

Intangible Cultural Heritage and Communities: UNESCO Convention for the Safeguarding the Intangible Cultural Heritage (2003) and Five Korean Cases^{1 2}

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ABSTRACT— *This paper discusses the meanings and socio-cultural implications of “communities” in the context of safeguarding intangible cultural heritage (ICH), based on several pieces of relevant documents written by UNESCO and the experts in the field. The notion of “community” has been one of the key concepts in defining, safeguarding, and inscribing the intangible cultural heritages (ICH) in the context of UNESCO Programmes. In addition, the relationship between the communities and the ICH in academic analyses and policy-making is highly complex, multi-faceted, and closely inter-related that the two cannot be discussed separately. Based on the analyses and examination of ethnographic cases, this paper concludes that, although the communities’ opinions should be taken seriously in planning and implementing ICH safeguarding, it is important to consider the fact that the members of the communities are not homogeneous or in the same opinion.*

Keywords— intangible cultural heritage, UNESCO, community, Korea

1. INTRODUCTION

In this paper, the meanings and socio-cultural implications of “communities” in the context of safeguarding intangible cultural heritage (ICH) are explored and analyzed, based on several pieces of relevant documents written by UNESCO and the experts in the field. Five cases of ICH and their communities included in Korean ICH nomination files submitted to UNESCO for inscription on the Representative List of the Intangible Cultural Heritage of Humanity are examined to understand how the notion of community is perceived and utilized in discussing diverse elements of ICH in various contexts. Illustrating the concept of community with actual cases (although Korean examples may not represent the diverse array of circumstances in which ICH is situated in different parts of the world) may illuminate the key issues that exist in the relationship between ICH and its communities. As anthropologists often romanticize their native informants in ethnographic fieldwork, and sometimes give an almost omnipotent authority in discussing their own culture, communities of ICH are sometimes asked to provide their verdict on critical and difficult issues including the right scale and scope of ICH elements. This was clearly the case in the summary records of the Open-ended intergovernmental working group on the right scale or scope of an element (UNESCO Headquarters, 22 and 23 October 2012), reported at the 8th Inter-Governmental Committee Meeting in Baku, Azerbaijan, from 2 to 7 in December 2013. In this paper, I argue that although the communities’ opinions should be taken seriously in planning and implementing ICH safeguarding, the members of the communities are not homogeneous or in the same opinion.

The notion of “community” has been one of the key concepts in defining, safeguarding, and inscribing the intangible cultural heritages (ICH) in the context of UNESCO Programmes. In addition, the relationship between the communities and the ICH in academic analyses and policy-making is highly complex, multi-faceted, and closely inter-related that the two cannot be discussed separately. Most discussions on the relationship between ICH and their communities can be divided into two categories: first, the role and meanings of the ICH in the lives and identities of the communities, and secondly, the role of communities in safeguarding the ICH. These two are interrelated and closely linked with UNESCO’s ICH safeguarding and inscription programmes. For these reasons, in the 2003 UNESCO Convention for Safeguarding Intangible Cultural Heritage, the word, “community(communities)” appear 12 times, while

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² Earlier versions of this paper were presented at the “International Symposium on Nongak,” organized and sponsored by the Korea Cultural Heritage Foundation on October 16, 2014, “the Shared values of Tugging Rituals and Games in Asia: Focusing upon “Communities” of Intangible Heritages,” in Dangjin, on April 10, 2015, and “the Annual Meeting of Korean Anthropological Association” in Jeju, October 2016.

the Operational Directives for the aforementioned Convention contains 12 “community(communities)” in its text. In most cases, communities are referred to as “communities, groups, and where applicable, individuals.”

UNESCO’s 1972 World Heritage Convention does not specifically mention communities in its text. However, the relationship between the (tangible) heritages and the relevant communities has been one of the main topics dealt with in a number of expert meetings on the 1972 World Heritage Convention recently. Even in the context of World Heritage Convention, where the preservation of tangible heritages is the primary concern, communities are not merely regarded as the guardians of the heritages, but also as active participants in defining heritages, giving meanings to the heritages’ in their historical contexts, and perceiving them as important components of their cultural identities.

As in other UNESCO conventions, the 2003 ICH Convention is implemented with the collaborative participation of states parties that ratified it. In this context, the interests of relevant ICH communities may not exactly coincide with those of the state governments. This may be especially true when the ICH communities are ethnic and/or cultural minorities. In cases where the mainstream culture in the nation/states and the minority cultures have significant differences, the state’s safeguarding of ICH may result in marginalizing some ICH. Intangible cultural heritage can also be utilized by the state government’s “nation-building” work, thus creating political conflicts. These concerns might be the reasons why the Convention and the Operational Directives emphasize the responsibility of the states in engaging the communities in safeguarding the ICH. In the context of ICH safeguarding, the notion of cultural diversity and the cultural rights of the minorities tend to be more emphasized and supported than in other contexts related with heritage programs. The attention given to the role of communities in safeguarding the ICH can be viewed in this context as well.

2. THE CONCEPT OF “COMMUNITIES” IN THE 2003 UNESCO CONVENTION FOR THE SAFEGUARDING OF THE INTANGIBLE CULTURAL HERITAGE

The 2003 ICH Convention incorporates the reflection on the 1972 World Heritage Convention that the latter did not fully take into account the role of communities while being overly Eurocentric in its philosophical bases in defining, appreciating, and safeguarding the heritages. (Rudolff and Raymond 2013) The 2003 ICH Convention gives detailed and concrete explanation on the role of communities in ICH safeguarding and encourages the States Parties to let the communities play primary role in defining, safeguarding, and nominating the ICH to be listed as UNESCO heritage. During the 31 years between 1972 (World Heritage Convention) and 2003 (ICH Convention) there have been significant changes in the discourses surrounding the relationship between the communities and heritages. Communities have received increasingly higher degree of recognition in their role vis-a-vis cultural heritages: they are not only the guardians of the heritages but more active agents in safeguarding and sustaining the heritages. The cultural rights of the indigenous communities have garnered more attention as well, as an integral part of safeguarding cultural diversity. There have also been an increasing amount of awareness that the communities and the States Parties they belong to may not have the same view on the UNESCO inscription of the ICH. All these changes influenced the contents of the 2003 ICH Convention, which are at times accused of putting more emphasis on the communities rather than on the ICH itself by some critiques. (Rudolff and Raymond 2013)

Intangible cultural heritages have indigenous bases and have been practiced as part of the lives of the people. ICH has represented the cultural identity of communities and served as the center of their social integration. Urbanization and industrialization may adversely affect the sustainability of the ICH. Efforts to safeguard the ICH on the global level, including the implementation of UNESCO programmes, have been exerted to meet such challenges. The 2003 UNESCO ICH Convention notices this in its Preamble as the following: “... Recognizing that communities, in particular indigenous communities, groups and, in some cases, individuals, play an important role in the production, safeguarding, maintenance and recreation of the intangible cultural heritage, thus helping to enrich cultural diversity and human creativity, ...” Following on that, Article 2 of the Convention states, “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. This intangible cultural heritage, transmitted from generation to generation, is constantly recreated by communities and groups in response to their environment, their interaction with nature and their history, and provides them with a sense of identity and continuity, thus promoting respect for cultural diversity and human creativity. For the purposes of this Convention, consideration will be given solely to such intangible cultural heritage as is compatible with existing international human rights instruments, as well as with the requirements of mutual respect among communities, groups and individuals, and of sustainable development.” As indicated above, the very definition of intangible cultural heritage outlined in the Convention contains the notion of communities as the primary agents of safeguarding.

Article 15 of the Convention is specifically about the “Participation of communities, groups and individuals.” It reads, “within the framework of its safeguarding activities of the intangible cultural heritage, each State Party shall endeavour to ensure the widest possible participation of communities, groups, and, where appropriate, individuals that create, maintain and transmit such heritage, and to involve them actively in its management.” This article points out the potential problems and limits of ICH safeguarding programmes driven by the government or experts only.

The 2003 Convention started to be implemented in 2006 when the number of States Parties surpassed 30. In the same year an expert meeting on community participation in ICH safeguarding was held in Tokyo, Japan. The agenda of the meeting included: the definition of communities, the role of communities in ICH inventory making, and the

participation of the communities in inscribing the ICH on UNESCO Lists.³ One of the major outcomes of the Meeting was to make working definitions of the “communities, groups, and individuals” in the context of ICH safeguarding. The experts who participated in the Meeting’s discussions agreed that, “communities are networks of people whose sense of identity or connectedness emerges from a shared historical relationship that is rooted in the practice and transmission of, or engagement with, their ICH; Groups comprise people within or across communities who share characteristics such as skills, experience and special knowledge, and thus perform specific roles in the present and future practice, recreation and/or transmission of their intangible cultural heritage as, for example, cultural custodians, practitioners or apprentices.” According to the contents of the Report, “individuals are those within or across communities who have distinct skills, knowledge, experience or other characteristics, and thus perform specific roles in the present and future practice, recreation and/or transmission of their intangible cultural heritage as, for example, cultural custodians, practitioners and, where appropriate, apprentices.” The Convention emphasizes that it is important for these communities, groups, and individuals play central roles in ICH safeguarding, and encourages the states parties to develop policies and implement them to invite them to do so.

3. THE CONCEPT OF “COMMUNITIES” IN THE OPERATIONAL DIRECTIVES FOR THE IMPLEMENTATION OF THE 2003 UNESCO CONVENTION FOR THE SAFEGUARDING OF THE INTANGIBLE CULTURAL HERITAGE⁴

Operational Directives contain concrete and practical instructions necessary for implementing the UNESCO ICH Convention mainly by the state party governments. As a relatively new Convention, the Operational Directives for the ICH Convention have been revised since its inauguration reflecting the needs of the states parties. One of such revisions was made in June 2014 when the General Assembly of the Convention met in Paris. With such repeated revisions made, the current Directives reflect the most up-to-date and practical needs in the field of ICH safeguarding. The Operational Directives consist of 6 chapters and 197 articles, among which “Chapter 3, Participation in the Implementation of the Convention” (from article 79 through 89) deals with the definition and role of the communities. Article 79 states that “the intergovernmental committee of the Convention encourages States Parties to establish functional and complementary cooperation among communities, groups and, where applicable, individuals who create, maintain and transmit intangible cultural heritage, as well as experts, centres of expertise and research institutes.” The Directives continue to ask the States Parties “establish effective measures to give the communities the initiative in safeguarding the ICH, and make sure that those measures are implemented.” Those measures include: raising awareness on the importance of ICH safeguarding, capacity-building for the safeguarding at the community and local level, respecting the community’s opinions in pursuing inscription of the ICH elements on UNESCO Lists (or, if necessary, removing the elements from the lists). To enable all these the governments of the states parties are asked to share necessary knowledge and information with the communities.

As explained above, the Operational Directives give clear and concrete instruction on involving the communities at every juncture of ICH safeguarding. This also shows that the primary agents in safeguarding the ICH are the communities, even when the Convention is ratified by the governments of the states parties.

4. THE CONCEPT OF COMMUNITIES AS DISCUSSED AT THE OPEN-ENDED INTERGOVERNMENTAL WORKING GROUP MEETING ON THE ‘RIGHT’ SCALE OR SCOPE OF AN ELEMENT⁵

One of the most challenging issues in discussions on ICH related subjects is the “right” scales or scopes of the ICH elements. When we observe similarities among ICH elements, we are often expected to determine whether they should be regarded as separate heritages that happen to share similar characteristics, or they should be regarded as variations of a single ICH element. Especially when the States Parties try to nominate ICH elements for UNESCO inscription, this might be an important question. In fact, when we consider the essential characteristics of culture (including ICH), this question is problematic, because cultures are not clearly demarcated in most cases, especially along the national borders. However, ICH-related projects (especially for inscription on the UNESCO Lists) often require the experts and the governments of the states parties to decide on the scale and scope of ICH elements. When Japan submitted nomination files for ICH elements that are similar to the already inscribed elements from Japan, the issue of scale and scope became quite controversial. This was why UNESCO decided to have an open-ended working group meeting of experts on this issue in 2012 with financial support from Japan.

³ The outcome of this meeting is compiled in the Report on Expert Meeting on Community Involvement in Safeguarding Intangible Cultural Heritage: Towards the Implementation of the 2003 Convention, 13-15 March 2006, Tokyo, Japan, organized by UNESCO and Asia/Pacific Cultural Centre for UNESCO (ACCU).

⁴ Operational Directives for the Implementation of the Convention for the Safeguarding of the Intangible Cultural Heritage (version updated at the 7th General Assembly, June 2018), UNESCO

⁵ Open-ended intergovernmental working group meeting on the ‘right’ scale or scope of an element (October 2012, Paris, France)

At this meeting, the four invited experts who presented thematic papers agreed that ultimately the decision on the right scale and scope of ICH elements should be made by the communities that are relevant to the ICH elements. There is no standard that can be used across diverse cultural contexts. Also, they agreed that rather than calling some ICH's similar elements, they should be regarded as ICH's as "shared" by more than one community. The experts also agreed that depending on the context where the ICH is dealt with the right scale and scope may vary. For example, when the States Parties submit nomination file in order for the ICH to be inscribed on the Representative List of UNESCO, the scale and scope can be larger, since what is emphasized is the "representative value" of the ICH for the humanity. On the other hand, nomination files submitted to be inscribed on the Urgent Safeguard List may have much smaller scale and scope, because the elements usually have much smaller communities with relatively less resources for safeguarding.

Recent nomination practices adopted by Japan reflect the above-mentioned conclusion at the Meeting. Japan has been adding the ICH elements from various localities in Japan to the country's ICH already inscribed on UNESCO List. This helps Japan to satisfy their domestic needs from these localities for UNESCO inscription. Since such element is already on UNESCO List, adding more of similar elements may be less complicated or difficult compared to putting an entirely new element on the List. Following the conclusions drawn from the experts' discussion at the meeting, the collective view of the community members needs to be given the highest priority in making decisions on the scales and scopes of the ICH elements. To do this, the experts emphasized that the governments of the States parties should let the communities have full information on the contexts where their ICH is dealt with.

5. THE CONCEPT OF COMMUNITY IN UNESCO NOMINATION FORM, AIDE-MEMOIRE FOR COMPLETING A NOMINATION, INSTRUCTIONS FOR NOMINATION FILE

The Intangible Cultural Heritage Section of UNESCO compiled a document, "Aide-Memoire" to aid the states parties prepare for nomination files for inscription, following decision made at the 8th Intergovernmental Committee Meeting in Baku, Azerbaijan in 2013. This document contains not only the detailed instruction on filling out the nomination forms, but also the philosophical basis and practical advice to be utilized by the States Parties in policy making and the implementation of the Convention. Among the 106 items in the document, "the widest possible participation of the communities" starts from the 27th item. In the item 27, the document clearly states that the section related with the "communities" is the central part of the document. The community is not limited to those people who are directly involved in practicing or transmitting the ICH element, but also includes the broad range of people who appreciate, observe, and participate in safeguarding in various capacities. Item 30 emphasizes the diversity and heterogeneity that exist among the members of the communities, while item 31 instructs that when the states Parties are highlighting a limited number of communities among many, they should clearly justify their principle of selection. Items 32 and 33 deal with the importance of women and youth among many sub-groups of the community. The document also states that some nomination files read as if they are blaming the youth for lacking interest in ICH. Rather than doing so, it is recommended in the document that a safeguarding measure that can accommodate the interests and needs of various generations in the community should be established.

As stated earlier, the 2003 ICH Convention is sometimes regarded as one that puts more emphasis on the communities than the ICH itself. This may have a grain of truth at least in the case of Aide-Memoire. Items 58 and 59 instruct that nomination files should contain full information on the socio-cultural meanings and functions of the ICH element in the communities than a lengthy description of technical aspects of the element. When the nomination files lack the socio-cultural analyses, the ICH elements may be de-contextualized. Item 81 asserts that the widest possible participation of the community itself is the very safeguarding measure. To make this possible, the participation of the communities in the stage of establishing the safeguarding programme is essential.

6. THE NOTION OF COMMUNITY AS REFLECTED IN THE REPORT OF THE SUBSIDIARY BODY ON ITS WORK IN 2013 AND 2014 AND EXAMINATION OF NOMINATIONS FOR INSCRIPTION ON THE REPRESENTATIVE LIST OF THE INTANGIBLE CULTURAL HERITAGE OF HUMANITY⁶

One of the valuable sources from which we can gather information on the current trends and philosophical bases of the UNESCO ICH safeguarding programme is the general assessment that is included in the subsidiary body's report on their evaluation of nomination files submitted by the states parties for inscription on UNESCO Lists. In this segment, two of such reports (compiled in 2013 and in 2014) are examined.

In the report prepared for 2013 inscription, the subsidiary body assessed that a number of files did not provide enough information on how the communities participated in preparing the file. They required concrete and detailed explanation on this. This applies to both the safeguarding plans and preparation of the files. The body reiterated the

⁶ Report of the Subsidiary Body on its work in 2013 and examination of nominations for inscription on the Representative List of the Intangible Cultural Heritage of Humanity, Baku, Azerbaijan, December 4, 2013. Report of the Subsidiary Body on its work in 2014 and examination of nominations for inscription on the Representative List of the Intangible Cultural Heritage of Humanity, Paris, France, November, 2014.

importance of the role of communities. They also emphasized that the community not only includes those who are directly involved with the ICH but a wider scope of people who may have less direct involvement with the ICH element.

In the 2014 report, the body stated that the overly generalizing reference to the communities, by using expressions such as “all the people,” or “the entire population” is not acceptable. Rather, a more concrete and precise reference is required. In addition, the community is not merely “informants” on ICH elements, but a full-fledged participant who should be informed of the whole processes and their implications.

7. VARIOUS CASES OF COMMUNITIES AS PRESENTED IN KOREAN NOMINATION FILES SUBMITTED TO UNESCO FOR INSCRIPTION ON THE REPRESENTATIVE LIST OF THE INTANGIBLE CULTURAL HERITAGE OF HUMANITY: ARIRANG, KIMJANG, NONGAK, TUGGING RITUALS AND GAMES (A MULTINATIONAL NOMINATION WITH THREE OTHER STATES PARTIES), AND JEJU HANYEO

In this part, five different elements of ICH and their relevant communities in the Republic of Korea, as represented in their UNESCO nomination files, are examined to illustrate the diverse nature of ICH communities.

7.1 Communities of Arirang (inscribed in 2012)

In the nomination file for Arirang, it is clearly stated that, “Arirang is a popular folk song beloved by Korean people that even include expatriate Koreans living around world. Koreans can sing Arirang “as it inhabits a special place in their culture and community life” (emphasis by the author of this paper) no matter where they live. Arirang unites Koreans as one community. By keeping it close to their hearts, they are involved in its safeguarding and transmission.” In particular, the file continues to state, the skill-holders of Arirang have been actively safeguarding it maintaining its unique regional characteristics. The file also states that all levels of schools are also the relevant communities of Arirang where transmission is made in a more formal setting. The file included the names of some individuals and groups as the representative communities of the Arirang, although the “entire Koreans” should be considered as the ICH community.

7.2 Communities of Kimjang (inscribed in 2013)

The nomination file for Kimjang says that, “Kimjang, making large quantities of kimchi to sustain Koreans through the long winter months, has been an essential part of preparing for the long harsh season, and its community includes virtually all Koreans.” This is similar to the way community is described in the nomination file for Arirang. In the case of Kimjang, communities are explained with a reference to the social structure and prevalent social relationships in Korean society: family, kinship, gender, and neighborhood, among others. Women’s work networks are also recognized as important communities in Kimjang culture. Collaborative work and sharing of kimchi are practiced in these various communities. In this way, although both Arirang and kimjang have the entire nation as their ICH communities, socio-cultural characteristics of those communities are more emphasized in the case of kimjang.

7.3 Communities of Nongak (inscribed in 2014)

In the nomination file for Nongak, it is stated that, “Nongak is a popular folk performing art widely practiced in Korean society. It is no exaggeration to say that every Korean is familiar with it. Diverse groups are involved with the transmission of this folk art, which has been handed down in different forms indigenous to different regions and communities throughout Korea.” The file particularly recognizes the fact that many villages, work places, schools have organized Nongak bands, thus voluntarily safeguarding the heritage. In this way, the ICH communities of Nongak are similar with those of Arirang in the sense that although the entire nation makes the communities of ICH, some individuals and groups are also mentioned for their expertise.

7.4 Communities of Tugging Rituals and Games (inscribed in 2015, multinational nomination with Cambodia, the Philippines, and Vietnam)

This case is different from the other ICH cases examined in this chapter, because the nomination file for this Tugging Rituals and Games was submitted as a multinational nomination. As the common characteristics of communities of this ICH, the file says, “The communities that practice tugging rituals and games in the participating states parties do so as a means of wishing for abundant harvests and to promote unity, harmony, and solidarity. For these purposes, the relevant safeguarding associations and practitioners as well as the towns and regional communities that they belong to participate in the tugging rituals and games as inscribed in the national ICH lists of the States Parties. In each State Party the tugging rituals and games also draw participation from associations and socio-cultural groups, as well as schools at all levels, including universities. As such, the groups related with the tugging rituals and games surpass the boundaries of socio-economic differences and exhibit an openness of participation. The following are the representative organizations and groups in each State Party.”

In Korea, the names of six safeguarding societies for Juldarigi (Korean name for the ICH) were mentioned because those belong to the regions that has their regional practice of the ICH listed on either national or regional important intangible cultural property. The whole villagers may be considered the ICH communities, while the members of the safeguarding societies play leading roles in their practice and transmission.

7.5 Communities of Jeju Haenyeo (inscribed in 2016)

The ICH communities of Jeju haenyeo are more clearly defined compared to the other four cases discussed in this paper. As members of the haenyeo Association the ICH bearers have cl

early defined privileges and responsibilities. They also constantly reaffirm their identities as ICH bearers by practicing their diving work. In the nomination file the number of haenyeo is clearly mentioned to be about 4,500. There are 100 Fishery associations, while the haenyeo associations are affiliated with those fishery associations. The haenyeo associations are communities with voluntary membership. There are also the communities of academics and other concerned people. According to the Ordinance of Jeju Province Government, A Safeguarding Association for Jeju haenyeo Culture“ was organized.

Limiting the haenyeo ICH communities to the haenyeo associations may be defining the ICH communities too narrowly. Many Jeju people have haenyeo as their family members, and feel that haenyeo are important part of their regional, cultural identity. If we include the song, art works, stories, religious rituals into haenyeo culture, the ICH community of haenyeo is indeed very broad.

8. CONCLUSIONS

Intangible cultural heritages cannot be discussed outside the context of community participation. The documents and texts examined in this paper contain valuable information to be used as references in establishing and implementing safeguarding plans for intangible cultural heritages in various contexts. These may also prove to be useful in resolving the potential challenges that might arise among neighboring countries in the field of ICH safeguarding and nomination/inscription.

Cultural heritages have been passed down from the past, but they are constantly redefined and recreated by the members of the communities. Their meanings and functions change reflecting the socio-cultural conditions of the present day. This requires the safeguarding plans for ICH to adapt to the changes flexibly, especially because ICH is a living heritage that is meaningful only when it is practiced among the community members. Although communities cannot answer all the needs and challenges, any discussion should be made with the views and needs of the communities incorporated.

As we discussed in the last chapter of this paper with five ICH cases in Korea, the ICH communities are diverse in their characteristics and flexible in their boundaries. Their roles in safeguarding and transmitting the ICH are diverse as well. The members of communities are not homogeneous, nor do they share the same interest. Even with these loosely defined notion of communities, there seem to be no question that the communities themselves are the key agencies in ICH safeguarding in any contexts.

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