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

**GENERAL ASSEMBLY OF THE STATES PARTIES TO THE CONVENTION**

**Seventh session**

**UNESCO Headquarters, Room II**

**4 to 6 June 2018**

**Item 12 of the Provisional Agenda:**

**Follow-up on implementation of the relevant recommendations of
the Open-Ended Working Group on the Governance, Procedures and Working Methods of the Governing Bodies of UNESCO (39 C/Resolution 87)**

|  |
| --- |
| **Summary**At its thirty-ninth session, by 39 C/Resolution 87, the General Conference invited the Executive Board, the Director-General and the governing bodies of the different organs to implement the recommendations of the Open-Ended Working Group on the Governance of UNESCO, as contained in document 39 C/70. This document presents recent situations concerning the recommendations of this working group, which are relevant to the governing bodies of the 2003 Convention.**Decision required:** paragraph 6 |

1. At its thirty-eighth session in 2015, the General Conference of UNESCO, by 38 C/Resolution 101, established an Open-Ended Working Group on the Governance, Procedures and Working Methods of the Governing Bodies of UNESCO with the objective of harnessing the potential for greater synergy, harmonization, efficiency and impact. The working group itself established two sub-groups: Sub-Group 1, responsible for examining the ‘structure, composition and methods of work of the Governing Bodies (General Conference and Executive Board)’; and Sub-Group 2, responsible for examining the ‘Structure, composition and methods of work of UNESCO’s international and intergovernmental bodies’.
2. At its thirty-ninth session in 2017, the General Conference examined the report of the Open-Ended Working Group ([document 39 C/20](http://unesdoc.unesco.org/images/0025/002590/259081e.pdf)) and by its 39 C/Resolution 87 it endorsed the group’s recommendations as amended by the APX Commission[[1]](#footnote-1) in [document 39 C/70](http://unesdoc.unesco.org/images/0026/002600/260089e.pdf). Furthermore, by the same Resolution, the General Conference invited the Executive Board, the Director-General and the governing bodies of the different organs examined by the Open-Ended Working Group on Governance to implement, as appropriate, the recommendations endorsed.
3. While the governing bodies of the 2003 Convention have discussed the issues of governance on different occasions, the Committee inscribed a specific item relating to the recommendations of the Open-Ended Working Group on the agenda of its twelfth session, which was examined with a view to presenting it to the seventh session of the General Assembly. In line with 39 C/Resolution 87, by its [Decision 12.COM 16](https://ich.unesco.org/en/Decisions/12.COM/16) the Committee invited the Secretariat to implement relevant recommendations of the Open-Ended Working Group. It also decided to inscribe an item on its agenda to discuss the follow-up on the recommendations in question at its thirteenth session in 2018.
4. The examination by the twelfth session of the Committee was limited to those recommendations of the Open-Ended Working Group that specifically mention the 2003 Convention. Following the indications given during the debate at that session, the Secretariat identified those recommendations that may be considered to be directly relevant to the governing bodies of the 2003 Convention. The annex to the present document contains these relevant recommendations and explanations concerning recent related situations. Each selected recommendation is also presented with an indication as to which one of the four following categories it may belong:
5. **Closed:** the current practice and/or rules comply with those recommendations, and therefore no further action is needed. Moreover, the Secretariat considers that its practice in certain of the areas covered by the recommendations can be highlighted as a good practice (11 recommendations including 4 good practices );
6. **Ongoing:** action has already been initiated by the Secretariat (2 recommendations);
7. **Action proposed:** action is proposed for the implementation of those recommendations (8 recommendations );
8. **Action required by States Parties:** the implementation of these recommendations lies with States Parties (5 recommendations).
9. It is worth mentioning that the actions proposed under category iii above mainly concern revisions to the Rules of Procedure of the Governing Bodies of the 2003 Convention. At the same time, in accordance to its [Resolution 6.GA 11](https://ich.unesco.org/en/Resolutions/6.GA/11), the General Assembly at its current session is also asked under Item 13 (see document [ITH/18/7.GA/13](https://ich.unesco.org/doc/src/ITH-18-7.GA-13-EN.docx)) to examine possible revisions to its Rules of Procedure. The origin of these parallel processes was the invitation by the General Conference of UNESCO at its thirty-eighth session in 2015 to all organs of the Conventions, amongst other actors, to consider the recommendations of the External Auditor’s report (document 38 C/23) to improve their governance while at the same time establishing the Open-Ended Working Group on the Governance. It is therefore important that the proposals and recommendations of the two processes be coordinated to produce one set of proposed amendments to the Rules of Procedure. In this regard, the work of the informal and open-ended ad hoc working group of the 2003 Convention established by the Committee ([Decision 12.COM 13](https://ich.unesco.org/en/Decisions/12.COM/13)) could facilitate this process.
10. The General Assembly may wish to adopt the following resolution:

DRAFT RESOLUTION 7.GA 12

The General Assembly,

1. Having examined document ITH/18/7.GA/12 including its annex,
2. Taking note document ITH/18/7.GA/13 including its annex,
3. Recalling Decisions [11.COM 7](https://ich.unesco.org/en/Decisions/11.COM/7), [12.COM 13](https://ich.unesco.org/en/Decisions/12.COM/13), [12.COM 16](https://ich.unesco.org/en/Decisions/12.COM/16) and Resolution [6.GA 11](https://ich.unesco.org/en/Resolutions/6.GA/11),
4. Further recalling 39 C/Resolution 87,
5. Takes note of the recent situations regarding the recommendations of the Open-Ended Working Group on Governance, Procedures and Working Methods of the Governing Bodies of UNESCO which are relevant to the governing bodies of the 2003 Convention;
6. Requests that the Secretariat propose ways, in consultation with States Parties, that will allow the implementation of the recommendations (those other than ‘closed’), including by proposing draft amendments to the Rules of Procedure of the General Assembly and taking into account the proposals already received as a result of Resolution 6.GA 11;
7. Further requests that the Secretariat ensure that gender-neutral language is used throughout the Basic Texts of the Convention when revising the texts for the publication of the 2018 edition;
8. Invites the General Assembly, the Committee and their Bureaus to conduct their work in accordance with the recommendations of the Open-Ended Working Group on the Governance of UNESCO, in particular in line with the guiding principles and responsibilities of representatives of the Electoral Groups in the Bureaus, as included in Appendix 2 of the Working Group’s report.

**ANNEX**

**Recommendations of the Open-Ended Working Group on the Governance, Procedures and Working Methods of the Governing Bodies of UNESCO**

**Part 2. Structure, composition and methods of work of UNESCO’s International and Intergovernmental Bodies (IIBs)[[2]](#footnote-2)**

| **Recommendation** | **Status** |
| --- | --- |
| **B. General recommendations for all international and intergovernmental bodies (IIBs)** |
| **Efficiency (mandate, composition, structure, rules of procedure, method of work)** |
| 1. IIBs are invited to update their mandates, as appropriate, including their objectives and programs, to be more coherent with approved C/5 priorities and responsive to current global developments, such as the 2030 Sustainable Development Agenda and the Paris Agreement on Climate Change.

**Closed** | * The mandates of the General Assembly and the Committee are laid out in the text of the Convention in [Article 4](https://ich.unesco.org/en/convention#art4) and [Article 7](https://ich.unesco.org/en/convention#art7), respectively.
* The agenda of each session of the governing bodies examines items that respond to approved C/5 priorities and to global developments. For example:
1. At its sixth session in June 2016, the General Assembly adopted a new chapter in the Operational Directives on safeguarding intangible cultural heritage and sustainable development at the national level ([Resolution 6.GA 7](https://ich.unesco.org/en/Resolutions/6.GA/7)). This new chapter also includes paragraph 181, dedicated to gender equality, in line with UNESCO’s Global Priority Gender Equality.
2. In order to discuss the role of the 2003 Convention in emergency situations, an item ‘Intangible cultural heritage in emergencies’ was inscribed on the agenda of the eleventh and twelfth sessions of the Committee.
3. Furthermore, at its twelfth session the Committee approved two funding priorities, one of which aims at initiating efforts to incorporate intangible cultural heritage into formal and non-formal education, in cooperation with the education sector. This priority is expected to contribute to the attainment of Sustainable Development Goal 4 by increasing the relevance and quality of multiple subject areas and to promote education for peace and sustainable development (Decision 12.COM 6).
 |
| 1. To promote diversity and inclusivity, voluntary term limits of two consecutive mandates are recommended for IIBs which currently do not have term limitations for membership.

**Closed** | * [Article 6.6](https://ich.unesco.org/en/convention#art6) of the Convention states that ‘[a] State Member of the Committee may not be elected for two consecutive terms.’
 |
| 1. As a general rule, term-limits of two consecutive mandates for membership in all Bureaus are recommended.

**Action proposed**  | * In accordance with [Rule 13](https://ich.unesco.org/en/rules-com#Rule13) of the Rules of Procedure of the Committee, Bureau members ‘shall be eligible for immediate re-election for a second term of office, provided that the country that each represents continues to be a State Member of the Committee at least until the end of the new term of office’.
* Although the Rules of Procedure of the General Assembly do not stipulate the term of the Bureau members, the practice has been for members to serve for only one mandate (see document [ITH/18/7.GA/2](https://ich.unesco.org/doc/src/ITH-18-7.GA-2-EN.docx) for the list of Bureau members of the previous sessions).
* The General Assembly may either decide to amend its Rules of Procedure to reflect this recommendation or continue with the current practice.
 |
| 1. For cost-saving, coherence and harmonization, it is recommended that IIBs and the General Conference consider “right-sizing” the composition of the IIBs.

**Closed** | * The number of States Members of the Committee is defined in [Article 5](https://ich.unesco.org/en/convention#art5) of the Convention (twenty-four Members). Therefore, implementing this recommendation would require amendments to the text of the Convention.
 |
| 1. There is a need to reduce and manage politicization of nominations and decisions.

**Action required by States Parties** | * The responsibility for the implementation of this recommendation lies primarily with States Parties.
* At the same time, it is worth noting that at its eleventh session the Committee established an open-ended informal ad hoc working group to address politicization. In particular, the group was formed to examine issues related to the consultation and dialogue process between the Evaluation Body and submitting States, the decision-making process of the Committee on nominations, proposals and requests, as well as any other issue to strengthen the implementation of the Convention. At is twelfth session, the Committee examined the report of the group and decided to submit it to the present session of the General Assembly (document [ITH/18/7.GA/6](https://ich.unesco.org/doc/src/ITH-18-7.GA-6-EN.docx)).
* Furthermore, by its Decision [12.COM 13](https://ich.unesco.org/en/Decisions/12.COM/13), the Committee decided to continue the informal ad hoc working group in 2018, which was extended to become open-ended, and expand its mandate.
 |
| 1. To enhance visibility and the effectiveness of the work of the IIBs, more effective information-dissemination is recommended through updating and enhancement of websites and outreach to all involved actors, including Member States and their National Commissions.

**Closed(Good practice)** | * The Secretariat publishes all the information related to meetings, events and projects pertaining to the 2003 Convention on the Convention’s website.
* Furthermore, when necessary the Secretariat also sends written communications to States Parties, accredited non-governmental organizations and category 2 centres in the field of intangible cultural heritage.
 |
| 1. Earlier preparation and dissemination of draft agendas and preliminary timetables, mainly by using the same template containing hyper-links to documents to be adopted/discussed in sessions.

**Closed(Good practice)** | * The statutory deadlines for distributing the provisional agenda of the General Assembly and the Committee are thirty days ([Rule 16.3](https://ich.unesco.org/en/rules-ga#Rule16)) and sixty days ([Rule 3.2](https://ich.unesco.org/en/rules-com#Rule3)) before the opening of the session, respectively. In practice, the provisional agenda is published online and disseminated with the invitation letters to the sessions of the General Assembly and the Committee well before the statutory deadlines. For example, the Secretariat sent the invitation letters and provisional agenda for the eleventh and twelfth sessions of the Committee on 2 September 2016 and 21 September 2017, whereas the statutory deadlines were 29 September 2016 and 5 October 2017, respectively.
* In conformity with [Rule 12.2](https://ich.unesco.org/en/rules-com#Rule12) of the Rules of Procedure of the Committee, the provisional timetable of the Committee is adopted by the Bureau of the Committee and is presented at an information and exchange session on the same day that the Bureau adopts it (every year in October).
* While hyperlinks are widely used in the working and information documents of the governing bodies of the 2003 Convention as well as on the dedicated webpages of their meetings, their use in the provisional agenda is not advised because any revision of or addendum to a document would change the URL of the document. A hyperlink linked to an old version of the document may lead to confusion.
 |
| 1. Open-ended informal consultations on draft decisions to promote inclusive and effective decision-making.

**Action required by States Parties** | * Responsibility for the implementation of this recommendation lies with States Parties.
 |
| 1. It is recommended that the Rules of Procedure of the IIBs be amended, when relevant, to advance the deadline for submission of candidatures to their subsidiary bodies from 48 hours to seven days before elections.

**Action proposed** | * [Rule 14.4](https://ich.unesco.org/en/rules-ga#Rule14) of the Rules of Procedure of the General Assembly states that ‘[t]he list of candidatures shall be finalized three working days prior to the opening of the General Assembly. No candidature will be accepted in the three working days preceding the opening of the Assembly.’
* In addition, according to [Rule 14.3](https://ich.unesco.org/en/rules-ga#Rule14), ‘[n]o 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.’
* The General Assembly may decide to amend its Rules of Procedure or to continue with the current practice.
 |
| **Harmonization (role of Bureaus, transparency)** |
| 1. The role, composition and procedures of Bureaus and their members should be clarified and harmonized through codification in rules of procedure/ statutes or development of general guidelines for all IIBs, in close cooperation with the Secretariat.

**Action proposed** | * While [Rule 12](https://ich.unesco.org/en/rules-com#Rule12) of the Rules of Procedure of the Committee defines the role of the Bureau of the Committee, the Role of the Bureau of the General Assembly is not described in the Assembly’s Rules of Procedure. Neither the Rules of Procedure of the Committee nor those of the General Assembly specify in detail the composition of their respective Bureaus.
* The General Assembly may decide to amend its Rules of Procedure to specify the role and composition of its Bureau or continue with the current practice.
* The Committee may decide to amended its Rules of Procedure to specify the composition of its Bureau or continue with the current practice.
 |
| 1. It is suggested that Bureaus’ composition be set, as much as compatible with individual IIBs’ mandates, at a maximum of six members (Chair, Rapporteur, and four Vice-Presidents from the six Electoral Groups).

**Action proposed** | * In practice, for both the General Assembly and the Committee, the composition of the Bureau is set at a maximum of seven members (Chair, Rapporteur, and four or five Vice-Presidents). However, neither the Rules of Procedure of the Committee nor those of the General Assembly specify in detail the composition of their respective Bureaus.
* See recommendation 66.
 |
| 1. The intergovernmental nature of Bureaus should be reaffirmed while maintaining expert engagement. In this regard, the attached guidelines on responsibilities of Bureau members are recommended for dissemination to all Governing Bodies and IIBs ([appendix 2](http://unesdoc.unesco.org/images/0025/002590/259081e.pdf#page=25)).

**Action required by States Parties** | * By its [Decision 12.COM 16](https://ich.unesco.org/en/Decisions/12.COM/16), the Committee invited the Bureau to conduct its work in accordance with the Guidelines on the responsibilities of representatives of Electoral Groups in the Bureaus.
 |
| 1. Documents related to Bureau meetings should appear online before meetings take place; outcomes, including reports of Bureau meetings, should be communicated to all members, and as appropriate, all Permanent Delegations, in a timely manner.

**Closed(Good practice)** | * In practice, working and information documents for meetings of the Bureau of the Committee are published online at least two weeks prior to the date of each meeting. The Secretariat informs Bureau members by email on the day of publication.
* Immediately after each Bureau meeting, the Secretariat systematically publishes the decisions taken by the Bureau online. In light of this recommendation, the Secretariat started in 2018 to disseminate by email to all States Parties of the Convention the decisions of the Bureau.
 |
| 1. Elections of Bureaus should be held, as much as possible, soon after elections for seats on the IIBs conducted at the General Conference, to avoid having Bureau members from Member States, which are no longer members of the IIBs concerned.

**Closed** | * The General Assembly elects the Bureau members at the beginning of each session.
* The Committee elects the Bureau members at the end of each ordinary session; they then remain in office until the end of the next session ([Rule 13](https://ich.unesco.org/en/rules-com#Rule13)).
 |
| 1. As much as feasible, Bureau meetings should be open to observers and working methods made more transparent.

**Action proposed** | * There is no relevant rule in the Rules of Procedure of the General Assembly. However, in practice, the meetings of the Bureau of the General Assembly are open to observers. The General Assembly may decide to amend its Rules of Procedure to reflect this recommendation or continue with the current practice.
* According to [Rule 12.4](https://ich.unesco.org/en/rules-com#Rule12) of the Rules of Procedure of the Committee, ‘[t]he meetings of the Bureau of the Committee shall be open to Committee Members and States Parties as observers, unless decided otherwise by the Bureau. Observers may address the Bureau only with the prior consent of the Chairperson.’
 |
| 73. Gender-neutral language be adopted throughout all UNESCO documents.**Action proposed** | * Not all sections of the Basic Texts of the Convention use gender-neutral language. Therefore, the texts may be revised in this sense for the publication of the 2018 edition.
 |
| **Alignment with overarching priorities of UNESCO** |
| 1. Orientation sessions for new members of all IIBs, especially for Chairpersons and Bureau members, should be institutionalized and include introduction to the C/4 and C/5 frameworks. To that end, a short user-friendly guidebook including good practices and acronyms could be produced to familiarize members with working methods and C/4 and C/5 mechanisms.

**Ongoing** | * With regard to the General Assembly, the Secretariat sends a welcome letter to each new State Party to the Convention, which draws their attention to the Basic Texts of the Convention and gives them the contact details of the officer designated to support them. The Chairperson is elected at the opening of each Session and therefore cannot receive an introduction in advance.
* Regarding the Committee, during a preparatory mission to the Host Country (in March/April each year) the Secretary has face-to-face discussions with the Chairperson on agenda items, the role of the Chairperson, the Rules of Procedure of the Committee and the working methods.
* For States Members of the Committee, an orientation session is organized on the eve of the opening of the Committee session every even year when new Committee members are elected. Furthermore, an information and exchange session concerning the following Committee session is organized each year in October. To enable Committee Members to understand their tasks and responsibilities early after their election, the Secretariat may share relevant briefing documentation with new Committee members.
 |
| **Coherence, coordination and synergies** |
| 1. Use of languages for inclusivity and effectiveness remains an important objective.

**Closed** | * The working languages of the General Assembly are Arabic, Chinese, English, French, Russian and Spanish ([Rule 10.1](https://ich.unesco.org/en/rules-ga#Rule10)). ‘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 10.3](https://ich.unesco.org/en/rules-ga#Rule10)).
* The working languages of the Committee are English and French. [Rule 41.1](https://ich.unesco.org/en/rules-com#Rule41) stipulates that ‘[e]very effort shall be made, including through extrabudgetary funding, to facilitate the use of the other official languages of the United Nations as working languages.’ States Parties are reminded, before each session of the Committee, that interpretation in additional languages would be offered if extrabudgetary funding could be secured.
 |
| 1. IIBs and their Secretariats are requested to enhance coordination in scheduling of meetings to avoid overlap.

**Closed** | * The Partnerships, Communication, Meetings Unit (formerly the Conventions Common Services Unit) of the Culture Sector ensures that there is no overlap between the meetings of the six cultural conventions.
 |
| **E. Specific recommendations for all the UNESCO Conventions** |
| **Cultural Conventions** |
| 94. A more balanced approach in terms of equitable financial and human resource allocation for all cultural conventions was called for, considering their importance to the mandate of UNESCO. All cultural conventions are in need of additional resources to fulfill their objectives fully.**Action required by States Parties** | * The implementation of this recommendation is the direct responsibility of States Parties. However, the Secretariat has demonstrated the need to enhance the human resources of the Secretariat for the implementation of the International Assistance mechanisms of the Fund, including their effective monitoring (see [document ITH/17/12.COM/7](https://ich.unesco.org/doc/src/ITH-17-12.COM-7-EN.docx)). In response, the Committee recommended that the General Assembly approve the creation of three new extra-budgetary fixed-term posts ([Decision 12.COM 7](https://ich.unesco.org/en/Decisions/12.COM/7)).
 |
| 96. Governing Bodies of the Conventions, through broad consultations, are invited to further explore, as appropriate, harmonization of rules of procedure and coherence in decision-making procedures, taking into account their respective mandates and specificities. They can consider best practices from the environmental treaties/UNEP to further develop synergies in organizational matters, information-sharing, and cost-efficiency.**Action proposed** | * By its [Resolution 6.GA 11](https://ich.unesco.org/en/Resolutions/6.GA/11), the General Assembly invited States Parties to propose modifications to its Rules of Procedure to improve coherence in the rules of procedure of the different organs of the UNESCO cultural conventions. An agenda item to present the proposals received is inscribed on the agenda of the present session of the General Assembly (see document [ITH/18/7.GA/13](https://ich.unesco.org/doc/src/ITH-18-7.GA-13-EN.docx)).
 |
| 97. Meetings of the Chairpersons of the Committees of the Cultural Conventions can be more interactive and action-oriented. Chairpersons should work strategically together to address common themes and challenges and consider shared responses and cooperation.**Action proposed**  | * The implementation of this recommendation needs to be undertaken at the level of the Culture Sector.
* The Cultural Conventions Liaison Group, comprising the Secretaries of the six cultural conventions and senior management of the Culture Sector, meets regularly to share information. Sub-groups on different topics (periodic reports, International Assistance, etc.) also share resources and methodologies.
 |
| 1. Transparency and accountability measures can be enhanced, such as dissemination of minutes/ key results of Bureau meetings.

**Closed(Good practice)** | * See recommendation 69.
 |
| 1. Capacity-building and common training on all cultural conventions should be strengthened.

**Ongoing(Good practice)** | * Through the global capacity-building programme that the Secretariat initiated in 2009, a set of capacity-building materials has been developed, covering topics such as UNESCO and its conventions on culture and heritage, with a comparison between the 2003, the 1972 and the 2005 Conventions.
* However, these materials have not been updated since 2015 due to budget constraints. It is important to note that the implementation of the global capacity-building programme of the 2003 Convention is highly dependent on the budget allocated for ‘other functions of the Committee’ from the Intangible Cultural Heritage Fund, as well as voluntary supplementary contributions and Funds-In-Trust.
 |
| 1. Governing bodies of Conventions and their Secretariats are encouraged to develop appropriate ratification strategies.

**Closed** | * The work accomplished by the Secretariat is bearing fruit; this includes, for example, the development of capacity-building materials on ratifications, and the organization of workshops on this topic, as well as the support provided by the Regional Officers in the Intangible Cultural Heritage Section to States which were not parties to the Convention. With 177 States Parties at the time of the writing, the 2003 Convention is approaching universal ratification.
 |
| **Convention for the Safeguarding of the Intangible Cultural Heritage (2003)** |
| 107. Need to strengthen decision-making procedures and credibility of Committee, taking due note of Ad Hoc Working Group established to address these issues.**Action required by States Parties** | * See recommendation 60.
 |

1. . Administration and general questions, programme support and external relations Commission of the General Conference. [↑](#footnote-ref-1)
2. . For the full recommendation including Part 1 which concerns governing bodies of UNESCO (General Conference and Executive Board), see the Documents 39 C/20 (<http://unesdoc.unesco.org/images/0025/002590/259081e.pdf>) and 39 C/70 (<http://unesdoc.unesco.org/images/0026/002600/260089E.pdf>) [↑](#footnote-ref-2)