Santander Art and Culture Law Review 2/2025 (11): 13-22
https://doi.org/10.4467/2450050XSNR.25.015.22680

INTERVIEW

Toshiyuki Kono* talks to Alicja Jagielska-Burduk**
and Andrzej Jakubowski***

The Gunma Declaration on Heritage Ecosystems: Fostering Synergies among People, Institutions, Places, Technologies, and Practices

Alicja Jagielska-Burduk (AJB): On behalf of the editorial team of "Santander Art and Culture Law Review", we would like to thank you very much for agreeing to this interview. You were the driving force and initiator of the Gunma Declaration on Heritage Ecosystems ("Gunma Declaration"),[1] which was adopted at the international symposium "Further Evolution of Authenticity through the Lens of Heritage

* **Toshiyuki Kono** is Emeritus Professor of Private International Law and former Executive Vice President of Kyushu University, Fukuoka. He served as a member of the expert group that drafted the UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage and was a member of the Japanese delegation for the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions. He was elected to the Executive Committee of the International Council on Monuments and Sites (ICOMOS) in 2011, became Vice President in 2014, and was subsequently elected President in 2017. In this capacity, he has been actively involved in the evaluation of nominations for World Cultural Heritage. He has dealt extensively with controlling the illicit traffic of cultural property. He has also been assisting the Bhutanese government in their draft heritage law. As Honorary President of ICOMOS, Professor Kono convened the symposium titled "Further Evolution of Authenticity through the Lens of Heritage Ecosystems: Heritage, Communities, and Sustainable Development", held on 10–11 January 2025 in Takasaki, Japan.

** **Alicja Jagielska-Burduk** is the UNESCO Chair in Cultural Property Law at the University of Opole (Poland) and Co-Chair of the UNESCO-UNITWIN Network on Culture in Emergencies; she serves as the Editor-in-Chief of SAACLR.

*** **Andrzej Jakubowski** is a Senior Researcher at the Institute of Law Studies of the Polish Academy of Sciences in Warsaw and Chair of the former Committee on Participation in Global Cultural Heritage Governance, International Law Association; he serves as Deputy Editor-in-Chief of SAACLR.

[1] The declaration is available at https://www.pref.gunma.jp/uploaded/attachment/650889.pdf [accessed: 15.11.2025].

Ecosystems: Heritage, Communities, and Sustainable Development",[2] taking place on 10–11 January 2025 and marking the 30th anniversary of the Nara Document on Authenticity (1994).[3] We would love to learn more about the concept of "heritage ecosystems" and its contribution to contemporary cultural heritage law and policy.

Toshiyuki Kono (TK): Thank you very much for your kind invitation to this interview. The symposium was held at the Gunma Music Centre in Takasaki, Gunma Prefecture, Japan. It was hosted by Gunma Prefecture in collaboration with its partner organizations and ICOMOS Japan, with support from Japan's Agency for Cultural Affairs. The event brought together about 80 heritage experts from at least 19 countries, including Japan, as well as members of the public from Gunma and other parts of Japan, to discuss the challenges and opportunities in heritage conservation and to reflect on current ideas about heritage authenticity and their applications.

AJB: And this location was not accidental. It is a very important heritage site. Could you tell us more about it?

TK: Indeed, the symposium marked the 10th anniversary of the inscription of the Tomioka Silk Mill and Related Sites on the World Heritage List. Established in 1872, the Tomioka Silk Mill (富岡製糸, *Tomioka Seishijō*) is Japan's first modern silk factory, built to process silkworm cocoons into raw silk. Constructed as a model facility by the Japanese government with the assistance of foreign specialists, the mill aimed to improve the quality of Japanese silk by introducing modern machinery and advanced working conditions for its employees. It formed part of the broader Meiji-period efforts to modernize Japan. Although it had been sold to private companies a few times, the factory remained in operation until 1987. Fortunately, the site was not demolished; it was largely preserved and donated to Tomioka City, allowing visitors today to see the old machines and various buildings, including where the workers lived and the residence of the factory's general manager, all within the same compound. The main site was restored and designated as an Important Cultural Property under Japanese law in 2006, and the status of the three major buildings was later upgraded to National Treasure in 2014; it now enjoys the highest level of protection in Japan. Moreover, the Tomioka Silk Mill was inscribed on the World Heritage List in 2014 in recognition of its crucial role in transforming Japanese silk into a major international trade commodity and establishing the textile industry as the country's most important industrial sector – an influence

[2] See https://www.heritage-ecosystem.com/html/en/ [accessed: 15.11.2025].

[3] Available at https://www.iccrom.org/sites/default/files/publications/2020-05/convern8_06_thenaradocu_ing.pdf [accessed: 16.11.2025].

that continued well into the 20th century. Notably, several of today's leading automobile manufacturers have historical ties to the textile industry: Toyota has its roots in the loom-making business, while some of Nissan's engines evolved from automatic silk reeling machines.

In addition to the Tomioka Silk Mill itself, the World Heritage property comprises three other components. The first is the house of a farmer who operated a sericulture business, raising silkworms. In the early 20th century, the owner developed a new method for cultivating silkworms. The family's descendants still live on the property. Although it is a private home and cannot be entered, the current owner allows visitors to view its exterior. The second component is a former educational establishment for sericulture. The third is a ventilation hole used to preserve silkworm eggs. Because silkworms use rising temperature as the trigger for hatching, ventilation holes are effective for maintaining the eggs in an unhatched state. While the simple structure once associated with the site no longer exists, the natural environment remains remarkable. Cold winter air flows deep underground through gaps between rocks. The rocks become chilled, and water seeping into the gaps may freeze, forming ice. The cold air stored underground creates a pressure difference with the hot summer air above ground. This pressure difference forces the cold underground air to move through the rock crevices and blow out from below as a "cold air vent". It stays cool even in summer because it makes use of the cold air retained in the rock mass. I recall visiting in mid-August, when the outdoor temperature was 38°C, yet standing in front of the storage site I felt as though I had entered an air-conditioned room. Together, these four components – the manufacturing facilities, the sericulture farmhouse, the educational establishment, and the ventilation hole – constitute the full extent of the property.

Andrzej Jakubowski (AJ): Thank you so much for this explanation, Professor Kono. As you have described, the Tomioka Silk Mill and Related Sites really demonstrate the matrix of different elements – the natural wonders and landscapes, combined with the way of life of people and the technology they use. This brings us to the topic of the symposium and its ultimate declaration. Could you explain why the term "heritage ecosystems" was used? I believe it was coined for the first time in the second decade of this millennium and has started to appear more broadly since then. The Gunma Declaration refers to this topic extensively, in different ways. On the one hand, it refers to individual heritage ecosystems, and on the other, to a policy approach to heritage ecosystems. So, there are at least two readings of this concept, at least from my understanding of the Declaration. Could you explain what exactly the notion of heritage ecosystems entails?

TK: In fact, when we were preparing for the conference, the concept gradually emerged and was refined. We were invited to visit all four components of the Tomioka Silk Mill World Heritage property, and we learned that the silk industry had been extremely important in Gunma Prefecture, thriving until the mid-20th century. In its golden age, 87,000 sericulture farmers were active in Gunma. Today, there are only 55 farmers. I discovered that one manufacturer still operates using the machines made by Nissan, following the same production methods that were used when the site was active.

During our visit, we also met a young entrepreneur in his early thirties who had worked abroad and then started a sericulture business in Gunma. He learned how to raise silkworms from elderly workers who had been active in the silk industry. In addition, I saw that small companies have started producing silk fabric, showing that the industry is still alive, though on a small scale. I was struck to learn that Gunma Prefecture has approximately 1,200 cultural heritage sites related to silk, but only four were chosen for World Heritage designation. This made me realize that if we focus exclusively on these four components without considering the broader network of sites, we risk misunderstanding the history, significance, and value of the silk industry.

I also felt it was essential to engage with those who continue to work in the silk industry today. I came to realize that isolating the four designated components from the broader heritage context is not the right approach. Throughout the preparation, during the conference, and afterward, I had numerous opportunities to reflect on the concept of a heritage ecosystem. While UNESCO now categorizes cultural heritage into movable, intangible, and other types, and ICOMOS has established 31 International Scientific Committees covering areas from wood and stone to water heritage, cultural landscapes, and tourism, I noticed that discussions within these subcategories often remain disconnected from one another. I thought about the history of natural sciences: after Galileo, scientific fields gradually narrowed their focus, often losing sight of the bigger picture. I realized that the same principle applies to heritage studies.

AJ: Essentially, can the "heritage ecosystems" approach provide a basis for a more integrated and comprehensive approach to heritage management and governance?

TK: I realized that if you put all the elements together, the whole can be greater than the sum of its parts. This idea actually dates back to Aristotle in ancient Greece, although it was forgotten for a time and later rediscovered. Today, we have many ideas that build on this concept, particularly through systems theory. This ho-

listic perspective became the guiding principle for my approach to the Tomioka Silk Mill and its associated sites.

AJ: This approach may therefore be regarded as systemic in relation to the protection, maintenance, experience, and enjoyment of heritage.

TK: I feel that, in our current heritage discourse, it still seems to be lacking. We tend to narrow our focus and deepen debates on specific topics, but in doing so we often overlook the broader picture. In discussions about the importance of intangible cultural heritage, communities, and other elements, I notice that there is no comprehensive framework that would allow us to consider all of these elements together.

For me, a systems approach is crucial. While many people try to extend the concepts of authenticity and integrity, I believe these approaches alone are insufficient to encompass the many other elements of heritage. I think heritage should be understood as an ecosystem, because it is inherently connected to time. Heritage is about the past, but it also exists in the present and extends into the future. This means that the system must be understood as a living, dynamic entity. Borrowing the concept from ecological systems fits very well with the way I see heritage. This, in essence, is how I have developed my own thinking about heritage, and why I find the ecosystem approach so valuable.

AJ: Thank you very much for your insightful explanations.

There has been considerable discussion regarding the challenges of defragmentation and the necessity of adopting a holistic approach. One could therefore argue that the concept of heritage ecosystems offers a coherent framework that synthesizes these earlier debates, highlighting the importance of understanding heritage through a systemic and integrated lens. This perspective appears particularly significant.

I think that it would be important to further explore the potential value and contributions of the concept of heritage ecosystems. Specifically, I would like to ask you about its implications for legal, normative, and policy frameworks. I would greatly appreciate your reflections on how this approach can inform and guide normative and legal practices in the governance of heritage.

TK: I am convinced that an important aspect of the heritage ecosystem approach is to examine all frameworks and dimensions in terms of their relationships and interconnectedness. It is also essential to consider the normative perspective when approaching heritage. Of course, the approach depends on the purpose of the

norm – whether it is intended to protect, prohibit, or punish – and understanding this purpose is crucial. For instance, when we think about liability or responsibility, we must clearly define the scope of application. At the same time, for protective purposes, I believe we should adopt a broader, more inclusive perspective.

I pay particular attention not only to the individual elements, but also to the relationships between them. Focussing on these relationships can provide a new perspective on the role of norms and rules. One possible outcome of this approach is the development of a framework that safeguards both tangible and intangible heritage, which are currently treated separately but could be connected through this relational perspective.

AJ: I believe it is essential to consider the significance of this concept for the interpretation of legal norms and standards – specifically, how it can be operationalized in the practice, administration, and implementation of legal instruments.

Looking ahead to the next area of discussion on the Gunma Declaration, I would like to invite you to focus on heritage ecosystems and authenticity. The relationship between these two concepts appears to be a core aspect of the document. How, then, are authenticity and ecosystems connected, and what does that relationship truly entail?

TK: I am still struggling with this concept and trying to develop it further. But I see two important instruments regarding authenticity: the International Charter for the Conservation and Restoration of Monuments and Sites (the Venice Charter [1964])[4] and the Nara Document on Authenticity. The Venice Charter made authenticity a universal concern. Before it, authenticity was interpreted very differently – or in some cases, not considered at all. Although the Charter has a strongly Eurocentric background, it succeeded in establishing authenticity as a global issue. However, because of its limitations the Nara Document opened the window for interpretation in local contexts. While the Venice Charter mentions local context in its preamble, the Nara Document placed it at the centre and expanded upon it. Yet, no document has gone much further than that.

Today, the "windows" for interpreting authenticity are wide open, allowing conservation to be approached in a more diversified manner. Still, I believe these frameworks have not been clearly articulated and, in my view, the debate on authenticity has not developed as well as it could have, even 30 years after the adoption of the Nara Document.

[4] Available at https://admin.icomos.org/wp-content/uploads/2025/03/Venice_Charter_EN.pdf [accessed: 16.11.2025].

This led me to think that we may need a new approach – one through the lens of the heritage ecosystem. I am now attempting to approach the Nara Document from four different perspectives. One of these is interconnectedness. While the Venice Charter and others tend to focus on material aspects, the Nara Document encourages attention to intangible aspects. However, the relationship between tangible and intangible is not well articulated.

AJ: In other words, the heritage ecosystem can thus be seen as a way to overcome the fragmentation of cultural heritage law and policy.

TK: Indeed. If I approach heritage through the lens of an ecosystem, it becomes possible to elaborate on concepts that might otherwise seem abstract. For example, in Japan, there is a bridge called the Kintai Bridge.[5] The first bridge was built around 350 years ago over a river that is notorious for flooding. The bridge was designed with the understanding that flooding could not be prevented; when the river floods, the bridge is washed away, and it is then reconstructed. What is remarkable about this project is that, despite knowing the bridge would be lost to floods, it has been continuously rebuilt using the same construction methods, the same design, and the same form. It remains a beautiful bridge, so much so that the artist Hokusai even created a woodblock print of it. Here, there is no material authenticity – the original materials are gone – but the bridge's function, form, and construction method, as well as the social and intangible aspects, remain intact. Its role in connecting two towns has persisted from its inception to today.

I believe the heritage ecosystem approach explains this very well. A similar approach could be applied to heritage in Africa, where architectural culture was not always highly developed, but heritage has been strongly transmitted through oral traditions and community-driven practices. I feel that this perspective offers a fresh approach to debates about authenticity, emphasizing the continuity of function, relationships, and social meaning over material preservation.

AJ: I find this perspective highly relevant. It is important to approach the concept of heritage by considering both historical developments, such as those documented in post-Nara sources, and contemporary approaches that move beyond traditional Western European notions of built heritage and authenticity. This allows for a critical reassessment of former constructs and a more comprehensive understanding of heritage values.

[5] The Kintai Bridge is a historic wooden arch bridge in the city of Iwakuni, Yamaguchi Prefecture, Japan. Built in 1673, the pedestrian bridge spans the Nishiki River with a series of five wooden arches. It is located at the foot of Mt Yokoyama, atop which stands Iwakuni Castle.

Another element I find very visible and important in the Gunma Declaration is the role of new technologies. I am particularly interested in how we can incorporate the development of new technologies, including those that are less human-centred, into the management and sustainability of heritage ecosystems. The last part of the Declaration's recommendations specifically addresses this connection between technology and sustaining heritage ecosystems, and I would like to explore that further.

TK: I believe this aspect of the discussion requires further debate. When we called for papers, this section received the fewest submissions, indicating that heritage experts still need to reflect more deeply. For instance, if a community that has long transmitted a traditional art form begins to use AI – whether to add new elements or guide their practice – how should we interpret this? Is it still part of the transmission of traditions, or does it create a tension between tradition and technology? I think we cannot reduce this to a simple dichotomy; these questions demand careful consideration. Similarly, in built heritage, AI is increasingly used for analysis or post-disaster reconstruction, potentially supplementing or replacing expert knowledge. This demonstrates the need to carefully consider the role of emerging technologies in both tangible and intangible heritage.

I believe the relationships among stakeholders may need to be revisited. I think that these dynamics could change significantly, and technology may play a key role in reshaping traditional stakeholder positions and interactions. These are just a few ideas I have been considering as we reflect on the evolving landscape of heritage management.

AJ: When I listened to your comments, I was particularly struck by the way you address the role of new technologies and how emerging approaches – whether in meeting community needs or leveraging expert knowledge – can influence participation. Participation is, after all, one of the key themes of the document, emphasizing the engagement of communities and experts alike. I see this as a fundamental aspect of heritage ecosystems. The recommendations at the very beginning of the document already call for community engagement, and this naturally extends to considering the role of technologies, including AI, in supporting heritage practices.

AJB: Looking ahead, I am also interested in how the concept of heritage ecosystems can generate practical results, particularly in areas such as disaster preparedness and post-conflict recovery. This interest parallels current discussions within ICOMOS on future strategies for managing emergencies and guiding interventions after disasters or conflict. I am curious about how the heritage-ecosystem

approach might serve as a framework for responding to these situations and would welcome your insights on how its recommendations could be applied in practice.

TK: In studying general systems theory, I was struck by the concept of homeostasis – the ability of a system to maintain balance despite changes. I see the heritage ecosystem approach in the same way: if one element is lost, another can emerge to sustain the system's continuity and resilience.

This perspective is particularly relevant in post-disaster or conflict contexts. For example, in 2019 both Notre Dame Cathedral in Paris and Shuri Castle in Okinawa suffered severe damage, and societal responses were strikingly similar: communities mobilized and the authorities acted quickly. At the time, I did not fully understand the ecosystem approach, but now I see such responses as a natural systemic reaction to restore balance.

The reconstruction of Shuri Castle demonstrates the value of combining scientific rigor with heritage values. Despite extensive wartime losses, historical documents and careful research guided the rebuilding process. Even though the reconstructed structures are not formally designated as cultural heritage, the approach preserves both social and cultural continuity. From these experiences, I have come to view the heritage ecosystem approach as a vital framework for ensuring resilience, continuity, and meaningful engagement with communities in post-disaster and conflict-affected contexts.

AJB: I want to take a moment to express my gratitude for your insights, especially regarding the different approaches to recovery and reconstruction. That was very important and enlightening.

My final question concerns your views on the future – not just the future of these recommendations, but their impact on the work of states and, in particular, the organs of the treaty, such as the World Heritage Committee and the Committee for the Safeguarding of Intangible Cultural Heritage. Do you think states will be ready to follow these recommendations, or at least be inspired by them? I realize that this may require time. I am very interested in hearing your hopes and perspectives on how this might develop in future.

TK: What I am currently doing is preparing a special issue of the "Journal of Cultural Heritage Management and Sustainable Development" to publish selected articles from the conference. This will likely be published around mid-summer next year and will probably represent the first publication to focus on the concept of heritage ecosystems. I will be writing a detailed introduction together with two colleagues, explaining the background of the concept. We have selected eight pa-

pers from different parts of the world, not necessarily limited to the field of world heritage, and I believe that this will make the concept more accessible. It will show how the Declaration is represented through various case studies, not just in theory.

I am also planning to organize a joint session at the ICOMOS Symposium in Malaysia in October next year. This session will be a collaboration between ICOMOS Japan, represented by me, and two international scientific committees of ICOMOS, focussing on cultural tourism and cultural landscapes. The aim is to share these ideas widely with colleagues in the ICOMOS community and symposium participants, and I also plan to follow up with a publication.

Traditionally, tourism has not been seen as a core aspect of heritage conservation – it has often been considered secondary. However, if we approach heritage as an ecosystem, tourism must be included because cultural heritage and tourism are inherently connected. At the same time, we must ensure that this relationship is healthy and sustainable, as issues such as over-tourism can create serious problems. Next year's symposium represents a first step towards establishing a better framework for dialogue around these issues.

Within the ICOMOS context, the legal aspects of heritage ecosystems are still relatively weak. For now, my focus is on clarifying the concept, disseminating ideas, and connecting them to concrete cases. The next challenge will be to explore how these ideas could be integrated into a normative framework. That, I believe, is the key follow-up from our discussions today.

AJB: Thank you. I believe your point about awareness-raising is particularly significant. Through exhibitions, publications, meetings, and direct engagement with experts, we can shape how the ideas developed by this symposium and its participating specialists are interpreted and implemented. These experts, in turn, represent their respective countries and governments within international bodies, allowing such concepts to influence not only ongoing discussions, but also the broader context in which decisions are formulated.

We would like to wish you success and continued stamina in all these efforts in the coming year. We are sincerely grateful for this exchange, and we hope it will be widely read and valued by our audience. The interview will remain available online in open access, and we encourage you to share it within your professional network to help further disseminate the Declaration and its recommendations.

Thank you very much, Professor Kono, for your time and for sharing with us these inspiring insights on the preservation and enjoyment of cultural heritage.

TK: Thank you very much for this opportunity.