

CULTURAL HERITAGE CONSERVATION IN VIETNAM TODAY: SITUATION AND SOLUTIONS'

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Abstract

Vietnam is a civilized country with a long history and a rich culture. The cultural heritage of the nation left by ancestors has been preserved and promoted by the contemporary generation. Many cultural heritages are effectively preserved, promoted to the world, and honored by the international community. But there are also heritage sites that are facing challenges: degraded, damaged, violated, disfigured, and deviated from the original heritage. This article is an approach to the above situation by: understanding the Vietnamese legal system and international documents in the field of cultural heritage; the operation of that legal system in cultural heritage preservation activities in Vietnam over the years; review the achievements that have been achieved, and the limitations that need to be overcome; at the same time, propose solutions to contribute to better conservation and promotion of cultural heritage values in a sustainable way.

Keywords: monuments, cultural heritage, tangible cultural heritage, intangible cultural heritage, law on cultural heritage, cultural property

The Vietnamese people have spent thousands of years building and defending the country, and have built a unique culture with its own identity, which is preserved and passed on from generation to generation.

The cultural heritage (DSVH) that ancestors left to posterity is very rich and diverse, both tangible and intangible. Depending on the times, sometimes those cultural heritages are protected (preservation), conservation

(conservation), and promotion of value very effectively, but there are times when those cultural heritages are violated, destroyed, destroyed. destroyed for many objective and subjective reasons. Even times, in some places, in some cases, in order to preserve, embellish, or honor, there are cultural heritages that have been damaged, deformed, and no longer retain the authenticity of the heritage.

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This article reviews in general the conservation of cultural heritages in Vietnam in the past few decades, reviews the achievements and shortcomings, evaluates the successes, and proposes solutions to overcome them. overcome inadequacies in this activity.

1. The relevant terms

Before examining and evaluating the conservation activities of intangible cultural heritage in Vietnam, it is essential to consider the need to familiarize with the concepts within this field in the current legal documents of Vietnam and within the international legal framework related to this field through conventions and protocols issued by UNESCO and affiliated organizations, with the consent of member countries.

Because the content of these concepts forms a vital foundation for the development and implementation of policies related to the conservation of intangible cultural heritage in Vietnam, both currently and in the future.

1.1. In the legal documents of Vietnam

Immediately after the victory of the August Revolution (1945), Ho Chi Minh, provisional President of the Government of the Democratic Republic of Vietnam, issued Decree No. 65/SL dated 23/11/1945 assigning tasks to The Vietnam Oriental Institute has the task of preserving all fairy tales

in the whole of Vietnam (hereinafter referred to as Ordinance 65). The fourth article of Decree 65 stipulates: "It is forbidden to destroy pagodas, temples, shrines or other places of worship, palaces, citadel, sarcophagus and tombs that have not been preserved. It is forbidden to destroy inscriptions, objects, documents, diplomas, papers, and books that are religious or not, but are useful for history, but have not been preserved".

After the country's unification (April 30, 1975), the State Council of Vietnam issued Ordinance No. 14-LCT/HDNN dated April 4, 1984, on the protection and use of historical and cultural relics. and scenic spots (referred to as Ordinance 1984).

However, Ordinance 65 and Ordinance 1984 only mentioned the concepts: of fairy, historical, cultural, and scenic sites, and landscapes, with primitive regulations and only concerned with conservation. types of tangible cultural heritage according to the international classification in the field of cultural heritage later.

Both of the above legal documents have expired after the Law on Cultural Heritage was born. This Law was passed by the 10th National Assembly, 9th session, on June 29, 2001, and took effect on January 1, 2002 (referred to as the Law on Cultural Heritage 2001). Attached to this law is Decree 92/2002/ND-CP dated 11/11/2002 of the Government detailing the

implementation of a number of articles of the Law on Cultural Heritage (hereinafter referred to as Decree 92/2002). Effective November 26, 2002.

These are documents with the highest legal value, regulating all activities in the field of cultural heritage such as definition, detailed regulations, classification of cultural heritage; organizing the apparatus, and performing state management activities in the field of cultural heritage from central to local levels; orientation of activities to preserve and promote the value of cultural heritages... in Vietnam in the period 2002 - 2009.

After seven years of implementation, the 2001 Law on Cultural Heritage has revealed its limitations, failing to keep up with the reality of operations and state management in the field of cultural heritage, especially not approaching international documents. In the field of cultural heritage promulgated by UNESCO and international organizations, Vietnam has organized to amend the Law on Cultural Heritage.

As a result, the Law amending and supplementing a number of articles of the Law on Cultural Heritage was born. This Law was approved by the 12th National Assembly, 5th session, on June 18, 2009, and took effect from January 1, 2010 (referred to as the Law on Amendments and Supplements

2009). Attached to this law is Decree 98/2010/ND-CP dated September 21, 2010, of the Government detailing the implementation of a number of articles of the Law on Cultural Heritage and the Law amending and supplementing a number of articles of the Law on Cultural Heritage. Cultural heritage (referred to as Decree 98/2010), effective from November 6, 2010.

Currently, all four legal documents mentioned above are still in force in Vietnam. In these documents, there are definitions of cultural heritage, intangible cultural heritage, tangible cultural heritage, protection and preservation of cultural heritage... as well as detailed regulations on: historical sites, architectural monuments, art, archaeological relics, scenic spots, relics, antiquities, national treasures...

– Cultural heritage

Article 1 of the Law on Cultural Heritage 2001 stipulates: “Cultural heritage includes intangible cultural heritage and tangible cultural heritage, which are spiritual and material products of historical, cultural and scientific value, handed down from generation to generation in the Socialist Republic of Vietnam”.

– Intangible cultural heritage

+ Clause 1, Article 4 of the Law on Cultural Heritage 2001 stipulates: “Intangible cultural heritage (DSVHPVT) is a spiritual product of historical, cultural and scientific value, which is preserved by memory.

, writing, which is transmitted orally, by profession, by performance, and by other forms of preservation and transmission, including spoken language, writing, literary, artistic, scientific, and oral philology, folk performance, lifestyle, way of life, festivals, know-how about traditional crafts, knowledge about medicine, traditional medicine, culture, and cuisine, about traditional national costumes and knowledge other folklore".

+ Article 2 of Decree 98/2010 stipulates: "The civil service includes: a) spoken and written language; b) folk literature; c) folk performing arts; d) social practices and beliefs; d) traditional festivals; e) traditional craftsmanship; g) folk knowledge.

– Material cultural heritage

+ Clause 1, Article 4 of the Law on Amendments and Supplements 2009 stipulates: "Tangible cultural heritage is a spiritual product associated with a community or individual, related objects and cultural space, has historical, cultural, and scientific values, expressing the community's identity, are constantly being recreated and handed down from generation to generation by word of mouth, profession, performance and other forms."

+ Article 2 of Decree 98/2010 stipulates: "Veterinary heritage includes: a) historical-cultural relics, scenic spots (collectively referred to as relics); b) relics, antiquities, and national treasures.

– Relics

+ Article 11 of Decree 98/2010 was based on the criteria specified in Clause 9, Article 1 of the Law on Amendments and Supplements 2009, and Article 28 of the Law on Cultural

Heritage 2001 to classify relics into four categories as follows: 1. historical monuments (event memorial monuments, famous monuments); 2. architectural and artistic monuments; 3. archaeological ruins; 4. scenic spots.

– Relics, antiquities, national treasures

Clauses 5, 6, and 7, Article 4 of the Law on Cultural Heritage 2001 define: a relic as an artifact handed down that has historical, cultural, and scientific value; antiquity means an artifact that has been handed down, and has typical historical, cultural and scientific value, is one hundred years old or more; National treasure is an artifact that has been handed down, with special, rare, and typical values of the country in terms of history, culture and science.

1.2. In international documents

Among the many conventions and decrees issued by UNESCO and adopted by UNESCO member states, there are two important conventions that define and prescribe in great detail the concepts in the field of cultural heritage. It is the Convention on the Protection of the World Cultural and Natural Heritage (abbreviated as the 1972 Convention), adopted by the General Assembly of UNESCO in Paris (17th session, from October 17 to November 21, 1972) and the Convention on the Protection of the Intangible Cultural Heritage (hereinafter referred to as the 2003 Convention), adopted by the General

Assembly of UNESCO in Paris (32nd session, from September 29 to October 17, 2003).

– Cultural heritage

Article 1 of the 1972 Convention defines cultural heritage as monuments, groups of buildings and sites.

– Natural Heritage

Article 2 of the 1972 Convention defines natural heritage as natural features, geological and physiographic formations, and natural sites.

Thus, the 1972 Convention has separated the natural heritage (with the three types mentioned above) from the cultural heritage. Meanwhile, the Law on Cultural Heritage 2001, the Law on Amendments and Supplements 2009, and two decrees guiding the implementation of these two laws (Decree 92/2002 and Decree 98/2010) stipulate "scenic places" (Decree 92/2002 and Decree 98/2010) (Decree 92/2002 and Decree 98/2010) has the same content as the Natural Heritage as defined by the 1972 Convention) belongs to the type of historical-cultural relic (group 4), an integral part of the cultural heritage.

– Intangible cultural heritage

+ Paragraph 1, Article 2 of the 2003 Convention defines: "DVT is understood as the customs, forms of expression, expression, knowledge, skills, and accompanying tools, objects and artifacts. and related

cultural spaces that communities, groups of people, and, in some cases, individuals, recognize as part of their cultural heritage. Transferred from generation to generation, heritage sites are constantly reinvented by communities and groups of people to adapt to their environment and their interrelationships with nature and their history. It instills in them a sense of identity and continuity, thereby fostering greater respect for cultural diversity and human creativity. For the purposes of this Convention, consideration shall only be given to those cultural heritages that are compatible with applicable international human rights instruments, as well as requirements for mutual respect among communities, groups of people, and individuals. and on sustainable development".

+ Paragraph 2, Article 2 of the 2003 Convention stipulates that cultural heritage includes the following forms: (a) oral traditions and expressions, in which language is the means of cultural heritage; (b) performing arts; (c) social practices, beliefs, and festivals; (d) knowledge and practices relating to nature and the universe; (e) traditional craftsmanship.

The 2003 Convention stipulates that only oral expressions are cultural heritage, while the written forms associated with the objects in which it exists (paper, bones, animal horns, ceramics, woodblocks, lithographs, etc.) documentary heritage. Meanwhile, in the legal documents in the field of cultural heritage promulgated by Vietnam (and still in effect), the above-mentioned forms of writing are all part

of the Vietnamese cultural heritage. Differences in the above definitions will lead to differences in the awareness, management, and conservation of these heritage sites.

1.3. Regarding the term “cultural heritage preservation”

In the legal documents and international documents related to the field of cultural heritage mentioned above, the concept of conservation of cultural heritage was used earlier, in the sense that activities aimed at preserving cultural heritages from being infringed; or restoring and restoring cultural heritages that have been damaged by various causes, trying to restore these heritage sites to their original appearance.

However, in the past 20 years, the concept of protection of cultural heritage has been used to replace the concept of conservation of cultural heritage found in cultural traditions. international events and legal documents of Vietnam have been issued before. With the introduction of the concept of cultural heritage protection, conservation is only a professional activity in the field of restoration of real estate monuments, besides the concepts: of restoration, and embellishment; practice, and ensure the authenticity of the intangible cultural heritage.

In addition, in legal documents, resolutions, and policies related to the field of the cultural heritage of Vietnam,

the term conservation and promotion of value is also used, with the implication: restoration and embellishment of real estate relics; restore and restore relics and museum artifacts (movement relics); maintain and restore all types of cultural heritage, in order to put them into operation, serve tourism development, meet people's demand for spiritual-cultural enjoyment, and promote Vietnam's cultural heritage to the world gender.

From the analysis on changing the understanding of the term cultural heritage preservation above, in this article, I use this term with two meanings:

- Only restoration, embellishment, and restoration activities of real estate monuments, scenic spots belonging to cultural heritages, which are classified as relics (provincial level, national level, special national level), world cultural heritage, and world natural heritage.
- Only activities of practicing, restoring, teaching, etc., ensure the authenticity of all types of cultural heritages that have been recognized as national intangible cultural heritages, representative intangible cultural heritages of humanity, and intangible cultural heritage in urgent need of protection in Vietnam.

2. The status of cultural heritage conservation in vietnam in current time

2.1. Achievements

2.1.1. General assessment

After the country's reunification (April 30, 1975), the State of Vietnam has made many efforts in preserving the country's cultural heritages in many aspects:

- Formulating and promulgating legal documents in the field of relic conservation and protection of cultural heritage; regularly amend and supplement this system of legal documents to suit the development situation of the country and compatible with documents issued by UNESCO and international organizations.
- Invest resources (funds, vehicles, technical materials, etc.) to fight the degradation of monuments, and remove bombs and mines at monument sites located in war zones during previous wars: restore, embellish and restore relics and relics damaged by wars, natural disasters, and other causes.
- Organize inventory, classify, make scientific dossiers, dossiers of zoning and protection of relics, relics and cultural heritages in general at many levels (provincial level, national level, special national level), class (class I museum, class II museum, class III museum), value (relics, antiquities, national treasures) to have corresponding protection and conservation policies.
- Building and perfecting the management apparatus and expertise in the field of cultural heritage from the central to local levels to perform state management tasks in the field of

cultural heritage; investing in and supervising activities of restoration and embellishment of relics, conservation, and promotion of cultural heritage values. For example: changing the name of the Department of Conservation - Museum to the Department of Cultural Heritage under the Ministry of Culture and Information (now the Ministry of Culture, Sports and Tourism), supplementing the functions and tasks of the Department of Culture and Information. This is to meet the practical requirements of the country's development and international integration; establishing centers for relic conservation (or cultural heritage conservation) in 63 provinces and cities in the country; established heritage management offices under the Departments of Culture, Sports and Tourism throughout the country.

- Train managerial and professional human resources operating in the field of cultural heritage by many programs: professional training, undergraduate and postgraduate training at home and abroad; send experts in the field of cultural heritage abroad to practice or participate in training courses in this field organized by UNESCO, international NGOs, research institutes, universities abroad.
- Prepare dossiers of typical monuments, scenic spots, and cultural heritages of Vietnam, and submit them to UNESCO for approval and recognition as world cultural heritage, world natural heritage, and intangible cultural heritage representative of humanity...
- Exploiting and promoting the value of cultural heritages to serve the purposes of serving tourism, meeting the people's demand for cultural

enjoyment, spiritual life, religion - beliefs; introduce typical cultural heritages of Vietnam to the world.

2.1.2. Results

– For cultural heritage sites, by the beginning of September 2020, there are about 40,000 relics throughout the country that have been inventoried and listed in need of protection. Among them, there are nearly 10,000 relics ranked as provincial/city relics, 3,528 national monuments; 112 special national monuments.

In parallel with the inventory, classification, and ranking of national monuments, Vietnam has begun to select typical monuments and scenic spots to compile dossiers and submit them to UNESCO for appraisal and recognition as a world heritage.

As a result, from 1993 up to now, UNESCO has recognized Vietnam as having 05 world cultural heritages [including Complex of Hue Monuments (recognized in 1993), My Son Cham relic site (1999), Hoi An Ancient Town (1999), Thang Long Imperial Citadel (2010), Ho Dynasty Citadel (2011)]; 02 world natural heritages [including Ha Long Bay (1994, 2000), Phong Nha - Ke Bang National Park (2003, 2015)]; and 01 mixed heritage [Trang An Scenic Landscape Complex (2014)].

As for relics - antiquities, from October 2012 to January 2020, there were 191 relics - antiquities owned by museums, monuments, and religious - belief establishments across the country approved by the Prime Minister. The Prime Minister

recognized it as a national treasure after 8 rounds of approval.

– For cultural heritage, Vietnam has recognized 137 heritages as national intangible cultural heritage. Among them, UNESCO has recognized Vietnam as having 10 representative intangible cultural heritages of humanity [including Vietnamese court music - Nguyen dynasty music (recognized in 2003), Gong cultural space, etc. Central Highlands gongs (2005), Quan Ho Bac Ninh (2009), Giong festival - Phu Dong and Soc temples (2010), Phu Tho Xoan singing (2010), Hung King worship in Phu Tho (2011), Don Southern Vietnamese singers (2012), Rituals and games of tug of war in Vietnam (along with Cambodia, Korea and the Philippines) (2015), Vietnamese people's practice of worshipping the Mother Goddess of the Three Palaces (2016), Art Bai Choi in Central Vietnam (2017)] and 01 intangible cultural heritage in urgent need of protection [Ca Tru (2009)].

In addition, there is 02 documentary heritage of Vietnam recognized by UNESCO as world documentary heritage [including Woodblocks of the Nguyen Dynasty (recognized in 2009), Doctor's Stele at the Temple of Literature - Quoc Tu Giam, Hanoi. 2010, 2015]] and 05 other heritages recognized by UNESCO as documentary heritage of the Asia - Pacific region [including Woodblocks of Vinh Nghiem pagoda in Bac Giang (recognized in 2012), Nguyen Dynasty's Chau Ban (recognized in 2012)" 2014), Poetry on Hue Royal Architecture (2016), Woodblocks of

Phuc Giang School in Ha Tinh (2016) and Hoang Hoa Porcelain presented in Ha Tinh (2018)].

Here are two typical successful cases in the conservation and promotion of cultural heritage values in Vietnam in recent years:

– Hue Cultural Heritage

One of the localities that have made outstanding efforts in preserving and promoting the value of cultural heritage recognized by experts, Vietnamese people, UNESCO, and the international community is Thua Thien Hue, with outstanding achievements. It is remarkable that it has brought the Complex of Hue Monuments out of ruins and derelict after the war; step by step carry out the processes of conservation, restoration, and embellishment of this relic complex, compile a dossier of requests for recognition as a national cultural and historical relic and submit it to UNESCO for recognition as a world cultural heritage site. World Cultural Heritage in 1993 - The first World Cultural Heritage in Vietnam.

Next, efforts to conserve cultural heritage sites are also concerned. The government and functional agencies in Hue invest financial and human resources for research and restoration activities for cultural heritages such as Nha music, court dances of the Nguyen Dynasty, royal festivals and folklore in the Hue region. ... As a result, in 2003, the royal court music of the Nguyen

Dynasty was listed by UNESCO as the typical Intangible Cultural Heritage of Humanity.

In addition, many research projects, translation, publication of historical sources of the Nguyen Dynasty, collection of antiquities, computerization of the management of antiquities in museums, restoration of royal costumes, and music training have also been carried out. The work for Nha Nhac... is also done with the financial resources of the Government of Vietnam, the government of Thua Thien Hue province, along with the sponsorship of domestic organizations and individuals, aid from the government, and international NGOs.

Efforts in preserving the Complex of Hue Monuments have brought this relic complex out of its post-war ruin, out of the state of "emergency rescue", entering the "period of sustainable conservation", "sustainable and stable". Hue is considered a successful example in the work of preserving and promoting the value of cultural heritage. As a result, Hue has become an attractive destination for domestic and foreign tourists and a cultural and tourist center of the country.

– Trang An Scenic Landscape Complex

Trang An Scenic Landscape Complex in Ninh Binh is a complex of cultural and natural heritage that was recognized as a World Heritage Site by the World Heritage Committee, under

UNESCO, on June 23, 2014, in a meeting, held annually in Doha (Qatar), because it has met two criteria of world natural heritage and one criterion of world cultural heritage.

This is the first mixed world heritage of Vietnam, as well as the first and only dual world heritage in Southeast Asia up to the present time.

Before being recognized by UNESCO as a World Mixed Heritage Site, many relics and scenic spots here were ranked as special national monuments by the Vietnamese Government such as Hoa Lu ancient capital, and Trang An eco-tourism area, Tam Coc - Bich Dong tourist area, Bai Dinh pagoda...

Immediately after Trang An was recognized as a world heritage site, Ninh Binh province developed and issued a heritage management plan according to UNESCO's guidelines, which clearly defined conservation objectives, tasks, and zoning. management and conservation, values to be preserved, annual conservation and development plans, and clearly stating the roles and responsibilities of the Management Board, departments, branches, local authorities, businesses, and organizations. Industry, and the whole people in preserving and promoting heritage values.

Ninh Binh province has implemented solutions to manage, preserve and rationally exploit the values of the heritage in order to complete the requirements and

recommendations of UNESCO: establish a Steering Committee on the conservation and promotion of cultural values. value of the estate; to place boundary markers and signs in the core and buffer zones of the heritage; issue decisions on management, protection, and promotion of heritage values; open training courses for communities inside and outside the heritage area to understand the outstanding global values of the heritage, the roles and responsibilities of the people in protecting and preserving the heritage; coordinate with UNESCO experts, consultants from the World Union for Conservation of Nature, the International Council of Monuments and Sites to edit, supplement and complete the heritage management plan.

Thanks to the strategy of preserving intact the inherent values of the heritage, building tourism infrastructure, especially the policy of harmonizing the interests of localities, businesses, and people, the management model in Trang An has become a model that is highly appreciated by the Ministry of Culture, Sports and Tourism and can be applied in other heritage sites of Vietnam.

2.2. Restrictions

Besides the achievements, the conservation of cultural heritage in Vietnam also has many limitations and inadequacies, especially the above

situation has become more and more serious in recent years.

That is the state of conservation and restoration of historical and cultural relics, but falsifying the originality, causing the relics to be deformed, "rejuvenating, new, cheap", and worse, trying to destroy the original monument to build a new one; is the problem of artifacts displayed and worshiped in the relics being stolen, the "bleeding of antiquities" abroad; that cultural heritages in the process of conservation, practice and exploitation to serve tourism development have been deformed and lost their authenticity; The policy and system of legal documents in the field of cultural heritage do not keep up with the development of society, so they do not meet the task of state management in the conservation of cultural heritage, as well as not really compatible with the local cultural heritage. international instruments in this area; is the state of "running" the title of the national monument, "racing" for the international title in the ranking, recognition, and honor of cultural heritage...

Here are some common manifestations of inadequacies in the conservation of cultural heritage in Vietnam in recent years:

2.2.1. For tangible cultural heritage

– Historical and cultural sites

The situation of monuments in Vietnam being degraded, or destroyed

(partially or completely) due to time, war, and climate is common in Vietnam. Therefore, restoration, embellishment, and anti-degradation activities for relics are a key task in the conservation of cultural heritage, from central to local levels.

However, besides the achievements, at present, this activity has many limitations and negatives and is increasingly popular. That is:

+ Authorities and relic management agencies in many places have not properly selected the necessary relics for restoration, embellishment, and restoration, but arbitrarily in approving, funding and conducting activities. conservation in many monuments is not really urgent or just ancillary works, while "leaving" many works in need of urgent rescue, many important items need to be preserved. For example, the restoration and embellishment of monuments belonging to the Complex of Hue Monuments in the 2000s gave priority to the restoration and restoration of auxiliary works (such as the system of corridors in the Forbidden City, the system of courtyards and courtyards). garden, tennis court of King Bao Dai), improving infrastructure (road, lighting, drainage...), rather than restoring important architectural monuments in this relic complex (such as Can Chanh Palace, Can Thanh Palace, the main hall in the royal tombs...). Although the restoration and embellishment of the auxiliary works and the improvement of the infrastructure will quickly reduce the ruins of the monument, create a spacious and "eye-catching"

landscape for visitors, in terms of the whole. However, there is a lack of a strategy to restore and preserve the monument in a scientific and sustainable way.

+ Many restoration projects did not fully collect documents and images related to the original monument, did not research and survey fully and thoroughly at the site, so the construction plan was inaccurate, not ensuring conservation principles. When the construction is not in accordance with the approved design documents, arbitrarily changing textures, materials, colors and decorative motifs, cause the original elements constituting the monument to be distorted and deformed. Many relics have been restored, embellished, and expanded without the approval of competent authorities; The investor or the construction unit arbitrarily relocates the work location, expands the area, changes the architectural style, and changes the material from wood to concrete or builds additional auxiliary works, disrupts the landscape. landscape, traditional space of monuments... The phenomenon of "renovating, renovating, and embellishing" monuments that are not based on the criteria and principles of the conservation industry is taking place everywhere.

+ Creating a paradox in the conservation of non-state-owned monuments. That is: while there are many monuments that have been severely degraded and damaged, the owners/managers of these monuments do not have the funds to preserve, restore and restore (such as the relics of the palace in Vietnam). Hue, communal houses, pagodas, and

temples in many places...), so we let the relic continue to degrade, damage, and be "divided into five, split seven" due to the impact of urbanization and overpopulation; Meanwhile, there are many monuments that have relied on "socialization" capital by calling for community contributions or the sponsorship of "sponsors", so the owner/manager of the monument has arbitrarily standing out to restore and embellish, leading to the restoration of the restored monument being erroneous, partially or even completely removed, the original relic, disrupting the original landscape of the monument (such as the restoration of the pagoda). Hundred Gian, Khuc Thuy Pagoda, So Pagoda, Quang Huc Communal House in Hanoi; Dau Pagoda in Bac Ninh; Bo Da Pagoda in Bac Giang...).

+ In many localities, many monuments are being restored and embellished. Due to the lack of a team of real experts to preserve relics, and a lack of skilled workers to undertake this work, they have hired and employed uninformed, unprofessional, unskilled construction workers and supervisors... in the restoration and embellishment of monuments. There are cases where the restoration construction unit also deliberately imposed new elements on the monument to make a profit (such as the gilding of the interior of Hung Mieu, the interior of Minh Thanh palace at Gia Long mausoleum, and the interior of Minh Lau). at Minh Mang's mausoleum... in the 2000s). This leads to the relic being restored incorrectly, costly, and very difficult to overcome.

+ In conservation activities, there are always contradictions in the

viewpoint of restoration (according to the European, Japanese, or Chinese schools), the contradiction between conservation and development, and pure conservation. Cultural heritage is often put into operation to serve tourism development, promoting the value of cultural heritage.

- + There is a state of corruption and "group interests" in bidding, design, construction, restoration, and embellishment of monuments. This leads to an increase in investment, "monumentalization" of the monument, preferring to "demolish and build a new one" rather than trying to preserve as much as possible the original elements constituting the monument, limiting interventions to reduce or change the characteristics and values of the monument, and at the same time give priority to preserving and reinforcing it, and then renovating and embellishing it.

- + Lightly disregarding or ignoring the provisions of the law in the process of preserving and embellishing relics; while local authorities and specialized agencies let loose their management, leading to unpredictable consequences and even destruction of monuments (such as the project to restore the embankment south of Hue Imperial City in 2019).

- + Only interested in preserving, restoring, and embellishing ranked relics, while there are monuments and architectural works that have not been ranked by the authorities, but are valuable architectures. High cultural, artistic, and architectural values, which are important landmarks and part of the city's appearance... are ignored, even demolished, or listed for removal to build new works. For example, the

French colonial architecture in Hanoi, Hue or Ho Chi Minh City (typically the destruction of Ba Son ruins and the intended destruction of the Thuong Thu Palace).

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intended destruction of the Thuong Thu Palace).

– Relics, antiquities, national treasures

These are the types of cultural heritage preserved and displayed in museums, in private collections, and in many ranked monuments and religious-religious establishments, which are also facing challenges:

+ Except for relics, antiquities, and national treasures (referred to as artifacts) belonging to leading national museums or specialized museums at the central level, which receive regular budget investment, a team of well-trained professionals is preserved and displayed in accordance with the principles of museology, most of the artifacts in local museums, private collections, and at monuments are faced with difficult situations. poor security, easy to be stolen, professional activities such as inventory, preservation, display... are not guaranteed.

+ Most of the local museums in the country are general museums following the model of Soviet museums, introduced to Vietnam in the 1960s of the twentieth century, so they have an outdated apparatus and a team of professional staff. Management and professional staff have not been professionally trained; meager, monotonous artifacts; rare and precious original artifacts are not much, even less than those of private collections; Funds for collection, research, preservation, and display of artifacts are lacking.

+ Display form is poor, monotonous, and has not yet attracted the public to visit and

exhibit; Research, inventory, and digitization of artifacts in the museum's warehouse system have not been given due attention. Therefore, many rare and precious artifacts have not been properly preserved.

+ Many artifacts in the form of "non-state" ownership have not been preserved, preserved, displayed and promoted, because the owners of these heritages are still limited in finance, space and methods. Convenient for storage and display.

+ Many precious artifacts displayed at the relics have been lost or illegally traded due to lax management. Many individuals who have precious artifacts (inherited, collected, accidentally discovered...) want to transfer them to state-owned museums, these museums do not have the funds to buy, or are entangled in other problems. Due to legal procedures related to the sale and purchase of antiquities, it is impossible to buy, sell and receive these artifacts, causing the owner to find another place to sell them. As a result, many rare and precious antiques have not been managed, are lost to the outside, or even sold abroad.

2.2.2. For intangible cultural heritage

In recent years, various types of cultural heritage in Vietnam have received the attention of both the government and the community. Many types of heritage, which seemed to have been lost or disappeared, are gradually being preserved, recreated, practiced and promoted. Especially the festivals, traditional craft and culinary heritage.

However, compared with the cultural heritages, the types of cultural heritages are less noticed, are concerned with conservation later, so the conservation and promotion of the value of the cultural heritages also face more difficulties: "Many heritages are being destroyed. The tendency to be adulterated increases, folk artisans keep the secret and spread the national culture has not been promoted and created conditions to promote properly the characteristics of intangible heritage. It is possible that it exists in memory, is transmitted mainly by word of mouth and changes very quickly. For intangible heritage, the changes are often faster and stronger, but are difficult to detect both qualitatively and quantitatively. The subject of heritage has changed due to migration, urbanization and industrialization... leading to a decrease in interaction and love and responsibility for heritage, many indigenous knowledge disappearing completely."

Among the types of cultural heritage in Vietnam today, the festival is the type of heritage that is restored, practiced, preserved and honored the most, but also the type of heritage most abused; deformed, deviated from the original, even changed identity and lost authenticity.

The reason is that many places have a policy of exploiting traditional festivals to serve "contemporary

festivals" held on festive occasions, socio-political events, cultural and artistic festivals. art, tourism promotion program.

To serve these "contemporary festivals", many types of cultural heritage have been restored, reproduced, practiced and put into operation. However, it is not where and when the exploitation of cultural heritages for tourism and "contemporary festivals" is also positive. On the contrary, the lack of understanding about cultural heritage, the tendency to commercialize and politicize festival activities, especially "contemporary festivals", has created unexpected consequences. Specifically:

- The content and organization of the traditional festival has been distorted for commercial, political, and even media demands;
- Many forms of folk performance have been separated from the original environment, staged, and thus become sclerosis, artificiality and lack of vitality;
- Many traditional rites were eliminated or replaced by variations;
- Many types of traditional costumes and props used in festivals have been replaced by more modern costumes, vehicles and equipment;
- Traditional folk activities, games and pastimes associated with festivals have been replaced by new activities, modern pastimes, alien to tradition;
- The attitude of festival participants is no longer as reverent and enthusiastic as before. They no longer play the role of the subject in the festival, the object of creating cultural

heritage, but become the object, the person who enjoys and uses the cultural heritage;

- Many traditional dishes associated with the festival have been replaced because traditional ingredients cannot be found or there are no people to prepare them in the old way, or simply to serve the culinary habits of participating visitors.

- The above problems have caused many cultural heritages, when being "mobilized" to serve tourism activities and "contemporary festivals", have lost their original form, leading to the loss of authenticity which should have been preserved at the request of UNESCO and related organizations.

3. Recommendations

Currently, the perception of cultural heritage in the world has changed. Accordingly, many countries no longer consider cultural heritage as a thing/phenomenon of the past, left by ancestors, but see cultural heritage as a process of cultural creation, with inheritance and continuity between generations. Some countries have no longer used the word Cultural Heritage, instead using the word Cultural Property, which means not only the cultural heritages of the past, but also the cultural assets of the past. Intangible culture created by contemporary generations every day, every hour. Since then, these countries have adjusted legal documents in the field of cultural heritage in the direction of protecting all cultural assets of their country/ethnic from the past to the present.

Therefore, I think that Vietnam should also amend the legal document system in the field of cultural heritage in the direction of expanding the scope of regulation to cultural property, in order to better protect the "cultural heritage" due to money. Both the people left behind and the assets that contemporary generations have been building.

From the above awareness, I recommend the following solutions to better preserve and promote the value of cultural assets in Vietnam in the current context:

3.1. About legal policy

It is necessary to amend two existing laws in the field of cultural heritage, namely the Law on Cultural Heritage 2001 and the Law on Amendments and Supplements 2009 to the Law on Protection of Cultural Property as advanced countries in the region have done.

This new law needs to be extended to all subjects including: tangible cultural properties; living human treasures, living human treasures, including both past and contemporary cultural assets.

Along with the Law on Cultural Property Protection, it is necessary to issue detailed decrees guiding the implementation of cultural heritage conservation activities in each field, each with its own decree. These decrees need to closely follow the

framework documents issued by UNESCO and its affiliated organizations so far, combined with Vietnam's practice to draft appropriately, while ensuring international integration and competition. preserve the "smart pocket" of humanity in the conservation of the nation's cultural heritage, and in line with the development situation of the country.

3.2. Specific solutions

3.2.1. For tangible cultural heritage

- It is necessary to gather a team of domestic and foreign experts in the field of conservation - museums, architecture, construction, heritage studies... to develop sets of rules on identification, conservation and restoration of heritage sites. ... in accordance with national and international standards, fully respecting the originality of the monument, and thoroughly applying these rules in conservation, restoration and embellishment activities on a global scale. country.
- Open vocational training courses on relic restoration and it is compulsory for all those who want to practice relic restoration to attend these training courses. participate in restoration and embellishment activities. Correct and stop approving and granting permits for restoration and restoration of monuments for organizations that do not operate in the field of monument conservation and do not have a workforce that has undergone vocational training courses and is not knowledgeable. conservation, restoration and embellishment of monuments. Limit the use of workers who do not meet the above criteria.

- Preventing interest groups from manipulating the conservation, restoration and embellishment of monuments to profit by sanctions and regulations of high legality; severely sanction acts of intentionally falsifying or erasing original relics... in the process of discovering, restoring, embellishing and preserving relics. For restoration works with errors, it is necessary to clarify responsibilities and resolutely handle violations according to the provisions of law. There should be criminal prosecution for serious violations, instead of administrative sanctions as at present.
- Governments at all levels must create financial funds through various forms of advocacy to provide financial support to individuals and communities to protect and embellish monuments that are not under the management of the state, contribute to part to prevent degradation and "share" the monument for various reasons.
- Strengthening the collection of antiquities and museum artifacts. Set up a financial fund to buy back antiquities from non-public organizations/individuals, assign them to public museums for management and display; provide financial support and facilitate legal procedures so that public museums can buy antiques from antique auctions at home and abroad.
- Facilitating procedures for licensing the establishment of private museums; support professional activities on display, inventory and registration of relics, antiquities and national treasures for museums / private collections; there are preferential policies in leasing public land and preferential credit for collectors who want to set up private museums.

3.2.2. For intangible cultural heritage

- It is necessary to conduct a nationwide inventory of cultural heritage sites, compile records, classify, rank and digitize cultural heritage sites in order to preserve, research and promote long-term values.
- Before the total inventory of physical tangible cultural heritage, it is necessary to build a network of experts and collaborators. Those are people with a long research history, extensive knowledge and understanding of cultural heritage; are those who are directly involved in the process of creating, performing, preserving, teaching and transferring heritage to the next generations. Only these people are qualified to distinguish "fake - fake" and advise the Culture, Sports and Tourism industry in the process of inventorying, documenting, classifying, ranking and digitizing non-physical tangible cultural heritage.
- When conducting inventory, making records, classifying, ranking and digitizing cultural heritage, it is necessary to study carefully to determine the original value of the heritage; develop sets of criteria for heritage identification and specific manifestations of heritage to preserve authenticity, avoid inventory and digitize heritage based on misleading and variable criteria and characteristics. form due to improper exploitation, use and transmission.
- Indexing and documenting cultural heritage in different forms the original values of the heritage; removing "variants", "modifications" from the process of inventorying, building records, and putting them in the list of typical national cultural heritage. Focusing on the quality of the process

of inventorying and digitizing non-physical tangible cultural heritage, not following quantity and achievements.

- It is necessary to rectify activities to restore and practice traditional festivals, folk performances, culinary heritages... which are being exploited to serve "modern festivals", events, socio-political conditions and exploitation in tourism activities. Eliminate the "variant", "hybrid" arising in the process of recreating, practicing and preserving these cultural heritages

– Cultural heritage is a living heritage, "not immutable, but often changing according to the age, living environment and aesthetic opinion of the masses". Therefore, in the process of inventory and digitization, it is necessary to study and clarify the process of formation and development of heritage, inheritance between periods, similarities and differences between regions of the same type. Since then, there are effective solutions in preserving the authenticity of the heritage, avoiding dogma and sclerosis in the work of preserving and promoting the value of cultural heritage.

- It is necessary to combine the inventory, documentation and recognition of cultural heritages with the transfer and transmission of knowledge and skills related to the preservation, performance and promotion of cultural heritages from predecessors to generations. adjacent system. Because, non-physical tangible cultural heritage is only latent in memory and expressed by the skills of a group of people.

– Maintaining the existence of cultural heritages in the heart of the community, in the original

environment in which the heritage arose and developed; always create conditions for the community to protect, organize the exploitation and promotion of cultural heritages; honoring, treating and using national treasures in the field of cultural heritage, creating conditions for them to practice and transfer their heritage to the community and to the young generation, because these people are often seniors, "near earth, far from heaven", so the risk of heritage loss is very high.

– Promote the introduction of Vietnam's cultural heritage to foreign countries in many forms: promotion, performance, and introduction to foreign publics in international cultural events with the participation of Vietnam. For heritages that have been ranked as a representative heritage of humanity, it is necessary to select typical heritages to build a dossier and submit them to UNESCO for consideration and recognition as a representative heritage of humanity so that the heritage can be honored and supported. best protection from the international community.

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From the experience of a person who has been attached to the conservation and promotion of Hue cultural heritage for many years; having visited and learned from foreign experiences in the field of cultural heritage management and conservation, I believe that if these solutions are well implemented, it is hoped that the preservation and promotion of the values of the cultural heritages of the country will be

maintained. Vietnam in the current context will be more effective, both optimally conserving cultural heritages, creating conditions for the promotion of cultural heritages, effectively exploiting cultural heritages for sustainable tourism development, well solving the relationship between conservation survival and development, between economy and culture in the context of the country's growing development and deeper and more multifaceted international integration.

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