Japan’s Treatment of the Convention for the Safeguarding of the Intangible Cultural Heritage

Mr. Shigeyuki MIYATA,
Director, Department of Intangible Cultural Heritage, NRICPT
Japan

After my presentation, Mr. Kato of the Hokkaido Federation of Preservation Associations for Traditional Ainu Dance will make a presentation from the viewpoint of a Japanese community. Therefore, I would like to briefly talk about how Japan has treated the Convention for the Safeguarding of Intangible Cultural Heritage and discuss some issues we face today.

Let me outline my presentation. First, I will briefly talk about Japan’s atypical background in relation to its treatment of the Convention. Second, I will specify the criteria we used when we made a nomination to the UNESCO Representative List, and I will talk about the basic idea of the safeguarding plan. I will also talk about how Japan has treated the Urgent Safeguarding List so far and Japan’s stance about it. Finally, I will discuss some future challenges.

To begin with, let me talk about Japan’s atypical background. The word “atypical” may be misleading. What I mean here is that Japan is one of the very few countries, along with South Korea, that had established an effective preservation system for various intangible cultural heritages, long before the UNESCO Convention was adopted. While the UNESCO Convention was adopted in 2003, Japan had enacted the Law for the Protection of Cultural Properties in 1950 as a major Japanese law for preserving our cultural properties.

Japanese intangible cultural heritage can be divided into three categories, namely, the Intangible Cultural Properties, the Intangible Folk Cultural Properties, and the Preservation Techniques for Cultural Properties. The system to designate the Important Intangible Cultural Properties started in 1954. Traditional arts and crafts and classical performing arts fall into this category. Both the designation system for the Important Intangible Folk Cultural Properties and the selection system for preservation techniques started in 1975.

Japan thus had already a long-established preservation system for its cultural heritage by the time the UNESCO Convention was adopted. I would like you to realize that, due to such background, Japan’s reaction to it was different from others, even unlike the Korean case we heard previously.
How, then, did we actually nominate elements of ICH to the Representative List? Our primary concern was, while nominating any intangible cultural properties for the Representative List, to maintain our own preservation system that had been well-worked to some extent. In other words, we needed to align our system with the Convention. In principle, we decided to choose an element to be nominated from the three categories evenly. We made it clear that any one category should not be disproportionately emphasized.

To note another point, what has been designated and selected as cultural heritage by the national government was supposed to have the equal value. No particular element was seen better or more important than others. We consequently made it a basic rule to nominate eventually all elements listed on the national inventory for the UNESCO Representative List.

At the 4th Session of the Intergovernmental Committee held in Abu Dhabi in 2009, out of fourteen elements of ICH nominated by Japan, thirteen were inscribed on the Representative List as the first batch. Of the thirteen, four were Intangible Cultural Properties and the other nine were Intangible Folk Cultural Properties. One, though withdrawn, belonged to the category of Preservation Technique for Cultural Properties.

UNESCO started to invite nominations for the second round of inscriptions last year and the evaluation of the nominations will take place soon. This time, Japan nominated thirteen elements across three categories.

In the nomination, we have to provide a specific plan for safeguarding. All the elements nominated by Japan are already protected by the government. Basically, there is no element that has not been protected prior to its nomination to UNESCO’s List, as they are all designated or selected cultural properties by the national government.

Therefore, in principle, our nomination, submitted to UNESCO, indicates that the safeguarding measures currently taken will be maintained. Inscription on the UNESCO Representative List does not mean that extra special safeguarding measures will be provided to those inscribed on the List compared to those not inscribed.

As for the Important Intangible Cultural Properties and the Preservation Techniques for Cultural Properties, national support will be provided to the activities to hand down such properties and techniques for the organizations that own or maintain these properties. In the case of performing arts, for example, national assistance is given to various programmes through the National Theatre in Tokyo, for training of successors, documentation, and public performance. In the case of arts and crafts, the national government directly makes archives and documentation, and
provides opportunities to show them to the public by hosting and supporting various exhibitions.

The Important Intangible Folk Cultural properties, meanwhile, are supported by the local communities. Various safeguarding activities are conducted by the local public organizations and specific preservation groups. These activities include training of successors, creating or repairing necessary instruments, and making archives and documentation. The national government often provides support in the form of grants and subsidies, including assistance for lectures and exhibitions, to raise awareness of the value of cultural properties.

In Japan, there is a clear distinction between the Important Intangible Cultural Properties and the Important Intangible Folk Cultural Properties. The former is what most Japanese people may recognize as their common cultural properties. In performing arts, for example, classical forms of theatre, as those proclaimed as Masterpieces, such as the Nogaku Theatre, the Kabuki Theatre and the Ningyo Joruri Bunraku Puppet Theatre, fall into this group. The national government annually provides the registered organizations with a certain amount of grant. The Important Intangible Folk Cultural Properties, in contrast, are supported by local communities. These properties cannot be maintained unless the community has an intention or desire to keep them in the future. This is so no matter how much money the national government may provide, or no matter how ardently they explain the properties’ importance. The government’s assistance works only when the community has the intention to keep them alive. In other words, it is the community or local people that contribute to make specific safeguarding plans, and the national government only helps them do so.

As was mentioned in Mr. Curtis’ keynote speech and in other presentations, the Urgent Safeguarding List is regarded as a very important list in the Convention. It seems, however, that many countries are not much interested in it. How about Japan?

At present, it is Japan’s policy not to make any nomination for the Urgent Safeguarding list. This is because Japan’s nominated elements are all nationally designated or selected cultural heritage, and thus have been already protected and maintained by the national government. Japan’s official stance, therefore is that no elements of ICH is in critical situation that necessitates urgent safeguarding.

In case an element of ICH among undesignated or unselected cultural properties needs urgent safeguarding, the national government will first designate or select it as an important intangible cultural property, and thus it provides safeguarding measures before nominating such element of ICH to UNESCO. This is an official policy of Japan.
Japan does not make any nomination in this category probably since nomination does not give significant benefit. Once listed on the Urgent Safeguarding List, an element of ICH would be entitled to receive international support and assistance of the Convention’s Fund. Japan, however, is currently not eligible for any international assistance. I suppose this may be another reason that we are not eager for making any nomination to the Urgent Safeguarding List.

Finally, I would like to mention some of the challenges we are facing now. In the previous presentation from South Korea, we learned that they take many actions to adapt the already existed system to the Convention. In Japan, however, it is not yet determined how we will handle new ideas stated in the Convention. So far, we have only focused on the effects the Convention may have on the Japanese system and just tried not to create any confusion. We still have a lot to do before we fully address the Convention.

One thing about the Convention that we need take further into consideration is the concept of the intangible cultural heritage itself, since this concept is much broader than the three Japanese categories I mentioned earlier.

Another thing to deal with is a community-oriented approach. I believe that such approach in fact has been underlined in Japan. The Japanese government fully consults with the community when designating or making a safeguarding plan for any cultural properties. However, it is not specified in the law that the government should obtain prior consent from the community, nor is it common that two parties sign an agreement. It may appear that Japan does not really value communities at the first glance, which is not actually the case.

How can we treat the concept of the intangible cultural heritage stated in the Convention to translate it in practice? Do we need to modify the Japanese law to emphasize the community-oriented approach according to the Convention? These are big challenges that we need to address in the future.

Lastly, I would like to mention a very practical problem now we face. As I said earlier, Japan intends to nominate all elements listed on the national inventory of the important intangible cultural properties; and we already nominated fourteen elements for the first round, and thirteen for the second. At this rate, Japan should be able to nominate all elements eventually for the Representative List. As you know, however, there is a discussion presently going on to limit the number of elements that a State can nominate. If such measure is adopted, Japan may have to completely change its policy vis-a-vis the nomination in the very near future. This is the most pressing issue we face now.
I only explained the Japanese situation very broadly, and apologize that I did not mention about any specific case that might be more interesting to you. The next presentation after myself is made by the president of the Hokkaido Federation of the Preservation Associations for the Traditional Ainu Dance. This element of ICH was inscribed on the Representative List as part of the first batch of nomination. I believe his presentation will give you a better picture about the safeguarding efforts made by the communities of ICH in Japan.

Thank you very much.
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National Research Institute for Cultural Properties, Tokyo
13-43 Ueno Park, Taito-ku, Tokyo,
10-8713 JAPAN
Tel 81-3-3823-2316