Expert Meeting on Community Involvement in Safeguarding Intangible Cultural Heritage: Towards the Implementation of the 2003 Convention

13-15 March 2006, Tokyo, Japan

REPORT

Organisers
United Nations Educational, Scientific and Cultural Organisation (UNESCO)
Asia/Pacific Cultural Centre for UNESCO (ACCU)
1. INTRODUCTION

Twenty experts from eighteen countries attended the meeting, which was co-organised by the Intangible Heritage Section of UNESCO and the Asia/Pacific Cultural Centre for UNESCO (ACCU). They discussed in three successive sessions three subjects concerning community involvement in safeguarding intangible cultural heritage (ICH):

- the definition and identification of communities and groups,
- the involvement of communities in inventorying their ICH, and
- the involvement of communities in preparing nominations to the Representative List.

The need to involve communities, groups and, sometimes, individuals in safeguarding their intangible cultural heritage is based on several articles of the Convention:

- article 2.1 requiring the recognition of the ICH by the communities, groups, and when appropriate, individuals;
- article 11 requiring their participation in identifying and defining their ICH;
- article 12 linking the identification and the inventorying of ICH;
- article 13 encouraging States Parties to ensure access to ICH while respecting customary practices;
- article 15 calling upon States Parties to ensure the widest possible participation of communities, groups and, when appropriate, individuals in safeguarding their intangible cultural heritage.

The fourth session was dedicated to international cooperation, in particular at the regional level.

The meeting was chaired by Mr Smeets, chief of the Intangible Heritage Section of UNESCO, and Mr Kono, professor of the Kyushu University in Japan. Mr Arantes, professor at the State University of Campinas, Brazil, was elected as rapporteur. Before the meeting, the experts had been asked to provide the organisers with short written contributions on the subjects of the meeting, which were distributed among them and included in the meeting’s proceedings.

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1 A list of participants is attached to this report in annex 2.
The debate of each of the sessions was briefly introduced by one or two experts. After each session, a small group of experts was asked to prepare recommendations to be discussed in the final debate. For each session the drafting group had a different composition. The presentations for launching the debates were given by Ms Diana Biard N’Diaye and Ms Margaret Florey (1st session), Ms Harriet Deacon and Mr Ahmed Skounti (session II), and Ms Kristin Kuutma and Mr Philippe la Hausse de Lalouvière (session 3); the following experts formed part of the groups that prepared the draft recommendations and conclusions: Ms Janet Blake, Mr Garrett Kam, Ms Kim Lawson, Mr Thabo Manetsi, Mr Adam Nayyar, Ms Faustina K. Rehuher, Mr Vellorimo Suminguit and Mr G. Venu. Their conclusions and recommendations were further developed and adopted during a collective editing session on the last day of the meeting. They are attached to this report as annex 1.

All the debates took into account that:

- ICH safeguarding is to focus on practices and processes rather than on products,
- the practitioners and custodians of ICH must play a central role in safeguarding measures,
- the Convention allows for different manners of inventorying ICH,
- active collaboration is needed between different stakeholders,
- top-down and bottom-up approaches are equally indispensable for designing and implementing measures at the national and the international level.

2. OPENING OF THE MEETING

The meeting was opened by Mr Nakanishi, Director General of ACCU, who gave a brief overview of ACCU’s programmes in the field of intangible heritage and showed his gratitude to UNESCO for co-organising this kind of meeting in Tokyo, Japan. Mr Smeets, UNESCO, outlined the meeting orientation based on the “background paper” that had been submitted to the participants prior to the meeting, followed by a presentation by Mr Iwahashi, Director-General of the Cultural Properties Department of the Japanese Agency of Cultural Affairs (Bunkacho), who presented Japanese policies in safeguarding intangible heritage since the 1950’s. The next speaker, Mr Saito, Director of the Multilateral Cultural Cooperation Division of the Japanese Ministry of Foreign Affairs, informed the experts about the relation of his country with UNESCO and about the many UNESCO projects that are financed through Japanese Funds in Trust.

After the opening speeches, Ms Ohnuki, (ACCU), gave a presentation to introduce the activities of ACCU in the field of intangible cultural heritage since its inception in the 1970s, and Mr Smeets (UNESCO) provided latest information on activities carried out by UNESCO to prepare the implementation of the 2003 Convention.
3. THE MEETING: Definition of communities and their involvement in safeguarding ICH

3.1. Defining and identifying communities and groups as mentioned in the 2003 Convention

The Convention does not provide with a definition of communities and groups, although it suggests a hierarchy between communities, groups and individuals, which are always mentioned in this order. The experts therefore decided not to consider communities and groups as equivalents, and set out looking for features that might distinguish them. The participants suggested focusing on the ICH as the common element for defining community, group and individual for the purposes of the Convention. The resulting definitions were to be flexible tools.

A distinction was made between those that directly practice ICH, those that facilitate the enactment of ICH, and external stakeholders. While some experts proposed that the definition of community should focus on the practitioners of the ICH, others suggested that it should also include those who are connected to the ICH but are not active practitioners. It was agreed that a sense of belonging together, or a sense of identity, based on shared ICH, should be included in the definition of community, which led to the use of the expression “rooted in the community”, rather than the expression “transmitted from generation to generation,” which seems to exclude elements of the ICH that were or are interrupted.

It was generally agreed that a group could be considered as a subset of a community that is characterised by the practice of a specific ICH which is not necessarily shared, or not shared in the same way by the whole of the community. For describing the relation of a group to a community the term network was preferred to subset, which was conceived as static. The experts fine-tuned the concept by stressing that a group is composed of people in a community that perform specific roles in the practice and transmission of ICH such as tradition bearers, performers or custodians. They also included apprentices, to stress the importance of sustainability. Moreover, as certain elements of ICH cut across communities, possible belonging of groups (and, for that matter, individuals) to more than one community was emphasized.

The drafting group of the first session also elaborated a definition of individuals which is largely based on the definition of group.

The experts agreed on the following definitions:
• Communities are networks of people whose sense of identity or connectedness emerges from a shared historical relationship that is rooted in the practice and transmission of, or engagement with, their ICH;

• Groups comprise people within or across communities who share characteristics such as skills, experience and special knowledge, and thus perform specific roles in the present and future practice, re-creation and/or transmission of their intangible cultural heritage as, for example, cultural custodians, practitioners or apprentices.

• Individuals are those within or across communities who have distinct skills, knowledge, experience or other characteristics, and thus perform specific roles in the present and future practice, re-creation and/or transmission of their intangible cultural heritage as, for example, cultural custodians, practitioners and, where appropriate, apprentices.

3.2. The involvement of communities and groups in inventorying ICH

States are given considerable freedom in drawing up their inventories within the framework set up by the Convention. However, two articles of the Convention explicitly require the involvement of communities and groups in the identification and definition of their ICH.

The experts acknowledged that governmental control and guidance are involved in inventorying and listing ICH, both at the national level, where States are required to draw up one or more inventories of their ICH, and internationally, when ICH is nominated for the Representative List established by article 16 of the Convention. The experts debated therefore on the ways that States Parties could satisfy the requirement of the participation of communities, groups, and NGOs in the identification and definition of ICH present in their territory, and on the involvement of non-community members. They felt that procedures should be established that would follow the spirit of the Convention by excluding exclusive top-down approaches, and by

• requiring proper identification of communities/groups and their representatives,
• ensuring that only ICH that is recognised by communities and groups is inventoried, or proposed for listing,
• ensuring that the permission of communities and groups is obtained for inventorying,
• ensuring the prior consent of communities when involving non community members,
• respecting customary practices governing the access to ICH,
• ensuring the free, prior and informed consent of communities and groups for nominating their ICH for the lists of the Convention.

The identification and definition of ICH for the purpose of inventorying was seen as a negotiation process between different stakeholders, in which the approach indicated above should be considered at all levels. The experts also agreed that a bottom up approach might be furthered by actively involving local or regional administrative levels. In order to structure the negotiations, some experts suggested drawing up a Memorandum of Understanding. For different reasons, the experts considered that the involvement of outsiders could also benefit the inventorying process, but they also warned that conflict could arise among the different players, both among and between insiders and outsiders to the communities. A Code of Ethics was thought to be required. The procedures to be developed should take into account the lessons learnt from best practices worldwide.

The experts recommended the elaboration by States Parties of appropriate institutional arrangements for involving communities in the inventory making process. Such arrangements might include the establishment or designation of intersectoral administrative bodies for assessing relevant existing legislation, institutions and traditional safeguarding systems, as well as for identifying best practices and areas for improvement. Such bodies would be in charge of drawing up inventories of ICH, developing safeguarding policies, developing initiatives to raise awareness about the importance of ICH and encourage public participation in inventorying and safeguarding ICH. The administrative body should also, where necessary, develop appropriate safeguarding measures for inventoried ICH.

In addition, the experts proposed the establishment of advisory or consultative bodies that would comprise practitioners and other tradition bearers, researchers, NGOs, civil society, local representatives and relevant others, as well as the establishment of local support teams including community representatives, cultural practitioners and others with specific skills and knowledge in training and capacity building. They also suggested developing a method for inventorying ICH that should be carried out in steps and that would include the identification of all relevant stakeholders and their involvement in the process. Potential consequences of inventorying should also be identified, and free and prior informed consent by the communities for the ICH to be inventoried should be ensured. The suggestion was made that procedures could be established, if possible in the form of protocols, to ensure an ethical relationship between stakeholders, and that customary practices, governing access to the ICH, should be identified and recognised.

3.3. Nomination to the Representative List of the ICH of Humanity
The initial presentation distinguished three types of communities: the well identified and organized community, that is already managing its ICH and is ready to be involved in the nomination procedure, communities whose ICH is identified and managed by outsiders, and communities that are becoming conscientious of sharing and being identifiable by ICH thanks to external factors, such as the recognition on the national level, or the proclamation of a Masterpiece of the Oral and Intangible Heritage of Humanity.

The process leading to external recognition is often initiated by local activists who start recognizing the community's ICH, raise awareness among the community, and seek for cooperation with external agents, such as governmental bodies. Such advocates have a difficult task in communities that have a low degree of self-recognition; moreover, since communities as a rule are not homogenous, they may not represent all the members of the community. The experts suggested that the communities should be asked to identify their representatives, both from among traditionalist and non-traditionalist members.

The experts suggested that the Operational Directives that will guide the implementation of the Convention should contain guidelines on how to select the ICH to be submitted for inscription in the Representative List, and how to collect information within a community. The preparation for formulating proposals for inscription should be used to review national safeguarding procedures and to identify best practices, while applying the criterion of representativeness both at the national and at the international level, which would mean that the ICH proposed for inscription on the List of the Convention should be representative for the community and for the creativity of humanity worldwide.

The process for inscription on the Representative List is also to be linked to the elaboration of safeguarding plans, based on best practices, and elaborated with strong participation by the tradition bearers. The experts considered that, since practitioners best understand the transmission processes of their ICH, the community should be provided with the means to elaborate safeguarding measures aiming at maintaining or improving their capacity of transmitting their ICH, rather than having plans elaborated by external experts in the first place. Free, prior and informed consent of the community was considered to be necessary to ensure that the community is actively involved in the process of listing their ICH. The experts also considered the possibility that a community does not wish that a specific element of their ICH be proposed for listing internationally, which should be respected.

The experts agreed that the international listing system should not become a repetitive and static encyclopaedia of intangible cultural heritage and suggested including time limitations, both at national and at international level. At international level, the experts proposed the use of a sunset clause in order to limit the period of inscription on the
Convention’s List. At the national level, the regular updating of the inventories, as required by the Convention, may bring along the idea of limitation in time. The experts also thought that the existence of a safeguarding plan at local or national level should be a prerequisite for a proposal for inscription on the Representative List. In this sense, a best practice in safeguarding ICH could be a criterion for selecting ICH for submission for inscription.

It was agreed upon by the experts that community involvement is best ensured when the proposal for nomination comes from the community, to be later supported at State level. Awareness raising campaigns by governmental and non-governmental organisations might trigger such initial proposals.

Many elements that should form part of the submission files were discussed, among them extensive proof of community involvement, a description of the identification process, indication of previous inclusion in a national inventory, proof of free and prior consent of communities for documenting ICH, a description by the community of the significance of their ICH, a protocol concerning ethical conduct, a sustainable safeguarding plan, the level of endangerment, if any, and a Strengths, Weaknesses, Opportunities and Projects –SWOP- assessment. The future Committee should only consider for inscription on the Representative List elements of ICH which have been properly identified and inventoried, which are being safeguarded using best practices, and which are considered to contribute to the diversity worldwide of the Representative List.

The ICH elements proposed for nomination to the Representative List should not only be taken from a national inventory as referred to in article 12 of the Convention, but should – according to the experts - also have been previously included into a national tentative list. National tentative (or: national representative) lists are not mentioned as such in the Convention.

4. INTERNATIONAL COOPERATION: Cooperation in and beyond the Asia-Pacific Region in the field of the safeguarding of ICH

On the morning of the third and last day of the meeting, a special session was organised on international cooperation, in particular at the regional level, for safeguarding ICH. The theme was introduced by three speakers, followed by a general debate.

The first speaker was Mr Smeets who explained that UNESCO has developed new rules and procedures for cooperating with international institutes and centres, categorising them in three types: institutes that are institutionally and financially part of UNESCO (category I), centres that are institutionally and financially independent but are granted the auspices of UNESCO for supporting UNESCO’s programmes and can use its logo
(category II), and a third category that includes other relationships. In February 2006 an agreement was signed between UNESCO and the Government of Peru for the establishment of a category II Regional Centre for the Safeguarding of the Intangible Cultural Heritage in Latin America (CRESPIAL), in Cuzco, Peru. UNESCO is supportive of the establishment of such centres expecting that they will contribute to the implementation of the 2003 Convention, in close cooperation with the Organisation.

Mr Arantes then provided information on the functioning of specialised national institutions in the field of intangible heritage, and on the establishment of the Cuzco Centre. Several regional meetings have been organised in order to determine the objectives, scope and working methods of this Centre. Active participation of non-governmental organisations and civil society, in particular indigenous communities, is required to ensure the effective support for UNESCO's activities in the field of the ICH. These regional centres may also serve as clearing houses of ideas for countries that share the same or identical ICH and/or similar problems, and can be instrumental for establishing synergetic relations within the Region and among regions. Similar to institutes like the Brazilian IPHAN at national level, the Cuzco Centre may be instrumental in advising intergovernmental organisations and their networks at regional level.

Finally, Ms Ohnuki presented ACCU’s programmes for the promotion of safeguarding ICH, especially in the Asia-Pacific Region, and focused on the Centre’s action plan that started in 2002. She stressed the importance of sharing information with and among experts from the whole world, like in this meeting, for the implementation of ACCU’s medium term strategy. This strategy is based on three priorities: (1) networking and information sharing for the empowerment of people, (2) inventorying intangible heritage and (3) the development of material for young people. Capacity building, the establishment of networks and the development of educational programmes are major actions oriented to empower communities that will facilitate the drawing up of inventories and ensuring the viability of their ICH. From this point of view, ACCU stresses the importance of developing materials for youngsters who have less interest in their ICH. At present, ACCU intends to publish a book with accompanying DVDs to raise awareness among young people about the wealth of intangible cultural heritage. The target group are above 14 year olds including their parents and teachers. A master version will be prepared that can be translated and adapted to other countries.

During their interventions all the experts commended ACCU for having developed and sustained excellent initiatives in and beyond the Asia-Pacific region, in particular for the development of training material for safeguarding intangible cultural heritage. The experts stressed:

- The need of raising awareness about the existence and functions of ICH and of building capacities for defining ICH, as well as for developing and managing
safeguarding measures, especially among young people, taking into consideration that youngsters often are interested in ICH, but cannot find the necessary information;

- The value and benefits of preparing materials and developing policies, as is done by UNESCO and agencies such as ACCU, in order to support the development of safeguarding policies at the national level, bearing in mind that lack of financial means for developing the necessary infrastructure and policies in the field of intangible heritage is often a main problem;

- The importance of appropriate public institutions and specialised NGOs that should cooperate with them, and of networks to ensure the sustainability of activities aiming at promoting and protecting ICH;

- The need to establish international cooperation not only at the institutional level but also, wherever appropriate, at the level of communities in order to develop joint activities, such as international meetings or roundtables for community members/activists to exchange and discuss their experiences in transmitting and safeguarding ICH (experienced organisations like ACCU, which have developed a good network and acquired confidence, could play an important role in this respect);

- The need to use IT technologies for the dissemination of training materials, as well as to dedicate a training workshop on developing digital databases and on the use of IT for disseminating ICH;

- The possibility to add ICH safeguarding tools to training materials that until now have been focussed on the preservation of tangible heritage;

- The possibility for ACCU to also consider language programmes, since attention for language as a vehicle of ICH is indispensable for ensuring the transmission of ICH.

5. **CLOSURE**

The conclusions and recommendations summarising the different debates were elaborated and adopted by the participants during most of the last day of the meeting. They are attached to this report in annex 1. Following the report by the rapporteur, the meeting was closed by speeches of Mr Nakanishi, ACCU’s Director-General, and Mr Smeets, chief of the Intangible Heritage Section, UNESCO. Mr Smeets expressed his appreciation to the experts for their intense commitment and great contribution to the meeting, as well as to ACCU for co-organising this meeting, and he expressed his wish

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2 Mr Smeets’ opening speech and closing speech are attached in annex 4.
to continue cooperation with ACCU for safeguarding intangible cultural heritage within the framework of the implementation of the Convention.
ANNEX I: CONCLUSIONS AND RECOMMENDATIONS


Tokyo, Japan, 13-15 March 2006

Conclusions and Recommendations

We, the experts attending the UNESCO/ACCU Expert Meeting on Community Involvement in Safeguarding Intangible Cultural Heritage: Towards the Implementation of the 2003 Convention for the Safeguarding of the Intangible Cultural Heritage (hereinafter “the 2003 Convention”);

Acknowledging with thanks the Asia/Pacific Cultural Centre for UNESCO (ACCU) for their excellent organisation of the meeting;

Expressing our satisfaction with the interest shown by UNESCO’s Member States in developing policies and activities in the field of intangible cultural heritage (ICH), which is reflected in the fast ratification of the 2003 Convention;

Taking into consideration that the 2003 Convention will enter into force on 20 April 2006 and that its implementation will have to be ensured, among other things, through the preparation of a set of Operational Directives by the Intergovernmental Committee for the Safeguarding of the Intangible Cultural Heritage (hereinafter “the Committee”);

Aware of the importance given by the 2003 Convention to the involvement of communities, groups, and where appropriate, individuals and/or non-governmental organisations in the safeguarding of intangible cultural heritage;

Suggest that the Committee take into account the following definitions and considerations in the preparation of the abovementioned Operational Directives:

Definitions

1. **Communities** are networks of people whose sense of identity or connectedness emerges from a shared historical relationship that is rooted in the practice and transmission of, or engagement with, their ICH;
2. **Groups** comprise people within or across communities who share characteristics such as skills, experience and special knowledge, and thus perform specific roles in the present and future practice, re-creation and/or transmission of their intangible cultural heritage as, for example, cultural custodians, practitioners or apprentices.

3. **Individuals** are those within or across communities who have distinct skills, knowledge, experience or other characteristics, and thus perform specific roles in the present and future practice, re-creation and/or transmission of their intangible cultural heritage as, for example, cultural custodians, practitioners and, where appropriate, apprentices.

**Guidelines recommended to States Parties drawing up inventories of intangible cultural heritage**

1. Create appropriate institutional arrangements as follows:
   a. Establish or designate an intersectoral administrative body or bodies for the purposes of:
      i. assessing relevant existing legislation, institutions and traditional safeguarding systems to evaluate their usefulness in inventoring ICH and identify best practice and areas for improvement.
      ii. drawing up inventories of ICH and developing safeguarding policies;
      iii. establishing a public process to raise awareness about the importance of ICH and to encourage public participation in inventoring and safeguarding ICH;
      iv. ensuring and, where necessary, developing appropriate safeguarding measures for ICH listed in the inventory;
   b. establish advisory bodies, comprising cultural practitioners, researchers, NGOs, civil society, local representatives and relevant others, for the purpose of consultation on inventoring and safeguarding ICH;
   c. establish local support teams including community representatives, cultural practitioners and others with specific skills and knowledge in training and capacity building to assist in inventoring and safeguarding specific cases of ICH.

2. Develop a method for inventoring ICH, including the following steps
   a. identify the ICH;
   b. identify and inform all relevant stakeholders, foregrounding communities, groups and individuals, and including NGOs;
   c. identify representatives of the communities and groups to ensure the involvement of the community in the process;
   d. identify potential consequences of inventoring and obtain free and prior informed consent for the ICH to be inventoried;
e. establish procedures, if possible in the form of protocols, to ensure an ethical relationship between stakeholders;
f. identify and respect customary practices governing access to the ICH.

**Guidelines recommended for nominations to the Representative List**

Assuming that this List will be managed with the use of a sunset clause, it is proposed that

1. ICH elements proposed for nomination to the Representative List should:
   - emanate from a national inventory or inventories as referred to in article 12 of the Convention, and be included in a national tentative list;
   - be submitted with materials documenting the following –
     - the ICH has been adequately identified with the involvement of relevant communities, groups and, where appropriate, individuals;
     - assessment of likely consequences for the ICH of inscription on the List and measures for mitigation of any negative impact,
     - free and prior informed consent by the community for the ICH to be nominated, e.g. in a “Memorandum of Understanding”,
     - involvement of relevant communities, groups and, where appropriate, individuals in all phases of the process of documenting ICH,
     - description by the community of the significance of the ICH with support, where appropriate, from other relevant parties,
     - an explanation of the selection criteria and adjudication process used to determine the State Party’s nomination of ICH elements to the Representative list,
     - that ethical procedures and protocols, as identified in the inventory process, have been followed,
     - a sustainable action plan for the safeguarding of the ICH,
     - level of endangerment.

2. The Representative List should be chosen from nominations of ICH that have been identified and are being safeguarded using best practices following an adequate sustainable safeguarding plan (under articles 13, 14, 16 and 18);

3. The element proposed contributes to the diversity of the Representative List.

**Furthermore,**

Considering that, in order to further interregional cooperation and mutual understanding, in the spirit of the 2003 Convention, world-wide initiatives for regional cooperation between States, Centres and Institutions are to be encouraged in order to safeguard ICH,
Taking into account the significant and wide-ranging expertise of ACCU in the promotion and protection of intangible cultural heritage in Asia and the Pacific, which makes ACCU an appropriate institution for furthering capacity-building and cooperation in the field of ICH safeguarding in general, and in that of inventory-making in particular,

Expressing their interest in continued cooperation with ACCU,

Call upon

ACCU to strengthen its interregional contacts and cooperation with institutions and experts in the Asia-Pacific region and beyond;

UNESCO to continue its cooperation with ACCU and to cooperate, when possible, in the implementation of ACCU’s 2006-2010 programme;

Other relevant bodies worldwide to develop the necessary expertise and structures to assist in the safeguarding of the ICH;

UNESCO Member States that have not yet ratified the 2003 Convention to do so.

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This recommendation was adopted on 15 March 2006 by the experts at the UNESCO-ACCU Expert Meeting on Community Involvement in Safeguarding Intangible Cultural Heritage, held in Tokyo, Japan, from 13-15 March 2006.
## ANNEX II: LIST OF PARTICIPANTS

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<td>Mr. Steven VAN UYTSEL</td>
<td>Research Assistant, Kyushu University</td>
<td>Belgium</td>
</tr>
</tbody>
</table>

**COOPERATING ORGANISATIONS**

17
Mr. IWASHASHI Akihiko | Director-General, Cultural Properties Department Agency for Cultural Affairs (Bunkacho), Japan | Japan

**ORGANISERS**

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
<th>Organisation</th>
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<tbody>
<tr>
<td>Mr. Rieks SMEETS</td>
<td>Chief, Intangible Heritage Section</td>
<td>UNESCO</td>
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<tr>
<td>Mr. Fernando BRUGMAN</td>
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<td>Mr. IIDA Kazuro</td>
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<tr>
<td>Mr. KURIHARA Toshiaki</td>
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