CHAPTER 9  The Role for Communities, Groups and Individuals under the Convention for the Safeguarding of the Intangible Cultural Heritage

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1. Introduction

On the basis of the elements inscribed to date on the two lists established by the Convention for the Safeguarding of the Intangible Cultural Heritage (“ICH Convention”)¹

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and of the description given in Article 2(1) of this instrument, the essential components of the intangible cultural heritage appear to be three, namely the social component (“communities, groups and, in some cases, individuals”), the objective component (a manifestation of such heritage) and a territorial component (a cultural space). The expression “communities, groups and, in some cases, individuals” is present in a number of provisions of the ICH Convention. Firstly, both Article 1 – which provides that the purpose of the Convention is, *inter alia*, “[. . .] to ensure respect for the intangible cultural heritage of the communities, groups and individuals concerned [. . .]”; and Article 2 – which describes the intangible cultural heritage as “[. . .] practices, representations, expressions, knowledge, skills [. . .] that communities, groups and, in some cases, individuals recognize as part of their cultural heritage” – recognize that these subjects are the bearers of the intangible cultural heritage. Secondly, the Preamble and Article 2(1) of the ICH Convention recognize that communities, groups and, in some cases, individuals play an important role in the production, safeguarding, maintenance, transmission and re-creation of the intangible cultural heritage.

After almost nine years from the adoption of the ICH Convention, its structure has been clarified through the work of its organs, the General Assembly of States Parties (General Assembly) and the Intergovernmental Committee for the Safeguarding of the Intangible Cultural Heritage (“the ICH Committee”), in particular by the adoption by this latter of the Operational Directives for the Implementation of the Convention for the Safeguarding of the Intangible Cultural Heritage (“the Operational Directives”) and the establishment of the Representative List and of the Urgent Safeguarding List.

Given the great importance of the bearers of the intangible cultural heritage in its safeguarding, the purpose of this chapter is to verify whether a role was given to them.

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2 Article 2(1) of the ICH Convention provides in relevant part: “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. [. . .]”.


4 Article 1(b), ICH Convention.

5 W. Van Zanten (ed.), *Glossary. Intangible Cultural Heritage* (Netherlands National Commission for UNESCO, 2002) p. 4, defines a “bearer” as “[a] member of a community who recognizes, reproduces, transmits, transforms, creates and forms a certain culture in and for a community. A bearer can, in addition, play one or more of the following roles: practitioner, creator and custodian”.

6 Article 4, ICH Convention.

