

INTERNATIONAL AND NATIONAL LEGAL FRAMEWORKS FOR THE PROTECTION OF INTANGIBLE CULTURAL HERITAGE**Sarimsoqov Ibrohim Mirzaxmadovich**Independent Researcher, Uzbekistan State University of Physical
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Annotation. This article analyzes the international and national legal frameworks for the protection and development of intangible cultural heritage. The study examines the international legal instruments regulating this field, as well as the legislative framework of the Republic of Uzbekistan. In particular, it analyzes UNESCO conventions related to the safeguarding of intangible cultural heritage, national normative legal acts, and the main directions of state policy in this area.

Keywords: Intangible Cultural Heritage, Legal Frameworks, International Law, National Legislation, UNESCO, Cultural Diversity, Cultural Policy, Heritage Preservation.

Introduction. In the context of increasing cultural globalization and the growing dominance of mass culture, it has become increasingly important for every nation to preserve and promote its traditions, rituals, and customs. Countries that recognize this challenge are actively working to protect their national identity and cultural heritage and ensure its transmission to future generations. In particular, UNESCO raised the proposal in the 1990s to safeguard the intangible cultural heritage of humanity. This initiative was one of the first steps in this field, following earlier conventions and concepts mainly focused on tangible cultural heritage. In 2001, UNESCO conducted a survey among member states and non-governmental organizations to develop an agreed definition of intangible cultural heritage. After reaching a consensus, the Convention for the Safeguarding of the Intangible Cultural Heritage was adopted on 17 October 2003 in Paris. The Republic of Uzbekistan ratified this Convention in 2008 and became a member. As a result, issues related to intangible cultural heritage were elevated to the level of state policy.

By the Resolution of the Cabinet of Ministers of the Republic of Uzbekistan No. 222 dated 7 October 2010, the State Program “On the Protection, Preservation, Promotion, and Use of Intangible Cultural Heritage Objects for 2010–2020” was adopted. In order to implement this program, 38 organizations and institutions across the country were assigned responsibilities. The Republican Scientific-Methodological Center for Folk Creativity and Cultural and Educational Work was granted the status of a coordinating institution for the activities of state and non-state organizations in the field of intangible cultural heritage. Based on the conclusions of historical and cultural expertise, proposals for including cultural heritage objects in the World Cultural Heritage List or the Representative List of the Intangible Cultural Heritage of Humanity are prepared in cooperation with the United Nations Educational, Scientific and Cultural Organization (UNESCO).

By the Presidential Decree of the Republic of Uzbekistan No. PF-114 dated 27 June 2023, “On Measures for the Effective Organization of State Administration in the Fields of Culture and Tourism within the Framework of Administrative Reforms,” the institution was renamed the Institute of Cultural Studies and Intangible Cultural Heritage Research. Measures for the protection of intangible cultural heritage include scientific and technical research, documentation, promotion, and incentive activities. By the Resolution of the Cabinet of Ministers No. 222 dated 7 October 2010, the State Program “On the Protection, Preservation, Promotion, and Use of Intangible Cultural Heritage Objects for 2010–2020” was approved. According to this program,



the Ministry of Culture of the Republic of Uzbekistan was designated as the main implementing body, responsible for monitoring the program, submitting annual reports to the Cabinet of Ministers, strengthening the material and technical base of the Republican Scientific-Methodological Center, and organizing the study and documentation of intangible cultural heritage objects, usually at their place of origin. State bodies, research institutions, NGOs, independent experts, and specialists are involved in this process.

By Presidential Resolution No. PQ-405 dated 25 December 2023, additional measures were adopted for the protection, scientific study, and promotion of intangible cultural heritage. Starting from 1 April 2024, the Ministry of Culture will identify 20 bearers of rare or endangered intangible cultural heritage elements and support them in safeguarding, promoting, and transmitting their heritage. Their activities will be evaluated based on performance indicators. Those who meet the criteria will receive monthly financial incentives of 5 million Uzbek soms from the extra-budgetary fund of the Ministry of Culture.

By Presidential Decree No. PF-114 dated 27 June 2023, the Institute of Cultural Studies and Intangible Cultural Heritage Research was renamed accordingly. Annual state orders will be issued for the production of 50 audiovisual works to record and widely promote intangible cultural heritage, including publication on the internet and social media. These productions will be carried out through direct contracts concluded by the Ministry of Culture. A proposal by the Ministry of Culture, the Academy of Sciences, the “Hunarmand” Association, and the Cultural Heritage Agency to develop a unified system of “training – teaching – restoration – preservation – promotion” for intangible cultural heritage has been approved. Pilot projects are being implemented in the Rishton International Ceramics Center and the Margilan Handicraft Center in Fergana region. Here, products such as atlas and adras textiles and ceramics are produced, taught to young people through the master–apprentice system, and supported through research, exhibitions, and demonstrations. Sales activities are also organized, and permanent exhibitions are established. The best examples of atlas, adras, and ceramics are purchased for state museums under the nationwide campaign “My Contribution to National Heritage!”

The resolution also approved cooperation plans for the comprehensive development of selected intangible cultural heritage elements, the list of nominations for UNESCO international lists, research expedition plans for 2024–2026, state grant programs for research, digitization plans, key performance indicators for the Institute, and a “roadmap” for further development in 2024. By 1 October 2024, the “Qadriyat” electronic platform and mobile application will be developed. It will integrate relevant digital services and resources. The platform will include information on bearers and practitioners of intangible cultural heritage (including maqom and baxshi traditions), electronic documentation, audiovisual materials, scientific conferences, expedition results, and information on internationally recognized heritage elements. The platform will be funded by the Spirituality and Creativity Support Fund and maintained by the Institute.

The main tasks of the Institute of Cultural Studies and Intangible Cultural Heritage Research include analyzing the legal and institutional framework of the cultural sector, preparing scientific recommendations, conducting research and expeditions, documenting heritage elements, promoting cultural heritage through media and digital platforms, and developing educational materials for all levels of education. To date, 14 elements of Uzbekistan’s intangible cultural heritage have been included in UNESCO’s Representative List of the Intangible Cultural Heritage of Humanity at the recommendation of Uzbekistan. These include Shashmaqom (2008, with Tajikistan), Boysun culture (2008), Navruz (2009, expanded in 2016 with multiple countries), Katta Ashula (2009), Askiya (2014), Palov culture (2016), Lazgi dance (2019), miniature art (2020), baxshi art (2021), traditions of telling jokes about Khoja Nasreddin (2022),



traditional silk production (2022), ceramics of Uzbekistan (2023), the art of decoration: carving and painting (2023), and iftar-related social and cultural traditions (2023). Protecting, preserving, and transmitting intangible cultural heritage to future generations is the responsibility of all of us.

Conclusion. The protection of intangible cultural heritage is essential for preserving cultural identity and diversity. International and national legal frameworks play a significant role in safeguarding cultural traditions and ensuring their transmission to future generations. Effective implementation of these legal mechanisms contributes to the sustainable development and preservation of cultural heritage.

REFERENCES

1. D. Chinpolatov. Intangible Cultural Heritage and Youth. Bachelor's Thesis. Tashkent, 2019. 79 pages.
2. Intangible Cultural Heritage of Uzbekistan. National Commission of the Republic of Uzbekistan for UNESCO Affairs, 2017.
3. Toshmatov O., Isakulova N. Legal Foundations of the Protection of Intangible Cultural Heritage. Tashkent: Fan Publishing House, 2014.
4. Speech of President Shavkat Mirziyoyev at the opening ceremony of the International Maqom Art Forum in Shahrisabz. Available at: <https://www.gazeta.uz/uz/2018/09/07/nutq/>
5. National Culture in Uzbekistan: Reforms and Main Directions. Available at: https://uza.uz/uz/posts/ozbekistondamilliy-madaniyat-islohotlar-va-asosiy-yonalishlar_322667. Accessed: 15.02.2023.

