**CONVENTION FOR THE SAFEGUARDING OF THE
INTANGIBLE CULTURAL HERITAGE**

**INTERGOVERNMENTAL COMMITTEE FOR THE
SAFEGUARDING OF THE INTANGIBLE CULTURAL HERITAGE**

**Sixth session**

**Bali, Indonesia**

**22 to 29 November 2011**

**Item 13 of the Provisional Agenda:**

**Report of the Subsidiary Body on its work in 2011 and
evaluation of nominations for inscription in 2011 on the
Representative List of the Intangible Cultural Heritage of Humanity**

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| **REPORT BY THE RAPPORTEUR** |

1. The examination of nominations to the Representative List is accomplished by a Subsidiary Body of the Committee (paragraph 29 of the Operational Directives). At its fifth session (Nairobi, Kenya, 15 to 19 November 2010), the Committee established a Subsidiary Body for the examination of nominations for possible inscription in 2011 and adopted its terms of reference (Decision 5.COM 7). The Committee further decided that the Subsidiary Body would consist of Italy, Croatia, Venezuela, Republic of Korea, Kenya and Jordan. The Body elected Ms Jeong-Eun Park of the Republic of Korea as its Chairperson and Mr Tullio Scovazzi of Italy as its Rapporteur.
2. The present document presents the report of the Rapporteur on the work of this Body for the third cycle (2011) and should be read alongside its formal report to the Committee (document ITH/11/6.COM/CONF.206/13). In Mr Scovazzi’s absence, the report is presented orally by Mr Silverse Anami of Kenya, Vice-Chair of the Body.
3. For this cycle of examinations, the Subsidiary Body met twice at UNESCO Headquarters, Paris. In the first meeting on 20 and 21 January 2011, the Body determined its working methods. Since four of the six States Members had not previously participated in the work of examining nominations (Italy, Croatia, Venezuela and Jordan), the Body engaged in a simulated examination of two mock nominations that the Secretariat had prepared as part of the Convention’s global capacity-building strategy. Discussions also focused on the cross-cutting issues that had previously been discussed by the Subsidiary Body in 2009 and 2010. The second meeting, from 5 to 9 September 2011, was dedicated to the collective examination of each nomination and the finalization of the recommendations for the Committee to inscribe or not to inscribe the nominated elements or to refer the nomination to the submitting State.
4. In its Decision 5.COM 7, the Committee decided to consider as admissible the 107 nominations received before 31 August 2010 and not yet processed. This number included those nominations that had been received before 31 August 2009 but could not be treated in the 2010 cycle as well as those that were received between 31 August 2009 and 31 August 2010. However, in that same Decision, **the Committee considered that the total number of files admissible for evaluation in 2011 exceeded its capacity and that of the Subsidiary Body to responsibly and credibly evaluate all of these files and perform its duty under Article 7 of the Convention**. The Committee therefore requested the Secretariat, ‘within the range of its capacity, to process between thirty-one and fifty-four nominations to the Representative List and transmit these to the Subsidiary Body, in order to allow its members to examine with priority multi-national nominations and those submitted by States Parties that do not have elements inscribed or have few elements inscribed on said List’ (Decision 5.COM 7).
5. In May 2011, the Secretariat informed the Subsidiary Body that it faced difficulties to process all the nominations for inscription in 2011 within the agreed timetables, including the fifty-two files to process for the Consultative Body. Since the Consultative Body meeting came in July, well before the Subsidiary Body’s meeting in September, and since the Committee emphasized that the Urgent Safeguarding List in particular should receive the greatest attention, the Secretariat treated those files first and was not able to provide equal attention to all of the fifty-four files it processed for the Representative List. The Secretariat informed the Subsidiary Body that it gave particularly careful attention to those files given priority by the Committee, multi-national nominations or those from unrepresented or under-represented States. For those States Parties that had already successfully submitted nominations to the Representative List in previous cycles and that had several elements inscribed on the List, the Secretariat limited its assessment to determining whether the nomination included all of the required technical elements such as signature, evidence of consent, photos and video accompanied by the proper cession of rights. Only one nomination was considered complete at the time of its submission.
6. For those States that met the criteria for priority treatment set out in Decision 5.COM 7 and thus had no previous experience, or only limited previous experience, in submitting nominations, the Secretariat was able to provide more thorough attention, as had been requested by the previous Subsidiary Body. In addition to assessing the technical compliance of the nominations, the Secretariat sought to inform submitting States when the information provided in the nomination was unclear, out of place or not sufficiently detailed to allow the Subsidiary Body, and later the Committee, to determine readily whether the criteria for inscription had been satisfied. The Secretariat managed to extend this active assistance to eight priority States that had submitted eleven nominations. In addition seven files that were held over from the 2010 cycle had also benefitted from this more rigorous attention prior to the Committee’s meeting in Nairobi.
7. In several cases, because the Secretariat’s letters requesting additional information were delayed and there was little time for revision, States were not able to complete their nominations prior to the deadline for the Subsidiary Body’s examination to begin. In the end, the Subsidiary Body examined forty-nine files from twenty-two States Parties, one of which was multinational.
8. As it had done for previous cycles, the Secretariat established a password-protected, dedicated website through which the members of the Subsidiary Body could consult the nominations and supporting documentation and directly enter their examination reports. The optional videos accompanying the nominations were made available, in addition to the required photographs. Also available to the Subsidiary Body were the original nomination files and the Secretariat’s requests for additional information. In several cases where the nominations were resubmissions of files that had been examined in 2009 or 2010, the recommendations drafted by the Subsidiary Body for the original nominations were also made available online.
9. All of the files were posted online in their original language before the end of June and in English by 26 July 2011, thus leaving the Body members a very tight schedule of two months to examine the forty-nine files. Each of the six members of the Subsidiary Body examined each nomination and prepared a report on it that assessed whether the nomination satisfied all of the five criteria for inscription and included the member’s comments regarding each criterion. As in previous cycles, Subsidiary Body members who were nationals of a nominating State Party did not examine the corresponding nominations and left the meeting room during the examination. The Secretariat drew up summaries of each nomination and draft recommendations based upon the written examination reports, in most cases offering alternate proposals to reflect the divergent opinions of Body members. Of the forty-nine nominations, the initial examination reports showed divergent opinions for forty-five, or 92% of the total.
10. When it met on 5 to 9 September 2011, the Subsidiary Body collectively examined each nomination, decided whether or not to recommend inscription, or to refer the nomination to the submitting State, and revised the draft recommendations accordingly. The Subsidiary Body welcomed the new opportunity to refer a nomination, recalling that in most cases, the Subsidiary Body and Committee cannot conclude that a criterion is *not satisfied,* but can only conclude, based upon the information in the nomination file, that the submitting State has *not demonstrated* adequately that the criterion is satisfied and that further information is therefore required. The Body wishes to emphasize – to the Committee, to the submitting States Parties, and particularly to the communities concerned – that referral affords the submitting State additional time to perfect the nomination and therefore to better serve the interests of the Convention and the communities.
11. The Subsidiary Body members made every effort to adopt recommendations and draft decisions by unanimous consensus. However, in four cases, the Subsidiary Body was not able to achieve full consensus on all criteria and decided to present options to the Committee for its consideration. In three of these four cases, although one or more criteria remained undecided, the Body was nevertheless able to reach an overall recommendation because there was consensus on other criteria; in the fourth case (see Draft Decision 6.COM 13.14), there are two options for the overall recommendation as well as for several criteria.
12. When examining the forty-nine nominations, the Subsidiary Body was impressed, as it had been in 2009 and 2010, with the diversity of intangible cultural heritage that was nominated, including one multinational nomination. It was again pleased to see the participation of communities in the elaboration of nominations, and their evident enthusiasm to see their heritage inscribed on the Representative List and wishes to commend those communities and all States Parties concerned for their keen interest in the Representative List.
13. The Subsidiary Body takes note that the large number of nominations that it examined provides evidence of the global interest in the safeguarding of the intangible cultural heritage. It nevertheless signals its concern, as it had in 2009 and 2010, that this quantity poses a substantial challenge to the quality with which the Committee, the Subsidiary Body and the Secretariat can carry out their respective responsibilities. The time allotted for examining forty-nine files during its five-day September meeting proved not to be sufficient, except by extending working hours into the night.
14. The Subsidiary Body reiterates the regret it expressed in 2009 and 2010 that the nominations it examined in the 2011 cycle were not more geographically diverse and thus did not achieve the representativeness that gives its name to the List. Of the forty-nine nominations that the Subsidiary Body had to examine, three-fifths came from only five countries, all within a single electoral group, group IV. From electoral group V(a), a single nomination was examined, and from electoral group V(b), only a single State Party was represented.
15. The Subsidiary Body commends the Secretariat for the measures it has taken to **strengthen the capacities of States Parties**, especially developing countries, in their national implementation of the Convention and in their participation in its international mechanisms including the Representative List. Indeed, three members of the Subsidiary Body participated in the training of trainers workshops organized by the Secretariat in the first half of 2011 and attested to the importance of this effort and the tremendous potential it offers in the medium and long term to improve the implementation of the Convention at the national level, to strengthen the knowledge and skills of those involved with nominations in each State and ultimately, to make the Representative List truly representative of the intangible cultural heritage of humanity.
16. The Subsidiary Body observed an **improvement in the quality of many nominations that were submitted for examination, particularly those that had benefitted from the detailed requests for additional information** sent to States Parties by the Secretariat. Conversely, the Subsidiary Body regretted that it could not favourably recommend a large number of nominations because the **quality of information in the submitted file did not convincingly demonstrate that the criteria were satisfied.** For nominations that did not benefit from detailed requests for additional information from the Secretariat, the Subsidiary Body sometimes had to engage in lengthy speculation about what a State intended, or whether an explanation was convincing, when a simple inquiry at an earlier stage from the Secretariat could have helped the State to formulate a clearer response. The Subsidiary Body takes note that such situations arose even in the cases of States with substantial prior experience in submitting nominations.
17. While fully appreciating the difficulty of the Secretariat to respond to the large number of nominations it is processing at any given time, the Subsidiary Body regrets that some un-revised files were presented to it with problems that could likely have been remedied had the States benefitted from the Secretariat’s fuller attention. For nominations that benefitted from detailed requests, the Body regrets that in many instances the submitting States did not attend carefully to the issues identified by the Secretariat in its requests for information. It could therefore only reach the conclusion that referral was necessary. The Subsidiary Body takes this opportunity **to recognize the substantial added value of this treatment by the Secretariat and to emphasize the necessity that it have the capacity to provide this important service to all submitting States in the future**.
18. The Subsidiary Body was again concerned about the poor **linguistic quality** of a number of nomination files. In some cases the poor wording presented a substantial obstacle to comprehension and consequently affected the Body’s substantive examination by requiring it to speculate on what the State intended to say. The Subsidiary Body also pointed out the use of **inappropriate vocabulary,** such as references to a tentative list, the World Heritage List, the world heritage of humanity, masterpieces, and so on, that could be seen as a lack of understanding on the part of submitting States of the specific character of the 2003 Convention. There were also recurrent invocations of the uniqueness or rarity of specific elements, their outstanding or precious character, their highly artistic nature, references to essences and authenticity, and so on. And among the safeguarding measures, the Body observed several efforts aimed at establishing some pure or canonical form of an element or restoring its ‘original’ characteristics.
19. Although it did not conclude that any nomination should be rejected as a result of these inconsistencies, the Body urges States to improve the linguistic quality and take heed of the importance of respecting both the spirit and the letter of the Convention, which does not aim to promote competition among elements or to fix intangible cultural heritage in some frozen, idealized form. The Body emphasizes that such efforts should be made not only to facilitate the work of the Subsidiary Body and Committee, **but also for later public visibility and to serve as models for future submitting States Parties in their efforts to elaborate nominations**.
20. The Subsidiary Body notes with concern that **some States did not carefully follow the explanatory notes to fill in the form ICH-02**. In some cases, information was included within a nomination but not in its proper place. As it had done in the past, the Subsidiary Body looked to the nomination in its entirety to determine whether or not each criterion had been satisfied, but it often had to find bits of information here or there that finally allowed it to conclude that the State had adequately demonstrated the matter in question. The Body calls upon submitting States to make every effort to **ensure that the requested information is provided in the appropriate place within the nomination.** In other cases, conflicting or even contradictory information in different points within the nomination made it difficult for the Subsidiary Body to be certain, for instance, that the community referred to in the description was the same as that involved in the safeguarding measures or that had provided its consent to the nomination. Moreover, the Body expressed some surprise that, too often, States had used only a small fraction of the words allotted for a given section of the nomination and showed a tendency to provide perfunctory responses rather than addressing the questions posed in the form and including the required information.
21. The Subsidiary Body regrets having received different nomination files presented by the same State that contained some parts that were identical. It underlined, as it had in 2010, that repetition of texts among different files should be avoided. To be sure, if a State has a single inventory system much of the description in section 5 of the nomination might be similar from one file to another, but elsewhere in the nomination it is fitting that each file have its own character and be expressed in terms unique to it and not in terms that are copied from another file, even if it emanates from the same State or responsible body.
22. The Body takes note that many of the exemplary nominations it received were submitted by States that had little prior experience with inscriptions, but that had clearly devoted the full attention of the relevant offices to preparing one excellent file. Conversely, some States appeared to over-extend themselves by submitting multiple nominations but neglecting to give sufficient attention to their quality. The Subsidiary Body would much prefer that a **State Party focus its efforts on preparing one strong and convincing nomination rather than diffusing its effort among multiple nominations that may be weak.** The Body was uncomfortable with having to refer a file knowing that behind each unsuccessful nomination is one or more disappointed communities, and States should therefore be encouraged to take the necessary care in preparing nominations.
23. Of the thirty-two nominations that did not receive a favourable recommendation, ten could not be accepted because of failing to satisfy a single criterion, most often criterion R.5. Paragraph 33 of document ITH/11/6.COM/CONF.206/13 provides a table summarizing these results. In most cases, however, the files that fell short did so on two or more criteria rather than only one.
24. The Subsidiary Body reiterates its 2009 appeal for a clear and complete description for criterion R.1. Submitting States are encouraged to keep in mind that this text must explain the element to readers who have no prior knowledge or direct experience of it. **A clear, vivid, and simple explanation of all the significant features of the element as it exists at present is essential to demonstrate that the nominated element meets the Convention’s definition of intangible heritage.** In particular,with regard to criterion R.1, the Subsidiary Body found that the information provided in some files was too general, too historical or too technical, often lacking a clear description of **the significance of an element to its community and of its current social and cultural functions**.
25. The Subsidiary Body wishes to recall that **the main purpose of inscription on the Representative List is to promote visibility of the intangible cultural heritage and awareness of its significance** and that technical terminology in the description of the element as well as obscure or self-referential titles cannot well serve this goal. The Subsidiary Body also calls upon States to bear this specific purpose in mind when preparing nominations since a number emphasized the fragility or endangerment of the element, which could lead the Body to believe that a nomination to the Urgent Safeguarding List would have been more appropriate. Some members argued that if a State asserts that an element is endangered and in need of urgent safeguarding, it may encounter difficulties simultaneously to **demonstrate under criterion R.2 that it is robust enough to serve the purposes of the Representative List – to promote visibility and awareness – and that it can withstand the dramatic increase in global attention that results from inscription.** Other members observed, however, that an endangered element may also serve as a very important focus of visibility, and if the proper safeguarding measures were in place the inscription of such an element on the Representative List might fully respond to the objectives of the List.
26. The Subsidiary Body observed, as it had previously, that there was a **close link between criterion R.1 and criterion R.2.** The Body considered that unless an element was clearly identified as intangible cultural heritage, it would be difficult for it to contribute properly to the visibility of intangible cultural heritage in general or to promote intercultural dialogue. While each criterion was subject to its own examination the Subsidiary Body found that some nominations did not satisfy criterion R.2 largely because they failed to meet criterion R.1, often due to the lack of clear identification of the element and its community.
27. There were two cases in which the Subsidiary Body found that an element could not be inscribed solely because criterion R.3 was not satisfied. It nevertheless noted a tendency in several files to describe current and especially proposed safeguarding measures in an overly general and indefinite language and therefore **encourages submitting States to provide clear and definite statements of what safeguarding measures will be taken or are planned**. The Subsidiary Body also emphasizes the importance for the **safeguarding measures to be customized to the unique characteristics of each element and each community and to adequately address the possible negative consequences of inscription**.
28. Based on the fundamental principle **that communities are central to each of the five criteria**, the Subsidiary Body attached great importance, as had its predecessors, tothe **participation of the communities in the elaboration of the nomination and their free, prior and informed consent to it, as required by criterion R.4.** However the Body often found it difficult to identify who the signatories of consent documents were and therefore would like to repeat its request of the 2010 cycle that submitting States make every effort to include translations of consent documents into English or French along with the original documents in the relevant local language. It also asks that States take care to ensure that the name as well as the role or affiliation of those providing their consent be clearly indicated.
29. Criterion R.5 was the subject of extensive debate within the Subsidiary Body. In the first 2009 cycle of inscriptions for the Representative List, four nominations were not recommended for inscription solely because the State had not demonstrated that the nominated element was **‘included in an inventory of the intangible cultural heritage present in the territory(ies) of the submitting State(s) Party(ies), as defined in Articles 11 and 12 of the Convention’.** In that first cycle, the Subsidiary Body ‘considered it useful that the nomination file should better show that the inventory had been undertaken in accordance with Articles 11 and 12 of the Convention, and suggested that the Secretariat ask for precise information on this subject in the nomination form’ (see Document ITH/09/4.COM/CONF.209/INF.6). During the 2010 cycle, the Secretariat accordingly revised the nomination form and systematically requested greater precision from the submitting States to demonstrate how the inventory had been elaborated. Even if the Subsidiary Body was pleased with the more detailed information it had received concerning criterion R.5 in the nominations it examined in 2010, it again recommended ‘that submitting States Parties should demonstrate that their inventories are regularly updated so as to show the viability of the elements proposed for inscription and the involvement of communities, groups and individuals’ (Document ITH/10/5.COM/CONF.202/INF.6).
30. The Subsidiary Body maintained its view that its role was not to assess the quality or adequacy of the inventories themselves, but rather to verify that the States had provided sufficient information within the nominations describing the circumstances under which the inventories were elaborated and demonstrating that they had been drawn up in conformity with Articles 11 and 12 of the Convention. It considered it **crucial that the submitting State document, within the nomination, how it had gone about inventorying,** so that a record of the experiences of different States would be built up with each cycle. At the time those same States submitted periodic reports or subsequent nominations the Committee would be able to trace their progress in implementing their obligations under Articles 11 and 12 of the Convention. Although no nominations were eliminated in 2010 because of the inventories, this was unfortunately not the case in 2011, where the Subsidiary Body concluded in seventeen cases that nominations should be referred to the submitting States Parties for additional information.
31. The Subsidiary Body can only reaffirm, as it had in 2009 and 2010, ‘to States Parties and especially to the communities, groups and individuals concerned with an element – that **its recommendation not to inscribe an element at this time in no way constitutes a judgement on the merits of the element itself, but refers only to the […] information presented in the nomination file**’ (Document ITH/09/4.COM/CONF.209/13 Rev.2; cf. Document ITH/10/5.COM/CONF.202/6). This is equally true of the recommendation to refer the nomination to the submitting State, which is due in every instance to the inadequacy of the information in the nomination and not to any characteristic of the element.
32. This is the first cycle in which the Subsidiary Body had the option to recommend such referralwhen it concluded that the information provided was not sufficient for it to determine whether or not a criterion was satisfied. The Subsidiary Body recommends to the Committee that in the case of nominations that are referred to the submitting State and resubmitted for a subsequent cycle, **the subsequent examination would normally focus on the criteria for which information was insufficient at this time.** The draft decisions presented to the Committee therefore ask the State specifically to address the criteria for which information was insufficient.
33. The submitting State may, of course, take the opportunity to update or revise other sections of the nomination file than those that were deemed incomplete in 2011. The resubmission would then be subject to examination de novo. The Subsidiary Body also notes that in those cases where referral is based on insufficiency of information concerning criterion R.1, in particular, a revision might well entail re-examination of criteria other than R.1. If the revised nomination defines an element of substantially smaller or larger scope than the present nomination, for instance, the safeguarding measures may no longer be appropriate, or a smaller or larger community might be concerned. **The Subsidiary Body cannot propose a strict rule by which future examiners could always be guided, but it is mindful of the importance of maintaining consistency from year to year and offering a certain degree of predictability to submitting States and the communities concerned.**
34. The Subsidiary Body wishes to emphasize that its goal is to continue to improve the application of the criteria and the implementation of the Convention, avoiding reversals or detours to the extent possible. In that vein, it sought to **maintain consistency with its own decisions of the first two cycles, particularly in the case of nominations that were being presented a second time** after having received an unfavourable recommendation in 2009. The Subsidiary Body examined eight files that had been resubmitted after revision from a previous cycle. In most cases, the submitting State had submitted what was essentially a new file concerning the previous element, and the Subsidiary Body was consequently comfortable examining each section of the new file according to the five criteria and, in a few instances, coming to a conclusion different than its predecessor had in 2009.
35. The Subsidiary Body also deliberated at great length over the questions of how to deal with **similar elements proposed either by different States Parties or by a single State Party.** In the former case, it affirms that there is no question that a State in whose territory an element is found may submit a nomination even if a similar element has already been inscribed upon the proposal of another State. However, it wishes to recall that the Committee has emphasized the importance of encouraging multinational nominations, and the Operational Directives provide, in paragraph 14, the opportunity for States to propose inscription on an extended basis of an element already inscribed.
36. At its fifth session, the Committee expressed concern at the possibility that a single State might wish to propose in succession a number of very similar elements present on its territory, and that this might not serve the wider interests of the Convention or the communities concerned. The Subsidiary Body shared this unease. This concern was focussed especially on criterion R.2, where **the Body wondered whether the contribution to visibility and awareness of a second inscription was merely incremental,** with some members arguing that it was the responsibility of the submitting State to offer selected representative elements that better reflect the wider diversity of expressions found within its territory. Or, the Body asked, **was the contribution of a second or third similar element substantial enough to respond to the purposes of the Representative List**?Other members argued that inscription of similar yet distinct elements could promote awareness of the internal diversity of what may appear to outsiders to be uniform, but to the communities concerned takes in important differences. In this connection, the Subsidiary Body suggests to the Committee that it give thought to the possibility of encouraging inscription on an extended basis of an element already inscribed by the same State Party, just as the Operational Directives already seek to facilitate this in the case of heritage shared across national borders.
37. **The obverse of this problem comes with overly general nominations.** The Subsidiary Body recalls that at the time the General Assembly first adopted the Operational Directives, concerns were already raised about inscription of what were called ‘generic’ elements. The consensus of States Parties at the time was that everyone shared a common understanding that elements should be the specific expressions of well-identified communities, and that it was not necessary to exclude so-called generic elements because they would not be nominated. The Subsidiary Body encourages submitting States to find a middle ground between overly general, all-inclusive and indefinitely bounded elements, on the one hand, and micro-elements whose specificities may not be apparent or easily demonstrated to outsiders. It also encourages the Committee to consider how best to strike this happy medium, and to develop if necessary mechanisms to facilitate wise decisions by submitting States. The Subsidiary Body suggests that this problem arises even before the elaboration of the file, when a possible nomination begins to take shape for the community concerned and for the State Party. While having no easy answer to measure **what the right scale or scope of an element should be**, it calls on the Committee and States Parties to give serious consideration to this question.
38. In this cycle, the Subsidiary Body examined only a single multinational nomination. Recognizing that the Committee and General Assembly have repeatedly emphasized the importance of encouraging them, **the Body acknowledges the added complexity that multinational nominations have for the submitting States, the Secretariat, the Body itself and the Committee**. As Committee members will note in Draft Decision 6.COM 13.29, at the time of examination the Subsidiary Body did not have all of the information it would have required to reach a favourable recommendation with regard to one of the three countries involved in this collaborative effort. The Body was unanimous in its determination that the States that submitted complete information and the communities concerned need not be disappointed because a fellow passenger had been delayed en route. The Subsidiary Body hopes that the Committee will find the proposed decision to separate the case of two States from the case of the third to be an equitable one, and that at the earliest opportunity it will be possible to extend the inscription to the State whose information remained incomplete.
39. The Subsidiary Body once again addressed the issue of commercialization of elements, reiterating its previous view that ‘commercialization was not *a priori* a disqualifying factor, highlighting the vital role of intangible cultural heritage as a factor of economic development’ (Document ITH/09/4.COM/CONF.209/INF.6). The practice and transmission of some elements, particularly those including craftsmanship, are closely linked to income generation. The Subsidiary Body emphasized the importance of community involvement in the process of elaboration of safeguarding measures in order to **ensure that the communities concerned are the beneficiaries of inscription and the increased attention it will bring, rather than States or private enterprises.** The Subsidiary Body also considered that safeguarding measures should address excessive commercialization that may be detrimental to the social and cultural functions and the viability of intangible cultural heritage.
40. A topic that was sometimes linked in the Subsidiary Body’s discussions to commercialization was that of institutionalization and professionalization. Several nominations presented situations in which **the practice and transmission of the element were situated within highly organized institutions or undertaken by professionals.** Members’ concern was to be certain that professionalization or institutionalization did not undermine the nature of a given element as intangible cultural heritage or cause it to lose its social context and cultural meaning. Excessive professionalization, sometimes with international competitions and huge funding, made it difficult to identify the community concerned or feel confident that they were the agents and beneficiaries of the inscription process.
41. Throughout its examinations, the Subsidiary Body returned time and again to the fundamental question of communities. While pointing out that ‘community’ is not defined in the text of the Convention and the notion of the community may differ from region to region or within different political and cultural contexts, **the Subsidiary Body nevertheless stresses the importance of a clear identification of the community and those who represent it**. Aware that no single standard can suffice and that there are as many forms of representatives as there are of communities, the Subsidiary Body always sought to ground its decisions and conclusions in a culturally sensitive and flexible approach to this problem. It also emphasizes that the community concerned should be the same from beginning to end of the nomination. It was frustrating to the Body members to find that the reference community on one page was not the same as the reference community on the previous page or the one that followed.
42. In closing, the Subsidiary Body wishes to call attention to several nominations that it considers worthy of recognition as files that were carefully conceived, well prepared, effectively presented and convincingly argued. Other States Parties may wish to consult these nominations as examples when elaborating their own future files. These nominations are shown in the table in paragraph 70 of the Subsidiary Body’s report.