



How to cite this article:

Wang, J. & Zaibon, S. B. (2024). Safeguarding Intangible Cultural Heritage in China: Policy Evolution and Challenges. *Journal of Creative Industry and Sustainable Culture*, 3 (9), 136-150. <https://doi.org/10.32890/jcisc2024.3.9>

## **SAFEGUARDING INTANGIBLE CULTURAL HERITAGE IN CHINA: POLICY EVOLUTION AND CHALLENGES**

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Received: 30/4/2024

Revised: 9/8/2024

Accepted: 25/9/2024

Published: 31/10/2024

### **ABSTRACT**

This study focuses on the emergence of the heritage policy discourse in China concerning Intangible Cultural Heritage (ICH) and the effects of this on cultural transmission. In its infancy, in China, the concept of ICH protection drew on ideas of the protection of the tangible cultural heritage, arising in the late Qing Dynasty with the gradual introduction of Western libraries and museums. Thus, over the years, the Chinese approach to ICH may be said to have evolved and articulated into a much finer law-based ICH protection system, inspired by both internal and international legal efforts. This study employs historical analysis and policy evaluation to assess China's legislative developments, challenges, and achievements in ICH protection, particularly in the realms of legal frameworks, digitalization, and cultural tourism. Key findings reveal significant progress in policy formulation and the establishment of legal protections, though challenges such as uneven resource allocation and digital preservation remain. The study offers concrete recommendations for enhancing public participation and strengthening the integration of digital technologies in ICH safeguarding.

**Keywords:** Intangible Cultural Heritage Safeguarding, Intangible Cultural Heritage, Protection Policy.

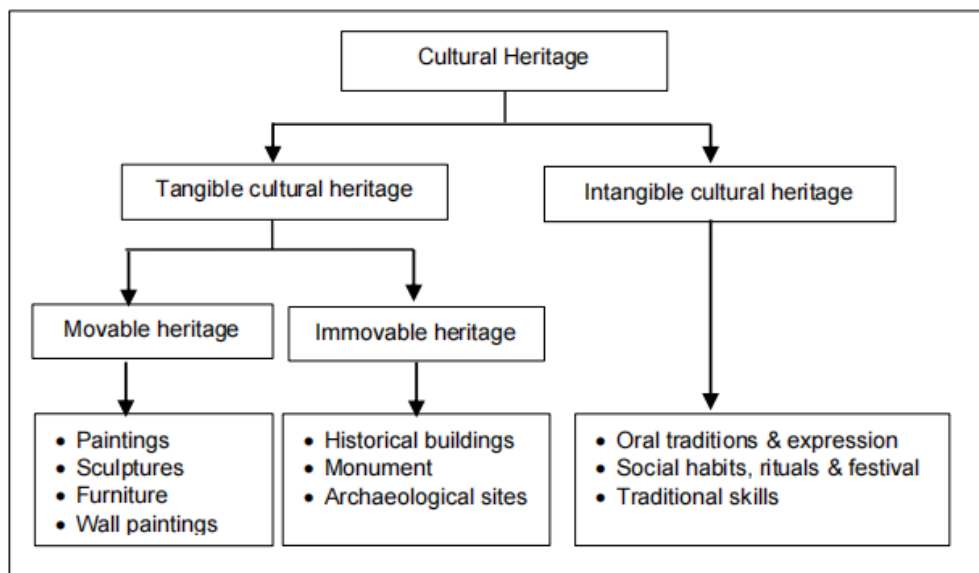
### **INTRODUCTION**

The real "Convention for the Safeguarding of the Intangible Cultural Heritage" was adopted by the United Nations Educational, Scientific, and Cultural Organization (UNESCO) on October 17, 2003. This historic decision was motivated mostly by the desire to build global awareness of the significance of intangible cultural heritage (ICH), particularly among younger generations, as means not only of cultural

diversity but also of social cohesion. By August 2004, China would show its belief in the protection of cultures by being the sixth to ratify the Convention, underscoring its willingness to work toward protection of its wealth and variety of its heritage. The Convention has since gained widespread international recognition and support throughout the world, making a great impact in global debate on cultural heritage. Today, the notion of intangible cultural heritage is widely accepted not only in academic circles and allied policymakers but also in social arenas, as one of the leading complementary aspects to tangible cultural heritage. Recognition of both would coincide with the high understanding that cultural expressions, practices, and material artifacts converge to build upon the history and identity of human civilization. Figure 1 shows the cultural heritage classification from UNESCO.

**Figure 1**

*Cultural Heritage Classification from UNESCO*



*Source from UNESCO*

With its vast territory, profound history, and diverse ethnic groups, China possesses exceptionally rich ICH resources. Chinese society attaches great importance to the protection of ICH. On August 2, 2021, the General Office of the CPC Central Committee and the General Office of the State Council jointly issued the "Opinions on Further Strengthening the Protection of Intangible Cultural Heritage" (hereinafter referred to as the "Opinions"). This document represents the most authoritative guidelines issued since the series of regulations and documents, including the "Opinions on Strengthening the Protection of Intangible Cultural Heritage in China" issued by the General Office of the State Council on March 26, 2005, and the implementation of the "Law of the People's Republic of China on Intangible Cultural Heritage" promulgated in 2011.

The Opinions clearly state that "ICH is an integral part of China's exceptional traditional culture, serving as a vivid testimony to the continuous transmission of Chinese civilization and a crucial foundation for fostering national sentiment and maintaining national unity." They emphasize the importance of ICH in perpetuating historical lineage, bolstering cultural self-confidence, fostering exchanges and mutual understanding among civilizations, and building a robust socialist cultural country.

Currently, China has made remarkable achievements in safeguarding ICH, primarily evidenced by the continuously improving legal framework for ICH protection, a comprehensive list of representative projects and inheritors, significant progress in key documentation efforts, and the reinforcement of cultural and ecological protection zone construction. Concurrently, China has successfully implemented initiatives for revitalizing traditional crafts and training programs for inheritors of intangible cultural heritage. Moreover, ICH has played a positive role in poverty alleviation and contributed to the implementation of major national strategies. Most importantly, awareness of ICH conservation has become deeply entrenched in both academic and social spheres, fostering a favorable environment for widespread social participation.

Irina Georgieva Bokova, the former Director-General of UNESCO, has repeatedly praised China's contributions to the global ICH conservation efforts. She believes that ICH preservation in China has significantly strengthened community identity, fostered community cohesion, and facilitated sustainable social development (Shen, 2017).

In this paper, a very general overview with the development of policies regarding ICH in China is outlined; the milestones and trends have summarized how cultural traditions came to be preserved. The study not only sheds light on the manners of the past and present but also presents possible future directions for the development of ICH policies in China. This is to provide important insights and references to policymakers, researchers, and practitioners in cultural preservation worldwide. Findings aim at providing a framework adaptable in different national contexts, cultural backgrounds, and with different levels of social and economic development. Ultimately, this paper is aimed at stirring insights into collaborative and context-sensitive strategies of ICH protection so that living heritage remains an active part of human societies worldwide.

## **RELATED WORKS**

The ongoing global discussions on Intangible Cultural Heritage (ICH) policies reflect a diversity of perspectives, shaped by regional concerns and unique cultural contexts. For instance, Mancinelli (2021) investigates the impact of UNESCO's conservation measures on the Zafimaniry community in Madagascar, contributing to the discourse on heritage utilization in post-colonial settings. Mancinelli (2021) critically analyzes UNESCO's conservation measures, particularly their impact on the Zafimaniry community in Madagascar. His work contributes to the growing discourse on how international conservation policies influence local heritage practices, especially in post-colonial settings. Santamarina (2023) critically examines the effects of UNESCO's designation on the Fallas Festival in Spain. While acknowledging its potential to boost global recognition and prestige, Santamarina emphasizes the competition among heritage brands due to the limited number of UNESCO labels and the political and economic stakes involved. The study suggests that the UNESCO label has the potential to attract political attention, economic investment, and tourism, thereby contributing to local economic development. However, it also highlights the unintended consequences, such as increased competition and the potential commodification of cultural heritage. Melis and Chambers (2021) explore the political nature of heritage and address the commodification issues highlighted by earlier scholars, specifically in the context of Scottish heritage practices. They argue that the 2003 UNESCO Convention, while a significant step, has been uncritically adopted, overlooking the complex socio-political dimensions involved in ICH protection. They argue that while the 2003 UNESCO Convention effectively conceptualizes ICH, its adoption in practice and research has been overly simplistic, often ignoring the broader socio-political and cultural implications of ICH safeguarding. Furthermore, they critique the limited attention given to

the role of ICH in tourism studies, particularly the focus on inheritance and transmission, while neglecting the practical, present-day usage of ICH in tourism contexts.

Scholars' evaluations of China's ICH protection policy are generally positive, but several unresolved issues remain. These include the tension between technological advancement (e.g., digitalization) and the cultural essence of ICH, as well as the challenge of balancing intellectual property protection with the communal nature of ICH. An (2020) argues that China's ICH protection process is marked by significant challenges, including a lengthy period of cognitive deepening, conceptual shifts, and practical advancements. However, An's work does not critically assess the effectiveness of these processes in practice, nor does it explore the gaps between policy goals and implementation. Yi, Xiao, and Xu (2021) reviewed the 30-year history of ICH conservation in China and concluded that significant achievements have been made. They emphasized the need to adapt to changes in inheritance patterns in the digital era, integrate ICH conservation into economic and cultural development, strengthen innovation in inheritance modes and ICH preservation, motivate inheritors, promote the commercial and rational use of ICH, and refine legislation to incorporate more implementation details, in line with President Xi Jinping's "two creations" policy, aimed at creatively transforming and developing traditional Chinese culture. Chen and Yang (2021) reflect on China's ICH protection practices, arguing that the current emphasis on digitalization and intellectual property protection has created contradictions. Their work highlights a paradox between technological advancements and the collective, shared nature of ICH, leading to tensions between private rights and public access. They highlight an apparent conflict between technological dominance and the culture-oriented approach of ICH in digitalization protection. Additionally, they argue that intellectual property protection conflicts with the collective and shared nature of ICH, resulting from the monopoly and exclusivity of private rights. This situation leads to a paradox encompassing the "Tragedy of the Commons" and the "Tragedy of the Anti-commons".

## METHODOLOGY

This study adopted a mixed-method design to analyze the common measures for intangible cultural heritage safeguarding in China. Mixed methods, a combination of qualitative and quantitative methods that seek to understand the evolution and implementation of the policies in question, represent the trajectory and evolution of these policies over the years. This structured methodology allows quite exhaustive consideration of the Chinese policy trajectory—a more in-depth analysis of the major factors shaping its evolution. The methods also allow for comparisons and thematic analyses that give additional and deeper insight into China's ICH policies. These angles give this research a significant opportunity to investigate how the strategies of China resonated with global trends in cultural heritage preservation while allowing for common unique contextual factors that have influenced this approach. This methodological framework should guarantee that the outcomes are at once relevant and applicable in varied cultural and policy contexts across the globe.

1. **Historical Analysis:** Key legislative documents from the late Qing Dynasty to 2021 are reviewed to trace the evolution of China's ICH policies. Particular attention is given to significant milestones, such as the enactment of the Intangible Cultural Heritage Law (2011) and the Opinions on Further Strengthening the Protection of Intangible Cultural Heritage (2021).
2. **Comparative Policy Analysis:** China's ICH policies are compared with international frameworks, focusing on common challenges like digitalization, community participation, and intellectual property rights. Countries like Japan and South Korea serve as benchmarks due to their shared emphasis on traditional cultural preservation.
3. **Thematic Analysis:** Using UNESCO's safeguarding framework, this study categorizes findings into three themes: legislative progress, cultural tourism integration, and digitalization strategies.

Data sources include legislative texts, UNESCO reports, academic publications, and government documents.

4. **Data Segmentation:** The research divides the policy evolution into four chronological stages:
  - a. Foundational Period: Late Qing Dynasty and the early Republican era.
  - b. Post-1949 Reforms: Focus on national frameworks.
  - c. Post-2004 UNESCO Accession: Emphasis on international integration.
  - d. Future Strategies: Recent developments under the 2021 Opinions.

## FINDINGS

### Late Qing Dynasty and the Early Republican Government

China's legislative protection of “tangible cultural heritage” has roots dating back to the end of the Qing Dynasty, with the earliest concept of protection emerging through the introduction of Western libraries and museums. In 1839, Lin Zexu's *Records of the Four Continents* mentioned British libraries and museums (Figure 2), and later, officials sent by the Qing government to Europe published works on Western museums. Private initiatives, exemplified by the Xujiahui Nature Museum in Shanghai (1868), also began practicing the preservation of material culture. At the official level, the Ministry of Civil Affairs of the Qing government formulated the first “law for the protection of cultural relics” in Chinese history, known as the Statute for the Promotion of the Preservation of Ancient Monuments, which was approved and promulgated by the Constitutional Compilation and Investigation Hall in 1909. This statute was developed based on international conventions regarding the protection of cultural relics and laws and regulations from other countries, indicating a growing appreciation for the value of cultural relics among the populace (Li, 2015).

**Figure 2**

*Records of the Four Continents*





*Source from Baidu.*

Due to the turbulent situation in the late Qing Dynasty, laws related to the protection of cultural relics struggled to achieve the intended positive effects, and the collapse of the Qing Dynasty made it challenging to enforce these laws. However, the provisions of these laws still serve as a reference for the development of new legislation.

During the republican period, the rampant smuggling of cultural relics, grave robbing, and the protection of cultural relics in places of great significance such as the Forbidden City garnered increased attention. Consequently, a series of orders, methods, and regulations were issued. For instance, in 1916, the Beiyang government promulgated the "Interim Measures for the Preservation of Ancient Objects," in 1921, it published an order to amend the management of temples, and in 1927, the Republican Government formulated the "Prohibition of Export of Antiquities" measures. Additionally, in 1930, the Republican Government promulgated the Law on the Preservation of Antiquities, among others. The Constitution of the Republic of China, which came into force on January 1, 1947, also addresses the protection of cultural heritage and its legal status. Overall, during the late Qing and Republic of China periods, targeted protection of ancient relics was implemented and yielded results. Notably, during the anti-Japanese war period, the relocation of cultural relics from the Imperial Palace to the south is representative of this effort.

It is noteworthy that during the late Qing and Republican periods, some intellectuals showed a strong interest in preserving "folklore" or "folk literature" and other "non-material" aspects of culture. For example, in 1911, the posthumous work of the late Qing scholar Zhang Liangcai, titled "The History of Chinese Customs," was published by the Commercial Press, containing numerous descriptions of "material folklore." Additionally, cultural and educational officials of the national government, such as Cai Yuanpei, advocated for the preservation of folklore and traditional crafts. Unlike the current perception of cultural heritage as primarily "material," the term also had an "intangible" aspect during the Republican period (Meng, 2019).

### **From the Founding of New China to the Beginning of the New Century**

Following the establishment of the People's Republic of China, a series of "laws and regulations on the protection of cultural relics" were enacted by state authorities. Among them, the Provisional Regulations on the Administration of Cultural Relics Protection, adopted at the 105th meeting of the State Council on November 17, 1960, and formally announced on March 4, 1961, held particular significance. Furthermore, the system of national key cultural relics protection units and provincial cultural relics protection units, established during this period, has since been enforced and continues to represent a crucial framework for cultural relics protection in China. By November 19, 1982, the Law of the People's Republic of China on the Protection of Cultural Relics, promulgated based on the principle of "cultural protection" outlined in the Provisional Regulations, became the first law concerning the protection of "tangible cultural heritage" in China. Since then, it has undergone continuous refinement to ensure the effective safeguarding of tangible cultural heritage and has served as a significant reference for the development of subsequent ICH protection policies.

Due to the substantial collection of materials related to "Intangible Cultural Heritage," particularly focused on "folklore (folk literature and traditional crafts)," amassed from the late Qing Dynasty through the pre-reform and opening up era, and numerous safeguarding initiatives such as the "Compilation and Publication Project of Ten Comprehensive Records of Chinese Folk Literature and Art," jointly launched by the Ministry of Culture, State Ethnic Affairs Commission, and China Federation of Literary and Art

Circles (CFLAC) in 1979, there has been a significant accumulation of resources and robust academic backing for the safeguarding and legislative efforts concerning Intangible Cultural Heritage (Li, 2011).

Yunnan Province became the pioneering province in China to undertake efforts concerning the legislative protection of intangible cultural heritage. In June 2000, it implemented the Regulations on the Protection of Traditional National and Folk Culture in Yunnan Province, thus accumulating valuable experience for the subsequent comprehensive legislative endeavors regarding intangible cultural heritage in China (Yi et al., 2021). In the years following the implementation of these protective regulations, provinces such as Guizhou, Fujian, Guangxi, Ningxia, Jiangsu, Xinjiang, and others have sequentially enacted legislation safeguarding traditional ethnic and folk cultures. This concerted effort has notably elevated the protection level of intangible cultural heritage in each respective region, thereby establishing a foundation for broader legislative protection of ICH nationwide in subsequent stages. During this period, the Ministry of Culture, together with relevant authorities, organized delegations to Switzerland, Tunisia, Egypt, and other nations to investigate local experiences and practices. Additionally, an “International Symposium on the Protection and Legislation of Ethnic and Folk Cultures” was convened in Beijing, lauded for its alignment with international standards. Subsequently, the Draft Law of the People's Republic of China on the Protection of Ethnic, Folk, and Traditional Cultures was formulated in November 2003 (Li, 2011).

### **Since the Accession to the Convention**

By August 2004, upon China's accession to the UNESCO Convention, the concept of ICH gradually supplanted that of “traditional folk culture”. Subsequently, various provisions, such as the Opinions on Strengthening the Safeguarding of China's Intangible Cultural Heritage (March 26, 2005), and the Interim Measures for the Safeguarding and Management of National Intangible Cultural Heritage (October 25, 2006), were progressively introduced. In September 2006, the former Ministry of Culture submitted the draft Intangible Cultural Heritage Law to the Legislative Affairs Office of the State Council for deliberation. The legislative procedures were completed in 2010, involving submission to the Standing Committee of the NPC for deliberation, followed by voting and passage at its third hearing in February 2011, leading to the formal promulgation of the Intangible Cultural Heritage Law. According to the Law on Intangible Cultural Heritage, ICH refers to “traditional cultural expressions that have been passed down from generation to generation by the people and are recognized as part of their cultural heritage, along with objects and places associated with these traditional cultural expressions”.

Following the enactment of the Intangible Cultural Heritage Law, China has systematically developed a government-led system for the protection of ICH, continuously enhancing it over time. Key regulations at the national level include the Notice of the General Office of the Ministry of Culture on Establishing Demonstration Bases for Productive Protection of National Intangible Cultural Heritage (November 2010) and the Measures for the Administration of Special Funds for the Safeguarding of National Intangible Cultural Heritage (May 4, 2012). The Implementation Plan for the Training Programs of China's Intangible Cultural Heritage Inheritance Groups (2018-2020) (April 26, 2018). Regulations for the Management of State-level Cultural and Ecological Reserves (March 1, 2019). Regulations for the Recognition and Management of Representative Inheritors of National Intangible Cultural Heritage (promulgated on November 29, 2019, to be implemented as of March 1, 2020). The Fourteenth Five-Year Plan for the Safeguarding of Intangible Cultural Heritage (May 25, 2021). At the national level, it has initiated several key projects, including the "Protection Project of Chinese Traditional Ethnic and Folk Culture" (2003), the "Intangible Cultural Heritage Inheritance and Development Project" (2019), the "Program for the Inheritance and Development of Excellent Chinese Traditional Arts" (2015), the "China

Traditional Crafts Revitalization Program" (2017), the "China National Opera Inheritance and Development Program" (2017), the "Opera Inheritance and Development Program" (2019), and other significant initiatives. The promulgation of the Opinions signifies the increasingly refined top-level design of China's intangible cultural heritage protection.

It is noteworthy that in June 2016, the Ministry of Culture issued a special circular titled "Circular on Inspecting the Implementation of the Intangible Cultural Heritage Law" to enhance the law's effectiveness.

Up to now, the State Council has approved five rounds of national representative lists of intangible cultural heritage items in 2006, 2008, 2011, 2014, and 2021. The first batch comprised 518 items, the second batch 510 items, the third batch 191 items, the fourth batch 153 items, and the fifth batch 185 items, totaling 1,557 items. These items are categorized into ten groups: folk literature, traditional music, traditional dance, traditional drama, performing arts, traditional sports, games, and acrobatics, traditional fine arts, traditional arts and crafts, traditional medicine, and folklore.

The Ministry of Culture and Tourism, along with its predecessor, the Ministry of Culture, identified five rounds of representative bearers of national intangible cultural heritage projects in 2007, 2008, 2009, 2012, and 2018, respectively. The fifth batch, titled "Representative Inheritors of Intangible Cultural Heritage Representative Programs at the National Level," was identified in May 2022, marking the commencement of the nomination process for the sixth batch of national intangible cultural heritage representative inheritors (hereinafter referred to as National Inheritors). The first batch included 226 National Inheritors, the second batch 551, the third batch 711, the fourth batch 498, and the fifth batch 1,082 National Inheritors. Furthermore, 11 individuals lost their qualification as national representative inheritors under the dynamic management and withdrawal mechanism of representative inheritors of intangible cultural heritage. As of November 2022, there were 3,057 National Representative Inheritors of Intangible Cultural Heritage.

The Ministry of Culture announced two rounds of national demonstration bases for the productive protection of intangible cultural heritage in 2011 and 2014, respectively. The first batch comprised 41 bases, while the second batch comprised 59.

Since 2008, China has inscribed a total of 43 items on the UNESCO Intangible Cultural Heritage List, leading the world in terms of the total number of items. Among them, 35 are recognized as Representative, 7 are listed on the Urgent Safeguarding List, and 1 is included in the Register of Good Safeguarding Practices. The selection of these 43 projects reflects China's growing compliance capacity and the level of intangible cultural heritage safeguarding. It significantly enhances the sense of identity and pride among communities, groups, and individuals practicing the heritage, while also inspiring conscientiousness and enthusiasm for its transmission and safeguarding. Furthermore, it serves to publicize and promote the profound Chinese culture, spirit, and wisdom at the international level. China primarily utilizes a four-tier system to protect intangible cultural heritage, with listings at the national, provincial, municipal, and county levels. Each province, municipality, and county conducts approval and identification procedures for projects and inheritors at their respective levels, tailored to their unique circumstances.

During this period, China has provided robust policy guidance for the digital protection of ICH. Nearly all relevant policy documents concerning ICH underscore the imperative of enhancing its digital safeguarding. In 2010, the Ministry of Culture proposed integrating the "ICH Digital Protection Project" into the "Twelfth Five-Year Plan". This initiative amalgamates ICH with information technology to



advance cultural informatization. The implementation of this project was assigned to the China Academy of Art. In 2006, the China Academy of Art was entrusted with establishing the China ICH Protection Center, with a specific focus on digital protection. This center is primarily responsible for developing standards and specifications for ICH digital protection, establishing a national ICH database, and creating software for ICH digital management systems (Yang, 2015). Table 1 shows the list of the policy documents starting March 2005.

**Table 1**

*Major policy documents issued in March 2005 to August 2021 (The author)*

No.	Title	Issuing Authority	Date
1	Opinions on Strengthening the Protection of Intangible Cultural Heritage in China	General Office of the State Council	26-03-2005
2	Interim Measures for the Safeguarding and Management of the National Intangible Cultural Heritage	Ministry of Culture	25-10-2006
3	the Construction of Demonstration Bases for Productive Protection of National Intangible Cultural Heritage	General Office of the Ministry of Culture	11-2010
4	Law of the People's Republic of China on Intangible Cultural Heritage	The System of People's Congresses	25-02-2011
5	Measures for the Administration of Special Funds for the Safeguarding of the National Intangible Cultural Heritage	Ministry of Finance; Ministry of Culture	04-05-2012
6	Implementation Plan of China Intangible Cultural Heritage Inheritance Group Training Programs (2018-2020)	Ministry of Culture and Tourism; Ministry of Education; Ministry of Human Resources and Social Security	26-04-2018
7	Measures for the Management of State-level Cultural and Ecological Reserves	Ministry of Culture and Tourism	01-03-2019
8	Measures for the Recognition and Management of Representative Inheritors of National Intangible Cultural Heritage	Ministry of Culture and Tourism	01-03-2020
9	The Fourteenth Five-Year Plan for the Safeguarding of Intangible Cultural Heritage	Ministry of Culture and Tourism	25-05-2021
10	Opinions on Further Strengthening the Protection of Intangible Cultural Heritage	General Office, CPC Central Committee; General Office of the State Council	02-08-2021

### **Present and Future**

The 2021 Opinions provide precise guidance on enhancing the level of ICH protection and inheritance. They specifically advocate for the "implementation of the opera and traditional Chinese festivals revitalization project" and "promotion of intangible cultural heritage protection and inheritance within major national strategies". Furthermore, they endorse "leveraging ICH resources for rural tourism and other businesses" and "encouraging collaboration and support from the eastern region to the central and western regions to establish and emphasize Chinese cultural symbols and a shared national image among all ethnic groups". These directives have sparked a comprehensive national discourse and have significantly influenced ICH protection in China.

Various measures pertaining to ICH have been consistently introduced. In October 2021, the Ministry of Culture and Tourism, the Ministry of Education, and the Ministry of Human Resources and Social Security collaboratively issued the "Implementation Plan for the Training Program for Intangible Cultural Heritage Inheritors in China (2021-2025)". In November 2021, a nationwide campaign was initiated to collect exhibits for the National Intangible Cultural Heritage Museum. Subsequently, in January 2022, the "Management Measures for National Intangible Cultural Heritage Protection Funds" were promulgated. Moreover, in June 2022, a circular was jointly issued by the Ministry of Culture and Tourism, the Ministry of Education, the Ministry of Science and Technology, the Ministry of Industry and Information Technology, the National Ethnic Affairs Commission, the Ministry of Finance, the Ministry of Human Resources and Social Security, the Ministry of Commerce, the China National Intellectual Property Administration, and the National Administration for Rural Revitalization, aiming to promote the high-quality inheritance and development of traditional crafts, a subject closely intertwined with numerous ICH items. In February 2023, five national-level cultural ecological protection areas passed acceptance inspections. Additionally, the Notice on Promoting the Deep Integration and Development of Intangible Cultural Heritage and Tourism was issued during the same month. Subsequently, in June 2023, Cultural Industry Standards for the Collection and Recording of Digital Resources for the Digital Protection of Intangible Cultural Heritage were announced. In November 2023, efforts were made to organize the selection and commendation of advanced collectives and individuals involved in the protection of national intangible cultural heritage. March 2024 saw the announcement of a total of 99 national-level productive protection demonstration bases for intangible cultural heritage for the period 2023-2025. Moreover, since 2021, a list of participating institutions for the annual training program for inheritors of Chinese intangible cultural heritage has been published. Furthermore, annual "Cultural and Natural Heritage Day" non-heritage publicity and exhibition activities have been conducted since 2017.

Various regions of China consistently organize activities that prioritize ICH while simultaneously fostering the development of culture and tourism. In March 2023, Ningbo hosted an event titled "Integration of Culture and Tourism for High-Quality Development: Incorporating Intangible Cultural Heritage into Scenic Areas," which intricately blended intangible cultural heritage with tourism.

In November 2023, the 16th "Beautiful Moments, Gong Palace Intangible Cultural Heritage Performance Season" was held at the renowned Gong Palace in Beijing. It showcased ancient guqin music with origins dating back more than 3000 years, featuring performances from the 1885 court drama scripts of Gong Palace. Additionally, the "2023 Yellow River Intangible Cultural Heritage Exhibition" took place in Taiyuan, Shanxi Province, in the same month, exhibiting over 600 emblematic projects from nine provinces along the Yellow River and involving more than 300 intangible cultural heritage custodians, providing spectators with an exceptional visual experience. In February 2024, the "Refreshing Fujian: Starting Point of The Maritime Silk Road" ICH exhibition and performance took place in Macao. This event series symbolizes a vital cultural strategy for Fujian Province's external interactions and promotion. Additionally, provincial, municipal, and county-level units consistently organize diverse activities centered on the theme of intangible cultural heritage, significantly enhancing the cultural life of the population and continually boosting the influence of intangible cultural heritage. Table 2 lists the policy documents starting October 2021.

**Table 2**

*Major policy documents issued in October 2021 to June 2023 (The author)*

	<b>Title</b>	<b>Issuing Authority</b>	<b>Time</b>
1	Implementation Plan for the Training Program for Intangible Cultural Heritage Inheritors in China (2021-2025)	Ministry of Culture and Tourism; Ministry of Education; Ministry of Human Resources and Social Security	10-2021
2	Management Measures for National Intangible Cultural Heritage Protection Funds	Ministry of Finance; Ministry of Culture and Tourism	01-2022
3	Promoting the High-quality Inheritance and Development of Traditional Crafts	Ministry of Culture and Tourism, Ministry of Education, the Ministry of Science and Technology, Ministry of Industry and Information Technology, National Ethnic Affairs Commission, Ministry of Finance, Ministry of Human Resources and Social Security, Ministry of Commerce, China National Intellectual Property Administration, and the National Administration for Rural Revitalisation	06-2022
4	Notice on Promoting the Deep Integration and Development of Intangible Cultural Heritage and Tourism	Ministry of Culture and Tourism	02-2023
5	Cultural Industry Standards for the Collection and Recording of Digital Resources for the Digital Protection of Intangible Cultural Heritage	Ministry of Culture and Tourism	06-2023

In recent years, Chinese scholars have exhibited notable interest in exploring the relationship between the digitalization of ICH and the tourism industry. They have endeavored to strike a balance between preserving ICH and advancing the tourism sector, with the goal of leveraging ICH to generate commercial value and foster local economic development. In September 2022, the "Analysis and Suggestions on Digitization to Stimulate the Endogenous Dynamics of Living Inheritance of Intangible Cultural Heritage" was published in the Culture and Tourism Think Tank Essentials, and this model, subject to approval by relevant leaders, represents a distinctively characteristic system in China. Qiu, Zuo, and Zhang (2022) systematically reviewed 418 studies on ICH tourism, identifying key research themes such as resource planning, tourism impact, and tourist behavior, and predicting future research directions in placemaking, technology, and environmental concerns. They emphasized the need to shift development focus towards "social practices, rituals, and festivals," while also advocating for sustained attention to ecotourism, gastronomy, festivals, and religious tourism in ICH research. Yuan, Gan, and Zhuo (2022) investigated the integration of ICH and cultural tourism in Hunan, aiming to identify a development pattern for ICH through tourism integration. Meanwhile, Chang et al. (2023) examined the

spatial distribution pattern of intangible cultural heritage in the Yellow River Basin of China's "One Belt and Two Cores" and proposed recommendations for regional differentiated development and regional linkage development. These findings can inform regional tourism planning and development strategies.

## **DISCUSSION**

In the early stages of Intangible Cultural Heritage (ICH) conservation, the focus was primarily on salvage conservation in response to the endangered nature of ICH. At the same time, it was emphasized that ICH exists within a broader cultural context, necessitating holistic conservation strategies. Over time, the focus has shifted towards productive protection of ICH, yet discussions around the commercial and tourism potential of ICH continue to prevail. As the economic benefits associated with ICH become more apparent, the discourse surrounding intellectual property protection has gained significant attention. However, while economic interests drive the focus on commercialization, there are growing concerns about the negative impact on the cultural authenticity of ICH practices.

Moreover, the rapid advancement of digital technology has significantly transformed communication methods, amplifying the need for urgent digital protection of ICH. However, digitalizing ICH differs from the general digitalization of cultural heritage, with a primary focus on preserving and disseminating the cultural significance of traditional crafts. This process must include comprehensive documentation, integrating cultural elements and values (Ma, Tu, & Xu, 2019). In addition, Zong, Xiao, and Li (2021) explored the digital dissemination of ICH in the minority regions of Yunnan, noting the threat that mainstream culture poses to various ethnic traditions, including traditional craftsmanship. This highlights a common concern about cultural homogenization and the preservation of ethnic diversity in the face of technological advancement.

Furthermore, Yan and Chiou (2021) examined Chinese Embroidery, noting the talent shortage in non-heritage crafts, which they attribute to the extensive training required. This talent gap presents a significant challenge in maintaining traditional crafts, underscoring the need for targeted education and training programs. Xu, Li, and Meng (2019) also highlighted that despite the presence of a national-level ICH program, the recognition rate for embroidery in Harbin is only 3%, and for "lamp decoration in Luoyang," it is just 5%. These figures underscore the significant gap in public awareness and the need for greater cultural education and outreach efforts. While China has enacted legislation to protect ICH, civil protection remains limited, and legal resolutions for ICH intellectual property rights issues are infrequent (Lin & Lian, 2018). This reveals a gap between the legislative framework and practical enforcement, highlighting the need for more robust civil engagement and clearer legal mechanisms for intellectual property protection. Xu, et al. (2019) observed that China's emphasis on ICH protection at the national level has led to blurred boundaries between governmental entities and other sectors, hindering coordinated efforts. This fragmentation weakens the overall effectiveness of ICH protection policies and suggests the need for a more integrated, multi-sectoral approach to safeguard ICH. Moreover, inconsistent regulations among departments at similar hierarchical levels and within the same department, combined with inefficient resource allocation, further hamper the effective safeguarding of ICH. This regulatory fragmentation must be addressed to streamline efforts and improve resource utilization in ICH protection. Massing (2017) examined a theme park in Hainan Province and found that, while these parks help preserve local ICH, government decisions tended to favor tourism revenue over the concerns of local ethnic minorities. This gives credence to the argument that cultural preservation must strike a balance with economic advancement and consideration for local communities.

## **CONCLUSION**



The evolution of China's Intangible Cultural Heritage (ICH) protection policies can be divided into four stages: the late Qing and Republican periods, the early years after the establishment of the People's Republic of China, the transitional period following the country's accession to the Convention for the Safeguarding of the Intangible Cultural Heritage, and the comprehensive implementation phase after the 21st century. Among these stages, the most crucial development has been the gradual establishment and improvement of the legal framework, especially after the enactment of the "Intangible Cultural Heritage Law of the People's Republic of China" in 2011, which significantly enhanced the policy's enforceability and standardization. The implementation of these policies not only promoted the protection of cultural heritage but also fostered the integration of local economic development and cultural tourism.

Despite significant progress in policy implementation, particularly in the areas of legal framework development and cultural transmission, several challenges remain. From a resource allocation perspective, although national-level policies have been well implemented, there is still a gap in the enforcement and resource support provided by local governments, especially in remote regions (Yi et al., 2021). Furthermore, digital preservation faces technical difficulties. While numerous digital projects have been initiated, their coverage and effectiveness at the local level remain limited (Chen & Yang, 2021). This phenomenon indicates that the local adaptability and practical operability of the policies still need further strengthening.

In the future, further optimization of China's ICH protection policies should focus on several key areas. First, enhance the accessibility of digital preservation, as emerging technologies such as AI and blockchain are becoming increasingly important in the safeguarding of cultural heritage (Mustajap et al., 2024; Pendit, Zaibon, & Abu Bakar, 2024; Tang & Zhang, 2024; Zoannos, Chourdaki, & Assimakopoulos, 2023;). Through technological innovation and platform development, support should be provided to local governments and communities to participate in ICH preservation, particularly in remote and ethnic minority regions (Zong et al., 2021). Second, increasing public participation, not only from heritage practitioners but also from the general public, especially at the intersection of cultural tourism and local economic development. Lastly, with regard to intellectual property issues, it is important to strengthen the management of digital works, balancing intellectual property protection with public interest and avoiding the "tragedy of the commons" (Chen & Yang, 2021). In Malaysia, as an example of music works as ICH in study by Adnan, Zaibon, and Zainal Abidin (2019) where they proposed a model that will be a useful guideline to music composers or producers to compose a quality song that would be an evergreen song as one of ICH.

China's approach in developing its policy framework, promoting local implementation, and integrating cultural tourism with ICH, particularly its innovative practices in local cultural transmission and digital protection, offers valuable insights for other countries. These practices provide an important reference for the formulation and implementation of global ICH protection policies.

### **ACKNOWLEDGEMENT**

The authors declare no conflict of interest. I am grateful to the pioneering scholars whose research has laid a broad foundation for this topic. I would also like to express my gratitude to the Creative Industry International Conference (CIIC) for providing me the opportunity to present my research findings. It is a great honor to share my study on China's intangible cultural heritage protection policies on such an important academic platform. Thanks to Assoc. Prof. Dr. Norsiah Abdul Hamid for her previous guidance and mentorship.

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