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UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION

INTERGOVERNMENTAL COMMITTEE FOR THE SAFEGUARDING OF THE INTANGIBLE CULTURAL HERITAGE

**First session
Algiers, Algeria, 18-19 November 2006**

Item 2 of the provisional agenda: Adoption of the Rules of Procedure

Summary

The Intergovernmental Committee for the Safeguarding of the Intangible Cultural Heritage is required under Article 8.2 of the Convention to adopt its Rules of Procedure. This document contains the provisional Rules of Procedure and a draft decision on the adoption thereof. Article 8.2 of the Convention provides that the Rules of Procedure shall be adopted by a two-thirds majority of the Members of the Committee.

Proposed decision: paragraph 3

1. Pursuant to Article 8.2 of the *Convention for the Safeguarding of the Intangible Cultural Heritage*, the Intergovernmental Committee for the Safeguarding of the Intangible Cultural Heritage is required to adopt its Rules of Procedure by a two-thirds majority of its Members. This document proposes the Committee's provisional Rules of Procedure and a draft decision on the adoption thereof.

2. Provisional Rules of Procedure:

Provisional Rules of Procedure

I. MEMBERSHIP

Rule 1 The Intergovernmental Committee for the Safeguarding of the Intangible Cultural Heritage (Article 5 of the Convention)

The Intergovernmental Committee for the Safeguarding of the Intangible Cultural Heritage, known as the "Intangible Heritage Committee" and hereinafter referred to as the "Committee", is composed of the States Parties to the Convention elected in accordance with Article 5 of the *Convention for the Safeguarding of the Intangible Cultural Heritage*, hereinafter referred to as the "Convention".

II. SESSIONS

Rule 2 Ordinary and extraordinary sessions

- 2.1 The Committee shall meet at least once a year in ordinary session.
- 2.2 The Committee shall meet in extraordinary session at the request of at least two thirds of the States Members.

Rule 3 Convocation

- 3.1 Sessions of the Committee shall be convened by the Chairperson of the Committee, hereinafter referred to as "the Chairperson", in consultation with the Director-General of UNESCO, hereinafter referred to as "the Director-General".¹
- 3.2 The Director-General shall inform the States Members of the Committee of the date, place and provisional agenda of each session, not fewer than sixty days in advance in the case of an ordinary session and, if possible, not fewer than thirty days in advance in the case of an extraordinary session.
- 3.3 The Director-General shall, at the same time, inform the States, organizations and individuals mentioned in Rules 6, 7 and 8 of the date, place and provisional agenda of each session.

¹ All the terms used in these Rules to designate the person discharging duties, mandates or functions shall be interpreted as implying that men and women are equally eligible to fill any post or seat associated with the discharge thereof.

Rule 4 Date and place of the session

- 4.1 The Committee shall determine at each session, in consultation with the Director-General, the date and place of the next session. The Bureau may, if necessary, modify the date and/or place, in consultation with the Director-General.
- 4.2 Any State Member of the Committee may invite the Committee to hold an ordinary session in its territory.
- 4.3 In determining the place of the next ordinary session, the Committee shall give due regard to the need to ensure an equitable rotation among the different regions of the world.

III. PARTICIPANTS

Rule 5 Delegations

- 5.1 Each State Member of the Committee shall be represented by one delegate, who may be assisted by alternates, advisers and experts.
- 5.2 States Members of the Committee shall choose as their representatives persons who are qualified in the various fields of the intangible cultural heritage (Article 6.7 of the Convention).
- 5.3 States Members of the Committee shall transmit to the Secretariat in writing the names, designations and qualifications of their representatives.
- 5.4 In order to ensure a fair representation within the Committee of the various geographical areas, the Committee shall allocate in its budget a sum intended to cover the cost of participation, in its sessions and in meetings of its Bureau, of representatives of developing States Members, but only for persons who are experts in intangible cultural heritage. If the budget allows, developing countries that are parties to the Convention but not members of the Committee may also receive assistance; such assistance shall be granted to experts in intangible cultural heritage only.
- 5.5 Requests for assistance to participate in Bureau and Committee meetings should reach the Secretariat at least four weeks before the session concerned. Such requests shall be considered within the limits of available resources, as decided by the Committee, in increasing order of GNP per capita of each State Member of the Committee. As a rule, the Intangible Cultural Heritage Fund shall not finance more than one representative per State.

Rule 6 Organizations acting in an advisory capacity to the Committee

Non-governmental organizations with recognized competence, which have been accredited for this purpose by the General Assembly in accordance with the criteria that it has established

(Article 9.1 of the Convention), may attend the meetings of the Committee in an advisory capacity.

Rule 7 Invitations for consultation

The Committee may at any time invite to its sessions any public or private bodies, as well as private persons, with recognized competence in the various fields of the intangible cultural heritage, in order to consult them on specific matters (Article 8.4 of the Convention).

Rule 8 Observers

- 8.1 States Parties to the Convention which are not Members of the Committee may attend its sessions as observers.
- 8.2 States not party to the Convention which are Member States of UNESCO or of the United Nations may, upon written request, also be authorized by the Committee to attend the sessions of the Committee and its Bureau as observers.
- 8.3 The Committee may authorize the United Nations and organizations of the United Nations system, as well as, upon written request, other international governmental and non-governmental organizations, permanent observer missions to UNESCO and non-profit-making institutions active in the fields covered by the Convention, to attend its sessions as observers.
- 8.4 The Director-General may provisionally invite any organization referred to in Rule 8.3, subject to confirmation by the Committee, to attend its sessions as observers.

IV. AGENDA

Rule 9 Provisional agenda

- 9.1 The Director-General shall prepare the provisional agenda of the sessions of the Committee (Article 10.2 of the Convention).
- 9.2 The provisional agenda of an ordinary session of the Committee shall include:
 - (a) all questions that the Committee, at previous sessions, has decided to place thereon;
 - (b) all questions proposed by States Members of the Committee;
 - (c) all questions proposed by States Parties to the Convention which are not Members of the Committee;
 - (d) all questions proposed by the Director-General.
- 9.3 The provisional agenda of an extraordinary session shall include only those questions for the consideration of which the session has been convened.

Rule 10 Adoption of the agenda

The Committee shall adopt at the beginning of each session its

agenda for that session.

Rule 11 Amendments, deletions and new items

The Committee may amend, delete or add items to the agenda so adopted if so decided by a two-thirds majority of the Members present and voting.

V. BUREAU

Rule 12 Bureau

- 12.1 The Bureau of the Committee shall consist of the Chairperson, one or more Vice-Chairpersons and a Rapporteur. The Bureau shall coordinate the work of the Committee and fix the dates, times and order of business of meetings. The other members of the Bureau shall assist the Chairperson in carrying out his duties.
- 12.2 The Bureau shall meet during the sessions of the Committee as frequently as it deems necessary.

Rule 13 Elections

- 13.1 The Committee, at the end of each ordinary session, shall elect, from among those Committee Members whose term continues through the next ordinary session, a Chairperson, one or more Vice-Chairpersons and a Rapporteur who shall remain in office until the end of that session.
- 13.2 The Chairperson, the Vice-Chairperson(s) and the Rapporteur 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.
- 13.3 In electing the Bureau, the Committee shall have due regard to the need to ensure equitable geographical representation and, inasmuch as possible, a balance among the various fields of the intangible cultural heritage.

Rule 14 Duties of the Chairperson

- 14.1 In addition to the powers conferred upon him elsewhere by these Rules, the Chairperson shall open and close each plenary meeting of the Committee. He shall direct the discussions, ensure observance of these Rules, accord the right to speak, put questions to the vote and announce decisions. He shall rule on points of order and, subject to these Rules, shall see to the smooth conduct of the proceedings and the maintenance of order. He shall not vote, but he may instruct another member of his delegation to vote on his behalf. He shall exercise all other duties entrusted to him by the Committee.
- 14.2 A Vice-Chairperson acting as Chairperson shall have the same powers and duties as the Chairperson.
- 14.3 The Chairperson or Vice-Chairperson(s) of a subsidiary body of

the Committee shall have the same duties in regard to the bodies over which they are called upon to preside as the Chairperson or the Vice-Chairperson(s) of the Committee.

Rule 15 Replacement of Chairperson

- 15.1 If the Chairperson is unable to act at any session of the Committee or Bureau, or part thereof, his functions shall be exercised by a Vice-Chairperson, in the [English] [French] alphabetical order of States Members of the Bureau, commencing with the country of the Chairperson.
- 15.2 If the Chairperson ceases to represent a State Member of the Committee or is for any reason unable to complete his term of office, he shall be replaced by a Vice-Chairperson, in the [English] [French] alphabetical order of States Members of the Bureau commencing with the country of the Chairperson, for the remainder of the term of office.
- 15.3 The Chairperson shall abstain from exercising his functions for all issues relating to an element of the intangible cultural heritage present in the territory of the State Party of which he is a national.

Rule 16 Replacement of the Rapporteur

- 16.1 If the Rapporteur is unable to act at any session of the Committee or Bureau, or part thereof, his functions shall be exercised by a Vice-Chairperson, in the [English] [French] alphabetical order of States Members of the Bureau commencing with the country of the Rapporteur.
- 16.2 If the Rapporteur ceases to represent a State Member of the Committee or if he is for any reason unable to complete his term of office, he shall be replaced by a Vice-Chairperson, in the [English] [French] alphabetical order of States Members of the Bureau commencing with the country of the Rapporteur, for the remainder of the term of office.

VI. CONDUCT OF BUSINESS

Rule 17 Quorum

- 17.1 At plenary meetings, a quorum shall consist of a majority of the States Members of the Committee.
- 17.2 At meetings of subsidiary bodies, a quorum shall consist of a majority of the States which are members of the bodies concerned.
- 17.3 Neither the Committee nor its subsidiary bodies shall decide on any matter unless a quorum is present.

Rule 18 Public meetings

Meetings shall be held in public unless decided otherwise by the Committee. This rule may not be suspended by the Bureau.

Rule 19**Private meetings**

- 19.1 When in exceptional circumstances, the Committee decides to hold a private meeting, it shall determine the persons who, in addition to the representatives of the States Members, shall be present.
- 19.2 Any decision taken by the Committee at a private meeting shall be presented in written form at a subsequent public meeting.
- 19.3 At each private meeting, the Committee shall decide whether the summary record and working documents of that meeting shall be published. Documents resulting from private meetings shall be made public after a period of twenty years.

Rule 20**Consultative bodies**

- 20.1 The Committee may establish, on a temporary basis, whatever ad hoc consultative bodies it deems necessary to carry out its task (Article 8.3 of the Convention).
- 20.2 It shall define the composition and the terms of reference (including mandate and duration of office) of such ad hoc consultative bodies at the time of their establishment.
- 20.3 The Committee shall also determine the extent to which these Rules shall apply to any such ad hoc consultative body.
- 20.4 Each ad hoc consultative body shall elect its Chairperson and, if necessary, its Rapporteur.
- 20.5 In appointing members of ad hoc consultative bodies, due regard shall be given to the need to ensure an equitable representation of the different regions of the world.

Rule 21**Subsidiary bodies**

- 21.1 The Committee may establish such subsidiary bodies as it deems necessary for the conduct of its work, within the limits of the technical facilities available.
- 21.2 It shall define the composition and the terms of reference (including mandate and duration of office) of such subsidiary bodies at the time of their establishment. These bodies may only be composed of States Members of the Committee.
- 21.3 These Rules shall be applicable *mutatis mutandis* to the subsidiary bodies, unless the Committee decides otherwise.
- 21.4 Each subsidiary body shall elect its Chairperson and, if necessary, its Vice-President(s) and its Rapporteur.
- 21.5 In appointing members of subsidiary bodies, due regard shall be given to the need to ensure an equitable representation of the different regions of the world.

Rule 22**Order and time-limit of speeches**

- 22.1 The Chairperson shall call upon speakers in the order in which they signify their wish to speak.
- 22.2 The Chairperson may limit the time allowed to each speaker if circumstances make this desirable.
- 22.3 The representatives of organizations, individuals and observers referred to in Rules 6, 7 and 8 may address the meeting with the prior consent of the Chairperson.
- 22.4 Representatives of a State Party, whether or not a Member of the Committee, shall not speak to advocate the inclusion in the lists mentioned in Articles 16 and 17 of the Convention of an item of the intangible cultural heritage nominated by that State or to endorse a request for assistance submitted by that State, but only to provide information in reply to questions raised. This provision applies to all observers mentioned in Rule 8.

Rule 23**Text of proposals**

At the request of any Member of the Committee, supported by two other Members, discussion of any substantive motion, resolution or amendment shall be suspended until the text is circulated in the working languages to all Committee Members present.

Rule 24**Division of proposals**

Part of a proposal shall be voted on separately if a Member of the Committee requests that the proposal be divided. Those parts of a proposal which have been approved in separate vote shall then be put to a vote as a whole. If all the operative parts of the proposal have been rejected, the proposal shall be considered to have been rejected as a whole.

Rule 25**Voting on amendments**

- 25.1 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 Committee shall first vote on the amendment deemed by the Chairperson to be furthest removed in substance from the original proposal, and then on the amendment next furthest removed therefrom and so on, until all the amendments have been put to the vote.
- 25.2 If one or more amendments are adopted, the amended proposal shall then be voted upon as a whole.
- 25.3 A motion is considered an amendment to a proposal if it merely adds to, deletes from or revises part of that proposal.

Rule 26**Voting on proposals**

If two or more proposals relate to the same question, the Committee shall, unless it decides otherwise, vote on the proposals in the order in which they have been submitted. The Committee may, after each vote on a proposal, decide whether to

vote on the next proposal.

Rule 27 Withdrawal of proposals

A proposal may be withdrawn by its proposer at any time before voting on it has begun, provided that the proposal has not been amended. A proposal withdrawn may be reintroduced by another State Member of the Committee.

Rule 28 Points of order

28.1 During a discussion, a State Member may rise to a point of order and the point of order shall be immediately decided by the Chairperson.

28.2 An appeal may be made against the ruling of the Chairperson. Such appeal shall be put to the vote immediately and the Chairperson's ruling shall stand unless overruled.

Rule 29 Procedural motions

During the discussion of any matter, a State Member of the Committee may propose a procedural motion: suspension or adjournment of the meeting, adjournment of the debate or closure of the debate.

Rule 30 Suspension or adjournment of the meeting

During the discussion of any matter, a State Member of the Committee may move the suspension or adjournment of the meeting. Any such motions shall be put to the vote immediately and without discussion.

Rule 31 Adjournment of debate

During the discussion of any matter, a State Member of the Committee may move the adjournment of the debate on the item under discussion. On moving the adjournment the State Member shall indicate whether he moves the adjournment *sine die* or to a particular time which he shall specify. In addition to the proposer of the motion, one speaker may speak in favour of, and one against, the motion.

Rule 32 Closure of debate

A State Member of the Committee may at any time move the closure of the debate, whether or not any other speaker has signified his wish to take part in the discussion. If application is made for permission to speak against the closure, it may be accorded to not more than two speakers. The Chairperson shall then put the motion for closure to the vote and, if the Committee is in favour of the motion, the Chairperson shall declare the closure of the debate.

Rule 33 Order of procedural motions

Subject to Rule 28, the following 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 34 Decisions

- 34.1 The Committee shall adopt such decisions and recommendations as it may deem appropriate.
- 34.2 The text of each decision shall be adopted at the end of the discussion of the agenda item.

VII. VOTING

Rule 35 Voting rights

Each State Member of the Committee shall have one vote in the Committee.

Rule 36 Conduct during voting

After the Chairperson has announced the beginning of voting, no one shall interrupt the voting except a State Member of the Committee on a point of order in connection with the actual conduct of the voting.

Rule 37 Simple majority

Except where otherwise specified in these Rules, all decisions of the Committee shall be taken by a majority of the States Members present and voting.

Rule 38 Counting of votes

For the purposes of these Rules, the expression "States Members present and voting" shall mean States Members casting an affirmative or negative vote. States Members abstaining from voting shall be regarded as not voting.

Rule 39 Show of hands

- 39.1 Voting shall normally be by a show of hands.
- 39.2 If there is any doubt concerning the result of a vote by a show of hands, the Chairperson may take a second vote by roll call.
- 39.3 A vote by roll call shall also be taken if it is requested by two or more States Members of the Committee before the voting begins.

Rule 40 Secret ballot

A decision shall be voted on by secret ballot whenever two or more States Members of the Committee so request or if the

Chairperson so decides.

Rule 41 Conduct of voting by secret ballot

41.1 Before the vote begins, the Chairperson shall appoint two tellers from among the delegations of the Members of the Committee to count the ballot papers.

41.2 When the counting of the votes is completed and the tellers have reported to the Chairperson, he shall announce the results of the ballot, bearing in mind that the voting will be recorded as follows:

From the total number of votes cast will be deducted:

- (a) the number of blank ballot papers, if any;
- (b) the number of invalid ballot papers, if any.

VIII. SECRETARIAT OF THE COMMITTEE

Rule 42 The Secretariat

42.1 The Committee shall be assisted by the UNESCO Secretariat (Article 10.1 of the Convention).

42.2 The Director-General or his representative shall participate in the work of the Committee and of the ad hoc consultative and subsidiary bodies, without the right to vote. He may at any time make either oral or written statements on any question under consideration

42.3 The Director-General shall appoint an official of the Secretariat of UNESCO to act as Secretary to the Committee, and other officials who shall together constitute the Secretariat of the Committee.

42.4 The Secretariat shall receive, translate and distribute all official documents of the Committee and shall arrange for the interpretation of the discussions, as provided in Rule 43.

42.5 The Secretariat shall perform all other duties necessary for the proper conduct of the work of the Committee.

IX. WORKING LANGUAGES AND REPORTS

Rule 43 Working languages

43.1 The working languages of the Committee shall be English and French.

43.2 Statements made at a meeting of the Committee in one of the working languages shall be interpreted into the other language.

43.3 Speakers may, however, speak in any other language, provided they make their own arrangements for interpretation of their statements into one of the working languages.

43.4 The documents of the Committee shall be issued simultaneously in English and French.

Rule 44 **Deadline for distribution of documents**

The documents relating to the items on the provisional agenda of each session of the Committee shall be distributed to the Members of the Committee in the two working languages at the latest four weeks before the beginning of the session . They shall be provided in electronic form to accredited organizations, the public or private bodies and private persons invited to the session and to States Parties which are not members of the Committee.

Rule 45 **Reports of the sessions**

At the end of each session, the Committee shall adopt its report in the form of a list of decisions. This shall be published in the two working languages in the month that follows the closure of the said session.

Rule 46 **Summary record**

The Secretariat shall prepare a summary record of the Committee's meetings, for approval at the opening of the next session.

Rule 47 **Communication of documentation**

The list of decisions and the final summary record of the debates in public meetings shall be transmitted by the Director-General to the Members of the Committee, all States Parties to the Convention, accredited organizations and the public or private bodies and private persons invited to the session.

Rule 48 **Reports to the General Assembly of States Parties and to the General Conference of UNESCO**

- 48.1 The Committee shall submit a report on its activities and decisions to the General Assembly of States Parties at each of its ordinary sessions and bring it to the attention of the General Conference of UNESCO at each of its ordinary sessions (Article 30.2 of the Convention).
- 48.2 The Committee may authorize its Chairperson to submit these reports on its behalf.
- 48.3 Copies of these reports shall be sent to all States Parties to the Convention.

X. ADOPTION, AMENDMENT AND SUSPENSION OF THE RULES OF PROCEDURE

Rule 49 **Adoption**

The Committee shall adopt its Rules of Procedure by a two-thirds majority of the Members present and voting (Article 8.2 of the Convention).

Rule 50 **Amendment**

The Committee may amend these Rules of Procedure, except when they reproduce provisions of the Convention, by a decision taken in plenary meeting by a two-thirds majority of the States Members present and voting, provided the proposed amendment has been included in the agenda of the session in accordance with Rules 9 and 10.

Rule 51 **Suspension**

The Committee may suspend the application of any of these Rules of Procedure, except when they reproduce provisions of the Convention, by a decision taken in plenary meeting by a two-thirds majority of the States Members present and voting.

3. The Intergovernmental Committee for the Safeguarding of the Intangible Cultural Heritage may wish to adopt the following draft decision:

DRAFT DECISION 1.COM 2

The Committee,

1. Having examined the provisional Rules of Procedure proposed in document ITH/06/1.EXT.GA/CONF.204/2,
2. Adopts its Rules of Procedure, as annexed to this decision.