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Người xử lý:
Hạn xử lý:

ASEAN DECLARATION ON CULTURAL HERITAGE

WE, the Foreign Ministers of the ASEAN Member Countries representing Brunei Darussalam, the Kingdom of Cambodia, the Republic of Indonesia, the Lao People's Democratic Republic, Malaysia, the Union of Myanmar, the Republic of the Philippines, the Republic of Singapore, the Kingdom of Thailand, and the Socialist Republic of Viet Nam;

MINDFUL of the vast cultural resources and rich heritage of civilizations, ideas and value systems of ASEAN, and cognizant of the need to protect, preserve and promote their vitality and integrity;

COGNIZANT of the aspirations of all ASEAN peoples for a regional order based on equal access to cultural opportunities, equal participation in cultural creativity and decision-making, and deep respect for the diversity of cultures and identities in ASEAN, without distinction as to nationality, race, ethnicity, sex, language or religion;

FULLY AWARE that cultural creativity and diversity guarantee the ultimate viability of ASEAN societies;

AFFIRMING that all cultural heritage, identities and expressions, cultural rights and freedoms derive from the dignity and worth inherent in the human person in creative interaction with other human persons and that the creative communities of human persons in ASEAN are the main agents and consequently should be the principal beneficiary of, and participate actively in the realization of these heritage, expressions and rights;

UNDERSTANDING that cultural traditions are an integral part of ASEAN's intangible heritage and an effective means of bringing together ASEAN peoples to recognize their regional identity;

DETERMINED to achieve substantial progress in the protection and promotion of ASEAN cultural heritage and cultural rights undertakings through an increased and sustained program of regional cooperation and solidarity, which draws sustained inspiration from the deep historical, linguistic, and cultural unity and linkages among Southeast Asian peoples.

CONSIDERING that the erosion or extinction of any tangible or intangible cultural heritage of ASEAN constitutes a harmful impoverishment of human heritage;

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FULLY AWARE of the threat of cultural loss, rapid deterioration of living traditions of creative and technical excellence, knowledge systems and practices and the disappearance of worthy heritage structures due to tropical climate, inappropriate development efforts, illicit trade and trafficking, or the homogenizing forces of globalization and other major changes taking place in ASEAN societies;

CONCERNED that the increasing dominance of market forces, mass production and consumerist orientation in contemporary industrial society can undermine human dignity, freedom, creativity, social justice and equality.

OBSERVING that the protection of this heritage often cannot be fully undertaken at the national level because of the magnitude of economic and technical resources it requires and can only be undertaken through the collective action of ASEAN and assistance of the international community, which, although not a substitute, can effectively complement the initiatives of the Member Countries concerned;

AFFIRMING the importance of cultural discourse, awareness and literacy in enhancing intra-cultural and inter-cultural understanding and deeper appreciation of ASEAN cultural heritage, as essential for peaceful coexistence and harmony in ASEAN, both at the national and regional levels;

REAFFIRMING the commitment to an ASEAN community conscious of and drawing inspiration from its deeply shared history, cultural heritage and regional identity, as enshrined in the ASEAN Vision 2020 adopted by the ASEAN Heads of State/Government in December 1997;

ACKNOWLEDGING the work of the ASEAN Committee on Culture and Information (COCI) in its efforts to promote awareness and appreciation of the cultural heritage of ASEAN and to enhance mutual understanding of the cultures and value systems among the peoples of ASEAN;

DO HEREBY DECLARE the following policies and programmes as a framework for ASEAN cooperation on cultural heritage:

1. NATIONAL AND REGIONAL PROTECTION OF ASEAN CULTURAL HERITAGE

It is primarily the duty of each ASEAN Member Country to identify, delineate, protect, conserve, promote, develop and transmit to future generations the significant cultural heritage within its territory and to avail of regional and international assistance and cooperation, wherever necessary and appropriate. While fully respecting each Member Country's sovereignty and national property rights, ASEAN recognizes that the national cultural heritage of Member Countries constitute the heritage of Southeast Asia for whose protection it is the duty of ASEAN as a whole to cooperate.

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To guarantee the protection, preservation, and promotion of each Member Country's cultural heritages, each Country shall formulate and adopt policies, programmes, and services and develop appropriate technical, scientific, legal, administrative and financial measures for this purpose.

DEFINITION OF CULTURE AND CULTURAL HERITAGE

ASEAN Member Countries recognize the following meanings:

"Culture" means the whole complex of distinctive spiritual, intellectual, emotional and material features that characterize a society or social group. It includes the arts and letters as well as human modes of life, value systems, creativity, knowledge systems, traditions and beliefs.

"*Cultural heritage*" means:

(a) significant cultural values and concepts;

(b) structures and artifacts: dwellings, buildings for worship, utility structures, works of visual arts, tools and implements, that are of a historical, aesthetic, or scientific significance;

(c) sites and human habitats: human creations or combined human creations and nature, archaeological sites and sites of living human communities that are of outstanding value from a historical, aesthetic, anthropological or ecological viewpoint, or, because of its natural features, of considerable importance as habitat for the cultural survival and identity of particular living traditions;

(d) oral or folk heritage: folkways, folklore, languages and literature, traditional arts and crafts, architecture, and the performing arts, games, indigenous knowledge systems and practices, myths, customs and beliefs, rituals and other living traditions;

(e) the written heritage;

(f) popular cultural heritage: popular creativity in mass cultures (i.e. industrial or commercial cultures), popular forms of expression of outstanding aesthetic, anthropological and sociological values, including the music, dance, graphic arts, fashion, games and sports, industrial design, cinema, television, music video, video arts and cyber art in technologically-oriented urbanized communities.

2. PROTECTION OF NATIONAL TREASURES AND CULTURAL PROPERTIES

ASEAN shall cooperate in the protection of antiquities and works of historic significance, movable and immovable cultural properties that are manifestations of national history, of great structural and architectural importance, of outstanding archaeological, anthropological or scientific value, or associated with exceptional events and are to be considered or declared National Treasures and Protected

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Buildings or Protected Artifacts. Historic sites, cultural landscapes, areas of scenic beauty and natural monuments shall be identified, recognized and protected.

ASEAN Member Countries shall take necessary measures to safeguard cultural heritage against all human and natural dangers to which it is exposed, including the risks due to armed conflicts, occupation of territories, or other kinds of public disorders.

3. SUSTENTATION OF WORTHY LIVING TRADITIONS

ASEAN Member Countries shall cooperate to sustain and preserve worthy living traditions and folkways and protect their living bearers in recognition of people's right to their own culture since their capacity to sustain that culture is often eroded by the impact of the consumerist values of industrial globalization, mass media, and other causes and influences. ASEAN Member Countries shall cooperate to protect, promote and support worthy, highly creative living traditions within the framework of national and regional, social, cultural and economic development undertakings.

For this purpose, ASEAN Member Countries shall design both formal and non-formal learning programs for living traditions, both in rural and urban settings, stressing on the dignity and wisdom of these traditions and promoting creative diversity and alternative world views and values. Member Countries shall also endeavor to set up centers for indigenous knowledge and wisdom in communities for the documentation and promotion of traditional artistic or technical processes; and to institute a system of awards and recognition for the living bearers of worthy living traditions or human living treasures who are persons embodying the highest degree of particular cultural skills and techniques.

4. PRESERVATION OF PAST AND LIVING SCHOLARLY, ARTISTIC AND INTELLECTUAL CULTURAL HERITAGE

The masterpieces and creations of profound traditions by eminent sages, philosophers, artists and writers of the past and present serve as perpetual beacons of insight and illumination, wellsprings of guidance and direction for the present and future ASEAN peoples. Their protection, documentation, preservation and promotion are of the highest priority.

5. PRESERVATION OF PAST AND LIVING POPULAR CULTURAL HERITAGE AND TRADITIONS

Popular forms of expression in mass cultures constitute an important artistic, intellectual, sociological, anthropological, scientific, and historical resource and basis for social and intercultural understanding. ASEAN shall encourage and support the preservation of outstanding "popular" traditions and heritage.

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6. ENHANCEMENT OF CULTURAL EDUCATION, AWARENESS AND LITERACY

ASEAN Member Countries shall undertake continuing cultural exchanges and programs of cultural awareness and sensitivity as a basic component of ASEAN cooperation. The development of ASEAN perspectives and the validation of ASEAN cultural strengths and resources, particularly historical linkages and shared heritage and sense of regional identity could be effectively achieved through these programs.

7. AFFIRMATION OF ASEAN CULTURAL DIGNITY

ASEAN Member Countries shall endeavor to balance the increasing dominance of materialist culture by a recognition and affirmation of human spirituality, creative imagination and wisdom, social responsibility and ethical dimensions of progress.

ASEAN Member Countries shall explore possibilities to strengthen ASEAN value systems in contemporary society at the local, national and regional levels, positively harnessing them to provide direction and a vision for authentic human development, particularly in the spheres of education, mass media, governance and business.

8. ADVANCEMENT OF CULTURAL HERITAGE POLICY AND LEGISLATION

ASEAN Member Countries shall ensure the effectiveness of cultural policies and laws for the preservation of cultural heritage, and the protection of communal intellectual property.

Cultures with global reach must not deprive local, national and regional cultures of their own development dynamics and reduce them to relics of the past. Member Countries shall ensure that cultural laws and policies empower all peoples and communities to harness their own creativity towards human development.

ASEAN Member Countries shall cooperate closely to ensure that their citizens enjoy the economic, moral and neighboring rights resulting from research, creation, performance, recording and/or dissemination of their cultural heritage.

9. RECOGNITION OF COMMUNAL INTELLECTUAL PROPERTY RIGHTS

ASEAN Member Countries recognize that traditional knowledge systems and practices including designs, technology and oral literature are collectively owned by their local community of origin. ASEAN Member Countries shall ensure that traditional communities have access, protection and rights of ownership to their own heritage. ASEAN shall cooperate for the enactment of international laws on intellectual property to recognize indigenous population and traditional groups as the legitimate owners of their own cultural heritage.

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10. PREVENTION OF THE ILLICIT TRANSFER OF OWNERSHIP OF CULTURAL PROPERTY

ASEAN Member Countries shall exert the utmost effort to protect cultural property against theft, illicit trade and trafficking, and illegal transfer. As parties to this Declaration, ASEAN Member Countries shall cooperate to return, seek the return, or help facilitate the return, to their rightful owners of cultural property that has been stolen from a museum, site, or similar repositories, whether the stolen property is presently in the possession of another member or non-member country.

ASEAN Member Countries are urged to take measures to control the acquisition of illicitly traded cultural objects by persons and/or institutions in their respective jurisdictions, and to cooperate with other member and non-member countries having serious problems in protecting their heritage by properly educating the public and applying appropriate and effective import and export controls.

11. COMMERCIAL UTILIZATION OF CULTURAL HERITAGE AND RESOURCES

Every person has the right to enjoy the benefits of modern scientific and economic progress and their applications. However, certain advances, notably in the biomedical and life sciences as well as in information technology, may potentially have adverse consequences on the cultural heritage of ASEAN. Therefore, ASEAN Member Countries shall strengthen regional cooperation to ensure that commercial utilization does not impinge upon the integrity, dignity and rights of particular ASEAN societies.

12. INTEGRATION OF CULTURE AND DEVELOPMENT

Cultural creativity and diversity is a source of human progress and is an essential factor in development. Cultural growth and economic sustainability are interdependent. The management of cultural resources can contribute much to social and economic development. Thus, ASEAN Member Countries shall integrate cultural knowledge and wisdom into their development policies.

ASEAN Member Countries shall make cultural policies as one of the key components of their development strategies. Activities designed to raise awareness of political and economic leaders to the importance of cultural factors in the process of sustainable development shall also be initiated. These cultural factors include cultural industry and tourism as well as people's values and mindsets.

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13. DEVELOPMENT OF NATIONAL AND REGIONAL NETWORKS ON ASEAN CULTURAL HERITAGE

ASEAN Member Countries shall cooperate in the development and establishment of national and regional inventories, databases and networks of academic institutions, government offices, archives, museums, galleries, art centers, training centers, mass media agencies and other institutions concerned with cultural heritage and their documentation, conservation, preservation, dissemination and promotion.

14. ALLOCATION OF RESOURCES FOR CULTURAL HERITAGE ACTIVITIES

Increased efforts shall be made to assist countries which so request to create the conditions under which individuals can participate in cultural heritage planning and development. ASEAN, the United Nations as well as other multilateral organizations are urged to increase considerably the resources allocated to programs aiming at the establishment and strengthening of national legislation, national institutions and related infrastructures which uphold cultural heritage through training and education.

The full and effective implementation of ASEAN activities to promote and protect cultural heritage shall reflect the high importance accorded to cultural heritage by this Declaration. To this end, ASEAN cultural heritage activities shall be provided with increased resources.

15. DEVELOPMENT AND IMPLEMENTATION OF AN ASEAN PROGRAM ON CULTURAL HERITAGE

The ASEAN Committee on Cultural and Information is enjoined to draw up a work program on cultural heritage, including among others the observance of an ASEAN Decade for Cultural Heritage in 2001-2010.

SIGNED in Bangkok, Thailand, this 25th day of July, Year 2000.

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Minister of Foreign Affairs

For the Government of the Kingdom of Cambodia:

HOR NAMHONG
Senior Minister and Minister of Foreign Affairs and International Cooperation

For the Government of the Republic of Indonesia:

ALWI SHIHAB
Minister for Foreign Affairs

For the Government of the Lao People's Democratic Republic:

SOMSAVAT LENGSAVAD
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