



PROCÈS-VERBAL / PROCEEDINGS

Le patrimoine matériel et immatériel : deux conventions de l'UNESCO / Tangible and Intangible Heritage : Two UNESCO Conventions



Édité par / Edited by: Christina Cameron et Christine Boucher

Table ronde organisée par la Chaire de recherche du Canada en patrimoine bâti,
Faculté de l'aménagement, Université de Montréal

Round Table organized by the Canada Research Chair on Built Heritage,
Faculty of Environmental Design, University of Montreal

14 au 16 mars 2007 / 14-16 March 2007

TABLE DES MATIÈRES / TABLE OF CONTENTS

Introduction _____	6
Introduction _____	11
1. Programme de la Table ronde _____	15
1. Round Table Programme _____	19
2. Convention concernant la protection du patrimoine mondial culturel et naturel, UNESCO 1972 _____	23
2. Convention concerning the Protection of the World Cultural and Natural Heritage 1972 _____	32
3. Convention pour la sauvegarde du patrimoine culturel immatériel, UNESCO, 2003 _____	42
3. Convention for the Safeguarding of the Intangible Cultural Heritage 2003 _____	52
4. Textes des conférenciers / Texts of the speakers _____	63
Session 1 : Liens entre les conventions de l'UNESCO de 1972 et de 2003 sur le patrimoine matériel et immatériel _____	63
Session 1 : Relationship between the 1972 and 2003 UNESCO Conventions on tangible and intangible heritage _____	63
4.1 <i>The Intangible Dimensions of the 1972 World Heritage Convention</i> _____	63
Sarah Titchen, Spécialiste de programme, Affaires culturelles, UNESCO (New York) / Program Specialist for Culture UNESCO (New York) _____	63
4.2 <i>The Tangible Dimensions of the 2003 Intangible Cultural Heritage Convention</i> _____	68
Rieks Smeets, Chef, Patrimoine culturel immatériel, UNESCO, Paris / Chief, Intangible Cultural Heritage, UNESCO, Paris _____	68
4.3 <i>La mémoire des lieux: préserver le sens et les valeurs immatérielles des monuments et des sites, Rapport de la 14e assemblée générale de l'ICOMOS, Zimbabwe 2003</i> _____	68
Dinu Bumbaru, Secrétaire général, ICOMOS International, Montréal / Secretary-General, ICOMOS, Montréal _____	68
4.4 <i>Report on International Conference in Nara, 2004, on « Safeguarding of Tangible and Intangible Cultural Heritage: Towards an Integrated Approach »</i> _____	69
<i>Procès-verbal – Le patrimoine matériel et immatériel : deux conventions de l'UNESCO</i>	2
<i>Proceedings – Tangible and Intangible Heritage: Two UNESCO Conventions</i>	

Toshiyuki Kono, Professor of Law, Kyushu University, Japan / Professeur de droit, Université Kyushu, Japon	69
Session II: Les Listes du patrimoine: les définitions et l'identification des valeurs	70
Session II: Heritage Lists: Definitions and Identification of Values	70
4.5 How the 1972 and 2003 Conventions define heritage : overlaps and differences	70
Herb Stovel, Professeur agrégé, Programme de conservation du patrimoine, École des études canadiennes, Université Carleton, Ottawa / Associate Professor, Heritage Conservation Program, School of Canadian Studies, Carleton University, Ottawa.	70
4.6 L'inventaire du patrimoine culturel immatériel du Québec: un modèle à suivre?	88
Laurier Turgeon, Professeur et titulaire, Chaire de recherche du Canada en patrimoine ethnologique, Institut du patrimoine culturel, Université Laval, Québec / Professor and Chair, Canada Research Chair in History and Ethnology, Institut du patrimoine culturel, Université Laval	88
4.7 Evolution of World Heritage criteria to address intangible dimensions of World Heritage values	89
John Pinkerton, Coordonnateur des affaires internationales, Parcs Canada, Gatineau / International Coordinator, Parks Canada, Gatineau	89
4.8 Tangible and Intangible Heritage: an Integrated Approach	107
Britta Rudolff, Conseillère de la gestion du patrimoine et des affaires de l'UNESCO, Royaume de Bahrein / Counsellor for Heritage Management and UNESCO Affairs, Kingdom of Bahrain	107
4.9 Approaches to conserving cultural World Heritage Sites	114
Susan Buggy, Professeure associée, École d'architecture de paysage, Faculté de l'aménagement, Université de Montréal / Adjunct Professor, School of Landscape Architecture, Faculty of Environmental Design, Université de Montréal	114
4.10 Approaches to conserving natural World Heritage Sites	119
Murray McComb, Directeur, Division Programmes coopératifs, Parcs Canada, Gatineau / Director, Parks Canada, Gatineau	119
4.11 La conservation des sites du patrimoine mondial au Mali	129
Magali Cochard et Kibamba Nimon, Étudiantes à la maîtrise, Institut d'urbanisme, Faculté de l'aménagement, Université de Montréal / MA students, Institut d'urbanisme, Université de Montréal	129

4.12 <i>La conservation de Koutammakou, site du patrimoine mondial au Togo</i>	137
Gaël Amoussou, Étudiant, M. Sc.A. (Aménagement) Option Conservation de l'environnement bâti, Université de Montréal / Student, M.Sc.A, Option Conservation de l'environnement bâti, Faculty of Environmental Design,	137
Université de Montréal	137
Session 4 : Lignes directrices pour l'intégration de l'architecture contemporaine aux paysages urbains historiques	146
Session 4 : Guidelines for the Integration of Contemporary Architecture in Historic Urban Landscapes	146
4.13 <i>A Differential Diagnosis: Defining the Boundaries of the two Conventions</i>	146
Gordon Fulton, Directeur, Services historiques, Parcs Canada, Gatineau / Director, Historical Services, Parks Canada, Gatineau	146
4.14 <i>Cultural Landscapes and Intangible Cultural Heritage</i>	147
Christina Cameron fera la présentation de Mechtild Rössler, Centre du patrimoine mondial de l'UNESCO, Paris / Christina Cameron will present a paper by Mechtild Rössler, UNESCO World Heritage Centre, Paris	147
4.15 <i>Implications for modifying the World Heritage Operational Guidelines</i>	147
Christopher Young, Coordonnateur, Patrimoine mondial,	147
English Heritage, Londres / World Heritage Coordinator, English Heritage, London	147
4.16 <i>Inscription des sites de valeurs immatérielles sous les deux conventions: toujours, parfois, jamais / Listing Sites with Intangible Values under both Conventions: always, sometimes, never</i>	148
Dinu Bumbaru/Gustavo Araoz, ICOMOS International, Montréal	148
5. Textes des rapporteurs / Reports from the rapporteurs	149
5.1 Compte-rendu session I, Christine Bricault	149
5.2 Compte-rendu session II, Carolyn van Slightenhorst	149
5.3 Compte-rendu session III, Léopoldine Marcotte	152
5.4 Compte-rendu session IV, Ron Roy	157
6. <i>An Overview of the Round Table Discussions / Une vue d'ensemble des discussions de la Table ronde</i>	162
Kristal Buckley, Consultante en patrimoine et vice-présidente internationale de l'ICOMOS / Heritage Consultant, Melbourne, Australia and International Vice-President, ICOMOS	162

Conclusion	171
Conclusion	183
Liste des participants	194
List of Participants	199



Christina Cameron
(C. Boucher, 2007)

Introduction

Sous l'égide de la Chaire de recherche du Canada en patrimoine bâti de la Faculté de l'aménagement de l'Université de Montréal, une table ronde a eu lieu à Montréal, du 14 au 16 mars 2007 à l'église Erskine and American, lieu de culte d'une grande valeur patrimoniale.

La Chaire relève du programme fédéral des Chaires de recherche du Canada et bénéficie d'un support de l'Université de Montréal de même que de la Fondation canadienne pour l'innovation et du Gouvernement du Québec. Elle constitue un foyer pour la recherche dans le domaine de la conservation, du développement et de la gestion du patrimoine. Rattachée à la Faculté de l'aménagement, la Chaire bénéficie de la synergie créée par l'association des départements participants touchant une gamme de disciplines reliées à la conservation : architecture, architecture de paysage et urbanisme

On définit une table ronde comme une réunion de pairs qui se rencontrent pour discuter et échanger leurs points de vue sur un sujet donné. Le terme provient de la légende du Roi Arthur qui, soi-disant, avait créé une table ronde pour ses chevaliers afin de souligner l'égalité entre tous les membres de sa cour. Les tables rondes organisées par la Chaire de recherche du Canada en patrimoine bâti ont pour but de susciter un solide échange de points de vue entre des spécialistes invités sur un sujet donné.

L'an dernier, la Table ronde 2006 mettait l'emphase sur le patrimoine et la conservation des paysages urbains historiques dans le contexte du Mémorandum de Vienne, document découlant d'une conférence internationale ayant pour thème le Patrimoine mondial et l'architecture contemporaine. La Table ronde de Montréal a apporté une importante contribution au dialogue global sur ce sujet. Ses conclusions ont été présentées en septembre 2006 lors d'une réunion de l'UNESCO réunissant des experts pour la préparation de la Recommandation 2009 portant sur les paysages urbains historiques. Par la suite, les procès-verbaux sont devenus l'un des documents de travail de la réunion du même groupe d'experts à St. Petersburg, Russie, en janvier 2007.

Table ronde 2007

La Table ronde de cette année met l'emphase sur l'interaction entre les deux conventions de l'UNESCO qui s'appliquent à des monuments, des sites, des paysages, des phénomènes naturels et des espaces culturels. Il s'agit de la « Convention concernant la protection du patrimoine mondial culturel et naturel » de 1972 (connu sous le nom de « Convention du patrimoine mondial ») et de la toute récente « Convention pour la sauvegarde du patrimoine culturel immatériel » de 2003. La Convention du patrimoine mondial a une voie marquée de succès et joue le rôle de vaisseau amiral des programmes de l'UNESCO. La récente « Convention pour la sauvegarde du patrimoine culturel immatériel » est en phase de devenir opérationnelle. La Table ronde de 2007 avait comme objectif de favoriser des discussions pour en arriver à une meilleure compréhension de la relation entre patrimoine matériel et immatériel à la lumière de ces deux conventions.

Le directeur général de l'UNESCO, Koïchiro Matsuura, a clairement indiqué que les deux Conventions se soutiennent l'une l'autre et que leur but ultime est la survie de la diversité mondiale aussi bien culturelle que biologique. Lorsqu'il s'est adressé au Comité du patrimoine mondial à la session de 2006, à Vilnius, en Lituanie, le directeur général a souligné le fait que la Convention de 2003 pourrait contribuer à la protection des sites du Patrimoine mondial à travers la sauvegarde des connaissances et des pratiques traditionnelles. Il a incité à un effort global pour comprendre les interrelations et coordonner des actions qui permettraient d'atteindre le but visé qui est de protéger et de sauvegarder la diversité du patrimoine mondial.

La « Convention pour la sauvegarde du patrimoine culturel immatériel » de 2003 a été modelée sur la « Convention concernant la protection du patrimoine mondial culturel et naturel » de 1972.

Dans son préambule, la Convention reconnaît « la profonde interdépendance entre le patrimoine culturel immatériel et le patrimoine matériel culturel et naturel ». L'Article 3 stipule que « rien dans la présente Convention ne peut être interprété comme altérant le statut ou diminuant le niveau de protection des biens déclarés du patrimoine mondial dans le cadre de la Convention pour la protection du patrimoine mondial, culturel et naturel de 1972 ». Les deux Conventions visent le même but qui est de protéger et de sauvegarder la diversité du patrimoine mondial.

Il existe quelques points d'intérêt commun et de chevauchement potentiel entre les deux Conventions. L'interaction réside pour une grande part dans l'étendue des deux Conventions. La Convention du patrimoine mondial inclut dans sa définition de patrimoine culturel les « œuvres de l'homme ou œuvres conjuguées de l'homme et de la nature, ainsi que les zones y compris les sites archéologiques qui ont une valeur universelle exceptionnelle d'un point de vue historique, esthétique, ethnologique ou anthropologique ». Elle inclut dans sa définition de patrimoine naturel les « formations physiques et biologiques ou des groupes de telles formations qui ont une valeur universelle exceptionnelle d'un point de vue esthétique ou scientifique ». La Convention de 2003 inclut dans une définition plus générale de patrimoine culturel immatériel « les objets, artefacts et espaces culturels », « l'interaction avec la nature », « les connaissances et pratiques concernant la nature et l'univers », et « les savoir-faire liés à l'artisanat traditionnel ».

La plus grande différence entre les deux Conventions réside dans la nature des valeurs devant être protégées. Dans le cas de la Convention du patrimoine mondial, la protection concerne les lieux dotés de valeurs universelles remarquables telles que déterminées par le Comité du Patrimoine mondial. Dans le cas de la Convention du patrimoine culturel intangible, la sauvegarde se situe au niveau des exemples représentatifs que les communautés, les groupes et, dans quelques cas, les individus reconnaissent comme partie de leur héritage culturel.

Le programme de la Table ronde 2007 a été organisé en six sessions qui ont mis l'emphase sur des cas d'étude relevant du patrimoine matériel et immatériel en regard des deux Conventions. La session I portait sur la relation entre les Conventions de 1972 et 2003 de l'UNESCO, incluant les rapports des premières réunions internationales sur le sujet, se concentrant particulièrement sur les zones de chevauchement. La session II portait sur les définitions, les mécanismes et les processus d'identification des valeurs associées au patrimoine tels que décrits dans les deux Conventions. La session III traitait des moyens de protection et de sauvegarde avec une emphase

particulière sur l'impact des différentes approches sur le développement des politiques et de l'expertise professionnelle. La session IV a soulevé la question à savoir si les deux Conventions pourraient être appliquées au même lieu, avec une exploration des chevauchements potentiels, d'intégration et d'ajustements aux méthodes de travail. Finalement, les sessions V et VI ont permis aux rapporteurs de présenter leurs comptes-rendus des diverses sessions et de nous présenter une vue d'ensemble d'une experte australienne sur les discussions de la Table ronde tout en réservant un moment pour une période de discussion générale.

Parmi les leçons tirées de la Table ronde 2006, nous avons retenu la nécessité d'ajouter une session supplémentaire à la fin de la journée pour revenir sur les sessions spécifiques afin de saisir les grands enjeux et tendances issus des discussions. La Table ronde 2007 a donc planifié une session supplémentaire au lendemain des présentations des conférenciers afin de permettre aux rapporteurs de présenter leurs comptes-rendus et de considérer les résultats généraux et les conclusions d'ensemble.

Des orateurs provenant de dix pays ont été invités à partager leurs connaissances spécifiques afin d'encadrer les discussions qui allaient suivre. Parmi les participants se trouvaient des représentants des trois niveaux de gouvernement du Canada ainsi que des spécialistes provenant des universités canadiennes et d'organisations non gouvernementales. Dans l'esprit d'une table ronde, chaque participant a joint le débat afin d'approfondir une compréhension commune des rapports entre les deux Conventions.

En lien avec l'approche pédagogique de la Chaire, plus de trente étudiants de deuxième et de troisième cycle provenant de trois universités canadiennes ont été invités à observer les délibérations. Trois des étudiants associés directement avec la Chaire de recherche du Canada en patrimoine bâti ont présenté leur recherche en lien avec des sites du patrimoine mondial et quatre autres étudiants se sont proposés comme rapporteurs de chacune des sessions.

En examinant les deux Conventions en regard d'une gamme de perspectives nationales et internationales, la Table ronde 2007 avait comme objectif d'approfondir la compréhension des participants sur l'interaction entre les dimensions matérielles et immatérielles des lieux et espaces patrimoniaux. De plus, la réunion se proposait également d'explorer des occasions de collaboration et d'intégration entre les deux Conventions.

Cette publication contient le programme de la Table ronde 2007, les Conventions de 1972 et de 2003, les textes des conférenciers, les comptes-rendus des rapporteurs de la session de discussions, un dernier essai qui résume les principales conclusions de la réunion de même qu'une liste des participants.

Christina Cameron
Chaire de recherche du Canada en patrimoine bâti
Faculté de l'aménagement, Université de Montréal

Introduction

Under the auspices of the Canada Research Chair on Built Heritage at the University of Montréal, the 2007 Round Table was held in Montreal, Canada on 14-16 March 2007 at the historic Erskine and American Church.

The Chair is part of the federal programme of Canada Research Chairs and benefits from support by the University as well as the Canadian Foundation for Innovation and the Government of Quebec. It creates a focal point for research in heritage conservation, development and governance. As part of the Faculty of Environmental Design, the Chair benefits from the synergy created by the associated departments which cover a range of conservation-related disciplines: the School of Architecture, the Institute of Urban Studies and the School of Landscape Architecture.

A round table is defined as a meeting of peers for discussion and an exchange of views. The term is drawn from the legendary King Arthur who purportedly had a round table created for his knights so that there would be no head or foot to the table, hence underlining the equality of all members of his court. The Round Tables organized by the Canada Research Chair on Built Heritage are intended to encourage a robust exchange of views among specialists on a chosen subject.

Last year, the 2006 Round Table focussed on heritage and the conservation of historic urban landscapes, in the context of the Vienna Memorandum, a document that emerged as a result of an international conference on *World Heritage and Contemporary Architecture*. The Montreal Round Table made an important contribution to the global dialogue on this subject. Its conclusions were presented in September 2006 to a UNESCO meeting of experts preparing Recommendation 2009 on Historic Urban Landscapes; subsequently, the Proceedings became one of the working documents for the next meeting of the same expert group in St. Petersburg, Russia in January 2007.

2007 Round Table

This year's Round Table focussed on two UNESCO Conventions that could apply to places such as monuments, sites, landscapes, natural phenomena and cultural spaces. These are the well-established 1972 Convention concerning the Protection of the Cultural and Natural Heritage (known as the World Heritage Convention) and the recent 2003 Convention for the Safeguarding of the Intangible Cultural Heritage. The World Heritage Convention has a proven track record of success, earning the label of flagship programme of UNESCO. The recent Intangible Cultural Heritage Convention is in the process of becoming operational. The 2007 Round Table was intended to engender discussion that would lead to a better understanding of the relationship between tangible and intangible heritage, insofar as these two Conventions are concerned.

The Director General of UNESCO, Koïchiro Matsuura, has clearly stated his view that the two Conventions are mutually supportive, with the ultimate goal being the survival of the world's diversity, both cultural and biological. When he addressed the World Heritage Committee at its 2006 session in Vilnius, Lithuania, the Director General emphasised that the 2003 Convention could contribute to the protection of World Heritage Sites through the safeguarding of traditional knowledge and practices that would in turn ensure the sustainability of cultural and natural sites. He encouraged a global effort to understand the inter-relationships and to coordinate actions to achieve the overall purpose of protecting and safeguarding of the diverse heritage of humanity.

The 2003 Convention for the Safeguarding of the Intangible Cultural Heritage was modelled on the 1972 World Heritage Convention. In its preamble, the Convention acknowledges the “deep-seated interdependence between the intangible cultural heritage and the tangible cultural and natural heritage”. Article 3 states that “nothing in the 2003 Convention may be interpreted as altering the status or diminishing the level of protection under the 1972 Convention” for properties with intangible cultural heritage values. Both Conventions share the goal of protecting and safeguarding the diverse heritage of humanity.

There are some areas of common interest and potential overlap between the two Conventions. The point of interaction derives largely from the scope of the two Conventions. The World Heritage Convention includes within its definition of cultural heritage the “works of man or the combined works of nature and man, and areas including archaeological sites which are of outstanding universal value from the historical, aesthetic, ethnological or anthropological point of

view;” it includes within its definition of natural heritage “physical and biological formations or groups of such formations, which are of outstanding universal value from the aesthetic or scientific point of view” and “natural areas of outstanding universal value from the point of view of science, conservation or natural beauty.” The 2003 Convention includes within a broader definition of intangible cultural heritage “objects, artefacts and cultural spaces,” “interaction with nature,” “knowledge and practices concerning nature and the universe,” and “traditional craftsmanship.”

The greatest difference between the two Conventions is in the nature of the values to be protected. In the case of the World Heritage Convention, protection is afforded to places of outstanding universal value as determined by the World Heritage Committee. In the case of the Intangible Cultural Heritage Convention, safeguarding is directed to representative examples that communities, groups and, in some cases, individuals recognize as part of their cultural heritage.

The Programme of the 2007 Round Table was organized in six sessions that focussed on the theories and actual case studies related to tangible and intangible heritage in the context of the two Conventions. Session I examined the relationship between the 1972 and 2003 UNESCO Conventions, including reports from earlier international meetings on the subject and a tight focus on the areas of cross-over. Session II looked at the definitions, listing mechanisms and processes for identifying heritage values prescribed in the two Conventions. Session III dealt with issues of protection and safeguarding, giving a particular focus on what impacts the different approaches might have on policy development and professional expertise. Session IV raised the question of whether the two Conventions could be applied to the same place, with an exploration of potential overlaps, integration and adjustments to working methods. Sessions V and VI provided time for the reports of the Rapporteurs, an overview from an Australian expert and a period of general discussion.

Among the lessons learned from the 2006 Round Table was the need for an additional wrap-up session at the end, in order to step back from the specific sessions and grasp the overall tendencies and trends. The 2007 Round Table made provision for an additional session on the following morning, in order to hear the session reports and to consider general outcomes and overall conclusions.

Speakers from ten countries were invited to share their specialized knowledge in order to frame the ensuing discussions. Among the participants were representatives from the three levels of government in Canada as well as specialists from Canadian universities and non-governmental organisations. In the spirit of a Round Table, each participant joined the debate in order to deepen a collective understanding of the relationships between the two Conventions.

In line with the educational focus of the Chair, over thirty graduate students from three Canadian universities were invited to observe the deliberations. Three of the students directly associated with the Canada Research Chair on Built Heritage presented their research projects related to World Heritage Sites. Four students volunteered to serve as Rapporteurs of the individual sessions.

By examining the two Conventions from a range of national and international perspectives, the 2007 Round Table was intended to enhance participants' understanding of the interaction between the tangible and intangible dimensions of heritage places and spaces. In addition, the meeting also set out to explore opportunities for collaboration and integrated action between the two Conventions.

This publication contains the 2007 Round Table programme, presentations by speakers, reports from the Rapporteurs of the session discussions, a final essay capturing the main conclusions of the meeting and a list of participants.

Christina Cameron
Canada Research Chair on Built Heritage
Faculté de l'aménagement, University of Montréal

1. Programme de la Table ronde

Le patrimoine matériel et immatériel: deux conventions de l'UNESCO 14 au 16 mars 2007

*Table ronde 2007 organisée par la Chaire de recherche du Canada en patrimoine bâti
Faculté de l'aménagement, Université de Montréal*

Mercredi 14 mars 2007

18:00 Réception

Lieu: Le Café des beaux-arts,
Musée des beaux-arts de Montréal
1384, rue Sherbrooke Ouest, 2^e étage
Montréal, Québec

Jeudi 15 mars 2007

Lieu: Église Erskine and American
1339, rue Sherbrooke Ouest
Montréal, Québec

08:30 Inscription et café

09:00 **Mot de bienvenue**
Giovanni De Paoli
Doyen, Faculté de l'aménagement, Université de Montréal

09:15 **Session I: Liens entre les conventions de l'UNESCO de 1972 et de 2003 sur le patrimoine matériel et immatériel**

Présidente: Christina Cameron, Chaire de recherche du Canada
en patrimoine bâti, Université de Montréal

Rapporteur: Christine Bricault, Étudiante au doctorat, Université Laval

Sarah Titchen, Spécialiste de programme, Affaires culturelles, UNESCO, New York

Les dimensions immatérielles de la convention du patrimoine mondial de 1972

Rieks Smeets, Chef, Patrimoine culturel immatériel, UNESCO, Paris

Les dimensions matérielles de la convention pour la sauvegarde du patrimoine culturel immatériel de 2003

Dinu Bumbu, Secrétaire général, ICOMOS International, Montréal

Rapport de la 14e assemblée générale de l'ICOMOS, Zimbabwe 2003, sur "La mémoire des lieux: préserver le sens et les valeurs immatérielles des monuments et des sites"

Joël Dalibard fera la présentation de Toshiyuki Kono, Professeur de droit, Université Kyushu, Japon

Rapport du congrès international à Nara, 2004, sur "La sauvegarde du patrimoine matériel et immatériel: vers une approche intégrée"

10: 30 Pause

11:00 **Session II: Les Listes du patrimoine: les définitions et l'identification des valeurs**

Présidente: Claudine Déom, Professeure adjointe, École d'architecture, Faculté de l'aménagement, Université de Montréal

Rapporteur: Carolyn van Slightenhorst, Étudiante à la maîtrise, Université Carleton

Herb Stovel, Professeur agrégé, Programme de conservation du patrimoine, École des études canadiennes, Université Carleton, Ottawa

La définition du "patrimoine" aux conventions de 1972 et de 2003: dédoublements et différences

Laurier Turgeon, Professeur et titulaire, Chaire de recherche du Canada en patrimoine ethnologique, Institut du patrimoine culturel, Université Laval, Québec
L'inventaire du patrimoine culturel immatériel du Québec: un modèle à suivre?

John Pinkerton, Coordonnateur des affaires internationales, Parcs Canada, Gatineau

Évolution des critères du patrimoine mondial afin d'adresser les dimensions immatérielles des valeurs patrimoniales

Britta Rudolff, Conseillère de la gestion du patrimoine et des affaires de l'UNESCO, Royaume de Bahrein

Patrimoine matériel et immatériel: une approche intégrée

12:00 Discussion

12:45 Déjeuner

Lieu: Le Café des beaux-arts,
Musée des beaux-arts de Montréal
1384, rue Sherbrooke Ouest, 2^e étage
Montréal, Québec

13:45

Session III: La sauvegarde du patrimoine matériel et immatériel: des implications pour le développement des politiques et de l'expertise professionnelle

Président: Julian Smith, Architecte, Julian Smith et associés, Ottawa
Rapporteur 3: Léopoldine Marcotte, Étudiante à la maîtrise, Université de Montréal

Susan Buggey, Professeure associée, École d'architecture de paysage, Faculté de l'aménagement, Université de Montréal
La conservation des sites culturels sur la Liste du patrimoine mondial

Murray McComb, Directeur, Division Programmes coopératifs, Parcs Canada, Gatineau
La conservation des sites naturels sur la Liste du patrimoine mondial

Magali Cochard et Kibamba Nimon, Étudiantes à la maîtrise, Institut d'urbanisme, Faculté de l'aménagement, Université de Montréal
La conservation des sites du patrimoine mondial au Mali

Gaël Amoussou, Étudiant, M. Sc.A. (Aménagement) Option Conservation de l'environnement bâti, Université de Montréal
La conservation de Koutammakou, site du patrimoine mondial au Togo

14:30

Discussion

15:15

Pause

15:45

Session IV: Peut-on appliquer les deux conventions au même site?

Président: Jean-Claude Marsan, Professeur, École d'architecture, Faculté de l'aménagement, Université de Montréal
Rapporteur 4: Ron Roy, Étudiant à la maîtrise, Université Carleton

Gordon Fulton, Directeur, Services historiques, Parcs Canada, Gatineau
Un diagnostic différentiel: vers une définition des limites de chacune des deux conventions

Christina Cameron fera la présentation de Mechtild Rössler, Centre du patrimoine mondial de l'UNESCO, Paris

Les paysages culturels et le patrimoine immatériel culturel

Christopher Young, Coordonnateur, Patrimoine mondial, English Heritage, Londres

Doit-on modifier les Orientations du comité du patrimoine mondial?

Dinu Bumbaru/Gustavo Araoz, ICOMOS International, Montréal

Inscription des sites de valeurs immatérielles sous les deux conventions: toujours, parfois, jamais

16:30 Discussion
17:15 Clôture de la session

Vendredi 16 mars 2007

Lieu: Église Erskine and American
1339, rue Sherbrooke Ouest
Montréal, Québec

08:30 Café

09:00 Session V: Rapports des sessions: vers l'identification des enjeux importants

Présidente: Louise Letocha, Présidente du Conseil du patrimoine de Montréal

Compte-rendu des Rapporteurs:

Session I Christine Bricault
Session II Carolyn van Slightenhorst
Session III Léopoldine Marcotte
Session IV Ron Roy

Kristal Buckley, Consultante en patrimoine et vice-présidente internationale de l'ICOMOS

Une vue d'ensemble des discussions de la Table ronde

Discussion

10:30 Pause

11:00 Session VI: Discussion en table ronde des conclusions

Président: Larry Ostola, Directeur général, Lieux historiques nationaux, Parcs Canada, Gatineau

13:00 Clôture de la Table ronde 2007

1. Round Table Programme

Tangible and Intangible Heritage: Two UNESCO Conventions 14-16 March 2007

*2007 Round Table organized by the Canada Research Chair on Built Heritage
Faculty of Environmental Design, University of Montreal*

Wednesday 14 March 2007

18:00 Reception

Location: Le Café des beaux-arts
Montréal Museum of Fine Arts
1384 Sherbrooke St. West, 2nd storey
Montréal, Québec

Thursday 15 March 2007

Location: Erskine and American Church
1339, Sherbrooke St. West
Montréal, Québec

08:30 Registration and coffee

09:00 **Welcome**
Giovanni De Paoli
Dean, Faculty of Environmental Design, Université de Montréal

09:15 **Session I: Relationship between the 1972 and 2003 UNESCO Conventions on tangible and intangible heritage**

Chair: Christina Cameron, Canada Research Chair on Built Heritage, Université de Montréal

Rapporteur 1: Christine Bricault, Ph.D student, Université Laval

Sarah Titchen, Program Specialist for Culture UNESCO, New York
The Intangible Dimensions of the 1972 World Heritage Convention

Rieks Smeets, Chief, Intangible Cultural Heritage, UNESCO, Paris
The Tangible Dimensions of the 2003 Intangible Cultural Heritage Convention

Dinu Bumbaru, Secretary-General, ICOMOS, Montréal
Report on the 14th General Assembly of ICOMOS, Zimbabwe 2003, on "Place-Memory-Meaning: Preserving Intangible Values in Monuments and Sites"

Joël Dalibard will present a paper by Toshiyuki Kono, Professor of Law, Kyushu University, Japan

Report on International Conference in Nara, 2004, on “Safeguarding of Tangible and Intangible Cultural Heritage: Towards an Integrated Approach”

10: 30 Break

11:00 **Session II: Heritage Lists: Definitions and Identification of Values**

Chair: Claudine Déom, Assistant Professor, School of Architecture, Faculty of Environmental Design, Université de Montréal

Rapporteur: Carolyn van Slightenhorst, MA student, Carleton University

Herb Stovel, Associate Professor, Heritage Conservation Program, School of Canadian Studies, Carleton University, Ottawa

How the 1972 and 2003 Conventions define heritage: overlaps and differences

Laurier Turgeon, Professor and Chair, Canada Research Chair in History and Ethnology, Institut du patrimoine culturel, Université Laval

Quebec’s Inventory of Intangible Cultural Heritage: A model to follow?

John Pinkerton, International Coordinator, Parks Canada, Gatineau

Evolution of World Heritage criteria to address intangible dimensions of World Heritage values

Britta Rudolff, Counsellor for Heritage Management and UNESCO Affairs, Kingdom of Bahrain

Tangible and Intangible Heritage: an Integrated Approach

12:00 Discussion

12:45 Lunch

Location: Le Café des beaux-arts
Montréal Museum of Fine Arts
1384 Sherbrooke St. West, 2nd storey
Montréal, Québec

13:45 **Session III: Safeguarding Tangible and Intangible Heritage: Implications for Policy Development and Professional Expertise**

Chair: Julian Smith, Architect, Julian Smith and Associates, Ottawa

Rapporteur 3: Léopoldine Marcotte, MA student, Université de Montréal

Susan Bugghey, Adjunct Professor, School of Landscape Architecture, Faculty of Environmental Design, Université de Montréal

Approaches to conserving cultural World Heritage Sites

Murray McComb, Director, Parks Canada, Gatineau
Approaches to conserving natural World Heritage Sites

Magali Cochard and Kibamba Nimon, MA students, Institut d'urbanisme,
Université de Montréal
Approaches to conserving Mali's World Heritage Sites

Gaël Amoussou, Student, M.Sc.A, Option Conservation de l'environnement bâti,
Faculty of Environmental Design,
Université de Montréal
Approaches to conserving Koutammakou World Heritage Site in Togo

14:30 Discussion

15:15 Break

15:45 **Session IV: Can the two Conventions be applied to the same site?**

Chair: Jean-Claude Marsan, Professor, School of Architecture,
Université de Montréal
Rapporteur 4: Ron Roy, MA student, Carleton University

Gordon Fulton, Director, Historical Services, Parks Canada, Gatineau
A Differential Diagnosis: Defining the Boundaries of the two Conventions

Christina Cameron will present a paper by Mechtild Rössler, UNESCO World
Heritage Centre, Paris
Cultural Landscapes and Intangible Cultural Heritage

Christopher Young, World Heritage Coordinator, English Heritage, London
Implications for modifying the World Heritage Operational Guidelines

Dinu Bumbaru/Gustavo Araoz, ICOMOS
*Listing Sites with Intangible Values under both Conventions: always, sometimes,
never*

16:30 Discussion

17:15 Close

Friday 16 March 2007

Location: Erskine and American Church
1339, Sherbrooke St. West
Montréal, Québec

08:30 Coffee

09:00 **Session V: Reports from the sessions: Identifying Key issues**

Chair: Louise Letocha, President, Conseil du patrimoine de Montréal

Reports of the Rapporteurs:

Session I Christine Bricault
Session II Carolyn van Slightenhorst
Session III Léopoldine Marcotte
Session IV Ron Roy

Kristal Buckley, Heritage Consultant, Melbourne, Australia and International
Vice-President, ICOMOS

An Overview of the Round Table Discussions

Discussion

10:30 Break

11:00 **Session VI: Round Table Discussion on Conclusions**

Chair: Larry Ostola, Director-General, National Historic Sites,
Parks Canada

13:00 Close of 2007 Round Table

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

La Conférence générale de l'Organisation des Nations Unies pour l'éducation, la science et la culture, réunie à Paris du 17 octobre au 21 novembre 1972, en sa dix septième session,

Constatant que le patrimoine culturel et le patrimoine naturel sont de plus en plus menacés de destruction non seulement par les causes traditionnelles de dégradation mais encore par l'évolution de la vie sociale et économique qui les aggrave par des phénomènes d'altération ou de destruction encore plus redoutables,

Considérant que la dégradation ou la disparition d'un bien du patrimoine culturel et naturel constitue un appauvrissement néfaste du patrimoine de tous les peuples du monde,

Considérant que la protection de ce patrimoine à l'échelon national reste souvent incomplète en raison de l'ampleur des moyens qu'elle nécessite et de l'insuffisance des ressources économiques, scientifiques et techniques du pays sur le territoire duquel se trouve le bien à sauvegarder,

Rappelant que l'Acte constitutif de l'Organisation prévoit qu'elle aidera au maintien, à l'avancement et à la diffusion du savoir en veillant à la conservation et protection du patrimoine universel et en recommandant aux peuples intéressés des conventions internationales à cet effet,

Considérant que les conventions, recommandations et résolutions internationales existantes en faveur des biens culturels et naturels démontrent l'importance que présente, pour tous les peuples du monde, la sauvegarde de ces biens uniques et irremplaçables à quelque peuple qu'ils appartiennent,

Considérant que certains biens du patrimoine culturel et naturel présentent un intérêt exceptionnel qui nécessite leur préservation en tant qu'élément du patrimoine mondial de l'humanité tout entière,

Considérant que devant l'ampleur et la gravité des dangers nouveaux qui les menacent il incombe à la collectivité internationale tout entière de participer à la protection du patrimoine culturel et naturel de valeur universelle exceptionnelle, par l'octroi d'une assistance collective qui sans se substituer à l'action de l'État intéressé la complétera efficacement,

Considérant qu'il est indispensable d'adopter à cet effet de nouvelles dispositions conventionnelles établissant un système efficace de protection collective du patrimoine culturel et naturel de valeur universelle exceptionnelle organisé d'une façon permanente et selon des méthodes scientifiques et modernes,

Après avoir décidé lors de sa seizième session que cette question ferait l'objet d'une Convention internationale,

Adopte ce seizième jour de novembre 1972 la présente Convention.

I. Définitions du patrimoine culturel et naturel

Article premier

Aux fins de la présente Convention sont considérés comme « patrimoine culturel »:

Les monuments : oeuvres architecturales, de sculpture ou de peinture monumentales, éléments ou structures de caractère archéologique, inscriptions, grottes et groupes d'éléments, qui ont une valeur universelle exceptionnelle du point de vue de l'histoire, de l'art ou de la science,

Les ensembles : groupes de constructions isolées ou réunies, qui, en raison de leur architecture, de leur unité, ou de leur intégration dans le paysage, ont une valeur universelle exceptionnelle du point de vue de l'histoire, de l'art ou de la science,

Les sites : oeuvres de l'homme ou oeuvres conjuguées de l'homme et de la nature, ainsi que les zones y compris les sites archéologiques qui ont une valeur universelle exceptionnelle du point de vue historique, esthétique, ethnologique ou anthropologique.

Article 2

Aux fins de la présente Convention sont considérés comme « patrimoine naturel »:

Les monuments naturels constitués par des formations physiques et biologiques ou par des groupes de telles formations qui ont une valeur universelle exceptionnelle du point de vue esthétique ou scientifique,

Les formations géologiques et physiographiques et les zones strictement délimitées constituant l'habitat d'espèces animale et végétale menacées, qui ont une valeur universelle exceptionnelle du point de vue de la science ou de la conservation,

Les sites naturels ou les zones naturelles strictement délimitées, qui ont une valeur universelle exceptionnelle du point de vue de la science, de la conservation ou de la beauté naturelle.

Article 3

Il appartient à chaque État partie à la présente Convention d'identifier et de délimiter les différents biens situés sur son territoire et visés aux articles 1 et 2 ci-dessus.

II. Protection nationale et protection internationale du patrimoine culturel et naturel

Article 4

Chacun des États parties à la présente Convention reconnaît que l'obligation d'assurer l'identification, la protection, la conservation, la mise en valeur et la transmission aux générations futures du patrimoine culturel et naturel visé aux articles 1 et 2 et situé sur son territoire, lui incombe au premier chef. Il s'efforce d'agir à cet effet tant par son propre effort au maximum de ses ressources disponibles que, le cas échéant, au moyen de l'assistance et de la coopération internationales dont il pourra bénéficier, notamment aux plans financier, artistique, scientifique et technique.

Article 5

Afin d'assurer une protection et une conservation aussi efficaces et une mise en valeur aussi active que possible du patrimoine culturel et naturel situé sur leur territoire et dans les conditions appropriées à chaque pays, les États parties à la présente Convention s'efforceront dans la mesure du possible:

- a. D'adopter une politique générale visant à assigner une fonction au patrimoine culturel et naturel dans la vie collective, et à intégrer la protection de ce patrimoine dans les programmes de planification générale;
- b. D'instituer sur leur territoire, dans la mesure où ils n'existent pas, un ou plusieurs services de protection, de conservation et de mise en valeur du patrimoine culturel et naturel, dotés d'un personnel approprié, et disposant des moyens lui permettant d'accomplir les tâches qui lui incombent;
- c. De développer les études et les recherches scientifiques et techniques et perfectionner les méthodes d'intervention qui permettent à un État de faire face aux dangers qui menacent son patrimoine culturel ou naturel;
- d. De prendre les mesures juridiques, scientifiques, techniques, administratives et financières adéquates pour l'identification, la protection, la conservation, la mise en valeur et la réanimation de ce patrimoine; et
- e. De favoriser la création ou le développement de centres nationaux ou régionaux de formation dans le domaine de la protection, de la conservation et de la mise en valeur du patrimoine culturel et naturel et d'encourager la recherche scientifique dans ce domaine.

Article 6

1. En respectant pleinement la souveraineté des États sur le territoire desquels est situé le patrimoine culturel et

naturel visé aux articles 1 et 2, et sans préjudice des droits réels prévus par la législation nationale sur ledit patrimoine, les États parties à la présente Convention reconnaissent qu'il constitue un patrimoine universel pour la protection duquel la communauté internationale tout entière, a le devoir de coopérer.

2. Les États parties s'engagent en conséquence, et conformément aux dispositions de la présente Convention, à apporter leur concours à l'identification, à la protection, à la conservation et à la mise en valeur du patrimoine culturel et naturel visé aux paragraphes 2 et 4 de l'article 11 si l'État sur le territoire duquel il est situé le demande.

3. Chacun des États parties à la présente convention s'engage à ne prendre délibérément aucune mesure susceptible d'endommager directement ou indirectement le patrimoine culturel et naturel visé aux articles 1 et 2 qui est situé sur le territoire d'autres États parties à cette Convention.

Article 7

Aux fins de la présente Convention, il faut entendre par protection internationale du patrimoine mondial culturel et naturel la mise en place d'un système de coopération et d'assistance internationales visant à seconder les États parties à la Convention dans les efforts qu'ils déploient pour préserver et identifier ce patrimoine.

III. Comité intergouvernemental de la protection du patrimoine mondial culturel et naturel

Article 8

1. Il est institué auprès de l'Organisation des Nations Unies pour l'éducation, la science et la culture, un Comité intergouvernemental de la protection du patrimoine culturel et naturel de valeur universelle exceptionnelle dénommé « le Comité du patrimoine mondial ». Il est composé de 15 États parties à la Convention, élus par les États parties à la Convention réunis en assemblée générale au cours de sessions ordinaires de la Conférence générale de l'Organisation des Nations Unies pour l'éducation, la science et la culture. Le nombre des États membres du Comité sera porté à 21 à compter de la session ordinaire de la Conférence générale qui suivra l'entrée en vigueur de la présente Convention pour au moins 40 États.

2. L'élection des membres du Comité doit assurer une représentation équitable des différentes régions et cultures du monde.

3. Assistent aux séances du Comité avec voix consultative un représentant du Centre international d'études pour la conservation et la restauration des biens culturels (Centre de Rome), un représentant du Conseil international des monuments et des sites (ICOMOS), et un représentant de l'Union internationale pour la conservation de la nature et de ses ressources (UICN), auxquels peuvent s'ajouter, à la demande des États parties réunis en assemblée générale au cours des sessions ordinaires de la Conférence générale de l'Organisation des Nations Unies pour l'éducation, la science et la culture, des représentants d'autres organisations intergouvernementales et non gouvernementales ayant des objectifs similaires.

Article 9

1. Les États membres du Comité du patrimoine mondial exercent leur mandat depuis la fin de la session ordinaire de la Conférence générale au cours de laquelle ils ont été élus jusqu'à la fin de sa troisième session ordinaire subséquente.

2. Toutefois, le mandat d'un tiers des membres désignés lors de la première élection se terminera à la fin de la première session ordinaire de la Conférence générale suivant celle au cours de laquelle ils ont été élus et le mandat d'un second tiers des membres désignés en même temps, se terminera à la fin de la deuxième session ordinaire de la Conférence générale suivant celle au cours de laquelle ils ont été élus. Les noms de ces membres seront tirés au sort par le Président de la Conférence générale après la première élection.

3. Les États membres du Comité choisissent pour les représenter des personnes qualifiées dans le domaine du patrimoine culturel ou du patrimoine naturel.

Article 10

1. Le Comité du patrimoine mondial adopte son règlement intérieur.

2. Le Comité peut à tout moment inviter à ses réunions des organismes publics ou privés, ainsi que des personnes privées, pour les consulter sur des questions particulières.

3. Le Comité peut créer les organes consultatifs qu'il estime nécessaires à l'exécution de sa tâche.

Article 11

1. Chacun des États parties à la présente Convention soumet, dans toute la mesure du possible, au Comité du patrimoine mondial un inventaire des biens du patrimoine culturel et naturel situés sur son territoire et susceptibles d'être inscrits sur la liste prévue au paragraphe 2 du présent article. Cet inventaire, qui n'est pas considéré comme exhaustif, doit comporter une documentation sur le lieu des biens en question et sur l'intérêt qu'ils présentent.

2. Sur la base des inventaires sou-mis par les États en exécution du paragraphe 1 ci-dessus, le Comité établit, met à jour et diffuse, sous le nom de « liste du patrimoine mondial », une liste des biens du patrimoine culturel et du patrimoine naturel, tels qu'ils sont définis aux articles 1 et 2 de la présente Convention, qu'il considère comme ayant une valeur universelle exceptionnelle en application des critères qu'il aura établis. Une mise à jour de la liste doit être diffusée au moins tous les deux ans.

3. L'inscription d'un bien sur la liste du patrimoine mondial ne peut se faire qu'avec le consentement de l'État intéressé. L'inscription d'un bien situé sur un territoire faisant l'objet de revendication de souveraineté ou de juridiction de la part de plusieurs États ne préjuge en rien les droits des parties au différend.

4. Le Comité établit, met à jour et diffuse, chaque fois que les circonstances l'exigent, sous le nom de « liste du patrimoine mondial en péril », une liste des biens figurant sur la liste du patrimoine mondial pour la sauvegarde desquels de grands travaux sont nécessaires et pour lesquels une assistance a été demandée aux termes de la présente Convention. Cette liste contient une estimation du coût des opérations. Ne peuvent figurer sur cette liste que des biens du patrimoine culturel et naturel qui sont menacés de dangers graves et précis, tels que menace de disparition due à une dégradation accélérée, projets de grands travaux publics ou privés, rapide développement urbain et touristique, destruction due à des changements d'utilisation ou de propriété de la terre, altérations profondes dues à une cause inconnue, abandon pour des raisons quelconques, conflit armé venant ou menaçant d'éclater, calamités et cataclysmes, grands incendies, séismes, glissements de terrain, éruptions volcaniques, modification du niveau des eaux, inondations, raz de marée. Le Comité peut, à tout moment, en cas d'urgence, procéder à une nouvelle inscription sur la liste du patrimoine mondial en péril et donner à cette inscription une diffusion immédiate.

5. Le Comité définit les critères sur la base desquels un bien du patrimoine culturel et naturel peut être inscrit dans l'une ou l'autre des listes visées aux paragraphes 2 et 4 du présent article.

6. Avant de refuser une demande d'inscription sur l'une des deux listes visées aux paragraphes 2 et 4 du présent article, le Comité consulte l'État partie sur le territoire duquel est situé le bien du patrimoine culturel ou naturel dont il s'agit.

7. Le Comité, avec l'accord des États intéressés, coordonne et encourage les études et les recherches nécessaires à la constitution des listes visées aux paragraphes 2 et 4 du présent article.

Article 12

Le fait qu'un bien du patrimoine culturel et naturel n'ait pas été inscrit sur l'une ou l'autre des deux listes visées aux paragraphes 2 et 4 de l'article 11 ne saurait en aucune manière signifier qu'il n'a pas une valeur universelle exceptionnelle à des fins autres que celles résultant de l'inscription sur ces listes.

Article 13

1. Le Comité du patrimoine mondial reçoit et étudie les demandes d'assistance internationale formulées par les États parties à la présente Convention en ce qui concerne les biens du patrimoine culturel et naturel situés sur leur territoire, qui figurent ou sont susceptibles de figurer sur les listes visées aux paragraphes 2 et 4 de l'article 11. Ces demandes peuvent avoir pour objet la protection, la conservation, la mise en valeur ou la réanimation de ces biens.

2. Les demandes d'assistance internationale en application du paragraphe 1 du présent article peuvent aussi avoir

pour objet l'identification de biens du patrimoine culturel et naturel défini aux articles 1 et 2, lorsque des recherches préliminaires ont permis d'établir que ces dernières méritaient d'être poursuivies.

3. Le Comité décide de la suite à donner à ces demandes, détermine, le cas échéant, la nature et l'importance de son aide et autorise la conclusion, en son nom, des arrangements nécessaires avec le gouvernement intéressé.

4. Le Comité fixe un ordre de priorité pour ses interventions. Il le fait en tenant compte de l'importance respective des biens à sauvegarder pour le patrimoine mondial culturel et naturel, de la nécessité d'assurer l'assistance internationale aux biens les plus représentatifs de la nature ou du génie et de l'histoire des peuples du monde et de l'urgence des travaux à entreprendre, de l'importance des ressources des États sur le territoire desquels se trouvent les biens menacés et en particulier de la mesure dans laquelle ils pourraient assurer la sauvegarde de ces biens par leurs propres moyens.

5. Le Comité établit, met à jour et diffuse une liste des biens pour lesquels une assistance internationale a été fournie.

6. Le Comité décide de l'utilisation des ressources du Fonds créé aux termes de l'article 15 de la présente Convention. Il recherche les moyens d'en augmenter les ressources et prend toutes mesures utiles -à cet effet.

7. Le Comité coopère avec les organisations internationales et nationales, gouvernementales et non gouvernementales, ayant des objectifs similaires à ceux de la présente Convention. Pour la mise en oeuvre de ses programmes et l'exécution de ses projets, le Comité peut faire appel à ces organisations, en particulier au Centre international d'études pour la conservation et la restauration des biens culturels (Centre de Rome), au Conseil international des monuments et des sites (ICOMOS) et à l'Union internationale pour la conservation de la nature et de ses ressources (UICN), ainsi qu'à d'autres organismes publics ou privés et à des personnes privées.

8. Les décisions du Comité sont prises à la majorité des deux tiers des membres présents et votants. Le quorum est constitué par la majorité des membres du Comité.

Article 14

1. Le Comité du patrimoine mondial est assisté par un secrétariat nommé par le Directeur général de l'Organisation des Nations Unies pour l'éducation, la science et la culture.

2. Le Directeur général de l'Organisation des Nations Unies pour l'éducation, la science et la culture, utilisant le plus possible les services du Centre international d'études pour la conservation et la restauration des biens culturels (Centre de Rome), du Conseil international des monuments et des sites (ICOMOS), et de l'Union internationale pour la conservation de la nature et de ses ressources (UICN), dans les domaines de leurs compétences et de leurs possibilités respectives, prépare la documentation du Comité, l'ordre du jour de ses réunions et assure l'exécution de ses décisions.

IV. Fonds pour la protection du patrimoine mondial culturel et naturel

Article 15

1. Il est créé un fonds pour la protection du patrimoine mondial culturel et naturel de valeur universelle exceptionnelle, dénommé « le Fonds du patrimoine mondial ».

2. Le Fonds est constitué en fonds de dépôt, conformément aux dispositions du règlement financier de l'Organisation des Nations Unies pour l'éducation, la science et la culture.

3. Les ressources du Fonds sont constituées par:

a. Les contributions obligatoires et les contributions volontaires des États parties à la présente Convention;

b. Les versements, dons ou legs que pourront faire:

(i) D'autres États,

(ii) L'Organisation des Nations Unies pour l'éducation, la science et la culture, les autres organisations du système des Nations Unies, notamment le Programme de développement des Nations Unies et d'autres organisations intergouvernementales,

(iii) Des organismes publics ou privés ou des personnes privées;

c. Tout intérêt dû sur les ressources du Fonds;

d. Le produit des collectes et les recettes des manifestations organisées au profit du Fonds et

e. Toutes autres ressources autorisées par le règlement qu'élaborera le Comité du patrimoine mondial.

4. Les contributions au Fonds et les autres formes d'assistance fournies au Comité ne peuvent être affectées qu'aux fins définies par lui. Le Comité peut accepter des contributions ne devant être affectées qu'à un certain programme ou à un projet particulier, à la condition que la mise en oeuvre de ce programme ou l'exécution de ce projet ait été décidée par le Comité. Les contributions au Fonds ne peuvent être assorties d'aucune condition politique.

Article 16

1. Sans préjudice de toute contribution volontaire complémentaire, les États parties à la présente Convention s'engagent à verser régulièrement, tous les deux ans, au Fonds du patrimoine mondial des contributions dont le montant, calculé selon un pourcentage uniforme applicable à tous les États, sera décidé par l'assemblée générale des États parties à la Convention, réunis au cours de sessions de la Conférence générale de l'Organisation des Nations Unies pour l'éducation, la science et la culture. Cette décision de l'assemblée générale requiert la majorité des États parties présents et votants qui n'ont pas fait la déclaration visée au paragraphe 2 du présent article. En aucun cas, la contribution obligatoire des États parties à la Convention ne pourra dépasser 1% de sa contribution au budget ordinaire de l'Organisation des Nations Unies pour l'éducation, la science et la culture.

2. Toutefois, tout État visé à l'article 31 ou à l'article 32 de la présente Convention peut, au moment du dépôt de ses instruments de ratification, d'acceptation ou d'adhésion, déclarer qu'il ne sera pas lié par les dispositions du paragraphe 1 du présent article.

3. Un État partie à la Convention ayant fait la déclaration visée au paragraphe 2 du présent article, peut à tout moment retirer ladite déclaration moyennant notification au Directeur général de l'Organisation des Nations Unies pour l'éducation, la science et la culture. Toutefois, le retrait de la déclaration n'aura d'effet sur la contribution obligatoire due par cet État qu'à partir de la date de l'assemblée générale des États parties qui suivra.

4. Afin que le Comité soit en mesure de prévoir ses opérations d'une manière efficace, les contributions des États parties à la présente Convention, ayant fait la déclaration visée au paragraphe 2 du présent article, doivent être versées sur une base régulière, au moins tous les deux ans, et ne devraient pas être inférieures aux contributions qu'ils auraient dû verser s'ils avaient été liés par les dispositions du paragraphe 1 du présent article.

5. Tout État partie à la Convention qui est en retard dans le paiement de sa contribution obligatoire ou volontaire en ce qui concerne l'année en cours et l'année civile qui l'a immédiatement précédée, n'est pas éligible au Comité du patrimoine mondial, cette disposition ne s'appliquant pas lors de la première élection. Le mandat d'un tel État qui est déjà membre du Comité prendra fin au moment de toute élection prévue à l'article 8, paragraphe 1, de la présente Convention.

Article 17

Les États parties à la présente Convention envisagent ou favorisent la création de fondations ou d'associations nationales publiques et privées ayant pour but d'encourager les libéralités en faveur de la protection du patrimoine culturel et naturel défini aux articles 1 et 2 de la présente Convention.

Article 18

Les États parties à la présente Convention prêtent leur concours aux campagnes internationales de collecte qui sont organisées au profit du Fonds du patrimoine mondial sous les auspices de l'Organisation des Nations Unies pour

l'éducation, la science et la culture. Ils facilitent les collectes faites à ces fins par des organismes mentionnés au paragraphe 3, article 15.

V. Conditions et modalités de l'assistance internationale

Article 19

Tout État partie à la présente Convention peut demander une assistance internationale en faveur de biens du patrimoine culturel ou naturel de valeur universelle exceptionnelle situés sur son territoire. Il doit joindre à sa demande les éléments d'information et les documents prévus à l'article 21 dont il dispose et dont le Comité a besoin pour prendre sa décision.

Article 20

Sous réserve des dispositions du paragraphe 2 de l'article 13, de l'alinéa c de l'article 22, et de l'article 23, l'assistance internationale prévue par la présente Convention ne peut être accordée qu'à des biens du patrimoine culturel et naturel que le Comité du patrimoine mondial a décidé ou décide de faire figurer sur l'une des listes visées aux paragraphes 2 et 4 de l'article 11.

Article 21

1. Le Comité du patrimoine mondial définit la procédure d'examen des demandes d'assistance internationale qu'il est appelé à fournir et précise notamment les éléments qui doivent figurer dans la demande, laquelle doit décrire l'opération envisagée, les travaux nécessaires, une estimation de leur coût, leur urgence et les raisons pour lesquelles les ressources de l'État demandeur ne lui permettent pas de faire face à la totalité de la dépense. Les demandes doivent, chaque fois que possible, s'appuyer sur l'avis d'experts.

2. En raison des travaux qu'il peut y avoir lieu d'entreprendre sans délai, les demandes fondées sur des calamités naturelles ou des catastrophes doivent être examinées d'urgence et en priorité par le Comité, qui doit disposer d'un fonds de réserve servant à de telles éventualités.

3. Avant de prendre une décision, le Comité procède aux études et aux consultations qu'il juge nécessaires.

Article 22

L'assistance accordée par le Comité du patrimoine mondial peut prendre les formes suivantes:

- a. Études sur les problèmes artistiques, scientifiques et techniques que posent la protection, la conservation, la mise en valeur et la réanimation du patrimoine culturel et naturel, tel qu'il est défini aux paragraphes 2 et 4 de l'article 11 de la présente Convention;
- b. Mise à la disposition d'experts, de techniciens et de main-d'œuvre qualifiée pour veiller à la bonne exécution du projet approuvé;
- c. Formation de spécialistes de tous niveaux dans le domaine de l'identification, de la protection, de la conservation, de la mise en valeur et de la réanimation du patrimoine culturel et naturel;
- d. Fourniture de l'équipement que l'État intéressé ne possède pas ou n'est pas en mesure d'acquérir;
- e. Prêts à faible intérêt, ou qui pourraient être remboursés à long terme;
- f. Octroi, dans des cas exceptionnels et spécialement motivés, de subventions non remboursables.

Article 23

Le Comité du patrimoine mondial peut également fournir une assistance internationale à des centres nationaux ou régionaux de formation de spécialistes de tous niveaux dans le domaine de l'identification, de la protection, de la conservation, de la mise en valeur et de la réanimation du patrimoine culturel et naturel.

Article 24

Une assistance internationale très importante ne peut être accordée qu'après une étude scientifique, économique et technique détaillée. Cette étude doit faire appel aux techniques les plus avancées de protection, de conservation, de mise en valeur et de réanimation du patrimoine culturel et naturel et correspondre aux objectifs de la présente Convention. L'étude doit aussi rechercher les moyens d'employer rationnellement les ressources disponibles dans l'État intéressé.

Article 25

Le financement des travaux nécessaires ne doit, en principe, incomber que partiellement à la communauté internationale. La participation de l'État qui bénéficie de l'assistance internationale doit constituer une part substantielle des ressources apportées à chaque programme ou projet, sauf si ses ressources ne le lui permettent pas.

Article 26

Le Comité du patrimoine, mondial et l'État bénéficiaire définissent dans l'accord qu'ils concluent les conditions dans lesquelles sera exécuté un programme ou projet pour lequel est fournie une assistance internationale au titre de la présente Convention. Il incombe à l'État qui reçoit cette assistance internationale de continuer à protéger, conserver et mettre en valeur les biens ainsi sauvegardés, conformément aux conditions définies dans l'accord.

VI. Programmes éducatifs

Article 27

1. Les États parties à la présente Convention s'efforcent par tous les moyens appropriés, notamment par des programmes d'éducation et d'information, de renforcer le respect et l'attachement de leurs peuples au patrimoine culturel et naturel défini aux articles 1 et 2 de la Convention.

2. Ils s'engagent à informer largement le public des menaces qui pèsent sur ce patrimoine et des activités entreprises en application de la présente Convention.

Article 28

Les États parties à la présente Convention qui reçoivent une assistance internationale en application de la Convention prennent les mesures nécessaires pour faire connaître l'importance des biens qui ont fait l'objet de cette assistance et le rôle que cette dernière a joué.

VII. Rapports

Article 29

1. Les États parties à la présente Convention indiquent dans les rapports qu'ils présenteront à la Conférence générale de l'Organisation des Nations Unies pour l'éducation, la science et la culture aux dates et sous la forme qu'elle déterminera, les dispositions législatives et réglementaires et les autres mesures qu'ils auront adoptées pour l'application de la Convention, ainsi que l'expérience qu'ils auront acquise dans ce domaine.

2. Ces rapports seront portés à la connaissance du Comité du patrimoine mondial.

3. Le Comité présente un rapport sur ses activités à chacune des sessions ordinaires de la Conférence générale de l'Organisation des Nations Unies pour l'éducation, la science et la culture.

VIII. Clauses finales

Article 30

La présente Convention est établie en anglais, en arabe, en espagnol, en français et en russe, les cinq textes faisant

également foi.

Article 31

1. La présente Convention sera soumise à la ratification ou à l'acceptation des États membres de l'Organisation des Nations Unies pour l'éducation, la science et la culture, conformément à leurs procédures constitutionnelles respectives.

2. Les instruments de ratification ou d'acceptation seront déposés auprès du Directeur général de l'Organisation des Nations Unies pour l'éducation, la science et la culture.

Article 32

1. La présente Convention est ouverte à l'adhésion de tout État non membre de l'Organisation des Nations Unies pour l'éducation, la science et la culture, invité à y adhérer par la Conférence générale de l'Organisation.

2. L'adhésion se fera par le dépôt d'un instrument d'adhésion auprès du Directeur général de l'Organisation des Nations Unies pour l'éducation, la science et la culture.

Article 33

La présente Convention entrera en vigueur trois mois après la date du dépôt du vingtième instrument de ratification, d'acceptation ou d'adhésion mais uniquement à l'égard des États qui auront déposé leurs instruments respectifs de ratification, d'acceptation ou d'adhésion à cette date ou antérieurement. Elle entrera en vigueur pour chaque autre État trois mois après le dépôt de son instrument de ratification, d'acceptation ou d'adhésion.

Article 34

Les dispositions ci-après s'appliquent aux États parties à la présente Convention ayant un système constitutionnel fédératif ou non unitaire:

a. En ce qui concerne les dispositions de cette Convention dont la mise en oeuvre relève de l'action législative du pouvoir législatif fédéral ou central, les obligations du gouvernement fédéral ou central seront les mêmes que celles des États parties qui ne sont pas des États fédératifs;

b. En ce qui concerne les dispositions de cette Convention dont l'application relève de l'action législative de chacun des États, pays, provinces ou cantons constituants, qui ne sont pas en vertu du système constitutionnel de la fédération tenus à prendre des mesures législatives, le gouvernement fédéral portera, avec son avis favorable, lesdites dispositions à la connaissance des autorités compétentes des États, pays, provinces ou cantons.

Article 35

1. Chacun des États parties à la présente Convention aura la faculté de dénoncer la Convention.

2. La dénonciation sera notifiée par un instrument écrit déposé auprès du Directeur général de l'Organisation des Nations Unies pour l'éducation, la science et la culture.

3. La dénonciation prendra effet 12 mois après réception de l'instrument de dénonciation. Elle ne modifiera en rien les obligations financières à assumer par l'État dénonciateur jusqu'à la date à laquelle le retrait prendra effet.

Article 36

Le Directeur général de l'Organisation des Nations Unies pour l'éducation, la science et la culture informera les États membres de l'Organisation, les États non membres visés à l'article 32, ainsi que l'Organisation des Nations Unies, du dépôt de tous les instruments de ratification, d'acceptation ou d'adhésion mentionnés aux articles 31 et 32, de même que des dénonciations prévues à l'article 35.

Article 37

1. La présente Convention pourra être révisée par la Conférence générale de l'Organisation des Nations Unies pour l'éducation, la science et la culture. La révision ne liera cependant que les États qui deviendront parties à la convention portant révision.

2. Au cas où la Conférence générale adopterait une nouvelle convention portant révision totale ou partielle de la présente Convention et à moins que la nouvelle convention n'en dispose autrement, la présente Convention cesserait d'être ouverte à la ratification, à l'acceptation ou à l'adhésion, à partir de la date d'entrée en vigueur de la nouvelle convention portant révision.

Article 38

Conformément à l'article 102 de la Charte des Nations Unies, la présente Convention sera enregistrée au Secrétariat des Nations Unies à la requête du Directeur général de l'Organisation des Nations Unies pour l'éducation, la science et la culture.

EN FOI DE QUOI ont apposé leurs signatures, ce vingt-troisième jour de novembre 1972.

Fait à Paris, ce vingt-troisième jour de novembre 1972, en deux exemplaires authentiques portant la signature du Président de la Conférence générale, réunie en sa dix-septième session, et du Directeur général de l'Organisation des Nations Unies pour l'éducation, la science et la culture, qui seront déposés dans les archives de l'Organisation des Nations Unies pour l'éducation, la science et la culture, et dont les copies certifiées conformes seront remises à tous les États visés aux articles 31 et 32 ainsi qu'à l'Organisation des Nations Un

2. Convention concerning the Protection of the World Cultural and Natural Heritage 1972

The General Conference of the United Nations Educational, Scientific and Cultural Organization meeting in Paris from 17 October to 21 November 1972, at its seventeenth session,

Noting that the cultural heritage and the natural heritage are increasingly threatened with destruction not only by the traditional causes of decay, but also by changing social and economic conditions which aggravate the situation with even more formidable phenomena of damage or destruction.

Considering that deterioration or disappearance of any item of the cultural or natural heritage constitutes a harmful impoverishment of the heritage of all the nations of the world,

Considering that protection of this heritage at the national level often remains incomplete because of the scale of the resources which it requires and of the insufficient economic, scientific and technical resources of the country where the property to be protected is situated,

Recalling that the Constitution of the Organization provides that it will main-tain, increase and diffuse knowledge, by assuring the conservation and protection of the world's heritage, and recommending to the nations concerned the necessary international conventions,

Considering that the existing international conventions, recommendations and resolutions concerning cultural and natural property demonstrate the importance, for all the peoples of the world, of safeguarding this unique and irreplaceable property, to whatever people it may belong,

Considering that parts of the cultural or natural heritage are of outstanding interest and therefore need to be preserved as part of the world heritage of mankind as a whole,

Considering that, in view of the magnitude and gravity of the new dangers threatening them, it is incumbent on the international community as a whole to participate in the protection of the cultural and natural heritage of outstanding universal value, by the granting of collective assistance which, although not taking the place of action by the State

concerned, will serve as an effective complement thereto,

Considering that it is essential for this purpose to adopt new provisions in the form of a convention establishing an effective system of collective protection of the cultural and natural heritage of outstanding universal value, organized on a permanent basis and in accordance with modern scientific methods,

Having decided, at its sixteenth session, that this question should be made the subject of an international convention,

Adopts this sixteenth day of November 1972 this Convention.

I. Definitions of the cultural and the natural heritage

Article 1

For the purposes of this Convention, the following shall be considered as 'cultural heritage':

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 2

For the purposes of this Convention, the following shall be considered as 'natural heritage':

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 3

It is for each State Party to this Convention to identify and delineate the different properties situated on its territory mentioned in Articles 1 and 2 above.

II. National protection and international protection of the cultural and natural heritage

Article 4

Each State Party to this Convention recognizes that the duty of ensuring the identification, protection, conservation, presentation and transmission to future generations of the cultural and natural heritage referred to in Articles 1 and 2 and situated on its territory, belongs primarily to that State. It will do all it can to this end, to the utmost of its own resources and, where appropriate, with any international assistance and co-operation, in particular, financial, artistic, scientific and technical, which it may be able to obtain.

Article 5

To ensure that effective and active measures are taken for the protection, conservation and presentation of the cultural and natural heritage situated on its territory, each States Party to this Convention shall endeavour, in so far as possible, and as appropriate for each country:

- (a) to adopt a general policy which aims to give the cultural and natural heritage a function in the life of the community and to integrate the protection of that heritage into comprehensive planning programmes;
- (b) to set up within its territories, where such services do not exist, one or more services for the protection, conservation, and presentation of the cultural and natural heritage with an appropriate staff and possessing the means to discharge their functions;
- (c) to develop scientific and technical studies and research and to work out such operating methods as will make the State capable of counteracting the dangers that threaten its cultural or natural heritage;
- (d) to take the appropriate legal, scientific, technical, administrative and financial measures necessary for the identification, protection, conservation, presentation and rehabilitation of this heritage; and
- (e) to foster the establishment or development of national or regional centers for training in the protection, conservation and presentation of the cultural and natural heritage and to encourage scientific research in this field.

Article 6

1. Whilst fully respecting the sovereignty of the States on whose territory the cultural and natural heritage mentioned in Articles 1 and 2 is, situated; and without prejudice to property rights provided by national legislation, the States Parties to this Convention recognize that such heritage constitutes a world heritage for whose protection it is duty of the international community as a whole to co-operate.
2. The States Parties undertake, in accordance with the provisions of this Convention, to give their help in the identification, protection, conservation and presentation of the cultural and natural heritage referred to in paragraphs 2 and 4 of Article 11 if the States on whose territory it is situated so request.
3. Each State Party to this Convention undertakes not to take any deliberate measures which might damage directly or indirectly the cultural and natural heritage referred to in Articles 1 and 2 situated on the territory of other States Parties to this Convention.

Article 7

For the purpose of this Convention, international protection of the world cultural and natural heritage shall be understood to mean the establishment of a system of international co-operation and assistance designed to support States Parties to the Convention in their efforts to conserve and identify that heritage.

III. Intergovernmental Committee for the Protection of the World Cultural and Natural Heritage

Article 8

1. An Intergovernmental Committee for the Protection of - the Cultural and Natural Heritage of Outstanding Universal Value, called 'the World Heritage Committee', is hereby established within the United Nations Educational, Scientific and Cultural Organization. It shall be composed of 15 States Parties to the Convention, elected by States Parties to the Convention meeting in general assembly during the ordinary session of the General Conference of the United Nations Educational, Scientific and Cultural Organization. The number of States members of the Committee shall be increased to 21 as from the date of the ordinary session of the General Conference following the entry into force of this Convention for at least 40 States.
2. Election of members of the Committee shall ensure an equitable representation of the different regions and cultures of the world.
3. A representative of the International Center for the Study of the Preservation and Restoration of Cultural Property

(Rome Center), a representative of the International Council of Monuments and Sites (ICOMOS) and a representative of the International Union for Conservation of Nature and Natural Resources (IUCN), to whom may be added, at the request of States Parties to the Convention meeting in general assembly during the ordinary sessions of the General Conference of the United Nations Educational, Scientific and Cultural Organization, representatives of other intergovernmental or nongovernmental organizations, with similar objectives, may attend the meetings of the Committee in an advisory capacity.

Article 9

1. The term of office of States members of the World Heritage Committee shall extend from the end of the ordinary session of the General Conference during which they are elected until the end of its third subsequent ordinary session.
2. The term of office of one-third of the members designated at the time of the first election shall, however, cease at the end of the first ordinary session of the General Conference following that at which they were elected; and the term of office of a further third of the members designated at the same time shall cease at the end of the second ordinary session of the General Conference following that at which they were elected. The names of these members shall be chosen by lot by the President of the General Conference of the United Nations Educational, Scientific and Cultural Organization after the first election.
3. States members of the Committee shall choose as their representatives persons qualified in the field of the cultural or natural heritage.

Article 10

1. The World Heritage Committee shall adopt its Rules of Procedure.
2. The Committee may at any time invite public or private organizations or individuals to participate in its meetings for consultation on particular problems.
3. The Committee may create such consultative bodies as it deems necessary for the performance of its functions.

Article 11

1. Every State Party to this Convention shall, in so far as possible, submit to the World Heritage Committee an inventory of property forming part of the cultural and natural heritage, situated in its territory and suitable for inclusion in the list provided for in paragraph 2 of this Article. This inventory, which shall not be considered exhaustive, shall include documentation about the location of the property in question and its significance.
2. On the basis of the inventories submitted by States in accordance with paragraph 1, the Committee shall establish, keep up to date and publish, under the title of World Heritage List, a list of properties forming part of the cultural heritage and natural heritage, as defined in Articles 1 and 2 of this Convention, which it considers as having outstanding universal value in terms of such criteria as it shall have established. An updated list shall be distributed at least every two years.
3. The inclusion of a property in the World Heritage List requires the consent of the State concerned. The inclusion of a property situated in a territory, sovereignty or jurisdiction over which is claimed by more than one State shall in no way prejudice the rights of the parties to the dispute.
4. The Committee shall establish, keep up to date and publish, whenever circumstances shall so require, under the title of List of World Heritage in Danger, a list of the property appearing in the World Heritage List for the conservation of which major operations are necessary and for which assistance has been requested under this Convention. This list shall contain an estimate of the cost of such operations. The list may include only such property forming part of the cultural and natural heritage as is threatened by serious and specific dangers, such as the threat of disappearance caused by accelerated deterioration, large-scale public or private projects or rapid urban or tourist development projects; destruction caused by changes in the use or ownership of the land; major alterations due to unknown causes; abandonment for any reason whatsoever; the outbreak or the threat of an armed conflict; calamities and cataclysms; serious fires, earthquakes, landslides; volcanic eruptions; changes in water level, floods, and tidal waves. The Committee may at any time, in case of urgent need, make a new entry in the List of World Heritage in

Danger and publicize such entry immediately.

5. The Committee shall define the criteria on the basis of which a property belonging to the cultural or natural heritage may be included in either of the lists mentioned in paragraphs 2 and 4 of this article. 6. Before refusing a request for inclusion in one of the two lists mentioned in paragraphs 2 and 4 of this article, the Committee shall consult the State Party in whose territory the cultural or natural property in question is situated. 7. The Committee shall, with the agreement of the States concerned, co-ordinate and encourage the studies and research needed for the drawing up of the lists referred to in paragraphs 2 and 4 of this article.

Article 12

The fact that a property belonging to the cultural or natural heritage has not been included in either of the two lists mentioned in paragraphs 2 and 4 of Article 11 shall in no way be construed to mean that it does not have an outstanding universal value for purposes other than those resulting from inclusion in these lists.

Article 13

1. The World Heritage Committee shall receive and study requests for inter-national assistance formulated by States Parties to this Convention with respect to property forming part of the cultural or natural heritage, situated in their territories, and included or potentially suitable for inclusion in the lists referred to in paragraphs 2 and 4 of Article 11. The purpose of such requests may be to secure the protection, conservation, presentation or rehabilitation of such property.

2. Requests for international assistance under paragraph 1 of this article may also be concerned with identification of cultural or natural property defined in Articles 1 and 2, when preliminary investigations have shown that further inquiries would be justified.

3. The Committee shall decide on the action to be taken with regard to these requests, determine where appropriate, the nature and extent of its assistance, and authorize the conclusion, on its behalf, of the necessary arrangements with the government concerned.

4. The Committee shall determine an order of priorities for its operations. It shall in so doing bear in mind the respective importance for the world cultural and natural heritage of the property requiring protection, the need to give international assistance to the property most representative of a natural environment or of the genius and the history of the peoples of the world, the urgency of the work to be done, the resources available to the States on whose territory the threatened property is situated and in particular the extent to which they are able to safeguard such property by their own means.

5. The Committee shall draw up, keep up to date and publicize a list of property for which international assistance has been granted.

6. The Committee shall decide on the use of the resources of the Fund established under Article 15 of this Convention. It shall seek ways of increasing these resources and shall take all useful steps to this end.

7. The Committee shall co-operate with international and national governmental and non-governmental organizations having objectives similar to those of this Convention. For the implementation of its programmes and projects, the Committee may call on such organizations, particularly the International Center for the Study of the Preservation and Restoration of Cultural Property (the Rome Center), the International Council of Monuments and Sites (ICOMOS) and the International Union for Conservation of Nature and Natural Resources (IUCN), as well as on public and private bodies and individuals.

8. Decisions of the Committee shall be taken by a majority of two-thirds of its members present and voting. A majority of the members of the Committee shall constitute a quorum.

Article 14

1. The World Heritage Committee shall be assisted by a Secretariat appointed by the Director-General of the United Nations Educational, Scientific and Cultural Organization.

2. The Director-General of the United Nations Educational, Scientific and Cultural Organization, utilizing to the fullest extent possible the services of the International Center for the Study of the Preservation and the Restoration of Cultural Property (the Rome Center), the International Council of Monuments and Sites (ICOMOS) and the International Union for Conservation of Nature and Natural Resources (IUCN) in their respective areas of competence and capability, shall prepare the Committee's documentation and the agenda of its meetings and shall have the responsibility for the implementation of its decisions.

IV. Fund for the Protection of the World Cultural and Natural Heritage

Article 15

1. A Fund for the Protection of the World Cultural and Natural Heritage of Outstanding Universal Value, called 'the World Heritage Fund', is hereby established.
2. The Fund shall constitute a trust fund, in conformity with the provisions of the Financial Regulations of the United Nations Educational, Scientific and Cultural Organization.
3. The resources of the Fund shall consist of:
 - (a) compulsory and voluntary contributions made by the States Parties to this Convention,
 - (b) contributions, gifts or bequests which may be made by:
 - (i) other States;
 - (ii) the United Nations Educational, Scientific and Cultural Organization, other organizations of the United Nations system, particularly the United Nations Development Programme or other intergovernmental organizations ;
 - (iii) public or private bodies or individuals;
 - (c) any interest due on the resources of the Fund;
 - (d) funds raised by collections and receipts from events organized for the benefit of the Fund; and
 - (e) all other resources authorized by the Fund's regulations, as drawn up by the World Heritage Committee.
4. Contributions to the Fund and other forms of assistance made available to the Committee may be used only for such purposes as the Committee shall define. The Committee may accept contributions to be used only for a certain programme or project, provided that the Committee shall have decided on the implementation of such programme or project. No political conditions may be attached to contributions made to the Fund.

Article 16

1. Without prejudice to any supplementary voluntary contribution, the States Parties to this Convention undertake to pay regularly, every two years, to the World Heritage Fund, contributions, the amount of which, in the form of a uniform percentage applicable to all States, shall be determined by the General Assembly of States Parties to the Convention, meeting during the sessions of the General Conference of the United Nations Educational, Scientific and Cultural Organization. This decision of the General Assembly requires the majority of the States Parties present and voting, which have not made the declaration referred to in paragraph 2 of this Article. In no case shall the compulsory contribution of States Parties to the Convention exceed 1 % of the -contribution to the Regular Budget of the United Nations Educational, Scientific and Cultural Organization.
2. However, each State referred to in Article 31 or in Article 32 of this Convention may declare, at the time of the deposit of its instruments of ratification, acceptance or accession, that it shall not be bound by the provisions of paragraph 1 of this Article.
3. A State Party to the Convention which has made the declaration referred to in paragraph 2 of this Article may at any time withdraw the said declaration by notifying the Director-General of the United Nations Educational, Scientific and Cultural Organization. However, the withdrawal of the declaration shall not take effect in regard to the

compulsory contribution due by the State until the date of the subsequent General Assembly of States Parties to the Convention.

4. In order that the Committee may be able to plan its operations effectively, the contributions of States Parties to this Convention which have made the declaration referred to in paragraph 2 of this Article, shall be paid on a regular basis, at least every two years, and should not be less than the contributions which they should have paid if they had been bound by the provisions of paragraph 1 of this Article.

5. Any State Party to the Convention which is in arrears with the payment of its compulsory or voluntary contribution for the current year and the calendar year immediately preceding it shall not be eligible as a Member of the World Heritage Committee, although this provision shall not apply to the first election.

The terms of office of any such State which is already a member of the Committee shall terminate at the time of the elections provided for in Article 8, paragraph 1 of this Convention.

Article 17

The States Parties to this Convention shall consider or encourage the establishment of national, public and private foundations or associations whose purpose is to invite donations for the protection of the cultural and natural heritage as defined in Articles 1 and 2 of this Convention.

Article 18

The States Parties to this Convention shall give their assistance to international fund-raising campaigns organized for the World Heritage Fund under the auspices of the United Nations Educational, Scientific and Cultural Organization. They shall facilitate collections made by the bodies mentioned in paragraph 3 of Article 15 for this purpose.

V. Conditions and arrangements for international assistance

Article 19

Any State Party to this Convention may request international assistance for property forming part of the cultural or natural heritage of outstanding universal value situated within its territory. It shall submit with its request such information and documentation provided for in Article 21 as it has in its possession and as will enable the Committee to come to a decision.

Article 20

Subject to the provisions of paragraph 2 of Article 13, sub-paragraph (c) of Article 22 and Article 23, international assistance provided for by this Convention may be granted only to property forming part of the cultural and natural heritage which the World Heritage Committee has decided, or may decide, to enter in one of the lists mentioned in paragraphs 2 and 4 of Article 11.

Article 21

1. The World Heritage Committee shall define the procedure by which requests to it for international assistance shall be considered and shall specify the content of the request, which should define the operation contemplated, the work that is necessary, the expected cost thereof, the degree of urgency and the reasons why the resources of the State requesting assistance do not allow it to meet all the expenses. Such requests must be supported by experts' reports whenever possible.

2. Requests based upon-disasters or natural calamities should, by reasons of the urgent work which they may involve, be given immediate, priority consideration by the Committee, which should have a reserve fund at its disposal against such contingencies.

3. Before coming to a decision, the Committee shall carry out such studies and consultations as it deems necessary.

Article 22

Assistance granted by the World Heritage Committee may take the following forms :

- (a) studies concerning the artistic, scientific and technical problems raised by the protection, conservation, presentation and rehabilitation of the cultural and natural heritage, as defined in paragraphs 2 and 4 of Article 11 of this Convention;
- (b) provision of experts, technicians and skilled labour to ensure that the approved work is correctly carried out;
- (c) training of staff and specialists at all levels in the field of identification, protection, conservation, presentation and rehabilitation of the cultural and natural heritage;
- (d) supply of equipment which the State concerned does not possess or is not in a position to acquire;
- (e) low-interest or interest-free loans which might be repayable on a long-term basis ;
- (f) the granting, in exceptional cases and for special reasons, of non-repayable subsidies.

Article 23

The World Heritage Committee may also provide international assistance to national or regional centers for the training of staff and specialists at all levels in the field of identification, protection, conservation, presentation and rehabilitation of the cultural and natural heritage.

Article 24

International assistance on a large scale shall be preceded by detailed scientific, economic and technical studies. These studies shall draw upon the most advanced techniques for the protection, conservation, presentation and rehabilitation of the natural and cultural heritage and shall be consistent with the objectives of this Convention. The studies shall also seek means of making rational use of the resources available in the State concerned.

Article 25

As a general rule, only part of the cost of work necessary shall be borne by the international community. The contribution of the State benefiting from international assistance shall constitute a substantial share of the resources devoted to each programme or project, unless its resources do not permit this.

Article 26

The World Heritage Committee and the recipient State shall define in the agreement they conclude the conditions in which a programme or project for which international assistance under the terms of this Convention is provided, shall be, carried out. It shall be the responsibility of the State receiving such international assistance to continue to protect, conserve and present the property so safeguarded, in observance of the conditions laid down by the agreement.

VI. Educational programmes

Article 27

1. The States Parties to this Convention shall endeavour by all appropriate means, and in particular by educational and information programmes, to strengthen appreciation and respect by their peoples of the cultural and natural heritage defined in Article 1 and 2 of the Convention.
2. They shall undertake to keep the public broadly informed of the dangers threatening this heritage and of activities carried on in pursuance of this Convention.

Article 28

States Parties to this Convention which receive international assistance under the Convention shall take appropriate measures to make known the importance of the property for which assistance has been received and the role played by such assistance.

VII. Reports

Article 29

1. The States Parties to this Convention shall, in the reports which they submit to the General Conference of the United Nations Educational, Scientific and Cultural Organization on dates and in a manner to be determined by it, give information on the legislative and administrative provisions which they have adopted and other action which they have taken for the application of this Convention, together with details of the experience acquired in this field.

2. These reports shall be brought to the attention of the World Heritage Committee.

3. The Committee shall submit a report on its activities at each of the ordinary sessions of the General Conference of the United Nations Educational, Scientific and Cultural Organization.

VIII. Final clauses

Article 30

This Convention is drawn up in Arabic, English, French, Russian and Spanish, the five texts being equally authoritative.

Article 31

1. This Convention shall be subject to ratification or acceptance by States members of the United Nations Educational, Scientific and Cultural Organization in accordance with their respective constitutional procedures.

2. The instruments of ratification or acceptance shall be deposited with the Director-General of the United Nations Educational, Scientific and Cultural Organization.

Article 32

1. This Convention shall be open to accession by all States not members of the United Nations Educational, Scientific and Cultural Organization which are invited by the General Conference of the Organization to accede to it.

2. Accession shall be effected by the deposit of an instrument of accession with the Director-General of the United Nations Educational, Scientific and Cultural Organization.

Article 33

This Convention shall enter into force three months after the date of the deposit of the twentieth instrument of ratification, acceptance or accession, but only with respect to those States which have deposited their respective instruments of ratification, acceptance or accession on or before that date. It shall enter into force with respect to any other State three months after the deposit of its instrument of ratification, acceptance or accession.

Article 34

The following provisions shall apply to those States Parties to this Convention which have a federal or non-unitary constitutional system :

(a) with regard to the provisions of this Convention, the implementation of which comes under the legal jurisdiction of the federal or central legislative power, the obligations of the federal or central government shall be the same as for those States Parties which are not federal States;

(b) with regard to the provisions of this Convention, the implementation of which comes under the legal jurisdiction of individual constituent States, countries, provinces or cantons that are not obliged by the constitutional system of the federation to take legislative measures, the federal government shall inform the competent authorities of such States, countries, provinces or cantons of the said provisions, with its recommendation for their adoption.

Article 35

1. Each State Party to this Convention may denounce the Convention.
2. The denunciation shall be notified by an instrument in writing, deposited with the Director-General of the United Nations Educational, Scientific and Cultural Organization.
3. The denunciation shall take effect twelve months after the receipt of the instrument of denunciation. It shall not affect the financial obligations of the denouncing State until the date on which the withdrawal takes effect.

Article 36

The Director-General of the United Nations Educational, Scientific and Cultural Organization shall inform the States members of the Organization, the States not members of the Organization which are referred to in Article 32, as well as the United Nations, of the deposit of all the instruments of ratification, acceptance, or accession provided for in Articles 31 and 32, and of the denunciations provided for in Article 35.

Article 37

1. This Convention may be revised by the General Conference of the United Nations Educational, Scientific and Cultural Organization. Any such revision shall, however, bind only the States which shall become Parties to the revising convention.
2. If the General Conference should adopt a new convention revising this Convention in whole or in part, then, unless the new convention otherwise provides, this Convention shall cease to be open to ratification, acceptance or accession, as from the date on which the new revising convention enters into force.

Article 38

In conformity with Article 102 of the Charter of the United Nations, this Convention shall be registered with the Secretariat of the United Nations at the request of the Director-General of the United Nations Educational, Scientific and Cultural Organization.

Done in Paris, this twenty-third day of November 1972, in two authentic copies bearing the signature of the President of the seventeenth session of the General Conference and of the Director-General of the United Nations Educational, Scientific and Cultural Organization, and certified true copies of which shall be delivered to all the States referred to in Articles 31 and 32 as well as to the United Nations.

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

La Conférence générale de l'Organisation des Nations Unies pour l'éducation, la science et la culture ci-après dénommée "l'UNESCO", réunie à Paris du vingt-neuf septembre au dix-sept octobre 2003 en sa 32^e session,

Se référant aux instruments internationaux existants relatifs aux droits de l'homme, en particulier à la Déclaration universelle des droits de l'homme de 1948, au Pacte international relatif aux droits économiques, sociaux et culturels de 1966 et au Pacte international relatif aux droits civils et politiques de 1966,

Considérant l'importance du patrimoine culturel immatériel, creuset de la diversité culturelle et garant du développement durable, telle que soulignée par la Recommandation de l'UNESCO sur la sauvegarde de la culture traditionnelle et populaire de 1989, par la Déclaration universelle de l'UNESCO sur la diversité culturelle de 2001 et par la Déclaration d'Istanbul de 2002 adoptée par la troisième Table ronde des ministres de la culture,

Considérant la profonde interdépendance entre le patrimoine culturel immatériel et le patrimoine matériel culturel et naturel,

Reconnaissant que les processus de mondialisation et de transformation sociale, à côté des conditions qu'ils créent pour un dialogue renouvelé entre les communautés, font, tout comme les phénomènes d'intolérance, également peser de graves menaces de dégradation, de disparition et de destruction sur le patrimoine culturel immatériel, en particulier du fait du manque de moyens de sauvegarde de celui-ci,

Consciente de la volonté universelle et de la préoccupation partagée de sauvegarder le patrimoine culturel immatériel de l'humanité,

Reconnaissant que les communautés, en particulier les communautés autochtones, les groupes et, le cas échéant, les individus, jouent un rôle important dans la production, la sauvegarde, l'entretien et la recréation du patrimoine culturel immatériel, contribuant ainsi à l'enrichissement de la diversité culturelle et de la créativité humaine,

Notant la grande portée de l'activité menée par l'UNESCO afin d'établir des instruments normatifs pour la protection du patrimoine culturel, en particulier la Convention pour la protection du patrimoine mondial, culturel et naturel de 1972,

Notant en outre qu'il n'existe à ce jour aucun instrument multilatéral à caractère contraignant visant à la sauvegarde du patrimoine culturel immatériel,

Considérant que les accords, recommandations et résolutions internationaux existants concernant le patrimoine culturel et naturel devraient être enrichis et complétés efficacement au moyen de nouvelles dispositions relatives au patrimoine culturel immatériel,

Considérant la nécessité de faire davantage prendre conscience, en particulier parmi les jeunes générations, de l'importance du patrimoine culturel immatériel et de sa sauvegarde,

Considérant que la communauté internationale devrait contribuer avec les Etats parties à la présente Convention à la sauvegarde de ce patrimoine dans un esprit de coopération et d'entraide,

Rappelant les programmes de l'UNESCO relatifs au patrimoine culturel immatériel, notamment la Proclamation des chefs-d'oeuvre du patrimoine oral et immatériel de l'humanité,

Considérant le rôle inestimable du patrimoine culturel immatériel comme facteur de rapprochement, d'échange et de compréhension entre les êtres humains,

Adopte, le dix-sept octobre 2003, la présente Convention.

I. Dispositions générales

Article premier : Buts de la Convention

Les buts de la présente Convention sont :

- (a) la sauvegarde du patrimoine culturel immatériel ;
- (b) le respect du patrimoine culturel immatériel des communautés, des groupes et des individus concernés ;
- (c) la sensibilisation aux niveaux local, national et international à l'importance du patrimoine culturel immatériel et de son appréciation mutuelle ;
- (d) la coopération et l'assistance internationales.

Article 2 : Définitions

Aux fins de la présente Convention,

1. On entend par "patrimoine culturel immatériel" les pratiques, représentations, expressions, connaissances et savoir-faire - ainsi que les instruments, objets, artefacts et espaces culturels qui leur sont associés - que les communautés, les groupes et, le cas échéant, les individus reconnaissent comme faisant partie de leur patrimoine culturel. Ce patrimoine culturel immatériel, transmis de génération en génération, est recréé en permanence par les communautés et groupes en fonction de leur milieu, de leur interaction avec la nature et de leur histoire, et leur procure un sentiment d'identité et de continuité, contribuant ainsi à promouvoir le respect de la diversité culturelle et la créativité humaine. Aux fins de la présente Convention, seul sera pris en considération le patrimoine culturel immatériel conforme aux instruments internationaux existants relatifs aux droits de l'homme, ainsi qu'à l'exigence du respect mutuel entre communautés, groupes et individus, et d'un développement durable.

2. Le "patrimoine culturel immatériel", tel qu'il est défini au paragraphe 1 ci-dessus, se manifeste notamment dans les domaines suivants :

- (a) les traditions et expressions orales, y compris la langue comme vecteur du patrimoine culturel immatériel ;
- (b) les arts du spectacle ;
- (c) les pratiques sociales, rituels et événements festifs ;
- (d) les connaissances et pratiques concernant la nature et l'univers ;
- (e) les savoir-faire liés à l'artisanat traditionnel.

3. On entend par "sauvegarde" les mesures visant à assurer la viabilité du patrimoine culturel immatériel, y compris l'identification, la documentation, la recherche, la préservation, la protection, la promotion, la mise en valeur, la transmission, essentiellement par l'éducation formelle et non formelle, ainsi que la revitalisation des différents aspects de ce patrimoine.

4. On entend par "Etats parties" les Etats qui sont liés par la présente Convention et entre lesquels celle-ci est en vigueur.

5. La présente Convention s'applique mutatis mutandis aux territoires visés à l'article 33 qui en deviennent parties, conformément aux conditions précisées dans cet article. Dans cette mesure, l'expression "Etats parties" s'entend également de ces territoires.

Article 3 : Relation avec d'autres instruments internationaux

Rien dans la présente Convention ne peut être interprété comme :

- (a) altérant le statut ou diminuant le niveau de protection des biens déclarés du patrimoine mondial dans le cadre de la Convention pour la protection du patrimoine mondial, culturel et naturel de 1972, auxquels un élément du patrimoine culturel immatériel est directement associé ; ou

(b) affectant les droits et obligations des Etats parties découlant de tout instrument international relatif aux droits de la propriété intellectuelle ou à l'usage des ressources biologiques et écologiques auquel ils sont parties.

II. Organes de la Convention

Article 4 : Assemblée générale des Etats parties

1. Il est établi une Assemblée générale des Etats parties, ci-après dénommée "l'Assemblée générale". L'Assemblée générale est l'organe souverain de la présente Convention.
2. L'Assemblée générale se réunit en session ordinaire tous les deux ans. Elle peut se réunir en session extraordinaire si elle en décide ainsi ou si demande lui en est adressée par le Comité intergouvernemental de sauvegarde du patrimoine culturel immatériel ou par au moins un tiers des Etats parties.
3. L'Assemblée générale adopte son règlement intérieur.

Article 5 : Comité intergouvernemental de sauvegarde du patrimoine culturel immatériel

1. Il est institué auprès de l'UNESCO un Comité intergouvernemental de sauvegarde du patrimoine culturel immatériel, ci-après dénommé "le Comité". Il est composé de représentants de 18 Etats parties, élus par les Etats parties réunis en Assemblée générale dès que la présente Convention entrera en vigueur conformément à l'article 34.
2. Le nombre des Etats membres du Comité sera porté à 24 dès lors que le nombre d'Etats parties à la Convention atteindra 50.

Article 6 : Election et mandat des Etats membres du Comité

1. L'élection des Etats membres du Comité doit répondre aux principes de répartition géographique et de rotation équitables.
2. Les Etats membres du Comité sont élus pour un mandat de quatre ans par les Etats parties à la Convention réunis en Assemblée générale.
3. Toutefois, le mandat de la moitié des Etats membres du Comité élus lors de la première élection est limité à deux ans. Ces Etats sont désignés par un tirage au sort lors de cette première élection.
4. Tous les deux ans, l'Assemblée générale procède au renouvellement de la moitié des Etats membres du Comité.
5. Elle élit également autant d'Etats membres du Comité que nécessaire pour pourvoir les postes vacants.
6. Un Etat membre du Comité ne peut être élu pour deux mandats consécutifs.
7. Les Etats membres du Comité choisissent pour les représenter des personnes qualifiées dans les divers domaines du patrimoine culturel immatériel.

Article 7 : Fonctions du Comité

Sans préjudice des autres attributions qui lui sont conférées par la présente Convention, les fonctions du Comité sont les suivantes :

- (a) promouvoir les objectifs de la Convention, encourager et assurer le suivi de sa mise en oeuvre ;
- (b) donner des conseils sur les meilleures pratiques et formuler des recommandations sur les mesures en faveur de la sauvegarde du patrimoine culturel immatériel ;
- (c) préparer et soumettre à l'approbation de l'Assemblée générale un projet d'utilisation des ressources du Fonds, conformément à l'article 25 ;
- (d) s'efforcer de trouver les moyens d'augmenter ses ressources et prendre les mesures requises à cette fin,

conformément à l'article 25 ;

(e) préparer et soumettre à l'approbation de l'Assemblée générale des directives opérationnelles pour la mise en oeuvre de la Convention ;

(f) examiner, conformément à l'article 29, les rapports des Etats parties, et en faire un résumé à l'intention de l'Assemblée générale ;

(g) examiner les demandes présentées par les Etats parties et décider, en conformité avec les critères objectifs de sélection établis par lui et approuvés par l'Assemblée générale ;

(i) des inscriptions sur les listes et des propositions mentionnées aux articles 16, 17 et 18 ;

(ii) de l'octroi de l'assistance internationale conformément à l'article 22.

Article 8 : Méthodes de travail du Comité

1. Le Comité est responsable devant l'Assemblée générale. Il lui rend compte de toutes ses activités et décisions.

2. Le Comité adopte son règlement intérieur à la majorité des deux tiers de ses membres.

3. Le Comité peut créer temporairement les organes consultatifs ad hoc qu'il estime nécessaires à l'exécution de sa tâche.

4. Le Comité peut inviter à ses réunions tout organisme public ou privé, ainsi que toute personne physique, possédant des compétences avérées dans les différents domaines du patrimoine culturel immatériel, pour les consulter sur toute question particulière.

Article 9 : Accréditation des organisations consultatives

1. Le Comité propose à l'Assemblée générale l'accréditation d'organisations non gouvernementales possédant des compétences avérées dans le domaine du patrimoine culturel immatériel. Ces organisations auront des fonctions consultatives auprès du Comité.

2. Le Comité propose également à l'Assemblée générale les critères et modalités de cette accréditation.

Article 10 : Le Secrétariat

1. Le Comité est assisté par le Secrétariat de l'UNESCO.

2. Le Secrétariat prépare la documentation de l'Assemblée générale et du Comité, ainsi que le projet d'ordre du jour de leurs réunions et assure l'exécution de leurs décisions.

III. Sauvegarde du patrimoine culturel immatériel à l'échelle nationale

Article 11 : Rôle des Etats parties

Il appartient à chaque Etat partie :

(a) de prendre les mesures nécessaires pour assurer la sauvegarde du patrimoine culturel immatériel présent sur son territoire ;

(b) parmi les mesures de sauvegarde visées à l'article 2, paragraphe 3, d'identifier et de définir les différents éléments du patrimoine culturel immatériel présents sur son territoire, avec la participation des communautés, des groupes et des organisations non gouvernementales pertinentes.

Article 12 : Inventaires

1. Pour assurer l'identification en vue de la sauvegarde, chaque Etat partie dresse, de façon adaptée à sa situation, un

ou plusieurs inventaires du patrimoine culturel immatériel présent sur son territoire. Ces inventaires font l'objet d'une mise à jour régulière.

2. Chaque Etat partie, lorsqu'il présente périodiquement son rapport au Comité, conformément à l'article 29, fournit des informations pertinentes concernant ces inventaires.

Article 13 : Autres mesures de sauvegarde

En vue d'assurer la sauvegarde, le développement et la mise en valeur du patrimoine culturel immatériel présent sur son territoire, chaque Etat partie s'efforce :

- (a) d'adopter une politique générale visant à mettre en valeur la fonction du patrimoine culturel immatériel dans la société et à intégrer la sauvegarde de ce patrimoine dans des programmes de planification ;
- (b) de désigner ou d'établir un ou plusieurs organismes compétents pour la sauvegarde du patrimoine culturel immatériel présent sur son territoire ;
- (c) d'encourager des études scientifiques, techniques et artistiques ainsi que des méthodologies de recherche pour une sauvegarde efficace du patrimoine culturel immatériel, en particulier du patrimoine culturel immatériel en danger ;
- (d) d'adopter les mesures juridiques, techniques, administratives et financières appropriées visant à :
 - (i) favoriser la création ou le renforcement d'institutions de formation à la gestion du patrimoine culturel immatériel ainsi que la transmission de ce patrimoine à travers les forums et espaces destinés à sa représentation et à son expression ;
 - (ii) garantir l'accès au patrimoine culturel immatériel tout en respectant les pratiques coutumières qui régissent l'accès à des aspects spécifiques de ce patrimoine ;
 - (iii) établir des institutions de documentation sur le patrimoine culturel immatériel et à en faciliter l'accès.

Article 14 : Education, sensibilisation et renforcement des capacités

Chaque Etat partie s'efforce, par tous moyens appropriés :

- (a) d'assurer la reconnaissance, le respect et la mise en valeur du patrimoine culturel immatériel dans la société, en particulier grâce à :
 - (i) des programmes éducatifs, de sensibilisation et de diffusion d'informations à l'intention du public, notamment des jeunes ;
 - (ii) des programmes éducatifs et de formation spécifiques au sein des communautés et des groupes concernés ;
 - (iii) des activités de renforcement des capacités en matière de sauvegarde du patrimoine culturel immatériel et en particulier de gestion et de recherche scientifique ; et
 - (iv) des moyens non formels de transmission des savoirs ;
- (b) de maintenir le public informé des menaces qui pèsent sur ce patrimoine ainsi que des activités menées en application de la présente Convention ;
- (c) de promouvoir l'éducation à la protection des espaces naturels et des lieux de mémoire dont l'existence est nécessaire à l'expression du patrimoine culturel immatériel.

Article 15 : Participation des communautés, groupes et individus

Dans le cadre de ses activités de sauvegarde du patrimoine culturel immatériel, chaque Etat partie s'efforce d'assurer la plus large participation possible des communautés, des groupes et, le cas échéant, des individus qui créent, entretiennent et transmettent ce patrimoine, et de les impliquer activement dans sa gestion.

IV. Sauvegarde du patrimoine culturel immatériel à l'échelle internationale

Article 16 : Liste représentative du patrimoine culturel immatériel de l'humanité

1. Pour assurer une meilleure visibilité du patrimoine culturel immatériel, faire prendre davantage conscience de son importance et favoriser le dialogue dans le respect de la diversité culturelle, le Comité, sur proposition des Etats parties concernés, établit, tient à jour et publie une liste représentative du patrimoine culturel immatériel de l'humanité.
2. Le Comité élabore et soumet à l'approbation de l'Assemblée générale les critères présidant à l'établissement, à la mise à jour et à la publication de cette liste représentative.

Article 17 : Liste du patrimoine culturel immatériel nécessitant une sauvegarde urgente

1. En vue de prendre les mesures de sauvegarde appropriées, le Comité établit, tient à jour et publie une liste du patrimoine culturel immatériel nécessitant une sauvegarde urgente, et inscrit ce patrimoine sur la Liste à la demande de l'Etat partie concerné.
2. Le Comité élabore et soumet à l'approbation de l'Assemblée générale les critères présidant à l'établissement, à la mise à jour et à la publication de cette liste.
3. Dans des cas d'extrême urgence - dont les critères objectifs sont approuvés par l'Assemblée générale sur proposition du Comité - celui-ci peut inscrire un élément du patrimoine concerné sur la Liste mentionnée au paragraphe 1 en consultation avec l'Etat partie concerné.

Article 18 : Programmes, projets et activités de sauvegarde du patrimoine culturel immatériel

1. Sur la base des propositions présentées par les Etats parties, et conformément aux critères qu'il définit et qui sont approuvés par l'Assemblée générale, le Comité sélectionne périodiquement et fait la promotion des programmes, projets et activités de caractère national, sous-régional ou régional de sauvegarde du patrimoine qu'il estime refléter le mieux les principes et objectifs de la présente Convention, en tenant compte des besoins particuliers des pays en développement.
2. A cette fin, il reçoit, examine et approuve les demandes d'assistance internationale formulées par les Etats parties pour l'élaboration de ces propositions.
3. Le Comité accompagne la mise en oeuvre desdits programmes, projets et activités par la diffusion des meilleures pratiques selon les modalités qu'il aura déterminées.

V. Coopération et assistance internationales

Article 19 : Coopération

1. Aux fins de la présente Convention, la coopération internationale comprend en particulier l'échange d'informations et d'expériences, des initiatives communes ainsi que la mise en place d'un mécanisme d'assistance aux Etats parties dans leurs efforts pour sauvegarder le patrimoine culturel immatériel.
2. Sans préjudice des dispositions de leur législation nationale et de leurs droit et pratiques coutumiers, les Etats parties reconnaissent que la sauvegarde du patrimoine culturel immatériel est dans l'intérêt général de l'humanité et s'engagent, à cette fin, à coopérer aux niveaux bilatéral, sous-régional, régional et international.

Article 20 : Objectifs de l'assistance internationale

L'assistance internationale peut être accordée pour les objectifs suivants :

- (a) la sauvegarde du patrimoine inscrit sur la Liste du patrimoine culturel immatériel nécessitant une sauvegarde urgente ;

- (b) la préparation d'inventaires au sens des articles 11 et 12 ;
- (c) l'appui à des programmes, projets et activités conduits aux niveaux national, sous-régional et régional, visant à la sauvegarde du patrimoine culturel immatériel ;
- (d) tout autre objectif que le Comité jugerait nécessaire.

Article 21 : Formes de l'assistance internationale

L'assistance accordée par le Comité à un Etat partie est réglementée par les directives opérationnelles prévues à l'article 7 et par l'accord visé à l'article 24, et peut prendre les formes suivantes :

- (a) des études concernant les différents aspects de la sauvegarde ;
- (b) la mise à disposition d'experts et de praticiens ;
- (c) la formation de tous personnels nécessaires ;
- (d) l'élaboration de mesures normatives ou autres ;
- (e) la création et l'exploitation d'infrastructures ;
- (f) la fourniture d'équipement et de savoir-faire ;
- (g) d'autres formes d'assistance financière et technique y compris, le cas échéant, l'octroi de prêts à faible intérêt et de dons.

Article 22 : Conditions de l'assistance internationale

1. Le Comité établit la procédure d'examen des demandes d'assistance internationale et précise les éléments de la demande tels que les mesures envisagées, les interventions nécessaires et l'évaluation de leur coût.
2. En cas d'urgence, la demande d'assistance doit être examinée en priorité par le Comité.
3. Afin de prendre une décision, le Comité procède aux études et consultations qu'il juge nécessaires.

Article 23 : Demandes d'assistance internationale

1. Chaque Etat partie peut présenter au Comité une demande d'assistance internationale pour la sauvegarde du patrimoine culturel immatériel présent sur son territoire.
2. Une telle demande peut aussi être présentée conjointement par deux ou plusieurs Etats parties.
3. La demande doit comporter les éléments d'information prévus à l'article 22, paragraphe 1, et les documents nécessaires.

Article 24 : Rôle des Etats parties bénéficiaires

1. En conformité avec les dispositions de la présente Convention, l'assistance internationale attribuée est régie par un accord entre l'Etat partie bénéficiaire et le Comité.
2. En règle générale, l'Etat partie bénéficiaire doit participer, dans la mesure de ses moyens, au coût des mesures de sauvegarde pour lesquelles une assistance internationale est fournie.
3. L'Etat partie bénéficiaire remet au Comité un rapport sur l'utilisation de l'assistance accordée en faveur de la sauvegarde du patrimoine culturel immatériel.

VI. Fonds du patrimoine culturel immatériel

Article 25 : Nature et ressources du Fonds

1. Il est créé un "Fonds pour la sauvegarde du patrimoine culturel immatériel", ci-après dénommé "le Fonds".
2. Le Fonds est constitué en fonds-en-dépôt conformément aux dispositions du Règlement financier de l'UNESCO.
3. Les ressources du Fonds sont constituées par :
 - (a) les contributions des Etats parties ;
 - (b) les fonds alloués à cette fin par la Conférence générale de l'UNESCO ;
 - (c) les versements, dons ou legs que pourront faire :
 - (i) d'autres Etats ;
 - (ii) les organisations et programmes du système des Nations Unies, notamment le Programme des Nations Unies pour le développement, ainsi que d'autres organisations internationales ;
 - (iii) des organismes publics ou privés ou des personnes privées ;
 - (d) tout intérêt dû sur les ressources du Fonds ;
 - (e) le produit des collectes et les recettes des manifestations organisées au profit du Fonds ;
 - (f) toutes autres ressources autorisées par le règlement du Fonds que le Comité élabore.
4. L'utilisation des ressources par le Comité est décidée sur la base des orientations de l'Assemblée générale.
5. Le Comité peut accepter des contributions et autres formes d'assistance fournies à des fins générales ou spécifiques se rapportant à des projets déterminés, pourvu que ces projets soient approuvés par le Comité.
6. Les contributions au Fonds ne peuvent être assorties d'aucune condition politique, économique ou autre qui soit incompatible avec les objectifs recherchés par la présente Convention.

Article 26 : Contributions des Etats parties au Fonds

1. Sans préjudice de toute contribution volontaire supplémentaire, les Etats parties à la présente Convention s'engagent à verser au Fonds, au moins tous les deux ans, une contribution dont le montant, calculé selon un pourcentage uniforme applicable à tous les Etats, sera décidé par l'Assemblée générale. Cette décision de l'Assemblée générale sera prise à la majorité des Etats parties présents et votants qui n'ont pas fait la déclaration visée au paragraphe 2 du présent article. En aucun cas, cette contribution ne pourra dépasser 1 % de la contribution de l'Etat partie au budget ordinaire de l'UNESCO.
2. Toutefois, tout Etat visé à l'article 32 ou à l'article 33 de la présente Convention peut, au moment du dépôt de ses instruments de ratification, d'acceptation, d'approbation ou d'adhésion, déclarer qu'il ne sera pas lié par les dispositions du paragraphe 1 du présent article.
3. Un Etat partie à la présente Convention ayant fait la déclaration visée au paragraphe 2 du présent article s'efforcera de retirer ladite déclaration moyennant notification au Directeur général de l'UNESCO. Toutefois, le retrait de la déclaration n'aura d'effet sur la contribution due par cet Etat qu'à partir de la date d'ouverture de la session suivante de l'Assemblée générale.
4. Afin que le Comité soit en mesure de prévoir ses opérations d'une manière efficace, les contributions des Etats parties à la présente Convention qui ont fait la déclaration visée au paragraphe 2 du présent article, doivent être versées sur une base régulière, au moins tous les deux ans, et devraient se rapprocher le plus possible des contributions qu'ils auraient dû verser s'ils avaient été liés par les dispositions du paragraphe 1 du présent article.

5. Tout Etat partie à la présente Convention, en retard dans le paiement de sa contribution obligatoire ou volontaire au titre de l'année en cours et de l'année civile qui l'a immédiatement précédée, n'est pas éligible au Comité, cette disposition ne s'appliquant pas lors de la première élection. Le mandat d'un tel Etat qui est déjà membre du Comité prendra fin au moment de toute élection prévue à l'article 6 de la présente Convention.

Article 27 : Contributions volontaires supplémentaires au Fonds

Les Etats parties désireux de verser des contributions volontaires en sus de celles prévues à l'article 26 en informent le Comité aussitôt que possible afin de lui permettre de planifier ses activités en conséquence.

Article 28 : Campagnes internationales de collecte de fonds

Les Etats parties prêtent, dans la mesure du possible, leur concours aux campagnes internationales de collecte organisées au profit du Fonds sous les auspices de l'UNESCO.

VII. Rapports

Article 29 : Rapports des Etats parties

Les Etats parties présentent au Comité, dans les formes et selon la périodicité prescrites par ce dernier, des rapports sur les dispositions législatives, réglementaires ou autres prises pour la mise en œuvre de la présente Convention.

Article 30 : Rapports du Comité

1. Sur la base de ses activités et des rapports des Etats parties mentionnés à l'article 29, le Comité soumet un rapport à chaque session de l'Assemblée générale.
2. Ce rapport est porté à la connaissance de la Conférence générale de l'UNESCO.

VIII. Clause transitoire

Article 31 : Relation avec la Proclamation des chefs-d'oeuvre du patrimoine oral et immatériel de l'humanité

1. Le Comité intègre dans la Liste représentative du patrimoine culturel immatériel de l'humanité les éléments proclamés "Chefs-d'oeuvre du patrimoine oral et immatériel de l'humanité" avant l'entrée en vigueur de la présente Convention.
2. L'intégration de ces éléments dans la Liste représentative du patrimoine culturel immatériel de l'humanité ne préjuge en rien des critères arrêtés conformément à l'article 16, paragraphe 2, pour les inscriptions à venir.
3. Aucune autre Proclamation ne sera faite après l'entrée en vigueur de la présente Convention.

IX. Dispositions finales

Article 32 : Ratification, acceptation ou approbation

1. La présente Convention est soumise à la ratification, l'acceptation ou l'approbation des Etats membres de l'UNESCO, conformément à leurs procédures constitutionnelles respectives.
2. Les instruments de ratification, d'acceptation ou d'approbation sont déposés auprès du Directeur général de l'UNESCO.

Article 33 : Adhésion

1. La présente Convention est ouverte à l'adhésion de tout Etat non membre de l'UNESCO invité à y adhérer par la Conférence générale de l'Organisation.
2. La présente Convention est également ouverte à l'adhésion des territoires qui jouissent d'une complète autonomie

interne, reconnue comme telle par l'Organisation des Nations Unies, mais qui n'ont pas accédé à la pleine indépendance conformément à la résolution 1514 (XV) de l'Assemblée générale et qui ont compétence pour les matières dont traite la présente Convention, y compris la compétence reconnue pour conclure des traités sur ces matières.

3. L'instrument d'adhésion sera déposé auprès du Directeur général de l'UNESCO.

Article 34 : Entrée en vigueur

La présente Convention entrera en vigueur trois mois après la date du dépôt du trentième instrument de ratification, d'acceptation, d'approbation ou d'adhésion, mais uniquement à l'égard des Etats qui auront déposé leurs instruments respectifs de ratification, d'acceptation, d'approbation ou d'adhésion à cette date ou antérieurement. Elle entrera en vigueur pour tout autre Etat partie trois mois après le dépôt de son instrument de ratification, d'acceptation, d'approbation ou d'adhésion.

Article 35 : Régimes constitutionnels fédératifs ou non unitaires

Les dispositions ci-après s'appliquent aux Etats parties ayant un régime constitutionnel fédératif ou non unitaire :

(a) en ce qui concerne les dispositions de la présente Convention dont l'application relève de la compétence du pouvoir législatif fédéral ou central, les obligations du gouvernement fédéral ou central seront les mêmes que celles des Etats parties qui ne sont pas des Etats fédératifs ;

(b) en ce qui concerne les dispositions de la présente Convention dont l'application relève de la compétence de chacun des Etats, pays, provinces ou cantons constituants, qui ne sont pas en vertu du régime constitutionnel de la fédération tenus de prendre des mesures législatives, le gouvernement fédéral portera, avec son avis favorable, lesdites dispositions à la connaissance des autorités compétentes des Etats, pays, provinces ou cantons pour adoption.

Article 36 : Dénonciation

1. Chacun des Etats parties a la faculté de dénoncer la présente Convention.

2. La dénonciation est notifiée par un instrument écrit déposé auprès du Directeur général de l'UNESCO.

3. La dénonciation prend effet douze mois après réception de l'instrument de dénonciation. Elle ne modifie en rien les obligations financières dont l'Etat partie dénonciateur est tenu de s'acquitter jusqu'à la date à laquelle le retrait prend effet.

Article 37 : Fonctions du dépositaire

Le Directeur général de l'UNESCO, en sa qualité de dépositaire de la présente Convention, informe les Etats membres de l'Organisation, les Etats non membres visés à l'article 33, ainsi que l'Organisation des Nations Unies, du dépôt de tous les instruments de ratification, d'acceptation, d'approbation ou d'adhésion mentionnés aux articles 32 et 33, de même que des dénonciations prévues à l'article 36.

Article 38 : Amendements

1. Tout Etat partie peut, par voie de communication écrite adressée au Directeur général, proposer des amendements à la présente Convention. Le Directeur général transmet cette communication à tous les Etats parties. Si, dans les six mois qui suivent la date de transmission de la communication, la moitié au moins des Etats parties donne une réponse favorable à cette demande, le Directeur général présente cette proposition à la prochaine session de l'Assemblée générale pour discussion et éventuelle adoption.

2. Les amendements sont adoptés à la majorité des deux tiers des Etats parties présents et votants.

3. Les amendements à la présente Convention, une fois adoptés, sont soumis aux Etats parties pour ratification, acceptation, approbation ou adhésion.

4. Pour les Etats parties qui les ont ratifiés, acceptés, approuvés ou y ont adhéré, les amendements à la présente

Convention entrent en vigueur trois mois après le dépôt des instruments visés au paragraphe 3 du présent article par les deux tiers des Etats parties. Par la suite, pour chaque Etat partie qui ratifie, accepte, approuve un amendement ou y adhère, cet amendement entre en vigueur trois mois après la date de dépôt par l'Etat partie de son instrument de ratification, d'acceptation, d'approbation ou d'adhésion.

5. La procédure établie aux paragraphes 3 et 4 ne s'applique pas aux amendements apportés à l'article 5 relatif au nombre des Etats membres du Comité. Ces amendements entrent en vigueur au moment de leur adoption.

6. Un Etat qui devient partie à la présente Convention après l'entrée en vigueur d'amendements conformément au paragraphe 4 du présent article est, faute d'avoir exprimé une intention différente, considéré comme étant :

(a) partie à la présente Convention ainsi amendée ; et

(b) partie à la présente Convention non amendée à l'égard de tout Etat partie qui n'est pas lié par ces amendements.

Article 39 : Textes faisant foi

La présente Convention est établie en anglais, en arabe, en chinois, en espagnol, en français et en russe, les six textes faisant également foi.

Article 40 : Enregistrement

Conformément à l'article 102 de la Charte des Nations Unies, la présente Convention sera enregistrée au Secrétariat de l'Organisation des Nations Unies à la requête du Directeur général de l'UNESCO.

3. Convention for the Safeguarding of the Intangible Cultural Heritage 2003

The General Conference of the United Nations Educational, Scientific and Cultural Organization hereinafter referred to as UNESCO, meeting in Paris, from 29 September to 17 October 2003, at its 32nd session,

Referring to existing international human rights instruments, in particular to the Universal Declaration on Human Rights of 1948, the International Covenant on Economic, Social and Cultural Rights of 1966, and the International Covenant on Civil and Political Rights of 1966,

Considering the importance of the intangible cultural heritage as a mainspring of cultural diversity and a guarantee of sustainable development, as underscored in the UNESCO Recommendation on the Safeguarding of Traditional Culture and Folklore of 1989, in the UNESCO Universal Declaration on Cultural Diversity of 2001, and in the Istanbul Declaration of 2002 adopted by the Third Round Table of Ministers of Culture,

Considering the deep-seated interdependence between the intangible cultural heritage and the tangible cultural and natural heritage,

Recognizing that the processes of globalization and social transformation, alongside the conditions they create for renewed dialogue among communities, also give rise, as does the phenomenon of intolerance, to grave threats of deterioration, disappearance and destruction of the intangible cultural heritage, in particular owing to a lack of resources for safeguarding such heritage,

Being aware of the universal will and the common concern to safeguard the intangible cultural heritage of humanity,

Recognizing that communities, in particular indigenous communities, groups and, in some cases, individuals, play an important role in the production, safeguarding, maintenance and re-creation of the intangible cultural heritage, thus helping to enrich cultural diversity and human creativity,

Noting the far-reaching impact of the activities of UNESCO in establishing normative instruments for the protection of the cultural heritage, in particular the Convention for the Protection of the World Cultural and Natural Heritage of 1972,

Nothing further that no binding multilateral instrument as yet exists for the safeguarding of the intangible cultural heritage,

Considering that existing international agreements, recommendations and resolutions concerning the cultural and natural heritage need to be effectively enriched and supplemented by means of new provisions relating to the intangible cultural heritage,

Considering the need to build greater awareness, especially among the younger generations, of the importance of the intangible cultural heritage and of its safeguarding,

Considering that the international community should contribute, together with the States Parties to this Convention, to the safeguarding of such heritage in a spirit of cooperation and mutual assistance,

Recalling UNESCO's programmes relating to the intangible cultural heritage, in particular the Proclamation of Masterpieces of the Oral and Intangible Heritage of Humanity,

Considering the invaluable role of the intangible cultural heritage as a factor in bringing human beings closer together and ensuring exchange and understanding among them,

Adopts this Convention on this seventeenth day of October 2003.

I. General provisions

Article 1 – Purposes of the Convention

The purposes of this Convention are:

- (a) to safeguard the intangible cultural heritage;
- (b) to ensure respect for the intangible cultural heritage of the communities, groups and individuals concerned;
- (c) to raise awareness at the local, national and international levels of the importance of the intangible cultural heritage, and of ensuring mutual appreciation thereof;
- (d) to provide for international cooperation and assistance.

Article 2 – Definitions

For the purposes of this Convention,

1. The “intangible cultural heritage” means the practices, representations, expressions, knowledge, skills – as well as the instruments, objects, artefacts and cultural spaces associated therewith – that communities, groups and, in some cases, individuals recognize as part of their cultural heritage. This intangible cultural heritage, transmitted from generation to generation, is constantly recreated by communities and groups in response to their environment, their interaction with nature and their history, and provides them with a sense of identity and continuity, thus promoting respect for cultural diversity and human creativity. For the purposes of this Convention, consideration will be given solely to such intangible cultural heritage as is compatible with existing international human rights instruments, as well as with the requirements of mutual respect among communities, groups and individuals, and of sustainable development.

2. The “intangible cultural heritage”, as defined in paragraph 1 above, is manifested inter alia in the following domains:

- (a) oral traditions and expressions, including language as a vehicle of the intangible cultural heritage;
- (b) performing arts;
- (c) social practices, rituals and festive events;

(d) knowledge and practices concerning nature and the universe;

(e) traditional craftsmanship.

3. “Safeguarding” means measures aimed at ensuring the viability of the intangible cultural heritage, including the identification, documentation, research, preservation, protection, promotion, enhancement, transmission, particularly through formal and non-formal education, as well as the revitalization of the various aspects of such heritage.

4. “States Parties” means States which are bound by this Convention and among which this Convention is in force.

5. This Convention applies *mutatis mutandis* to the territories referred to in Article 33 which become Parties to this Convention in accordance with the conditions set out in that Article. To that extent the expression “States Parties” also refers to such territories.

Article 3 – Relationship to other international instruments

Nothing in this Convention may be interpreted as:

(a) altering the status or diminishing the level of protection under the 1972 Convention concerning the Protection of the World Cultural and Natural Heritage of World Heritage properties with which an item of the intangible cultural heritage is directly associated; or

(b) affecting the rights and obligations of States Parties deriving from any international instrument relating to intellectual property rights or to the use of biological and ecological resources to which they are parties.

II. Organs of the Convention

Article 4 – General Assembly of the States Parties

1. A General Assembly of the States Parties is hereby established, hereinafter referred to as “the General Assembly”. The General Assembly is the sovereign body of this Convention.

2. The General Assembly shall meet in ordinary session every two years. It may meet in extraordinary session if it so decides or at the request either of the Intergovernmental Committee for the Safeguarding of the Intangible Cultural Heritage or of at least one-third of the States Parties.

3. The General Assembly shall adopt its own Rules of Procedure.

Article 5 – Intergovernmental Committee for the Safeguarding of the Intangible Cultural Heritage

1. An Intergovernmental Committee for the Safeguarding of the Intangible Cultural Heritage, hereinafter referred to as “the Committee”, is hereby established within UNESCO. It shall be composed of representatives of 18 States Parties, elected by the States Parties meeting in General Assembly, once this Convention enters into force in accordance with Article 34.

2. The number of States Members of the Committee shall be increased to 24 once the number of the States Parties to the Convention reaches 50.

Article 6 – Election and terms of office of States Members of the Committee

1. The election of States Members of the Committee shall obey the principles of equitable geographical representation and rotation.

2. States Members of the Committee shall be elected for a term of four years by States Parties to the Convention meeting in General Assembly.

3. However, the term of office of half of the States Members of the Committee elected at the first election is limited to two years. These States shall be chosen by lot at the first election.

4. Every two years, the General Assembly shall renew half of the States Members of the Committee.
5. It shall also elect as many States Members of the Committee as required to fill vacancies.
6. A State Member of the Committee may not be elected for two consecutive terms.
7. States Members of the Committee shall choose as their representatives persons who are qualified in the various fields of the intangible cultural heritage.

Article 7 – Functions of the Committee

Without prejudice to other prerogatives granted to it by this Convention, the functions of the Committee shall be to:

- (a) promote the objectives of the Convention, and to encourage and monitor the implementation thereof;
- (b) provide guidance on best practices and make recommendations on measures for the safeguarding of the intangible cultural heritage;
- (c) prepare and submit to the General Assembly for approval a draft plan for the use of the resources of the Fund, in accordance with Article 25;
- (d) seek means of increasing its resources, and to take the necessary measures to this end, in accordance with Article 25;
- (e) prepare and submit to the General Assembly for approval operational directives for the implementation of this Convention;
- (f) examine, in accordance with Article 29, the reports submitted by States Parties, and to summarize them for the General Assembly;
- (g) examine requests submitted by States Parties, and to decide thereon, in accordance with objective selection criteria to be established by the Committee and approved by the General Assembly for:
 - (i) inscription on the lists and proposals mentioned under Articles 16, 17 and 18;
 - (ii) the granting of international assistance in accordance with Article 22.

Article 8 – Working methods of the Committee

1. The Committee shall be answerable to the General Assembly. It shall report to it on all its activities and decisions.
2. The Committee shall adopt its own Rules of Procedure by a two-thirds majority of its Members.
3. The Committee may establish, on a temporary basis, whatever ad hoc consultative bodies it deems necessary to carry out its task.
4. The Committee may invite to its meetings any public or private bodies, as well as private persons, with recognized competence in the various fields of the intangible cultural heritage, in order to consult them on specific matters.

Article 9 – Accreditation of advisory organizations

1. The Committee shall propose to the General Assembly the accreditation of non-governmental organizations with recognized competence in the field of the intangible cultural heritage to act in an advisory capacity to the Committee.
2. The Committee shall also propose to the General Assembly the criteria for and modalities of such accreditation.

Article 10 – The Secretariat

1. The Committee shall be assisted by the UNESCO Secretariat.

2. The Secretariat shall prepare the documentation of the General Assembly and of the Committee, as well as the draft agenda of their meetings, and shall ensure the implementation of their decisions.

III. Safeguarding of the intangible cultural heritage at the national level

Article 11 – Role of States Parties

Each State Party shall:

- (a) take the necessary measures to ensure the safeguarding of the intangible cultural heritage present in its territory;
- (b) among the safeguarding measures referred to in Article 2, paragraph 3, identify and define the various elements of the intangible cultural heritage present in its territory, with the participation of communities, groups and relevant non-governmental organizations.

Article 12 – Inventories

1. To ensure identification with a view to safeguarding, each State Party shall draw up, in a manner geared to its own situation, one or more inventories of the intangible cultural heritage present in its territory. These inventories shall be regularly updated.
2. When each State Party periodically submits its report to the Committee, in accordance with Article 29, it shall provide relevant information on such inventories.

Article 13 – Other measures for safeguarding

To ensure the safeguarding, development and promotion of the intangible cultural heritage present in its territory, each State Party shall endeavour to:

- (a) adopt a general policy aimed at promoting the function of the intangible cultural heritage in society, and at integrating the safeguarding of such heritage into planning programmes;
- (b) designate or establish one or more competent bodies for the safeguarding of the intangible cultural heritage present in its territory;
- (c) foster scientific, technical and artistic studies, as well as research methodologies, with a view to effective safeguarding of the intangible cultural heritage, in particular the intangible cultural heritage in danger;
- (d) adopt appropriate legal, technical, administrative and financial measures aimed at:
 - (i) fostering the creation or strengthening of institutions for training in the management of the intangible cultural heritage and the transmission of such heritage through forums and spaces intended for the performance or expression thereof;
 - (ii) ensuring access to the intangible cultural heritage while respecting customary practices governing access to specific aspects of such heritage;
 - (iii) establishing documentation institutions for the intangible cultural heritage and facilitating access to them.

Article 14 – Education, awareness-raising and capacity-building

Each State Party shall endeavour, by all appropriate means, to:

- (a) ensure recognition of, respect for, and enhancement of the intangible cultural heritage in society, in particular through:
 - (i) educational, awareness-raising and information programmes, aimed at the general public, in particular young people;

- (ii) specific educational and training programmes within the communities and groups concerned;
 - (iii) capacity-building activities for the safeguarding of the intangible cultural heritage, in particular management and scientific research; and
 - (iv) non-formal means of transmitting knowledge;
- (b) keep the public informed of the dangers threatening such heritage, and of the activities carried out in pursuance of this Convention;
 - (c) promote education for the protection of natural spaces and places of memory whose existence is necessary for expressing the intangible cultural heritage.

Article 15 – Participation of communities, groups and individuals

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

IV. Safeguarding of the intangible cultural heritage at the international level

Article 16 – Representative List of the Intangible Cultural Heritage of Humanity

1. In order to ensure better visibility of the intangible cultural heritage and awareness of its significance, and to encourage dialogue which respects cultural diversity, the Committee, upon the proposal of the States Parties concerned, shall establish, keep up to date and publish a Representative List of the Intangible Cultural Heritage of Humanity.
2. The Committee shall draw up and submit to the General Assembly for approval the criteria for the establishment, updating and publication of this Representative List.

Article 17 – List of Intangible Cultural Heritage in Need of Urgent Safeguarding

1. With a view to taking appropriate safeguarding measures, the Committee shall establish, keep up to date and publish a List of Intangible Cultural Heritage in Need of Urgent Safeguarding, and shall inscribe such heritage on the List at the request of the State Party concerned.
2. The Committee shall draw up and submit to the General Assembly for approval the criteria for the establishment, updating and publication of this List.
3. In cases of extreme urgency – the objective criteria of which shall be approved by the General Assembly upon the proposal of the Committee – the Committee may inscribe an item of the heritage concerned on the List mentioned in paragraph 1, in consultation with the State Party concerned.

Article 18 – Programmes, projects and activities for the safeguarding of the intangible cultural heritage

1. On the basis of proposals submitted by States Parties, and in accordance with criteria to be defined by the Committee and approved by the General Assembly, the Committee shall periodically select and promote national, subregional and regional programmes, projects and activities for the safeguarding of the heritage which it considers best reflect the principles and objectives of this Convention, taking into account the special needs of developing countries.
2. To this end, it shall receive, examine and approve requests for international assistance from States Parties for the preparation of such proposals.
3. The Committee shall accompany the implementation of such projects, programmes and activities by disseminating best practices using means to be determined by it.

V. International cooperation and assistance

Article 19 – Cooperation

1. For the purposes of this Convention, international cooperation includes, inter alia, the exchange of information and experience, joint initiatives, and the establishment of a mechanism of assistance to States Parties in their efforts to safeguard the intangible cultural heritage.

2. Without prejudice to the provisions of their national legislation and customary law and practices, the States Parties recognize that the safeguarding of intangible cultural heritage is of general interest to humanity, and to that end undertake to cooperate at the bilateral, subregional, regional and international levels.

Article 20 – Purposes of international assistance

International assistance may be granted for the following purposes:

(a) the safeguarding of the heritage inscribed on the List of Intangible Cultural Heritage in Need of Urgent Safeguarding;

(b) the preparation of inventories in the sense of Articles 11 and 12;

(c) support for programmes, projects and activities carried out at the national, subregional and regional levels aimed at the safeguarding of the intangible cultural heritage;

(d) any other purpose the Committee may deem necessary.

Article 21 – Forms of international assistance

The assistance granted by the Committee to a State Party shall be governed by the operational directives foreseen in Article 7 and by the agreement referred to in Article 24, and may take the following forms:

(a) studies concerning various aspects of safeguarding;

(b) the provision of experts and practitioners;

(c) the training of all necessary staff;

(d) the elaboration of standard-setting and other measures;

(e) the creation and operation of infrastructures;

(f) the supply of equipment and know-how;

(g) other forms of financial and technical assistance, including, where appropriate, the granting of low-interest loans and donations.

Article 22 – Conditions governing international assistance

1. The Committee shall establish the procedure for examining requests for international assistance, and shall specify what information shall be included in the requests, such as the measures envisaged and the interventions required, together with an assessment of their cost.

2. In emergencies, requests for assistance shall be examined by the Committee as a matter of priority.

3. In order to reach a decision, the Committee shall undertake such studies and consultations as it deems necessary.

Article 23 – Requests for international assistance

1. Each State Party may submit to the Committee a request for international assistance for the safeguarding of the intangible cultural heritage present in its territory.

2. Such a request may also be jointly submitted by two or more States Parties.
3. The request shall include the information stipulated in Article 22, paragraph 1, together with the necessary documentation.

Article 24 – Role of beneficiary States Parties

1. In conformity with the provisions of this Convention, the international assistance granted shall be regulated by means of an agreement between the beneficiary State Party and the Committee.
2. As a general rule, the beneficiary State Party shall, within the limits of its resources, share the cost of the safeguarding measures for which international assistance is provided.
3. The beneficiary State Party shall submit to the Committee a report on the use made of the assistance provided for the safeguarding of the intangible cultural heritage.

VI. Intangible Cultural Heritage Fund

Article 25 – Nature and resources of the Fund

1. A “Fund for the Safeguarding of the Intangible Cultural Heritage”, hereinafter referred to as “the Fund”, is hereby established.
2. The Fund shall consist of funds-in-trust established in accordance with the Financial Regulations of UNESCO.
3. The resources of the Fund shall consist of:
 - (a) contributions made by States Parties;
 - (b) funds appropriated for this purpose by the General Conference of UNESCO;
 - (c) contributions, gifts or bequests which may be made by:
 - (i) other States;
 - (ii) organizations and programmes of the United Nations system, particularly the United Nations Development Programme, as well as other international organizations;
 - (iii) public or private bodies or individuals;
 - (d) any interest due on the resources of the Fund;
 - (e) funds raised through collections, and receipts from events organized for the benefit of the Fund;
 - (f) any other resources authorized by the Fund’s regulations, to be drawn up by the Committee.
4. The use of resources by the Committee shall be decided on the basis of guidelines laid down by the General Assembly.
5. The Committee may accept contributions and other forms of assistance for general and specific purposes relating to specific projects, provided that those projects have been approved by the Committee.
6. No political, economic or other conditions which are incompatible with the objectives of this Convention may be attached to contributions made to the Fund.

Article 26 – Contributions of States Parties to the Fund

1. Without prejudice to any supplementary voluntary contribution, the States Parties to this Convention undertake to

pay into the Fund, at least every two years, a contribution, the amount of which, in the form of a uniform percentage applicable to all States, shall be determined by the General Assembly. This decision of the General Assembly shall be taken by a majority of the States Parties present and voting which have not made the declaration referred to in paragraph 2 of this Article. In no case shall the contribution of the State Party exceed 1% of its contribution to the regular budget of UNESCO.

2. However, each State referred to in Article 32 or in Article 33 of this Convention may declare, at the time of the deposit of its instruments of ratification, acceptance, approval or accession, that it shall not be bound by the provisions of paragraph 1 of this Article.

3. A State Party to this Convention which has made the declaration referred to in paragraph 2 of this Article shall endeavour to withdraw the said declaration by notifying the Director-General of UNESCO. However, the withdrawal of the declaration shall not take effect in regard to the contribution due by the State until the date on which the subsequent session of the General Assembly opens.

4. In order to enable the Committee to plan its operations effectively, the contributions of States Parties to this Convention which have made the declaration referred to in paragraph 2 of this Article shall be paid on a regular basis, at least every two years, and should be as close as possible to the contributions they would have owed if they had been bound by the provisions of paragraph 1 of this Article.

5. Any State Party to this Convention which is in arrears with the payment of its compulsory or voluntary contribution for the current year and the calendar year immediately preceding it shall not be eligible as a Member of the Committee; this provision shall not apply to the first election. The term of office of any such State which is already a Member of the Committee shall come to an end at the time of the elections provided for in Article 6 of this Convention.

Article 27 – Voluntary supplementary contributions to the Fund

States Parties wishing to provide voluntary contributions in addition to those foreseen under Article 26 shall inform the Committee, as soon as possible, so as to enable it to plan its operations accordingly.

Article 28 – International fund-raising campaigns

The States Parties shall, insofar as is possible, lend their support to international fund-raising campaigns organized for the benefit of the Fund under the auspices of UNESCO.

VII. Reports

Article 29 – Reports by the States Parties

The States Parties shall submit to the Committee, observing the forms and periodicity to be defined by the Committee, reports on the legislative, regulatory and other measures taken for the implementation of this Convention.

Article 30 – Reports by the Committee

1. On the basis of its activities and the reports by States Parties referred to in Article 29, the Committee shall submit a report to the General Assembly at each of its sessions.

2. The report shall be brought to the attention of the General Conference of UNESCO.

VIII. Transitional clause

Article 31 – Relationship to the Proclamation of Masterpieces of the Oral and Intangible Heritage of Humanity

1. The Committee shall incorporate in the Representative List of the Intangible Cultural Heritage of Humanity the items proclaimed “Masterpieces of the Oral and Intangible Heritage of Humanity” before the entry into force of this Convention.

2. The incorporation of these items in the Representative List of the Intangible Cultural Heritage of Humanity shall in no way prejudice the criteria for future inscriptions decided upon in accordance with Article 16, paragraph 2.
3. No further Proclamation will be made after the entry into force of this Convention.

IX. Final clauses

Article 32 – Ratification, acceptance or approval

1. This Convention shall be subject to ratification, acceptance or approval by States Members of UNESCO in accordance with their respective constitutional procedures.
2. The instruments of ratification, acceptance or approval shall be deposited with the Director-General of UNESCO.

Article 33 – Accession

1. This Convention shall be open to accession by all States not Members of UNESCO that are invited by the General Conference of UNESCO to accede to it.
2. This Convention shall also be open to accession by territories which enjoy full internal self-government recognized as such by the United Nations, but have not attained full independence in accordance with General Assembly resolution 1514 (XV), and which have competence over the matters governed by this Convention, including the competence to enter into treaties in respect of such matters.
3. The instrument of accession shall be deposited with the Director-General of UNESCO.

Article 34 – Entry into force

This Convention shall enter into force three months after the date of the deposit of the thirtieth instrument of ratification, acceptance, approval or accession, but only with respect to those States that have deposited their respective instruments of ratification, acceptance, approval, or accession on or before that date. It shall enter into force with respect to any other State Party three months after the deposit of its instrument of ratification, acceptance, approval or accession.

Article 35 – Federal or non-unitary constitutional systems

The following provisions shall apply to States Parties which have a federal or non-unitary constitutional system:

- (a) with regard to the provisions of this Convention, the implementation of which comes under the legal jurisdiction of the federal or central legislative power, the obligations of the federal or central government shall be the same as for those States Parties which are not federal States;
- (b) with regard to the provisions of this Convention, the implementation of which comes under the jurisdiction of individual constituent States, countries, provinces or cantons which are not obliged by the constitutional system of the federation to take legislative measures, the federal government shall inform the competent authorities of such States, countries, provinces or cantons of the said provisions, with its recommendation for their adoption.

Article 36 – Denunciation

1. Each State Party may denounce this Convention.
2. The denunciation shall be notified by an instrument in writing, deposited with the Director-General of UNESCO.
3. The denunciation shall take effect twelve months after the receipt of the instrument of denunciation. It shall in no way affect the financial obligations of the denouncing State Party until the date on which the withdrawal takes effect.

Article 37 – Depositary functions

The Director-General of UNESCO, as the Depositary of this Convention, shall inform the States Members of the Organization, the States not Members of the Organization referred to in Article 33, as well as the United Nations, of the deposit of all the instruments of ratification, acceptance, approval or accession provided for in Articles 32 and 33, and of the denunciations provided for in Article 36.

Article 38 – Amendments

1. A State Party may, by written communication addressed to the Director-General, propose amendments to this Convention. The Director-General shall circulate such communication to all States Parties. If, within six months from the date of the circulation of the communication, not less than one half of the States Parties reply favourably to the request, the Director-General shall present such proposal to the next session of the General Assembly for discussion and possible adoption.

2. Amendments shall be adopted by a two-thirds majority of States Parties present and voting.

3. Once adopted, amendments to this Convention shall be submitted for ratification, acceptance, approval or accession to the States Parties.

4. Amendments shall enter into force, but solely with respect to the States Parties that have ratified, accepted, approved or acceded to them, three months after the deposit of the instruments referred to in paragraph 3 of this Article by two-thirds of the States Parties. Thereafter, for each State Party that ratifies, accepts, approves or accedes to an amendment, the said amendment shall enter into force three months after the date of deposit by that State Party of its instrument of ratification, acceptance, approval or accession.

5. The procedure set out in paragraphs 3 and 4 shall not apply to amendments to Article 5 concerning the number of States Members of the Committee. These amendments shall enter into force at the time they are adopted.

6. A State which becomes a Party to this Convention after the entry into force of amendments in conformity with paragraph 4 of this Article shall, failing an expression of different intention, be considered:

(a) as a Party to this Convention as so amended; and

(b) as a Party to the unamended Convention in relation to any State Party not bound by the amendments.

Article 39 – Authoritative texts

This Convention has been drawn up in Arabic, Chinese, English, French, Russian and Spanish, the six texts being equally authoritative.

Article 40 – Registration

In conformity with Article 102 of the Charter of the United Nations, this Convention shall be registered with the Secretariat of the United Nations at the request of the Director-General of UNESCO.

4. Textes des conférenciers / Texts of the speakers

Session 1 : Liens entre les conventions de l'UNESCO de 1972 et de 2003 sur le patrimoine matériel et immatériel

Session 1 : Relationship between the 1972 and 2003 UNESCO Conventions on tangible and intangible heritage

Présidente: Christina Cameron, Chaire de recherche du Canada en patrimoine bâti, Université de Montréal

Rapporteur 1: Christine Bricault, Étudiante au doctorat, Université Laval

Chair: Christina Cameron, Canada Research Chair on Built Heritage, Université de Montréal

Rapporteur 1: Christine Bricault, Ph.D student, Université Laval

4.1 The Intangible Dimensions of the 1972 World Heritage Convention

**Sarah Titchen, Spécialiste de programme, Affaires culturelles, UNESCO (New York)
/ Program Specialist for Culture UNESCO (New York)**

Thanks and apologies

I am sorry not to be with you in Montreal today. At the beginning of March I began a year-long period of parental leave from UNESCO to take care of our two and a half year old son. We moved from New York to Canberra, Australia just a week ago! So, let me thank Christina Cameron for having invited me to Round Table 2007 and also for having agreed to read my paper today. Please note that as I am on leave without pay from UNESCO my paper does not in any way represent the views of UNESCO.

Introduction

On 11 December 2001, at the opening of the 25th session of the World Heritage Committee in Helsinki Finland, the Director-General of UNESCO, referred to the need “...for serious and urgent investigation ... of intangible heritage”. He went on to say:

“As you know, even before assuming my present position in the Organization, as Chair of the World Heritage Committee I had been concerned with the need to broaden the scope of heritage protection. During my chairmanship, the acceptance by the Committee of customary law and traditional management was broadened, paving the way for international recognition of the vital role of traditional forms of governance. Intangible

cultural values associated with sites are also increasingly recognized as an integral component of their world heritage values”.

The Director-General then stated “...there is an intrinsic limit to the World Heritage Convention which does not deal with intangible heritage as such.¹”

Keeping this comment made in 2001 in mind, and acknowledging that the 2003 UNESCO *Convention for the Safeguarding of the Intangible Heritage* has now been in force for almost a year, my paper today is intended to focus on the scope and extent to which the *World Heritage Convention* has recognized, and can continue to recognize, intangible aspects of heritage. I will do this through a brief analysis of:

- i. The concept and definition of World Heritage;
- ii. The criteria used to establish the “outstanding universal value” of World Heritage properties, most particularly those criteria used to recognize testimonies to a “living tradition” (cultural criterion (iii)) and associative value (cultural criterion (vi));
- iii. The concept of World Heritage cultural landscapes that was adopted by the World Heritage Committee in 1992; and,
- iv. World Heritage and indigenous peoples

As you will notice from my analysis below I have decided to use the term “intangible” with a certain breadth and flexibility, not being constrained by the definition as used in the 2003 UNESCO *Convention*. I refer to the intangible heritage as “living heritage” (as do other scholars and practitioners) and also refer to the intangible value of places as their sometimes rather indefinable or symbolic value.

For the sake of time and space I won’t discuss the validity or usefulness of making a distinction between the “tangible” and the “intangible” in the protection of heritage. I am sure that others will discuss this key point during the Round Table.

¹ DG/2001/129 Address by Mr Koïchiro Matsuura Director-General of the United Nations Educational, Scientific and Cultural Organization (UNESCO) on the occasion of the opening of the twenty-fifth session of the World Heritage Committee Helsinki, Finland, 11 December 2001.

i. The concept and definition of World Heritage

The *World Heritage Convention*'s primary focus is on the protection of World Heritage defined in Article 1 and 2 as “monuments”, “groups of buildings”, “sites”, “natural features”, “geological and physiographical formations” and other “natural sites”. The current distinction being made between “intangible” and “tangible” heritage was not a central focus of discussions that led to the development of the *Convention*, nor to the definition of World Heritage.

Furthermore, during the development and subsequent revisions to the *Operational Guidelines for the Implementation of the World Heritage Convention* in the last 30 years, no specific distinction between “intangible” and “tangible” heritage has ever been made. The only additional sub-categorization of heritage that has been included in the *Guidelines*, is a specific reference to “immovable” and “movable” heritage that was included as early as 1980².

ii. The criteria used to establish the “outstanding universal value” of World Heritage properties – recognizing the intangible

Whilst the *Convention*'s primary focus is on the protection of “monuments”, “groups of buildings”, “sites”, “natural features”, “geological and physiographical formations” and other “natural sites”, and whilst no distinction is made in the *Convention* between “intangible” and “tangible” heritage, the *Operational Guidelines* do include criteria that have allowed for the selection of World Heritage properties where there are continuing demonstrations of living traditions and also properties that have important, and sometimes “outstanding” intangible dimensions. This has meant that the World Heritage List not only includes places where outstanding examples of intangible heritage – cultural traditions, language, dance, ceremony etc – are continuing, but also places of outstanding symbolic value.

Such properties have been recognized using two criteria - criterion (iii) recognizing living cultural traditions:

“bear a unique or at least exceptional testimony to a cultural tradition or to a civilization which is living or which has disappeared”³

² Para 19 of the 1980 *Operational Guidelines* “nominations of immovable property which are likely to become movable will not be considered”.

³ Paragraph 77 (iii) of the of the *Operational Guidelines for the Implementation of the World Heritage Convention*.

For example, the Rice Terraces of the Philippine Cordilleras (Philippines) and the Osun-Osogbo Sacred Grove (Nigeria).

and criterion (vi) recognizing associations with events or living traditions:

“directly or tangibly associated with events or living traditions, with ideas, or with beliefs, with artistic and literary works of outstanding universal significance”⁴

For example, the Island of Gorée (Senegal), Auschwitz Concentration Camp (Poland) and the Hiroshima Peace Memorial (Genbaku Dome) (Japan).

iii. The concept of World Heritage cultural landscapes – further recognizing the intangible

In 1992 the World Heritage Committee adopted guidelines concerning the inclusion of cultural landscapes in the World Heritage List. In doing so the Committee acknowledged that cultural landscapes represent the "combined works of nature and of man" designated in Article 1 of the *Convention*. One of the categories of cultural landscape adopted by the Committee was the category of “associative cultural landscapes”. This category has provided further opportunities for the recognition of World Heritage properties with outstanding intangible value.

“Associative cultural landscapes” are designated “by virtue of the powerful religious, artistic or cultural associations of the natural element rather than material cultural evidence, which may be insignificant or even absent”⁵. Amongst the 50 World Heritage cultural landscapes are the outstanding associative cultural landscapes of Uluru-Kata Tjuta National Park (Australia), Tongariro National Park (New Zealand) and Koutammakou, the Land of the Batammariba (Togo) where the continuing associations between traditional custodians and their environment underlie rich customary life, genealogy and ceremony. These are dynamic and outstanding living heritage sites.

(iv) World Heritage and indigenous peoples

As you can see from the associative cultural landscapes mentioned above, there are properties on the World Heritage List that have a particular importance to indigenous peoples. These cultural landscapes and other living heritage sites of importance to indigenous peoples (such as Kakadu

⁴ Paragraph 77 (vi) of the *Operational Guidelines for the Implementation of the World Heritage Convention*.

⁵ Annex 3 of the *Operational Guidelines for the Implementation of the World Heritage Convention*.

National Park (Australia), Head-Smashed-in Buffalo Jump (Canada) and Pueblo de Taos (United States of America)) that have been inscribed on the World Heritage List, are a further demonstration of the capacity of the *World Heritage Convention* to recognize the intangible or living heritage.

Conclusion

In conclusion, the implementation of UNESCO's 1972 *World Heritage Convention* has provided, and continues to provide, opportunities for the recognition, protection and promotion of intangible heritage – places of outstanding intangible or symbolic value, as well as places associated with outstanding examples of living heritage. With UNESCO's 2003 *Convention for the Safeguarding of the Intangible Heritage* now in force there is an increased interest and visibility being given to the intangible. Currently prospects for developing synergies between the *World Heritage Convention* and the 2003 *Convention* are being explored. As these synergies are developed, it will be important to build upon the unique contribution offered by the *World Heritage Convention*. The *World Heritage Convention* provides the opportunity to identify, protect and promote intrinsic links between the tangible and the intangible, in context, at cultural and natural sites and cultural landscapes, meeting a threshold of “outstanding universal value”.

Résumé

La Liste du patrimoine mondial établie par la Convention du patrimoine mondial de 1972 de l'UNESCO (la *Convention concernant la protection du patrimoine mondial culturel et naturel*) inclut maintenant 830 biens culturels et/ou naturels dotés d'une « valeur universelle exceptionnelle » au sein de 138 pays. Bien que l'objectif principal de la Convention soit la protection des « monuments », des « ensembles », des « sites », des « monuments naturels », des « formations géologiques et physiographiques » et des autres « sites naturels », un certain nombre de biens du patrimoine mondial possèdent des dimensions immatérielles importantes, et parfois même « exceptionnelles ». De tels biens ont été reconnus comme pouvant « apporter un témoignage unique ou du moins exceptionnel sur une tradition culturelle ou une civilisation vivante ou disparue »⁶ et/ou « être directement ou matériellement associés à des événements ou des traditions vivantes, des idées, des croyances ou des œuvres artistiques et littéraires ayant une signification universelle exceptionnelle. » En outre, la sélection des « paysages culturels

⁶ Paragraphe 77 (iii) des *Orientations devant guider la mise en oeuvre de la Convention du patrimoine mondial*.

associatifs » exceptionnels « se justifie par la force d'association des phénomènes religieux, artistiques ou culturels de l'élément naturel plutôt que par des traces culturelles matérielles, qui peuvent être insignifiantes ou même inexistantes »⁷. Certains de ces biens continuent d'avoir une grande importance pour les amérindiens. Cette présentation va tenter d'explorer ces dimensions immatérielles que l'on retrouve dans la Convention du patrimoine mondial de 1972.

4.2 *The Tangible Dimensions of the 2003 Intangible Cultural Heritage Convention*
Rieks Smeets, Chef, Patrimoine culturel immatériel, UNESCO, Paris / Chief, Intangible Cultural Heritage, UNESCO, Paris



Rieks Smeets
(C. Boucher, 2007)

4.3 *La mémoire des lieux: préserver le sens et les valeurs immatérielles des monuments et des sites, Rapport de la 14e assemblée générale de l'ICOMOS, Zimbabwe 2003*
Dinu Bumbaru, Secrétaire général, ICOMOS International, Montréal / Secretary-General, ICOMOS, Montréal

⁷ Annexe 3 des *Orientations devant guider la mise en oeuvre de la Convention du patrimoine mondial*.



Dinu Bumbaru
(C. Boucher, 2007)

4.4 Report on International Conference in Nara, 2004, on «Safeguarding of Tangible and Intangible Cultural Heritage: Towards an Integrated Approach»

Toshiyuki Kono, Professor of Law, Kyushu University, Japan / Professeur de droit, Université Kyushu, Japon



Joël Dalibard
(C. Boucher, 2007)

Session II: Les Listes du patrimoine: les définitions et l'identification des valeurs
Session II: Heritage Lists: Definitions and Identification of Values

Présidente: Claudine Déom, Professeure adjointe, École d'architecture, Faculté de l'aménagement, Université de Montréal

Rapporteur 2: Carolyn van Slightenhorst, Étudiante à la maîtrise, Université Carleton

Chair: Claudine Déom, Assistant Professor, School of Architecture, Faculty of Environmental Design, Université de Montréal

Rapporteur 2: Carolyn van Slightenhorst, MA student, Carleton University

4.5 How the 1972 and 2003 Conventions define heritage : overlaps and differences

Herb Stovel, Professeur agrégé, Programme de conservation du patrimoine, École des études canadiennes, Université Carleton, Ottawa / Associate Professor, Heritage Conservation Program, School of Canadian Studies, Carleton University, Ottawa.



Herb Stovel
(C. Boucher, 2007)

Introduction

As the title suggests, this paper is meant to look at the definitions of heritage used in the World Heritage Convention of 1972 and the Intangible Cultural Heritage Convention of 2003. While the paper will review these definitions – and suggest that each of the two Conventions is in fact very much concerned with both tangible and intangible heritage – it will also look at some of the

issues raised by the use and interpretation of these definitions in caring for the heritage they have been created to protect. The paper will also suggest that the evaluation process for intangible cultural heritage would benefit greatly from efforts to develop an analog to the “qualifying conditions” (authenticity, and integrity) used to qualify properties for inclusion on the WH List and equally, to qualify long term approaches to their conservation. Finally, it should be noted that the paper will restrict itself to consideration of cultural heritage, even though the World Heritage Convention deals with both cultural and natural heritage.

At the outset, I should like to state that the University of Montreal Round Table of March 2007 has provided a very welcome opportunity to look for ways in which those involved with the two Conventions can strengthen their collaboration. However, it is unfortunate we have taken so long within the international system for conservation to try to place concern for the tangible and the intangible in a common framework. In an early preparatory meeting for the ICH Convention (Okinawa, March 2004), I remarked that while we had been intelligent enough to link culture and nature in the 1972 Convention, we had not been farsighted enough to bring tangible and intangible together.⁸ Indeed, while in my view, the best possible approach at this stage would be to start again – to put in place one Convention which could bring the concerns of both existing heritage Conventions together - with 183 countries signed on to the WH Convention and 75 already in place for the ICH Convention, this approach seems beyond the realm of the administratively feasible. In the end, to be practical, the real question becomes how to bring the two Conventions to work together in common cause, and to treat the heritage as one indivisible whole.

Premise: Both Conventions deal with the Tangible and the Intangible

Although the two Conventions are spoken of as the “tangible” and “intangible” Conventions in everyday parlance, each deals exhaustively with both the tangible and the intangible cultural heritage.

Definitions

Let’s remind ourselves of the definitions of cultural heritage used in the two Conventions.

⁸ Stovel, Herb, “The World Heritage Convention and the Intangible Cultural Heritage Convention: Implications for Protection of Living Heritage at Local Level”, *Utaki in Okinawa and Sacred Spaces in Asia*, Tokyo, 2004, p.130.

Within the WH Convention⁹, the following definition of cultural heritage is proposed :

“For the purposes of this Convention, the following shall be considered as "cultural heritage":

- 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.”*

Within the ICH Convention¹⁰, intangible cultural heritage is described as follows:

“1. The “intangible cultural heritage” means the practices, representations, expressions, knowledge, skills – as well as the instruments, objects, artefacts and cultural spaces associated therewith – that communities, groups and, in some cases, individuals recognize as part of their cultural heritage.

This intangible cultural heritage, transmitted from generation to generation, is constantly recreated by communities and groups in response to their environment, their interaction with nature and their history, and provides them with a sense of identity and continuity, thus promoting respect for cultural diversity and human creativity. For the purposes of this Convention, consideration will be given solely to such intangible cultural

⁹ Convention Concerning the Protection of the World Cultural and Natural Heritage, UNESCO, 16 Nov. 1972, Article 1.

¹⁰ Convention for the Safeguarding of the Intangible Cultural Heritage, UNESCO, Paris, 17 October 2003, Article 2 – Definitions.

heritage as is compatible with existing international human rights instruments, as well as with the requirements of mutual respect among communities, groups and individuals, and of sustainable development.

2. The “intangible cultural heritage”, as defined in paragraph 1 above, is manifested inter alia in the following domains:

(a) oral traditions and expressions, including language as a vehicle of the intangible cultural heritage;

(b) performing arts;

(c) social practices, rituals and festive events;

(d) knowledge and practices concerning nature and the universe;

(e) traditional craftsmanship.”

Intangible dimensions of the WH Convention

The definition of cultural heritage in the World Heritage Convention is further elaborated with the use of the criteria used to suggest the degree to which outstanding universal value may be present in a nominated property. Examination of these criteria suggests that there has long been a substantial intangible side to the criteria used to inscribe tangible heritage on the WH List. Indeed, the language of criterion C (vi) which seeks to identify properties that are “directly or tangibly associated with events or living traditions, with ideas, or with beliefs, with artistic and literary works of outstanding universal significance” allows this to be thought of as the “intangible criterion” by many. Indeed, the WH Committee, through much of the history of the Convention, has been somewhat skeptical that properties qualifying under this “intangible” criterion alone should merit inscription on the WH List, and have sought to ally use of this criterion with other criteria to be sure of sufficient focus on a tangible manifestation, one which could be legally described and placed on the WH List as real property.¹¹ The Operational

¹¹ Minimizing use of criterion C (vi) or ensuring that it was matched with criteria which could be attached to tangible cultural property was an early concern in implementation of the World Heritage Convention. Sarah Titchen quotes from ICOMOS President Michel Parent in 1979 (in a paper she prepared on criterion vi: Titchen, Sarah. “The Evolution and Application of the World Heritage Cultural Criterion vi”. An unpublished briefing paper. UNESCO, 1999). “Particular attention should be given to cases which fall under criterion (vi) so that the net result would not be a reduction in the value of the List, due to the large potential number of nominations as well as to political difficulties. Nominations concerning, in particular, historical events or famous people could be strongly influenced by nationalism or other particularisms in contradiction with the objectives of the World Heritage Convention.” (Titchen, S.....). Joseph King (in King, J., “Comments on the Recommendation to Revise Cultural Criterion vi Made at the Meeting on Authenticity and Integrity in an African Context”, ICCROM unpublished paper, 18 September 2000, further notes that “In order to accommodate this concern, a higher level of scrutiny was devised in

Guidelines still state that the Committee “considers that this criterion should preferably be used in conjunction with other criteria.”¹²

But in fact, the other five criteria can also be linked to intangible ideas:

Criterion C (i), used to identify properties which “represent a masterpiece of human creative genius”¹³ is about the idea of cultural expression of special accomplishment and creativity. The conceptual genius behind the masterpiece is very intangible, even if the tangible result ends up on the List.

Criterion C (ii) is about what used to be called “influence” before we became politically correct about it, and traded in “influence” for “interchange”. This criterion is used to signify “an important interchange of human values, over a span of time or within a cultural area of the world, on developments in architecture or technology, monumental arts, town-planning or landscape design.”¹⁴ Here we have the interchange of ideas across cultures on a macro and micro scale; ideas can be seen to move and leave their imprint first in the minds of human beings before the imprint takes up tangible form in brick or stone or settlement patterns.

Criterion C (iii) is about “testimony” (and here generally the testimony privileged is tangible) – about properties which may bear a “unique or at least exceptional testimony to a cultural tradition or to a civilization which is living or which has disappeared”¹⁵. While the testimony may be tangible, the “cultural traditions” and “civilization” are essentially intangible in nature.

Criteria C (iv) and C (v) are about excellence of typological representation, concerned with “outstanding example(s) of a type of building, architectural or technological ensemble or landscape which illustrates (a) significant stage(s) in human history”¹⁶ and “outstanding example(s) of a traditional human settlement, land-use, or sea-use which is representative of a culture (or cultures), or human interaction with the environment especially when it has become

1980 which stated that criterion vi would only be used in exceptional circumstances or in conjunction with other criteria.”

¹² Operational Guidelines for the Implementation of the World Heritage Convention, UNESCO, 2 Feb. 2005, Paragraph 77.

¹³ *Ibid.*

¹⁴ *Ibid.*

¹⁵ *Ibid.*

¹⁶ *Ibid.*

vulnerable under the impact of irreversible change”¹⁷. These both involve comparison of a known typological model to an ideal model, in order to be able to recognize the quality of the representation being examined – and here, the models being analysed are very intangible.

In fact, that the World Heritage cultural criteria can be interpreted in this way should come as no surprise; the identification of intangible values is a key part of the system of analysis for selecting tangible cultural heritage; what we designate, what we put on Lists in the heritage field as a whole is generally the tangible expression of intangible values. Hence, in speaking of the WH Convention, we cannot dissociate tangible expression and the intangible values carried by the particular form of heritage expression selected for inscription..

The link between tangible and intangible can be taken further in the context of World Heritage.

The ever broader definitions of heritage we have been working with over the last 30 or 40 years - moving from monument to street to district to town to landscape - reflect a search for context: physical context, human context, use context in which to situate the heritage we seek to care for. Hence, for example, to seek to better manage heritage in human settlements, many of which are on the World Heritage List, ICCROM’s contemporary “living heritage”¹⁸ programme is focused on efforts to keep tangible and intangible (living aspects) together. Here the emphasis is not on the intangible values lying behind tangible heritage but on the various forms of tangible and intangible cultural heritage expression which together shape the living experience of residents of historic cities.

Equally, unease about proposals to build high rise structures in historic districts in World Heritage Cities has launched a new international discussion, a new doctrinal text (The Vienna Memorandum), and a new filter for re-thinking the conservation of historic cities as “historic urban landscapes”¹⁹. The new approach reflects once again a search for a more holistic context to examine conservation choices, one which treats the city as a dynamic, human eco-system, best

¹⁷ *Ibid.*

¹⁸ www.iccrom.org. The web site of ICCROM (The International Centre for the Study of the Restoration and Preservation of Cultural Property). ICCROM’s Living Heritage Programme is described briefly on its web site, and its activities regularly reported on.

¹⁹ Vienna Memorandum on “World Heritage and Contemporary Architecture – Managing the Historic Urban Landscape”, 12-14 May 2005, Vienna, Austria, UNESCO.
http://www.icomos.org/usicomos/Scientific_Committees/Landscapes/UNESCO-ViennaMemorandum-2005.pdf

served by efforts to bring together traditional concern for the health of physical spaces and structures as well as for the all of the human activities taking place within the structures and spaces. Clearly, those involved with the World Heritage Convention are seeking to ensure the tangible and the intangible are managed together for the benefit of properties inscribed on the WH List.

In brief, the above discussion demonstrates the several intangible dimensions of the World Heritage Convention, and clearly suggests that referring to the World Heritage Convention as the “tangible Convention” does a disservice to the complexity of its make-up and the indissoluble nature of the relationship between the material and the immaterial in sites inscribed on the WH List.

Tangible aspects of the ICH Convention

The apparatus for determining inclusions on the two lists envisioned (the representative list, and the safeguarding list) in the context of the ICH Convention, is still in the process of being developed. Hence, unlike the WH Convention, we can not yet turn to a set of fully detailed criteria which suggest how evaluation of proposed expressions will be made; nor can we call upon years of experience in making such evaluations.

However, much more directly than the WH Convention, the ICH Convention preamble speaks of the tangible and the intangible together: “Considering the deep-seated interdependence between the intangible cultural heritage and the tangible cultural and natural heritage....”²⁰

In the end, at this stage, we must depend primarily on the definition of intangible heritage used in the ICH Convention, to assess the relationship between the tangible and the intangible in the latter. The definition is quite explicit in its references to that link: “The “intangible cultural heritage” means the practices, representations, expressions, knowledge, skills – as well as the instruments, objects, artefacts and cultural spaces associated therewith”. Quite clearly, the goal is to position intangible practices and expressions within the context of the physical places and objects which may animate and support these activities and expressions.

²⁰ Convention for the Safeguarding of the Intangible Cultural Heritage, UNESCO, Paris, 17 October 2003. Preamble.

This has been taken further in an ICH expert meeting (Dec. 2005) in which “cultural landscapes” were singled out for attention.

“The experts considered that cultural landscapes fall under the legal coverage of the 2003 Convention because they are included in the definition of ICH itself under the term “cultural spaces” and because they, like objects, artefacts and instruments, may be associated with any of the ICH domains”²¹.

Given the concern taken on since 1993 within the WH Convention for the inscription of cultural landscapes on the WH List – approximately 60 cultural landscapes have been inscribed in subsequent years - we have here a clear indication that the fields of application of the two Conventions cross over significantly; cultural landscapes inscribed under both Conventions would presumably share the same tangible and intangible attributes/ forms of expression, even if inscribed under criteria focusing on different values.

In conclusion, we can state that just as it is inaccurate to speak of the WH Convention as the tangible Convention, it would be equally inaccurate to speak of the ICH Convention as the intangible Convention.

Key focus: safeguarding

The real goal of both Conventions is to protect and safeguard the heritage identified as of interest within the scope of the two Conventions; hence the most important question to ask in relation to the definitions of heritage: **what the two Conventions can do to promote the appropriate conditions for protection and safeguarding?**

This paper will look at three questions that need to be satisfied in order to provide such conditions.

The first question involves asking: can we clearly define what it is we are trying to safeguard? What are we trying to hold on to? Clearly, this may be easier to do with what can

²¹ Report of the Expert Meeting on Criteria for Inscription on the Lists Established by the 2003 Convention for the Safeguarding of the Intangible Cultural Heritage, Paris, 5 – 6 December 2005. UNESCO. Section on “Cultural landscapes”.

be understood as tangible within the two Conventions. The WH Convention has fairly well established systems for measuring positive and negative change to inscribed sites in meaningful ways, but these are still very much still in debate for the ICH Convention. The first ICH expert meeting of Dec. 2005, considered this problem and among other things focussed on the concept of “core elements” as a possible indicator for safeguarding. However, the meeting concluded by stating that

“Considering that the intangible cultural heritage is constantly evolving and changing, the suggestion was made to identify its core elements at the time of inscription in order to evaluate their evolution and determine whether they still exist after a certain period of time. Some experts replied that this would lead to preventing those elements from evolving and changing, which is contrary to the definition of ICH.....”²²

While “core elements” may have been too static – even too tangible - for evaluation in the context of a Convention meant to protect intangible heritage, it may yet prove useful in echoing a shared concern of those involved with the tangible cultural and natural worlds, to look for indicators of the health of the heritage “system” (here we could envision intangible and tangible conceived together) in the health of the dynamic functioning of the eco-systems, human or natural, which give birth to the heritage places and activities/ expressions we seek to safeguard.

The example of a traditional religious pilgrimage in Vallepietera, Lazio, Italy well illustrates the difficulty in practice of defining such systems coherently, or establishing benchmarks for acceptable change in practical ways, in relation to intangible cultural heritage. The Vallepietra pilgrimage is one which takes place in the context of the Roman Catholic Church, and is intended to allow worship of the Santissima Trinita, the Most Holy Trinity, which incorporates characteristics of the Virgin Mary but also of “earth mother” fertility deities from pagan times which precede the establishment of Christianity in this region.

Paola Simeoni, a student of the region and its traditions reminds us that:

²² Report of the Expert Meeting on Criteria for Inscription on the Lists Established by the 2003 Convention for the Safeguarding of the Intangible Cultural Heritage, Paris, 5 – 6 December 2005. UNESCO, Section on “Authenticity and Value”.

“The devotional image of the Most Holy Trinity, not actually orthodox for the Catholic religion, is a fresco from the twelfth century AD, painted on the wall of the cave, which represents three identical figures of Christ..... The sacred place, very atmospheric and of extraordinary natural beauty, is an ancient cave, located 300m from the bottom of a 1000 m long cliff face. The ritual performances, the songs, and the penitential faith of thousands of believers together create a sensation of powerful fascination. The area has been frequented for centuries: Neolithic objects have been found and, in the cave itself, were the remains of an ancient Roman cult.”²³

This syncretism has responded to the faith perspectives of local populations over many centuries. Simeoni notes further that

“The feast is celebrated the first Sunday after the Catholic festivity of Whitsunday, on a night of the full moon, during which a passion play, ‘The Wailing of Virgins’, is performed. A second celebration is held each year on 26 July, the feast-day of Saint Anne (the mother of the Virgin Mary) who has a shrine near the holy cave. These and other ritual elements reflect the ancient pre-Roman cult of Mother Earth.”²⁴

The annual pilgrimage, increasingly popular in the last 30 years, draws “companies” of pilgrims over several days to walk, to visit various shrines and to sing in praise of the Most Holy Trinity and to show “deep love and gratitude for the miraculous image”.²⁵

There are many important traditions associated with this pilgrimage studied by anthropologists and carefully documented to maintain evidence of the syncretism present in the rituals. However the growing popularity of the event has brought young people of different sensibilities to actively participate: they arrive with the accoutrements of their modern day popular culture and expect that there will be ways in which these can be accommodated and incorporated in evolving traditions. The speed and nature of these changes challenge many of the older “custodians” of the pilgrimage and its traditions, who find some aspects of the “new” traditions troubling or unacceptable.

Simeoni again notes that:

²³ Simeoni, Paola Elisabetta. “Popular Worship of the Most Holy Trinity of Vallepietra, central Italy: the transformation of tradition and the safeguarding of immaterial cultural heritage”, p. 1, in Stovel, H.; Stanley-Price, N.; Killick, R. [eds], [Conservation of Living Religious Heritage \[ICCROM Conservation Studies; 3\]](#), 2005.

²⁴ *Ibid.*

²⁵ *Ibid.*

“Safeguarding this religious heritage involves studying and documenting the event, and involving believers in an understanding of their ancient religious values. At the same time, it is important to realize that transformations are an unavoidable part of tradition and that the spontaneous and creative invention of culture must be supported.”²⁶

The question here is again – what are we safeguarding? Surely not a frozen-in-time version of this pilgrimage, as evidenced in historic photographs? And if we are safeguarding something that has always changed with time, when and how can we know what changes fall within “acceptable” limits? Which transformations can we understand to be an “unavoidable part of tradition” for which “the spontaneous and creative invention of culture must be supported”? For the time being this must remain an open question.

The second question involved inquiries that would lead us to use of management systems that do not put heritage in boxes (tangible, intangible) but rather are based on the interdependent complexity of all heritage: static-dynamic, cultural -natural, tangible–intangible. Ultimately, simplifying the nature of the heritage we seek to protect limits our ability to care for it. Hence in a heritage context, responsible management needs to seek to devise frameworks that can capture and codify the intrinsic, complex and interwoven sources of heritage value and expressions, and accommodate a full range of specificities in defining conservation approaches. This is easy to say, and easy to agree with, but we must recognize that much of what we habitually do in the heritage world runs counter to this supposition. Our tendency to make lists which identify places of heritage values automatically disqualifies those not on the heritage lists from heritage attention; our efforts to identify cultural heritage significance forever risk privileging one set of views over another; our efforts to list significant heritage attributes supporting identified values produces long laundry lists which are inevitably incomplete, and place at risk overlooked elements.

A couple of examples can suggest how this tendency to place heritage in boxes can undermine its true worth.

²⁶ *Ibid.*

One of the WH nominations in 2006 has been “Darwin at Downe”, presented to the WH Committee by the UK. This property was home to Charles Darwin for 40 years during those periods when he wrote his most famous works including “The Origin of Species”. The home landscape in which he wandered shaped his thinking; he in turn shaped the surrounding nature to allow exploration of his ever evolving ideas. The Downe property contains still vivid testimony of the inter-relationship between nature and the thinking and explorations of the famous scientist and thinker, a testimony ultimately deposited most strongly in the pages of his writings.

The property was nominated under criteria C (iii), and C (vi)²⁷. At issue is the use of criterion C (iii) used to accompany the “intangible” criterion C (vi), rarely risked on its own, as noted earlier. To refresh: “Criterion (iii) requires that that the nominated site should bear a *unique or at least exceptional testimony to a cultural tradition or a civilization which is living or which has disappeared*”²⁸. The UK nomination invokes the use of criterion C (iii) speaking of the “The *living cultural tradition*(as).... the approach of modern science to the understanding of the natural world by observation, hypothesis, experiment, free and wide exchange of information and ideas, theory-building and communication.”²⁹

The choice of criteria for a WH nomination is critical because it targets management on those particular values which must be respected in use, conservation and development of a cultural heritage place or expression. Hence acceptance of criterion C (iii) in this case implies protection of the “living cultural heritage tradition of the approach of modern science”, represented by the property – that is, protection not of tangible testimony (usually the intent when criteria are added to criterion C (vi)) - but of something very intangible. Under criterion C (vi) (which states that “*the Site should be directly or tangibly associated with events or living traditions, with ideas or with beliefs, with artistic and literary works of outstanding universal significance*”³⁰), the State

²⁷ Darwin at Downe World Heritage nomination. Government of the UK. p. 73. www.darwinatdowne.co.uk/ This web site (developed by the UK government) provides a general introduction to the salient features of the “Darwin at Downe” nomination, submitted to the WH Centre, Feb. 1, 2006. The web site includes the Nomination Document and the property Management Plan.

²⁸ Operational Guidelines for the Implementation of the World Heritage Convention, UNESCO, 2 Feb. 2005. Paragraph 77.

²⁹ Darwin at Downe World Heritage nomination. Government of the UK. p. 74. www.darwinatdowne.co.uk/ This web site (developed by the UK government) provides a general introduction to the salient features of the “Darwin at Downe” nomination, submitted to the WH Centre, Feb. 1, 2006. The web site includes the Nomination Document and the property Management Plan.

³⁰ Operational Guidelines for the Implementation of the World Heritage Convention, UNESCO, 2 Feb. 2005, paragraph 77.

Party makes the claim that the nominated property is directly and tangibly associated with both “*ideas of outstanding universal significance*” - “Darwin's theory of evolution by natural selection, his explanation of global biodiversity as a fundamental principle of the natural world, and his demonstration of the ecological interdependence of all life forms”³¹ and with an “*event of outstanding universal value*” - “Darwin's writing and publication of *The Origin of Species* (1859), one of the most influential books of all time, which transformed scientific and wider public thinking about natural life and humans place in the natural world”³². Again here, with criterion C (vi), preserving memory of ideas and events of outstanding universal value involves efforts to preserve the intangible. Indeed, the “..cultural tradition...which is living..” of criterion C (iii), and the “living traditions” of criteria C (vi) are hard to distinguish from each other in their shared reference to the intangible.

As an aside, the sleight of hand used by the UK in the choice of nomination criteria may be seen in recognizing that use of criteria C (vi) is predicated on articulation of “events” and “ideas” of outstanding universal value –but not on use of the “living traditions” noted by the criterion.³³ Reference in the nomination document to “living traditions” is reserved for criterion C (iii), which focuses on the “cultural tradition...which is living” in reference to the approach of modern science. Clearly, all of the UK arguments for inscription could have been advanced under criterion C (vi).

While ICOMOS in the current nomination evaluation process has entertained thoughts of dealing with the ambiguity presented by the State Party (ambiguity concerned with what tangibly is to be placed on the WH List to respond to the intangible expressions highlighted by the choice of the two criteria), by sending this nomination to the ICH Convention as a cultural landscape possibly

³¹ Darwin at Downe World Heritage nomination. Government of the UK. p. 74. www.darwinatdowne.co.uk/ This web site (developed by the UK government) provides a general introduction to the salient features of the “Darwin at Downe” nomination, submitted to the WH Centre, Feb. 1, 2006. The web site includes the Nomination Document and the property Management Plan.

³² *Ibid.*

³³ Joesph King notes (in King, J., “Comments on the Recommendation to Revise Cultural Criterion vi Made at the Meeting on Authenticity and Integrity in an African Context”, ICCROM unpublished paper, 18 September 2000) that “in 1994, a significant change was made to criterion vi which specifically mentioned living traditions (the change also included artistic and literary works, which are still rooted in historical association). The importance of this addition cannot be underestimated for those regions in which there are still traditional, living cultures. With this change, a very important part of the immovable cultural heritage of some traditional societies (that is the spiritual or religious associations of a place, even if there are no physical structures) became eligible for inclusion on the List, if they met the standard of universal value”.

better suited to the ICH Convention than to the WH Convention³⁴, the need to try to find a Convention under which inscription might be suitable suggests the very real dangers of trying to place cultural heritage in categories, rather than working within frameworks which embrace complexity and ambiguity as desirable.

This contradiction is taken up even more strongly in the attitude of the headman on Taketomi Island (Okinawa, Japan) - in a 2004 expert meeting on Okinawa sponsored by the Japan Foundation - to the possible recognition of his “utaki” – sacred animist shrines – by both Conventions. Taketomi Island, far to the south in Okinawa reflects belief systems in place in Japan before the arrival of Buddhism, now generally prevalent in most of the country³⁵. The basis of the system of worship in place is “community worship” where the community can include marine and mountain deities and local spirits inhabiting natural features such as caves, springs and trees. The most revered ancestors inhabit “utaki”, places of the utmost sanctity, where access is strictly controlled.³⁶ Taketomi Island has about 28 “utaki” in use; during the Okinawa meeting of March 2004, the island headman proposed that he would seek to nominate the physical spaces of the “utaki” to the World Heritage List and the remarkable harvest festival dances which take place within them (unseen by outsiders) to the Lists established by the ICH Convention.

The international community must begin to ask itself what it is really achieving, when community leaders are parsing their potential nominations this way. It is not difficult to imagine the consternation that will result, should the two inscription campaigns be successful, when the Taketomi islanders receive contradictory state of conservation reports from the World Heritage Centre (focused on preserving outstanding universal value) and the Intangible Heritage Unit of UNESCO (focused on preserving representativeness).

A third question to be asked concerns what can be learned from the WH Convention and its use of “qualifying conditions” for the benefit of expressions of intangible cultural heritage value. While the phrase “qualifying conditions” is no longer to be found in the current Operational Guidelines for World Heritage, in my view, analysis of the use of authenticity, and

³⁴ Stovel, H., Personal observation made during preliminary discussion of 2006-07 World Heritage nominations at ICOMOS World Heritage Working Group nomination evaluation meeting, Paris, France, Nov. 2006.

³⁵ Kamino, Y., “The Significance of Utaki as Cultural heritage: Toward Integrated Preservation of Tangible and Intangible Cultural Heritage” *Utaki in Okinawa and Sacred Spaces in Asia*, Tokyo, 2004.

³⁶ Wikipedia web site: http://en.wikipedia.org/wiki/Ryukyuan_religion “Ryukyuan religion”

integrity (the so-called qualifying conditions for WH inscription) has much to offer those involved with the ICH Convention. Those individuals, in expert meetings and consultative documents (such as the Yamato Declaration³⁷), have tended to reject concepts like “authenticity” as irrelevant in furthering implementation of the ICH Convention.

In examining this attitude, it’s useful to go back to the WH Convention and ask why we have qualifying conditions in the first place? Why do we need to ask whether authenticity and integrity are in place? While initially qualifying conditions – authenticity for cultural heritage, and integrity for natural heritage – were meant to assist in assessing the outstanding universal value (OUV) of nominations, they have also been appreciated as effective means of guiding choice of conservation treatments to respect for OUV. If we focus on authenticity alone, we can appreciate that at the front end (the evaluation of nominations), we need to be sure that the attributes of the property “convey significance” and thus express the essential truth, the genuine message of the defined heritage values carried by the associated attributes, and that at the other end of the process (the conservation end), we need to have a means to ensure that we can “sustain significance.” The attributes serve as indicators – indeed tangible indicators – the state of which allows us both to measure how truthfully, credibly, genuinely they communicate the OUV of a property, and to assess possible orientations for conservation with respect to optimizing sustainable respect for OUV in the process.

Integrity analysis for cultural heritage is a newer requirement for cultural heritage, found in the WH Operational Guidelines only since Feb. 2005, but concerned with the same basic concerns: defining what elements must be included to ensure that the full story of a place is told, and that the place is not at risk – elements which have always been understood to have a tangible nature. As this requirement has been adapted from natural heritage analysis, the front end and down stream end have been blended together in the sense that the ability to convey significance (wholeness) and sustain significance (intactness, freedom from risk) must be satisfied both for inscription, and for effective follow up management.

³⁷ “Yamato Declaration on Integrated Approaches for Safeguarding Tangible and Intangible Cultural Heritage”. International Conference on The Safeguarding of Tangible and Intangible Heritage Organized by the Japanese Agency for Cultural Affairs and UNESCO, 20-23 October 2004, Nara, Japan

Most expert discussions analysing possible frameworks for evaluation of potential inclusions on the lists of the ICH Convention have rejected use of authenticity, as noted earlier. The Yamato Declaration of 2004³⁸ states “considering that intangible cultural heritage is constantly recreated, the term “authenticity” as applied to tangible cultural heritage is not relevant when identifying and safeguarding intangible cultural heritage.”

This 2004 reference has its echoes in the first expert meeting convened to help prepare for implementation of the ICH Convention meeting in Dec. 2005. Speaking of the “core elements” mentioned earlier, some experts suggested that:

“the description of the supposed core elements could be used for determining the authenticity of the ICH proposed, but others replied that this would lead to preventing those elements from evolving and changing, which is contrary to the definition of ICH given in article 2.1. The fact that supposed core elements did not change in space and over time might then be misinterpreted as demonstrating their outstanding value. Some experts also suggested that the description of the supposed core elements could serve as a basis for periodic reporting at a later stage (article 29 of the Convention). They advised learning from the experience gained with the 1972 Convention and avoiding problems that could arise with the concept of “authenticity”³⁹.

The words of article 8 of the Yamato Declaration⁴⁰ imply that authenticity is irrelevant because intangible cultural heritage is constantly being recreated - as if this were not the case for tangible heritage. One of the big contributions of the Nara Document

is that it extended the attributes which could be used to convey significance from the physical (material, setting, design, workmanship) to those which were not physical (tradition, use, spirit), that is, to those attributes “constantly being recreated.”

Concerning the possible application of an “integrity” qualifying condition, the expert meeting of Dec. 2005 stated that “The experts considered that continued transmission, aimed at ensuring

³⁸ “Yamato Declaration on Integrated Approaches for Safeguarding Tangible and Intangible Cultural Heritage”. Article 6. International Conference on The Safeguarding of Tangible and Intangible Heritage Organized by the Japanese Agency for Cultural Affairs and UNESCO, 20-23 October 2004, Nara, Japan.

³⁹ Report of the Expert Meeting on Criteria for Inscription on the Lists Established by the 2003 Convention for the Safeguarding of the Intangible Cultural Heritage, Paris, 5 – 6 December 2005, UNESCO.

⁴⁰ “Yamato Declaration on Integrated Approaches for Safeguarding Tangible and Intangible Cultural Heritage”. Article 8. International Conference on The Safeguarding of Tangible and Intangible Heritage Organized by the Japanese Agency for Cultural Affairs and UNESCO, 20-23 October 2004, Nara, Japan

the viability of ICH, is a main objective of the Convention. They discussed and chose not to recommend a criterion to ensure the **integrity** of the transmission process”⁴¹.

In summary however, the important questions to ask in envisioning the future of decision-making within the ICH Convention are not “**why not use authenticity**”? (even if it can be demonstrated that authenticity can be concerned with that “constantly being recreated”), or “**why not use integrity**”? Rather, the question becomes: “**if “authenticity”, if “integrity”, if “core elements” do not provide the needed models, what indicators can be found to ensure that the valued qualities of the intangible expression can be safeguarded**”? Here we have come full circle, and returned to the scope of the first question in this section. The main lesson from the experience of the WH Convention is not the need literally to adopt either the authenticity or integrity concepts, but rather, for those involved with the ICH Convention to come up with an analogous concept which can do a comparable job.

At this stage - and here I am venturing a personal opinion - that missing concept for safeguarding will need to find a way to measure something akin to what we might call - only for the time being - the “integrity” of the intangible cultural heritage expression:

- **internal integrity**: fidelity of communication patterns, structures, elements over time to agreed upon core values or concepts, in serving the needs of the community where the heritage is housed
- **external integrity**: external coherence between the intangible traditions/ activities/ experiences examined and the living cultural, social and economic context in which they exist
- **integrity of “cultural spaces”**: wholeness (are all elements present necessary to convey significance?) and intactness (are conditions appropriate – that is, free from risk – to sustain significance?) , along lines used for assessing integrity for cultural heritage properties proposed to the World Heritage List.

This proposal picks up on some of the elements mentioned frequently in the communications of those trying to isolate what is important to transmit over time through the meaningful survival of

⁴¹ Report of the Expert Meeting on Criteria for Inscription on the Lists Established by the 2003 Convention for the Safeguarding of the Intangible Cultural Heritage, Paris, 5 – 6 December 2005. UNESCO, Section on “Transmission”.

intangible cultural heritage. If the word integrity constitutes unwelcome baggage given its problematic associations with the World Heritage Convention, it might be useful as suggested by Gordon Fulton during the Round Table⁴² to call this qualifying condition, “continuity”, which appears to well capture many of the key ideas expressed above.

Its important to recognize that continuity here is being used a potential “qualifying condition”, not as one of the “qualifying criteria” described in the Report of the Expert Meeting on Criteria for Inscription on the Lists Established by the

2003 Convention: *recognition, identity and continuity*.⁴³ This report notes:

“.....that article 2.1 of the Convention provides three criteria with which the ICH submitted for inscription must comply: the intangible cultural heritage must:

(1) be recognized by communities, groups and, in some cases, individuals as part of their cultural heritage,

(2) be transmitted from generation to generation and be constantly recreated by communities and groups in response to their environment, their interaction with nature and their history and

(3) provide them with a sense of identity and continuity, thus promoting respect for cultural diversity and human creativity.”⁴⁴

In bringing continuity, understood as a “qualifying condition,” or some other comparable concept to general acceptance over time, it will be necessary to recognize that judgments about what is important to safeguard will have to be entrusted to those for whom the heritage has most meaning in the context of this Convention – those within the community which is home to the heritage.

Conclusion

This paper has reviewed the definitions of cultural heritage in both the 1972 and 2003 Conventions and commented on the application of this definition in relation to the 1972

⁴² Fulton, Gordon. Comments made during discussion, final session, 2007 Round Table organized by the Canada Research Chair on Built Heritage Faculty of Environmental Design, Université de Montréal.

“How the 1972 and 2003 Conventions define heritage: overlaps and differences”

⁴³ Report of the Expert Meeting on Criteria for Inscription on the Lists Established by the 2003 Convention for the Safeguarding of the Intangible Cultural Heritage, Paris, 5 – 6 December 2005, UNESCO. Section on “Qualifying criteria”.

⁴⁴ *Ibid.*

Convention. It has demonstrated the close ties between the two Conventions and the intangible and tangible aspects of each. And finally, it has looked at some of the requirements that will need to be in place for the new ICH Convention to be able to safeguard ICH effectively, and in particular at the idea of “qualifying conditions” for intangible cultural heritage.

These discussions need to be intensified among those with interest in the scope and success of both Conventions, in order to foster a more constructive, informed and positive dialogue, rooted in interest in integrating treatment of tangible and intangible heritage for the benefit of both.

4.6 L’inventaire du patrimoine culturel immatériel du Québec: un modèle à suivre?

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Laurier Turgeon
(C. Boucher, 2007)

4.7 Evolution of World Heritage criteria to address intangible dimensions of World Heritage values

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(C. Boucher, 2007)

Introduction

In 1972, the General Conference of UNESCO adopted the Convention for the Protection of the World Cultural and Natural Heritage (the World Heritage Convention). Central to the World Heritage Convention is the concept of “outstanding universal value” (or “OUV”), commonly understood to mean values that transcend importance at local, regional and national scales and values that should be conserved on behalf of current and future generations. Despite the fundamental importance of the concept of OUV to the Convention, the Convention itself does not provide a precise definition. Rather, in Article 11(2), the Convention states that “the (World Heritage) Committee shall establish...a list of properties...which it considers to have outstanding universal value *in terms of such criteria as it shall have established.*” From the outset, then, the international community assigned responsibility for establishing and managing an operational definition of outstanding universal value to an intergovernmental committee of technical experts,

with the implication that outstanding universal value is not an immutable concept and that evolving understanding of heritage values could shape the conception of OUV through changes to the criteria for inscription of properties on the World Heritage List.

This paper addresses the evolution of the criteria for inscription of properties on the World Heritage List over the past 30 years, from the perspective of how intangible heritage values have gradually received increasing importance. It will focus primarily on the criteria for inscription of cultural properties and will discuss the major changes to these criteria, particularly in the last 15 years, in the context of broader discussions and experiences in the implementation of the Convention. The paper contends that the original criteria, defined in 1977, provided sufficient scope to begin discussion of intangible heritage values and thus laid the groundwork for the long, and ongoing, process of evolution in the Committee's thinking. It is instructive to note that, in 1977, 10 criteria – 6 specifically for cultural values - were defined for evaluating properties nominated for inscription on the World Heritage List and, with the adoption of the current criteria in 2005, there continue to be 10 criteria. Recognition of intangible heritage values has been included within the framework of the original 10 criteria through an evolutionary process, not the addition of new criteria or a wholesale re-thinking of the initial criteria.

To trace the evolution of the World Heritage Convention's criteria toward greater recognition of intangible heritage values, it is first necessary to define key terms. Article 1 of the World Heritage Convention defines "cultural heritage" as:

- "*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 man, and areas including archaeological sites which are of outstanding universal value from the historical, aesthetic, ethnological or anthropological point of view."

This definition is the basis upon which the World Heritage Committee has adopted successive versions of the criteria for inscribing cultural properties on the World Heritage List.

The 2003 Convention for the Safeguarding of the Intangible Cultural Heritage defines intangible cultural heritage as “the practises, representations, expressions, knowledge, skills – as well as the instruments, objects, artefacts and cultural spaces associated therewith – that communities, groups, and in some cases individuals recognize as part of their cultural heritage. This intangible cultural heritage, transmitted from generation to generation, is constantly recreated by communities and groups in response to their environment, their interaction with nature and their history...” The Convention continues “the intangible cultural heritage...is manifested, *inter alia*, in (a) oral traditions and expressions, including language as a vehicles of the intangible cultural heritage, (b) performing arts, (c) social practises, rituals and festive events, (d) knowledge and practises concerning nature and the universe, (and) (e) traditional craftsmanship.”

How, then, have the World Heritage criteria for cultural properties evolved from a foundation that is firmly rooted in a view of cultural heritage as monumental, architectural and site-based to one that takes greater account of cultural heritage that is community-based, living, dynamic and constantly evolving in relation to the environment, nature and history?

Criteria: Changing from the beginning

The first set of criteria appeared in the first *Operational Guidelines for the Implementation of the World Heritage Convention*, adopted by the Committee in June 1977. In subsequent years, ongoing and incremental changes to the *Operational Guidelines* included various minor and substantive changes to the criteria. (see Tables 2 and 3, in Annex 1). On 2 February 2005, new *Operational Guidelines* took effect, the result of several years of intensive work by the Committee. Included in these *Operational Guidelines* are the current criteria by which the outstanding universal value of nominated properties will be assessed beginning at the Committee’s 31st session in June 2007.

It will not be possible or necessary to trace each and every change to the criteria in the numerous versions of the *Operational Guidelines*, as many of these changes are not directly relevant to the question of intangible cultural heritage. In retrospect, however, it is instructive to observe that, between 1977 and the late 1980s (see Table 2, Annex 1), the changes made to the criteria did not

substantially alter the overall approach to inscribing cultural properties on the World Heritage List. Notwithstanding the various changes made, the cultural criteria of this period were essentially consistent in placing the highest value on sites of architectural and artistic value, on sites from past civilizations and on sites considered to be type structures or influential in subsequent periods of history, over those whose significance lay in other, less tangible, heritage systems. It is worthwhile, however, to examine a number of the current criteria in relation to their antecedents at certain points to understand how intangible heritage values associated with cultural properties can now be recognized through inscription on the World Heritage List.

Table 1 illustrates a number of key changes made to some of the criteria between 1977 and 2005, such that properties manifesting or associated with living cultural traditions and traditional land- and sea-uses can now more easily be recognized through inscription on the World Heritage List. Broadly speaking, these successive revisions to the criteria were made to take account of changing views of cultural heritage and in response to ongoing experience in the implementation of the Convention. The changes served to integrate new concepts and new thinking in heritage conservation and to recognize new voices at the World Heritage Committee table.

Table 1: Evolution of criteria iii), v) and vi)

Table 1: Evolution of criteria iii), v) and vi) (Italicized text illustrates significant changes to the criteria with respect to recognizing intangible heritage values)

1977	1980	1994	1996	2005
iii) be <u>unique, extremely rare, or of great antiquity</u>	iii) bear a unique or at least exceptional testimony to a civilization which has disappeared	iii) bear a unique or at least exceptional testimony to a civilization <i>or cultural tradition</i> which has disappeared	iii) bear a unique or at least exceptional testimony <i>to a cultural tradition</i> or to a civilization <i>which is living</i> or which has disappeared	iii) bear a unique or at least exceptional testimony to a cultural tradition or to a civilization which is living or which has disappeared
v) be a characteristic example of a significant, <u>traditional style</u> of architecture, method of construction, or <u>human settlement</u> , that is fragile by nature or has become vulnerable under the impact of	v) be an outstanding example of a traditional human settlement which is representative of a culture and which has become vulnerable under the impact of irreversible change	v) be an outstanding example of a traditional human settlement or <i>land-use</i> which is representative of a culture (or cultures), especially when it has become vulnerable under the impact of	v) be an outstanding example of a traditional human settlement or land-use which is representative of a culture (or cultures), especially when it has become vulnerable under the impact of irreversible change	v) be an outstanding example of a traditional human settlement, land-use or <i>sea-use</i> which is representative of a culture (or cultures), or human interaction with the environment especially when it has become vulnerable under the impact of irreversible change

irreversible socio-cultural or economic change		irreversible change		
vi) be most importantly <u>associated</u> with ideas or beliefs, with events or with persons, of outstanding historical importance or significance	vi) be directly or tangibly associated with events or with ideas or beliefs of outstanding historical significance (the Committee considered that this criterion should justify inclusion in the List only in exceptional circumstances or in conjunction with other criteria)	vi) be directly or tangibly associated with events or <i>living traditions</i> , with ideas, or with beliefs, with <i>artistic and literary works</i> of outstanding historical significance (the Committee considers that this criterion should justify inclusion in the List only in exceptional circumstances or in conjunction with other criteria)	vi) be directly or tangibly associated with events or living traditions, with ideas, or with beliefs, with artistic and literary works of outstanding historical significance (the Committee considers that this criterion should justify inclusion in the List only in exceptional circumstances or in conjunction with other criteria <i>cultural or natural</i>)	vi) be directly or tangibly associated with events or living traditions, with ideas, or with beliefs, with artistic and literary works of outstanding universal significance. (<i>The Committee considers that this criterion should preferably be used in conjunction with other criteria</i>)

The first 10-15 years of implementing the Convention witnessed the inscription on the World Heritage List of many cultural heritage properties that were internationally iconic and clearly in keeping with the original intent of the Convention. As early as 1984, and certainly by the late 1980s, however, there was a growing concern that the World Heritage List did not properly reflect the diversity of the world’s cultural heritage, as it was then understood. An ICOMOS analysis of the cultural properties inscribed on the World Heritage List, begun during this time, demonstrated that the List was dominated by Europe, historic towns and religious monuments, Christianity, historical periods and “elitist” architecture. Living cultures, and especially “traditional cultures” were poorly represented. And even those traditional settlements that were included on the list were included in terms of their “architectural” value, without taking account of their economic, social, or symbolic dimensions or of their continuing interactions with the surrounding natural environment. Further, the definition of World Heritage properties as “cultural”, “natural” or “mixed” seemed to be an over-simplification that inadequately accounted for the fact that in most human societies, the landscape was, effectively, a human creation, representative of and an expression of the culture(s) of those who occupied it. It was apparent that the 1972 notion of cultural heritage – embodied in the Convention and operationalized by the Committee-defined criteria – was somewhat static and rigid, in comparison with contemporary thinking in disciplines such as the history of art and architecture, archaeology, anthropology and

ethnology. At the time, these disciplines were focussing less on single monuments in isolation, but instead examining more complex and multidimensional cultural groupings that demonstrated, in spatial terms, the social structures, ways of life, and belief and knowledge systems of past and present cultures.

This same period witnessed the ongoing growth in the number of States Parties to the World Heritage Convention, as an increasing number of countries ratified or otherwise acceded to the Convention. Within this overall growth was an increasing number of countries from Africa, Asia, the Pacific, Latin America and the Caribbean, countries whose concepts of cultural heritage included, but also extended beyond, those embodied in the 1972 Convention. Having joined the Convention, these countries would have had the reasonable expectation that some of their heritage properties might, in the future, be inscribed on the World Heritage List. With their differing understandings of cultural heritage values, it is interesting to speculate about how these new voices in the World Heritage Convention contributed to the discussion of what heritage values were significant, to whom, and how these values could be best reflected within the World Heritage system.

The analysis and associated reflection on the World Heritage List during the early 1990s set the stage for the Committee's subsequent and ongoing effort to broaden its consideration of heritage. The Committee launched, in 1994, the *Global Strategy for a Balanced, Representative and Credible World Heritage List*, aiming to broaden the definition of World Heritage to better reflect the spectrum of cultural heritage found across the globe. The strategy – still being pursued today – strives, in part, to recognize heritage sites that illustrate human coexistence with the land, human interactions and cultural coexistence, spirituality and creative expression, all of which can be considered the expression of human cultures in reference to one another and the natural world. By adopting the Global Strategy, the Committee began a move – whether explicitly or not - towards greater recognition of intangible heritage values associated with tangible heritage, albeit rooted firmly in the Convention's existing definition of cultural heritage found in Article 1.

The World Heritage Committee's discussions at this time of broadening its understanding of cultural heritage dovetailed with the Committee's formal adoption of a package of strategic goals and objectives in 1992, developed in recognition of the 20th anniversary of the Convention. Amongst the objectives approved was “refine and update criteria of natural/cultural heritage

nominations” (sic) and the background document to the goals and objectives noted that “a critical evaluation should also be made of the criteria governing the cultural heritage and the criteria governing authenticity and integrity, with a view of their possible revision.” The discussions also unfolded against a backdrop of other developments within UNESCO related to intangible heritage. For example, the development of the Recommendation on the Safeguarding of Traditional Culture and Folklores (adopted in 1989), the Living Human Treasure Systems (adopted in 1994) and the Proclamation of the Masterpieces of the Oral and Intangible Heritage of Humanity (adopted in 1997) all put a focus on the intangible heritage of humanity and contributed to the intellectual atmosphere within which the World Heritage Committee led the evolving implementation of the 1972 Convention. In the early 1990s, UNESCO Member States began to discuss amongst themselves the wisdom of negotiating a legal instrument that would recognize and safeguard manifestations of intangible cultural heritage worldwide, as a complement to the World Heritage Convention.

The period 1992-1996 witnessed the most significant changes in terms of increasing the possibility to recognize intangible heritage values associated with cultural heritage properties. Flowing out of the numerous expert meetings and regional workshops organized to advance the goals of the Global Strategy were proposed changes to the criteria that aimed to open the understanding of outstanding universal value. For example, the June 1994 Expert Meeting on the “Global Strategy and thematic studies for a representative World Heritage List” recommended deleting “which has disappeared” from criterion iii and “especially when it has become vulnerable under the impact of irreversible change” from criterion v since this text seemed to favour cultures that have disappeared and to exclude living cultures. Further, the Expert Meeting encouraged a less restrictive interpretation of criterion vi, about which more will be said below. Through discussion at the Committee level, the essence of these recommendations – and those coming from other similar meetings and workshops during this period - were adopted and it was in this period that “cultural tradition ...that is living” was included in criterion iii, “land-use” in criterion v and “living tradition” and “artistic and literary works” in criterion vi. All of these changes were “confirmed” through successive iterations of the criteria up to and including the criteria adopted in 2005 as part of the major revisions of the *Operational Guidelines*.

In considering how the criteria for inscription of cultural properties on the World Heritage List have evolved to address intangible heritage values, a particular focus on criterion vi is warranted.

From its earliest formulation, with its emphasis on the *association* of the nominated property with ideas, beliefs, events or persons of outstanding historical importance, criterion vi has long proved somewhat problematic for the Committee. In the first few years of implementing the Convention a number of sites were inscribed under criterion vi, but as early as 1979, questions were raised about potential difficulties created by it. In particular, there was a concern about the possibility of an unreasonably large number of nominations under criterion vi related to historical events and/or famous people and that such nominations could be strongly influenced by nationalism or other “particularisms” running counter to the objectives of the Convention.

The 1980 version of criterion vi dropped any reference to persons of historical importance and added a restriction on its use - “the Committee considers that this criterion should justify inclusion in the List only in exceptional circumstances or in conjunction with other criteria” - the first and only time that such a restriction has been applied. By that time, five properties, including L’Anse aux Meadows in Canada, had already been inscribed on the basis of criterion vi alone and a further four, including Head-Smashed-In Buffalo Jump, would be so inscribed in subsequent years. The last of these four was Hiroshima Peace Memorial (Genbaku Dome), inscribed on an exceptional basis, in 1996, over the objections of China and the United States. As a result of this controversy, the use of criterion vi was further restricted so that it could justify inscription on the List only in exceptional circumstances and in conjunction with other criteria.

As noted above, criterion vi had also been revised during the 1990s to recognize properties associated with “living traditions” and “artistic and literary works.” While such revisions opened the criteria to considerations of intangible heritage, the restriction adopted in 1997 had the (perhaps unintended) effect of making it impossible to inscribe any other properties on the basis of their association with living traditions, artistic and literary works alone. This conditional usage of criterion vi had not been envisaged when the criteria were first established and stood in stark contrast to the usage of the five other criteria, all of which, individually, could justify inscription of a property on the World Heritage List.

Objections to the conditional usage of criterion vi were clearly articulated in subsequent meetings. For example, at the March 1998 Global Strategy Natural and Cultural Heritage Experts Meeting in Amsterdam, a participant from Africa noted that criterion i was often used in

nominations and reinforced the existing strong emphasis on monumentality, while the opportunity to recognize intangible heritage, addressed in criterion vi, was restricted.

Similarly, during a May 2000 meeting in Zimbabwe on Authenticity and Integrity in an African context, it was argued that, due to the specific spiritual character of some potential African World Heritage sites, the restrictions on the use of criterion vi should be reviewed. Specifically, it was argued that cultural heritage can exist in spiritual forms in its own right, even in the absence of any tangible evidence at a particular site. There could be cases, such as at many sacred sites, where the absence of tangible evidence would not allow inclusion on the list, even though the property might be of outstanding universal value. To address this problem, meeting participants proposed two options: to revert to the 1996 version of the criterion; or to consider the possibility of using criterion iii (the exceptional testimony to a cultural tradition or civilization) or criterion v (traditional human settlement or land-use) in relation to the intangible testimony of a civilization. This would entail using criterion iii or v together with criterion vi even though they had only ever been used in relation to tangible heritage.

The debate about the conditional use of criterion vi – in part centred on how the World Heritage Convention could recognize properties associated with intangible cultural heritage – continued throughout the process of revision of the *Operational Guidelines* between 2000 and 2004. The final result has the hallmarks of a compromise of sorts: “nominated properties shall therefore...(vi) 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).” (emphasis added)

Cultural Landscapes

An important element of the Committee’s discussion of broadening its understanding of cultural heritage was its efforts to reach a common understanding about the concept of cultural landscapes. At its 14th session (Banff, 1990), the Committee considered the nomination of the Lake District in the United Kingdom as a cultural property. (It had been initially nominated in 1987 as a mixed site, with both natural and cultural values, but IUCN had not supported inscription on the basis of natural criteria). In Banff, the Committee discussed the nomination in great detail, but ultimately concluded (following a rare vote) that it did not have sufficiently clear

criteria to make a decision about this kind of property, reflecting a concern that had been raised in previous years. The Committee therefore asked the secretariat to develop a criterion or criteria covering cultural landscapes. Such a criterion was proposed in 1991 and would have constituted an additional (ie 7th) cultural criterion, but the Committee did not adopt it. Instead, it called for further work by the secretariat and Advisory Bodies.

The Expert Group on Cultural Landscapes met at La Petite Pierre (France) in October 1992 and concluded that the concept of cultural landscape could be captured in the existing cultural criteria, with certain modifications and the addition of explanatory guidance in the *Operational Guidelines*. Its recommendations were adopted by the Committee at its 16th session (Santa Fe, 1992), with the result that criterion ii referred to ‘landscape design’, criterion iv to ‘landscape’ and criterion v to ‘traditional land use’. The explanatory guidance (now captured in Annex 3 of the 2005 *Operational Guidelines*) described cultural landscapes as representing “the ‘combined works of nature and of man’ designated in Article 1 of the Convention. They are illustrative of the evolution of human society and settlement over time, under the influence of the physical constraints and/or opportunities presented by their natural environment and of successive social, economic and cultural forces, both external and internal.” This text further noted that “cultural landscapes often reflect specific techniques of sustainable land-use...and a specific spiritual relation to nature.”

Two of the three main categories of cultural landscape recognized by the Committee in the revisions to the *Operational Guidelines* are particularly relevant to the integration of intangible heritage within the World Heritage Convention. The so-called “organically evolved landscape” includes “continuing landscapes,” defined as “one which retains an active social role in contemporary society closely associated with a traditional way of life, and in which the evolutionary process is still in progress.” Its emphasis on the ongoing evolution of the landscape in association with the continuation of a traditional way of life reflects the 2003 Convention’s focus on living and changing cultural traditions. More importantly, perhaps, the newly recognized “associative cultural landscape” was defined in terms that went even further towards broadening the opportunity to recognize intangible heritage. The new *Operational Guidelines* noted “the inclusion of ...[associative cultural] landscapes on the World Heritage List is justifiable by virtue of the powerful religious, artistic or cultural associations of the natural element rather than material cultural evidence, which may be insignificant or even absent.”

The significance of the 1992 changes to the *Operational Guidelines* with respect to cultural landscapes was quickly recognized when, in 1993, the Committee made the landmark decision to recognize the outstanding intangible and indigenous cultural heritage of Tongariro National Park in New Zealand. Previously inscribed on the World Heritage List under natural criteria ii and iii, Tongariro was recognized as the first cultural landscape using cultural criterion vi. As such, the Committee demonstrated that it understood that the mountains in the heart of the park have powerful cultural and religious significance for the Maori people and symbolize the spiritual link between them and their environment. This decision was followed the next year by a similar decision relating to Uluru-Kata Tjuta National Park in Australia, which was successfully renominated on newly revised cultural criteria v and vi, after having been already inscribed on the World Heritage List under natural criteria.

Discussion of cultural landscapes at this time underscored an important tension within the Convention, namely the distinction between cultural and natural heritage properties. While the first two articles of the Convention defined cultural and natural heritage separately, Article 1 defined “sites,” in part, as “the combined works of nature and man,” and the earliest versions of the criteria for natural properties included recognition of “man’s interaction with his natural environment” (recognition which persisted until the 1994 version of the criteria). As the Committee grappled with the various factors outlined above in the early 1990s, the question of how to properly capture the complex relationship between culture and nature in the criteria came to the fore.

At a March 1996 Expert Meeting on Evaluation of general principles and criteria for nominations of natural World Heritage sites – one of the various workshops organized in the context of the 1994 Global Strategy – participants recommended, *inter alia*, that the Committee adopt a single set of criteria as a first step in recognizing the continuum of interactions between culture and nature and moving toward realizing the true potential of the 1972 Convention. These recommendations were not fully discussed at the Committee’s 20th session (Merida, 1996), but were put over to a joint meeting of cultural and natural heritage experts in March 1998. This meeting - the World Heritage Global Strategy Natural and Cultural Heritage Experts Meeting in Amsterdam - also recommended abolition of the formal distinction between cultural and natural criteria and the establishment of a single set of ten criteria. It was only with the adoption of the

2005 *Operational Guidelines* that this work came to fruition, as part of the major overhaul of the guidelines undertaken between 1999 and 2004.

Authenticity

A further element of the general intellectual foment of the early 1990s contributed to the gradual integration of intangible cultural heritage into the criteria used to inscribe cultural properties on the World Heritage List. Since the first version of the *Operational Guidelines* of 1977, cultural properties nominated for inscription on the World Heritage List were required not only to meet one or more of the criteria for inscription, but also “to meet the test of authenticity in design, materials, workmanship and setting...” This text (and the test of authenticity) remained unchanged throughout successive iterations of the *Operational Guidelines* until 1994, when the Committee adopted additional guidance specific to cultural landscapes.

At its 16th session (Santa Fe, 1992), the Committee discussed at length issues related to varying interpretations of the concept of authenticity and how authenticity could be credibly established in relation to all cultural heritage properties. At the suggestion of ICOMOS, the Committee requested that the concept and application of authenticity be further elaborated through expert discussions. Japan, with a particular interest in this issue, organized and hosted the Nara Conference on Authenticity in November 1994. The experts at the meeting adopted the Declaration of Nara which stated, in part, that “the understanding of authenticity plays a fundamental role in all scientific studies of the cultural heritage, in conservation and restoration planning, as well as within the inscription procedures used for the World Heritage Convention...” and that “the respect due to all cultures requires that [the values and authenticity of] heritage properties must be considered and judged within the cultural contexts to which they belong.” Most importantly, the Declaration concluded with an appeal to think broadly about authenticity, in its specific cultural context, and with reference to attributes that must be considered intangible: “Depending on the nature of the cultural heritage, and its cultural context, authenticity judgements may be linked to the worth of a great variety of sources of information. Aspects of these sources may include form and design, materials and substance, use and function, *traditions* and techniques, location and setting, and *spirit and feeling*, and other internal and external aspects of information sources. The use of these sources permits elaboration of the specific artistic, historic, social and scientific dimensions of the culture being examined.” (emphasis added)

The importance of the Declaration of Nara and its underlying thinking is evident in the current *Operational Guidelines*. These guidelines include a significantly expanded section on authenticity, largely inspired by the discussions in Nara. Whereas the previous guidelines had focussed on design, materials, workmanship and setting when considering authenticity, the current guidelines state that a property “meet[s] the condition of authenticity if...[its] cultural value...[is] truthfully and credibly expressed through a variety of attributes including: form and design; materials and substance; use and function; *traditions, techniques and management systems*; location and setting; *language, and other forms of intangible heritage; spirit and feeling*; and other internal and external factors.” (emphasis added). They continue by acknowledging that “attributes such as spirit and feeling do not lend themselves easily to practical applications of the conditions of authenticity, but nevertheless are important indicators of character and sense of place, for example, *in communities maintaining tradition and cultural continuity.*” (emphasis added). In this latter phrase is found a clear expression of the values embedded in the Intangible Cultural Heritage Convention.

Conclusion

Through a series of incremental changes to the criteria for inscription of properties on the World Heritage List – specifically criteria iii, v and vi - and associated guidance related to cultural landscapes and authenticity - the World Heritage Committee has gradually opened the 1972 Convention to greater recognition of intangible cultural heritage. The criteria now fully integrate recognition of “living traditions”, “ideas”, “beliefs”, “artistic and literary works” and “traditional human settlements” whose outstanding universal value can justify inscription on the World Heritage List of associated, tangible properties. These changes resulted from serious debate within the Committee over a period of approximately the last fifteen years and reflect the wider context within which the international community was implementing the World Heritage Convention. That the Committee has been able to steer the implementation of the Convention within this changing context suggests that further evolution in this direction is possible.

Résumé

Cette présentation nous montre l'évolution des critères d'inscription des biens sur la Liste du patrimoine mondial au cours des 30 dernières années, en se penchant plus particulièrement sur la façon dont les valeurs patrimoniales immatérielles ont graduellement pris de l'importance. Elle met principalement l'emphase sur les critères d'inscription des biens culturels et discute des changements majeurs apportés à ces critères, principalement au cours des 15 dernières années,

dans le contexte de discussions et d'expériences plus générales sur la mise en œuvre de la Convention. Elle soutient que les critères originaux fournissaient une portée suffisante pour amorcer la discussion sur les valeurs patrimoniales immatérielles, et ainsi mettre la toile de fond pour le long et continu processus d'évolution dans le pensée du Comité. À travers une série de changements apportés aux critères d'inscription des biens sur la Liste du patrimoine mondial et aux lignes directrices associées aux paysages culturels et à l'authenticité, le Comité du patrimoine mondial a graduellement ouvert la Convention de 1972 à une meilleure reconnaissance du patrimoine culturel immatériel. Les critères intègrent maintenant la reconnaissance des « traditions vivantes », des « idées », des « croyances », « des œuvres artistiques et littéraires » et des « établissements humains traditionnels » dont la valeur universelle exceptionnelle peut justifier l'inscription sur la Liste du patrimoine mondial des biens matériels associés. Le fait que le Comité ait été capable d'orienter la mise en œuvre de la Convention dans le cadre de ce changement de contexte suggère qu'une évolution continue dans la même direction est possible.

Annex 1: Criteria for the inscription of cultural properties on the World Heritage List

Table 1: Criteria for the inscription of properties on the World Heritage List, 2 February 2005

i	represent a masterpiece of human creative genius
ii	exhibit an important interchange of human values, over a span of time or within a cultural area of the world, on development in architecture or technology, monumental arts, town-planning or landscape design
iii	bear a unique or at least exceptional testimony to a cultural tradition or to a civilization which is living or which has disappeared
iv	be an outstanding example of a type of building, architectural or technological ensemble or landscape which illustrates (a) significant stage(s) in human history
v	be an outstanding example of a traditional human settlement, land-use or sea-use which is representative of a culture (or cultures), or human interaction with the environment especially when it has become vulnerable under the impact of irreversible change
vi	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)
vii	contain superlative natural phenomena or areas of exceptional natural beauty and aesthetic importance
viii	be outstanding examples, representing major stages of earth's history, including the record of life, significant on-going geological processes in the development of

	landforms, or significant geomorphic or physiographic features
ix	be outstanding examples representing significant on-going ecological and biological processes in the evolution and development of terrestrial, fresh water, coastal and marine ecosystems and communities of plants and animals
x	contain the most important and significant natural habitats for in-situ conservation of biological diversity, including those containing threatened species of outstanding universal value from the point of view of science or conservation

Table 2: Criteria for the inscription of cultural properties on the World Heritage List, 1977-1988

(Source: Historical Development of the Operational Guidelines for the Implementation of the World Heritage Convention <http://whc.unesco.org/en/guidelineshistorical/>)

1977	1978	1980	1983	1984	1987	1988
i) represent a <u>unique artistic or aesthetic achievement</u> , a <u>masterpiece</u> of the creative genius	i) represent a <u>unique artistic or aesthetic achievement</u> , a masterpiece of the creative genius	i) represent a unique artistic achievement, a masterpiece of the creative genius	i) represent a unique artistic achievement, a masterpiece of the creative genius	i) represent a unique artistic achievement, a masterpiece of the creative genius	i) represent a unique artistic achievement, a masterpiece of the creative genius	i) represent a <u>unique artistic achievement</u> , a masterpiece of the creative genius
ii) have exerted considerable <u>influence</u> , over a span of time or within a cultural area of the world, <u>on subsequent developments</u> in architecture, monumental sculpture, garden and landscape design, related arts, or human settlements	ii) have exerted considerable <u>influence</u> , over a span of time or within a cultural area of the world, <u>on developments</u> in architecture, monumental sculpture, garden and landscape design, related arts, town-planning or human settlements	ii) have exerted great influence, over a span of time or within a cultural area of the world, on developments in architecture, monumental arts, or town-planning and landscaping	ii) have exerted great influence, over a span of time or within a cultural area of the world, on developments in architecture, monumental arts or town-planning and landscaping	ii) have exerted great influence, over a span of time or within a cultural area of the world, on developments in architecture, monumental arts or town-planning and landscaping	ii) have exerted great influence, over a span of time or within a cultural area of the world, on developments in architecture, monumental arts or town-planning and landscaping	ii) have <u>exerted great influence</u> , over a span of time or within a cultural area of the world, on developments in architecture, monumental arts or town-planning and landscaping
iii) be <u>unique</u> , <u>extremely rare</u> , or <u>of great antiquity</u>	iii) be <u>unique</u> , <u>extremely rare</u> , or <u>of great antiquity</u>	iii) bear a unique or at least exceptional testimony to a civilization which has disappeared	iii) bear a unique or at least exceptional testimony to a civilization which has disappeared	iii) bear a unique or at least exceptional testimony to a civilization which has disappeared	iii) bear a unique or at least exceptional testimony to a civilization which has disappeared	iii) bear a <u>unique or at least exceptional testimony to a civilization which has disappeared</u>
iv) be among the most	iv) be among the most	iv) be an outstanding	iv) be an outstanding	iv) be an outstanding	iv) be an outstanding	iv) be an outstanding

characteristic examples of a <u>type</u> of structure, the type representing an important cultural, social, artistic, scientific, technological or industrial development	characteristic examples of a <u>type</u> of structure, the type representing an important cultural, social, artistic, scientific, technological or industrial development	example of a type of structure which illustrates a significant stage in history	example of a type of building or architectural ensemble which illustrates a significant stage in history	example of a type of building or architectural ensemble which illustrates a significant stage in history	example of a type of building or architectural ensemble which illustrates a significant stage in history	example of a <u>type of building or architectural ensemble</u> which illustrates a significant stage in history
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v) be a characteristic example of a significant, <u>traditional</u> style of architecture, method of construction, or <u>human settlement</u> , that is fragile by nature or has become vulnerable under the impact of irreversible socio-cultural or economic change	v) be a characteristic example of a significant <u>style</u> of architecture, method of construction or form of town-planning or <u>traditional</u> human settlement that is fragile by nature or has become vulnerable under the impact of irreversible socio-cultural or economic change	v) be an outstanding example of a traditional human settlement which is representative of a culture and which has become vulnerable under the impact of irreversible change	v) be an outstanding example of a traditional human settlement which is representative of a culture and which has become vulnerable under the impact of irreversible change	v) be an outstanding example of a traditional human settlement which is representative of a culture and which has become vulnerable under the impact of irreversible change	v) be an outstanding example of a traditional human settlement which is representative of a culture and which has become vulnerable under the impact of irreversible change	v) be an outstanding example of a <u>traditional human settlement</u> which is representative of a culture and which has become vulnerable under the impact of irreversible change
vi) be most importantly <u>associated</u> with ideas or beliefs, with events or with persons, of outstanding historical importance or significance	vi) be most importantly <u>associated</u> with ideas or beliefs, with events or with persons, of outstanding historical importance or significance	vi) be directly or tangibly associated with events or with ideas or beliefs of outstanding universal significance (the Committee considered that this criterion should justify inclusion in the List only in exceptional circumstances or in conjunction with other criteria)	vi) be directly or tangibly associated with events or with ideas or beliefs of outstanding universal significance (the Committee considers that this criterion should justify inclusion in the List only in exceptional circumstances or in conjunction with other criteria)	vi) be directly or tangibly associated with events or with ideas or beliefs of outstanding universal significance (the Committee considers that this criterion should justify inclusion in the List only in exceptional circumstances or in conjunction with other criteria)	vi) be directly or tangibly associated with events or with ideas or beliefs of outstanding universal significance (the Committee considers that this criterion should justify inclusion in the List only in exceptional circumstances or in conjunction with other criteria)	vi) be <u>directly or tangibly associated with events or with ideas or beliefs</u> of outstanding universal significance (the Committee considers that this criterion should justify inclusion in the List only in exceptional circumstances or in conjunction with other criteria)

Table 3: Criteria for the inscription of cultural properties on the World Heritage List, 1988-2002

(Source: Historical Development of the Operational Guidelines for the Implementation of the World Heritage Convention <http://whc.unesco.org/en/guidelineshistorical/>)

1988	1992	1994	1996	1997	1999	2002
i) represent a <u>unique artistic achievement</u> , a masterpiece of the creative genius	i) represent a <u>unique artistic achievement</u> , a masterpiece of the creative genius	i) represent a unique artistic achievement, a masterpiece of the creative genius	i) represent a masterpiece of human creative genius	i) represent a masterpiece of human creative genius	i) represent a masterpiece of human creative genius	i) represent a masterpiece of human creative genius
ii) have <u>exerted great influence</u> , over a span of time or within a cultural area of the world, on developments in architecture, monumental arts or town-planning and landscaping	ii) have <u>exerted great influence</u> , over a span of time or within a cultural area of the world, on developments in architecture, monumental arts or town-planning and landscaping	ii) have exerted great influence, over a span of time or within a cultural area of the world, on developments in architecture, monumental arts or town-planning and landscape design	ii) exhibit an important interchange of human values, over a span of time or within a cultural area of the world, on developments in architecture or technology, monumental arts, town-planning or landscape design	ii) exhibit an important interchange of human values, over a span of time or within a cultural area of the world, on developments in architecture or technology, monumental arts, town-planning or landscape design	ii) exhibit an important interchange of human values, over a span of time or within a cultural area of the world, on developments in architecture or technology, monumental arts, town-planning or landscape design	ii) exhibit an important interchange of human values, over a span of time or within a cultural area of the world, on developments in architecture or technology, monumental arts, town-planning or landscape design
iii) bear a <u>unique or at least exceptional testimony to a civilization which has disappeared</u>	iii) bear a <u>unique or at least exceptional testimony to a civilization which has disappeared</u>	iii) bear a unique or at least exceptional testimony to a civilization or cultural tradition which has disappeared	iii) bear a unique or at least exceptional testimony to a cultural tradition or to a civilization which is living or which has disappeared	iii) bear a unique or at least exceptional testimony to a cultural tradition or to a civilization which is living or which has disappeared	iii) bear a unique or at least exceptional testimony to a cultural tradition or to a civilization which is living or which has disappeared	iii) bear a unique or at least exceptional testimony to a cultural tradition or to a civilization which is living or which has disappeared
iv) be an outstanding example of a <u>type of building or architectural ensemble</u> which illustrates a significant stage in history	iv) be an outstanding example of a <u>type of building or architectural ensemble</u> which illustrates a significant stage in history	iv) be an outstanding example of a type of building or architectural ensemble or landscape which illustrates (a) significant stage(s) in human history	iv) be an outstanding example of a type of building or architectural or technological ensemble or landscape which illustrates (a) significant stage(s) in human history	iv) be an outstanding example of a type of building or architectural or technological ensemble or landscape which illustrates (a) significant stage(s) in human history	iv) be an outstanding example of a type of building or architectural or technological ensemble or landscape which illustrates (a) significant stage(s) in human history	iv) be an outstanding example of a type of building or architectural or technological ensemble or landscape which illustrates (a) significant stage(s) in human history

v) be an outstanding example of a <u>traditional human settlement</u> which is representative of a culture and which has become vulnerable under the impact of irreversible change	v) be an outstanding example of a <u>traditional human settlement</u> which is representative of a culture and which has become vulnerable under the impact of irreversible change	v) be an outstanding example of a traditional human settlement or land-use which is representative of a culture (or cultures), especially when it has become vulnerable under the impact of irreversible change	v) be an outstanding example of a traditional human settlement or land-use which is representative of a culture (or cultures), especially when it has become vulnerable under the impact of irreversible change	v) be an outstanding example of a traditional human settlement or land-use which is representative of a culture (or cultures), especially when it has become vulnerable under the impact of irreversible change	v) be an outstanding example of a traditional human settlement or land-use which is representative of a culture (or cultures), especially when it has become vulnerable under the impact of irreversible change	v) be an outstanding example of a traditional human settlement or land-use which is representative of a culture (or cultures), especially when it has become vulnerable under the impact of irreversible change
vi) be <u>directly or tangibly associated with events or with ideas or beliefs</u> of outstanding universal significance (the Committee considers that this criterion should justify inclusion in the List only in exceptional circumstances or in conjunction with other criteria)	vi) be <u>directly or tangibly associated with events or with ideas or beliefs</u> of outstanding universal significance (the Committee considers that this criterion should justify inclusion in the List only in exceptional circumstances or in conjunction with other criteria)	vi) 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 justify inclusion in the List only in exceptional circumstances or in conjunction with other criteria)	vi) 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 justify inclusion in the List only in exceptional circumstances or in conjunction with other criteria cultural or natural)	vi) 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 justify inclusion in the List only in exceptional circumstances and in conjunction with other criteria cultural or natural)	vi) 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 justify inclusion in the List only in exceptional circumstances and in conjunction with other criteria cultural or natural)	vi) 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 justify inclusion in the List only in exceptional circumstances and in conjunction with other criteria cultural or natural)

4.8 Tangible and Intangible Heritage: an Integrated Approach

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Britta Rudolff
(C. Boucher, 2007)

Intangible and tangible heritage: an integrated approach

Thank you very much Claudine for this introduction and I also wish to thank in particular Christina for organizing this fascinating workshop and inviting me to present my personal thoughts and reflections on the topic. Having said that, I wish to highlight that I do speak to you as a heritage professional that has spent some time researching on the interrelation of intangible and tangible heritage. My presentation therefore does not necessarily reflect the views of the government or ministry I represent on other occasions that is the Ministry of Information in the Kingdom of Bahrain.

I hope I will not repeat too much of what preceding speakers have already mentioned, but I fear that some overlaps will be unavoidable. I will somehow link to Laurier's presentation and his plea for a focus on practices instead of products but I have also recognized parallels to the first part of Herb's presentation – although I will not stay in line with his conclusions.

We have all been invited today to this round table entitled: “Tangible and intangible heritage: two UNESCO conventions” and I have been asked by Christina to present my paper on “Intangible and tangible heritage: an integrated approach”. Although I strongly support the idea of an

integrated approach, I speak to the title proposed with some hesitation because to me personally – despite some research on the two concepts – these two categories hardly make sense. When I say these terms do not make any sense, I am not trying to deny the fact that we have a UNESCO Convention on the Safeguarding of Intangible Cultural Heritage, which is popular among many State Parties to which the term “intangible heritage” obviously suggests meaning and is important. But not every decision or convention of an international community as gathered in UNESCO is an ultimately ideal tool for its purpose and aims, and I think with the terminology chosen for the 2003 Convention UNESCO has created an intricate paradox – not the first one of course – we created many similar paradoxes earlier, for example the concept of “Outstanding Universal Value” in the World Heritage Convention. Fact is, that the terms “intangible heritage” as well as “tangible heritage” are not self-explanatory – as can be easily observed today when we recognize the many different definitions utilized in our presentations. In addition the dichotomy employed in the round table title seems to be a late imposition on the World Heritage Convention which had never been understood as a forum for tangible – that is non-intangible – heritage. And finally the dichotomy we base our discussions on, does not seem appropriate in many cultural contexts and is not meaningful in a variety of world views.

In my brief presentation today, I will emphasize three main aspects:

1. I will try to illustrate that the division intangible – tangible is of little meaning in many contexts and cannot be maintained when observing the dynamic construction and reaffirmation processes of cultural identity.
2. Consequently I will argue that it is important to halt and eventually redirect the progressing divergence between the two artificial categories that was in the first place established by the introduction of the latter UNESCO convention; and
3. I will try to outline how a conceptual reintegration of “intangible and tangible” could be achieved within the framework of the two UNESCO conventions which need to be seen as overlapping and complementary and yet – even if combined – not yet inclusive of all expressions of cultural identity that could be recognized by an international community. I will refer to this conceptual approach as a “topology of culture”.

The emergence of the dialectic of intangible and tangible heritage can be best understood as a by-product of the drafting process of the 2003 Convention. The 2003 Convention was seen by many

State Parties and delegates in the drafting committees as a late correction of the 1972 Convention which was criticized to exclusively focus on a monumental, elitist and Eurocentric concept of heritage. It might indeed be correct that the 2003 Convention has shifted the focus towards non-monumental, less elitist heritage, but the approach chosen is equally Eurocentric both in scope and conception as it is based on categories that clearly derive from a western scholarly tradition. Also the establishment of inventories – a strong emphasis of the 2003 Convention – pursues this categorization in further subdividing intangible heritage in sub-categories and sub-sub-categories. But it is not the process of categorization I refer to as Eurocentric as this is more or less a global phenomenon.

As human beings – whatever nation state, cultural identity, faith or profession we belong to, we share a general approach to the world we encounter. We attempt to understand what we perceive, both natural phenomena and the actions and products of our fellow human beings. We try to give meaning to these elements of the world and we group them for our better understanding. Finally we define ourselves, what we are, as opposed to all the other we perceive, and the concepts we attach to ourselves are what constitutes our cultural identity. The meaning-making or meaning-giving process within concepts is one of subsequent categorization. It is not categorization as such that I refer to as being Eurocentric but categorization which – as the dichotomy intangible and tangible – is constructed according to visual expressions and which is therefore based on concepts that reflects a particular western visual approach to understanding the world.

Categorization according to visual or measurable expressions can be challenged as the core of Western science and of western thought, starting with Aristotle who has presented us voluminous works which categorize all discrete entities and describe their properties. Besides “material” and “immaterial” – a basic division of all existence by Aristotle who reserves “immaterial” to spiritual being – he proposes us “animate” and “inanimate” as the division of all physical existence. In preparing my paper for today I was actually wondering whether it would make any difference if we were discussing “animate” and “inanimate” instead of “tangible” and “intangible” heritage. Both equally compartmentalize a holistic concept of heritage.

Many modern (and even post-modern) academic approaches have not achieved much progress since Aristotle’s time in that they still work and think in the framework of predefined categories,

such as academic disciplines. Academic research often is just another term for “active categorization” of objects, of experiences and of people, and description of their properties.

Although the categories “intangible and tangible” or “immaterial and material” are well established in the Western scholarly system, to many who regard all products of the human mind and heart as interrelated and as flowing from the same source, it is void of meaning. To those, who base their identity on the relationship between people and land and their kinship with other living creatures that share the land and with the spirit world that participates in all actions and inhabits all places, it is not even easy to understand where such separation between tangible and intangible is to be drawn.

If however, such distinction is not meaningful in the context of many cultural identity constructions, why does a UNESCO convention encourage the establishment of separate institutional bodies and analytical frameworks for the identification of each heritage category? If to a local community, the division of tradition, story and place is meaningless, why do we impose two different frameworks to enable this community to express their meaning-giving processes and cultural identity to a global audience?

The legitimation and basis of separating “intangible” and “tangible” heritage is that we look at heritage as a product, a visible expression and representation of a more complex construction process. However, it is the process and not the product that makes or heritage and cultural identity. It is the ideas and concepts beyond all – seemingly tangible and intangible expressions – which are mutual concepts of identity and belonging.

Our ideas and the concepts which we create in our meaning-giving processes precede any projection or representation in monumental, oral, vocal, spatial, or other expressions. If we return to the ideas and concepts that define our cultural identities and only in a consecutive, second step look at their localization, their taking place in the framework of our life and experience, and as part of this second step define their tangibility or intangibility, only then we can understand the paradox and overcome the paradox of this artificial separation. Tangible and intangible in such an approach are no longer two absolute categories but rather are two extreme ends of a gradual scale according to which some expressions involve more material aspects while others are to a larger extent based on immaterial representations. Even further, when approaching heritage as ideas and

concepts, integrated approaches cannot be avoided as the subdivision into our dichotomy has not yet taken place.

This pre-categorical approach to heritage is the starting point of what I refer to as topological analysis. “Topology”, a composite of the Greek terms *topos* and *logos*, frames heritage ideas and concepts as well as their localizations.

Logos, the Greek term for an initial concept, a creative principle or an originating idea takes place in *topos*, the Greek term for place. The place – *topos* – however is not solely to be understood spatially or geographically but conceptually, it indicates where something belongs (note that the English ‘topic’ derives from the same Greek root), where something takes place in our understanding and meaning-giving processes. Very simplified the combination and interlink of these two concepts “topology” can be understood as the process of an idea creating meaning to take place or – once again shortened – heritage is ideas taking place.

The approach, which I refer to as topology, simply shifts the perspective of heritage identification. So far we have always been looking at heritage expressions and their characteristics, intangible or tangible expressions and then tried to identify the underlying, attributed or even embodied values, significance, narratives, ideas and meanings. It might lead us to a more holistic approach to all heritage expressions if we try to describe the ideas and narratives that give meaning and recognize them as our heritage. Once the narratives are documented it is very obvious that they are often represented in a variety of manifestations and expressions, some of which could be described as tangible and others as intangible.

Both conventions we focus on today seem to offer us remarkable frameworks for such an approach as we find indications in both which point to the recognition of heritage beyond its expressions and products. If we for example look at the listing criteria of the Operational Guidelines to the World Heritage Convention we see that we list concepts such as “interchange of human values” (ii) or “human interaction with the environment” (v). Sarah’s paper has already provided further explication on criterion (iii) and (vi) and Herb demonstrated that ideas are at the core of all the cultural criteria.

In the criteria currently discussed for the Operational Directives of the 2003 Convention the focus tends towards concepts rather than representations, for example in the proposed criterion (iv), to list what “provide(s) the community concerned with a sense of identity and continuity”. Despite this opportunity for conceptualization offered, most heritage professionals – in the framework of both conventions – still practice the reverse approach of identifying, describing and categorizing the products, the expressions, and only subsequently ask for the values, significance and ideas behind.

When I initially stated that to me the two categories “intangible” and “tangible” heritage hardly make sense I was perhaps a little imprecise. It is in fact not so much the categories that are void of meaning, but the reverse heritage identification processes they prescribe. Maybe we are at a state of our discussion in which we have to renegotiate some guiding principles and reiterate central questions: What needs to be safeguarded to preserve the diversity of cultural identities? Is it the concepts that constitute the identities or rather the visible expressions they bring forth?

The argument of my paper today is that we have to focus on the conceptual level, the meaning-giving processes that nurture cultural identity and that it is this level on which preservation or safeguarding is to begin. In this sense I propose to shift our professional focus from the significance of the expression to an understanding of meaning-giving within cultural identities which could – I think – start on the basis of topological analysis. It is identity that is the centre, reason and origin of heritage. And perhaps instead of describing heritage expressions in our statements of significance we could try to capture their origin in statements of identity.

Such reorientation would not require any adjustments to the two conventions discussed today; not even to their operational guiding principles. It would merely require the understanding that what is recognized under the two conventions is only a small section of the multitude of expressions of cultural identity and that the question intangible or tangible is often not helpful to promote such understanding.

Session III: La sauvegarde du patrimoine matériel et immatériel: des implications pour le développement des politiques et de l'expertise professionnelle
Session III: Safeguarding Tangible and Intangible Heritage: Implications for Policy Development and Professional Expertise

Président: Julian Smith, Architecte, Julian Smith et associés, Ottawa
Rapporteur 3: Léopoldine Marcotte, Étudiante à la maîtrise, Université de Montréal

Chair: Julian Smith, Architect, Julian Smith and Associates, Ottawa
Rapporteur 3: Léopoldine Marcotte, MA student, Université de Montréal

4.9 Approaches to conserving cultural World Heritage Sites

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(C. Boucher, 2007)

Safeguarding tangible and intangible heritage provides challenges for both policy development and professional expertise. Traditional approaches to conserving cultural World Heritage Sites have focused on tangible heritage – conservation of the cultural resources that embody the outstanding universal value for which a site is placed on the World Heritage List. Many recently inscribed sites from Africa, Asia and the Arab States are associated with world views in which tangible and intangible heritage are inseparable. Adoption of the *Convention for the Safeguarding of the Intangible Cultural Heritage* has focused further attention on the relationship

between tangible and intangible values in World Heritage Sites, for example at sacred sites. Recent outcomes of expert regional meetings also highlight historic towns and cultural landscapes as dynamic living environments in process of continuous change, where cultural heritage is defined by the relationship and inseparability of intangible and tangible heritage (Hoi An 2003, Persopolis 2006). A more complex range of cultural evidences – not just tangible heritage – must now be safeguarded.

In addition to evolving criteria (which this morning's sessions showed), acceptance of traditional protection and management approaches in safeguarding cultural sites has increased understanding of intangible values in World Heritage Sites. There have been some excellent learning experiences where governance, policy and management practice draw upon and integrate traditional management practices and established conservation practice in safeguarding the fragile resources of the site. Traditional management approaches can, however, present significant challenges to established conservation practice. When such challenges arise, who decides how the site will be safeguarded? For example, indigenous cultural management practice may be entirely contrary to the application of preservation technology to conserve cultural resources in perpetuity. Who decides, when alternative courses of action are diametrically opposed in beliefs, and both are rooted in values that the World Heritage Convention *Operational Guidelines* espouse?

Let me illustrate with SGang Gwaay, a cultural World Heritage Site in Haida Gwaii, homeland of the Haida people on Canada's west coast. SGang Gwaay is also a site within Gwaii Haanas National Park Reserve. Both the World Heritage Site and the National Park Reserve are co-managed by the Haida Nation and Parks Canada. SGang Gwaay is inscribed under criterion iii because the former community site "commemorates the living culture of the Haida people and their relationship to the land and the sea". The site's primary cultural resources are 32 carved mortuary or memorial poles and some house remains, valued in part for their artistic expression. The site "offers a visual key to the oral traditions" of the Haida people. This language from the description of SGang Gwaay in the World Heritage List reflects input from Haida Elders in the late 1990s to renewal of the outstanding universal value of the site beyond the original focus on tangible heritage (UNESCO, 157, n.d.).

By the 1990s the deteriorating condition of the site focused attention on the mortuary and memorial poles: what steps should be taken to conserve them? Through the lens of tangible heritage, conservation practice dictates that the poles should be preserved using appropriate technology. For the Haida, however, the poles are not mere physical objects requiring conservation treatment. Mortuary poles represent traditional burial practices, and Haida cultural tradition dictates that they should take their natural course of decomposition in the rainforest ecosystem and return to the earth. In this way the Haida cycle of relationship to the earth continues. In the words of the Haida motto, “We are the land, the land is us”. For the Haida, treating the cultural resources with traditional respect is essential to the long term life of the site: if things are done wrong, they will later have to be made right publicly (Kii'iljuus 2007).

So, was there resolution on this dilemma of safeguarding S_Gang Gwaay? Through dialogue and co-management, the Haida Nation (as the traditional owners) and Parks Canada (as the agency representing the State Party) accepted a course of action. Intrusive interventions such as chemicals will not be used, and over time the poles will be allowed to follow the natural course and return to the earth. The principal conservation approach for the site involves actions to slow natural processes. To extend the natural life of the poles, they were straightened and stabilized. Other actions involve controlling vegetative growth, faunal damage, drainage and visitor activity as well as monitoring, in part through the Haida Gwaii Watchmen Program. This conservation approach respects both tangible and intangible heritage in a way that embraces the continuity between the Haida people and the natural environment (Parks Canada Agency 2004).

What can we draw from this example to help us in developing conservation practice which respects both the tangible and the intangible values of World Heritage Sites?

Let me suggest three actions:

There is a need for policies that create a level playing field for safeguarding both tangible and intangible heritage where they are important for a designated heritage site. Equal footing includes such spheres as governance frameworks, values-led management planning, funding eligibility and priorities, and site and management activities. A recent Canadian example is national acceptance of First Nations band council resolutions as equivalent to municipal by-laws, for purposes of inscription of sites on the Canadian Register of Historic Places.

For conservation practice, should policies not put intangible heritage on an equal footing with tangible heritage in cultural resource management? Are traditional knowledge (including language), traditional social and economic activities, traditional skills and practices, and traditional management approaches not equally valid information sources as scientific-based conservation knowledge and approaches? Structures for continuing practice of such traditional *savoir faire* are needed. Agreed-upon values, rather than prescribed practice, could then become the basis for decision-making.

Secondly, there is urgent need for conservation practice to involve (not just consult) people associated with a place in decision-making about the site. At one level this begins with documentation of the site, identification of values and justification for nomination, and continues with management planning, development proposals, protection and presentation. Co-management is a well-recognized approach to such involvement. Why is it not much more widely adopted?

The Northwest Territories Protected Areas Strategy provides another approach rooted in communities. Developed collectively, it offers an eight-step community-based partnership approach to protecting areas of cultural and natural value. The process integrates traditional, ecological, cultural and economic knowledge as a base for land use decisions and management (NWT Protected Areas Strategy 1999). The approach does take time; this week Sahyoue/Edacho National Historic Site became the first area to be formally established under the strategy.

In historic towns and cultural landscapes, involvement also has broad implications. The stewardship of local people is crucial for safeguarding heritage character. Implementing locally-based collaborative strategies can build consensus for integration in planning processes and addressing such challenges as limits of acceptable change.

Third, what are the implications for professional expertise of undertaking to conserve intangible heritage in cultural World Heritage Sites? What new professional expertise is needed? Most significantly, multidisciplinary and interdisciplinary professional expertise needs to be continuously renewed in conservation practice.

Dealing with cultural landscapes has engaged new fields in conservation of cultural sites. How would social scientists, folklorists and urbanists bring new perspectives to conservation issues and conservation decision-making? What new disciplines need to be involved in research and conservation practice to integrate intangible heritage more fully? The absence of a social scientist from the implementation team of the NWT Protected Areas Strategy has contributed to slow processing of community nominations.

How can conservation practice engage traditional knowledge and community expertise, including traditional *savoir faire* and management mechanisms? How can the right balance be achieved between “material aspects of heritage ... and attention to the meaning of associated traditions, rituals and practices of the community”, to use the words of the *Okinawa Declaration on Intangible and Tangible Cultural Heritage*? A start can be made by recognizing, respecting and engaging them in conservation decision-making and conservation practice. Building trust is a key component of sustainable conservation practice. Cooperative resolutions to situations – based on common understanding such as we saw at SGang Gwaay – are needed. Let dialogue replace prescription in conservation decision-making and practice.

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4.10 Approaches to conserving natural World Heritage Sites

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(C. Boucher, 2007)

Conserving “Natural” World Heritage Sites

This paper is the basis for my presentation and covers three main areas. First, I consider whether, from the perspective of the natural environment, the World Heritage Convention is an effective conservation tool. Second, I outline merits of integrating considerations related to natural, cultural, tangible and intangible heritage when it comes to natural World Heritage Sites, especially here in Canada. Implications of taking this broader approach are described. And finally, I look at the emerging value of UNESCO’s biosphere reserves conservation tool for safeguarding natural heritage. An Annex includes associated materials and examples.

1. Is the World Heritage Convention an effective tool for conserving natural heritage?

- This is a fundamental question underpinning any presentation on safeguarding natural World Heritage Sites, and a good place to start; is World Heritage an effective tool for safeguarding natural heritage?

- Four years ago, IUCN, the body that provides advice to the World Heritage Committee on the inscription and management of natural and mixed World Heritage Sites, did a brief evaluation of the achievements of the Convention in strengthening protection of individual sites. The study was in prepared on IUCN's behalf by Dr. Jim Thorsell, a Canadian, and one of the world's foremost practitioners related to matters dealing with natural World Heritage sites.
- IUCN's 2003 evaluation was important, because it came at a time leading up to the 2003 World Parks Conference when some were questioning whether natural World Heritage Sites, sometimes referred to as sites having been awarded the "Nobel prize for nature", were actually as effective for conservation as for generating tourism income and subsequent economic development.
- The study concluded that significant conservation gains have been proven as a result of the rigorous evaluation phase that nominated sites are subjected to. Thirty-five sites are specifically referenced in the study, with conservation benefits including expansion of and more careful delineation of boundaries; elimination or mitigation of incompatible land uses; better plans, laws and regulations; and improved budgets and staffing.
- Similarly, the study pointed out that State of Conservation reporting on natural world heritage has led to concrete improvements in the conservation status of many sites. Nearly half of all natural sites have been referred back to the Committee at some point after their inscription for perceived management issues or concerns.
- We are not immune to this scrutiny here in Canada, as there have been issues of concern reported to the World Heritage Committee related to each and every one of our eight natural World Heritage sites. In every case, the matters raised were taken seriously and addressed through various means, although not always fully resolved. The Convention has provided an effective conservation mechanism, complementing other tools in place.
- We can conclude then, that the World Heritage Convention can be an effective conservation tool for natural sites, including here in Canada.
- This conservation potential needs to be emphasized, so that the Convention is not viewed as a simple listing mechanism or principally a tourism tool.

2. Why is it important to take into account a full range of natural, cultural, tangible and intangible values to conserve natural World Heritage Sites?

- This is an important question, because I believe the answer suggests an important way forward to improve conservation effectiveness of World Heritage Sites, especially for natural areas.

Food for Thought -- the Context

- Socio-economic research and polling reveal that despite visitation remaining at the same level, the stakeholder base and visitor base for Canada's national parks and national historic sites is eroding.
- Given that national parks and national historic sites underpin 9 of Canada's 13 World Heritage Sites, this is a concern.
- The concern is that these heritage areas are not top of mind, or even on the agenda, for a growing number of Canadians.
- If the constituency for conservation fades, then conservation efforts will be less successful:
 - Government support will wane
 - Funds will be more difficult to secure
- It is crucial that people care. Our success will be built on the quality of relationships we build and nurture with stakeholders and visitors.

Why the declining support and interest in heritage areas such as national parks and national historic sites?

- Demographics are playing a large role; as underlined in the most recent Canadian census released on March 12, 2007, Canada is increasingly an urban nation; fully 80% of Canadians live in urban areas and the percentage is growing; nearly 90% of Canada's population growth between 2001 and 2006 was concentrated in large metropolitan areas. And park agencies have not engaged urban Canadians effectively.
- Likewise, surveys show that the age of park visitors is increasing; youth have not been effectively engaged on a broad scale.
- Heritage areas, then, are off the radar of two large and growing markets
- Additionally, heritage area management policies and approaches have in some cases been problematic and alienated local residents; managers do not always have the same appreciation nor aspirations for an area as do local residents; what heritage area managers may want conserved, and why, can differ from what local people feel is important.

- The bottom line or result is the heritage areas lack relevance to many Canadians whose support is needed.

What can be done to improve the situation for natural World Heritage Sites?

- No matter what the basis for inclusion on the World Heritage List (the criteria accepted when inscribed), site managers need to account for a range of natural and cultural, tangible and intangible values in managing sites for integrity; for effectively communicating Outstanding Universal Values; for providing memorable visitor experiences; and especially for building and maintaining local support. A comprehensive approach must be the way of the future.
- Site managers need to understand not only the specific and sometimes narrow reasons for which World Heritage Sites might have been inscribed (as important as this is), but how the Site as an entity has fit into the local social environment in the past and present, and is perceived, valued, and appreciated. This is admittedly a challenge. Objectives and management actions associated with, for example, infrastructure, income generation, fire, and pest species are perhaps more easily articulated and addressed than dealing with intangible values such as the historic and perhaps ongoing interaction of people with the place, including interactions that might range from spiritual to sustenance.
- Despite the challenge, it is this appreciation for the full range of values -- whether or not they were the Outstanding Universal Values cited when inscribed -- that should be considered to help realize the potential associated with World Heritage Sites. This comprehensive understanding is needed to implement an effective conservation program over the long term.

More on the integrity argument

- The highest priority for conservation action in a World Heritage Site must always be to maintain those Outstanding Universal Values for which the property has been inscribed.
- Often, though, maintenance of those defined values will depend upon the integrity of the entire property because of complex interactions and linkages. Beyond biophysical or ecological linkages, there are social and economic connections; without funds that indirectly flow from public support for management of the property, for example, conservation will ultimately be difficult.
- Especially for natural sites, it is important to work on a large regional scale when

managing for integrity. Positive relations with neighbors are crucial. This, then, brings us full circle to the need to understand the values of local residents in relation to the area, and to account for these values to the extent possible. It helps to build relevance.

What progress is being made in terms of bringing a range of values into play at the global and World Heritage Committee level (as compared to the site nomination and management level)?

- Progress has been slow, but this is not surprising given the focus of effort in the early days of implementing the World Heritage Convention; for example, look specifically at the situation regarding the reasons (criteria) for inscribing World Heritage Sites.
- Sites have been inscribed on the World Heritage List for their cultural values, or their natural values, and as the numbers show, only rarely for a combination of both natural and cultural values -- so far!
 - Of the 830 sites on the World Heritage List, 162 are considered natural, while 644 have been inscribed on the basis of their outstanding cultural values, and only 24 are mixed.
- This distinction of “natural” and “cultural” with respect to World Heritage has been in play since development of the Convention, and in fact is embodied in the Convention through definitions.
- The whole nomination and subsequent site management process has generally been focused narrowly on certain values, rather than encouraging the application of a broader range of values or criteria.
- Of Canada’s 13 World Heritage Sites, 8 are based on natural criteria alone, 5 on cultural criteria, and there are no mixed sites; this is generally consistent with world practice.
- Looking into the future, of the 11 sites on Canada’s Tentative List of possible World Heritage Sites, 5 have been initially considered on the basis of cultural criteria, 2 for their natural attributes, and fully 4 have been selected on the basis of both natural and cultural values. This represents a real step forward.
- Some countries, like Australia, are further advanced in this regard, where 4 of their 16 World Heritage Sites are inscribed based both on natural and cultural criteria; this has happened iteratively, as in the cases of both Kakadu and Uluru the sites were inscribed initially on the

basis of their natural values, and then later the inscription criteria were expanded to account for their outstanding cultural values.

- As illustrated by the Australian experience and our Canadian Tentative List, the separation of natural and cultural considerations is becoming somewhat less pronounced than in the earlier days of implementing the Convention and there are growing efforts to integrate thinking about these values, in recognition of the interaction and interdependence of nature and culture.
 - Consider also the harmonization of the criteria for the assessment of outstanding universal value from separate lists of natural and cultural criteria into one list of 10 criteria in the recently updated Operational Guidelines for Implementation of the World Heritage Convention (2005). The emergence of thinking around cultural landscapes in relation to the Convention since adjustments to the criteria in 1992 has also been very positive.
- It is perhaps confirmation of changing views that IUCN and ICOMOS representatives concluded at a 2006 workshop in Vilm Germany that; “The workshop has reinforced the critical importance of integrating nature and culture in relation to World Heritage.” They called for more collaboration between evaluators, joint evaluation missions, and more.
- The integration of nature and culture, then, is an emerging exciting policy direction for World Heritage. While progress has been slow, the signs are pointing in a positive direction. It is a natural progression as in implementing the Convention, we move from a focus on building a representative, balanced and credible list of sites, to a mature perspective on effectively managing sites already inscribed.

Should interaction between nature and culture be better accounted for in the World Heritage Global Strategy?

- In 1994 the World Heritage Committee launched a global strategy which aims to identify and give priority to under-represented themes on the World Heritage List. As a contribution to the strategy, both IUCN and ICOMOS have been undertaking a series of global theme studies

since 1996. From the IUCN perspective, these studies review the natural values of the sites on the World Heritage List under a given theme, such as forests or wetlands; they also identify gaps in coverage and suggest how to fill them. The studies can be used as a guide for States Parties to the World Heritage Convention when nominating sites in the future and to IUCN and the World Heritage Committee when evaluating new nominations.

- Consideration should be given to making the World Heritage Global Strategy more effective in dealing with the interaction between nature and culture.
- Greater demonstrated interest and leadership around this interaction of natural and cultural, tangible and intangible values at the outset of the “World Heritage Process” would help to guide thinking at the site management level.
- Also, such an initiative would build nicely on the stated intention of ICOMOS and IUCN to work more closely together, in this case to scope out directions for additional mixed sites.

More Actively Support Social Science Research as One Key to Improved Understanding

- It will be important to support additional social science research in order to identify and understand the range of values that underlie the relationship between people and place with respect natural World Heritage Sites. The reasons for undertaking this research as a priority are argued in Section 2 above.
- Undertaking a broader social science agenda will be a challenge. Budget is always a constraint. Also, researchers and managers, including those doing research in natural areas, are inclined to focus on areas of science with which they are familiar; for example, with respect to climate change they will examine questions about the impact of climate change on species and ecosystems, and their adaptability and resilience. As pointed out by Adrian Philips, past Chair of IUCN’s World Commission on Protected Areas (WCPA), while important, where we really may need knowledge is in the vast area of uncertainty that surrounds the human response, and its impact on World Heritage sites (and a lot else besides). “How will rising temperatures and changing water regimes and water levels impact human populations and their land use practices in the areas around the World Heritage Sites? How can one realistically hope to protect large areas of natural ecosystems if there is mass migration, starvation, and chaos on the doorstep?” (email to WCPA members).

Future Direction

- Could it be that, in future, the natural/cultural distinctions that have been at play since the inception of the World Heritage Convention, and that are in fact embodied in the document itself, will be diminished and sites more frequently nominated and managed in recognition of their intertwined and dependent natural and cultural, tangible and intangible values?
- The Prime Minister of Canada, speaking on March 14, 2007 when he announced significant support for a land acquisition program being initiated by the Nature Conservancy of Canada, made some pertinent comments related to this interdependence. In talking about the importance of natural heritage (which would include World Heritage Sites), he did not speak of the birds and the bees, or ecological integrity or ecological processes.....typical grist of such speeches. Instead he said that “the great outdoors is at the heart of Canadian identity”, and natural heritage is “an inspiration for Canadian art and literature.”
- Clearly positive changes are underway.

3. The role of Biosphere Reserves Relative to World Heritage Sites

- This final point deals only indirectly with a way to better safeguard natural World Heritage Sites, by focusing greater attention on UNESCO’s Biosphere Reserve conservation tool.

What are biosphere reserves?

- Biosphere reserves are sites recognized under UNESCO's Man and the Biosphere Program. They foster innovative approaches to living and working in harmony with nature.
- These sites share their experience and ideas nationally, regionally and internationally within the World Network of Biosphere Reserves. There are 507 sites worldwide in 102 countries.
- Canada has 13 biosphere reserves, and another nomination will likely soon be submitted.
- Biosphere reserves differ from traditional parks, in that they combine core protected areas with zones where sustainable development is fostered by local residents and enterprises.
- A biosphere reserve designation gives an area international recognition for important ecological and cultural values in an area. Optimal practices to manage nature and human activities are tested and demonstrated. Natural and cultural heritage, and the tangible and intangible, come together in Biosphere Reserves.
- Canada does not have a program of core support for Canadian biosphere reserves, including any real measure of federal government leadership.

- One biosphere reserve (Clayoquot Sound) was established with a federal-provincial endowment fund. The others have had to seek funding and in-kind support from a variety of sources including government programs and private foundations.
- Biosphere reserves in Canada take a grassroots, community-driven approach.
- Unfortunately biosphere reserves are sometimes considered a second choice -- an option to pursue only if it appears World Heritage designation would not likely be possible. In reality, both programs have their place.
- Approaches to managing protected areas have evolved in many ways. Chief amongst these in many countries is our growing understanding of ecosystem complexity and the need to integrate protected areas into the management of surrounding tenures and land uses. This is the strength of the biosphere reserve concept.

Could Biosphere Reserves help take pressure off World Heritage Sites?

- World Heritage Sites are sites of Outstanding Universal Value. World Heritage is intended to be a select club and the bar to join it is purposefully set very high. There is ongoing debate about just how hard it should be to join, and whether in fact there ought to be an absolute limit placed at some point on the number of sites that will eventually be inscribed. How many of the “best of the best” can there be before the entire list appears to be watered down?
- Some argue that the more the better, because placing sites on the List is an effective conservation tool. Others take the opposite view.
- One way or the other, it is important to be aware that the programs have different, but complementary, intentions.
- In Canada, we need to focus more attention on UNESCO’s biosphere reserves program. Implementing the program more effectively will require increased government support, especially funding. We also need to explore the roles and possible linkages between the World Heritage and Biosphere Reserve programs more fully, rather than dealing with the programs in isolation and as two totally different and unrelated entities.

ANNEX: 1. An Emerging Canadian World Heritage Site Proposal That Draws Together the Threads

- The Pimachiowin-aki proposed World Heritage Site (formerly called Atikaki/Woodland Caribou/Accord First Nations proposed site) is unique in our Canadian experience.

- The idea for a World Heritage Site overlapping the Ontario/Manitoba border, and to be nominated based upon both natural and cultural values, was initiated and promoted by a coalition of five First Nations.
- “The very being, and future well being of the Poplar River Anishinabek is defined by our place in this land. The traditional lands being planned for are a fundamental and non-changing part of who the Poplar River Anishinabek are and who we always want to be. The land must be protected to sustain the culture and very life of our community, our people. Protection of the land is the key to our future.” (community of Poplar River web site)
- The First Nations convinced the Manitoba and Ontario governments of the power of their idea, and broadened their coalition to 7 governments.
- After considerable debate and discussion, the site was included on Canada’s Tentative List (of sites that could be nominated for consideration by the World Heritage Committee), and now work towards a nomination document is inching forward. The process is very complicated.
- But, illustrative of many of the ideas cited in this paper, the World Heritage Site nomination project:
 - Is community based
 - Considered at the outset whether a biosphere reserve or a World Heritage Site was the conservation tool most applicable to local circumstances
 - Is led by an experienced community facilitator, supported by Parks Canada experts as well as natural (and soon cultural) experts from both provincial governments
 - Is drawing together natural and cultural, tangible and intangible threads
 - Is viewed as a conservation project; in fact, there are local concerns about the potential for a dramatic growth of tourism should an eventual nomination succeed
 - Is requiring considerable conservation planning, community planning and investment in resource management as a basis for a solid nomination
 - Is forging other new and interesting partnerships.....for example the Natural Resources Defence Council for USA is funding part of the work and has promoted the notion of this site internationally
- The First Nations themselves are becoming engaged internationally in support of their interest in developing a successful nomination, and presented their case, for example, at the last IUCN Congress in Bangkok in 2004.

4.11 *La conservation des sites du patrimoine mondial au Mali*

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Magali Cochard et Kibamba Nimon
(C. Boucher, 2007)

Conservation de sites patrimoniaux au Mali et au Burkina Faso : Tombouctou, Djenné et le Na-Yiri de Kokologho

Où et comment les patrimoines matériels et immatériels viennent s'articuler dans le processus de conservation

A travers cette présentation, nous proposons notre lecture de la manière dont s'articulent les patrimoines matériels et immatériels à partir de cas issus d'Afrique sub-saharienne. Nous nous intéresserons aussi aux processus de conservation qui tentent de répondre à ces patrimoines. Djenné et Tombouctou au Mali ainsi que le Na-Yiri de Kokologho au Burkina Faso seront nos terrains d'exploration.

Avant de partir dans ce voyage, nous tenons cependant à rappeler la perception du patrimoine vue d’Afrique, perception où la fonction, les rites, les symboles sont prépondérants par rapport à l’objet ou monument ainsi que nous le rappelle Ouallet (2003):

« Une différence de conception fondamentale s’établit donc à ce niveau entre la conception d’un patrimoine européen dont l’assise est l’héritage et celle d’un patrimoine africain qui pour une bonne part est chargé de fonctions, qui n’a de sens que par l’utilisation qui en est faite, ou par le symbolisme qu’il transmet. »

En effet, l’objet ou le bâtiment, seul, n’a aucun sens. Le patrimoine africain s’incarne dans les rites qui l’entourent, dans les usages et les fonctions, dans les enseignements et les symboliques dont il est investi.

Tombouctou la mystérieuse!

Nourri par les écrits (*Tarikh El-Fettach, Tarikh es-Soudan, Description de l’Afrique, Voyage à Tombouctou*), nourri par les récits des voyageurs et des aventuriers qui se sont lancés dans sa quête (Ibn Battûta, Léon l’Africain, le Major Laing ou René Caillié, ...) (Ould Sidi, 2006), nourri par la reconnaissance dans ses mosquées d’une monumentalité architecturale par les colonisateurs (Sinou, 1996), le mystère de Tombouctou s’est construit, tenace au cours des siècles. La simple évocation de la ville est encore, aujourd’hui une fascination tant en Arabie (proverbes) qu’en Occident (associations en lien avec Tombouctou). Au-delà de la ville et de ses habitants, le mystère de Tombouctou, de l’ordre de l’imaginaire, n’est-ce pas là un patrimoine de la ville, patrimoine qui la dépasse et sur lequel il n’y a pas d’emprise ?

Djenné et Tombouctou, deux villes jumelles

Djenné et Tombouctou sont considérées comme des villes jumelles à cause de leur similarité tant architecturale que du point de vue des structures spatiales et sociales. Pourtant en 1988, seules trois mosquées de Tombouctou sont inscrites au Patrimoine Mondial en vertu des critères ii, iv et v, excluant l’habitat du périmètre. « Construites en banco, à l’exception de quelque réfections limitées [...], les mosquées de Tombouctou témoignent, mieux que les structures d’habitat, sujettes à de plus nombreux aménagements, de techniques de construction traditionnelles, devenues vulnérables sous l’effet de mutations irréversibles » (ICOMOS, 1988). Notons que

l'inscription à la liste du Patrimoine Mondial, bien que faisant référence aux pratiques de construction traditionnelles, ne les englobe pas dans la reconnaissance patrimoniale. Djenné, au contraire, voit ses différentes villes inscrites en vertu des critères iii et iv (témoignage exceptionnel des civilisations pré-islamiques du Delta du Niger et période historique significative), exclusion faite de sa mosquée. Reconstituée en 1909 avec l'aide des colonisateurs français, cette dernière ne s'est pas vue reconnaître le critère d'authenticité nécessaire (ICOMOS, 1988). La population locale n'en a cure et dans les deux villes, les mosquées ont un rôle identique. Elles polarisent l'espace urbain, organisent les quartiers et le lieu de résidence de chacun. Monuments, bien sûr, elles sont avant tout des lieux de relation au divin en tant que lieux de cultes, mais aussi du fait de pratiques d'origine animiste telles que les récitation de formules magiques et l'usage de fétiches lors des travaux d'entretien. Ces travaux fondent l'appropriation des bâtiments par la population locale qui les investit littéralement pour l'occasion. Par ces gestes, les mosquées deviennent fierté, projection de la cohésion de la société et de son identité.

Djenné, au-delà de l'habitat

Une lecture approfondie de l'habitat révèle l'ensemble d'un système social basé sur le bâti et le besoin d'une demeure dans la vie et dans la mort. Il se traduit dans la relation qu'entretiennent les familles et leur maçon, relation qui dépasse les simples considérations ouvrier-client puisqu'elle concourt à l'équilibre social. Chaque famille de maçon a ainsi sa famille cliente correspondante désignée selon des règles précises qui régissent les liens dans la société djennéenne.

Cet équilibre connaît une sérieuse remise en question. En effet, l'aspiration grandissante des populations au confort moderne, la préférence pour des nouveaux matériaux de constructions venus d'ailleurs, relègue peu à peu les techniques de construction locales au rang de la vétusté et par là tous ceux qui en sont porteurs, soit la caste des maçons (Diaby, 2001).

Pourtant, l'habitat tel que conçu traditionnellement est plus qu'un lieu de résidence, car il devient, avec les rituels d'entretien, prononciation de formules magiques et de bénédictions, un lieu sacré. Ces formules magiques sont détenues par les plus anciens de la caste des maçons, qui en sont les seuls dépositaires. La prononciation de ces formules doit précéder chaque début de travaux pour en assurer la sécurité et le bon déroulement.

Les pratiques traditionnelles d'entretien des mosquées

Ces rituels d'entretien prennent tout leur sens autour des mosquées. Construites en banco, un matériau facilement dégradé notamment par la pluie, elles réclament un entretien annuel pour leur permettre de traverser le temps. Pour ce faire, toute la communauté s'implique. La confrérie des maçons, apporte le savoir-faire et le secret de leurs techniques sacrées. Ce sont eux qui préparent et encadrent les travaux, ayant la charge de garantir une rénovation sans accident à travers la prononciation des formules magiques. La population, pour sa part, apportent son soutien financier, en matériaux et en main d'œuvre, puisque chacun à sa part de travail en fonction de son âge, de son sexe et de sa profession. Le devoir ainsi accompli est à la fois religieux et social : vénération du lieu de culte et insertion dans la hiérarchie de la communauté. Tant et si bien que ceux qui chercheraient à échapper à la tâche sont pourchassés à travers les villes. Malheur à eux si on les découvre : ils sont enduits de boue et livrés au déshonneur (Diary, 2001 et Ould Sidi, 2006).

À travers ces pratiques, on retrouve plusieurs symboles : l'attachement à la religion par le renouveau du bâtiment, la cohésion de la société par le travail de tous et la continuité dans la consolidation et la transmission des savoir-faire. Elles font des mosquées, non seulement des lieux chargés de sens mais aussi un patrimoine communautaire chèrement défendu par la population. Ainsi à Djenné, en septembre 2006, la population s'est soulevée en constatant qu'une équipe d'Aga Khan (fondation américaine pour la conservation du patrimoine de l'Islam) commençait des travaux sur le toit de la mosquée sans qu'elle en ait été avertie. Les professionnels de la restauration ont dû fuir au risque d'être lynchés, tandis que l'émeute se répandait dans les rues de la ville, mettant à sac l'Hôtel de ville, les bureaux de la Mission culturelle en charge de la conservation du patrimoine de la ville, et jusqu'aux voitures de l'Imam (Dougnon, 2006).

Les enjeux de conservation

L'existence et la forme de ces pratiques locales d'entretien, les évolutions rapides auxquelles sont soumises ces sociétés mettent à jour, sur la base des exemples présentés, trois grands enjeux :

- Réfléchir au conflit de sens entre l'aspiration des populations locales à la modernité et la conservation de l'habitat traditionnel et chercher des moyens concrets d'y répondre.

- Ajuster les processus de conservation conventionnels pour permettre la pérennisation de l'entretien traditionnel
En effet, la rigidité des procédures d'autorisation d'entretien et modification peut être un frein à la pérennisation de l'entretien traditionnel et générer une frustration auprès des populations se sentant écartées de leur patrimoine. Le risque est tout simplement de voir la population se détourner de ce patrimoine menant à l'effritement des savoir-faire, des rites et du sens accordé aux bâtiments. Tombouctou en a malheureusement été un exemple pendant quelques années avant un retour vers l'autorisation encadrée de pratiquer l'entretien annuel.
- Appuyer et valoriser les savoir-faire traditionnels et les rites qui y sont liés afin de préserver le sens et non le support uniquement

Le Na-Yiri de Kokologho : un exemple de mise en valeur des pratiques de conservation traditionnelle

Un Na-Yiri est le palais d'un Naaba, chef coutumier local dans la coutume Mossi, associé aux différentes cours de réception, cours et cases coutumières où se déroulent les différentes activités de la vie de la communauté. En pays Moaga, chaque Naaba doit, à son intronisation, construire son propre Na-Yiri. Il prouve ainsi sa capacité de mobilisation des communautés dont il est le chef, mais aussi il bâtit les lieux des rites et coutumes nécessaires à l'accomplissement de sa tâche.

Le Na-Yiri de Kokologho présente, pour sa part, trois particularités : il est l'un des derniers du Burkina Faso entièrement construit avec des matériaux traditionnels, les pratiques traditionnelles d'entretien y sont encore très vivantes, et enfin il date de 1942 et n'a pas été abandonné. En effet, le Naaba actuel a choisi de rompre avec la tradition et de conserver le Na-Yiri de son père. Il souhaite travailler à sa conservation et à sa mise en valeur. La Direction du Patrimoine Culturel (DPC) du Burkina Faso a, de son côté, identifié l'intérêt du Na-Yiri de Kokologho tant pour sa conservation patrimoniale que pour sa mise en tourisme. Cette dernière a fait appeler au programme Africa2009 pour mener à bien ce projet.

Le projet situé Africa2009 comprend cinq objectifs que l'on peut résumer ainsi :

- Restaurer le Na-Yiri et renforcer le système traditionnel de conservation
- Élaborer un circuit touristique et générer des fonds pour l'entretien du site

- Inscrire le projet dans une perspective de développement durable pour la communauté.

La première étape a consisté à observer et inventorier les usages traditionnels du site (lieux, jours, heures) et les pratiques traditionnelles d'entretien. Deux ressortent plus particulièrement en ce qui concerne l'entretien du site. Il s'agit de la fête du Soukpilli et des préparatifs de la fête du Ran-Gnoug.

La Fête du Soukpilli se déroule sur une journée au cours de laquelle les toits des cases coutumières sont refaits par les hommes. Chaque village dépendant du Naaba a sa propre case dont le toit est refait par les hommes du village correspondant. L'ensemble de la réfection est géré par des codes précis dans le déroulement et dans les savoir-faire.

La fête du Ran-gnoug rassemble toute la population dépendant du Naaba. Ses préparatifs sont l'occasion de vastes travaux d'entretien du palais et particulièrement de la réfection des enduits de terre, tâche qui incombe aux femmes.

Concernant la restauration du site, une fois la connaissance des pratiques établie, les travaux urgents ont été réalisés, mais le projet s'est surtout appliqué au renforcement des pratiques. A la demande du Naaba, un nouveau stabilisateur d'enduit, plus efficace, a été introduit.

La transmission des savoir-faire a été un point important du projet, d'autant plus que la question est d'envergure face aux changements advenus dans la société. L'entretien de l'enduit des cases coutumières, par exemple, ne peut être fait que par les femmes de la famille du Naaba. Or, depuis quelques générations, le passage à la monogamie a réduit considérablement le nombre de femmes dans la famille : comment suffire à la tâche, à qui et comment transmettre des savoir-faire qui relèvent du secret lorsqu'il n'y a pas de relève traditionnelle ?

Enfin, le forage d'un puit vient compléter les actions en vue du renforcement de l'entretien traditionnel. Il rapproche l'eau des lieux de travaux en même temps que de la population du quartier.

Le volet touristique s'appuie aussi sur la première étape puisque le circuit établi pour les visites respecte le calendrier des fêtes, les horaires d'utilisation et les espaces privés et sacrés. Les visites se font strictement accompagnées d'un guide formé, issu de la population locale. La vente de produits dérivés, associée au montant de la visite doit contribuer au financement de la conservation du Na-Yiri. Le circuit touristique a été complété par la création d'une exposition

permanente expliquant la vie au Na-Yiri. Ici encore, la pause de panneau solaire pour l'éclairage de l'exposition profite aux restes de la population puisqu'elle a permis d'électrifier l'ensemble du quartier qui ne l'était pas jusque là.

Cette expérience s'est clairement positionnée dans le respect des traditions et des pratiques afin de préserver le sens, l'adhésion de la population et maintenir la cohésion sociale autour du Naaba, personnalité de poids dans la lutte contre le VIH-Sida ou contre l'excision. Délibérément, le travail pur de conservation et de mise en valeur du Na-Yiri s'est accompagné de retombées directes pour la population (eau, électricité, emplois). Cet aspect est important à considérer surtout dans un contexte où nombreux sont ceux qui, ne trouvant pas satisfaction dans leur localité d'origine, partent vers les villes ou d'autres mirages encore. Enfin, malgré les retombées positives de cette opération, des questions demeurent comme celle de l'avenir des savoir-faire locaux face à la durabilité des nouveaux matériaux et aux problèmes de transmission : à qui transmettre quand les dépositaires traditionnels ne sont plus assez nombreux ?

Les questionnements

En conclusion, nous considérons les patrimoines matériels et immatériels comme un tout dans le sens qu'ils sont le patrimoine et à cet égard il ne faudrait pas les séparer.

La participation des populations à la conservation est primordiale au maintien du sens du patrimoine. De plus, la conservation doit se faire dans le sens du développement local afin d'aider à maintenir en place les populations détentrices des savoir-faire.

Trois questions pour finir :

Face aux secrets des pratiques et des savoir-faire quelle procédure de conservation peut-on adopter ?

Faut-il préserver le matériel aux dépens de la tradition ? Comme c'est le cas pour le Na-Yiri de Kokologho qui aurait dû être laissé à l'abandon suite au décès du précédent Naaba.

Enfin, face à l'habitat traditionnel et face aux changements de sens induits par l'aspiration des populations à un confort moderne que fait-on quand l'immatériel n'habite plus le matériel ?

Summary

In sub-Saharan Africa, the question of the relationship between material and immaterial heritage keeps coming back to the fact that local perceptions of heritage differs from that proposed by international organizations. Drawing on the examples of Djenné and Timbuktu, cities in Mali that are listed as World Heritage Sites by UNESCO, and of Na-Yiri of Kokologho, an element of burkinabé heritage, we raise questions about current issues and conservation practice with regard to tangible and intangible heritage. Even if the cases are African, the issues they raise find echoes beyond this continent.

Djenné and Timbuktu have long been considered twin cities because of the similarity of their architecture as well as their spatial and social organization. In these two cities, the mosques play a special role in the structuring of urban space, but also in the structure of society. Indeed, the dwellings are arranged in relationship to this function. Since they are built in earthen materials, they require regular maintenance that takes place according to codified rituals and mobilizes the whole population of the district under the direction of the fraternity of masons. For the population, the building acquires significance through these centuries-old practices and especially through the symbolism that they represent. The building itself means nothing; it is the rituals around it that give it sense. This raises questions about conventional conservation approaches, where the building alone is considered, detached from the rituals attached to it. The case of the Na-Yiri of Kokologho is, on the other hand, an example where conservation and interpretation of a place go hand in hand with traditional maintenance practices. Emphasis has been put on the knowledge of the site, of its daily use and all through the year on traditional know-how related to maintenance. This first phase of the project has looked at how to improve conservation and interpretation activities in order to open the site to tourists. Over the longer term, the project asks some questions about the transmission of traditional knowledge in the face of the reduction of the number of traditional knowledge-holders or the introduction of new materials. This project is also a platform to reflect on the objectives of interpretation and presentation, particularly on the involvement to the local population.

These examples lead to considering the inseparability of the tangible and intangible heritage, and a scenario where conservation and presentation activities must include local populations and place them in the forefront of development strategies.

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4.12 La conservation de Koutammakou, site du patrimoine mondial au Togo

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Le matériel et l’immatériel dans le Koutammakou du Togo

Introduction

Le Koutammakou (pays temberma) est un paysage culturel fort remarquable car il est un site vivant, œuvre combinée de la nature et de l’homme. Il est composé de l’habitat traditionnel (Takienta), de l’environnement naturel (forêt, arbres, montagnes, fleuves), du territoire aménagé (champs, bosquets) et du principal acteur qu’est l’homme Otammari. Il est inscrit sur la liste du patrimoine mondial en juin 2004 suivant les critères (v) et (vi).

Critère (v) : Le Koutammakou est un exemple exceptionnel de système de peuplement traditionnel qui est toujours vivant et dynamique, soumis à des systèmes et pratiques traditionnels et durables, et qui reflète la culture singulière des Batammariba, notamment les maisons à tourelles Takienta.

Critère (vi) : Le Koutammakou est un témoignage éloquent de la force de l’association spirituelle entre les peuples et le paysage, tel qu’il se manifeste dans l’harmonie entre les Batammariba et les ressources naturelles environnantes.

Le koutammakou du Togo est limité :

- ✓ au Nord-Est par la sous préfecture de Boukoumbé (République du Bénin sur 15km de long)
- ✓ au Nord-Ouest par la préfecture de l'Oti et le Canton de Péssidé
- ✓ au sud-Est par la préfecture de Doufelgou
- ✓ au sud par le Canton de Kandé.

1- La Takienta : habitation Tammari

1.1- Un habitat fortifié et chargé de symboles

Composée de tourelles assemblées par un mur d'enceinte, la takienta a un aspect de forteresse. L'habitat traditionnel Otammari impressionne toujours les étrangers. Les tirailleurs soudanais lui donnèrent le nom de tata, d'où l'appellation commune de tata somba ou tata tamberma. Les européens comparent cette habitation à des châteaux-forts.

L'architecture tammari respecte la culture et les croyances des Batammariba. Aucun geste n'est posé au hasard mais tout a une signification.

Le symbolisme est très présent dans la plupart des cultures africaines et permet d'expliquer les croyances. L'architecture tammari ne fait pas exception à cette règle, elle est chargée de symboles.

La façade principale de l'habitation est toujours orientée vers l'Ouest, à l'abri des pluies battantes et de l'harmattan de novembre. Cette orientation protège non seulement l'habitat contre les intempéries mais est également chargée de sens. L'Est est toujours considéré comme un mauvais côté d'où viennent tous les maux dont souffre la société. Le côté Ouest par contre ne procure que bonheur. Elle fait face selon la conception des Batammaba au village -paradis de Kuyé (Dieu créateur).

1.2- Une habitation hautement structurée

L'habitat présente une dualité male femelle marquée par une séparation selon l'axe Est –Ouest. L'habitat est orienté suivant cet axe Est-Ouest.

La moitié Sud, considérée comme la droite, est le côté de l'homme et celui du sacré. Le côté opposé qui est la moitié Nord, considérée comme la gauche, appartient à la femme.

Les greniers qui sont aménagés au-dessus des tourelles répondent aussi à l'appropriation de l'espace selon la conception du peuple Otammari. Ainsi, les greniers situés du côté sud de l'axe (celui du sacré et de l'homme) sont remplis des graines à consommation masculine (fonio, millet, sorgho, riz) et ceux du côté nord de l'axe (celui de la femme) sont remplis des graines à consommation femelle (haricots, pois de terre, fruits, arachides).

On note également une autre division symbolique entre l'étage et le rez-de-chaussée. Il s'agit d'une opposition entre les deux niveaux de l'habitat. Ce dernier doit être considéré avant tout comme un temple car il est habité non seulement par les vivants mais aussi par les ancêtres. Les vivants habitent donc l'étage et le rez-de-chaussée est réservé aux morts (les ancêtres) ou ceux qui sont proches de la mort (les vieillards). Par ailleurs, le bétail qui est destiné au sacrifice est logé au rez-de-chaussée. Les autels ainsi que toutes les protections magiques sont principalement au rez-de-chaussée.

« Les conceptions qu'ont les « somba » de leur habitation font de l'étage le lieu des vivants, du rez-de-chaussée celui des morts, de ceux qui en sont poches et du bétail qui leur est avant tout destiné. » (Paul Mercier).

1.3- La construction de la takienta : un savoir-faire à conserver

Les différents matériaux locaux employés dans la construction de la takienta sont :

- ✓ la terre, pétrie avec la paille est utilisée pour les fondations et les murs. Un mur s'obtient par une superposition de couches de 30 à 40 centimètres de haut. Ainsi, la hauteur d'une tourelle peut se mesurer à partir du nombre de celles-ci. La terre est utilisée sans paille si elle est riche en fer.
- ✓ la terre de termitière est utilisée mêlée avec de la paille pour façonner les greniers
- ✓ le bois sert de charpente et de structure porteuse de la dalle
- ✓ la paille pour la couverture des cases et des greniers
- ✓ le macérât des cosses de néré (*parkia biglobosa*) et d'eau de beurre de karité (*parki butyrospermum*) sert de matériau d'étanchéité des surfaces exposées aux intempéries. Ces solutions non seulement consolident la surface de l'enduit, mais encore la rendent imperméable.

Les Batammariba ont perpétué à travers le temps et l'espace les savoir-faire liés à la construction de leur takienta.

Le savoir-faire se transmet par un système d'apprentissage chez un maître maçon reconnu. Des tâches sont confiées de façon proportionnelle au niveau de connaissance du jeune apprenti jusqu'au moment où il pourra réaliser une takienta seul.

Le peuple tammari est organisé au niveau de la construction de son habitation. On note ainsi une répartition du travail entre les hommes et les femmes. Le gros œuvre est attribué aux hommes et le second œuvre (le crépissage des murs, le damage du sol et la décoration) revient aux femmes. Une terre très riche en ciment naturel est choisie pour les travaux de crépissage. Sommairement tamisée, elle est mélangée avec de l'eau dans laquelle de la bouse de vache a été préalablement pétrie pour lui donner une certaine consistance. Cette pâte est appliquée sur les murs de façon manuelle. Puis on laisse sécher avant d'arroser le tout par une décoction faite d'écorces de karité ou d'écorces des fruits du néré.

Les jeunes filles participent à l'exécution de ces travaux de finition, acquérant ainsi le savoir-faire lié à la décoration de la takienta.

2- La notion du paysage chez les Batammariba

Le paysage a été façonné de manière à respecter les croyances, mais aussi les volontés d'indépendance, d'équilibre et d'unité de la communauté.

Les besoins d'espace ou les litiges claniques sont à la base de la création de nouveaux villages.

Un village tammari est un groupement de plusieurs habitations. Dans la tradition des Batammariba, les habitations sont éloignées les unes des autres par « la distance qu'une flèche pourrait parcourir ». Cette expression veut simplement dire qu'elles sont suffisamment espacées de manière à permettre à chaque famille de vivre de façon autonome.

Le village s'étend avec l'installation des autres membres de la même phratrie que le fondateur ou ceux d'autres clans ou lignages. Chaque clan dispose trois principaux foyers rituels que les novices parcourent lors des cérémonies d'initiation (le Difurangi des garçons et le Dikuntri des filles) marquant le passage de l'adolescence à l'âge adulte. Il s'agit de la grande maison de cérémonie ou la vieille maison du clan, le sanctuaire du serpent ou Fawaafa et le cimetière (WAMP, Les amis du patrimoine, CRATERre-EAG, 2004).

Conclusion

Le site conserve sa conception et sa gestion originelles du territoire, son authenticité, sa tradition et ses valeurs historique, culturelle, religieuse, esthétique, technique et économique.

Néanmoins, quelques menaces pèsent sur le site surtout l'introduction de nouveaux matériaux de construction (ciment, tôles,...) dans le paysage culturel entraînant des constructions à formes rectangulaires. C'est d'ailleurs ce constat qui m'a poussé à choisir comme sujet de mémoire de fin d'études « la transmission du savoir-faire lié à la construction de l'habitat traditionnel takienta ». Mon travail de recherche est à la quête de trois objectifs.

- ✓ Étudier le degré de transmission du savoir-faire lié à la construction de la Takienta avant et après l'inscription du site sur la liste du patrimoine mondial.
- ✓ Comprendre si c'est le désintéressement à ce savoir-faire qui explique l'introduction des constructions modernes sur le site.
- ✓ Déterminer l'impact de cette transmission sur la conservation du paysage culturel.

Summary

The Koutammakou (temberma country) is a very remarkable cultural landscape where the tangible and intangible elements are strongly present. It is a living site, the combined work of man and nature. The site was inscribed on the World Heritage List in June 2004 according to the criteria (v) and (vi).

The traditional habitation known as a "takienta" is composed of turrets connected by a surrounding wall, giving it the appearance of a fortress. These traditional dwellings always of the Otammari people always impress foreigners. Europeans compare them to fortified castles. The tammari architecture respects the culture and the beliefs of the Batammaribas. No gesture is made at random but each has significance. Symbolism is very present in most African cultures and allows for the expression of beliefs. Tammari architecture is no exception to this rule; it is charged with symbols.

Tangible and intangible heritage are two facets of the same issue because, for the Batammaribas, they are inextricably interwoven and inseparable. This approach is translated in their architecture and even in the use of space. The southern half of the takienta, considered as the right, is the side for men and is considered sacred. The other side, that is the northern half, considered as the left, belongs to women. The attics above the turrets are also subject to the same ideas of space

allocation held by the Otammari people. The attics situated to the south of the axis (the one belonging to men and the sacred) are filled with seeds related to male consumption (fonio, millet, sorghum, rice,) and those to the north side of the axis (the women's side) are filled with seeds to female consumption (beans, peas, fruit, peanuts).

One also notes another symbolic division between the upper floor and the ground floor. There is a distinction between the two levels of the dwelling. A dwelling must be considered above all like a temple because it is occupied not only by the living but also by the ancestors. Living people occupy the upper level while the ground floor is reserved for those who have died (the ancestors) or those that are near death (the old people). In addition, livestock destined for sacrifice are also lodged on the ground floor. The altars as well as all magic protection are mainly at the ground floor.

The Batammaribas have perpetuated through time and space their know-how related to the construction of their takienta. This knowledge is transmitted through an apprenticeship system under a recognized master mason.

The landscape has been shaped in a way that respects beliefs. The intangible dimensions can even prevail over the tangible aspects. In its conception, the landscape respects the desire for independence, balance and unity of the Otammari community.

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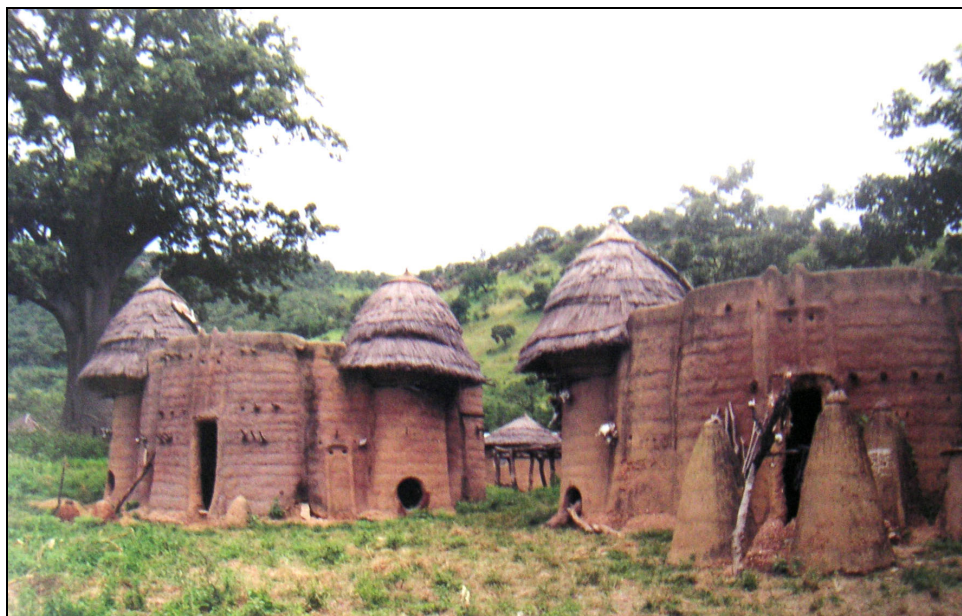
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Lexique

Batammariba :	Habitants du Koutammakou
Difuani :	initiation des jeunes garçons
Dikuntri :	initiation des jeunes filles ou femmes

Fawaafa :	serpent titulaire du clan
Koutammakou :	territoire occupé par les Batammariba
Kuyé :	DIEU
Otamhari :	singulier de Batammariba
Takienta :	concession
Tammari :	adjectif dérivé de Batammariba

Les illustrations



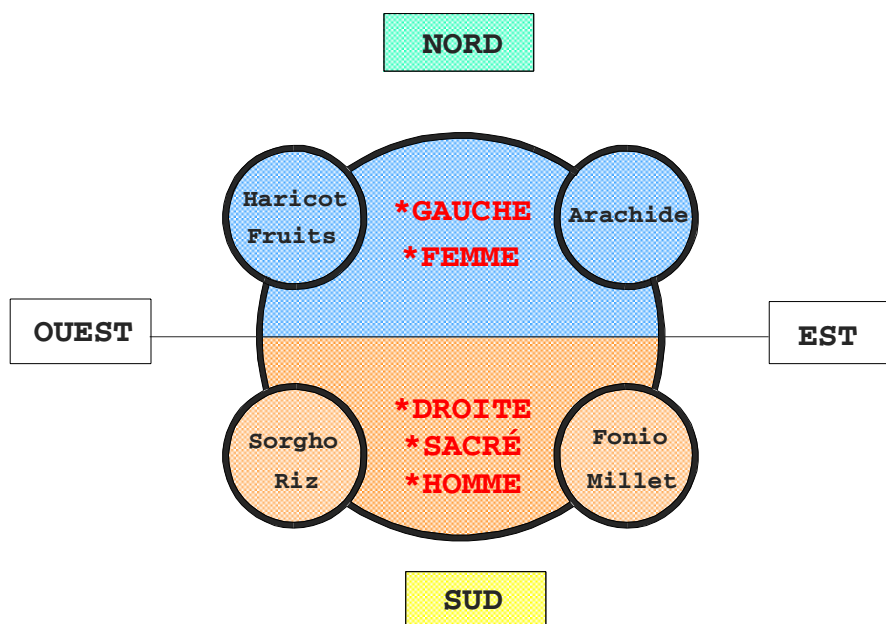
La takienta, un habitat fortifié (Photo : Gaël K. Amoussou)



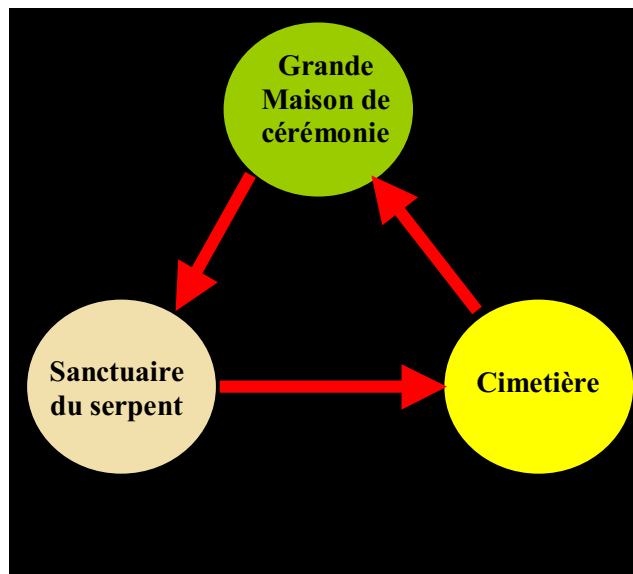
Vue du paysage culturel (Photo : Gaël K. Amoussou)



Vue sur l'entrée d'une takienta (Photo : Gaël K. Amoussou)



La takienta, habitat hautement structuré. (Schéma conçu par Gaël K. Amoussou)



Les trois foyers rituels

Les 3 foyers rituels des cérémonies. (Schéma conçu par Gaël K. Amoussou)

Session 4 : Lignes directrices pour l'intégration de l'architecture contemporaine aux paysages urbains historiques

Session 4 : Guidelines for the Integration of Contemporary Architecture in Historic Urban Landscapes

Président: Jean-Claude Marsan, Professeur, École d'architecture, Faculté de l'aménagement, Université de Montréal

Rapporteur 4: Ron Roy, Étudiant à la maîtrise, Université Carleton

Chair: Jean-Claude Marsan, Professor, School of Architecture, Université de Montréal

Rapporteur 4: Ron Roy, MA student, Carleton University

4.13 A Differential Diagnosis: Defining the Boundaries of the two Conventions

Gordon Fulton, Directeur, Services historiques, Parcs Canada, Gatineau / Director, Historical Services, Parks Canada, Gatineau



Gordon Fulton
(C. Boucher, 2007)

4.14 Cultural Landscapes and Intangible Cultural Heritage

Christina Cameron fera la présentation de Mechtild Rössler, Centre du patrimoine mondial de l'UNESCO, Paris / Christina Cameron will present a paper by Mechtild Rössler, UNESCO World Heritage Centre, Paris

4.15 Implications for modifying the World Heritage Operational Guidelines

Christopher Young, Coordonnateur, Patrimoine mondial, English Heritage, Londres / World Heritage Coordinator, English Heritage, London



Christopher Young
(C. Boucher, 2007)

4.16 Inscription des sites de valeurs immatérielles sous les deux conventions: toujours, parfois, jamais / Listing Sites with Intangible Values under both Conventions: always, sometimes, never

Dinu Bumbaru/Gustavo Araoz, ICOMOS International



Gustavo Araoz

(C. Boucher, 2007)

5. Textes des rapporteurs / Reports from the rapporteurs

5.1 Compte-rendu session I, Christine Bricault



Christine Bricault
(C. Boucher, 2007)

5.2 Compte-rendu session II, Carolyn van Slightenhorst



Carolyn van Slightenhorst
(C. Boucher, 2007)

Session II: Heritage Lists: Definitions and Identification of Values

Presentations:

In the second session, Herb Stovel began the presentations by emphasizing the importance of bridging the gap between the two conventions through a more inclusive and holistic approach.

- Vallepietra, Italy was used as an example of how both physical structures and space *and* cultural activities can be managed together.
- The presentation challenged us further to think about indicators – rather than *authenticity* and *integrity*, a better indicator might be *sustains significance*.
- Terminology was raised as a means of understanding the gap between the two conventions – *safeguarding* and *authenticity* were terms used throughout the symposium.

The implementation of this integration between the tangible and intangible was present in Laurier Turgeon's description of Quebec's inventory of intangible heritage.

- In this inventory, a decision was made to start with cultural practices and move towards objects to have a more comprehensive understanding of where these objects come from.
- Objectives of this inventory are to popularize intangible heritage and make it available to the public, as well as to allow communities to re-appropriate these cultural practices.

- This inventory is attracting international attention, yet, as noted in this presentation, Canada has not yet signed the 2003 Convention.

In John Pinkerton's presentation, a need for consolidation between the two conventions was expressed again.

- Despite change in World Heritage List nomination criteria, the general approach of the nomination process remains Eurocentric and elitist.
- The World Heritage List therefore does not reflect convention criteria and further evolution to include the intangible is needed.

In the final presentation of the session, Britta Rudolff challenged us to part from what is conventionally thought of as significant and to think beyond Western society's categorization of culture.

- The idea of a separation between the tangible and the intangible does not exist in many cultures.
- This compartmentalization sees heritage as a product, whereas heritage needs to be approached on a conceptual level in order for the processes underneath the product to be recognized.
- The use of topology allows us to see what gives meaning to heritage (the intangible) and the manifestations of this (the tangible).
- The conventions need no adjustments, but the integration of the tangible and the intangible must be implemented within the methodology of World Heritage.

Discussion:

The discussion following the session highlighted the differences between the two conventions but a desire to make the conventions compatible was evident.

- A distinction was made between universality and locality – if a site has Outstanding Universal Value, it should touch people on a universal level, and not just locally.
- The need to find common and effective terminology within the conventions, as expressed in the presentations, was raised again.
- It was also remarked that in a bottom-up approach, criteria would have to be different for each community, as each one holds different values.

- It was noted that discussing the differences between the two conventions is less important than determining *why* they exist.
- Louise Letocha concluded the discussion by outlining the two central debates of the day: the first being the theoretical debate discussed in the first two sessions; and the second being the implementation and management of these conventions, which led us into the third session.

5.3 Compte-rendu session III, Léopoldine Marcotte



Léopoldine Marcotte
(C. Boucher, 2007)

Session III : La sauvegarde du patrimoine matériel et immatériel : des implications pour le développement des politiques et de l'expertise professionnelle.

La troisième session, qui portait sur les implications pour le développement des politiques et de l'expertise professionnelle, voulait nous faire passer de la théorie à la pratique en présentant certains exemples concrets qui ont démontré l'étroite relation entre le matériel et l'immatériel.

Les premiers intervenants ont abordé la conservation des sites culturels et naturels inscrits sur la liste du patrimoine mondial. Plusieurs points ont d'abord été soulevés, dont l'importance du dialogue, de la co-gestion des sites et d'un côté on a abordé le respect de la dimension autant matérielle qu'immatérielle des paysages culturels alors que de l'autre côté, on insistait sur l'importance d'introduire des valeurs immatérielles dans les sites naturels.

Certaines pistes de réflexion ont été lancées pour une gestion plus efficace des sites : le besoins de stratégies coopératives, l'importance d'une expertise professionnelle multidisciplinaire et l'importance de l'apport majeur des gens qui sont associés à ces lieux. Susan Buggey a mentionné que la population devait être impliquée dans les prises de décision et pas uniquement consultée, alors que Murray McComb a mis l'accent sur la question de l'appropriation ; deux points qui ont été abordés concrètement avec les études de cas des deux autres présentations qui elles, portaient sur des endroits situés sur le continent africain et inscrits sur la liste du patrimoine mondial.

Des lieux où la dimension immatérielle est tout aussi importante que la dimension matérielle et pour lesquels on a abordé la question du patrimoine collectif et communautaire où l'implication de la population est non seulement primordiale, mais où elle va de soit.

Il a également été question des différentes perceptions du patrimoine par les divers peuples, de la représentation sociale et spirituelle du patrimoine, de la dimension sacrée du bâti et donc, de la nécessité de l'ajustement des processus de conservation afin de pouvoir intervenir dans des lieux vivants et habités dans le respect des pratiques traditionnelles.

Suite à la séance, les réactions de la salle ont été nombreuses. Quelques points importants sont ressortis dont l'intervention de Louise Letocha qui a émis le constat voulant que les questionnements autour de la sacralité des lieux, de l'utilisation ou non de nouveaux matériaux et de la disparition de certains savoirs-faire ne sont pas uniques à l'Afrique, mais touchent toutes les civilisations à un moment ou à un autre de leur histoire.

Monsieur Smeets a ensuite réitéré l'importance d'écouter les peuples et de faire des compromis afin d'adapter les conventions aux diverses réalités.

La session s'est terminée par l'affirmation que malgré la volonté de certains peuples de préserver leurs traditions et de transmettre leur savoir-faire tout en partageant leur culture, il restait beaucoup de sensibilisation à faire pour assurer une bonne conservation des sites, mais surtout des valeurs qui leur sont rattachées.

Résumé points par points.

Julian Smith, Président de la session.

- Présentation : de la théorie vers la pratique, des idées vers l'action.
- Trouver les moyens pour agir.

Susan Buggiey. La conservation des sites culturels sur la liste du patrimoine mondial.

- Paysages culturels : à la fois matériel et immatériel.
- Importance d'atteindre l'équilibre entre les deux.
- Exemple du peuple Haïda en Colombie-Britannique :
 - Quelles mesures adoptées face à la détérioration du site ?
 - Nouvelles technologies versus traditions.
 - Qui décide comment le site sera sauvegardé ?
 - Comment procéder lorsque les approches de conservation sont opposées ?
- Importance du dialogue.
- Co-gestion des sites.
- Trois points à considérer pour une meilleure gestion des sites :
 1. Besoin de politiques et de structures pour la continuité dans les actions.
 2. Besoin de la participation des gens associés au lieu, de stratégies coopératives, de consensus et de co-gestion. Les gens doivent être impliqués dans les actions et les prises de décisions.
 3. Besoin d'une expertise professionnelle multidisciplinaire, de nouvelles approches et de perspectives différentes.

Murray McComb. La conservation des sites naturels sur la liste du patrimoine mondial.

- Nature au cœur de l'identité canadienne.
- Patrimoine naturel est une source d'inspiration pour les arts et la littérature.
- Discours doit être élargi pour inclure les valeurs culturelles.

- Importance de l'appropriation.

Magali Cochard et Kibamba Nimon. *La conservation des sites du patrimoine mondial au Mali.*

- Question : Quelle articulation entre le patrimoine matériel et immatériel en Afrique subsaharienne dans le processus de conservation ?
- Perception différente du patrimoine en Afrique : rituels, usages, symboles.
- Conserver aujourd'hui entre la tradition et la modernité.
- Besoin de l'adaptation du processus de conservation.
- Exemple de Tombouctou :
 - Mosquées : repères identitaires.
 - Structure sociale et spatiale.
 - Représentation spirituelle du patrimoine.
- Exemple de Djenné :
 - Système social.
 - Habitat = lieu sacré.
 - Entretien = rituel sacré, cérémonie festive.
 - Notion de patrimoine communautaire.
- Exemple de Kokologho :
 - Projet : mise en tourisme dans le respect des pratiques traditionnelles.
 - Développement important pour la population en place.
 - Restaurer un lieu vivant et habité.
 - Savoir-faire traditionnel et rituel confrontés à l'utilisation de nouveaux matériaux.
 - Préservation du sens, maintien de la cohésion sociale.
- Le patrimoine matériel et le patrimoine immatériel forment un tout.
- La préservation de l'un dépend souvent de l'autre.

Gaël Amoussou. *La conservation de Koutammakou, site du patrimoine mondial au Togo.*

- Présentation du site.
- Architecture organisée et chargée de symboles.
- Savoirs-faire et apprentissages.
- Bien collectif et communautaire.

- Peuple soucieux de préserver ses fondements malgré les nombreuses influences de la « modernité ».

Discussion

Louise Letocha :

- Les questionnements autour de la sacralité des lieux ne sont pas uniques à l’Afrique, mais touchent toutes les civilisations à un moment ou à un autre de leur histoire.
- La notion de « progrès » dans la construction qui implique souvent l’utilisation de nouveaux matériaux risque de nous faire perdre certains savoirs-faire et modes de construction traditionnels.

R. Smeets :

- Pointe le fait que les conventions disent beaucoup de choses, mais que la réalité est parfois différente et que l’on doit absolument faire des compromis selon les lieux et les peuples et qu’il est primordial d’écouter ces communautés.
- Sur papier, les deux conventions semblent ne pas travailler ensemble, mais sur le terrain, c’est bien différent.

Magali Cochard :

- Dans les villes africaines étudiées, le matériel et l’immatériel sont indissociables.

Michel Bonnet :

- Réflexion : À partir du moment où un site est inscrit sur la liste pour ses qualités physiques, mais également pour les pratiques qui y sont associées, le jour où ces pratiques disparaissent, l’inscription est-elle menacée ?

Magali Cochard :

- Les processus de conservation doivent être adaptés aux réalités des peuples.

Gaël Amoussou :

- Nouvelles réalités : tourisme et progrès technologique sous la forme des nouveaux matériaux. Comment concilier l’entretien et la pérennité des lieux, l’affluence des visiteurs et la protection du site ?
- Réflexion en cours à Koutammakou sur l’impact des nombreux visiteurs sur la vie traditionnelle. On remarque un certain désintéressement du peuple, ce qui représente un problème pour la transmission des savoirs-faire.
- Travail de sensibilisation important à faire.

5.4 Compte-rendu session IV, Ron Roy



Ron Roy
(C. Boucher, 2007)

Session IV: Can the two conventions be applied to the same site?

During the session “Can the two conventions be applied to the same site?” Gordon Fulton challenged us to look for synergies and to clearly identify the conflicts between tangible and intangible approaches. These conflicts are exaggerated as a result of the evolution of heritage assessment from the 20th century *object* to the 21st century focus on *ritual* – from the consequence of *observation* to the importance of *experience*.

Fulton compared each of the conventions by highlighting differences in approaches including the transition from the *cult of the object* to *social processes and tradition*. He also spoke to the safeguarding of heritage that was accomplished once by a sense of *universal obligation* to what is now a *universal will* and the transition from *outstanding and universal* to *representative and of regional importance*. Fulton called for the integration of both conventions asserting that culture was a resultant of the tangible and intangible and therefore it is logical to consider both within one integrated approach.

“A place isn’t important unless people believe it is so,” asserted Christopher Young. He also reminded us that value changes over time with beliefs present in objects and sites. He supposes that whether intangible or tangible – values are the basis of site management. He called for more guidance on the management of values: including the need for a management structure when values compete; the need for ways of assessing impacts on heritage values; and the involvement of communities and interest groups in the management of all sites.

Gustavo Araoz challenged us to bear in mind that values are always intangible where intangible heritage can deposit its value on material as well as the immaterial. We need to protect the vessels where value lies. He believes that both conventions can work together but warned that the integration will occur by traveling down a “bumpy road.” Dinu Bumbaru concurred that we need to reduce the dichotomy between the two conventions and come together to build “La Maison de la Patrimoine.”

In the discussion that followed, we wondered if by combining both approaches we may be valuing one over the other with the nature of each being compromised. We articulated that a fear might exist in the objectifying or “freezing” of intangible values if we approach them like tangible heritage. We spoke of the need for new methodologies to address today’s concerns and a need to “move forward” in bringing together the tangible and intangible. And finally, to accomplish our collective task, we need the passion and people for the retention of heritage.

Point-by-point summary:

Jean-Claude Marsan – Chair

- Welcomed everyone
- Mentioned the 20th anniversary of the first “École de patrimoine”
- Mentioned Université de Montréal’s Canada Research Chair on Built Heritage
- Provided synopsis of the morning’s discussion on combining Tangible and Intangible approaches:
 - Herb Stovel highlighted that there are more links than we may think
 - Our perception of heritage has changed from the 70s to today and from country to country

Gordon Fulton – A Differential Diagnosis: Defining the Boundaries of the two Conventions

- Began by “painting some word-pictures” including metaphors for: OJ Simpson, Monte Python, a Locomotive, and Beef Dogs
- Mentioned Julian’s reference from 20th century object to 21st century ritual and the importance of observation to the importance of experience
- Questioned if there were overlaps in the conventions – synergies? conflicts?
- Spoke of “key milestones” in development of convention:
 - 1972 Folklore discussed
 - 1976 UNESCO intangible program
 - 1982 Safeguarding of folklore
 - 1987 Resolution on folklore
 - 1989 Recommendation on safeguarding
 - 1990s Folklore became Cultural Heritage
 - 1993 Masterpieces program by UNESCO
 - 2003 Adoption of convention
 - Characterized by community involvement and empowerment
- Differences between the origins of each:
 - Reasons: 1972 out of Universal Obligation, 2003 out of Universal Will
 - Objective: 1972 Protecting, 2003 Safeguarding
 - Scope: 1972 Monuments and Sites, 2003 Practices and Representations
- Underlying theme: that the area of heritage protection and/or safeguarding constantly changes as tradition changes with social change
 - 1972 Object-based world, 2003 Experienced-based world
- Challenges: 1972’s convention deals with retention, in 2003 what of loss? How will we deal with retention and loss?
- There is overlap within the area of “Cultural Landscapes,” see 2004 Yamato Declaration http://portal.unesco.org/culture/es/ev.php-URL_ID=23863&URL_DO=DO_PRINTPAGE&URL_SECTION=201.html
- Noted that one site in Morocco is on both lists
- Agreed that there is obvious overlap within each convention but also highlighted that all criteria has inherent intangible components
- Intangible + Tangible = Culture, therefore it is logical to merge them

- Authenticity is a side issue as it is essential to one and irrelevant to the other
- 1972 Outstanding and Universal with Universal Obligation, 2003 Representative and Regional with Universal Will
- Concludes that conventions are “difficult to join yet difficult to separate”

Christopher Young – Implications for modifying the World Heritage Operational Guidelines

- Before discussing Operational Guidelines, he provided general thoughts
 - The 1972 convention is about “places,” the 2003 convention is about “what people do and think” – fabric and sites versus uses and beliefs
 - Both are “delivered” and then they are implemented differently
 - Tangible and intangible are “red herrings”
- Values are at the core of site management
- Cited David Lodge’s ‘Small World’: values reflect what people think and a place isn’t important unless people believe it so – something is only important if it is believed to be important
- Spoke of new values being ascribed to sites over time (e.g. Stonehenge and the New Age rituals of the past 30 years)
- Spoke of living traditions and living memories (e.g. Auschwitz)
- Operational Guidelines does not distinguish between tangible and intangible, site management is based on the management of values simply
- He called for more guidance on the treatment of values with more emphasis on management of these values including when values compete and a process of values impact assessment, and the involvement of communities and interest groups in the management of sites.

Gustavo Araoz/Dinu Bumbaru – Listing Sites with Intangible Values under both Conventions: always, sometimes, never

- Araoz questioned if this is possible? Creating: symbiosis, redundancy or opposition
- He stressed that he had no answer to the questions: always, sometimes, and never
- Introduced one new idea: values are *always* intangible
- Intangible heritage can deposit its value on material and immaterial

- We need to protect the vessels where value lies, both material and immaterial
- Do the conventions need to work together? Yes, as double listings will force them to
- Warned that it will be a bumpy road to integrate the tangible and intangible (e.g. the theatre versus the play)
- Universality of world heritage list is losing this characteristic
- Regional value can challenge universal value
- Bumbaru introduced the need to build the house of heritage, to continue building “La maison de la patrimoine”
- We have a need for balance between personal gratification and a universal focus
- He ended by warning to be careful of allowing the false realities promised by the information highway

Discussion

Fernand Lévesque

- Are we risking that by combining both intangible and tangible conventions, we are losing some of our previous mechanisms to identify values in each? Therefore potentially losing the ability to recognize all values? Is this valuing one approach over the other? The nature of each may be compromised.

Christina Cameron

- There is an issue of authenticity, it is thought that values in the intangible world should not be “frozen” – there is a fear that although this works for the tangible, this objectifying for the intangible is a concern.

Dinu Bumbaru

- He sees the debate as “bâti” versus “esprit.”
- The tangible most times becomes more important (e.g. the roof versus the dance).
- This cannot be simply a system of rules, there needs to be passion and people for the retention of heritage.

Laurier Turgeon

- He senses resistance to the 2003 convention.
- We need to keep the ideas of a connectedness between the material and the immaterial.
- Perhaps the 2003 convention was created because of a need.
- Spoke of new methodologies we should look into.

Gustavo Araoz

- Believes there is no reluctance but rather a reality where a new group took the convention into a new direction that is not compatible with the existing convention.
- Concerned that a new layer of responsibility to the World Heritage Convention was added.
- The reality is that two communities carry baggage objectionable to the other.
- But, the conventions need to merge, it won't be easy but it has to be done.
- Called on the need to begin the process and get rid of baggage and move forward.

6. An Overview of the Round Table Discussions / Une vue d'ensemble des discussions de la Table ronde

Kristal Buckley, Consultante en patrimoine et vice-présidente internationale de l'ICOMOS / Heritage Consultant, Melbourne, Australia and International Vice-President, ICOMOS



Kristal Buckley
(C. Boucher, 2007)

An Overview of the Round Table Discussions

Before doing that, there are two general observations. First, there is a tendency in the discussions to construct a set of dichotomies which simplify the 'two Conventions' and their operations into two opposing and mutually exclusive worlds. For example:

- tangible vs intangible aspects of culture and heritage;
- regional and geographic notions such as: the west vs the rest, or north-and-south;
- the sometimes mentioned living vs dead heritage;
- the local vs the universal, and the associated ideas of top down/bottom up, or elitist vs grass roots approaches.

Maybe this is a common tendency, and a way of making sense of complexity. However, like the previous debates around nature/culture and moveable/immovable heritage, these are probably unhelpful, and despite the seductive appeal of the simplicity they create, the temptation to conduct the dialogue within these frameworks should be resisted. Stereotypes arising from them act to establish distance rather than seeking common ground, and the examples used to sustain them are often built on poor practice. There is a lot of baggage brought to a discussion of this kind. We need to examine our own to make real progress.

Second, it is worth remembering that both of these Conventions are agreements between nations (or States Parties), not communities. Both Conventions have worthy inspirational and operational objectives. Both are capable of evolution (for the better) as a response to challenges from diverse concepts of culture. Both are open and vulnerable to the nationalist interests of States Parties and to the politicised distortions of their otherwise noble intentions. Meanwhile, as Britta Rudolff well explained, neither Convention is able to fully subsume the strengths and capacities of the other; nor do they together cover all the expressions of the cultures and environments of the world.

Where did we get to in the Round Table discussions?

10 points of agreement and progress in the Discussion

1. There is openness and good will for better coordination and further dialogue between those involved in the implementation of the two Conventions. At this point in time, the exchange may seem unbalanced – on one hand, drawing on several decades of experience of use and changes to the World Heritage Convention, and on the other, the new and yet-to-be tested operational approaches of the 2003 Convention. However, this offers valuable opportunities for reflection, insight and creativity on both sides.

2. The outline by Rieks Smeets of the rapid progress in bringing the 2003 Convention into operation is impressive. The need for a better operational understanding of how the two Conventions will interact is fast approaching.
3. The 2004 *Yamato Declaration on Integrated Approaches for Safeguarding Tangible and Intangible Heritage* does not get us very far in working out the relationship between the two Conventions. This is to be expected given that the document marked the early beginnings of the dialogue rather than its conclusion.
4. The dichotomy noted above, between the tangible and intangible aspects of cultural heritage and between the two Conventions, has been well challenged. As Herb Stovel explained, it seems clear that the two Conventions deal with each of these.
5. The experiences of the World Heritage Convention demonstrate that the concepts underpinning these Conventions are not immutable, as shown by John Pinkerton. They can and will evolve through use and testing by States Parties.
6. The two Conventions do take different approaches to listing. There are differences between the ‘Outstanding Universal Value’ threshold for properties included in the *World Heritage List*, and the intent of the *Representative List of the Intangible Cultural Heritage of Humanity* which is to be established through the operation of the 2003 Convention. However, even this distinction is less clear upon further examination. The *Global Strategy for a Representative, Balanced and Credible World Heritage List* envisages a list of properties of ‘Outstanding Universal Value’ which together provide a balanced and representative portrait of the earth’s cultural and natural heritage; and it is not yet certain how the *List of Intangible Cultural Heritage in Need of Urgent Safeguarding* will operate in relation to the focus on representativeness of the 2003 Convention.
7. Some of the differences in terms do not seem to be causing much difficulty at this point. For example, the differences between *safeguarding* and *protection* seem uncontentious; and although some presentations made a distinction between the *processes* and the *products* of cultures, this did not seem to generate points of debate.

8. The development of criteria for the 2003 Convention is well advanced and should be completed during the current year. Meanwhile, the criteria for inscription of properties in the World Heritage List do address intangible aspects of properties. As a number of presentations showed, this includes all of the cultural criteria (not just criterion (vi) as is commonly assumed), and as Christopher Young suggested, also the natural heritage criterion (vii) which deals with *natural beauty and aesthetic importance*.
9. Professional practice is dynamic, and best practice inside and between these two Conventions will need the involvement of experts from a range of disciplines.
10. We need more meetings and discussions before we will make progress toward adequately answering the questions proposed to the Round Table.

Ten Lingerin Issues and Questions

These are areas without agreement or issues that need more discussion.

1. The concept of *authenticity* seems to be a major area of difference between the two Conventions. There are different understandings of this term and its use (or the decision not to use it). These were noted during the Round Table – for example, in Professor Kono’s paper - but not really opened up or solutions advanced. At least for the short-term, a strategy of co-existence is probably preferable to one which might attempt to work toward harmonisation or standardisation in relation to this aspect.
2. *Cultural Landscapes* (in the *Operational Guidelines for the World Heritage Convention*) and *Cultural Spaces* (in the 2003 Convention) seem to be the closest bridges between the two Conventions. These would therefore be beneficial areas for further work towards their integration. This was well demonstrated by the presentations of the African case studies by Gael Amoussou and by Magali Cochar and Kibamba Nimon.
3. In the discussion of mechanisms and procedures, it is important not to forget the more celebratory aspects of each Convention. One of the things they do is to recognise and valorise the world's cultural and natural diversity and to raise awareness. For many communities and States Parties, these aspects are indistinguishable from the primary

motives of protection and safeguarding, and they provide a powerful catalyst for international cooperation.

4. The question of the degree of overlap between the Conventions is unresolved. Some participants consider the distance between them to be substantial, hardly touching at all; while others consider the gap between them to be minimal, with only differences of emphasis. It is interesting that this is not easily agreed.
5. Questions of *integration* between the Conventions are also unresolved. Certainly UNESCO's Director-General, Mr Matsuura has expressed an expectation that integration is needed and can be achieved. How necessary is this? Is it a desirable goal or an unrealistic one, a waste of time? How far do we need to go? Do we need to address it now, or much later? What are the consequences of waiting? These questions have been posed, but not yet answered.
6. As Gustavo Araoz pointed out, it is critical to remember that there are significant ethical dimensions to the operation of these instruments, although this was more implicit than explicit in much of the discussion. The impacts of listing under either Convention on the communities, cultural traditions and physical environments need to be recognised.
7. Regarding the potential for double listing - this will certainly happen, and soon. So the question is whether we react to or facilitate this. As 'experts', it should be our role to do the latter, but if so, how? In which circumstances would we recommend double listing? Can the *management systems* and the *programs, projects and activities for safeguarding* be developed to enable a seamless approach to *protection* and *safeguarding* of the identified values?
8. There are concerns that listing can have the effect of 'freezing' tangible and/or intangible cultural heritage, preventing the continuing re-making of traditions and meanings by future generations. This relationship between 'freezing' and listing is complex, and in my view the concept of *authenticity* is unfairly held responsible by some. Nevertheless, it is true that for the World Heritage List, there is rarely a non-contentious opportunity to reconsider or 'unfreeze' the understanding of the values of inscribed properties. This is a

fundamental dilemma and a structural problem. It is mitigated in situations of good practice by careful and intelligent description of the values, ongoing involvement of communities, and by resilient and responsive management systems. There is both a sense of forewarning and a point of anticipation for the operation of the 2003 Convention and its new lists.

While on the subject of listing, it is extremely important to remember that listing is not an end in itself in either of these Conventions, but is supposedly a means to achieving the greater goals of conservation or safeguarding. Article 5 of the World Heritage Convention stresses the need to care for all the heritage of each country and aims to *give the cultural and natural heritage a function in the life of the community*. It is unfortunately often the case that the listing provisions of the World Heritage Convention take undue and unintended prominence in the energies invested in its use.

9. Although long established, the role of experts and expert Advisory Bodies is a continuing area of discussion and evolution within the World Heritage Convention. These roles have yet to be decided in relation to the 2003 Convention. Riëks Smeets outlined a number of possible directions, and it will be of great interest to see how this is determined.
10. Finally, there is the question of 'Who Decides?' raised by some of the presentations, and well articulated by Susan Buggiey. This is the biggest issue, especially in situations of apparently conflicting values, and in situations where the interests of communities and States Parties may differ.

What Next?

These are some suggestions for further discussion by the Round Table participants.

1. Generally, as noted already, there is a need to continue the discussion. But, this realisation is not new, so whose responsibility is it to ensure that this happens? In general terms there are many local initiatives that will assist; and as Dinu Bumbaru mentioned, ICOMOS has established an International Scientific Committee on Intangible Cultural Heritage, and the 16th General Assembly to be held in Quebec next year will make a contribution through

its Scientific Symposium on the theme of *Finding the Spirit of the Place*. However, the more direct and immediate dialogue at the international level seems sporadic.

2. It is worth thinking about developing a new statement that could take the place of the *Yamato Declaration* in describing the integration between the two Conventions more fully. However, it is probably not yet time to do that until the discussion has progressed further.
3. Working through the practical and procedural issues for double listing situations is fairly urgent. There is not a perfect match in the list of States Parties to the two Conventions, and there are two Intergovernmental Committees/General Assemblies, two sets of UNESCO programs, and numerous existing and potentially involved advisory bodies (and so on). There is potential for confusion and lack of coordination ‘on the ground’. As experts involved in these Conventions, we need to provide help to States Parties to work through these issues, rather than stand on the sidelines.
4. We should not focus too much on the harmonisation of terms, although this can be an attractive focus for the dialogue. We could spend a lot of energy on words, when action and movement might move us there less painfully.
5. As Christopher Young outlined, we should examine how the Operational Guidelines for each of the Conventions assist States Parties to use them. This is an appealing practical task, which could be of early assistance and will also inevitably flag the conceptual debates for the longer term.
6. Two suggestions for targeting specific further joint discussion:
 - linkages between cultural landscapes and cultural spaces; and,
 - sharing expertise in the development of effective *management systems* (including traditional management) and approaches to the *safeguarding* of the physicality of cultural spaces.

In pursuing these, there is evident value in reviewing case studies to illuminate the issues and the possibilities for their resolution.

In all of these steps, let's make sure that we do not lose our way in the sometimes elaborate game of international conventions, remembering that these processes are ultimately about communities of people, their identities, their environments and their futures. As experts, we should try to craft something that is mindful of the ways in which culture is lived and experienced.

Résumé

En se basant sur les présentations et les discussions de la Table ronde, quelques remarques générales ont été préparées :

- Dix zones d'accord et/ou de progrès utile ont émergé des discussions de la Table ronde ;
- Dix zones de questions pour lesquelles davantage de discussion aurait été nécessaire ont été identifiées ;
- Six suggestions au sujet des prochaines étapes à suivre ont été identifiées.

Les résultats de la Table ronde démontrent l'importance de ce dialogue et le besoin urgent de continuer.

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Conclusion

La Table ronde 2007 organisée par la Chaire de recherche du Canada en patrimoine bâti a examiné deux Conventions de l'UNESCO qui ont comme principaux objectifs la protection et la sauvegarde du patrimoine. Il s'agit de la « Convention concernant la protection du patrimoine mondial culturel et naturel » de 1972 (connu sous le nom de « Convention du patrimoine mondial ») et de la toute récente « Convention pour la sauvegarde du patrimoine culturel immatériel » de 2003. La convention de 1972 a une réputation établie après plus de trente années de mise en oeuvre. La nouvelle convention est encore dans sa phase initiale, développant les règles, les politiques, les critères et les directives.

Ayant comme intérêt commun la protection du patrimoine, les deux Conventions possèdent des différences considérables mais elles ont néanmoins une zone de responsabilité qui se chevauche. En regard de ces conventions, la Table ronde 2007 a exploré les rapports entre le patrimoine matériel et le patrimoine immatériel, tel que défini dans ces deux instruments internationaux, avec comme objectif de clarifier l'étendue de chacun et d'identifier des occasions de renforcement mutuel.

Organisation de la Table ronde

La Table ronde 2007 a réuni trente-six participants et plus de trente observateurs composés principalement d'étudiants provenant de programmes canadiens d'études supérieures en patrimoine. Les participants provenaient de dix pays : l'Australie, le Canada, la France, le Royaume de Bahreïn, le Japon, la Corée, le Mali, le Togo, le Royaume-Uni et les États-Unis d'Amérique. On comptait dans l'assistance des experts du patrimoine provenant d'institutions académiques, d'organisations gouvernementales et non gouvernementales aussi bien que des représentants de l'UNESCO et de l'ICOMOS. Trois étudiants du programme M.Sc.A de la Faculté de l'aménagement de l'Université de Montréal ont présenté leur recherche sur des sites du patrimoine mondial en Afrique, en association avec la Chaire de recherche du Canada en patrimoine bâti. Des étudiants de deuxième et de troisième cycle de trois universités canadiennes (Carleton, Laval et Montréal) ont agi en tant que rapporteurs pour les différentes sessions. Dix-huit présentations formelles ont fourni une structure pour les discussions. Le second jour de la Table ronde a été réservé à un forum de discussions.

Le programme a été structuré en six sessions qui ont couvert une gamme générale de théories et pratiques, y compris plusieurs études de cas illustrant l'interaction complexe entre la patrimoine matériel et le patrimoine immatériel dans le contexte des deux conventions. La session I a tenté d'illustrer l'étendue des deux conventions de l'UNESCO, avec une accentuation particulière sur l'inclusion d'aspects tangibles et intangibles dans chacune d'elles. Les orateurs ont également rapporté certains points soulevés lors des réunions antérieures sur le sujet qui ont eu lieu au Zimbabwe et au Japon. La session II s'est concentrée sur les définitions, les mécanismes et les processus nécessaires pour identifier les valeurs patrimoniales, ainsi que sur une proposition pour placer les deux conventions dans une structure théorique générale. La session III a traité des activités de la conservation et des impacts potentiels que les différentes approches peuvent avoir sur le développement des politiques et de l'expertise professionnelle. La session IV a soulevé la question à savoir si les deux conventions pourraient être appliquées au même espace physique, avec une exploration de chevauchements potentiels, une coordination et un ajustement aux méthodes de travail. Finalement, la session V nous a présenté les comptes-rendus des rapporteurs, suivis par une discussion de la Table ronde au cours de la session VI.

Pour les participants, le lieu choisi pour la réunion, l'Église Erskine and American de Montréal, a fourni une bonne illustration des questions soulevées lors de la Table ronde, notamment pour évaluer les implications de séparer le patrimoine culturel immatériel de son expression physique. En effet, récemment convertie en espace de conférence sous les auspices du Musée des beaux-arts de Montréal, l'église a maintenant perdu sa fonction de lieu de culte.

Observations générales

Les conventions de 1972 et 2003 reflètent les perspectives de leur temps. Suite aux discordes engendrées par les deux guerres mondiales en Europe, les hommes politiques ont recherché des éléments qui relieraient les gens les uns aux autres. Parmi les résultats de cette approche, mentionnons la création d'organisations globales comme l'ONU et l'UNESCO, aussi bien que des instruments internationaux qui ont souligné notre humanité commune. De cette ligne de pensée nous vient le concept de *valeur universelle exceptionnelle*, la base fondamentale du système du patrimoine mondial. Quelques trois décennies plus tard, confrontés par l'effet homogénéisant de la globalisation, l'accent s'est déplacé vers les éléments qui différencient les gens. Il en résulte une **plus grande** diversité culturelle, des valeurs multiples et **l'implication** de la communauté. **Voilà le contexte qui sert d'assise pour** la « Convention pour la sauvegarde du patrimoine culturel

immatériel », soit une liste représentative du patrimoine **définie** par les communautés, les groupes et les individus.

Dans un avant-projet préliminaire, le concept de patrimoine culturel immatériel a été mentionné comme *valeur spécifique exceptionnelle*. Pendant que les États parties à la « Convention pour la sauvegarde du patrimoine culturel immatériel » raffinent encore le concept de « représentatif », Rieks Smeets, secrétaire au comité intergouvernemental, a informé les participants qu'on pourrait définir le concept comme « représentatif de la créativité humaine des groupes et des communautés ».

Comme la Table ronde l'a dévoilé, il est devenu clair que le titre formel pour la réunion était un terme trompeur. Les deux conventions ont été étiquetées faussement comme la convention « matérielle » de 1972 et la convention « immatérielle » de 2003. Cette polarisation est inexacte. Pendant que la caractérisation des deux est parfois simplifiée comme une dichotomie de produits (les sites) versus les processus (créativité), une analyse plus profonde montre que chacune des conventions inclut à la fois la notion de patrimoine matériel et celle de patrimoine immatériel dans son étendue. Comme Sarah Titchen l'a signalé dans sa présentation, dans les trente années de mise en oeuvre de la « Convention du patrimoine mondial », aucune distinction spécifique entre patrimoine « matériel » et « immatériel » n'a jamais été faite.

Il est intéressant de constater de quelle façon le patrimoine est défini dans les deux conventions. Pour la « Convention du patrimoine mondial », le « patrimoine culturel » est défini comme monuments, groupes de bâtiments et sites, alors que le « patrimoine naturel » est défini comme monuments naturels, formations géologiques et physiologiques et sites naturels. La définition des sites culturels comme « œuvres conjuguées de l'homme et de la nature, ainsi que les zones y compris les sites archéologiques qui ont une valeur universelle exceptionnelle du point de vue historique, esthétique, ethnologique ou anthropologique » est particulièrement révélatrice du sujet de discussion de la Table ronde.

Pour la convention de 2003, le « patrimoine culturel immatériel » se définit comme les pratiques, les représentations, les expressions, les connaissances et les compétences – aussi bien que les instruments, objets, artefacts et espaces culturels qui y sont associés – que les communautés, groupes et, dans quelques cas, les individus reconnaissent comme faisant partie de leur

patrimoine culturel. Ce patrimoine culturel immatériel, transmis de génération en génération, est recréé constamment par les communautés et les groupes en réponse à leur environnement, leur interaction avec la nature et leur histoire.

Le chevauchement potentiel entre les deux conventions se produit dans la région d'activités de création humaine qui sont exprimées en association avec des lieux spécifiques. La majeure partie du patrimoine culturel immatériel n'est pas associée à un site spécifique. Quarante pour cent des activités inscrites sous la « Proclamation des chefs-d'œuvre du patrimoine oral et immatériel de l'humanité » ne sont pas associées à des lieux spécifiques selon Rieks Smeets. Environ dix pour cent de ces chefs-d'œuvre cités inclut des espaces culturels, quelques-uns étant reliés aux Sites du patrimoine mondial.

Dans sa présentation, Rieks Smeets a expliqué comment la « Convention pour la sauvegarde du patrimoine culturel immatériel » inclut dans sa définition une interconnexion nécessaire entre activités créatives – pratiques, représentations, expressions, connaissance, compétences – et leurs attributs physiques définis comme « instruments, objets, artefacts et espaces culturels ». Laurier Turgeon a illustré ce point dans sa conférence sur *l'Inventaire des ressources ethnologiques du patrimoine immatériel* au Québec, dans lequel il a souligné l'importance de commencer plutôt avec les pratiques culturelles qu'avec les produits physiques de la culture matérielle. Le chevauchement potentiel avec la convention de 1972 se produit autour de la notion d'« espaces culturels ». Le Patrimoine mondial est toujours associé à un lieu spécifique et doit rencontrer l'exigence de posséder la valeur universelle exceptionnelle. Par conséquent, dans ces situations où le patrimoine culturel immatériel est associé aux espaces culturels, selon la convention de 2003, et que ces espaces culturels sont aussi inscrits comme Sites du patrimoine mondial, les deux Conventions s'appliqueraient au même endroit. À la question « Est-ce que le même site peut être inscrit sous les deux conventions? », la réponse est oui.

Britta Rudolff a présenté une structure conceptuelle utile afin de comprendre la relation entre les deux conventions. Se basant sur sa récente thèse de doctorat, elle a affirmé que les deux conventions nous montrent le patrimoine comme un produit plutôt que comme un processus complexe de la construction de la signification. Elle a proposé d'utiliser le terme « topologie » afin de mettre l'accent sur le processus créatif lui-même plutôt que de focaliser sur les produits de créativité. Elle a postulé que le processus de construire la signification – “meaning-making

process” – est un concept intégré qui par la suite peut se diviser en une variété d'expressions. Dans cette perspective, le patrimoine matériel et le patrimoine immatériel sont deux produits de la créativité humaine. Quant à la classe spéciale de patrimoine que les deux conventions sollicitent – espaces culturels au sein des Sites du patrimoine mondial – une approche holistique basée sur sa structure théorique impliquerait que ce patrimoine immatériel aurait besoin du support de son espace culturel et vice versa.

Faculté d'adaptation de la Convention du patrimoine mondial

Plusieurs orateurs présents à la Table ronde 2007 ont dressé le portrait sur la façon dont la Convention du patrimoine mondial s'est adapté afin de faire changer la perception du patrimoine. Les présentations se sont concentrées en particulier sur les changements de critères, l'apparition des paysages culturels comme une catégorie distincte et sur les nouvelles politiques.

Critères

Sarah Titchen et John Pinkerton ont documenté les changements aux critères d'inscription à travers le temps. Le critère (vi) fournit le premier et le plus évident lien entre les lieux et les valeurs qui y sont associées. Comme Pinkerton l'a démontré, au début, le critère (vi) avait le même statut que n'importe quel autre critère, mais au fil des années, le Comité du Patrimoine mondial a exprimé son ambivalence envers les valeurs immatérielles en exigeant l'usage d'au moins un critère supplémentaire avec le critère (vi). Ces orateurs ont signalé que d'autres critères ont également évolué avec le temps pour faire place aux valeurs plus immatérielles. Leur analyse illustre le changement des critères initiaux qui favorisaient clairement l'architecture monumentale et les anciennes cultures disparues, vers les critères modifiés qui incluent l'usage traditionnel de la terre, les civilisations vivantes et traditions vivantes qui y sont associées.

Paysages culturels

Plusieurs orateurs ont décrit les défis auxquels ont fait face le Comité du Patrimoine mondial dans les années 1980 pour évaluer des sites avec les valeurs naturelles et culturelles combinées, surtout en ce qui a trait à des sites naturels où il y a peu ou pas d'évidence matérielle. Le travail du développement de la politique qui a suivi a mené à la définition formelle de paysages culturels en 1992. Cela a marqué une évolution importante dans l'interprétation de la Convention du Patrimoine mondial. Un des éléments d'importance pour le sujet traité au cours de la Table ronde 2007 est les « paysages culturels associatifs » reconnus pour leurs liens religieux, spirituels,

artistiques ou culturels puissants avec l'environnement naturel. La nouvelle catégorie a influencé des perceptions au sujet de ce qui a constitué la valeur universelle exceptionnelle et a mené à la reconnaissance de la complexité et de la diversité des valeurs associées aux lieux. Afin d'illustrer ce point, les orateurs ont cité l'exemple des terrasses de riz des cordillères philippines de même que le paysage culturel de Sukur au Nigeria. En utilisant l'approche des paysages culturels, le Comité a examiné de nouveau quelques sites du Patrimoine mondial existants qui avaient été inscrits précédemment seulement en fonction de leurs valeurs naturelles, et ils ont ajouté les valeurs culturelles appropriées. Parmi ces exemples, mentionnons le Parc national de Tongariro en Nouvelle-Zélande de même que Uluru-Kata Tjuta en Australie.

Stratégie globale

D'autres orateurs, incluant John Pinkerton, ont relevé que les changements stratégiques apportés aux documents de la politique en 1994 ont élargi l'étendue de la convention. *La Stratégie globale pour une Liste du patrimoine mondial équilibrée, représentative et crédible* a élargi la notion de valeur universelle exceptionnelle pour reconnaître des sites de coexistence humaine avec la terre aussi bien que des interactions humaines, la coexistence culturelle, la spiritualité et l'expression créative. Le Document de Nara sur l'authenticité de 1994 a élargi l'état de qualification de l'authenticité pour inclure des notions comme tradition, usage, esprit et sentiment. Ces changements de la politique ont encouragé l'inclusion de lieux possédant un plus haut degré de valeurs immatérielles et associatives. En conséquence, certaines inscriptions subséquentes ont mis une grande accentuation sur les lieux où les traditions culturelles comme la langue, la danse, les pratiques traditionnelles et les cérémonies sont demeurées vivantes. Pour illustrer ces propos, les orateurs ont mentionné des sites comme les plantations sacrées de Osun-Osogbo au Nigeria et Koutammakou, la terre du Batammariba au Togo où les liens continus entre les gardiens traditionnels et leur environnement renforcent leur interdépendance.

Activités de conservation

On retrouve au cœur de chaque convention la protection (1972) et la sauvegarde (2003) du patrimoine. La Convention du patrimoine mondial demande de protéger, de conserver, de présenter et de transmettre aux générations futures le patrimoine culturel et naturel. La Convention pour la sauvegarde du patrimoine culturel immatériel demande de sauvegarder, en assurant le respect et en faisant prendre conscience du patrimoine culturel intangible.

Bien que le but ultime soit semblable, les approches de conservation diffèrent selon chacune des conventions. La Convention pour la sauvegarde du patrimoine culturel immatériel met l'accent sur les aspects sociaux de la conservation. Pendant que la Convention du Patrimoine mondial conseille vivement aux pays de donner une fonction au patrimoine dans la vie de leurs communautés (art. 5), la Convention de 2003 reconnaît explicitement la nature évolutive du patrimoine culturel immatériel, défini comme étant recréé constamment par les communautés et les groupes en réponse à leur environnement, leurs interactions avec la nature et leur histoire. Les deux conventions exigent que les États parties développent des politiques et des structures légales, créent des services professionnels, supportent la recherche et la formation, et fournissent des budgets adéquats. Mais la Convention de 2003 va au-delà de ces mesures pour inclure, dans les activités de sauvegarde, le besoin pour l'éducation, pour la conscientisation aussi bien que la participation de la communauté pour créer, maintenir et gérer leur patrimoine.

Ce changement de défis a établi la conservation et les pratiques de gestion. Actuellement, la bonne prise de décision au niveau du site est guidée par les valeurs patrimoniales du site. Cette approche est connue dans le milieu de la conservation comme la gestion basée sur les valeurs. Plusieurs participants ont mentionné que la façon dont les valeurs sont définies aura un impact sur les choix en conservation. La discussion s'est poursuivie sur la méthodologie à utiliser pour définir les valeurs.

Il est clair que parfois, certains espaces culturels seront inscrits sous les deux conventions. La question qu'on peut alors se poser est comment ces valeurs multiples peuvent être adéquatement identifiées comme fondement pour la gestion. Herb Stovel a signalé une faiblesse dans le système du Patrimoine mondial qui limite la définition de valeurs à celles de valeurs internationales. Dans *l'Orientation devant guider la mise en œuvre de la Convention du patrimoine mondial* (2005), il y a une exigence qui définit une déclaration de valeur universelle exceptionnelle comme étant « la référence principale dans le futur pour la protection et la gestion efficaces du bien » (paragraphe 51). La faiblesse dans cette approche se trouve dans la possibilité que les autres valeurs du site soient ignorées. Il est à noter qu'il y a une échappatoire dans *l'Orientation devant guider la mise en œuvre de la Convention du patrimoine mondial* qui autoriserait le Comité du Patrimoine mondial, s'il le désire, à reconnaître d'autres valeurs et à encourager leur protection et gestion (paragraphe 156). Kristal Buckley a noté cela en Australie où une approche de la gestion basée sur les valeurs a été utile afin de dissoudre les limites entre patrimoine naturel et culturel, y

compris les dimensions immatérielles. La Convention de 2003 n'a pas encore mené à terme son approche de définition des valeurs.

Utilisation des valeurs comme fondement de la conservation

Les participants ont discuté des pratiques d'utilisation des valeurs comme fondement pour la conservation. Les étudiants de deuxième cycle Gaël Amoussou, Magali Cochard et Kibamba Nimon ont présenté les cas d'étude du Mali et du Togo afin d'illustrer la [convergence des valeurs sur les sites](#).

Les efforts de conservation reliés à ces sites africains démontrent clairement l'interdépendance de la structure physique avec la connaissance locale et les pratiques de conservation traditionnelles. Les participants ont soulevé la question à savoir de quelle façon il est possible de gérer des valeurs incompatibles à un site. Selon la Convention du patrimoine mondiale, les valeurs incompatibles peuvent exister. Comme la Convention de 2003 devient de plus en plus opérationnelle, les valeurs supplémentaires seront ajoutées vraisemblablement. Susan Buggey a démontré comment les valeurs universelles et locales et les approches de la conservation peuvent s'opposer; dans sa présentation, elle a illustré une façon de combler ce retard. En utilisant l'exemple de SGang Gwaay, un site du patrimoine mondial au Canada, elle a expliqué comment la cogestion a mené à une approche du compromis afin de conserver les totems sculptés qui servent comme repères visuels pour la tradition orale de la nation amérindienne Haïda. Gustavo Araoz a mis en garde contre la priorité donnée à un ensemble de valeurs sur un autre. Si la priorité vise la conservation des valeurs immatérielles, il y a un risque de perdre leur expression physique, et vice versa. Il a affirmé que chacune a besoin de l'autre pour avoir une signification. Quelques-uns ont suggéré que le principe directeur pour la prise de décision est le besoin à combler pour arriver à trouver l'équilibre parmi les multiples valeurs.

Implications pour les pratiques en conservation

Qu'est-ce que les différents points de vue signifient pour la pratique de la conservation? Est-ce qu'il y a un mérite dans la dichotomie qui caractérise le Patrimoine mondial comme statique et le patrimoine immatériel comme évolutif? La Convention de 2003 n'appelle pas seulement à la protection, mais aussi à l'amélioration du patrimoine culturel immatériel. Est-ce que ceci pose un défi pour les praticiens de la conservation? Les participants de la Table ronde ont noté que le concept de changement directeur existe déjà dans le secteur du patrimoine bâti. En effet, le

Mémorandum de Vienne (2005) a été créé suite à des préoccupations au sujet du développement contemporain dans les villes historiques dans le but de suggérer des principes pour tenir compte de l'évolution des centres urbains.

Mais les participants sont aussi d'avis que les approches de sauvegarde de la Convention pour la sauvegarde du patrimoine culturel immatériel, particulièrement liées à l'éducation et à la participation de la communauté, pourraient rehausser la pratique de la conservation dans la sphère du patrimoine mondial. Les discussions se sont centrées sur certaines catégories du patrimoine mondial qui peuvent particulièrement bénéficier des approches de sauvegarde de la Convention de 2003. Ces catégories incluent les paysages culturels, les villes historiques, les paysages naturels sacrés et les sites dotés de valeurs associatives. Ces lieux partagent des caractéristiques communes. Ils sont des lieux dynamiques dotés de cultures vivantes, ils sont soumis à des changements continuels et ils ont habituellement des valeurs multiples, autant matérielles qu'immatérielles. Julian Smith et Louise Letocha ont suggéré que le patrimoine communautaire pourrait s'inspirer des artistes et des musiciens qui ont souvent à traiter de rapports avec le passé, le présent et le futur. Les approches en conservation doivent nécessairement établir un bon équilibre entre conservation et revitalisation.

Susan Buggey, Herb Stovel et d'autres conférenciers ont développé sur le concept de la meilleure pratique afin de gérer des valeurs multiples et de clarifier la prise de décision. La meilleure pratique exige la participation de spécialistes provenant de diverses disciplines et travaillant dans des environnements multidisciplinaires et interdisciplinaires. En particulier, les opportunités devraient être poursuivies pour impliquer les communautés et les dépositaires d'enjeux dans un dialogue significatif. Cette approche encouragerait une meilleure documentation des rituels, des systèmes de croyance et des traditions orales en rapport avec les lieux historiques et culturels. Dans cette optique, le dialogue remplacerait la prescription pour l'organisation et la prise de décision. Un modèle possible pour une telle approche a été décrit par Susan Buggey dans son explication de la *Stratégie pour les aires protégées des Territoires du Nord-Ouest*. Cette stratégie commence avec le principe fondamental de participation volontaire des communautés autochtones associées.

Quant au patrimoine mondial, Christopher Young a suggéré que l'*Orientation devant guider la mise en œuvre de la Convention du patrimoine mondial* puisse être amendée pour permettre

d'améliorer les conseils quant à la participation des communautés, l'identification des valeurs, le rapport entre les valeurs et la gestion et l'impact estimé de ce processus.

Les participants ont aussi pris part à une discussion importante au sujet des contraintes potentielles pour la gestion d'un site régi par les deux conventions. Tous s'entendaient pour dire que les espaces culturels devraient être gérés de façon holistique, en prenant en considération toutes les valeurs associées à chacun des lieux. Cependant, ils ont mentionné que cette gestion de site n'avait pas lieu dans le vide, mais s'établissait plutôt au sein de la structure des deux conventions. Du point de vue du groupe, une gestion efficace aurait besoin d'aller au-delà des deux conventions afin de fournir l'intendance pour toutes les valeurs du site.

Questions qui exigent une discussion supplémentaire

Kristal Buckley a fait un travail impérieux en résumant les principales conclusions de la Table ronde au cours de la session V. Elle a présenté les participants avec une liste de dix questions qui ont été plus ou moins résolues au cours de la Table ronde 2007, puis a poursuivi par une deuxième liste de dix questions, laquelle est restée ouverte pour plus de discussions. Parmi les questions non résolues on retrouvait la terminologie, l'authenticité, la question des amérindiens et l'intégration.

Les participants ont soulevé la question de la terminologie comme une question qui aurait exigé plus de discussions. Le besoin pour comprendre et harmoniser des termes spécifiques est allé au-delà des textes des deux conventions pour inclure la *Déclaration de Yamato sur les approches intégrées de la sauvegarde du patrimoine matériel et immatériel* (2004). Il y avait différents points de vue à la Table ronde sur la Déclaration de Yamato : quelques participants la trouvaient confondante et d'autres non. La présentation du professeur Kono a identifié plusieurs termes spécifiques qui exigent une réévaluation d'un point de vue légal, y compris des mots comme « interdépendance » et « intégré ».

Une autre question qui aurait exigé une discussion supplémentaire est la signification de « l'authenticité » dans le contexte du patrimoine culturel immatériel. L'enjeu est la revitalisation du patrimoine culturel immatériel et le désir de ne pas invalider son évolution naturelle. Des points de vue différents ont été soulevés à la Table ronde sur l'à-propos d'appliquer le concept d'authenticité aux dimensions immatérielles. Une voie possible proposée par Herb Stovel consiste

à moins se concentrer sur l'usage de mots précis comme « authenticité » et « intégrité » mais plutôt de considérer que ces mots représentent des conditions de qualification qui, lorsque présentes, aident à assurer que les sites soient crédibles et constituent la réflexion véritable des valeurs qui leur sont associées. Les conditions de qualification pourraient aussi être utilisées comme indicateurs sur la meilleure façon de maintenir des formes, des traits et des processus critiques des valeurs. Gordon Fulton a suggéré que la « continuité » pourrait être une condition de qualification supplémentaire d'une pertinence particulière applicable aux villes historiques et au patrimoine soumis à une évolution continue.

Plusieurs orateurs ont signalé un aspect important qui a été peu traité à la Table ronde, à savoir la pertinence de modèles indigènes. L'approche holistique et les systèmes intégrés de connaissances que les autochtones utilisent dans leurs rapports avec l'environnement pourraient contribuer à une meilleure compréhension du sujet. Il est intéressant de noter les ressemblances entre les modèles indigènes et le concept de topologie présenté par Britta Rudolff.

La Table ronde s'est interrogée sur la question de comment fortifier les liens partagés et donner du sens aux deux Conventions. En confirmant leur interdépendance, les participants ont réitéré que, dans les régions de chevauchement, chaque convention a besoin de l'autre et peut apprendre de l'autre. Une discussion sur la signification d'une « approche intégrée » des deux conventions n'a pas été concluante, et quelques participants étaient d'avis qu'un tel but, si désirable, était prématuré à ce moment-ci. Néanmoins, les participants étaient unanimes sur l'importance que toutes les parties coordonnent leurs activités en rapport avec les deux conventions. Ils ont mis l'accent sur le fait que l'objectif fondamental d'une telle coordination devrait être l'élaboration de conseils logiques et de support aux gestionnaires de lieux patrimoniaux. Comme Herb Stovel l'a mentionné, le défi est d'éviter de mettre les choses dans des boîtes, mais plutôt de trouver des approches qui assureront que tous les éléments soient gardés ensemble pour conserver et diriger les lieux historiques et les espaces culturels. Une telle coordination est essentielle à tous les niveaux, y compris pour les secrétariats de l'UNESCO, les gouvernements nationaux, les groupes consultatifs et la société civile.

Derniers mots

La recommandation la plus importante provenant de la Table ronde 2007 de Montréal est de poursuivre la discussion. Les questions sont importantes et nécessitent plus de discussions afin de

d'en arriver à une meilleure compréhension et un consensus. La Table ronde a été un événement hautement sollicité de même qu'un véritable forum où les participants ont pu apprendre les uns des autres. Beaucoup ont affirmé qu'ils avaient approfondi leur compréhension des rapports entre les deux conventions. Il est clair que le sujet a suscité énormément d'intérêt et justifierait facilement un symposium ouvert à un plus large public. À cet égard, l'attention a été portée sur l'Assemblée générale de l'ICOMOS International qui aura lieu à Québec, en 2008, sous le thème de *Genius loci : l'esprit du lieu*.

La Table ronde 2007 a atteint son but, celui de clarifier l'étendue des deux conventions et d'identifier des opportunités de renforcement mutuel. La *Convention pour la sauvegarde du patrimoine culturel immatériel* déclare que rien dans la convention ne change le statut ou diminue le niveau de protection des sites du patrimoine mondial auxquels des valeurs immatérielles sont associées (art.3). Tandis que cette déclaration est littéralement exacte, la Convention de 2003 influencera inévitablement la façon dont la Convention du patrimoine mondial est mise en application. Christopher Young fait une analogie pertinente en soulevant la question de l'influence de T.S. Eliot sur Shakespeare. La même question pourrait être posée sur l'influence de la Convention de 2003 sur la Convention du Patrimoine mondial. Vu sous l'angle de la Convention de 2003, le patrimoine mondial veillera à identifier toutes les valeurs associées à un espace culturel. Le patrimoine mondial mettra aussi vraisemblablement plus d'emphase sur la conscientisation et la participation des communautés dans la sauvegarde des activités humaines nécessaires à la conservation des matériaux. Ces deux conventions enrichissent notre compréhension du patrimoine défini comme la construction de la signification.

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Conclusion

The 2007 Round Table organized by the Canada Research Chair on Built Heritage examined two UNESCO Conventions that have as their primary focus the protection and safeguarding of heritage. These are the 1972 Convention concerning the Protection of the Cultural and Natural Heritage (known as the World Heritage Convention) and the 2003 Convention for the Safeguarding of the Intangible Cultural Heritage. The earlier Convention has an established reputation of success after more than thirty years of implementation. The recent Convention is still in its start-up phase, developing rules, policies, criteria and guidelines.

While sharing a common interest in protecting heritage generally, the two Conventions have significant differences and at least one area of overlapping responsibility. Through the lens of these Conventions, the 2007 Round Table explored relationships between tangible and intangible heritage, as defined in the two international instruments, with a view to clarifying the scope of each and identifying opportunities for mutual reinforcement.

Round Table Organization

The 2007 Round Table brought together thirty-six participants and over thirty student observers from Canadian graduate programs in heritage. Participants came from ten countries, including Australia, Canada, France, Kingdom of Bahrain, Japan, Korea, Mali, Togo, United Kingdom and United States of America. In attendance were heritage experts from academic institutions, governmental and non-governmental organizations as well as representatives from UNESCO and ICOMOS. Three students from the M.Sc.A program at the Faculté de l'aménagement at the University of Montréal presented their research on World Heritage Sites in Africa, in association with the Canada Research Chair on Built Heritage. Graduate students from three universities (Carleton, Laval and Montreal) served as session Rapporteurs. Eighteen formal presentations provided a framework for the discussions. The second day of the Round Table was reserved for an open forum.

The program was structured into six sessions that covered a broad range of theory and practice, including several case studies illustrating the complex interaction between tangible and intangible heritage in the context of the two Conventions. Session I illustrated the scope of the two UNESCO Conventions, with particular emphasis on the inclusion of both tangible and intangible

aspects in each one; speakers also reported on previous meetings on the topic in Zimbabwe and Japan. Session II focused on definitions, listing mechanisms and processes for identifying heritage values, as well as a proposal for positioning the two Conventions in a broad theoretical framework. Session III dealt with conservation activities and the potential impacts that different approaches might have on policy development and professional expertise. Session IV raised the question of whether the two Conventions could be applied to the same physical space, with an exploration of potential overlaps, coordination and adjustments to working methods. Session V presented the reports of the Rapporteurs, followed by a Round Table discussion in Session VI.

For participants, the venue for the meeting in the beautiful Erskine and American Church in Montreal provided a good illustration of the issues under discussion at the Round Table. Recently converted to conference space under the auspices of the Montreal Museum of Fine Arts, the church no longer functions in its original religious capacity. It therefore served as an illustration and focal point for assessing the implications of separating intangible cultural heritage from its physical expression.

General Observations

The Conventions of 1972 and 2003 reflect the outlook of their times. Following the discord of two World Wars in Europe, statesmen looked for elements that would connect people to one another. Among the outcomes of this approach was the creation of global organizations like the UN and UNESCO, as well as international instruments that underlined our common humanity. From this line of thinking comes the concept of *outstanding universal value*, the fundamental bedrock of the World Heritage system. Some three decades later, confronted by the homogenizing effect of globalization, emphasis has shifted to those elements that differentiate people. This approach results in a shift towards cultural diversity, multiple values and community voices. This is the context for the key concept that anchors the Intangible Cultural Heritage Convention: a *representative list* of heritage as defined by communities, groups and individuals. In a preliminary draft, the concept for intangible cultural heritage was referred to as *outstanding specific value*. While the States Parties to the Intangible Cultural Heritage Convention are still refining the concept of “representative”, Rieks Smeets, secretary to the intergovernmental committee, informed participants that a working definition is “representative of human creativity of groups and communities”.

As the Round Table unfolded, it became clear that the formal title for the meeting was a misnomer. The two Conventions have been labelled erroneously as the “tangible” Convention of 1972 and the “intangible” Convention of 2003. This polarization is incorrect. While characterization of the two is sometimes over-simplified as a dichotomy of *products* (the sites) versus *processes* (creativity), deeper analysis shows that each Convention includes both tangible and intangible heritage within its scope. As Sarah Titchen pointed out in her paper, in the thirty years of implementation of the World Heritage Convention, no specific distinction between “tangible” and “intangible” heritage has ever been made.

It is revealing to look at how heritage is defined in the two Conventions. For World Heritage, “cultural heritage” is defined as monuments, groups of buildings and sites; “natural heritage” is defined as natural features, geological and physiographical formations, and natural sites. Of particular relevance to the topic under discussion is the definition of cultural sites as “the combined works of nature and man, and areas including archaeological sites which are of outstanding universal value from the historical, aesthetic, ethnological or anthropological point of view.”

For the 2003 Convention, “intangible cultural heritage” means the practices, representations, expressions, knowledge, skills – as well as the instruments, objects, artefacts and cultural spaces associated therewith – that communities, groups and, in some cases, individuals recognize as part of their cultural heritage. This intangible cultural heritage, transmitted from generation to generation, is constantly recreated by communities and groups in response to their environment, their interaction with nature and their history.

Potential overlap between the two Conventions occurs in the area of human creative activities that are expressed in association with specific locations. Most intangible cultural heritage is not site-specific. As a reliable indicator, 90 per cent of the activities listed under the earlier UNESCO programme on the *Masterpieces of the Oral and Intangible Heritage of Humanity* (1997) are not linked to places, according to Rieks Smeets. About 10 per cent of the proclaimed Masterpieces include cultural spaces, some related to World Heritage Sites.

In his presentation, Rieks Smeets explained how the Intangible Cultural Heritage Convention sets up in its definition a necessary interconnection between creative activities -- practices,

representations, expressions, knowledge, skills – and their physical attributes, defined as “instruments, objects, artefacts and cultural spaces”. Laurier Turgeon illustrated this point in his paper on Quebec’s *Inventaire des ressources ethnologiques du patrimoine immatériel* in which he underlined the importance of beginning with cultural practices rather than the physical products of material culture. Potential overlap with the 1972 Convention occurs around the notion of “cultural spaces”. World Heritage is always site-specific and must meet the requirement to possess outstanding universal value. Therefore, in those situations where intangible cultural heritage is associated with cultural spaces, as per the 2003 Convention, and those cultural spaces are also listed as World Heritage Sites, the two Conventions would apply to the same place. In answer to the question “can the same site be listed under both Conventions?” the answer is yes.

Britta Rudolff presented a useful conceptual framework as a means of understanding the relationship between the two Conventions. Based on her recent doctoral thesis, she argued that both Conventions make us look at heritage as products rather than the complex processes of the construction of meaning. She proposed the use of the word “topology” to shift focus away from the products of creativity to the creative process itself. She postulated that the process of constructing meaning – “meaning-making process” -- is an integrated one which subsequently separates into a variety of expressions. From this perspective, tangible and intangible heritage are both products of human creativity. With regard to the special class of heritage for which the two Conventions apply -- cultural spaces within World Heritage Sites -- a holistic approach based on her theoretical framework would imply that intangible heritage needs the support of its cultural space and vice versa.

Adaptability of the World Heritage Convention

Several speakers at the 2007 Round Table addressed the ways in which the World Heritage Convention has adapted to changing perceptions of heritage. Papers focused in particular on changes to criteria, the emergence of cultural landscapes as a distinct category and new policy instruments.

Criteria

Sarah Titchen and John Pinkerton documented the changes to inscription criteria over time. Criterion (vi) provides the earliest and most obvious link between places and their associated values. As Pinkerton demonstrated, at the beginning criterion (vi) had the same status as any

other criteria, but over the years the World Heritage Committee expressed its ambivalence towards intangible values by requiring the use of at least one additional criterion along with criterion (vi). These speakers pointed out that other criteria evolved over time to make way for more intangible values. Their analysis illustrates the shift from the initial criteria, which clearly favoured monumental architecture and ancient cultures that had disappeared, to modified criteria that include traditional land use, living civilisations and associated living traditions.

Cultural Landscapes

Several speakers described the challenges faced by the World Heritage Committee in the 1980s to evaluate sites with combined natural and cultural values, especially in natural sites where there is little or no material evidence. The policy development work that ensued led to the formal definition of cultural landscapes in 1992. This marked an important evolution in the interpretation of the World Heritage Convention. Of particular importance for the subject under discussion are “associative cultural landscapes”, recognized for their powerful religious, spiritual, artistic or cultural links with the natural environment. The new category influenced perceptions about what constituted outstanding universal value and led to increased acknowledgement of the complexity and diversity of values associated with places. To illustrate this point, speakers cited the listing of the Rice Terraces of the Philippine Cordilleras and Sukur Cultural Landscape in Nigeria as good examples. Using the cultural landscapes approach, the Committee re-examined some existing World Heritage Sites, which had previously been listed for natural values only, and added cultural values as appropriate. Among the examples are Tongariro National Park in New Zealand, and Uluru-Kata Tjuta in Australia.

Global Strategy

Other speakers, including John Pinkerton, made the case that strategic changes to policy documents in 1994 widened the scope of the Convention. The *Global Strategy for a Balanced, Representative and Credible World Heritage List* enlarged the notion of outstanding universal value to recognize sites of human coexistence with the land as well as human interactions, cultural coexistence, spirituality and creative expression. The 1994 *Nara Document on Authenticity* broadened the qualifying condition of authenticity to include notions like tradition, use, spirit and feeling. These policy changes encouraged the inclusion of places with a higher degree of intangible and associative value. As a result, some subsequent inscriptions put greater emphasis on places where cultural traditions like language, dance, traditional practices and

ceremony continue. By way of illustration, speakers pointed to sites like Osun-Osogbo Sacred Grove in Nigeria and Koutammakou, the Land of the Batammariba in Togo, where continuing links between traditional custodians and their environment reinforce their interdependence.

Conservation Activities

At the heart of each Convention is the protection (1972) and safeguarding (2003) of heritage. The World Heritage Convention calls for protecting, conserving, presenting and transmitting to future generations the cultural and natural heritage. The Intangible Cultural Heritage Convention calls for safeguarding, ensuring respect and raising awareness of intangible cultural heritage.

While the ultimate goal is similar, the approaches to conservation differ with each Convention. The Intangible Cultural Heritage Convention puts greater emphasis on the social aspects of conservation. While the World Heritage Convention urges countries to give heritage a function in the life of their communities (art. 5), the 2003 Convention explicitly recognizes the evolving nature of intangible cultural heritage, defined as being constantly recreated by communities and groups in response to their environment, their interaction with nature and their history. Both Conventions require States Parties to develop policies and legal frameworks, create professional services, support research and training, and provide adequate budgets. But the 2003 Convention goes beyond these measures to include in safeguarding activities the need for education, awareness-raising and capacity-building as well as community participation in creating, maintaining and managing their heritage.

This shift in emphasis challenges established conservation and management practices. Currently, good decision-making at the site level is guided by the heritage values found at the site. This approach is known in conservation circles as values-based management. Several participants cautioned that the way values are defined will have an impact on conservation choices. Discussion ensued on the methodology for defining values.

It is clear that occasionally cultural spaces will be listed under both Conventions. The question therefore arises as to how these multiple values can be adequately identified as a baseline for stewardship. Herb Stovel pointed out a weakness in the World Heritage system which limits the definition of values to those of international value. In the new *Operational Guidelines for the Implementation of the World Heritage Convention* (2005), there is a requirement for a *statement*

of outstanding universal value as “the key reference for the future effective protection and management of the property” (para.51). The weakness in this approach lies in the possibility that other values at the site will be ignored. It is worth noting that there is a loophole in the *Operational Guidelines* that would allow the World Heritage Committee, if it so desired, to recognize other values and encourage their protection and management (para.156). Kristal Buckley noted that in Australia a values-based management approach has been useful in dissolving the boundaries between natural and cultural heritage, including the intangible dimensions. The 2003 Convention has not yet finalized its approach to defining values.

Using Values as a Baseline for Conservation

Participants discussed the practice of using values as a baseline for conservation. Graduate students Gaël Amoussou, Magali Cochard and Kibamba Nimon presented case studies from Mali and Togo to illustrate that all values converge at the site level. The conservation efforts underway at these African sites clearly demonstrated the interdependence of physical fabric with local knowledge and traditional conservation practices. Participants raised the issue of how to manage conflicting values at a single site. Under the World Heritage Convention alone, conflicting values can exist. As the 2003 Convention gains momentum, additional values will likely be added. Susan Buggey demonstrated how universal and local values and conservation approaches can be in opposition; in her paper, she illustrated one way to bridge that gap. Using the example of SGang Gwaay World Heritage Site in Canada, she explained how co-management has led to a compromise approach to conserving the carved totemic poles that serve as visual keys to the Haida First Nation’s oral tradition. Gustavo Araoz cautioned against giving priority to one set of values over another. If priority is given to conserving intangible values, there is a risk of losing their physical expression, and vice versa. He argued that each needs the other to have significance. Some suggested that a guiding principle for decision-making is the need to seek balance among the multiple values.

Implications for conservation practice

What do the different views mean for conservation practice? Is there merit in a dichotomy which characterizes World Heritage as static and intangible heritage as evolving? The 2003 Convention calls not just for protection but also for enhancement of intangible cultural heritage. Does this pose a challenge for conservation practitioners? Round Table participants noted that the concept of managing change already exists in the built heritage sector. Indeed, the Vienna Memorandum

(2005) was created to address concerns about contemporary development in historic cities and to suggest principles to allow for the evolution of urban centres.

But participants also felt that safeguarding approaches in the Intangible Cultural Heritage Convention, especially related to education and community involvement, could enhance conservation practice in the World Heritage sphere. Discussions centred on certain categories of World Heritage that might particularly benefit from the safeguarding approaches of the 2003 Convention. These categories include cultural landscapes, historic cities, sacred natural landscapes and sites with associative values. These places share common characteristics. They are dynamic places with living cultures, they are subject to continual change, and they usually have multiple values, both tangible and intangible. Julian Smith and Louise Letocha suggested that the heritage community could learn from artists and musicians who often deal with relationships among the past, present and future. Conservation approaches necessarily have to strike a balance between conservation and revitalisation.

Susan Buggey, Herb Stovel and others spoke about the concept of best practice in order to manage multiple values and clarify decision-making. Best practice requires the involvement of specialists from a broad range of disciplines, working in multidisciplinary and interdisciplinary environments. In particular, opportunities would need to be pursued to involve communities and stakeholders in meaningful dialogue. This approach would encourage greater documentation of rituals, belief systems and oral traditions related to historic and cultural places. In this optic, dialogue would replace prescription for planning and decision-making. A possible model for such an approach was described by Susan Buggey in her explanation of the Protected Areas Strategy of the North West Territories. This Strategy begins with the fundamental principle of on-going involvement of the associated aboriginal communities.

With regard to World Heritage, Christopher Young suggested that the Committee's *Operational Guidelines* could be amended to put improve guidance on the involvement of communities, the identification of values, the connection of values to stewardship and impact assessment processes.

Participants also engaged in an important discussion about the potential constraints to site management imposed by the two Conventions. There was consensus that cultural spaces should be managed holistically, taking into account all the values associated with each place. However,

they noted that site management was not taking place in a vacuum but within the framework of the two Conventions. In the view of the group, successful management would need to go beyond the two Conventions in order to provide stewardship for all the values at the site.

Issues requiring further discussion

Kristal Buckley did a masterful job of summing up the main conclusions of the Round Table in Session V. She presented participants with a list of ten issues that were more or less resolved during the 2007 Round Table, followed by a second list of ten which remained open for more discussion. Among the unresolved issues were terminology, authenticity, indigeneity and integration.

Participants raised the issue of terminology as one that required more discussion. The need to understand and harmonize specific terms went beyond the texts of the two Conventions to include the *Yamato Declaration on Integrated Approaches for Safeguarding Tangible and Intangible Cultural Heritage* (2004). There were differing views at the Round Table on the Yamato Declaration, with some participants finding it confusing while others did not. Professor Kono's paper identified a number of specific terms requiring re-evaluation from a legal perspective, including words like "interdependence" and "integrated".

Another issue for further discussion is the meaning of "authenticity" in the context of intangible cultural heritage. At stake is the revitalisation of intangible cultural heritage and a desire not to stultify its natural evolution. The Round Table heard different views on the appropriateness of applying the concept of authenticity to intangible dimensions. Herb Stovel proposed that a possible way forward might be to focus less on the use of precise words like "authenticity" and "integrity" and instead to consider that these words stand for qualifying conditions that, when present, help ensure that sites are credible and truthful reflections of their identified values. Qualifying conditions could also be used as indicators of how best to maintain forms, features and processes critical to sustaining values. Gordon Fulton suggested that "continuity" could be an additional qualifying condition of particular relevance to historic cities and other heritage under continual evolution.

Several speakers pointed to an important aspect that received scant discussion at the Round Table, namely the pertinence of indigenous models. The holistic approach and integrated systems

of knowledge that Aboriginal people bring to their relationship with the environment could contribute to a better understanding of the topic. It is interesting to note the similarities between indigenous models and the concept of topology presented by Britta Rudolff.

The Round Table bore down on the issue of how to strengthen the shared links and make sense of two Conventions. In confirming their interdependence, participants reiterated that, in the areas of overlap, each Convention needs and can learn from the other. A discussion on the meaning of an “integrated” approach to the two Conventions was inconclusive, with some participants taking the position that such a goal, if desirable, was premature at this time. Nonetheless, participants were unanimous in urging all parties to coordinate activities related to the two Conventions. They emphasized that the primary objective of such coordination should be the delivery of consistent advice and support to the stewards of heritage places. As Herb Stovel said, the challenge is to avoid putting things in boxes and instead to find approaches that will ensure that all the elements are kept together for conserving and managing historic places and cultural spaces. Such coordination is essential at all levels, including the UNESCO secretariats, national governments, advisory groups and civil society.

Final Thoughts

The single most important recommendation coming from the 2007 Round Table in Montreal is to keep talking. The issues are important and require more discussion to build understanding and consensus. The Round Table was a highly solicited event, providing an open forum where participants could learn from each other. Many expressed the view that they had deepened their understanding of the relationships between the two Conventions. It is clear that the subject matter elicited a great deal of interest and would easily justify a symposium open to a broader public. In that regard, attention was drawn to the International ICOMOS General Assembly, to be held in Quebec City in 2008, on the theme of *Genius loci: the Spirit of Place*.

The Round Table achieved its purpose of clarifying the scope of the two Conventions and identifying opportunities for mutual reinforcement. The Convention for the Safeguarding of Intangible Cultural Heritage states that nothing in it alters the status or diminishes the level of protection for World Heritage Sites that have associated intangible values (art.3). While this statement is literally accurate, the 2003 Convention will inevitably influence the way the World Heritage Convention is implemented. Christopher Young made a pertinent analogy by raising the question of T.S. Eliot’s influence on Shakespeare. The same question could be asked of the

influence of the 2003 Convention on the earlier World Heritage Convention. Seen through the lens of the 2003 Convention, World Heritage will likely take greater care to identify all the values associated with a cultural space. World Heritage will also likely put more emphasis on awareness-raising and the involvement of communities in safeguarding the human activities that are needed to conserve physical fabric. The two Conventions taken together enrich our understanding of heritage as the construction of meaning.

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