

Abstract

In the process of economic globalization, there are an increasing number of people who tend to ignore the significance of culture with the high speed of the development of the economy. As a kind of culture, intangible cultural heritage should be paid attention to. This opinion has been recognized at the international and national levels. The United Nations Educational, Scientific and Cultural Organization (UNESCO), the World Intellectual Property Organization (WIPO) have adopted and considered to adopt some relevant legal documents. Additionally, those documents have also emphasized on the relationship between human rights and intangible cultural heritage. They have already recognized the significance of the culture of minorities and indigenous peoples in terms of intangible cultural heritage protection. China also focuses on proposing the Law on the Protection of Folk and Ethnic Traditional Culture. In spite of that, there are still many challenges that need to be addressed. More precisely, China needs to establish a more adequate and consistent legal regime in the cultural field, and strike a balance between copyright and traditional knowledge for the sake of intangible cultural heritage preservation. Moreover, whether the scope of ecotourism should contain intangible cultural heritage is still a challenge that China has to confront. Those challenges are deemed as useful for the overall improvement of the protection of intangible cultural heritage in China.

Key Words: Intangible Cultural Heritage, the Miao Nationality, China, Human Rights, Copyright