

ROUND TABLE LIVING HERITAGE, COMMUNITIES AND INDIGENOUS PEOPLES THE UNESCO CONVENTION 2003

**Friday 19 September 2025 – 2.00-5.30 p.m. Polo Universitario Santa Marta,
entrance 24 Cantarane street, Room To6**

Abstracts of the contributions

Valentina Lapicciarella Zingari

***Indigenous Peoples. Introductory words and some key points from the UNESCO
Guidelines on indigenous people and ICH***

Indigenous peoples and their interests are represented in the United Nations primarily through the mechanisms of the Working Group on Indigenous Populations (1994). In April 2000 the United Nations Commission on Human Rights adopted a resolution to establish the United Nations Permanent Forum on Indigenous Issues (PFII) as an advisory body to the Economic and Social Council with a mandate to review indigenous issues. In September 2007, after a process of preparations, discussions and negotiations stretching back to 1982, the General Assembly adopted the Declaration on the Rights of Indigenous Peoples. The declaration's purpose is not to create new rights, but rather addresses topics such as indigenous reconciliation in regard to restoring and protecting culture, traditions, and indigenous institutions, and the pursuit of self-determined development. On Thursday, September 13, 2007, the United Nations voted by a vast majority of 144 in favor (4 against, 11 abstained, and 34 absent) of the declaration.^{[5][6]} Since 2019, the publication of a Brochure on **Living Heritage and Indigenous people**, propose the Convention for the safeguarding of Intangible Cultural Heritage as a new tool for Indigenous People cultural rights, referring to the Declaration on the Rights of Indigenous Peoples.

What possible ways to engage Indigenous People with the Convention? This short introduction will share some tools available for indigenous communities, indicating some crucial key-domains in safeguarding living heritage: community-based resilient practices, indigenous languages, quality education, environmental sustainability. Today, some other key domains will be presented by our invited speakers: the law and juridical protection (a critical perspective on Australia by Lucas Lixinski) the economic aspects of heritage safeguarding (by Harriet Deacon), as well as the Intellectual Property and Marketing Strategies (by Benedetta Ubertazzi).

The case of French Guiana and New Caledonia will allow us to open ourselves to listening to the point of view of indigenous communities, reflecting on the process of heritagization of traditional games and sports. Finally, the Maori delegation from New Zealand will bring us on the key question of *Cultural Sovereignty and the Reclamation of Living Heritage*. A journey through the treaties and the tribal aspirations of the Maori people!

Dr. Valentina Lapicciarella Zingari is a PhD Cultural Anthropologist. Since 1990 she develops ethnographical and community-based approaches in the process of heritage-making, in the fields of local museums, oral history, audio-visual documents, the social uses of sound archives, and Intangible Cultural Heritage (ICH). Since 2017, she is UNESCO facilitator for the implementation of the 2003 Convention. Since 2009 she follows the processes related to the implementation of the UNESCO ICH Convention and the dialogue between the ICH accredited NGOs, in the framework of the ICH NGO Forum (www.ichngoforum.org). In this context, she is developing innovative approaches to the ICH safeguarding, improving and activating processes, projects and dialogues at different levels: from the local grassroots to the national and multinational.

For Associazione Giochi Antichi (AGA) and the European Traditional Games and Sports Association (ETSGA), she is coordinating the UNESCO multinational safeguarding process of *“Tocati, a shared programme for the safeguarding of Traditional Games and sports”* (<https://tocati.it/>) as a model and inspiring laboratory for the safeguarding of ICH. A long term project aims at using the Register of ICH Good Safeguarding practices as a tool to safeguard TSG by impacting cultural policies and strengthening community participation in the arena of heritage regimes.

Lucas Lixinski

The Cunning of First Nations Intangible Heritage in Australia

Australia is one of the few countries in the world that is still not a party to the 2003 Intangible Cultural Heritage Convention. It refuses to ratify the Convention largely because it ties it to the ongoing process of constitutional recognition of Indigenous peoples in this country. Nonetheless, some states in the Australian federation have taken steps to 'implement' the Convention. I suggest that there is a "cunning" in place: Australia's tying of intangible heritage only to Indigenous peoples, while on the surface an act of recognition, can easily work to further undermine recognition processes, and even Indigenous intangible heritage itself. I will query the tensions surrounding this treaty in Australian law and politics, critiquing the assumption in Australia that intangible cultural heritage is exclusively Indigenous heritage, and the place of intangible heritage in Indigenous recognition processes.

Dr Lucas Lixinski is Professor and Associate Dean (International) at the Faculty of Law & Justice, UNSW Sydney (Australia). He teaches and researches extensively across the areas of international cultural heritage law and international human rights law, often at the intersection of the two. He is one of the editors of the forthcoming *Oxford Handbook of Indigenous Peoples and International Law*, as well as one of the editors (with Janet Blake) of the award-winning commentary to the 2003 Intangible Cultural Heritage Convention. He often consults for community organizations, governments, and international organizations on cultural heritage safeguarding issues, as well as human rights law. His latest monograph is *A Research Agenda for Cultural Heritage Law* (Edward Elgar, 2024).

Harriet Deacon

What implementation of the 2003 Convention can learn from the experiences of Indigenous Peoples about economic aspects of heritage safeguarding

UNESCO's Living Heritage Entity is currently engaged in the development of guidance and capacity-building materials about managing the economic dimensions of living heritage safeguarding under the 2003 Convention. I was involved (with others) in developing a desk study and developing a Guidance Note based on consultations with an expert meeting on the subject.¹ The Guidance Note proposes that any safeguarding actions to maximise benefits and address the risks of economic engagement should be part of a broader heritage-sensitive and rights-based safeguarding approach in which the primary role of communities, groups and individuals concerned would be respected in decisions on economic activity.² Any safeguarding approach also has to be flexible, or tailored to specific circumstances, because of the 'diversity of the intangible cultural heritage, of the communities who are its stewards, custodians or guardians, and of the economic contexts in which it can be used by different stakeholders'.³ In this talk I will reflect on the importance of Indigenous experiences in guiding thinking on this subject under the Convention, as well as some of the diversity of contexts in which economic aspects of safeguarding will need to be considered in developing capacity-building materials.

Dr Harriet Deacon is a Lecturer in AI ethics at the Data Science AI and Modelling Centre (DAIM) at University of Hull, UK. She has also worked at a museum, an archives advocacy NGO and as a consultant and researcher for UNESCO and WIPO. Her particular interest is in the economic dimensions of living heritage safeguarding. She is Principal Investigator on the British-Academy funded DAIL-ICH Project on digital/AI literacy for community data governance in Africa.

¹ UNESCO 2023, Intergovernmental Committee, Guidance Note on Economic Dimensions of intangible cultural heritage safeguarding under the 2003 Convention [LHE/23/18.COM/12 Rev.](#) annex 1.

² UNESCO 2023, Intergovernmental Committee, Guidance Note on Economic Dimensions of intangible cultural heritage safeguarding under the 2003 Convention [LHE/23/18.COM/12 Rev.](#) annex 1, para 3 and preamble to the Guidance Note.

³ UNESCO 2023, Intergovernmental Committee, Guidance Note on Economic Dimensions of intangible cultural heritage safeguarding under the 2003 Convention [LHE/23/18.COM/12 Rev.](#) annex 1, para 9.

The protection and promotion of intangible cultural heritage (ICH) play a crucial role in preserving traditional knowledge, practices, and cultural identity, particularly within rural communities. These communities often possess rich cultural traditions, such as arts, crafts, and ecological knowledge, which are essential for their social and economic well-being. However, with pressures of modernisation and commercialisation, there is an increasing risk that these valuable traditions may be lost or exploited. This contribution explores how safeguarding ICH through the use of intellectual property (IP) rights and heritage-sensitive marketing strategies can address these challenges and offer an effective approach for balancing cultural preservation with sustainable development.

In particular, intellectual property rights, such as collective trademarks, certification marks, patents and geographical indications, offer legal protection for traditional knowledge and crafts. These tools enable communities to maintain control over their cultural assets, ensuring that they benefit from the economic value generated by their heritage. Collective trademarks allow groups of artisans or producers to be recognised collectively for their craftsmanship, enhancing the reputation and marketability of their products. Certification marks ensure consumers that products meet specific quality standards, fostering consumer trust and promoting fair trade practices. Patents can be registered by communities to proactively safeguard secret aspects of cultural heritage, enabling communities to broaden access to their heritage while ensuring secret knowledge remains protected. Communities can also take more defensive action, through challenging third parties that register patents on intellectual creations that violate ICH. The recent WIPO Treaty on Intellectual Property, Genetic Resources and Associated Traditional Knowledge (2024) helps communities prevent and challenge the registration of patents that violate ICH by establishing a mandatory patent disclosure requirement. The mandatory requirement is designed to prevent patents from being granted for inventions that are neither novel nor inventive with regard to genetic resources and associated traditional knowledge.⁴ On the other hand, heritage-sensitive marketing strategies, particularly digital storytelling and social media, serve as powerful tools for promoting ICH, enabling communities to share their stories and craftsmanship with a global audience. These platforms attract tourists, consumers, and supporters interested in preserving cultural diversity, thereby fostering local economic growth and supporting Sustainable Development Goal 8 (decent work and economic growth).

The integration of traditional ecological knowledge within ICH presents significant potential for addressing climate change. Many traditional practices, such as sustainable farming techniques and biodiversity conservation, offer valuable insights for contemporary climate resilience, contributing to SDG 13 (climate action). This paper, therefore, considers how protecting these practices through IP rights allows communities to preserve cultural heritage while advancing environmental sustainability. To that end, case studies from various regions are discussed to highlight the potential of combining IP rights and heritage-sensitive marketing strategies to safeguard ICH.

Finally, the contribution also touches upon the ongoing challenges in ensuring equitable distribution of benefits within communities and building capacity to navigate the complexities of IP systems, as these remain critical considerations in implementing a comprehensive approach to cultural preservation, sustainable economic development, and environmental resilience.

⁴ Summary of the WIPO Treaty on Intellectual Property, Genetic Resources and Associated Traditional Knowledge (2024) < [Summary of the WIPO Treaty on Intellectual Property, Genetic Resources and Associated Traditional Knowledge \(2024\)](#) >

Thomas Mouzard and Carlo Barletta

Autochthony and Intangible Heritage. A French Perspective based on traditional sports and games

The centralizing organization of the French state and its social contract based on the indivisibility of the Republic have largely sidelined the indigenous question. However, the overseas territories of the former colonies maintain an indigenous presence in the French nation (estimated at 1% of the total population). The indigenous situation, in territories as diverse as French Guiana and New Caledonia, raises issues of recognition and cultural preservation for which the 2003 UNESCO Convention seems to have been designed. To what extent are indigenous communities in France taking advantage of this international instrument? This paper articulates the point of view of a project manager for ethnology and intangible cultural heritage at the Ministry of Culture and that of a non-governmental organization that runs a program to inventory and safeguard traditional games and sports in France's overseas territories.

Autochtonie et patrimoine culturel immatériel. Une perspective française à partir des jeux et sports traditionnels

L'organisation centralisatrice de l'Etat français et son contrat social fondé sur l'indivisibilité de la République évince la question autochtone. Pourtant les territoires d'Outre-mer issus des anciennes colonies maintiennent la présence autochtone dans la nation française (on peut évaluer à 1% de la population totale). La situation autochtone, dans des territoires aussi différents que la Guyane ou la Nouvelle-Calédonie pose des enjeux de reconnaissance et de sauvegarde culturelle pour lesquels la Convention Unesco de 2003 semble avoir été pensée. Dans quelle mesure les communautés autochtones se saisissent en France de cet instrument international ? Cette communication articule le point de vue d'un chargé de mission pour l'ethnologie et le PCI au ministère de la Culture et celui d'une organisation non gouvernementale qui pilote notamment un programme d'inventaire et de sauvegarde des jeux et sports traditionnels dans les Outre-mer français.

Thomas Mouzard, doctor in anthropology, in charge of ethnology and intangible cultural heritage at the French Ministry of Culture (Heritage and Architecture Department). After a thesis on ritual creativity as a matrix of intersubjectivity (Madagascar), defended in 2011, he worked in French Guiana from 2012 to 2018, for the commune of Awala-Yalimapo as heritage project manager, then for the cultural affairs department as ethnology/ICH advisor. He has been working in the central administration since 2018, and his missions aim to articulate support for the ethnology of France and the anthropology of heritage with the safeguarding of intangible cultural heritage. In this way, she pursues research at the interface between cultural policies and lived cultures, for documentary, reflexive and forward-looking purposes.

Docteur en anthropologie, chargé de mission ethnologie et patrimoine culturel immatériel au ministère de la Culture (direction générale des Patrimoines et de l'Architecture).

Après une thèse sur la créativité rituelle comme matrice d'intersubjectivité (Madagascar) soutenue en 2011, il travaille en Guyane française de 2012 à 2018, pour la commune de Awala-Yalimapo en tant que chargé de mission patrimoine, puis à la direction des affaires culturelles en tant que conseiller à l'ethnologie et pour les communes de l'intérieur.

En poste depuis 2018 en administration centrale, ses missions visent à articuler soutien à l'ethnologie de la France et à l'anthropologie du patrimoine avec la sauvegarde du patrimoine culturel immatériel. Se poursuit ainsi une recherche à l'interface entre politiques culturelles et cultures vécues, à des fins documentaires, réflexives et prospectives.

Carlo Barletta, economist specialized in the social and economic valorization of intangible cultural heritage (ICH). Trained at the University of Salerno (Italy), Carlo has extensive experience in business consulting, management, administration, and logistics. Within Île du Monde, he leads projects that enhance social cohesion, promote intercultural dialogue, and create professional integration pathways. He is responsible for initiatives such as Rencontres cuisine Île du Monde and Île des savoirs, which combine culinary heritage and knowledge transmission to foster inclusive community development.

Pena Makoare (Ngāpuhi) & Hinerangi Himiona (Ngāpuhi)
Cultural Sovereignty and the Reclamation of Living Heritage – A Māori Perspective on sovereignty expressed through Te Wakaminenga, (Declaration of independence 1835) Te Tiriti o Waitangi (The Treaty of Waitangi 1840), and tribal aspirations for future generations.

We arrive in Verona as descendants of signatories of Te Wakaminenga 1835 (Declaration of Independence) and Te Tiriti o Waitangi 1840 (Treaty of Waitangi) – as living bearers of a cultural legacy that predates colonisation withstanding its crushing force for over 180 years. Our purpose here is not only to share our games, our songs, our stories – but to lay bare the deeper kaupapa: that of mana motuhake and tino rangatiratanga (sovereignty), of language reclamation, and of the enduring power of indigenous knowledge systems to heal, to teach, and to transform.

In Aotearoa New Zealand today, we are at a critical juncture. As Māori, we are witnessing a sharp political rollback of decades of hard-won gains in te reo Māori revitalisation, bicultural recognition, and the integration of tikanga Māori within health, education and social service frameworks. The principles of Te Tiriti o Waitangi – *partnership, protection, participation* – are under threat. The current political climate is not unique to Aotearoa; rather, it is a symptom of broader global currents that seek to homogenise, to silence, and to erase indigenous voices from institutions and public life.

And yet, we are not passive recipients of policy. Our presence here is a testament to our resilience, a living testament of intergenerational leadership. Through our mātauranga (knowledge systems), our taonga (cultural treasures), and our tākaro tuku iho (ancestral games), we affirm our place as tangata whenua – people of the land – and as key contributors to global conversations on the rights of indigenous peoples. This kōrero (discussion) will explore the intersections between the 2003 UNESCO Convention for the Safeguarding of Intangible Cultural Heritage and the lived experience of Māori communities. We will examine how the Convention might be mobilised not only to protect our taonga tuku iho, but to assert and expand our cultural rights within the frameworks of law, education, health, and environmental policy. We will interrogate what it means for indigenous knowledge to be recognised as heritage – and whether heritage frameworks are truly capable of shifting power back to the hands of the communities who generate and sustain that knowledge.

In remembering that Great Britain has only now, in 2024, ratified the 2003 Convention, we reflect on the ironies of colonial timelines. Māori have carried our games, stories, songs, dance and language across generations without permission. The question now is not *if* these should be safeguarded, but *how*, and *by whom*. We call upon the Convention's instruments and signatories to move beyond performative inclusion and toward structural change – grounded in equity, community-led processes, and intergenerational accountability. In this wānanga (sharing of knowledge), we bring with us not only words, but the mauri (life force) of our tūpuna (ancestors), our mokopuna (descendants), and our communities at home in Te Tai Tokerau. We ask: What does it mean to share heritage? What does it take to protect it?

And how might global instruments be reshaped to serve those who have long been denied a voice?

As we meet with other indigenous leaders and civil society actors, our goal is to build whanaungatanga – enduring relationships – that strengthen our collective efforts to restore the balance between people, land, and culture. Let us make this gathering not a ceremony of acknowledgment, but a platform for action, resistance, and re-indigenisation.

“Ehara taku toa i te toa takitahi, engari he toa takitini.”

I do not stand alone, I stand as many.”

Nā māua ko Pena Makoare rāua ko Hinerangi Himiona

Māori Delegation leaders

Tocatì Festival, Verona, 2025

Hinerangi Himiona is from Ngāpuhi and Ngati Toa Rangatira iwi and resides in her ancestral home of Taiāmai in the far north of Aotearoa.

She is a descendant of many signatories to He Whakapūtanga and Te Tiriti o Waitangi and is deeply committed to honouring and enlivening the understandings her ancestors had for a better place and future for their descendants and also for those who were yet to arrive here and make this place their home.

Hinerangi has over 30 years' experience as a researcher, facilitator, project manager and problem solver. Her strength is in working with people, individuals and communities and her experience spans the marae, to the boardroom, Council chambers to local and central government offices and building sites. Hinerangi has a particular interest in projects that provide opportunities to honour and celebrate our country's unique cultures and identities and shared histories. She is a current member of the national Repatriation Advisory Panel and programme, (the return of ancestral remains) and is a co-chair of the Indigenous Expert Group on Indigenous Matters for the International Council for Archives.