

# THE LOST RING: UNESCO'S WORLD HERITAGE AND INTANGIBLE CULTURAL HERITAGE

**Kayıp Halka: UNESCO Dünya Mirası ve Somut Olmayan Kültürel Miras**

**Prof. Dr. Ahmed SKOUNTI\***

## ABSTRACT

Heritage has become lately a scholarship field with multiple issues. An integral part of human cultures, heritage interests today both the decision maker, the researcher, the public but also the international organizations. UNESCO early felt all the potential of such a field, developing during the last half century, a normative arsenal covering various domains of heritage. These domains are so close that the standard-setting instruments inevitably overlap each other. This is the case of the World heritage and of the Intangible cultural heritage, respectively covered by the 1972 Convention and the 2003 Convention. This paper will consider the links that exist or not between these two conventions. It will try to make a first census of the World heritage List sites where elements of the Intangible cultural heritage Representative List exist and briefly examine the nature of the link between them. It will, finally, consider what can be the modalities of cooperation between the two standard-setting instruments.

### Key Words

World heritage, intangible cultural heritage, the Representative List, the modalities of cooperation

## ÖZ

Miras konusu, son zamanlarda bir çok konuyla birlikte akademik bir tartışma alanı haline gelmiştir. İnsan kültürlerinin tamamlayıcı bir parçası olan miras, günümüzde hem yetkilileri ve araştırmacıları hem de halkı, uluslararası organizasyonları ilgilendirir. UNESCO önceleri bütün potansiyelini, benzer bir alana, son yarım yüzyıl boyunca gelişme gösteren, mirasın çeşitli alanlarını kapsayan kural oluşturan bir cepheye taşımıştır. Bu alanlar birbiriyle öylesine yakından ilişkilidir ki standart belirleyici araçlar kaçınılmaz bir biçimde birbiriyle örtüşür. Sırasıyla 1972 ve 2003 sözleşmeleri aracılığıyla kapsanan Dünya Mirası ve Somut Olmayan Kültürel Miras'ta olduğu gibi. Bu makale, bu iki sözleşme arasında olan ya da olmayan bağları tartışmayı hedeflemektedir. Öncelikle Dünya Mirası Listesi'ndeki somut olmayan kültürel miras unsurlarını da içeren sit alanlarının bir sayımı yapılacak ve ikisi arasındaki bağın doğası incelenecektir. Son olarak iki standart belirleyici araç arasındaki işbirliği biçimlerinin neler olabileceği ortaya konulacaktır.

### Anahtar Kelimeler

Dünya mirası, somut olmayan kültürel miras, Temsili Liste, işbirliği biçimleri

## Introduction

The recent debates on the future of the *Convention concerning the protection of world cultural and natural heritage* have revived the thorny issue of the relationship- among other discussed issues, between tangible and intangible heritage<sup>1</sup>. We know that it had already been mentioned at the same time as the drafting and adoption of this international normative instrument in 1972. A generation - and a few intangible heritage support attempts later, the *Convention for the safeguarding of the intangible*

*cultural heritage* was adopted in 2003. But it quickly appeared that UNESCO's normative action is in the process of producing divisions at odds with the recent developments of human sciences and even with the links between the social sciences and those of nature. It is very probably for this reason that the Istanbul Declaration, adopted in September 2002 at the round table of Ministers of Culture organized by UNESCO and Turkey in Istanbul, underlined the necessity of prevailing "a comprehensive approach to cultural heritage that reflects the dy-

\* Antropolog, Institut national des sciences de l'archéologie et du patrimoine (Rabat), Responsable de l'Antenne de Marrakech, Enseignant à l'Université de Marrakech, ouskounti@gmail.com, ouskounti@yahoo.fr

namic link between tangible and intangible heritage and their profound interdependence”.

It was therefore quite interesting to wonder about the links not only between tangible heritage (here mainly World heritage) and intangible cultural heritage, but even more on cooperation mechanisms to implement between the UNESCO 1972 and 2003 conventions. The comparison between the two normative frameworks will inform on the significance of the universality of considered heritages. It will also help to understand the possible theoretical and methodological convergences that underlie the dual international recognition of a small, but significant, number of World Heritage sites on the one hand and Intangible Cultural Heritage elements on the other hand.

### **I. Nature and culture and heritage**

The world heritage as it is defined by the 1972 Convention is the culmination of a long conservation movement of major testimonies of the past, the so called movement itself derived from the European Renaissance, the Athens Charter (1931), the Venice Charter (1965) on the one hand and a parallel movement of conservation of nature and its wonders on the other hand. This is the reason why the name of the World Heritage Convention attached the “cultural” and the “natural” in one single expression and document. With regard specifically to the cultural heritage, some even see in “the famous list of the Seven Wonders of the World developed during the middle of the second century B.C.” at the very origin of the 1972 Convention (Van Hoof 2006: 30). It should be noted that the editors of the document put the “cultural” before the “natural”, showing the

primacy of the first over the second, i.e. the primacy of the work of humankind on that of nature<sup>2</sup>. One can even say that in recognizing nature as such from the human point of view, the editors make out of it a «cultural category»- what it really is, in the philosophical sense, as for the name it's now been given. But as it has very often been emphasized in the critical comments of this text, one must recognize the editors' perceptiveness in having brought together into a single normative document both natural and cultural tangible heritage aspects (Smith & Akagawa 2008: 1).

The articles 1 and 2 of the Convention give both of them a definition in the order earlier adopted, «cultural heritage» and «natural heritage». The first includes:

“- Monuments: architectural works, works of monumental sculpture and painting, elements or structures of an archaeological nature, inscriptions, cave dwellings and combinations of features, which are of outstanding universal value from the point of view of history, art or science;

- Groups of buildings: groups of separate or connected buildings which, because of their architecture, their homogeneity or their place in the landscape, are of outstanding universal value from the point of view of history, art or science;

- Sites: works of man or the combined works of nature and of man, and areas including archaeological sites which are of outstanding universal value from the historical, aesthetic, ethnological or anthropological points of view” (article 1).

This last category is interesting in that it makes the link between culture and nature. It gave birth to two site sub-categories: mixed sites, both cultural and

natural on the one hand and cultural landscapes on the other hand. It probably explains the two lines that, in the emblem of the convention, connect the nature's circle to the culture's square<sup>3</sup>.

It is instructive here to address this completeness of nature symbolized by the circle and the obliterated aspect of culture represented by the square. But this completeness of nature and incompleteness of culture wanted by the artist who has designed the emblem contrasts with the predominance of the cultural over the natural during the last three decades of the implementation of the convention<sup>4</sup>. On the contrary, the nature seems sufficient to itself since the definition of the natural heritage comprises three categories as follows:

- Natural features consisting of physical and biological formations or groups of such formations, which are of outstanding universal value from the aesthetic or scientific point of view;

- Geological and physiographical formations and precisely delineated areas which constitute the habitat of threatened species of animals and plants of outstanding universal value from the point of view of science or conservation;

- Natural sites or precisely delineated natural areas of outstanding universal value from the point of view of science, conservation or natural beauty" (Article 2).

No reference is made here to culture neither to the link between it and nature as defined by article 2.

This therefore led to a restrictive definition of heritage reflecting the state of knowledge at that time as well as a topologic methodological approach. Because in its cultural pane, it excludes deliberately "movable heritage" and what will later on be called "intangible heritage". The former is taken into account in

the case of objects directly linked to a site such as statues or other movable goods deposited and/or exposed in a site museum for example. Their connection with the cultural property is not just of spatial order but they relate directly with in the way they downgrade the meaning of the site and reduce the values for which it was inscribed in case of disappearance or degradation. When it is real heritage property likely to become movable, the nomination for inscription on the list is simply not taken into consideration<sup>5</sup>. Movable heritage, considered as falling within museums, has not been covered by this convention. Other programmes of UNESCO and the International Council of Museums (ICOM) are dedicated to it. Furthermore, it is directly concerned by the global phenomenon of trafficking in cultural property covered by specific international legal instruments<sup>6</sup>.

As for the intangible heritage, this designation was not yet in use at that time and this part of the cultural heritage was called 'traditional culture', 'popular culture', 'folklore', among others. As for the natural pane, a tenuous connection has been established here also between tangible cultural heritage and intangible cultural heritage. It is contained in the criterion (vi) which reads as follows:

"Be directly or tangibly associated with events or living traditions, with ideas, or with beliefs, with artistic and literary works of outstanding universal significance. (The Committee considers that this criterion should preferably be used in conjunction with other criteria)"<sup>7</sup>.

This last detail between brackets is very symptomatic of the reluctance with which the Committee considers the intangible dimension of the tangible heritage. It shows that even if the Committee recognizes to a nominated site this

quality of association with intangible elements, it retains much of considering them as the nodal value for its inscription on the list. It is for this reason that this criterion is not always applied, even where it is the more expected. It was retained in 1999 for the inscription of Robben Island in South Africa to underline the “triumph of the human spirit of freedom and democracy on oppression”, in reference to the fight against apartheid, symbolized by Nelson Mandela and his companions. These human values now universal are associated with the prison which was built on this island and, as such, they participate to the inscription and enhance its importance. However, criterion (vi) had not been applied to the inscription of Taj Mahal, India, in 1983, although this masterpiece of architecture symbolizes to the highest point the idea of love. It had been raised by the Mughal Emperor Shah Jahan in Agra in the middle of the 17<sup>th</sup> century in memory of his favorite wife. Some years earlier, the criterion (vi) had not been retained for the inscription of Prehistoric sites and decorated caves of the Vézère Valley in 1979, including the cave of Lascaux, in France, internationally known for its contribution to the knowledge of rock art and human artistic activity in general. However, despite the warning mentioned above between brackets criterion (vi) was used *alone* for the inscription in 1978 of Gorée Island in Senegal, in remembrance of the slave trade place it played between the 15<sup>th</sup> and the 19<sup>th</sup> centuries.

The intangible dimension of cultural heritage was therefore a complex issue of the implementation process of the 1972 Convention. Sometimes invoked and recognized, others feared and put between brackets, it seems to crystallize somehow this apprehension towards the *intangible* pointed out earlier. What is

then about the shift from the normative action on the tangible heritage to that on the intangible one? How does the *Convention for the safeguarding of the intangible cultural heritage* of 2003 deal with the intangible compared with that World heritage Convention of which I have just pointed out some key-issues regarding this question?

## II. The 1972 and 2003 conventions in the text: similarities and differences

In a previous text (Skounti 2008), I traced the pathways leading to the development and adoption of the 2003 Convention<sup>8</sup>. Let us remember in the outline. The identification and definition and recognition of the intangible cultural heritage have been hesitant, groping about, relatively long and laborious all together. Up to its name, this legacy was not only elusive but, first of all, difficult to identify. In many countries, long used notions or which are still used today as «folklore», «popular culture», «traditional culture», «oral heritage» or «popular heritage», among others, neither authorized a better identification of this heritage nor helped to reach a consensus on a commonly accepted name. The anthropology has challenged controversial concepts such as «tradition» and «popular». The first is the subject of suspicion since the very famous book of Eric Hobsbawm and Terence Ranger (1983) on the invention of the tradition. The second is criticized as Pierre Bourdieu (1997) does for the hierarchy it implies between the elite's cultural productions and the cultural productions of the larger society<sup>9</sup>.

But the first pre-normative attempts of UNESCO in this field have borrowed their lexical material from the semantic fields of that time. This is how the UNESCO *Recommendation for the*

*safeguarding of traditional culture and folklore* was born in 1989 and in which we find the two concepts of “tradition” and “popular”, today criticized to a large extent. Non-binding for UNESCO member States and above all not having been subject of any significant debate as any worthy international document does, the text remained at the very status of a recommendation. At the same time, a number of organizations who have developed programs and activities at the national or regional level aimed to support the intangible cultural heritage that remained outside of the normative action of UNESCO, at the opposite of its tangible component. These organizations include the Asia Pacific Cultural Center for UNESCO (ACCU) in Japan and the Smithsonian Center for Folklife Culture and Cultural Heritage in the United States. Japan was pioneer in having set up a living human treasures system recognized and recommended by UNESCO to its member States as early as 1993. Well before the clear identification of the richness and diversity of the intangible cultural heritage, this system allowed the recognition of bearers of knowledge and/or know-how to bring them to its/their transmission to young people.

Later on, between 1997 and 1999 the *Proclamation program for Masterpieces of the oral and intangible heritage of humanity* was progressively set up by UNESCO. It will have had the merit of clearing a bushy land even to attract criticism for the problematic and controversial concept of “masterpiece” and for its non-binding character for member States<sup>10</sup>. The Masterpieces program will also have had the merit of initiating UNESCO’s concrete action in a series of three successive proclamations (2001, 2003 and 2005) of a total set of 90 items that the transitional provisions of the

2003 Convention integrated *ipso facto* to the all-new *Representative list of the intangible cultural heritage*<sup>11</sup>. A series of experts and intergovernmental experts meetings have been organized by UNESCO at the early 2000 years to draft the project of the 2003 Convention<sup>12</sup>. During these meetings, the spirit of the 1972 World Heritage Convention prevailed on the sometimes stormy debates of intergovernmental meetings of 2002-2003, because a good many of the delegates were also familiar with the latter (Skounti 2008: 82). That is why a comparison of the two texts may be interesting for the search of similarities and differences likely to make possible the reflection on the possibilities of coordination between the two conventions. I will underline the following salient points:

**1. Distinction versus equality:**

the central concept in the world heritage recognition is contained in the expression ‘Universal Outstanding Value’ (OUV). It is defined as: “cultural and/or natural importance so exceptional that it transcends national borders and that it presents the same invaluable character for present generations and future of all humanity”<sup>13</sup>. Nothing alike in the 2003 Convention which, if it had not abandoned the notion of «masterpiece», would have found in it an excellent parallel to that of the OUV. It preferred the neutral and unpretentious concept of «intangible cultural heritage». Where the comparison seems interesting to sketch the ties existing between the two conventions are the notions of «protection» used for the world heritage and «safeguarding» for the intangible cultural heritage. For the first, it means protecting heritage in the true sense, either from natural factors that threaten it or from anthropogenic ones that encroach on sites sometimes up to weigh dangerously on the values for

which they were inscribed on the World Heritage list (including climate change which give rise to an abundant literature in the last years). For the second, the inadequacy of the notion of protection for intangible heritage has reasonably justified the consensus on the concept of safeguarding since humans are here considered, including their conscience both with some freedom to act and reflect on their action. There is no possibility to protect an intangible heritage that has reached its limits if it's not invested with new functions that can insure a second life to it. Therefore, the protection as the ultimate action means archiving and documenting by all possible means (descriptions, inventories, iconography, audiovisual, etc.) an item condemned to disappear. Where the World Heritage has introduced legal protection delimited with buffer zones perfectly drawn on maps and plans, the safeguarding of the Intangible Cultural Heritage relies on individuals, groups and communities to ensure the transmission of their knowledge and/or skills to the younger generations so as to perpetuate the practice. But the transmission can hardly ensure the sincere and falsely neutral passage of the same; on the contrary, it acts on the form and content, adapting itself to new conditions, following a complex process the drafters of the 2003 Convention designated as «re-creation»<sup>14</sup>.

**2. The lists:** Another issue where the comparison seems instructive is represented by the lists under both conventions. If the principle of the list has been widely accepted in the process of the preparation of the 1972 Convention in which it occupies a central place<sup>15</sup>, it has not been similar in the case of the 2003 Convention. The principle of the establishment of a list has even been considered “the most controversial question

in the negotiation” of the draft of this Convention in 2002-2003 (Hafstein 2008: 93). But, while the World Heritage List and the World Heritage List in Danger are directly connected to one another, the two lists under the 2003 Convention, namely the List of the intangible cultural heritage in need of urgent safeguarding and the Representative List of the intangible cultural heritage are independent one from the other<sup>16</sup>. Indeed, a world heritage site listed endangered is *de facto* already<sup>17</sup> inscribed on the World Heritage List. Its inclusion in the list in danger is consecutive later on to a degradation that occurred after its recognition by the international community. Further on, the representation, i.e. the visibility, is put forward in the case of the World Heritage while the safeguarding is put forward in the case of the Intangible Cultural Heritage. The order of the lists in each of the two conventions is clear enough in this context. Aiming to make central the safeguarding, the 2003 Convention emphasizes the urgency of taking over an item of the intangible cultural heritage at risk on the «showcase» (the term has been used during the drafting debates) that is the Representative List which includes “healthy items” (terms were also used). On another hand, upstream of the implementation of both conventions, another question deserves to be highlighted here. It's related to the national inventories of heritage. The 1972 Convention requires States parties to submit to the World Heritage Committee a tentative list of cultural and natural sites they plan to submit for inscription in the future. No limitation is imposed in this exercise even if a form is provided to assist States parties in their work. In the case of the 2003 Convention, it is requested from States parties to undertake one or more inventories that will



form the basis of the nominations they will aim to submit in the future<sup>18</sup>. The achievement of national inventories is a major challenge of the implementation of this convention, both for States parties and for UNESCO. It is made even more complex by the need for many States to reconsider their relationships with the local communities' bearers of the heritage and with the NGOs who sometimes work in this field.

**3. Involvement and participation of the communities:** as far as the 1972 Convention is concerned, the State party is the central point of contact for its implementation in practice. Taking into account neighboring or national communities occurred late enough in this process. The current version of the *Operational Guidelines* of the Convention amended in 2008 includes "local communities" as one of the partners of the management process of a natural or cultural site. These are defined as follows: "Partners in the protection and conservation of World Heritage can be those individuals and other stakeholders, especially local communities, governmental, nongovernmental and private organizations and owners who have an interest and involvement in the conservation and management of a World Heritage property"<sup>19</sup>. In paragraph 12 of the same document, the Committee encourages States parties to ensure the participation of stakeholders, including the "local communities". If, as it appears, local communities which are directly or indirectly related to the world heritage site are taken into account in the text of the *Operational Guidelines*, it is up to the State party to involve them or not in the management of the property. The situations are clearly very various, but the State party remains the real management player through its public insti-

tutions. When the partial or total property of the community on the site is duly attested and recognized, the State party shall obviously need to associate it, in one form or another, to the management of the property in question. But when the property has a different property regime (collective, public domain of the State, etc.), participation, if it exists, can take any shape. Add to this the verb "encourage" used by the Committee, it becomes obvious that the relation to communities is ultimately an internal question left to the free assessment of the States parties.

Things are quite different in the 2003 Convention. It emphasizes the involvement of "communities, groups and individuals" in the process of its implementation by States parties. Article 15 of the Convention is fully dedicated to this question: "Within the framework of its safeguarding activities of the intangible cultural heritage, each State Party shall endeavor 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"<sup>20</sup> (My emphasis). The very nature of intangible cultural heritage is such that the convention itself is based on people forming communities, groups or individuals who are its legal stakeholders. Janet Blake (2008) has devoted a comprehensive study to the question of the participation of communities<sup>21</sup>, showing the appearances of this issue in the normative documents of UNESCO on the intangible heritage and highlighting its legal implications. She insists on the fact that the safeguarding action must rely on the collaboration of the cultural communities and their members. States and Government institutions should adopt new forms of action in the cultural

heritage domain that were previously unknown for them and are difficult to implement. They are particularly called upon to abandon the administrative action based on the decisions taken and applied from top to bottom in view of the prominence of fact that the cultural communities are now employed in management and decision-making in fields related to the intangible cultural heritage. They have thus become great actors with which governmental institutions must build partnerships (Blake 2008: 65-66).

**4. Sources of expertise and consultation:** another point of divergence between the two conventions is related to the necessary expertise the two committees are constantly in need of in the course of their work. The 1972 Convention chose three advisory organizations to assist in the review of nominations for the inscription of natural, cultural or mixed sites that are submitted by the States parties, namely: the International Centre for the Study of Preservation and Restoration of cultural property (ICCROM), the International Council of Monuments and Sites (ICOMOS) and the International Union for the Conservation of Nature (IUCN)<sup>22</sup>. These three advisory bodies also assist the Committee in examining the state of conservation of inscribed properties, in activities of monitoring, the definition and implementation of international assistance for the sites, in training and awareness-raising and capacity building of the staff responsible for the management of sites, etc. In the case of the 2003 Convention, the process of the definition of the sources of expertise likely to insure support to the Committee of the intangible cultural heritage in the exercise of its functions is different. It should be recalled here that during the drafting of this convention, some delegates of Governments have

openly criticized the example of the 1972 Convention in which, they argued - the three advisory bodies listed above have acquired a real power whereas their recommendations are, in the texts, perfectly advisory. This argument was therefore invoked to appeal to an enlarged consultation, involving as many experts, centers of expertise, non-governmental organizations and research centers around the world. In fact, beyond the parallel established with the 1972 Convention, the question of the evaluation of the candidatures of intangible cultural heritage is much more complex and difficult to entrust the task to a permanent limited number of advisory organizations. Unlike World heritage where one abundant literature exists on conservation, issues of restoration and protection of material cultural and natural heritage, the intangible cultural heritage suffers from a critical deficit in this area. Moreover, the diversity of the intangible cultural heritage around the world is of a such wealth, the particularities of a such variety, the specificities of a such contrast that it would be pointless to find a reduced number of centers of expertise (individual or collective) capable (or even prepared to) ensure such work. An average solution has therefore been put in place to deal with the proposals from States parties: (i) for applications to the Representative list of intangible cultural heritage, the Committee shall set up a subsidiary body to make recommendations about the inclusion or not of the nominated elements ; (ii) for the nominations to the List of intangible cultural heritage in need of urgent safeguarding and the Programmes, Projects and Activities for the safeguarding of intangible cultural heritage considered to best reflect the principles and objectives of the Convention (article 18), the Committee



regularly accredits a number of advisory organizations, ensuring that a fair geographic distribution is met (paragraph 90 of the *Operational Directives*), that they have a term of four years (paragraph 91) and that the Committee can decide the termination or suspension of cooperation with them (paragraph 92).

It is right obvious that points of divergence abound in between the two conventions. They are attributable to two factors which seem to me important: (i) a factor of time: the 2003 Convention benefited from the experience of the 1972 Convention, mainly in avoiding obstacles the latter has faced during three decades of implementation; and (ii) a thematic factor: the difference in nature of the living character of the intangible cultural heritage has necessitated an in-depth work of reflection that would not only put up a normative framework for a “new” domain of heritage with withdrawing “previous provisions” that have been successful in the management of the world heritage - but innovate with an original normative instrument which will be more appropriate and closer to the specificity of the intangible.

### **III. Sites of the World Heritage and Intangible Cultural Heritage elements: What links?**

The separation made between tangible and intangible heritage is, everyone would agree, perfectly methodological. These are, in fact, the two slopes of the same thing. These are constructions of the human mind identified today, thanks to new nominal classes, and more and more translated in national and local languages around the world. It is perhaps for this reason that the two conventions, aware of the thickness and width of this field of knowledge and action that is heritage, delimit in a conven-

tionally way one domain that suits each of them. The formula was any found and it is the same in the two texts: “for the purposes of this convention...”<sup>23</sup>. This is the reason why there is sometimes a juxtaposition of world cultural heritage and international recognition. In or nearby a cultural site inscribed on the World Heritage List, an element of the intangible cultural heritage was recognized (as far as the 90 items that had been proclaimed Masterpieces of the oral and intangible heritage of humanity and which have been integrated in 2008 to the Representative list of intangible cultural heritage are concerned)<sup>24</sup>. It would be interesting to draw one first and brief overview of this superposition before putting some questions about its interconnection arrangements.

As we can see in the review of this table, 16 States parties, 19 World Heritage sites and 18 intangible cultural heritage elements are here concerned. A thorough field work will be able to show the links that exist or do not exist between the two categories. It is, however, clear that the situations are different from one country to another and from one form of heritage to another. The nature of the link or links which unite or do not unite a world heritage site to an item of the intangible cultural heritage are not necessarily of the same order. This can be in some cases a simple spatial cohabitation and in others a very strong cultural link. It can only be attributable to periods tiling different histories between one and the other and sometimes a less tenuous link, in any case certified and recognized.

Moreover, the link poses a problem of definition: the fact that the Al-Sirah Al-Hilaliyyah Epic occurs in many places of Cairo on some occasions, is it sufficient to establish a strong link between the item and the Old City of Cairo? Is it rooted or recent? Do the values of the world

State(s)	World Heritage Site	Element of the Representative list of intangible cultural heritage
Belgium/ France	Belfries of Belgium and France	-Carnival of Binche (Belgium) -The Dragons and giant Processionnels Belgium and France (Belgium and France)
Cambodia	Angkor	-Royal ballet from Cambodia -Sbek Thom, khmer shadow theatre
China	Classical gardens of Suzhou	Kun Qu Opera
Cuba	- Old Havana and its fortifications -Trinidad and the Valley de Los Ingenios - Urban Historic Centre of Cienfuegos - Historic Centre of Camagüey	Francesca Tumba
Egypt	Historic Cairo	The Epopée Al-Sirah Al-Hilaliyyah
Spain	Palmeral of Elche	The mystery of Elche
Italy	Late Baroque Towns of the Val di Noto (South-eastern Sicily)	Theatre of Sicilian puppet Opera Dei Pupi
Japan	- Historic Monuments of ancient Kyoto - Historic Monuments of Ancient Nara	-Theatre Kabuki -Theatre Nōgaku -Theatre of Ningyo Johruri Bunraku puppets
Jordan	Petra	Space cultural Bedu Petra and Wadi Rum
Estonia Latvia Lithuania	-Historic Centre of Tallinn -Historic Centre of Riga -Historic Centre of Vilnius	The Baltic Song and Dance Celebrations
Morocco	Medina of Marrakech	The Cultural Space of Jemaâ El Fna Square
Turkey	Historic Areas of Istanbul	-The Mevlevi Sema Ceremony -The Arts of the Meddah, Public Storytellers
Yemen	Old City of Sana'a	The Song of Sana'a

heritage site find an extension in this form of cultural expression? The same questions arise concerning the sites and the elements of France and Belgium, Japan, Jordan, Cuba, China, and the three Baltic Republics (Estonia, Latvia, and Lithuania), Turkey and Yemen. There where the links appear perfectly well established, identified and recognized is represented by the three remaining countries according to the available data at the present time.

Three different situations can be described:

- In Cambodia: the Royal Ballet of Cambodia is “closely related to the khmer Court for over a thousand years”<sup>25</sup>. The Ramayana, “great epic poem to the glory of Rama that praises justice and truth is very present in the Kingdom of Cambodia”. Singed on various occasions in many places around the country, it includes scenic arts such as mime, dramatic representation, dance and choreography (Princess Norodom Buppha Devi 2002). More generally, “the Royal Ballet presents the most dra-

matic scenes of Ramakerti, which remain centered on the character of Rama, his struggles, his final triumph and his coronation as well as his wife Sita, living misfortunes and betrayals before her virtue is recognized... Its success, never denied by the public for centuries in Angkor, illustrates the wealth of khmer cultural heritage and the indissoluble link between its two components, tangible and intangible". It is interesting to meet here the close link that unites the site of Angkor that has archaeological remains from different capitals of the khmer empire between the 9th and the 15th century on the one hand and the royal ballet of Cambodia on the other hand.

- In Spain: the Elche Mystery (Misteri of Elx in Catalan) is a representation through "a musical sacred drama about death, of the assumption and the crowning of the Virgin Mary. It is represented since the mid-15th century in the St. Mary's Basilica and the streets of the old town of Elche, in the region of Valencia"<sup>26</sup>. Here, the relationship between the element of the intangible cultural heritage and the heritage site world is perfectly well established. As Joan Reguant confirmed in an electronic exchange, the link "is direct, both of spacial character and historical and cultural one; I will even add, strongly of 'identity'"<sup>27</sup>. If the Palm is a tangible symbol of the city, the mystery is its intangible symbol.

- In Morocco: the Jemaâ El Fna Square is a place in the centre of the Medina, the old city of Marrakech. Not only it has a tight link with the Medina but it is its epicenter, its beating heart (Skounti & Tebbaa 2006). It constitutes a genuine area of integration which crystallizes cultural and linguistic features that highly contributed to build the identity of the city. In the same way as for other historical monuments, the place is

under legal protection since 1922. At the time of the inscription of the Medina of Marrakech on the World Heritage list in 1985, it is recognized as a central space in the city. The link between the site and the intangible heritage is right clear and the protecting measures have to join the two components in any safeguarding programme.

It clearly appears from these three examples that it is quite important to undertake a comprehensive study of the sites and the elements contained in the above table (and other unidentified here) to better look at the links that exist or not between world heritage sites and elements of intangible cultural heritage. When those links are perfectly well identified, it would be quite instructive to study the values for which World Heritage sites were inscribed in relationship with those of the intangible elements under the 2003 Convention. The ultimate objective will be the opening of the two conventions to each other and enhancing cooperation between them, cooperation built on a solid foundation both theoretical and legal, cooperation based on the concrete links that unite the sites and the elements. This would offer opportunities of putting together financial, legal and institutional resources both for the protection of the world heritage sites and the intangible cultural heritage sites concerned.

### **Conclusion**

Operated separation between the different heritage components under the leadership of UNESCO since several decades meets the pressing need to identify and safeguard natural and cultural heritage of humanity both on the national and international level. Unprecedented changes in the history of human societies since more than a century have necessitated this effort of inventorying, preservation and revitalization. It was

yet recognized that this separation between tangible and intangible heritage is nothing but methodological. Normative instruments and institutional and financial mechanisms therefore appear sometimes as limits or obstacles in the process of the protection and safeguarding of components of the cultural heritage of humanity. This is why a reflection must be undertaken in order to establish bridges between conventions implemented by UNESCO in the field of culture and heritage. Not only the two conventions of 1972 and 2003 briefly connected in the present paper but also the 2001 convention on underwater cultural heritage and the 2005 convention on the diversity of cultural expressions. Cross-cutting programs of concrete partnership between these instruments or some of them will surely help tag field cooperation. As far as the conventions of 1972 and 2003 are concerned, studies more in-depth of existing links or to raise between world heritage sites and elements of the intangible cultural heritage with which they coexist may provide some guidance in this direction and promote greater protection of the first and an efficient safeguarding of latter.

#### NOTES

- 1 A meeting on the future of the 1972 World Heritage Convention was organized by UNESCO in Paris on February 25th-27th 2009. The present paper has been finished before the discussion by the World Heritage Committee 34th session held in Brasilia, Brazil, (July 25th – August 3rd) of a document on the link between the World Heritage Convention and other conventions in the cultural field. It yet intends to contribute to that important debate.
- 2 A Western European conception of cultural heritage has been, moreover, largely preponderant in the implementation of the Convention, especially during its first two decades. See in particular: Cleere (2001) and Sullivan (2004).
- 3 If we could speculate on the World Heritage emblem, the image of fertility significantly suggested by the uterine shape is quite striking.
- 4 The World Heritage list includes as of June 2010, 890 properties inscribed with 689 cultural properties, 176 natural sites and 25 mixed properties, distributed in 148 States parties. See the World Heritage website on the UNESCO Portal : <http://whc.unesco.org>.
- 5 UNESCO, Operational Guidelines of the Convention concerning the protection of the World Heritage, cultural and natural, 2008, paragraph 48.
- 6 In particular: the Convention for the protection of cultural property in the event of armed conflict called The 1954 Hague Convention (including its two protocols of 1954 and 1999); the Convention concerning measures to prohibiting and preventing illicit import, export and transfer of ownership cultural property 1970; Unidroit convention on cultural properties stolen or illicitly exported of 1995.
- 7 UNESCO, Operational Guidelines..., op.cit. Paragraphs 77–78.
- 8 See also the comprehensive contributions in the same volume of Aikawa-Faure (2008:13-44) Blake (2008: 45-73) and Hafstein (2008: 93-111).
- 9 Bourdieu, Pierre (1997 : 91-92) writes : « Le culte de la culture populaire n'est, bien souvent, qu'une inversion verbale et sans effet, donc faussement révolutionnaire, du racisme de classe qui réduit les pratiques populaires à la barbarie ou à la vulgarité. »
- 10 See Skounti (2008 : 80-82). The programmatic reflection is therefore launched: see in particular Blake (2002).
- 11 UNESCO, Convention for the Safeguarding of the intangible cultural heritage, 2003, Chapter VIII, section 31.
- 12 UNESCO, Intangible Heritage, Special No., Museum International, no 221-222, Paris, 2004, mainly including the contributions of Aikawa and Bedjaoui.
- 13 World heritage Committee, Operational Guidelines..., op. cit., paragraph 49.
- 14 UNESCO, Convention for the safeguarding of the intangible cultural heritage, article 2.1.
- 15 This is the point of the agenda of each annual session of the World heritage Committee that is related to the establishment of the World Heritage list and at the same time provides high visibility to the 1972 Convention. Inscribed sites during each session of the Committee are announced during a press conference, immediately relayed by international and national media and instantly by the UNESCO Internet portal.
- 16 Even though the passage of an element from one list to the other is quite feasible, its candidature must be a new nomination for inscription and has to satisfy the criteria required for that list. See Intangible Cultural Heritage Committee , Operational Directives for the im-

- plementation of the Convention for the safeguarding of the Intangible cultural heritage, 2008, Paragraph 30.
- 17 In very rare cases, it is registered at the same time on both lists as was the case, for example, of the Cultural landscape and archaeological remains of the Valley of Bamiyan in Afghanistan in 2003.
- 18 UNESCO, 2003, Convention for the Safeguarding..., op.cit., article 12.
- 19 World heritage Committee, 2008, Operational Guidelines ..., op. cit., paragraph 40 (but also paragraphs 12, 64, 90, 123 and the annexes 3 and 4 attached to this text).
- 20 UNESCO, 2003, Convention for the Safeguarding..., op. cit., art. 15.
- 21 This issue, very central to the 2003 Convention, was studied by an expert meeting held in Tokyo, Japan, on 13th -15th March 2006 to which I took part myself. See the report of this meeting on: [http://www.unesco.org/culture/ich/index.php?lg=FR&meeting\\_id=00015#meet\\_00015](http://www.unesco.org/culture/ich/index.php?lg=FR&meeting_id=00015#meet_00015).
- 22 UNESCO, 1972, Convention concerning the protection of world heritage..., op.cit., art. 8.3.
- 23 UNESCO, 1972, Convention concerning the protection..., op.cit., art. 1 ; UNESCO, 2003, Convention for the safeguarding..., op.cit., art. 2.
- 24 This paper didn't take into account the elements added to the Representative list of intangible cultural heritage and to the List of the intangible cultural heritage in need of urgent safeguarding by Committee of the cultural intangible heritage at its 4th session held in Abu Dhabi, United Arab Emirates, from September 28th to October 2nd 2009.
- 25 See the website of the intangible cultural heritage on the UNESCO portal: <http://www.unesco.org/culture/ich/>.
- 26 See : <http://www.unesco.org/culture/ich/index.php?RL=77>.
- 27 Electronic exchange with M. Joan Reguant, intangible cultural heritage expert and member of the Mediterranean Diet Foundation, Barcelona, on May 19th 2009.

#### Bibliography:

- Aikawa-Faure, Noriko, « Panorama historique de la préparation de la Convention internationale pour la sauvegarde du patrimoine culturel immatériel de l'UNESCO » in UNESCO, Intangible Heritage, n°spécial, *Museum International*, n° 221-222, Paris, 2004.
- Aikawa-Faure, Noriko, "From the proclamation of Masterpieces to the Convention of Safeguarding of Intangible Cultural Heritage", Laurajane Smith & Natsuko Akagawa, eds., *Intangible Heritage*, London, Routledge, 2008: 13-44.
- Bedjaoui, Mohammed, « La Convention portant sauvegarde du patrimoine culturel immatériel: un cadre juridique et des principes universel-

lement connus » in UNESCO, Intangible Heritage, n°spécial, *Museum International*, n° 221-222, Paris, 2004.

Blake, Janet, "UNESCO's 2003 Convention of Safeguarding of Intangible Cultural Heritage : the implications of community involvement", Laurajane Smith & Natsuko Akagawa, eds., *Intangible Heritage*, London, Routledge, 2008: 45-73.

Blake, Janet, *Elaboration d'un nouvel instrument normatif pour la sauvegarde du patrimoine culturel immatériel. Eléments de réflexion*, Paris, Publications de l'UNESCO, édition révisée, 2002.

Bourdieu, Pierre, *Méditations pascaliennes*, Paris, Seuil, 1997.

Buppha Devi, S.A.R. la princesse Norodom, 'Le festival Ramayana, patrimoine immatériel d'Angkor', *Museum International*, n°213-214, Spécial Angkor, Paris, Editions de l'UNESCO, 2002.

Cleere, Henry, "The uneasy bedfellows: universality and cultural heritage", in R. Layton, G. Stone and J. Thomas, eds., *Destruction and Conservation of Cultural Property*, London, Routledge, 2001.

Comité du patrimoine mondial, *Orientations devant guider la mise en œuvre de la Convention du patrimoine mondial*, UNESCO, version de février 2008.

Hafstein, Valdimar Tr., "Intangible Heritage as a List: From masterpieces to representation", Laurajane Smith & Natsuko Akagawa, eds., *Intangible Heritage*, London, Routledge, 2008: 93-111.

Hobsbawm, Eric J. et Terence Ranger, éd., *L'Invention de la Tradition*, tr. fr. (original publié en 1983), Paris, éd. Amsterdam, 2006.

Skounti, A., "The Authentic Illusion. The intangible Cultural Heritage of Humanity. The Moroccan Experience", in Laurajane Smith & Natsuko Akagawa, eds., *Intangible Heritage*, London, Routledge, 2008: 74-92.

Skounti, Ahmed & Ouidad Tebbaa, *La Place Jemaâ El Fna, patrimoine culturel immatériel de Marrakech, du Maroc et de l'humanité*, Rabat, Bureau de l'UNESCO, 2006.

Smith, Laurajane & Natsuko Akagawa, eds., *Intangible Heritage*, London, Routledge, 2008.

Sullivan, S., "Local involvement and traditional practices in the World Heritage", in E. de Merode, R. Smeets and C. Westrik, eds., *Linking Universal and Local Values: Managing a Sustainable Future for World Heritage*, Paris: World Heritage Centre, 2004: 49-55.

UNESCO, *Convention concernant la protection du patrimoine mondial, culturel et naturel*, 1972.

UNESCO, *Convention pour la sauvegarde du patrimoine culturel immatériel*, 2003.

Van Hoof, Herman, eds., *Le patrimoine culturel des Caraïbes et la Convention du patrimoine mondial. The Cultural Heritage of the Caribbean and the World Heritage Convention*, Paris, Editions du Comité des Travaux historiques et scientifiques, 2006, p. 30.