



INTANGIBLE CULTURAL HERITAGE IN NATURE: SPACES, RESOURCES AND PRACTICES

International Research Seminar of Comparative Law

SEPTEMBER 7, 2017

Research project private working group session

Salacgrīva, North Vidzeme Biosphere Reserve

/Site of the UNESCO World Network of Biosphere Reserves/

SEPTEMBER 8, 2017

Presentations and round-table discussions

Rīga, Latvian Academy of Culture

/UNESCO Chair on Intangible Cultural Heritage Policy and Law/

CONCEPT NOTE

Intangible cultural heritage can be created by communities as a response to their environment and their interaction with nature¹. Farming, fishing, hunting, pastoral or food gathering practices are, for instance, associated to natural resources and spaces. Safeguarding these elements of intangible cultural heritage requires, not only recognition of a community's rights to access ecosystems, such as forests or seas, but also the right to use its resources. States may grant to communities hunting, fishing or harvesting rights, to preserve their traditional lifestyle and the intangible cultural heritage it sustains. These rights must however be exercised in an ecologically sustainable manner to mitigate the impact these practices can have on the environment². In contrast, some knowledge and practices concerning nature and the universe can be considered as land management systems or as traditional ecological knowledge. In this case, safeguarding intangible cultural heritage contributes directly to the preservation of the environment and to the conservation of biodiversity.

The relationship between nature and intangible cultural heritage is therefore dual: it can necessitate regulation to control the effects of intangible cultural heritage safeguarding activities on the environment or it can be mutually beneficial. In both cases, law has a significant role to play in finding how to balance the need to safeguard intangible cultural heritage with the obligation of preserving the environment. Environmental law's different protection methods already take into consideration the issues of respecting community knowledge and traditional practices of management of natural resources.

This seminar aims at discussing the legal aspects of various interactions between safeguarding intangible cultural heritage and environmental protection including management of natural resources. To that effect, it will take a closer look at regulations within environmental law that are highly relevant to the safeguarding of intangible cultural heritage, even if they do not make an explicit reference to this legal concept. The discussion is intended to foster both comparative and interdisciplinary views, bringing together legal scholars and ethnologists from different countries as well as community representatives. This will allow presenting a variety of lessons learned through case studies, theoretical and historical analyses tackling interactions between the national and the regional levels.

¹ Art. 2.1 of the UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage.

² The Convention for the Safeguarding of the Intangible Cultural Heritage and the Operational Directives for its implementation both enshrine the concept of sustainable development.



Examples of elements of the intangible cultural heritage with a strong link to nature inscribed on the Convention for the Safeguarding of the Intangible Cultural Heritage's International Lists:

- fishing: *Culture of Jeju Haenyeo (women divers)*;
- hunting: *Falconry, a living human heritage*;
- water management system: *Irrigators' tribunals of the Spanish Mediterranean coast: the Council of Wise Men of the plain of Murcia and the Water Tribunal of the plain of Valencia*;
- forest management system: *Traditions and practices associated with the Kayas in the sacred forests of the Mijikenda*; and
- traditional agriculture: *Traditional agricultural practice of cultivating the 'vite ad alberello' (head-trained bush vines) of the community of Pantelleria*.



Organized by: Latvian Academy of Culture (UNESCO Chair on Intangible Cultural Heritage Policy and Law), Institute for Political Social Sciences (*Institut des Sciences Sociales du Politique, ISP, Paris*)

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Working language of the seminar will be English.

Registration for the seminar on ej.uz/Osmose_Riga_2017.

Seminar information update on dpc.hypotheses.org/le-projet-osmose.

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The authors are responsible for the choice and presentation of views contained in this concept note and for opinions expressed therein, which are not necessarily those of UNESCO and do not commit the Organization.

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