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Intangible Cultural Heritage

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**UNITED NATIONS EDUCATIONAL,
SCIENTIFIC AND CULTURAL ORGANIZATION**

**GENERAL ASSEMBLY OF STATES PARTIES TO THE
CONVENTION FOR THE SAFEGUARDING OF THE INTANGIBLE CULTURAL HERITAGE**

**First session
Paris, UNESCO Headquarters, Room XII
27-29 June 2006**

Item 3 of the Provisional Agenda: Adoption of the Rules of Procedure of the General Assembly of States Parties to the Convention for the Safeguarding of the Intangible Cultural Heritage

SUMMARY

The General Conference of UNESCO adopted on 17 October 2003 the Convention for the Safeguarding of the Intangible Cultural Heritage, which entered into force on 20 April 2006. This document provides a set of provisional Rules of Procedure, preceded by an introduction on their preparation and a draft resolution on their adoption.

Decision required: paragraph 6

1. The General Conference of UNESCO adopted on 17 October 2003 the Convention for the Safeguarding of the Intangible Cultural Heritage [hereinafter referred to as “the Convention”] which entered into force on 20 April 2006, three months after the deposit with the Director-General of the thirtieth instrument of acceptance. The Convention establishes in its Article 4.1 a General Assembly of States Parties [hereinafter referred to as the “Assembly”] as the sovereign body of the Convention. Article 4.3 stipulates that the Assembly shall adopt its own Rules of Procedure.
2. According to Article 10 of the Convention, the UNESCO Secretariat shall prepare the documentation of the Assembly. The provisional Rules of Procedure proposed below are based on the model of the Rules of Procedure of the General Assembly of States Parties to the Convention concerning the Protection of the World Cultural and Natural Heritage.
3. The provisional Rules of Procedure are structured in 6 chapters: (I) Participation, (II) Organization of the Assembly, (III) Conduct of Business, (IV) Election and mandate of the Members of the Committee, (V) Secretariat of the Meeting, and (VI) Adoption and Amendment. The main difference with the Rules of Procedure of the General Assembly of States Parties to the World Heritage Convention concerns the election procedure of the Members of the Intergovernmental Committee for the Safeguarding of the Intangible Cultural Heritage [hereinafter: “the Committee”].
4. Article 6.1 of the Convention provides that the election of the Committee Members shall obey the principles of equitable geographical representation and rotation. The provisional Rules of Procedure propose therefore, in Rule 13, to introduce an election system according to electoral groups as established by the General Conference of UNESCO. Following the practice of the UNESCO General Conference, Group V consists of two groups, one for the African and one for the Arab States.
5. Provisional Rules of Procedure.

I. PARTICIPATION

Rule 1 Participation

The representatives of all States Parties to the Convention for the Safeguarding of the Intangible Cultural Heritage (hereinafter referred to as “the Convention”), adopted by the General Conference on 17 October 2003, may take part, with the right to vote, in the work of the General Assembly of States Parties (hereinafter referred to as “the Assembly”).

Rule 2 Representatives and observers

2.1 The representatives of Member States of UNESCO not parties to the Convention, and permanent observer missions to UNESCO may participate in the work of the Assembly as observers, without the right to vote, and subject to Rule 7.3.

2.2 Representatives of the United Nations and organizations of the United Nations system and other intergovernmental organizations which have concluded mutual representation agreements with UNESCO, as well as observers of intergovernmental and international non-governmental organizations invited by the Director-General, may participate in the work of the Assembly, without the right to vote, and subject to Rule 7.3.

II. ORGANIZATION OF THE ASSEMBLY

Rule 3 Election of officers

The Assembly shall elect a Chairperson, (a) Vice-Chairperson(s) and a Rapporteur.

Rule 4 Duties of the Chairperson

- 4.1 In addition to exercising the powers which are conferred upon him/her elsewhere by the present Rules, the Chairperson shall open and close each plenary meeting of the Assembly. He/She shall direct the discussions, ensure observance of these Rules, accord the right to speak, put questions to the vote and announce decisions. He/She shall rule on points of order and, subject to the present Rules, shall control the proceedings and the maintenance of order. He/She shall not vote, but he/she may instruct another member of his/her delegation to vote on his/her behalf.
- 4.2 Should the Chairperson be absent during a meeting, or any part thereof, he/she shall be replaced by a Vice-Chairperson. The Vice-Chairperson acting as Chairperson shall have the same powers and duties as the Chairperson.

III. CONDUCT OF BUSINESS

Rule 5 Public nature of meetings

Meetings shall be held in public unless decided otherwise by the Assembly.

Rule 6 Quorum

- 6.1 A quorum shall consist of a majority of the States referred to in Rule 1 and represented at the Assembly.
- 6.2 The Assembly shall not decide on any matter unless a quorum is present.

Rule 7 Order and time-limit of speakers

- 7.1 The Chairperson shall call upon speakers in the order in which they signify their wish to speak.
- 7.2 For the convenience of the discussion, the Chairperson may limit the time to be allowed to each speaker.
- 7.3 The consent of the Chairperson must be obtained whenever an observer wishes to address the Assembly.

Rule 8 Points of order

- 8.1 During a discussion, any delegation may raise a point of order; such a point of order shall be immediately decided upon by the presiding officer.
- 8.2 An appeal may be made against the ruling of the presiding officer. Such an appeal shall be put to the vote immediately and the presiding officer's ruling shall stand, unless overruled by a majority of the delegations present and voting.

Rule 9 Procedural motions

- 9.1 During a discussion, any delegation may move the suspension or adjournment of the meeting or the adjournment or closure of the debate.
- 9.2 Such a motion shall be put to the vote immediately. Subject to Rule 8.1, such motions shall have precedence in the following order over all other proposals or motions before the meeting:
- (a) suspension of the meeting;
 - (b) adjournment of the meeting;
 - (c) adjournment of the debate on the question under discussion;
 - (d) closure of the debate on the question under discussion.

Rule 10 Working languages

- 10.1 The working languages of the Assembly shall be Arabic, Chinese, English, French, Russian and Spanish.
- 10.2 Speeches made at the Assembly in one of the working languages shall be interpreted into the other languages.
- 10.3 Speakers may, however, speak in any other language, provided that they make their own arrangements for interpretation of their speeches into one of the working languages.

Rule 11 Resolutions and amendments

- 11.1 Draft resolutions and amendments may be proposed by the participants referred to in Rule 1 and shall be transmitted in writing to the Secretariat of the Assembly, which shall circulate copies to all participants.
- 11.2 As a general rule, no draft resolution or amendment shall be discussed or put to the vote unless it has been circulated sufficiently in advance to all participants in the working languages of the Assembly.

Rule 12 Voting

- 12.1 The representatives of each State referred to in Rule 1 shall have one vote in the Assembly.
- 12.2 Subject to the provisions of Rules 6.2 and 17, decisions shall be taken by a majority of the States present and voting, except for the provisions of Rule 12.3.
- 12.3 The decision concerning the amount of the contributions, in the form of a uniform percentage applicable to all States which have not made the declaration referred to in paragraph 2 of Article 26 of the Convention, shall be determined by a majority vote of the States Parties present and voting which have not made the above-mentioned declaration.
- 12.4 For the purpose of the present Rules, the expression "States present and voting" shall mean States casting an affirmative or negative vote. States abstaining from voting shall be regarded as having not voted.
- 12.5 Voting shall normally be by show of hands, except for the election of members of the Intergovernmental Committee for the Safeguarding of the Intangible Cultural Heritage (hereinafter referred to as "the Committee").
- 12.6 When the result of a vote by show of hands is in doubt, the presiding officer may take a second vote by a roll-call. A vote by roll-call shall also be taken if it is requested by not less than two delegations before the voting takes place and for the decision mentioned in Rule 12.3.
- 12.7 When an amendment to a proposal is moved, the amendment shall be voted on first. When two or more amendments to a proposal are moved, the Assembly shall first vote on the amendment deemed by the presiding officer to be furthest removed in substance from the original proposal, and then on the amendment next furthest removed there from and so on, until all the amendments have been put to the vote.
- 12.8 If one or more amendments are adopted, the amended proposal shall then be voted upon as a whole.
- 12.9 A motion is considered an amendment to a proposal if it merely adds to, deletes from or revises part of that proposal.

IV. ELECTION OF MEMBERS OF THE INTERGOVERNMENTAL COMMITTEE
FOR THE SAFEGUARDING OF THE INTANGIBLE CULTURAL HERITAGE

Rule 13 **Geographical distribution**

- 13.1 The election of members of the Committee shall be conducted on the basis of the electoral groups of UNESCO, as determined by the UNESCO General Conference at its most recent session, it being understood that “Group V” shall consist of two separate groups for the African and Arab States.
- 13.2 Membership in the Committee shall be distributed among electoral groups in proportion to the number of States Parties from each group, provided that, after such distribution, at least two seats have been attributed to each group.

Rule 14 **Procedures for the presentation of candidatures to the Committee**

- 14.1 The Secretariat shall ask all States Parties, at least three months prior to the opening of the Assembly, whether they intend to stand for election to the Committee. If so, the State Party’s candidature shall be sent to the Secretariat at least six weeks prior to the opening of the Assembly.
- 14.2 At least four weeks prior to the opening of the Assembly the Secretariat shall send to all States Parties the provisional list of States Parties candidates, indicating the electoral group to which they belong and the number of seats to be filled in each electoral group. The Secretariat shall also provide information on the status of all compulsory and voluntary contributions to the Fund for the Safeguarding of the Intangible Cultural Heritage made by each of the candidates. The list of candidatures will be revised as necessary.
- 14.3 No payments of compulsory and voluntary contributions to the Fund (for the purpose of presenting a candidature to the Committee) will be accepted later than a week before the opening of the Assembly.

Rule 15 **Election of Members of the Committee**

- 15.1 The election of members of the Committee shall be conducted by secret ballot except that, where the number of candidates is the same as or less than the number of seats to be filled, the candidates shall be declared elected without the need to hold a ballot.
- 15.2 Before the election begins, the Chairperson shall appoint two tellers from among the delegates present; he/she shall hand to them the list of States entitled to vote and the list of States candidates. He/She shall announce the number of seats to be filled.
- 15.3 The Secretariat shall prepare for each delegation having the right to vote an envelope without any distinguishing mark and separate ballot papers, one for each of the electoral groups. The ballot paper for each electoral group shall bear the names of all the States Parties that are candidates for election in that electoral group.
- 15.4 Each delegation shall cast its vote by encircling the names of those States for which it desires to vote.
- 15.5 The tellers shall collect from each delegation their ballot papers and shall proceed to count the votes, under the supervision of the Chairperson.
- 15.6 The absence of any ballot paper in the envelope shall be considered an abstention.

- 15.7 Voting papers on which more names have been circled than there are seats to be filled shall be considered invalid.
- 15.8 The counting of the votes for each electoral group shall take place separately. The tellers shall open the envelopes, one by one, and shall sort the ballot papers into electoral groups. The votes cast for the candidate States Parties shall be entered on lists prepared for that purpose.
- 15.9 The Chairperson shall declare elected those candidates who obtain the greatest number of votes up to the number of seats to be filled. If two or more candidates obtain the same number of votes, and, as a result, there are still more candidates than seats to be filled, there shall be a second secret ballot restricted to those candidates who obtained the same number of votes. If in the second ballot two or more candidates obtain the same number of votes, the Chairman shall decide the candidate to be considered elected by drawing lots.
- 15.10 When the counting of the votes is completed, the Chairperson shall announce the results of the ballot separately for each of the electoral groups.

V. SECRETARIAT OF THE MEETING

Rule 16 Secretariat

- 16.1 The Director-General of UNESCO or his/her representative shall participate in the work of the Assembly, without the right to vote. He/She may, at any time, make either oral or written statements to the Assembly on any question under discussion.
- 16.2 The Director-General of UNESCO shall appoint an official of the Secretariat of UNESCO to act as Secretary to the Assembly, and other officials who shall together constitute the Secretariat of the Assembly.
- 16.3 The Secretariat shall receive, translate and distribute all official documents of the Committee and shall arrange for the interpretation of the discussions. It shall also perform all other duties necessary for the proper conduct of the work of the Assembly.

VI. ADOPTION AND AMENDMENT OF THE RULES OF PROCEDURE

Rule 17 Adoption

The Assembly shall adopt its Rules of Procedure by a decision taken in plenary meeting by a simple majority of the representatives of States present and voting.

Rule 18 Amendment

The Assembly may amend these Rules of Procedure by a decision taken in plenary meeting by a two-thirds majority of the representatives of States present and voting.

6. The General Assembly may wish to adopt the following resolution.

DRAFT RESOLUTION 1.GA 3

The General Assembly,

1. *Having examined the provisional Rules of Procedure provided in document ITH/06/1.GA/CONF.201/3,*
2. *Adopts its Rules of Procedure, as contained in that document.*