

**Lima, 24 JUN. end**

**seen, or report Nei 056-2008-DRECP/INC of dated May 29, 2008, issued by the Directorate of Registration and Study of Culture in the Contemporary Peru;**

**CONSIDERING:**

**That, article 21 of the Political Constitution of Peru, points out that the protection of the Nation's cultural heritage is a function of the State:**

**That, paragraph 1 of article 29 of the convention for the Safeguarding of the Intangible Cultural Heritage of UNESCO, establishes that "Intangible Cultural Heritage is understood as the uses, representations, expressions, knowledge and techniques —together with the instruments, objects, artifacts and cultural spaces that are inherent to them— that the communities, groups and in some cases individuals recognize as an integral part of their cultural heritage. This intangible cultural heritage, which is transmitted from generation to generation, is constantly recreated by communities and groups based on their environment, their interaction with nature and its history, infusing them a feeling of identity and continuity and thus contributing to promoting respect for cultural diversity and human creativity";**

**That, Article VII of the Preliminary Title of the Law No. 28296 — General Law of the Cultural Heritage of the Nation, provides that the National Institute of Culture is in charge of registering, declaring and protect the Cultural Heritage of the Nation within the scope of its competence;**

**That, number] 2) of the article 1 of Title 1 of the said Law establishes that they integrate the Cultural Heritage of the Nation the creations of a cultural community founded on the traditions, expressed by individuals unilaterally or in a group, and that are recognized as responding to the expectations of the community, as an expression of cultural identity and social, in addition to the values transmitted orally, such as languages, languages and autochthonous dialects, knowledge and traditional knowledge, whether artistic, gastronomic, medicinal, technological, folkloric or religious, the collective knowledge of peoples and other cultural expressions or manifestations that together make up our cultural diversity;**

**That, by National Directorial Resolution No. 1207/INC, of November 10, 2004, approved Directive No. 002-2004-INC, 'Recognition and declarations of current cultural manifestations as cultural heritage**

**That, corresponds to the National Institute of Culture in compliance with the function assigned to it by the Law, and with the active participation of the community, carry out a permanent identification of said traditional manifestations of the country that must be declared Cultural Patrimony of the Nation;**

**That, through the document of the visa, the Department of Study and Registration of Culture in the Peru Contemporáneo requests the declaration as Cultural Heritage of the Nation of the traditional knowledge and uses associated with Ayahuasca and practiced by native Amazonian communities, in accordance with the File prepared by Mrs. Rosa A. Giove Nakazawa of the Takiwasi Tarapoto Center and presented by the Regional Development Management Economic of the Regional Government of San Martín before the Regional Directorate of Culture of San Martín;**

**What, the Ayahuasca plant -*banisteriopsis caapi*- It is a plant species that has an extraordinary cultural history, by virtue of its psychotropic qualities since it is used in a concoction associated with the known plant as *Chacruna -Psychotria viridis*;**

**What, said plant is known to the world indigenous Amazon as a wise or teacher plant that teaches initiates the very foundations of the world and its components. The effects of its consumption constitute the entrance to the spiritual world and its secrets, so that around the Ayahuasca ritual it has been structured medicine traditional amazonian Its use and the results of this, are necessary for all members of Amazonian societies at some point in their lives, and indispensable for those who assume the role of bearers privileged of these cultures, it is the communication managers with the spiritual world or that express it plastically;**

**That, the effects produced by Ayahuasca, Widely studied due to their complexity, they are different from those usually produced by hallucinogens. part of this difference consists of the ritual that accompanies its consumption, which leads to diverse effects, but always within a culturally delimited margin and with religious, therapeutic and cultural affirmation purposes;**

**That, due to the supporting information, It follows that the practice of Ayahuasca ritual sessions constitutes one of the fundamental pillars of the identity of the Amazonian peoples and that its ancestral use in the ritual traditional, guaranteeing cultural continuity, is linked to the therapeutic virtues of the plant;**

**That, the protection of traditional use is sought and the sacred character of the Ayahuasca ritual, differentiating it from the uses westerners decontextualized, consumerist and for commercial purposes;**

**Being approved by the Director of Management, the Director of the Registry and Study of Culture in Contemporary Peru and the Director of the Office of Legal Affairs;**

In accordance with the provisions of Law No. 28296, "General Law of the Cultural Patrimony of the Nation" and the Supreme Decree No.017-2003-ED, which approves the Regulation of Organization and Functions of the National Institute of Culture;

**RESOLVED:**

**ARTICLE ONLY.- TO DECLARE CULTURAL HERITAGE OF THE NATION to the knowledge and uses traditions of Ayahuasca practiced by the native Amazonian communities, as a guarantee of cultural continuity.**

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