

**20 years later:
The UNESCO Convention for the Safeguarding
of the Intangible Cultural Heritage (2003 Convention)
has reached its 20th year**

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Abstract. In recent years (and now decades), the term “intangible cultural heritage” (ICH) has been more and more commonly present in public dialogue. This article is dedicated to the issue of how the UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage, adopted in 2003, is being implemented. Additionally, it specifically looks over the international launching of procedures to inscribe elements in the World Lists of Intangible Cultural Heritage: Representative List of the Intangible Cultural Heritage of Humanity, List of Intangible Cultural Heritage in Need of Urgent Safeguarding, and Register of Good Safeguarding Practices. The Bulgarian inscription of elements is the focus of attention.

Keywords: intangible cultural heritage, UNESCO, 2003 Convention, inscription of elements in the World Lists of Intangible Cultural Heritage, Bulgarian inscription of elements

It is hardly necessary to be an expert to claim that in recent years (and now decades) the term “intangible cultural heritage” (ICH) has been more commonly present in public dialogue. Mass media, for example, constantly displays messages about organized events in places related to the celebration of different elements of ICH (of lyutenitsa, of soap, of some of the country’s singing traditions, etc.). Scientists organize and participate in scientific events discussing the issues of ICH. Although no specific studies have been conducted, even mere observations show that the term is more and more common in everyday speech and the number of people using it is constantly growing, overcoming the initial skepticism towards it.

At the dawn of the emergence of the concept of intangible cultural heritage, such skepticism was based on a logic with at least two reference points. The first is related to persistent understandings of cultural heritage as material ob-

jects preserved over time. This logic is tightly connected to a constructed notion, formed mainly around/in the Romantic era and materialized mostly thanks to active archaeological activities. Among them, Schliemann's findings, related to Troy, from the second half of the 19th century stand out (see Schliemann 1881). The second reference point stems from views popular among colleagues, primarily in philological circles, who hold that naming through negation is rather illegitimate¹.

Despite the initial hesitations and doubts that arose with the emergence of the term and its first steps toward social acceptance, over the past 20 years, it has become firmly established among scholars and enthusiasts alike, and today it operates without significant objections. This is not a coincidence - within these two decades many events, both global and national, have contributed to building a vision of it and its essence as something necessary.

Of course, first among these events is the 2003 adoption of the UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage (Convention 2003; Konventsiya 2003). In the following years, the launching of international procedures for the inscription of elements in the World Lists of Intangible Cultural Heritage: Representative List of the Intangible Cultural Heritage of Humanity, List of Intangible Cultural Heritage in Need of Urgent Safeguarding, Register of Good Safeguarding Practices, also played a key role in the recognition of the term "intangible cultural heritage" by the broadest layers of society. The widespread popularization of these inscriptions has initiated a significant interest in people, which in turn has proved highly beneficial for the preservation of this heritage. Since the beginning of the procedures for compiling and building the World Lists of Intangible Cultural Heritage in 2008, as of 2024, Bulgaria has entered six inscriptions in the UNESCO Representative List of elements of intangible cultural heritage: 2006/2008 - Bistritsa Babi, archaic polyphony, dances and rituals from the Shoplouk region; 2009 - Nestinarstvo, messages from the past: the Panagyur of Saints Constantine and Helena in the village of Bulgari; 2014 - The tradition of carpet-making in Chiprovtsi; 2015 - Surova folk feast in Pernik region; 2017 - Cultural practices associated with the 1st of March (a multinational nomination); 2021 - Visoko multipart singing from Dolen and Satovcha, South-western Bulgaria (Figs. 1-6), as well as two in the Register of Good Safeguarding Practices: 2016 - Festival of folklore in Koprivshitsa: a system of practices for heritage presentation and transmission; 2017 - Bulgarian Chitalishte (Community Cultural Centre): practical experience in safeguarding the vitality of the Intangible Cultural Heritage (Figs. 7-8) (UNESCO Intangible Cultural Heritage).

The 2003 Convention was adopted by the UNESCO General Conference on 17 October 2003 during its 32nd session held in Paris. The Convention is a result of many years of efforts of the international community with the active participation of Bulgaria to adopt an international instrument that would regulate and support the efforts of the Member States for the protection, revital-

¹ I refer to the situation in Bulgaria that I have personally observed.



Fig. 1. Bistritsa Babi, archaic polyphony, dances and rituals from the Shoplouk region

Fig. 2. Nestinarstvo, messages from the past: the Panagyr of Saints Constantine and Helena in the village of Bulgari



Fig. 3. The tradition of carpet-making in Chiprovtsi



Fig. 4. Surova folk feast in Pernik region



Fig. 5. Cultural practices associated to the 1st of March (a multinational nomination)



Fig. 6. Visoko multipart singing from Dolen and Satovcha, South-western Bulgaria



Fig. 7. Festival of folklore in Koprivshitsa: a system of practices for heritage presentation and transmission



Fig. 8. Bulgarian Chitalishte (Community Cultural Centre): practical experience in safeguarding the vitality of the Intangible Cultural Heritage

ization, safeguarding and ensuring the continuity of those traditional forms of culture that do not have a material character. As of September 2024, the Convention has been ratified and accepted by 183 UNESCO Member States (Convention 2003). In Bulgaria, it was ratified by law by the National Assembly and entered into force on 10 June 2006, making it the 38th country to deposit its instrument of ratification with the Director-General of UNESCO on 10 March 2006 (Implementation of Standard-Setting Instruments 2021).

The UNESCO Secretariat states: “The adoption of the Convention became a milestone in the evolution of international policies for promoting cultural diversity, since for the first time the international community had recognized the need to support the kind of cultural manifestations and expressions that until then had not benefited from such a large legal and programmatic framework” (Working towards a Convention 2009, 3).

The answer to what the contemporary understanding of what the term “intangible cultural heritage” represents can be found in Article 2 of the 2003 Convention: “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” (Convention 2003, art. 2, para 1).

Additionally, in the terms of the Convention, “the “intangible cultural heritage” 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” (Convention 2003, art. 2, para 2).

Today, the 2003 Convention is the main international document that not only lays the basis for the possibilities of safeguarding intangible cultural heritage worldwide, but also sets the basic conceptual frameworks for the reflection of different cultures and different scientific traditions on this heritage, tending to reconcile the different possible meanings they put into the terms. Thus, in the course of the work of formulating the basic postulates that build the content plans of the 2003 Convention, it was agreed to refer to the cultural forms to which it applies by the term “elements” (I have already used this term in the text above). On the one hand, it seeks to introduce a term that could “cover” with equal neutrality the vast number (formally, functionally, etc.) of cultural forms (see art. 2 para 2 of the 2003 Convention, cited above) to which the 2003

Convention refers (and in some cases the naming of these forms in different linguistic traditions). On the other hand, its introduction evenly functions with artefacts; it is accepted to denote the cultural phenomena of the field of tangible cultural heritage. Working with such unified concepts in practice facilitates the understanding of the Convention's main meanings, focuses attention on them and helps to highlight its core idea related to safeguarding. The international document itself regards safeguarding as such: "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" (Convention 2003, art. 2, para 3).

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The emergence of the 2003 Convention in the world cultural space is not a coincidence. It is a result of an already ongoing internationally growing interest in cultural heritage as a whole, which became particularly pronounced after the 1970s. In 1972, UNESCO adopted the Convention Concerning the Protection of the World Cultural and Natural Heritage, known as the 1972 Convention (1972 Convention), under whose terms the World Heritage List started getting compiled. In it, Bulgaria has the following inscriptions: cultural sites: Boyana Church (1979); Madara Rider (1979); Rock-Hewn Churches of Ivanovo (1979); Thracian Tomb of Kazanlak (1979); Ancient City of Nessebar (1983); Rila Monastery (1983); Thracian Tomb of Sveshtari (1985); natural sites: Pirin National Park (1983) and Srebarna Nature Reserve (1983) (National Commission for UNESCO - Bulgaria).

More specifically, the adoption of the 2003 Convention is preceded by the acceptance of a series of international documents² and international conventions³ in the field of culture. Of special interest among them in this case is the so-called UNESCO Recommendation on the Safeguarding of Traditional Culture and Folklore of 1989 (Santova 1990), whose logical continuation and development virtually is the 2003 Convention. What needs to be mentioned in this case is that the UNESCO Recommendation is the first in the world international document (although of an advisory nature) dedicated to this aspect of the

² Universal Declaration of Human Rights (1948); International Covenant on Economic, Social and Cultural Rights (1966); International Covenant on Civil and Political Rights (1966); Recommendation on the Safeguarding of Traditional Culture and Folklore, adopted by the General Conference of UNESCO at its 25th session, Paris, 15 November 1989; UNESCO Universal Declaration on Cultural Diversity (2001); Istanbul Declaration (2002), adopted at the Third Round Table of Ministers of Culture.

³ Universal Copyright Convention (1952, 1971); Convention for the Protection of Cultural Property in the Event of Armed Conflict (1954); Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property (1970); Convention Concerning the Protection of the World Cultural and Natural Heritage (1972); Convention on the Protection of the Underwater Cultural Heritage (2001). For the documents and acts, see Convention 2003, Preamble.

cultural heritage, which will later be called intangible cultural heritage. The recognition of the necessity of safeguarding this cultural heritage in international documents **in fact represents the gradually formulating newfound reflection on cultural heritage in the world.**

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Thus, **the 2003 Convention marks a global shift in the concept of heritage.** If, until then, the notion of heritage, as previously mentioned, primarily encompassed tangible monuments from centuries past, this Convention legitimizes the presence of a part of it that until that moment had either not been discussed or had been poorly considered as heritage. It officially recognizes it as such in a document adopted by the international community (see again Convention 2003, art. 2 and the definition suggested therein). Through it, the international community takes responsibility to safeguard its cultural heritage in its tangible and intangible entirety.

While proving to be particularly important in achieving a kind of “integrity” in the semantics of the concept of cultural heritage, the 2003 Convention also puts other specificities into practice at the content level. One of them is related to the establishment and formalization of the notion of the **fundamental role of ICH in the processes of identification of people.** The elements of the ICH are major markers in identity formation.

And something else is of great importance. The emergence of the 2003 Convention in the world cultural space changes the very perception of what is subject of safeguarding.

When tangible cultural heritage is being safeguarded, the subjects of safeguarding are the tangible monuments themselves. Texts related to their safeguarding are most generally connected to indicating the artefacts to be safeguarded, as well as how the safeguarding should be carried out.

The 2003 Convention changes this perspective as its **main safeguarding subject turns out to be the living human being.** At the heart of intangible cultural heritage lies the living human - their knowledge and skills, their ability to recreate what they have learned, and to pass it on to future generations (it is no coincidence that one of the names used for intangible cultural heritage is ‘living heritage’). It is precisely the living human that is the vessel of (mainly uncodified) knowledge and skills that, according to the Convention, are to be safeguarded.

With one addition: in the field of ICH, the human appears in three hypostases - communities, groups and individuals, as defined by the 2003 Convention (Convention 2003, art. 2, para 1; see also Expert Meeting 2006). This particularity carries with it a series of specificities related to the field of copyright/intellectual property law. The identification manifests itself through the different forms of relationships between the three types of subject-carriers with intangible cultural heritage.

And last but not least - as it has become clear, ICH is living heritage, carried and recreated by living humans in contemporaneity, with them themselves becoming the subjects of safeguarding. Simultaneously, however, in most cases ICH has ancient roots in individual instances stemming to the dawn of human

civilization (concepts, structures, perceptions, etc.). The examples of the repertoire of the Bistritsa Babi or that of the Nestinarstvo are clear representations of this.

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I would like to conclude this article with the reminder of two fundamental and important results from the active and main contributing role of the scientists from the Bulgarian Academy of Sciences (BAS) in the process of the implementation of the 2003 Convention in the country.

On the one hand, the case is that all six inscriptions in the UNESCO Representative List of elements of the intangible cultural heritage are the work of BAS scientists, while in the multinational candidacy again a BAS scientist represented the country.

One of the two inscriptions in the Register of Good Safeguarding Practices was the work of BAS scientists.

On the other hand, it is a fact that the two main functioning cultural policies in Bulgaria today in the field of ICH were created by an expert team of scientists from BAS. The Register of the Intangible Cultural Heritage of the Republic of Bulgaria and the National System “Living Human Treasures - Bulgaria” are actively functioning today, with researchers from BAS playing an active role in their implementation⁴.

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⁴ For more information about them see the webpage of the Ministry of Culture of the Republic of Bulgaria: <https://mc.government.bg/> [Accessed: September 2024].

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