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## 2003 Convention

RATIFICATION AS AT 18 JANUARY 2007

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## In November 2006, the Intergovernmental Committee convened in Algiers for its first session

On 18 November 2006, Mr Koïchiro Matsuura, Director-General of UNESCO, inaugurated the first session of the Intergovernmental Committee in Algiers. Mr Matsuura expressed his gratitude to Algeria for its warm hospitality and vital contribution to the success of the Convention. Mr Matsuura also thanked Mr Bedjaoui, Minister of Foreign Affairs of Algeria and Chairperson of the General Assembly. In his welcoming address, Mr Bedjaoui qualified intangible cultural heritage (ICH) as “a golden value that contributes to the reconstruction of a truly humane humanism, in a kingdom without exile for all”.

In her welcoming speech, H.E. Ms Khalida Toumi, Minister of Culture of Algeria, emphasized that ICH is “always a work in progress, evolving, cumulative and structured”, concluding that “intangible heritage is to the identity of peoples what the DNA map is to the human genome”. All 24 States Members of the Committee participated; 16 States Parties, 20 Member States non-States Parties, and 3 NGOs were admitted as observers. Ms Toumi was elected as Chairperson by general acclamation. (cont'd to page 2)



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Participants in the first session of the Intangible Heritage Committee in Algiers enjoyed a performance of the *Ahellil of Gourara*, a music and dance tradition proclaimed a *Masterpiece in 2005*.

### Editorial

The year 2006 has been a time of harvesting. The staff of the Intangible Heritage Section (ITH) has been reinforced and relocated on the ninth floor of UNESCO's Bonvin building, and the new information centre and Convention's website became operational. In addition, ITH assisted in the preparation of action plans for some twenty Masterpieces proclaimed in 2005, while monitoring some sixty on-going projects involving primarily Masterpieces of 2001 and 2003. Throughout this busy year, ITH also co-organized or participated in numerous intergovernmental and expert meetings worldwide.

Another pivotal 2006 event was the opening in Cuzco, Peru of the CRESPIAL, the first Category II centre for ICH designed to promote ICH activities in Latin America. Similar centres are under preparation in the Republic of Korea and Algeria.

Amid this intense activity, ITH enthusiastically assumed its primary task as secretariat for the Convention. And a historic year it was for that much-

awaited legal instrument! After the Convention's entry into force in April 2006, the General Assembly held its first ordinary (June) and extraordinary (November) sessions, and the Intergovernmental Committee convened in Algeria for its first meeting in November. Both organs now possess a Bureau and Rules of Procedure, enabling them to begin operating. By year's end, more than 70 Member States had ratified the Convention.

This issue of the *Messenger* presents a summary of the two above-mentioned November meetings. More information is available on our website.

In the course of 2007, the *Messenger* will continue to inform you of key ICH-related activities including the two scheduled meetings of the Intergovernmental Committee and other events under preparation. To all of our readers, who contribute toward our common goal of ensuring the flourishing of the world's living heritage, we send our best wishes for a productive and happy year of 2007.

Rieks Smeets, Intangible Heritage Section

China, which will host the first extraordinary session of the Intergovernmental Committee in May 2007, has been an important partner in UNESCO's Intangible Heritage programmes, as witnessed by the proclamation of three national Masterpieces and one multi-national Masterpiece, the *Urtiin Duu* long song of Mongolia and China. The Uyghur Muqam of Xinjiang, proclaimed a Masterpiece in 2005, is recognized as a distinctive element of their living heritage by the Uyghur, one of the largest ethnic minorities of China.

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## The First Extraordinary Session of the General Assembly

According to the Convention the membership of the Intergovernmental Committee was to be increased from 18 to 24 once the number of States Parties to the Convention reached 50. That happened on 29 August, when Zimbabwe became the 50<sup>th</sup> State Party. Subsequently, the General Assembly convened in extraordinary session, at UNESCO Headquarters, on 9 November, to elect six additional members.

The General Assembly first discussed the possible establishment of a maximum number of seats per electoral group in the Committee. In June 2006, the Assembly had already decided to allocate the seats in the Committee proportionally, following a principle of equitable geographical distribution, but with the provision that at least three seats are to be attributed to each group.

If a strictly proportional distribution of seats had been applied, Electoral Group I (Europe and North America) would have been allocated two seats, one short of the minimum of three. A solution was found when the African Group generously offered a seat to Group I, on an exceptional basis. The Assembly happily decided to postpone debate on the possible introduction of a ceiling to its next ordinary session. Then six new Committee members were elected: Belarus, Bolivia, Central African Republic, France, Mali and Syria. Following that, the Assembly selected by lot 12 Committee members (two from each Group) whose term of office will be limited to two years. This procedure allows the General Assembly, starting in 2008, to renew half of the membership of the Committee every second year.

THE 24 MEMBERS OF THE COMMITTEE AND THEIR TERMS OF OFFICE

GROUP I		GROUP IV	
BELGIUM	2006 - 2008	CHINA	2006 - 2008
FRANCE	2006 - 2008	INDIA	2006 - 2010
TURKEY	2006 - 2010	JAPAN	2006 - 2008
GROUP II		VIET NAM	2006 - 2010
BELARUS	2006 - 2010	GROUP V (a)	
BULGARIA	2006 - 2008	CENTRAL AFRICAN REPUBLIC	2006 - 2010
ESTONIA	2006 - 2010	GABON	2006 - 2010
HUNGARY	2006 - 2010	MALI	2006 - 2010
ROMANIA	2006 - 2008	NIGERIA	2006 - 2008
GROUP III		SENEGAL	2006 - 2008
BOLIVIA	2006 - 2008	GROUP V (b)	
BRAZIL	2006 - 2008	ALGERIA	2006 - 2008
MEXICO	2006 - 2010	SYRIAN ARAB REPUBLIC	2006 - 2008
PERU	2006 - 2010	UNITED ARAB EMIRATES	2006 - 2010

## Intergovernmental Committee, first session (cont'd from page 1)

### Rules of procedure of the Committee adopted

The first question before the Committee was to adopt its rules of procedure. Two key issues provoked discussion.

How best to respect, in all its operations, *the principle of geographical representation and rotation* that the Convention calls for in the election of States Members? Committee members agreed that the Bureau of the Committee as well as its consultative and subsidiary bodies should be constituted according to that principle. The Convention authorizes the Committee *to establish, on a temporary basis, whatever ad hoc consultative bodies it deems necessary to carry out its task*. The Rules to formalize that authority generated substantial debate, with a number of States Members emphasizing the temporary and ad hoc basis of any such bodies, recognizing at the same time that they would allow the Committee to respond flexibly to unanticipated needs.

A number of Members suggested that policy and precedent required the use of all six working languages of the United Nations; others however noted that frugality argued in favor of two working languages, arguing that the resources needed for translation and interpretation in four additional languages would be unavailable to support the participation in its meetings of representatives from developing States Parties or to carry out the work of safeguarding. The Committee concluded that while **English and French** would be the two working languages, resources should be mobilized whenever possible to allow other languages to be used.

### Operational Directives

A draft outline was brought before the Committee so that it might provide guidance to the Secretariat as it prepares drafts of various documents that eventually may have to be included in these directives.

Several suggestions found broad support: one was to seek the clearest possible definitions and use the most accessible terminology in all of the documents, so as to increase general understanding of the field of intangible cultural heritage, itself still a new and uncommon term in many places. A number of Members expressed their fervent hope that States, the general public and especially the communities most concerned would better appreciate the necessity to undertake safeguarding measures, emphasizing the need for greater attention to, and a clearer conception of, awareness raising and visibility.





### Draft criteria for inscription of ICH elements onto the Representative List of the Intangible Cultural Heritage of Humanity

Members generally agreed that the criteria should be both specific and flexible, so as to accommodate the huge diversity of intangible cultural heritage in the world. Members also emphasized that the criteria should be expected to evolve as experience increased and concepts developed over time. Although the experiences of the World Heritage List offered useful precedents, Members agreed that the Representative List proceeded from an entirely different impetus, to safeguard living heritage.

Differing views were expressed on the matter of community involvement in and consent to the inscription of expressions or practices onto the List. Some Members questioned how “free, prior and informed” consent could effectively be documented in the context of vastly different legal regimens among States Parties. Some suggested that the perpetuation of a heritage element over decades or millennia should be understood as evidence for the implied consent of the community practicing it. Some Members expressed doubt that community consent could be given, let alone documented.

Other Members, however, insisted that the requirement of community involvement derives from the very language of the Convention and that the Committee lacks the authority to waive its provisions. Some noted their own national experiences where safeguarding efforts developed with communities succeeded, while those developed without community involvement or consent failed. Finally, some Members suggested that the criteria should focus on the substantive involvement of communities rather than the formalities of demonstrating their consent; if they were truly involved at all stages that was the best evidence of their consent.

#### Bureau of the first session of the Committee

- ◆ H. E. Ms Khalida Toumi of Algeria, Chairperson
- ◆ Mr Jean-Pierre Ducastelle of Belgium, Rapporteur
- ◆ Bolivia, China, Estonia and Senegal, Vice-Chairpersons

### Possibility of inscribing ICH elements on the Representative List for a fixed term

Some Members welcomed the idea that ICH elements would cede their place after a fixed term to make way for another element, seeing it as a way of letting a greater number of elements gain international visibility and attention, while still keeping the List manageable in size. Some saw such a rotation as consistent with the nature of intangible heritage, always renewing itself and evolving.

Other Members, however, expressed concern that an inscription of limited duration for an ICH element might be perceived as inferior to the perpetual inscription of tangible heritage on the World Heritage List. Several Members worried that expiration of an element’s term on the List would be perceived as an insult or slight to the community and State concerned, even if that were not the intention. Some Members suggested that safeguarding typically takes a good deal of time, and an element’s term might expire before it had been successfully safeguarded; one suggestion was that an element might be reinscribed in such an instance, or that the safeguarding time-frame need not be limited to the duration of inscription.

In order to reflect more diverse perspectives and to take fuller advantage of the expertise within States Members, India proposed to host an additional expert meeting during the coming months in India. The Committee decided to encourage States Parties to send further comments and suggestions to the Secretariat, and requested the Director-General to provide it with a revised set of criteria for discussion at its next session. (cont’d to page 4)



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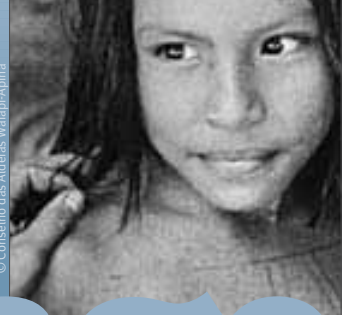
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## CALENDAR

- 9-10 FEBRUARY** Expert Meeting: "Identifying good practices in safeguarding endangered languages in Sub-Saharan Africa." Addis Ababa, Ethiopia.
- 21-23 FEBRUARY** Expert Meeting: "UNESCO-ACCU Expert Meeting: 'Safeguarding of Intangible Cultural Heritage through Formal and Non-formal Education.'" Chiba, Japan.
- 14-16 MARCH** Meeting: "Tangible and Intangible Heritage: Two UNESCO Conventions." Montreal, Canada.
- 2-4 APRIL** Expert Meeting on the ICH Convention's lists and selection criteria for them. New Delhi, India.
- 12 APRIL** Launching of a photo exhibition: "Living Heritage: Exploring the Intangible." UNESCO Fontenoy, Paris.
- 23-27 MAY** First extraordinary session of the Intergovernmental Committee for the Safeguarding of Intangible Cultural Heritage. China.
- 3-7 SEPTEMBER** Second ordinary session of the Intergovernmental Committee for the Safeguarding of Intangible Cultural Heritage. Japan.

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## INTERGOVERNMENTAL COMMITTEE (cont'd)

### Advisory assistance—discussion to be continued

The Convention directs the Committee to propose to the General Assembly the criteria and modalities for *the accreditation of non-governmental organizations with recognized competence in the field of the intangible cultural heritage to act in an advisory capacity*. The Committee agreed that the 2003 Convention required a broad and inclusive consultative process, but did not yet decide on the forms it should take or how a large number of non-governmental organizations could effectively be involved in the Committee's work.

Some Members supported the possibility of having an umbrella organization that could coordinate communications between the Committee and a profusion of non-governmental organizations. Several Members emphasized the importance of broad geographic representation among the organizations to be consulted. Several Members suggested that attention should not focus only on NGOs but should include as well practitioners and communities, who may not be organized into formal NGOs or represented by NGOs. Indeed, Members agreed, pride of place should be given in the language of the Committee's decision on this matter to practitioners, and the decision should make explicit reference to experts and centres of expertise. The Committee decided to continue deliberation of this topic further, inviting States Parties to offer comments to the Secretariat and requesting the Director-General to synthesize those ideas into a proposal for consideration at its next session.

### Next step—meetings lined up in China and Japan

The Intergovernmental Committee decided the dates and places of its next meetings. The Government of China invited the Committee to hold an extraordinary session from 23 to 27 May 2007 in China. The Government of Japan extended an invitation to host the second session in Japan in early September 2007. Both invitations were warmly received by the Committee.

A new Bureau was elected to serve until the end of the session in Japan:

- ♦ H.E. Mr Seïichi Kondo of Japan as Chairperson
- ♦ H.E. Mr Ousman Blondin Diop of Senegal as Rapporteur
- ♦ Belgium, Bolivia, Estonia and the Syrian Arab Republic as Vice-Chairpersons. (The extraordinary session will elect its own Bureau.)



*Kabuki Theatre, proclaimed a Masterpiece in 2005. The most popular form of Japanese traditional drama, Kabuki presents the great works of classical literature, portraying historical events and moral conflict in relationships of the heart. Music, elaborate scenery and costumed male actors with colourful make-up, performing in a highly stylized form, combine to define the Kabuki performance.*

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*Kabuki Theatre, proclaimed a Masterpiece in 2005. The most popular form of Japanese traditional drama, Kabuki presents the great works of classical literature, portraying historical events and moral conflict in relationships of the*