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Justification of the Concept of Biocultural Diversity and Innovation in Intangible Heritage Legislation

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Abstract: The concept of biocultural diversity represents a comprehensive worldview and epistemological framework grounded in the principles of biological and cultural diversity. It seeks to holistically and collaboratively examine the interconnected relationships between humanity, culture, and the environment. With the mission to achieve sustainable development, the concept emphasizes connectivity among communities, indigenous peoples, and traditional knowledge through informed consent. This study scrutinizes the decade-long progress in legislation pertaining to intangible cultural heritage in China through the lens of biocultural diversity. Notable achievements have been made, particularly in the establishment of national cultural ecological protection zones and the implementation of informed consent in local intangible cultural heritage protection practice. However, certain challenges persist, encompassing issues such as the clarification of classification and positioning, conflicts arising from the application of laws, and the need for the development of legal frameworks concerning the acquisition and equitable sharing of benefits. With the *Opinions on Further Enhancing Intangible Heritage Protection* as a guiding document, it is suggested that the concept of biocultural diversity be further applied to foster the transformation of legislative objectives, adjustments to structural frameworks, and the resolution of specific issues so as to ultimately promote China's innovation in intangible cultural heritage legislation.

Key words: the concept of biocultural diversity; biodiversity; cultural diversity; innovation in intangible cultural heritage legislation; prior informed consent; access and benefits sharing; sustainable development