

Interview with Cécile Duvelle, Former Secretary of the 2003 Convention²⁵

Biography

Cécile Duvelle, cultural anthropologist, worked at UNESCO for almost thirty years. Between 1999 and 2008, she was responsible for monitoring cultural issues in the Executive Office of the Director-General. She closely followed the process of drawing up and negotiating several standard-setting instruments in the field of culture, in particular the 2003 Convention for the Safeguarding of the Intangible Cultural Heritage and the 2005 Convention on the Protection and Promotion of the Diversity of Cultural Expressions. She was subsequently Chief of UNESCO's Intangible Heritage Unit and Secretary of the Convention for the Safeguarding of the Intangible Cultural Heritage, from 2008 to 2015.

The beginnings of a long career

What was your involvement and participation in the 2003 Convention?

My father was an ethnomusicologist. It was a profession that didn't exist much at the time. He collected traditional music from around the world. He has worked extensively in Africa. So, he obviously immersed me in the world of different cultures, which I found normal. And when I started studying in France, I obviously found that France was a bit of a narrow cultural world. When you aren't aware of cultural diversity, you think your culture is the norm and others are strange, not to say foreign.

On the contrary, I thought – and still think – that trying to understand and penetrate cultures other than my own only enriches me. Thus, I was drawn to it, and the subject you learn in these cases is cultural anthropology. In other words, the study of cultures with a non-paternalistic vision that is highly respectful of the internal logic of all cultures. So, I had done those studies.

Well, I was 20. And I finished my studies in Paris, at the Sorbonne, with some extraordinary professors, including Georges Ballandier, who talked about the sociology of Black Africa. He refused to do ethnology. It's a subject that was perhaps a little paternalistic towards others. He preferred to study sociology. So, I was ultimately influenced by teachers who taught me that all cultures were equal and there was no such thing as a superior or inferior culture. I was taught that they had an inner genius that had to be decoded to discover their richness. And yet, at the time, there was no talk of intangible heritage at all.

²⁵ Interview conducted by Yoselin Rodriguez, Paris, 16 October 2023.

Then I had to work a bit during my studies to earn some money. As it happened, I was put in touch with a publishing house that was working on African legal systems. They needed a coordinator. I was able to do this work in parallel to my studies. This organisation worked with an African publishing house called *Nouvelles Éditions Africaines*, and at the same time with a French publishing house that had joined forces to produce a major legal encyclopaedia on Africa.

At the end of the encyclopaedia project, the director of *Nouvelles Éditions Africaines* was appointed director of UNESCO Publishing. Having been very satisfied with the work I had done with him, he then asked me to work with UNESCO. I started working freelance. One day, a job came up that really matched my profile. I applied. That's how I came to join UNESCO.

It was in 1992 that I officially joined UNESCO. But, in reality, I had already started freelancing in 1982. I've been involved in several cross-cutting issues. I've acquired a very broad general knowledge of UNESCO, because when you work on UNESCO publications, you work on all the organisation's subjects.

In 1999, Mr Koïchiro Matsuura²⁶ became head of the organisation. However, I didn't know him at all. That same year, Françoise Rivière, his Chief of Staff, invited me to join the Cabinet to work on drafting the Director-General's speeches – in French. She knew me because I had taken part in a working group under her responsibility. But very quickly, everyone realizes that, in terms of culture, I know a lot. My education, my African experience, allowed me to properly follow and understand the issues around cultural diversity, which at the time were very important and that finally resulted in the 2001 Declaration on Cultural Diversity.

So very quickly, the Director-General also asked me to look after issues concerning the cultural sector in his office. In the meantime, I had met my husband, who was Italian, so I spoke a little Italian. I didn't really speak Spanish, but with Italian and French, I had a somewhat passive understanding of Spanish. The Director-General also asked me to accompany him, not only on his cultural trips, but also in Latin America. In fact, I accompanied almost all the Director-General's trips to Latin America. I was with him.

That's how I came into contact with the 2003 Convention. I would remind you that Mr Matsuura, before being elected Director-General, was the Chairman of the World Heritage Committee. As soon as he arrived, he wondered about UNESCO's involvement and interest in intangible heritage. Why does UNESCO only deal with tangible heritage? Being Japanese, this seemed completely abnormal to him. That's how I came to accompany him to more than 80 countries around the world. We had major cultural meetings in China, Japan, and Africa.

26 Koïchiro Matsuura is a Japanese diplomat. In 1994, he was appointed Japanese ambassador to France. He held this position until 1999. He was then appointed Director-General of UNESCO and completed two terms of office (1999-2009).

He took these opportunities to talk about the new Convention all the time, either at the time of the intergovernmental negotiations, or afterwards, to get countries to ratify it, and then to support it, and implement it, and so on. He was a true defender of this Convention. I was happy because in the end it was my favourite topic. I found peace of mind working on this project, which was the most important, one of the most important for him. Of course, we mustn't forget that he also brought back the United States.

But if you ask him what his greatest success is, he'll tell you it's this Convention, because it's his absolute legacy. That's how I got involved in the development of the Declaration on Cultural Diversity [2001]. It opened the door to intangible heritage. I then set to work developing the intergovernmental meetings that made it possible, finally, to hold the intergovernmental meetings that led to the drafting of the Convention. Mr Matsuura was very active, but he wasn't the one taking part in the meetings. I was the one who attended. I gave him little reports. He'd tell me what he thought, and I'd go back the other way, and so on. So, I really got to know the work you all do at your level, with your States. The Convention was finally adopted in 2003. At the time, it was the Japanese Noriko Aikawa, who was the director of the division dealing with intangible heritage.²⁷

It wasn't Mr Matsuura who nominated her at all. She was there before since the time of Federico Mayor²⁸. She was involved throughout the process of drawing up the Convention. It was very practical because Japanese people understood each other very well. Mr Matsuura, for his part, was a follower, had opinions, and really put his intellectual weight behind drawing up this Convention.

The first years of the Convention

What role did you play in the implementation process?

Rieks Smeets was the Convention's first secretary between 2003 and 2008. During this initial period, it first had to be ratified by the States so that it could become operational. Twenty States had to ratify it. This number was reached in 2006. Then, between 2006 and 2008, the first operational guidelines had to be drawn up. Once the Convention existed, it had to have rules.

Rieks Smeets was also responsible for drafting the first operational guidelines. In June 2008, they were adopted and enabled the Committee to function as an intergovernmental body. At that time, there had not yet been any nominations, as the directives had just been adopted in June. The only thing to do in October was to incorporate the Masterpieces.²⁹ So I arrived a week before the meeting of this Committee.

27 She developed the intangible heritage programme and, as head and director, oversaw the process of adopting the Convention.

28 He headed UNESCO from 1987 to 1999.

29 The Masterpieces of the Oral and Intangible Heritage of Humanity programme was established by UNESCO in 1997. Three proclamations were made in 2001, 2003 and 2005.

It was in Turkey, in 2008, where we integrated the 90 Masterpieces into the Representative List (RL). And from then on, in the first year, there was a special timetable so that applicants didn't have to wait eighteen months for something to happen the following year. The timetable has been shortened slightly. It was absolutely atrocious because I think we had 111 nominations to the RL. We didn't know what to do with it. The poor subsidiary body worked day and night.

There was a body and there were also independent experts for the part concerning the Urgent Safeguarding List (USL). I remember that there were difficulties, because we realised that the independent experts were extremely exposed politically since we knew their names. We took two experts per application. But nevertheless, they gave their opinion, which sometimes wasn't necessarily to the liking of the state that had submitted the application. So, we realised straight away that the system we had put in place couldn't work because there was no anonymity. We quickly realised that we needed something more anonymous.

As well as the members of the subsidiary body, which at the time was made up of six of the twenty-four members of the committee. We knew who they were, but we didn't know who thought what. And so, in fact, they were giving advice. Unanimous. All six. In fact, even if someone had disagreed, there was no way of knowing. And there was still a certain amount of protection.

There have been changes every year. Either in relation to the number of possible nominations, the priorities, who was going to examine what, etc. In fact, the Convention, as an instrument, is very, very much alive. You may say it's twenty years old, but in fact it hasn't been implemented for twenty years, it's been implemented for seventeen. Over these years, the States have evolved enormously. Initially, there was a lot of misunderstanding about what intangible heritage could be. Today, I'm not saying that everything is perfect, but things are finally becoming clearer.

There was a lot of reluctance at first. At the time of the intergovernmental, this was not at all a given, this story of intangible heritage was considered a little vague. Moreover, there was a form of criticism of the world of intangible heritage, which continues to exist, and which is in fact governed by recognised, precise, respected and historically based expertise, etc. Suddenly, a category of heritage was introduced, but there were no experts who could validate it, and there was no real definition of what it was and what it was not. It was all very subjective, deciding whether or not it was.

It was all a bit worrying. Within UNESCO itself, internally, in the world of the cultural sector itself, there was a clear form of scepticism, which I'm not saying has completely disappeared. At last, I think things are starting to sink in a bit. Someone with no anthropological or ethnological training couldn't understand what we were talking about and feared that anything was possible. Anything and everything becomes potentially intangible heritage, with the lack of seriousness

that this could cause. Why all this? Because the reference, and unfortunately the reference that continues to be the one that people think of, was the World Heritage reference.

Revealing why heritage matters

If you think about it, it's a very special concept to think that, universally, the universe can decide to assign a value to something, as if value were not a cultural dimension. There are very few things that are universal in values, in fact, when you think about cultures and get to know them. I think that this exceptional universal value exists to a great extent because the framework for drawing up the 1972 Convention was a Western culture. It is the very reality of the over-representation of the Western world in the staff of the United Nations that is causing the problem, without people being aware of it. In fact, it's a form of perception and conception of things that are somewhat oriented towards Western values. And this 2003 Convention, in my opinion, is the first to break this mold.

All values are equal. All cultures are equal. And in fact, we have fundamentally reversed the reason for heritage.

In my opinion, why heritage in the 1972 Convention? The answer is because it's beautiful, it's universally recognised as beautiful, and so it must be preserved for future generations. For the 2003 Convention, why heritage? Because it's good for me, my heritage is good for me. It allows me to feel connected to my own history, and to give my children the opportunity to be connected to that history. It also helps to fuel my imagination so I can project myself into a happy future.

And that's it. It's not the same objective at all, in fact. I'd say that the 2003 Convention is more focused on the community behind it, because that's where it's going to do the best. Well, for me personally, it's interesting to know that in Bolivia there's a procession that does this and that, but to say that it does me good is wrong. It interests me and enriches my general knowledge. But it doesn't speak to me emotionally. But when my own heritage, what I practiced as a child, what I heard, what I ate, what I smelt, etc., when it's offered to me again or saved for me, etc., then something much stronger happens. It's not interest, it's existence.

The spirit of the LAC representatives during the process of adopting the convention

What was the spirit of the experts and diplomats from the region who took part in the process of adopting this text? How were they involved in the adoption process? Do you have any idea of their expectations?

Latin America had a very clear understanding of what intangible heritage is. The region, and Brazil in particular, was an extremely powerful force in the development of the Convention. I would say that Latin America was completely behind it and had no reservations, so to speak, about the spirit, about the fact that the communities were at the heart, should be the centre. In Latin America, I found allies.

There was Cecília Londres Fonseca³⁰, who was the Brazilian expert and was very active and had an absolutely perfect understanding of the spirit of the Convention. Brazil already had considerable experience of intangible heritage even before the Convention came into force. It had already established mechanisms dedicated to intangible heritage in the early 2000s³¹.

Similarly, the Mexican anthropologist Lourdes Arizpe, who was UNESCO's Assistant Director-General for Culture of UNESCO [1994-1998], had a perfect understanding of the subject. On the other hand, the Peruvian Soledad Mujica was a pillar of education for the others [her colleagues]. She had a voice that could explain to people from other regions what they couldn't understand. Sometimes it seemed that the secretariat had an agenda that didn't exist elsewhere, but that didn't matter. And so, the role of certain delegates within the group of delegates was very important.

And I know that many Latin American experts played an extremely positive and constructive role in moving the Convention in the right direction. Because these were people who also worked with the communities. They had very, very solid experience in the field.

That's the whole point of representation, normally, in the Convention. States are represented by experts in the field of intangible heritage. This is not always the case. Sometimes diplomats take the floor. And since States are sovereign, we can't discuss how the state decides to be represented. But it was clear that we understood each other much better with experts than with diplomats. They themselves had another agenda, often political, because that's their job. In the end, it interfered in areas that are not exactly and totally in harmony with the objective of the Convention.

Successes and failures of the Convention

Could you mention the most important successes achieved by State Parties implementing the Convention in the region? Do you think there have been any failures? Which ones?

For me, the Convention is really 90% national work and 10% international work. International work is important. I don't think we'd be talking about the Convention and intangible heritage in the way we are today if it hadn't been for the inscriptions. So, I don't deny that it's a necessary evil and that it has brought visibility, which in turn has generated interest at national level, which in turn has probably enabled it to mobilise funds, interest, and so on.

But the biggest workload is still at national level because safeguarding is done at national level. Inscription never saved anything. On the other hand, a safeguarding plan, an inventory, legislative measures, all of these are feasible. And Latin America has shown that it

30 Maria Cecília Londres Fonseca represented Brazil during the preparation of the UNESCO Convention for the Safeguarding of Cultural Heritage (2002-2003) and the first Intergovernmental Committee for Intangible Heritage (2006-2008).

31 The National Intangible Heritage Programme and the Register of Intangible Cultural Assets were created within IPHAN, Decree No. 3,551.

can do it. There are many countries, not necessarily all, but many that have made considerable progress. And when we see the regional report recently submitted by the LAC region, we see to what extent this Convention has taken on the reality of these countries. Which is not necessarily the case in other regions.

I imagine that in your countries, you think that's not enough. Because it's never enough for intangible heritage.

Expectations regarding implementation of the Convention

Do you think there have been any disappointments on the part of States, communities, etc., in this implementation process? Were they expecting something more?

I'm sure the experts are still expecting something more because the experts can see that the situation is deteriorating. They see populations, elements of intangible heritage that are disappearing or almost disappearing, communities with no more than 40 speakers of a language, and it's obvious that all their heritage is going to disappear with their language. So that's the pain of working in these areas. But on the other hand, as I often say, intangible heritage is a bit like a living body.

And in the living body, you lose your hair, you lose bits of skin and so on. It regenerates, but not all of it, because after a while you die. Intangible heritage is like that, you must accept that it will disappear. This is not necessarily accepted in the field of tangible heritage, where it may be considered that once the Parthenon has been discovered, for example, it will never die. So, we're going to keep it, we're going to preserve it like that, and each generation will make sure it isn't destroyed.

And maybe that will be true, except at the end of the world. Intangible heritage, on the other hand, is different. It's impossible for all intangible heritage to endure forever, even with safeguarding measures. Because at some point, there may be a heritage that has outlived its usefulness, that no longer has any legitimacy to exist, and so nobody wants to carry it. Thus, we can write books about it, we can make exhibitions, museums, whatever we want. But in people's lives, there are things that disappear every day and have to disappear.

I would say that the continent can consider itself a relatively good pupil when it comes to implementing the Convention. Not all countries, but many can be considered as examples to follow. I think there was a little euphoria with the story of inscriptions. Because it's true, it was something incredible, so there were parties everywhere. I remember, at UNESCO headquarters, there were times when they were everywhere, because they were happening in room one or wherever. Really, it was something effervescent.

But it's an excitement that can't last. You can't be in euphoric over-excitement all day. On the other hand, when it comes to policy, once it's done, it's done. Policies exist. Everything that involves integration into the school curriculum, casually, once it's done, it's done, and it can only instil spirits and shape new generations.

So, it's actually less spectacular. It's probably less euphoric. But it's very important because it's the whole fabric of support that will ensure that intangible heritage, not this particular element, finds its place in society and in the sustainable development of communities. And for me, that's the real purpose of this Convention. The story of the inscriptions probably frustrates a lot. I know, because now there are restrictions, we can't do inscriptions every year. This has created many problems within and between States, especially political problems. Decisions have to be made, and we ask ourselves why to choose this element when there are others.

Problems with the lists

Have the lists become a problem? According to some authors, the 2003 Convention was adopted in order to create a certain balance of representation in the world. Especially because for years, particularly in the 1990s, there was concern about the over-representation of Europe, which accounted for almost 50% of inscriptions on the World Heritage List. Now, looking at the lists, there isn't really the balance that we expected, that we were talking about at the time.

Personally, I'd say that the Representative List [of intangible heritage] has achieved its goal, that's it, everyone has understood. We realized that there were thousands, thousands, millions of expressions of intangible heritage. Perhaps we could calm down and get down to business. We sometimes see a tendency to trivialize this list. It's a concern we have.

The 1972 Convention had a very Western concept of monumental heritage. It considered that heritage was physical monumental heritage, even if there was also natural heritage. But essentially, listed properties are monumental and physical elements. However, the expression of culture could not be reduced to that.

For this reason, we wanted to create another convention to deal with heritage that was not of this nature. But that didn't mean balancing lists, it meant balancing recognition of cultural diversity and heritage. And when it came to monumental heritage, it was clear that cultures, particularly African ones, were not being taken into account. Imagine the pygmies, what monuments are you going to talk to them about? They don't have monuments, they build houses, tear them down every 15 days and move on.

They were excluded from the system because they didn't have a monumental system. But if we started talking about living culture and intangible heritage, they had a lot to put on the table. Just like everyone else, because there is intangible heritage absolutely everywhere. The intangible heritage category was put forward to counterbalance the over-representation of Western heritage, which was due to the fact that we were talking about a heritage that was mainly present in Europe. Although it exists elsewhere, it is especially over-represented in Europe. Of course, because it was the Europeans who drew up the 1972 Convention.

They were thinking about the heritage they know, it was not a bad intention. It's not that they're bad. It's logical, really. Now, as far as the intangible heritage category is concerned,

for me the fatal mistake is the lists. In fact, it's been widely discussed. If you go back to the historical texts of the debate at the previous intergovernmental meetings, there was a great deal of hesitation about the existence of the lists. Everyone, well, everyone who hesitated had already predicted what was going to happen today.

In other words, a juxtaposition of the two models. One is intangible, the other tangible. But that wasn't the question. That wasn't the point at all. And a competition, because no matter how much we say what we want, it's still a competition. A competition to assert that, since I'm inscribed, I'm the most beautiful. Which is not the idea at all. But nobody at this point wants to see the real idea behind the 2003 Convention.

Even if it is written in black and white. We had already realized that the World Heritage List was already facing a problem. However, we decided to create two lists as part of the new Convention. Initially there was only going to be one list, and that was the Urgent Safeguarding List. In fact, if you read the preamble to the Convention, the preamble that introduces and justifies, shall we say, the text of the Convention, states that, in the age of globalization, cultural diversity is in great danger, cultures are in great danger, etc., and it is absolutely essential to protect it, to safeguard it. Thus, we're starting from the premise that there is a danger. Hence the Convention.

It's the Convention for Safeguarding, not the Convention for Celebration. So, there was only one list. We decided to keep this list, which will be the main and central list. But we also created a list that was happier and celebrated cultural diversity. The idea was to have a Representative List of intangible heritage that shows what intangible heritage is. And finally, it helps us to better understand each other's cultures and intercultural dialogue.

The Urgent Safeguarding List would then be the serious list. All our forces and resources would be focused on this list. But there were very few States that knew how to safeguard, because intangible heritage is new to us all. So, we thought it would be good if we could select good safeguarding practices and identify them so that we can draw inspiration from them. That's how it all came about.

So, what happened? We have three systems: the Representative List, the Urgent Safeguarding List, and the Register of Good Practices. In the Convention, it is the practices that best reflect the spirit of the Convention. However, the most important mechanism is the Urgent Safeguarding List. Despite this, everyone considered the Representative List to be equivalent to the World Heritage List. And that the punishment was to go on the Urgent Safeguarding List, which is considered equivalent to the List of World Heritage in Danger.

There are, however, States that want to be included on the List of World Heritage in Danger because they are concerned about the dangers threatening their heritage. There are other States which, most of the time, slow down the transfer of heritage to this list, despite it being quite obvious that the site is in danger. They slow down, they slow down, they slow

down because of shame. Well, we did the same thing for the 2003 Convention, but it wasn't the secretariat that did it. It is the States that have applied the same scheme.

The Urgent Safeguarding List implies a commitment on the part of the State, including a financial commitment. Which does not imply anything at all in the Representative List does not imply at all. The worst thing about all this is that, as the Urgent Safeguarding List is not a sub-list of the Representative List, an element cannot be inscribed on both lists at the same time, unlike the World Heritage List. So, it's either one or the other. And then you can move from one to the other. However, when you're on the Representative List, you may well be in danger.

It's not forbidden to be in danger when you're on the Representative List, because that's not the criterion for inclusion. The criterion for inclusion is to be representative of intangible heritage and to provide a better understanding of what intangible heritage is. So even an endangered element can be perfectly representative of intangible heritage and help to improve understanding. There are plenty of things that are in danger and that are on the Representative List, including the old Masterpieces, which were inscribed in 2008.

It would probably have been better to leave the Masterpieces as they are in a small corner. But we decided to include them in the new schemes. For me, it may have been a strategic error because the Masterpieces started to feed the Representative List. During the first inscription phase, there were four or five nominations for inclusion on the Urgent List and 111 for the Representative List. And then it was over. Done. Yes, because it's impossible to stop the movement. If these were the first inscriptions, we'd already have something much bigger with the Masterpieces and then... That's it.

The Convention has come of age, and everyone has understood what intangible heritage is. That's a fact. The second fact is that, in any case, political decisions will always be taken by the committee, because that's the way it is. You can't change the Convention; you can't change the fact that it's the States that decide. The full procedure is described in the guidelines. The Convention is evolving through its directives. And as you can see, we can change them, we change them all the time.

Personally, I had suggested that each State should select five elements of intangible heritage from its inventory each year, and then include them directly on the Representative List. We would just keep the Urgent Safeguarding List, the real list in line with the main objective of the Convention. However, the Representative List continues to exist. But if we managed to put the brakes on this system, we could stop this spending in time, money, translation, etc., which completely distracts from the spirit of the Convention: the safeguarding. However, we're no longer able to put the brakes on it, and we're including elements that are deserving and elements that are less deserving. Currently we have the feeling that we can't put the brakes on this system. Somehow, I believe that it is the responsibility of States to think about the system.

A Westernized system

What are your views on the procedure for inscription on the lists? Are we working under a system that is still Westernized, even elitist? Don't you think that the current model could in some ways disadvantage the inscription of elements from non-Westernised communities? States do not have the same financial capacity, yet the whole system involves a major expenditure of public money. For example, for most of the States in our region, submitting a dossier in English or French entails additional financial expenditure. And sometimes these translations risk distracting from the issues. Don't you think it would be much more interesting to present them in the official language of each country so that at least the communities understand what is being presented and finally know whether it is to their advantage?

I have to say that I was a little disappointed with the outcome of the discussions on the inscription process. I was expecting something more creative and daring. The forms have been simplified and the floodgates have been opened even wider. But in fact, we haven't made any savings in terms of management, secretarial work, the work of experts or the money spent on translating documents for you. I did a calculation at one point, and I think that all this represented almost 80% of the secretariat's budget.

We can no longer turn back the clock and we must recognise the existence of these lists. But let's let the current flow, following the example of Wikipedia. In this way, the States will feel less frustrated. They will be able to register items each year. So, there are no limits? There is no limit because it comes from the work imposed by the current examination process.

In other words, the management work carried out by the secretariat, recording everything, translating everything, putting everything online, doing this, doing that, then summoning the experts twice, three times, in addition to organizing the dialogue process, it's crazy, it's never-ending. We spend our lives in meetings, all year round, all winter, all the time. What's more, we're still working within a Westernized system. Completely Westernized.

In the end, we don't really follow the system we created within the Convention, because we decide to inscribe everything. If you decide to inscribe everything, then why go through this expensive process?

The secretariat can give you extraordinary things in terms of work. It can support you in capacity building, assist you in policy development and so on. In other words, there are some extraordinary people in the secretariat. On the other hand, I was disappointed, I must say, with the way the list system worked. Just as I was disappointed by the reflections on the 1972 Convention which failed to make a new start.

As an anthropologist, I have a fairly clear vision of what cultural expression is in the ethnological sense. It often involves people who speak the same language, who also eat the same thing and who also listen to the same music. These are communities that are linked in different ways.

Promoting economic interests

We can see more and more that other groups, especially economic groups, are appropriating the heritage of communities, and there is a proposed blurring between material heritage and appellation of origin. Do you think that the economic and political interests of States run the risk of distorting the aims and objectives of the Convention?

And this is why, at times during the Convention, the secretariat was accused of being completely opposed to any economic activity linked to intangible heritage. Which is totally untrue. All traditional crafts have an economic function. All agricultural practices have an economic function. All breeding practices, all textile production practices. Finally, there is a large part of intangible heritage that has an economic dimension. But this economic dimension is internal to the community that practices this heritage.

However, sometimes [the UNESCO label] risks benefiting others than the community, for example, big brand companies (agri-food, luxury goods, etc.). These companies are also interested in the 2003 Convention. They have already realized the possible benefits that it could bring. Few years ago, a nomination file submitted by a developed country received negative recommendations from the evaluation body. This country proposed the inscription of an element of artisanal knowledge.

The file was prepared by two professionals who previously worked at ICOMOS. These people were familiar with the vocabulary, procedures, etc., of UNESCO and its Conventions. So, they presented a perfect file. But the evaluating body did not recommend its inclusion in the [Representative] List. They argued that the economic benefits that would arise from registration would benefit luxury brands more than artisanal communities. The Committee did not have access to the file because the requesting country decided to withdraw it after reading the report of the evaluation body.

Community participation, the weakness

In your opinion, is there genuine community participation in the process of implementing the Convention and inscription on the lists?

In fact, the problem with this Convention is that today the Western countries, as usual, have complete control over how the nominations are drawn up. They have all the keywords to build a good case. I have always refused to help put together an application, no matter which country asked me to do so. People have asked me to help them with this work. I said no, I'm happy to give you training on safeguarding, but don't expect me to help you apply. Because it's not an exercise in writing a nomination file.

It's a serious matter. It is within a community that the desire to safeguard the heritage of its preference is born, it is the practice. So, I have nothing to do with it. Now there are a lot of countries creating nominations that look perfect on paper. They have the experts with the

knowledge to do it right, so they can offer you everything. All the key words and elements requested were there. So, when you look at criterion after criterion, there's no denying that yes, it's been met. But it's illogical. There is no field visit, so the committees are not familiar with the proposed elements. On the other hand, the field visit is a false problem.

There are events that are celebrated every few years. There are the celebrations that take place periodically at the royal tombs of Kasubi in Uganda. You're not going to wait seven years to register for this event just because you have to go and see it. Secondly, you must have a little respect for cultures. Just because you go on a week-long visit doesn't mean you'll understand a culture. Some people, anthropologists for example, spend at least twenty years before they can draw conclusions. For this reason, communities must be involved in all the processes involved in developing the file. The evaluation body and the committee cannot judge only what is written on paper.

In my training courses, I often gave a very special example, very emblematic of the countries of Eastern Europe. We're talking about a heritage that is, let's say, intimate, like folk dances. When all these dances have become national ballets, as is very often the case, and you have professional dancers who perform as a national ballet in theaters, etc. People ask me if this is an intangible heritage. I reply that I don't know because I have no information about these dancers or where they come from. Or whether the dancers who take part in these ballets are part of a community or whether they have only learned to dance for show.

The difference is not the intangible heritage, it's not the dance or the costume. It's the story, the experience, the life of the person performing it. If I don't know the person and if that person doesn't say whether it's their heritage, it won't be obvious from the outside. For this reason, field visits by experts won't help us understand anything. We're not at the zoo to see animals. We are dealing with human societies that have internal logics that are very difficult for others to understand. You can't just trust what they say. States have a major responsibility towards these communities.

The consent of the communities is not a paper signed with a Ministry in charge. The recommendations of the assessment bodies have repeatedly mentioned that community consent agreements should be all collected in as many ways as possible. This can be done through videos, in the local language, etc. The State must then translate these elements so that the members of the assessment body can understand them. States that did not understand, or did not want to understand, the existence of this freedom to present the consents of communities.

Some countries have completely manipulated the nomination file. Particularly when the language in which the communities expressed themselves was not the language in which the application was submitted. There are States which, in a way, have almost invented an element involving quasi-fictitious communities. But what do you expect us, the secretariat, to do in a situation like this? We don't have anything to say about the nominations. The principle, which I believe to be the only one possible, is that the state assumes responsibility for what it presents. So, in fact, I'd say it's the weakness.

This is the Convention's only real weakness. This is not its conceptual framework. In the end, there is a major contradiction between the fact that communities are at the heart of the system in terms of identification, safeguarding, definition, and everything else. But in fact, they have nothing to do or say in the process conducted within UNESCO. This is a major weakness because it is a failure of democracy and transparency.

In fact, it might make more sense for the communities to have the right to propose nominations and then for the State to have the right to comment on the nomination. The committee will then be able to examine the files containing the information submitted by the community and the comments made by the State in order to reach a decision. But not allowing communities to express themselves directly in intangible heritage is a major flaw.

Democracy, even if it is constitutional, still has difficulty really functioning in some States, in relation to certain communities in any case. A convention that is so extraordinary, so democratic, so egalitarian, that it fails to give a voice to cultural diversity, that's a shame!

The experts and the evaluation body

Do the Committee's decisions, which differ from the Evaluation Body's recommendations, undermine the credibility of the Convention? How can we find a solution to this problem?

In my opinion, the Evaluation Body is very flexible, frankly very flexible, it is not severe, because its aim is not to be severe. However, its job is to eliminate anything that falls outside the scope of the Convention. If, as a matter of principle, you were to respect the evaluation body, while leaving the current way of operating, you could, for example, allow a negative application from your country to be blocked. At the same time, it would be up to the experts to give their opinions and set limits that would allow them to oppose certain things that go beyond the limits. It's true that if you don't have any negative opinions on your nominations, you probably won't have too many diplomatic problems. This situation could backfire because you have to recognise that there are good and bad practices.

Human rights and the writing of a global history

The Convention affirms that intangible cultural heritage must be consistent with existing international instruments of human rights. We cannot inscribe elements or events that are against human rights. For example, during the 2022 session of the Committee, we wanted to have the representation of the "savage character" removed from the "Processional giants and dragons in Belgium and France", but that's also part of the history. In your opinion, what is UNESCO's responsibility in these cases, where inscriptions on these lists and the World Heritage List shape the political, economic, and cultural relations of a given country and its communities? Are we in the process of writing a history based on the 'good elements', avoiding writing an overall history that includes both pleasant and, shall we say, not too pleasant elements? How do you make this choice? What is the Committee's responsibility?

For me, the whole point of the Convention is that it improves people's lives. It improves people's lives because preserving their intangible heritage preserves their enjoyment of being here, of being in the world, of living. So, it's a huge responsibility. I believe that intangible heritage can help turn history on its head. Especially when you think of all those peoples who have been oppressed by colonists, and therefore prevented from expressing their culture. Today they are not only invited to express it, but sometimes even supported in doing so. I think we really need to hold on to that. Thus, anything that can give a voice back to communities.

Politicization of the Convention

The question of politicization is already a statement. The Convention is obviously political. We know that inscribing something on a UNESCO's list is a way of legitimizing something. Last year, against a backdrop of conflict and in an extraordinary session, the Committee included "The culture of Ukrainian borscht cooking" on the USL. However, borscht is also a soup cooked and recognised as heritage by other communities in Eastern European countries, including Russia and Ukraine. What do you think about this type of element?

In general, eating habits are extremely complex. At the same time, all food practices are intangible heritage. A population is considered as definitively assimilated when it has lost its dietary practices. It can be displaced, lose its clothing practices, lose certain aspects of its food heritage. As long as it maintains its dietary practices, they exist.

It cannot be denied that the practice of eating is an intangible heritage. Now it's the most common intangible heritage in existence because everyone eats. And all humans not only eat, but have their own recipes, their own way of eating, their own context of eating. I think that the States are going to wear themselves out trying to understand that the lists bring them many advantages but also many disadvantages.

The world is never stable. So, I would say that whenever there are States which are governed by people who are favorable to the spirit of the Convention and who understand it, we will be able to make a lot of progress. And then afterwards, we might have to lower your head a little to wait for it to pass, hoping that there won't be too much damage. But that's the way human life is.

We cannot have a totally controlled and totally clean future. There will never be 100% of States that behave well in relation to the Convention. But not just with regard to the Convention, with regard to human rights, with regard to everything in fact. So, there you have it, I think it's strength in numbers that sets the direction.

When you invest in cultural democracy and empowerment at a local social level, you get an extraordinary return on your investment. But a return on investment that goes beyond the cultural field, into the economic, social, and politic field. When people take pride

in what they do, they do it better, they do it more. They speak their language more to their children because they are proud of it, because they know it is valued. All this is economic and political dynamism that has no value. Not to mention that, ethically, we're doing something very powerful too.

I'm not talking about ethics, but I'm talking in terms of economics, positive political return, and positive economic return. If you manage to, seriously and scientifically, document the positive impact of certain safeguarding elements in terms of democracy, social cohesion, and economic dynamism, I believe that this will lead many States to think.

Assessment

What assessment can be made of these twenty years in terms of the Convention's objectives?

Overall, I am happy with the results obtained so far. Maybe I'm a little naive, but I still have a lot of hope for the Convention. Article 18, good practices on safeguarding, is where we need to go from here. We really need to get the whole of civil society behind this article. The academic world needs to get to grips with this, and governments need to stop feeling that they are the only ones entitled to identify intangible heritage. Civil society must be involved in this process. This work must not be done exclusively by governments, which often only seek to justify their own measures which are sometimes not the right ones. The academic world must invest in this issue of good practices.