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Intangible Cultural Heritage
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Celebrating 20 Years of the 2003 Convention on Safeguarding ICH – Implementation in Iran

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Before I begin ...

Some Milestones – The 2003 Convention at 20

Some highlights of the first two decades in the life of the 2003 Convention:

- Taking a cultural approach towards safeguarding ICH
- Safeguarding and not just protecting – the first human rights treaty for cultural heritage?
- Identifying and defining ‘intangible cultural heritage’
- Paradigm shift of involvement of “communities, groups and individuals”
- Connection of heritage with sustainable development

Intangible Cultural Heritage in Iran

A rich and varied heritage

The ICH of Iran is extremely rich and varied due to the country's many ethnic groups, tribal and nomadic peoples, urban settlements and regions (even at the level of individual villages in some cases).

Cultural heritage recognition and protection has traditionally been placed on the monumental and movable heritage, even after the ratification of the 2003 Convention (Persepolis, the Naqsh-Jahan Square in Esfahan, silk carpets and artefacts such as Achaemenid sculptures etc.).

Iran's political identity has been strongly promoted through this physical heritage, with the pre-Islamic heritage of the Achaemenid era used to provide the mythical ancient roots of the Pahlavi dynasty while the Islamic Safavid architecture provides a similar legitimation of the Islamic character of contemporary Iran.

A question of words (and ideas)

Terminologies used in Iran

The notion of 'intangible' cultural heritage is a problematic one to translate into terms that are culturally meaningful. The official translation is '*miras farhangi namalmouz*' ('cultural heritage that cannot be seen/touched'). But another phrase commonly used is '*miras ma'anaavi*' which means 'spiritual heritage' and also connects to the notion of intellectual property

'Safeguarding' is officially translated as '*paasdaari*' in Persian which is close to the original sense of safeguarding, though the term for 'protection' (*hefaazat*) is also often employed.

The concept of masters ('*ostaad*') who transmit the heritage to their apprentices, thus reflecting a specific mode of transmission common in Iran, is also officially recognized in Executive Regulations to the main legislation.

The stakeholders and actors involved in safeguarding ICH are understood (in the Regulations) to include '[n]omads, peoples, communities, social groups and individuals who have created, maintained and transmitted the ICH in last times or conduct in present time'.

Pre-existing understandings

Anthropological and related research

Anthropological research, including documentation and recording, has been conducted on oral traditions and cultural expressions in Iran for several decades.

Positive outcome: there exists a large body of research conducted and/or funded by research institutes, NGOs, municipalities as well as a number of university theses (mostly in anthropology, ethnography and related disciplines).

Less positive: Many of these studies were not undertaken within the framework of the concept of 'intangible cultural heritage' and were very researcher-oriented and descriptive.

Research reports about the internationally-inscribed *Nowrūz*, the *Pahlevāni and Zoorkhāneh rituals* and the *Ritual dramatic art of Ta'zīye* elements, have drawn attention to ICH.

A 2016 study counted approximately 1,000 research-based studies covering different aspects of ICH in Iran from 2003 to 2016, covering such topics as: folk medicine; tribal cultures; local fables and lullabies; traditional games; and water rituals and beliefs.

National Legislative Context

The Constitution (1979, amended 1989)

Within a framework of Islamic law, the Constitution of Iran addresses a number of relevant such as the rights of ethnic communities, protection of languages and dialects and cultural rights.

Although the Ja'fari school of Islam is granted a special status, followers of different Islamic traditions and the Zoroastrian, Jewish and Christian religious minorities are recognized and are free to perform their religious rites and ceremonies and follow their traditions in personal affairs and religious education.

All Iranians, irrespective of their 'ethnic group or tribe' (including tribal peoples and speakers of dialects as well as minority languages), also enjoy equal rights under the Constitutional law.

National Legislative Context

Antiquities law (1935)

ICH is covered by the Antiquities Protection Law (1935) which remains the cultural heritage legislation in force in Iran, though only implicitly.

This law is clearly out-dated and the introduction of the new category of ICH has greatly increased the pressure for revising this legislation. A question facing lawmakers is whether it is preferable to revise the existing legislation in order to include ICH more directly in its scope or adopt a new law aimed specifically at safeguarding ICH.

Given the obsolescence of the existing Act, it may be advisable to draft one (or more) new statutes for protecting and safeguarding Iran's tangible and intangible cultural heritage.

The Act of Accession of Iran to the 2003 Convention was enacted on 13 December 2005 by the Islamic Consultative Assembly (Parliament). This act simply incorporates the Convention into national legislation and does not set out any measures for its implementation.

National Legislative Context

Executive Regulations for ICH (2009)

Executive Regulations for the Act of Accession of Iran to the Convention were adopted in 2009, 15 articles setting out the framework for implementing the 2003 Convention.

These require ten national bodies competent in the field of culture to cooperate with the Ministry of Cultural Heritage, Handicrafts and Tourism to achieve the purposes of the Convention.

The Ministry's founding statute (1988 – then as an Organization under the Presidential Office) includes among the organization's duties to conduct anthropological surveys and identify the country's vernacular culture, as well as conduct research into traditional arts and creating better conditions for their preservation, revitalization and improvement.

Further regulations have established an *ICH Expert Committee* and an *Inter-agency (Ministries and Organizations) body* to liaise on ICH safeguarding.

National Legislative Context

What does 'ICH' Include?

The Executive Regulations (2009) do not define ICH, but set out its domains according to the five domains of the 2003 Convention, with the addition of 'athletic arts' in domain (b) as a local specificity in Iran.

Also, although language is seen (as in the 2003 Convention) as a 'vehicle' for ICH and not ICH *per se*, it is accorded great importance in Iran and treated as an ICH element in practice.

'Spiritual heritage' is also accorded great importance and this does tend to stray beyond the rituals associated with religious beliefs to religion *per se*.

A further Iranian specificity is to include in ICH for national inscription any elements that remain 'in the memory' of people even if they are no longer viable as elements.

Implementing the 2003 Convention in Iran

Who does what

The **Office for Inscription of Intangible and Natural Heritage (OFI)** within the Ministry of Cultural Heritage is the implementing body for the 2003 Convention and it operates through 31 provincial Directorate Generals of the Ministry.

Other governmental bodies implicated are: Research Centre for Cultural Heritage and Tourism, Ministry of Culture and Islamic Guidance, Ministry of Science, Research and Technology, Ministry of Education, Ministry of Health and Medical Sciences, Ministry of Youth and Sport, Ministry of Information, Ministry of Foreign Affairs, Academy of Arts, Academy of Persian Language and the State TV and Radio Organization.

In addition, **over 200 non-governmental organizations** are listed as partners with the OFI although their involvement in implementation is very limited.

The Ministry of Cultural Heritage offers **training on the 2003 Convention for public servants**, while specialized research centres, three scientific institutes and higher education institutions also hold relevant training courses, workshops and seminars.

Implementing the 2003 Convention in Iran

Inventorying ICH

The inventorying process was initiated in 2007 under a National Committee and Iran has **five National Lists**:

- Representative List of ICH (created in 2007)
- List of ICH in Need of Urgent Safeguarding (created in 2007)
- List of ICH in Need of Revitalization (created in 2016)
- List of Identification and Primary Documentation (created in 2016)
- National Inventory for Living Human Treasures (created in 2016).

Inscription criteria include that: elements have social or cultural value for bearers, are transmitted inter-generationally (especially via traditional modes) and are be recognized by the communities as representative of their heritage. Viability of the elements is also considered. **Criteria for the National Inventory for Living Human Treasures** require excellence in the practical application of the knowledge, dedication to the specialized area, to be unique in the field of ICH and the ability to further develop their knowledge and skills and to transmit these to trainees.

By 2016, there were a total of 1,350 elements inscribed from across Iran across the following domains as follows: social practices, rituals and festivals (39.4%); traditional Handicrafts (36.0%); performing Arts (11.5%); knowledge about nature and the universe (10.1%); and oral expressions known as 'folk literature' (3.0%).

International Actions

An Exercise in Soft Power?

The **Fifth Five-year National Development Plan (2009)** permitted the Ministry to identify and protect ICH 'belonging to the neighbouring countries and the region also other countries of the world'. This suggests that ICH was being viewed here as a means of Iran to exercise its soft power in the region and internationally.

This approach underpinned the development of the **multinational nomination of Nowrouz (Persian New Year)** which was led by Iran and now has 12 member countries.

Iran cooperates closely with the **Organization of Islamic Cooperation (OIC)** and **Economic Cooperation Organization (ECO)** in the ICH field and Iran has also acted as a **member of the Intergovernmental Committee** for the Safeguarding of Intangible Cultural Heritage (2010-2012)

Iran hosts the Regional Research Centre for Safeguarding Intangible Cultural Heritage in West and Central Asia a **Category 2 Centre under of UNESCO** with 13 member countries.

International Inscriptions of Iran

A further Exercise in Soft Power?

International inscriptions are a prominent aspect of Iran's implementation of the 2003 Convention

Representative List: (13 elements including) The *Radif of Iranian music* (2009); *Traditional skills of carpet weaving in Kashan* (2010); the *Ritual dramatic art of Ta'ziye* (2010); the *Pahlevani and Zoorkhanei rituals* (2010); the *Music of the Bakhshis of Khorasan* (2010); *Nowrouz* (2016 with Afghanistan, Azerbaijan, India, Iran, Iraq, Kazakhstan, Kyrgyzstan, Pakistan, Tajikistan, Turkey, Turkmenistan and Uzbekistan); *Flatbread making and sharing culture* (2016 with Azerbaijan, Kazakhstan, Kyrgyzstan, and Turkey); *Chogān, a horse-riding game* (2017); *Art of miniature* (2020); *Pilgrimage to the St. Thaddeus Apostle Monastery* (2020 with Armenia).

Urgent Safeguarding List: (2 elements) *Naqqāli, Iranian dramatic story-telling* element (2011) and *Traditional skills of building and sailing Iranian Lenj boats in the Persian Gulf* (2011).

Register of Good Safeguarding Practice: Iran has inscribed the *National programme to safeguard the traditional art of calligraphy in Iran* on the (in 2021)