

L A W
OF THE REPUBLIC OF ARMENIA

Adopted on 7 October 2009

ON INTANGIBLE CULTURAL HERITAGE

CHAPTER 1

GENERAL PROVISIONS

Article 1. Subject matter of the Law

This Law shall regulate the legal relations arising from the processes of preservation, safeguarding and development of intangible cultural heritage, including issues of identification, documentation, research, application, recreation, teaching, dissemination of intangible cultural values, protection of the property rights over such values, maintenance of the intangible cultural heritage of the Republic of Armenia, international cultural cooperation, cultural communication between peoples of foreign countries and those of the Republic of Armenia; it shall define the procedures for participation of natural and legal persons in this sector, as well as the powers of state and local self-government bodies.

Article 2. The legislation of the Republic of Armenia on intangible cultural heritage

1. The legislation on intangible cultural heritage shall be regulated by this Law, the Law of the Republic of Armenia "On the fundamentals of cultural legislation", international treaties of the Republic of Armenia, other laws and legislative acts.
2. Where international treaties of the Republic of Armenia provide for norms other than those envisaged by this Law, the norms of the international treaties shall apply.

Article 3. Main concepts of the Law

1. The following main concepts are used in this Law:

(1) **“intangible cultural heritage”** – the customs, traditions, rites, representations and expressions, knowledge and skills, as well as the instruments, objects, artefacts and cultural spaces associated therewith — as materialised carriers of intangible cultural heritage — that the public, groups and, in some cases, individuals recognise as part of their cultural heritage and which have taken a sound stance in practice;

(2) **“intangible cultural values”** – information — kept at scientific and educational institutions, archives, libraries, with legal and natural persons — relating to folklore, language, dialects and sub dialects, place-names, content of the coat of arms and other national symbols, traditional craftsmanship, national customs, traditions, holidays, rites, social practices, ways and rules of conduct, folk art, economic activities, sustenance culture, popular beliefs, worship, findings and methods of scientific research, objects of intangible cultural heritage;

(3) **“preservation of intangible cultural heritage”** – integrity of actions aimed at the preservation of intangible cultural values produced in cultural spaces;

(4) **“safeguarding of intangible cultural heritage”** – actions aimed at ensuring the viability of intangible cultural heritage, including its revelation, study, identification, documentation, presentation, ensuring the conditions for its practice, the respect thereto, the legal protection and enhancement thereof;

(5) **“use of intangible cultural heritage”** – recreation of intangible cultural heritage values, dissemination, teaching through formal and non-formal education and transmission thereof to next generations;

(6) **“cultural spaces”** – the spaces where the bearers of intangible cultural heritage have traditionally produced intangible cultural values;

(7) **“bearers of intangible cultural heritage”** – the individuals and groups that preserve intangible cultural values, contribute to the use, dissemination and transmission thereof.

Article 4. Scope of the Law

1. This Law shall apply to the following domains:

(1) folklore:

a. language, dialects, sub-dialects;

b. all forms and types of oral traditions;

(2) folk music:

a. folk song with its varieties;

b. folk instrumental music with its varieties;

(3) folk dance with its varieties;

(4) folk theatre performances with their varieties;

(5) folk holidays;

(6) folk customs associated with different stages of a person's life cycle (birth, maturity, marriage, death);

(7) customs associated with social, kin, and family relations;

(8) national popular beliefs and customs;

(9) folk practices with its various expressions;

(10) skills associated with economic life (farming, cattle breeding, fishing, hunting, trade, etc.);

(11) representations and knowledge concerning nature;

(12) national cuisine;

(13) national games;

(14) skills and knowledge associated with traditional craftsmanship:

a. folk craftsmanship and related skills;

(b) national costumes;

c. folk architecture, housing and household stuff.

Article 5. Objectives and purposes of the Law

1. The objectives of this Law are as follows:

(1) safeguarding, preservation and use of intangible cultural heritage;

(2) strengthening of public care and respect for national and universal intangible cultural heritage;

- (3) ensuring the application of intangible cultural heritage;
- (4) transmission of intangible cultural heritage to generations;
- (5) ensuring international cooperation, integration of the Republic of Armenia into appropriate international structures, promotion of exchange and dissemination of international experience.

2. The purposes of this Law are as follows:

- (1) preservation of intangible cultural heritage and ensuring public participation in the reproduction process thereof;
- (2) ensuring introduction, preservation, safeguarding and application of intangible cultural heritage values;
- (3) ensuring the drawing up of a list of preserved intangible cultural heritage values, the planning and introduction of activities assuring their viability, as well as the preservation thereof;
- (4) ensuring the drawing up of lists of intangible cultural heritage in need of urgent safeguarding and safeguarding of the heritage included therein;
- (5) application of intangible cultural heritage in modern art and ensuring its transmission through educational programmes;
- (6) defining the competences and functions of state, territorial and local self-government bodies in the field of intangible cultural heritage;
- (7) defining the mechanisms and procedures for cooperation in the field of intangible cultural heritage, exchange of information, implementation of joint programmes among public administration and scientific-educational organisations;
- (8) defining forms of and procedures for providing state assistance to legal and natural persons carrying out activities in the field of intangible cultural heritage, including to bearers of intangible cultural heritage;
- (9) defining the dimensions and procedures for international cooperation.

Article 6. Principles of the state policy on intangible cultural heritage

Principles of the state policy shall be:

- (1) definition of intangible cultural heritage as an area of cultural activities of strategic importance and as national wealth preserved and safeguarded by the State;
- (2) highlighting the role of intangible cultural heritage in preserving the national identity and portrait and in establishment of Pan-Armenian cultural framework;
- (3) considering the intangible cultural heritage as one of the cornerstones for the development of the national value system and culture;
- (4) accessibility with regard to communication with intangible cultural values and benefiting from appropriate services; ensuring international exchange and propagating, preserving and safeguarding national intangible cultural heritage in foreign countries.

CHAPTER 2

POWERS OF PUBLIC ADMINISTRATION AND LOCAL SELF-GOVERNMENT BODIES IN THE FIELD OF INTANGIBLE CULTURAL HERITAGE

Article 7. Powers of the Government of the Republic of Armenia in the field of intangible cultural heritage

1. The Government of the Republic of Armenia shall:

- (1) carry out a single state policy in the field of intangible cultural heritage;
- (2) approve annual, tri-annual and long-term programmes for the preservation, safeguarding, dissemination and use of intangible cultural heritage, the expenditures required for the implementation of which shall be reflected in the draft State Budget for each year;
- (3) approve the criteria for drawing up the lists of intangible cultural values and of intangible cultural heritage in need of urgent safeguarding and the list of cultural values of intangible cultural heritage drawn up on the basis of such criteria;
- (4) define the criteria for recognition of cultural spaces in the Republic of Armenia and approve the list of such cultural spaces;
- (5) approve the procedures for identification, documentation, preservation of intangible cultural values, and exchange of information thereon;

(6) exercise other powers provided for by law.

Article 8. Powers of the state body authorised by the Government in the field of intangible cultural heritage

1. The state body authorised by the Government shall:

(1) elaborate draft departmental and legislative acts ensuring preservation, safeguarding, dissemination and use of intangible cultural heritage;

(2) submit the annual programme for preservation, safeguarding and dissemination of intangible cultural heritage to the Government of the Republic of Armenia;

(3) undertake measures to reveal intangible cultural values in the Republic of Armenia and foreign countries and inventorize and publicise those values;

(4) submit the lists of intangible cultural values and intangible cultural heritage in need of urgent safeguarding and the criteria for the drawing up thereof to the approval of the Government of the Republic of Armenia;

(5) submit the criteria for recognition of cultural spaces, as well as the list of cultural spaces to the approval of the Government of the Republic of Armenia;

(6) create a state single information system in the field of intangible cultural heritage and ensure its accessibility;

(7) organise professional education, training and requalification of employees in the field of intangible cultural heritage;

(8) undertake measures to recreate the intangible cultural values in the manner provided for by the international treaties of the Republic of Armenia and the legislation of the Republic of Armenia;

(9) contribute to the establishment and development of cultural, scientific and educational institutions (scientific and research centres, museums, libraries, archives, laboratories, workshops, etc.), render state assistance to the activities of scientific, cultural organisations and expeditions engaged in the study, publication and propagation of values of intangible cultural heritage;

(10) contribute to the arrangement of preservation and safeguarding measures of intangible cultural heritage, i.e. conferences, seminars, concerts, exhibitions, rituals and festive events, traditional folk

holidays, folk customs associated with different stages of a person's life cycle, national games, as well as to the introduction of ways of holding traditional folk holidays;

(11) implement educational programmes related to intangible cultural heritage, jointly with the state body authorised in the field of education;

(12) exercise other powers provided for by the legislation.

Article 9. Powers of territorial bodies of public administration in the field of intangible cultural heritage

1. The territorial bodies of public administration shall:

(1) ensure the implementation of the state cultural policy within the territory of the Marz in the field of intangible cultural heritage;

(2) within the scope of powers vested therein by the legislation, arrange the joint and coordinated activities of the relevant services, subdivisions of the state body authorised by the Government and the local self-government bodies in the field of intangible cultural heritage;

(3) undertake measures for preservation, safeguarding and use of intangible cultural heritage in the territory of the Marz in coordination with the state body authorised by the Government;

(4) submit recommendations to the state body authorised by the Government on the arrangement and application of local intangible cultural heritage, including traditional folk holidays, rites and ceremonies.

Article 10. Powers of local self-government bodies in the field of intangible cultural heritage

1. As a voluntary duty, the local self-government bodies shall:

(1) assist the activities of national cultural groups and ensembles operating within the territory of the community, as well as the development of national craftsmanship and folk artefacts;

(2) organise local holidays, rites and ritual ceremonies, pilgrimages;

(3) promote the introduction of folk customs associated with the person's life cycle and nature protection;

(4) provide information on the intangible cultural heritage bearers living in the territory of the community;

(5) exercise other powers prescribed by law.

CHAPTER 3

ARRANGEMENT OF THE STATE CULTURAL POLICY IN THE FIELD OF INTANGIBLE CULTURAL HERITAGE, OBJECTS AND SUBJECTS OF INTANGIBLE CULTURAL HERITAGE

Article 11. Arrangement of the state cultural policy in the field of intangible cultural heritage

1. State cultural policy in the field of intangible cultural heritage shall be arranged based on the applications and project proposals of cultural, scientific, non-governmental organisations — under the state programmes (annual, tri-annual and long-term) on preservation, dissemination and use of culture.

2. Based on the specifics of the dimensions of intangible heritage, grant programmes may be envisaged.

3. Applications and project proposals for the implementation of grant programmes may be submitted by cultural, scientific, educational and non-governmental organisations operating in the field of intangible cultural heritage, as well as other legal entities engaged in cultural activities as prescribed by their statutes.

Article 12. Objects of the field of intangible cultural heritage

1. Objects of the field of intangible cultural heritage shall be the intangible cultural values situated in the Republic of Armenia and foreign states, the surroundings thereof, including the historical and cultural space.

Article 13. Subjects of the field of intangible cultural heritage

1. Subjects of the field of intangible cultural heritage shall be:

(1) the Republic of Armenia;

- (2) republican, territorial and local self-government bodies of public administration;
- (3) cultural, scientific and educational institutions, non-governmental organisations, museums, libraries, archives;
- (4) legal and natural persons engaged in maintenance, identification, documentation, research, application, recreation, teaching, inventorization and propagation of intangible cultural values;
- (5) the bearers of intangible cultural heritage.

CHAPTER 4

MAINTENANCE, DISSEMINATION AND USE OF THE INTANGIBLE CULTURAL HERITAGE OF THE NATIONAL MINORITIES RESIDING IN THE REPUBLIC OF ARMENIA

Article 14. Maintenance, dissemination and use of the intangible cultural heritage of the national minorities residing in the Republic of Armenia

1. The maintenance, dissemination and use of intangible cultural heritage of the national minorities residing in the Republic of Armenia shall be regulated by this Law, the Law of the Republic of Armenia "On fundamentals of the cultural legislation", other laws and legal acts.

CHAPTER 5

INTERNATIONAL COOPERATION OF THE REPUBLIC OF ARMENIA IN THE FIELD OF INTANGIBLE CULTURAL HERITAGE AND PRESERVATION OF ARMENIAN INTANGIBLE CULTURAL HERITAGE IN FOREIGN STATES

Article 15. International cooperation of the Republic of Armenia in the field of intangible cultural heritage

1. Dimensions of cooperation in the field of intangible cultural heritage shall be defined by interstate treaties, as well as state programmes for maintenance, dissemination and development of culture.

2. International cooperation of the Republic of Armenia in the field of intangible cultural heritage shall be carried out in accordance with the legislation of the Republic of Armenia and the international treaties of the Republic of Armenia.

Article 16. Safeguarding of Armenian intangible cultural heritage in foreign states

1. Armenian intangible cultural heritage in foreign states shall be safeguarded in accordance with the interstate treaties of the Republic of Armenia, within the frameworks of the legislation of the country concerned, the principles and norms of international law.

2. The Republic of Armenia shall assist Armenian cultural institutions and organisations in foreign states in revelation, study, inventorization, recreation, propagation and application of national intangible cultural values.

CHAPTER 6

FINANCING OF THE FIELD OF INTANGIBLE CULTURAL HERITAGE

Article 17. Financing of the field of intangible cultural heritage

1. The field of intangible cultural heritage shall be financed through:

- (1) state and community budgets;
- (2) cultural, non-governmental and other organisations and funds;
- (3) other means not prohibited by law.

2. Other activities aimed at the inventorization, study and preservation of Armenian intangible cultural heritage outside the territory of the Republic of Armenia may also be financed from the state budget.

CHAPTER 7

FINAL PROVISIONS

Article 18. Liability for the violation of the Law of the Republic of Armenia "On intangible cultural heritage"

1. Those violating the requirements of the Law "On intangible cultural heritage" shall bear liability as prescribed by the law of the Republic of Armenia.

Article 19. Entry into force

1. This Law shall enter into force on the tenth day following the day of the official promulgation.

President
of the Republic of Armenia

S. Sargsyan

28 October 2009

Yerevan

HO-187-N