Unit 12

International cooperation
and assistance

This unit deals with two main topics: international cooperation to safeguard intangible cultural heritage, and International Assistance that can be provided to States Parties from the Intangible Cultural Heritage (ICH) Fund. The unit includes:

* International cooperation
* Shared heritage and its safeguarding
* The ICH Fund
* International Assistance
* Procedures and timetables for assistance requests
* Evaluation criteria for assistance requests

Relevant entries in Participant’s text Unit 3 include: ‘Evaluation Body’, ‘International, regional, subregional, local’, ‘International Assistance’ and ‘International cooperation’.

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12.1 INTERNATIONAL COOPERATION

The Preamble to the Convention for the Safeguarding of the Intangible Cultural Heritage[[1]](#footnote-2) considers that there exists ‘the universal will and the common concern to safeguard the intangible cultural heritage of humanity’. Consequently, the Preamble continues, ‘the international community should contribute, together with the States Parties to this Convention, to the safeguarding of such heritage in a spirit of cooperation and mutual assistance’. One of the four purposes of the Convention set out in Article 1 is ‘to provide for international cooperation and assistance’. Chapter V of the Convention, Articles 19-24, is devoted to such international cooperation and assistance.

#### What does international cooperation involve?

The Convention’s drafters rejected the notion that intangible cultural heritage is the common property of all humankind, emphasizing instead that it belongs to specific communities, groups and, in some cases, individuals. But; by no means does this suggest that people should be interested only in their own heritage and not in that of others. Rather, when States Parties ratify the Convention they ‘recognize that the safeguarding of intangible cultural heritage is of general interest to humanity, and to that end undertake to cooperate at the bilateral, subregional, regional and international levels’ (Article 19.2).

As an international treaty among States that agree to act together for a common purpose, the Convention itself is the first example of such cooperation. Without shared efforts and joint actions, the Convention would simply be a collection of inspiring declarations and obligations for its States Parties. Indeed, international cooperation underlies the Convention’s own governance (Chapter II, Articles 4-10) and its international safeguarding mechanisms (Chapter IV, Articles 16-18).

The drafters also knew that another very tangible form that international cooperation could take would be a system to provide assistance – including financial assistance – to States Parties to support their own safeguarding efforts. Chapter V (Articles 19-24) is devoted to such cooperation. Article 19.1 provides a definition, like those in Article 2, to explain what is understood by ‘international cooperation’:

For the purpose of this Convention, international cooperation includes, *inter alia,* the exchange of information and experience, joint initiatives, and the establishment of a mechanism of assistance to States Parties in their efforts to safeguard the intangible cultural heritage.

Let us look at each of these in turn.

**Exchange of information and experience**

How do the Convention and Operational Directives (ODs) encourage States Parties to share information and experience? One of the Convention’s three international safeguarding mechanisms – the Register of Good Safeguarding Practices described in Article 18 – is dedicated precisely to such sharing. A State Party that believes its own experience with safeguarding could be interesting and useful to others may propose one of its programmes for inclusion in the Register. The purpose of such inclusion is not simply to recognize or celebrate an effective programme, but more importantly so that the Committee can disseminate good practices and other States and communities may learn from them (see ODs 42-46).

In the reports that States Parties must submit every six years to the Committee about the measures undertaken by them for the implementation of the Convention, they can also share their experience widely: not only their good practices, but also the challenges or even failures that may be encountered by other States as well.

The ODs, furthermore, encourage States Parties to share documentation concerning an element of intangible cultural heritage present on the territory of another State Party with that other State (OD 87).

**Joint initiatives**

Two or more States can also cooperate on joint safeguarding initiatives. This is particularly important when the same or similar heritage is found in both countries or when a single community is found on both sides of a border. The ODs suggest that States Parties ‘develop together, at the subregional and regional levels, networks of communities, experts, centres of expertise and research institutes to develop joint approaches, particularly concerning the elements of intangible cultural heritage they have in common’ (OD 86).

States Parties are also encouraged to pursue joint initiatives in the context of UNESCO’s network of category 2 centres (see OD 88). Such centres are established and funded by one Member State and intended to serve as international or regional centres and poles of expertise or excellence to provide technical assistance and services to other Member States. A category 2 centre can provide an institutional framework for joint safeguarding initiatives, capacity-building programmes and information sharing.

In the periodic reports mentioned above, States Parties are explicitly requested to report about measures taken at the international level and joint initiatives with other States Parties (OD 156).

**A mechanism of assistance**

Much of Chapter V (and of this unit) concerns the Convention’s ‘mechanism of assistance’. If international cooperation is indeed central to the Convention’s purposes, it should not simply be left up to ad hoc, bilateral arrangements between States Parties. The Convention itself therefore provides formal opportunities for States Parties in need of International Assistance to receive it. Chapter V thus describes the purposes of this mechanism (Article 20), the forms such assistance can take (Article 21), the conditions governing it (Article 22), how it can be requested (Article 23) and the role of the beneficiary State Party (Article 24). But before plunging into that mechanism further, let’s step back for a moment.

#### Why international cooperation?

As an intergovernmental organization, UNESCO promotes international cooperation to contribute to peace and mutual understanding. In addition to this larger mandate, there are also more practical arguments for international cooperation to develop methodologies and share examples of good practices in the field of intangible heritage safeguarding and management. States Parties can benefit from assisting each other (especially at the regional and subregional levels), providing expertise and information, and sharing experiences about safeguarding ICH. This can make their own safeguarding activities more targeted and more cost-effective, contributing not only to the safeguarding of shared ICH, but of the ICH in general in the countries concerned. Joining forces may allow various players to share experiences, discover new ways of going about safeguarding and work in a cost-efficient way, for instance in the fields of capacity building and documentation or research. Moreover, this cooperation can foster mutual understanding and solidarity among countries and communities across borders. All of these practical advantages of international cooperation give substance to the Convention’s aspirations.

12.2 SHARED OR CROSS-BORDER heritage and its safeguarding

The expressions, practices and phenomena of intangible cultural heritage are frequently not restricted to the territory of a single State Party – we then speak of cross-border or shared heritage. Because intangible heritage is linked to people, it is found wherever they are found and it travels with them if they move. Communities have often been divided by borders based not on culture but on geography or geopolitics – the unwilling victims or beneficiaries of arbitrary geographic features or distant political arrangements. People also move around all the time, whether voluntarily or involuntarily, nowadays mostly as migrants, refugees or tourists. Intangible cultural heritage is thus frequently shared across borders and, with communities of migrants, may be shared between countries that are more distant. ICH can also be transmitted from one community to another, within or between countries.

The Convention’s Preamble speaks of ‘the invaluable role of the intangible cultural heritage as a factor in bringing human beings closer together and ensuring exchange and understanding among them’. If this is true of heritage as a whole, it is also particularly true of those expressions and practices that are shared among communities or countries. When people recognize that others enjoy the same or similar music or dance, practise the same craftsmanship, or possess similar knowledge of nature and the universe, this can convey a powerful message of shared humanity.

Shared intangible heritage – and the associated communities – may benefit from being inventoried and safeguarded jointly by the countries concerned and through collaboration between all the communities or groups concerned, wherever they live. This approach may foster cooperation and understanding across borders between States and communities not only in the cultural domain, but also in others. But there are also many examples where the claims of one community or one country for exclusive ‘ownership’ of heritage create misunderstanding, competition or even conflict. It is desirable that a community takes pride in its heritage, but it is regrettable if it loses sight of the fact that other communities also practise the same or similar heritage. In those circumstances, the Convention’s goal of bringing human beings together and ensuring mutual respect is endangered.

In order to promote cooperation and reduce competition, the Convention and ODs thus encourage multi-national nominations, projects and assistance requests concerning cross-border heritage and give priority to them where possible (ODs 10(a), 13-19 and 34).

#### MULTI-NATIONAL NOMINATIONS

States Parties are encouraged to submit multi-national nominations for shared elements to the Lists of the Convention when an element is found on the territory of more than one State Party (OD 13). The ODs also welcome multi-national proposals to the Register of Good Safeguarding Practices (OD 14) and joint requests for International Assistance (OD 15).

The General Assembly and the Committee actively promote such nominations, notably through OD 34 that sets out the order of priorities in the examination of files by the Committee. Multi-national files have the second highest priority, after files from States having no elements inscribed, good safeguarding practices selected or requests for International Assistance greater than US$100,000 approved and nominations to the List of Intangible Cultural Heritage in Need of Urgent Safeguarding (OD 34).

A key test of a good multi-national nomination is whether all of the communities concerned recognize a unified element and consider that it provides them a shared sense of identity and continuity. Even if several communities practise similar expressions, there may be nothing binding them together as a single element with which a single large community or group identifies. And the members of the different communities may not recognize one another as sharing a common element. Expressions or practices that appear similar may have vastly different meanings from one group to another, and their social functions within each group may have nothing in common. The Convention’s larger goal of raising awareness of the importance of intangible cultural heritage should not mislead States Parties to invent artificial elements that may seem to share a superficial resemblance but are not in fact a single shared phenomenon, practised by and important to a single community.

The ODs also provide a procedure for enlarging the scope of an element that is already inscribed on one of the Lists of the Convention (ODs 16-19). This may be through extending the inscription to other communities within the original State or through cooperation with one or more other States where the element is found. For instance, an ICH element that is shared between a State Party and a State that is not yet party to the Convention can be nominated by the State Party concerned. Once the other State ratifies the Convention, the two States can together propose a new, extended inscription of the shared element (OD 16).

Such an extended nomination is not simply an administrative exercise: all of the communities concerned – both those that were involved with the previous nomination and those newly involved – must clearly demonstrate their free, prior and informed consent to the new, shared nomination. And the opposite case may also arise: one or more communities may wish to be excluded from the scope of an element already inscribed, whether it was inscribed on a national or multi-national basis, and their wishes must be respected (OD 17). For instance, a community may find that the expanded visibility and popularity resulting from inscription interferes with its own enjoyment of that heritage, or it may decide that the specificities of its own method of practising an expression should not be hidden or lost within a more inclusive inscription.

At its seventh session (Paris, 2012), the Committee adopted an information-sharing mechanism through which States Parties can announce their intentions to nominate elements and other States Parties may learn of opportunities for cooperation in elaborating multi-national nominations.

12.3 The Intangible Cultural Heritage Fund

The Intangible Cultural Heritage Fund (ICH Fund), established by Article 25 of the Convention, supports the safeguarding of ICH through various means, including by providing International Assistance and supporting the work of the Committee. There are two main sources of income for the Fund:

* Article 26.1 of the Convention requires States Parties to pay a contribution to the Fund at least every two years (these are called assessed contributions). The General Assembly has fixed that contribution at one per cent of the State Party’s contribution to UNESCO over the same period, which means that a steady source of revenue for safeguarding ICH is ensured.
* States Parties and other agents may make voluntary supplementary contributions to the Fund (Article 27; ODs 68-75). The Secretariat publishes an updated list of States Parties, in alphabetical order, that have made supplementary voluntary contributions to the Fund, as well as of States other than States Parties that have made contributions to the Fund. Examples for the use of voluntary supplementary contributions include expert meetings, open-ended working groups on issues of concern to the Committee and capacity-building projects.

Each time it meets, the General Assembly adopts a plan for the use of the resources of the Fund, recommended to it by the Committee. The ODs provide that the largest part of the Fund should be used for International Assistance, but the remainder may also be used to help the Committee carry out its other functions. For instance, the Fund supports participation in Committee meetings by experts representing developing countries and NGO representatives; pays the costs of the expert evaluation of nominations, proposals and requests; and provides funding for other functions of the Committee within the scope of the functions detailed in Article 7 of the Convention.

12.4 INTERNATIONAL ASSISTANCE

The ‘mechanism of assistance to States Parties in their efforts to safeguard the intangible cultural heritage’ that is described in Article 19.1 of the Convention is known more simply as ‘International Assistance’, and the Convention devotes Articles 20-24 to describing it in greater detail. The procedures, criteria and timetable for a State Party to request such assistance are spelled out in Chapter I of the ODs, where they are treated together with nominations to the Lists and proposals to the Register of Good Safeguarding Practices.

#### Purposes of International Assistance

According to **Article 20** of the Convention, the Committee may grant International Assistance to support the following activities:

* safeguarding of heritage inscribed on the USL;
* preparation of inventories;
* support for programmes, projects and activities aimed at safeguarding ICH at the national, subregional and regional levels; and
* any other purposes the Committee may deem necessary.

The ODs (OD 9) explain that the Committee will give priority to the first three, as well as to preparatory assistance (i.e. for preparing nomination files for the USL and proposals for the Register).

States Parties may, for example, request financial assistance for safeguarding projects contained in nominations proposed to the USL – if the element is inscribed, such requests then have high priority (OD 9(a)). Beginning with the 2016 cycle, the Secretariat introduced a combined ICH-01bis form by which a State Party may simultaneously nominate an element for inscription on the Urgent Safeguarding List and request International Assistance. Funding may, of course, also be requested for safeguarding ICH that is in need of safeguarding, even if no specific element is inscribed on a List of the Convention (OD 9(c)). Safeguarding measures for elements inscribed on the RL do not receive special priority for International Assistance, as they are typically viable and healthy.

#### Forms of International Assistance

**Article 21** of the Convention provides that International Assistance may take a number of different forms:

1. studies concerning various aspects of safeguarding;
2. the provision of experts and practitioners;
3. the training of all necessary staff;
4. the elaboration of standard-setting and other measures;
5. the creation and operation of infrastructures;
6. the supply of equipment and know-how;
7. other forms of financial and technical assistance, including, where appropriate, the granting of low-interest loans and donations.

In most cases, a State Party requests financial assistance from the Intangible Cultural Heritage Fund that it then uses to acquire such goods and services. But a State Party may prefer to receive direct assistance (in the forms described in (a) through (f) above), rather than receiving funds that it would have to manage and spend. Each State Party determines whether it prefers to receive assistance in the form of services or in the form of money; each approach may have certain advantages. Regardless of whether a State Party receives financial assistance or receives services and technical assistance, the assistance is funded by the ICH Fund. In either case, a request must come from the State Party and assistance can only be granted by the Committee (or its Bureau) through a decision referring to that specific request.

12.5 Procedures for requesting and granting ASSISTANCE

The Committee may grant assistance to a State Party for various activities under the Convention, including safeguarding, the preparation of inventories and capacity building. Any State Party may submit a request for such assistance. Only States Parties may apply for International Assistance, not individuals, communities or institutions. Joint applications from two or more States Parties are welcomed (OD 15).

#### Three categories of assistance requests

Assistance requests are treated differently depending on the amount requested and whether the request concerns regular or emergency assistance. The requests are divided into three categories:

* regular assistance greater than US$100,000;
* regular assistance up to US$100,000; and
* emergency assistance (of any amount).

These categories are subject to different deadlines and different evaluation procedures (see below).

 Article 22.2 of the Convention provides that ‘In emergencies, requests for assistance shall be examined by the Committee as a matter of priority.’ Such requests are not subject to the normal annual deadline for requests greater than US$100,000 and are examined by the Bureau of the Committee. To assist submitting States and the Secretariat to distinguish which requests are eligible for such expedited processing, the ODs provide a clear definition of emergencies: ‘an emergency shall be considered to exist when a State Party finds itself unable to overcome on its own any circumstance due to calamity, natural disaster, armed conflict, serious epidemic or any other natural or human event that has severe consequences for the intangible cultural heritage as well as communities, groups and, if applicable, individuals who are the bearers of that heritage’ (OD 50).

#### Forms and deadlines

Form ICH-04 is used for requesting International Assistance for all activities other than preparing a USL nomination file or good practices proposal (see below), so all three categories of requests mentioned above use the same form. The Committee also asked the Secretariat to introduce an experimental ICH-01bis form. With this form, a State Party may simultaneously nominate an element for inscription on the Urgent Safeguarding List and request International Assistance. That form is subject to the same deadlines and procedures as the ICH-04 form for regular assistance for requests greater than US$100,000.

States Parties are required to submit regular International Assistance requests greater than US$100,000 to the Secretariat by 31 March. Other types of requests, i.e. emergency requests of any amount and other requests up to US$100,000, may be submitted at any time (ODs 20-25).

All of the forms can be downloaded from the website of the Convention, together with instructions and an Aide-mémoire compiling the relevant decisions of the Committee and recommendations of the evaluation bodies. The forms are regularly updated.

#### allowable expenses and cost-sharing

There are no specific guidelines on what kinds of budget line items are permitted in International Assistance requests – each project is assessed on its own merits, as long as the forms of assistance correspond to Article 21. For example, expenditures for personnel, equipment, transport and materials are all permitted, as long as they are priced at a level the Committee considers reasonable, they are relevant and the amounts are appropriate. Budgets should be detailed enough to enable readers to understand clearly the basis for arriving at a particular sum, and to permit assessment and tracking of expenditures later. It is difficult to change budget line items after funding has been granted and contracts drawn up, so it is important to ensure that budgets are likely to remain appropriate as the project progresses.

International Assistance is supplementary to national efforts for safeguarding (OD 8). Article 24.2 of the Convention requires that ‘As a general rule, the beneficiary State Party shall, within the limits of its resources, share the cost of the safeguarding measures for which International Assistance is provided.’ No strict minimum has been established as to what share of the overall budget should be provided by the State, but if the project budget does not include a State contribution in some form, it cannot be approved.

#### Examination of requests

Requests greater than US$100,000 are evaluated by the Evaluation Body (established annually by the Committee and which also evaluates nominations to the USL and RL and proposals for the Register of Good Safeguarding Practices), before final examination and decision by the Committee (ODs 26-37). After the deadline of 31 March, this whole process takes more than eighteen months (see the timetable in ODs 54-56). After submission, the Secretariat may ask the States Parties concerned for additional information if needed to complete the request. At the beginning of the following year, the requests are submitted to the Evaluation Body for evaluation, and it is only after their recommendation that the Committee can examine the request and make a positive or negative decision or to refer the request to the submitting state(s).

All requests up to US$100,000 as well as emergency requests are examined and the outcome decided by the Bureau of the Committee (OD 49-50). Whereas the Committee meets once a year, its Bureau can meet more frequently between the sessions of the Committee and is authorized to take decisions through electronic consultations. Therefore, the examination process for emergency requests, as well as for those up to US$100,000, can be shorter than the process for evaluating requests greater than US$100,000.

12.6 CRITERIA FOR granting INTERNATIONAL ASSISTANCE

When assessing whether a request ought to be granted funds, the Evaluation Body, Bureau and Committee base their conclusions on seven criteria set out in OD 12 as well as several additional considerations described in OD 10. The Aide-mémoire for completing a request for International Assistance discusses all of these criteria in detail. The formal evaluation criteria in OD 12 are:

A.1 The community, group and/or individuals concerned participated in the preparation of the request and will be involved in the implementation of the proposed activities, and in their evaluation and follow-up as broadly as possible.

A.2 The amount of assistance requested is appropriate.

A.3 The proposed activities are well conceived and feasible.

A.4 The project may have lasting results.

A.5 The beneficiary State Party shares the cost of the activities for which International Assistance is provided, within the limits of its resources.

A.6 The assistance aims at building up or reinforcing capacities in the field of safeguarding intangible cultural heritage.

A.7 The beneficiary State Party has implemented previously financed activities, if any, in line with all regulations and any conditions applied thereto.

Other important factors also enter into the decision whether or not to fund a particular request. OD 10 provides that ‘the Committee shall take into account the principle of equitable geographical distribution and the special needs of developing countries.’ This consideration would enter into play if there are more strong requests than the amount of funds available and the Committee is obliged to prioritize among several eligible requests. OD 10 also provides that the Committee may take into account whether:

(a) the request implies cooperation at the bilateral, regional or international levels; and/or

(b) the assistance may have a multiplier effect and may stimulate financial and technical contributions from other sources.

These criteria and considerations for granting International Assistance function differently than those for inscription on the USL or RL. The inscription criteria for the lists are all mandatory: a nomination that fails to demonstrate that all of the criteria are satisfied cannot be accepted. When evaluating or examining International Assistance requests, however, the Evaluation Body, Bureau and Committee may determine that a particular criterion does not apply directly to a given case, or that the overall strength of the request outweighs any small weaknesses. States Parties should not assume that any criterion is purely optional – the Committee is obliged to take them all into account, even if it may weigh different criteria differently from one situation to another. In particular, since several of the criteria reiterate conditions set out in the Convention itself such as the requirement for cost-sharing, the Committee may not simply waive one or another. States Parties are accordingly advised to take every criterion seriously and not to assume that the Committee’s generosity will lead it to grant a request that has important weaknesses.

12.7 FINANCIAL ASSISTANCE FOR PREPARING NOMINATION FILES

States Parties may request assistance from the ICH Fund for developing nominations for the USL using form ICH-05, and for the Register of Good Safeguarding Practices using form ICH-06. No assistance can be provided for the preparation of nomination files to the RL.

Possible activities to be funded through preparatory financial assistance for nominations to the USL include: the preparation of required audiovisual material for the nomination file; the provision of expert assistance or translation services; and the organization of community consultations. Possible activities to be funded through preparatory financial assistance for proposals to the Register include conducting an evaluation of the project and translation costs. States Parties cannot use preparatory assistance to implement the proposed project or programme. In both cases, no fixed amounts are determined for the assistance.

The deadline for submission of preparatory assistance requests is 31 March every year. The assistance requests are examined by the Bureau of the Committee in the following months. The first deadline for nomination files prepared with such assistance, however, is 31 March of the following year, which means that there will be at least thirty months between the deadline of the submission of the request for preparatory assistance and the time that the Committee examines the resulting nomination file itself.

The UNESCO Secretariat cannot provide technical assistance for the development of specific nomination files, and no costs associated with the travel and expenditures of UNESCO personnel can be included in a preparatory assistance request.

1. 1. Frequently referred to as the Intangible Cultural Heritage Convention and, for the purpose of this Unit, simply the Convention. [↑](#footnote-ref-2)