



UNITED NATIONS EDUCATIONAL,  
SCIENTIFIC AND CULTURAL ORGANIZATION

MOROCCAN NATIONAL COMMISSION FOR UNESCO

INTERNATIONAL CONSULTATION ON THE PRESERVATION OF  
POPULAR CULTURAL SPACES  
- DECLARATION OF THE ORAL HERITAGE OF MANKIND -  
(Marrakech, Maroc, 26-28 June 1997)

WORKING PAPER ON A PROPOSED SYSTEM  
TO HONOUR "CULTURAL SPACES" WITH REMARKABLE  
INTANGIBLE HERITAGE

by Marc Denhez

Although there is a World Heritage List to honour the world's **tangible** immovable heritage of universal significance, there is no direct counterpart for the world's **intangible** heritage. There were many reasons for this, including the difficulty in applying a legal framework like the *World Heritage Convention* to the realities of such oral cultural expression.

Rather than attempt a new or amended Convention (which could take years), a prospective alternative is to recognize intangible heritage via a “**Proclamation of the Oral Heritage of Humanity.**” The suggested strategy is as follows.

**OBJECTIVE:** The intent is not only

- to **honour** exceptional examples of oral heritage (i.e. traditional culture),
- to **raise awareness** of the richness and diversity of the world's intangible heritage, but also
- to **encourage governments, municipalities, non-governmental organizations (“NGOs”) at the international, national and local levels and communities to undertake actions and action plans for the identification, preservation and revitalization of that heritage.**

**TARGETS AND DEFINITIONS:** The mechanism is to honour “**cultural spaces**”. A “cultural space” is not necessarily a specific definable piece of territory *per se*, because it can *shift* in location (for its own purposes) from time to time (and sometimes from day to day). A “**cultural space**” is where cultural activities can occur, and whose existence depends on the presence of the activities themselves.

The strategy is to approximate, as much as possible, what is already being done by UNESCO in other fields. For instance, UNESCO administers

- the World Heritage List, which **honours** great sites of immovable heritage (and, through the World Heritage Fund, provides financial assistance, as described later); and
- prize programs which **encourage** actions (and action plans) for other features of culture, ecology, world understanding, etc. (e.g. the Higashiyama Fund for the Prize for the Promotion of the Arts, the Aga Khan Award for Architecture, the Sultan Qaboos Prize for Environmental Preservation, the UNESCO Prize for Peace Education, the Félix Houphouët-Boigny Peace Prize etc.).

Since the present initiative intends to honour cultural spaces, raise international awareness and encourage action plans, it is not surprising that it combines features of the World Heritage List, the World Heritage Fund and of the prize programs, as described later in this working paper.

In a way roughly similar to the World Heritage List, the new program would focus on “cultural spaces” (albeit without a necessary relation to geographic coordinates, for the reason above). The program would honour cultural spaces in which there was an exceptional **concentration** of oral heritage, and/or in which there was an **exceptional oral cultural tradition**.

As in the case of the World Heritage List, the criterion would be “**universal significance**” (see Annex).

Marc Denhez

The definition of “oral heritage” would be drawn *verbatim* from the *Recommendation on the Safeguarding of Traditional Culture and Folklore (1989)*. Otherwise, many of the procedural aspects mirror (on the international level) what UNESCO has already recommended (at the national level) in its “*Living Human Treasures*” *Guidelines*. For example, the latter *Guidelines* recommend a focus on the bearers of tradition and on training, relevant criteria, and the possibility of cancellation over time in the event of non-compliance; these features are repeated in the annexed draft Statutes for this program.

**TITLES:** The cultural spaces themselves would be titled “**Masterpieces of the Oral Heritage of Humanity**”. An emblem can be developed in due course.

The proposed program also foresees naming important features of the program after sponsors (e.g. awards, if that is their wish) as is described later in this paper.

**A FUND FOR INTANGIBLE HERITAGE:** Although tangible heritage has access to monetary resources that signatory States established at UNESCO (the World Heritage Fund), to be as effective as the World Heritage List, there has been no direct counterpart for intangible heritage. Therefore, if UNESCO wishes the above system of Proclamations to be as effective as the World Heritage List, UNESCO could develop a monetary fund for intangible heritage. This would be based on extra-budgetary resources (notably international philanthropy), on the model of several other funds now administered by UNESCO (e.g. for the promotion of the arts).

The **name** of this fund is being left open for now, to allow UNESCO the freedom to name it according to the **wishes of sponsors**, which have yet to be determined. For example, if sponsors would wish the fund to be used for one or more prizes, the fund could be named after the prizes — or in honour of any other appropriate name agreeable to the sponsors. In the interim, this document will use the working name of “Fund/Prize”.

The proceeds (but not the capital) of the above Fund/Prize shall be used by UNESCO in pursuit of the objectives of the above *Recommendation* and in accordance with the wishes of sponsors, to be discussed by UNESCO with them.

**NOMINATIONS:** Rather than the elaborate procedures of the World Heritage List (which take up fully 15 pages of the Operational Guidelines for the Implementation of the World Heritage Convention), it is suggested that UNESCO follow the simpler model of its award programs (which typically take up 1-2 pages). The appended draft corresponds to the wording of the Statutes of several such award programs. In order to draw the *governments* of Member States more intensively into the field of intangible heritage, it is proposed that nominations be made by

- States, or
- intergovernmental organizations.

Nominations could also be made by Non-Governmental Organizations (“NGOs”) with UNESCO consultative status, all in consultation with the country’s National Commission of UNESCO.

**TWO FUNDAMENTAL PRINCIPLES FOR APPLICATIONS:** Each nomination would focus on two specific components:

Marc Denhez

- a) the merits of the **cultural space itself**, and
- b) the merits of an *Action Plan* which details how the oral heritage will be protected and promoted (including how the **recipient of any award will apply the proceeds** for same, if such is the case).

In other words, **this is not just a recognition system for good cultural spaces: this is a system to honour cultural spaces which have a good plan for preservation and promotion.**

**EVALUATION PROCEDURE:** It is proposed that the nominations be judged by an **impartial Jury** to be selected by UNESCO. However, since it is too early to predict

- the **volume** of nominations, or
- the **kind of oral cultural expression** on which these nominations might focus,

one cannot yet predict the exact quantity and quality of expert work which will be required on the Jury. Accordingly, it is proposed that the **number and composition** of the Jury be left to the **discretion of UNESCO** for now, to be determined *ad hoc*.

**CRITERIA:** Subject to the modifications mentioned above (notably pertaining to the *plan*), the proposed criteria (appended) are basically a synthesis of those of the World Heritage List and of the Living Human Treasures Guidelines.

**PROTOCOL:** It is proposed that the Proclamations of the Oral Heritage of Humanity (with any accompanying award, if such is the case) be made by the Director General of UNESCO (on the advice of the Jury, and with the consent of the State in which the cultural space exists).

**PERIODICITY:** Although it would be desirable to make these Proclamations regularly every one or two years approximately, it is suggested that UNESCO should retain a certain flexibility in timing (for the reason e.g. that if Proclamations are eventually accompanied by an award, the periodicity may vary according to funding. The amount of any award would also depend on funding. It is expected that award money, if such were the case would not be paid to winners in a lump sum, but in **installments** over several years).

**FOLLOW-UP:** Since the Proclamation is being made, at least partially, in honour of the *Action Plan*, it is essential to assure that this plan is pursued. It is proposed:

- that the recipient enter into a binding contract to that effect,
- that like listings on the World Heritage List, a Proclamation could be formally **rescinded** if elementary conditions were not met,
- that any award payment, if such is the case, be staggered over time (e.g. 5 years), and
- that the contract reserve the right for UNESCO to discontinue further payments on any award, if such is the case, in the event that certain specified circumstances make its continuance improper.

**ADMINISTRATION AND FUNDING:** As mentioned earlier, size and composition of the Jury can be determined later by UNESCO *ad hoc*. For working purposes, one may presume a three-person Jury, at the outset plus an ongoing Secretariat of one person-year, devoted primarily to **publicity/liaison** for the program. Ideally, all relevant expenses would be covered by the

Marc Denhez

---

Fund/Prize. Rules for the investment and management of that Fund/Prize could again follow the precedent of similar accounts at UNESCO.

## A N N E X

### Statutes for Proclamations of the Oral Heritage of Humanity and for the Fund/Prize for Intangible Heritage

#### 1. Purpose

- (a) The purpose of the Proclamation is to recognize to cultural spaces where there is an outstanding concentration of intangible cultural heritage and oral traditions. These spaces would be **“proclaimed” to be “Masterpieces of the Oral Heritage of Humanity.”** This purpose includes **raising awareness generally** of intangible heritage and its importance.
- (b) The Proclamations would also be made to encourage outstanding contributions by individuals, groups of individuals, institutes or organizations in the management, preservation or promotion of the relevant cultural heritage and oral traditions consistent with the policies, aims and objectives of UNESCO, and in relation to the Organization's programmes in this field, notably the follow-up to the 1989 *Recommendation on the Safeguarding of Traditional Culture and Folklore*.
- (c) For the purposes of this Proclamation, “oral heritage” and “cultural heritage” are defined in the same way as “folklore or traditional and popular culture” in the above *Recommendation*, namely **“the totality of tradition-based creations of a cultural community, expressed by a group or individuals and recognized as reflecting the expectations of a community in so far as they reflect its cultural and social identity; its standards and values are transmitted orally, by imitation or by other means. Its forms are, among others, language, literature, music, dance, games, mythology, rituals, customs, handicrafts, architecture and other arts.”**
- (d) For the purposes of this Proclamation, a “cultural space” is defined as the space at which cultural activities occur, with the characteristic that its location may be variable from time to time, according to its own needs, and that the existence of the space is therefore dependent on the presence of the activities themselves.
- (e) In parallel with the above system of Proclamations, UNESCO shall create a capital account with the interim title of **“The Fund/Prize for Intangible Heritage” (“the Fund/Prize”)**, with proceeds to advance the oral heritage of humanity.
- (f) When, in the opinion of UNESCO, the Fund/Prize has the resources to do so, the Fund/Prize may be used to support a monetary Award system to accompany Proclamations or for such other purposes that advance the oral heritage of humanity, and particularly those sites which

have been proclaimed above. An Award system, if such is the case, would be announced by the Director General.

## 2. Names

- (a) Cultural spaces which are recognized under the present Statutes will be referred to as having been **“proclaimed Masterpieces of the Oral Heritage of Humanity.”**
- (b) The Fund/Prize may be renamed by UNESCO at any time, in its discretion, in honour of sponsors and/or in accordance with sponsors’ wishes.
- (c) Any award system announced by the Director General under section 1(e) above may be named, in UNESCO’s discretion, in honour of sponsors and/or in accordance with sponsors’ wishes.

## 3. Periodicity

- (a) The Proclamation(s) shall be announced (every one or two years) by the Director-General on the recommendation of the Jury, at a public ceremony to be held at UNESCO Headquarters in Paris, or such other location as the Director-General chooses.
- (b) In a given year in which a Proclamation would normally be made, the Jury (defined below) reserves the right to recommend no such Proclamation if, in its discretion, it finds that no applications sufficiently met the Criteria.
- (c) If and when a monetary award system is announced under Section 1(e) above, the Jury may decide, in its discretion, to make a given award over time, in periodic payments not to exceed a period of five years.

## 4. Selection Process

- (a) The selection of cultural spaces to be proclaimed Masterpieces of the Oral Heritage of Humanity shall be made by a Jury whose number and selection shall be determined by UNESCO.
- (b) The Jury may adopt its own rules of procedure for the selection of cultural spaces. The decisions of the Jury should normally be taken unanimously; if the Jury does not reach unanimity in favour of a given nomination submitted, it should take its decision by a majority of the members present.
- (c) The Jury shall pursue its mandate irrespective of any consideration of nationality, race, sex, language, profession, ideology or religion of the individual or individuals concerned.
- (d) In the event of any award announced under Section 1(e), the award may be awarded only once to any individual, group of individuals, institute or organization.

(e) Cultural spaces within the Member State of a sitting Jury Member may not be considered.

## 5. Nomination of Candidates

Candidates for the Proclamation shall be proposed to the Director-General of UNESCO

- by governments of Member States,
- by intergovernmental organizations or
- by appropriate Non-Governmental Organizations (“NGOs”) which have consultative status with UNESCO,

in consultation with the respective National Commissions for UNESCO, each of which may make one nomination in any biennium.

## 6. Criteria

(a) **Proclamations of the Oral Heritage of Humanity** shall be announced by the Director General on the recommendation of the Jury, as based upon the following criteria.

(b) There are **two sets of Criteria of equal weight**, to be applied by the Jury to nominations:

- Cultural Criteria, and
- Organizational Criteria.

### (i) Cultural Criteria:

Cultural spaces which are proclaimed Masterpieces of the Oral Heritage of Humanity must be of outstanding universal value, by virtue of

- A. the **concentration** of oral heritage that assemble there; **and /or**
- B. An **oral heritage of outstanding universal value** from an historical, aesthetic, sociological, ethnological, anthropological linguistic or literary point of view.

In assessing the universal value of the intangible heritage involved, the Jury shall consider:

1. Its **authenticity**,
2. Its **cultural and social role** to the community concerned today,
3. Its **creative** value,
4. Its **testimony** to a cultural tradition and history of the **community** concerned,
5. Its **technique** or know how,
6. Its **skill**,
7. Its **distinctive** characteristics, and
8. The **danger** of its disappearing.

### (ii) Organizational Criteria:

Nominations, for cultural spaces to be proclaimed Masterpieces of the Oral Heritage of Humanity, shall be accompanied by:

- A. An **Action Plan**, appropriate to the cultural space concerned, outlining the measures foreseen over the next decade for the preservation, support and promotion of the oral

heritage. This Action Plan shall provide a complete explanation of the measures proposed, and how they would be implemented.

- B. An explanation of the **linkage** between the Action Plan and the measures foreseen in the *Recommendation on the Safeguarding of Traditional Culture and Folklore*, as well as the other important UNESCO objectives including tolerance, multiculturalism, the role of women and the culture of peace.
- C. An explanation of measures to empower the **community concerned** to preserve and promote its own oral heritage.
- D. The name of responsible parties, at the community and/or government in question, who are prepared to enter into a **binding contract** with UNESCO, assuring that the future use of the cultural space will be consistent with that described in the nomination.
- E. If and when any award is announced under Section 1(e), the nomination would also be accompanied by a detailed outline of **who is being nominated to receive** the award, the credentials of the proposed recipient as they relate to the support of oral heritage, and how the **recipient will apply the proceeds** of the award in support of the Action Plan.

In assessing the appropriateness of the Action Plan, the Jury will consider:

- 1. The **mandate** of public authorities and of NGOs in assuring the protection and transmission of the relevant cultural values as described above;
- 2. The arrangements to **raise awareness** of the value of this heritage and the importance of its preservation among people belonging to the **community** concerned;
- 3. The **role** assigned to the **community** concerned;
- 4. The role assigned to the **bearers** of the heritage targeted;
- 5. The arrangements with the local **community** to **preserve** and promote this heritage;
- 6. The arrangements to **record** this heritage and make such information available for cultural research domestically and internationally;
- 7. The arrangements, with the bearers of this heritage, to **advance** the relevant skills, techniques or cultural expressions; and
- 8. The arrangements, with the bearers, to **pass on** the relevant technique, know-how, skills or cultural expressions to trainees and/or youth generally.
- 9. Except in unusual circumstances, the Jury will give preference to applications wherein the proposed recipient of an award (if such is the case) is a local **NGO**, whether or not with UNESCO consultative status.

- (c) In due course, the consent of the State, in which the cultural space is located, should be secured before announcement of the Proclamation.

## 7. Administration

- (a) The work of the Jury shall be supported by a permanent Secretariat to be named by UNESCO.

(b) Administration of the Fund/Prize shall be governed by separate Financial Regulations.