developed and/or implemented for elements of ICH; some but not all of these elements are inscribed on a List of the Convention.

1. 1. Frequently referred to as the ‘Intangible Heritage Convention’, the ‘2003 Convention’ and, for the purpose of this unit, simply the ‘Convention’. [↑](#footnote-ref-1)
2. 2. *Intangible Heritage Messenger*, 2007, No. 6, May. <http://unesdoc.unesco.org/images/0015/001506/150671e.pdf> [↑](#footnote-ref-2)
3. . Batik nomination file, UNESCO website. See also L. Lowthorp, 2010, ‘National Intangible Cultural Heritage (ICH) Legislation and initiatives’, UNESCO, New Delhi Office, p. 20. [↑](#footnote-ref-3)