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

**INTERGOVERNMENTAL COMMITTEE FOR THE
SAFEGUARDING OF THE INTANGIBLE CULTURAL HERITAGE**

**Fourteenth session**

**Bogotá, Republic of Colombia**

**9 to 14 December 2019**

**Item 16 of the Provisional Agenda:**

**Report of the informal ad hoc open-ended working group**

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| **Summary**At its thirteenth session, the Committee decided to extend the mandate of the informal ad hoc working group in 2019, with two specific issues ([Decision 13.COM 16](https://ich.unesco.org/en/Decisions/13.COM/16)). The annex to this document, prepared by the group, presents its deliberations and recommendations.**Decision required:** paragraph 7 |

1. The informal ad hoc working group was first established by the Committee at its eleventh session in 2016 ([Decision 11.COM 10](https://ich.unesco.org/en/Decisions/11.COM/10), paragraph 13). During its first mandate, the group was tasked with examining ‘the issues related to the consultation and dialogue between the Evaluation Body and the submitting States, the decision-making process of the Committee on nominations, proposals and requests, as well as any other issue in order to strengthen the implementation of the Convention’.
2. At its twelfth session, the Committee extended the mandate of the informal ad hoc working group until the end of 2018, while making it open to all interested States Parties so as to cover a wider range of areas ([Decision 12.COM 13](https://ich.unesco.org/en/Decisions/12.COM/13)).
3. At the thirteenth session of the Committee, a provisional upstream dialogue mechanism was introduced between the Evaluation Body and the submitting States for nominations/proposals/requests to be examined at the fourteenth session of the Committee ([Decision 13.COM 10](https://ich.unesco.org/en/Decisions/13.COM/10)). The Committee also decided to continue examining new ways to improve the participation of accredited NGOs in the consultation process, particularly in relation to the accreditation and renewal mechanisms within the framework of the 2003 Convention ([Decision 13.COM 13](https://ich.unesco.org/en/Decisions/13.COM/13)).
4. Based on the above-mentioned decisions, the Committee decided to extend the mandate of the informal open-ended ad hoc working group and inscribed an item on the group’s work at its current session ([Decision 13.COM 16](https://ich.unesco.org/en/Decisions/13.COM/16)). In particular, the group was asked to:
	1. exchange with the Secretariat and the Evaluation Body on the implementation of the experimental dialogue mechanism as well as any other issues to facilitate the work of the Committee; and
	2. continue the consultation process with accredited NGOs on the possible ways in which the participation of the NGOs under the 2003 Convention could be further enhanced and how this would be reflected in the accreditation and renewal mechanisms of NGOs.
5. As the host country of the fourteenth session of the Committee, Colombia chaired the informal ad hoc open-ended working group in 2019. At the request of Colombia, Algeria served as co‑chairperson of the working group from September 2019.
6. The annex to this document, as prepared by the group, sets out its deliberations and recommendations. The draft decision included in this document has also been prepared by the working group.
7. The Committee may wish to adopt the following decision:

DRAFT DECISION 14.COM 16

The Committee,

1. Having examined document LHE/19/14.COM/16,
2. Recalling [Decision11.COM 10](https://ich.unesco.org/en/Decisions/11.COM/10), [Decision 12.COM 13](https://ich.unesco.org/en/Decisions/12.COM/13) and [Decision 13.COM 16](https://ich.unesco.org/en/Decisions/13.COM/16) as well as [Resolution 7.GA 6](https://ich.unesco.org/en/Resolutions/7.GA/6),
3. Commends the work of the informal open-ended ad hoc working group chaired by Colombia and welcomes its report;
4. Endorses the recommendations of the informal ad hoc working group as contained in the annex of document LHE/19/14.COM/16;
5. Requests that the Secretariat implement, as appropriate, the relevant recommendations of the informal open-ended ad hoc working group.

**ANNEX**

**Report of the Chairpersons of the Open-ended Informal Ad Hoc Working Group
of the Intergovernmental Committee for the Safeguarding of
the Intangible Cultural Heritage (ICH)**

**Fourteenth session of the ICH Committee**

1. The Intergovernmental Committee for the Safeguarding of the Intangible Cultural Heritage (ICH), formed the working group at its eleventh session held in Addis Ababa, Ethiopia, in 2016. Its mandate was further renewed at the twelfth session in Jeju, Republic of Korea, in November 2017, and further again at the thirteenth session in Port Louis, Republic of Mauritius, in November–December 2019.
2. During 2019, the Permanent Delegation of Colombia to UNESCO chaired the ad hoc working group and requested the Permanent Delegation of Algeria to serve as co-chairperson of the working group from September 2019. The Delegation wishes to thank the Permanent Delegation of Algeria to UNESCO, as well as the Secretariat for their support throughout the year.
3. During its meetings, the open-ended informal ad hoc working group of the ICH Committee discussed two items under its purview as outlined by Committee [Decision 13.COM 16](https://ich.unesco.org/en/Decisions/13.COM/16):
	1. exchange with the Secretariat and the Evaluation Body on the implementation of the experimental dialogue mechanism as well as any other issues to facilitate the work of the Committee; and
	2. continue the consultation process with accredited NGOs, on the possible ways in which the participation of NGOs under the 2003 Convention could be further enhanced and how this would be reflected in the accreditation and renewal mechanisms of NGOs.
4. To address these two topics, the working group held two meetings in March and September 2019. Additionally, it also participated in two other meetings with the Secretariat: an information and exchange session in March, and a consultation meeting in April. During these meetings, numerous Permanent Delegations of States, members to the 2003 Convention took the floor to express their commitment to the Convention and their views on, among others: ways to use the existing resources of the Convention more effectively; the launch of the ‘provisional upstream dialogue process’ as an advance on the inscription of elements on the Representative List and dialogue with the Evaluation Body; and ways for the accredited NGOs to have a wider participation in the implementation of the Convention and the safeguarding of ICH.

**Reflection on the launch of the ‘provisional upstream dialogue process’, in exchange with the Secretariat, the States Parties and the Evaluation Body**

1. During the thirteenth session of the Committee in Mauritius, it was proposed to establish a ‘dialogue’ between the Evaluation Body and the submitting States Parties prior to the Committee session, in order to avoid lengthy discussions during the Committee’s deliberations on nominations, thus allowing the Committee to concentrate on safeguarding the elements, which constitutes the essence of the Convention.
2. As a result, a ‘provisional upstream dialogue process’ was launched during the evaluation process of 2019 for those files that involved a minor lack of information, yet not for those with structural problems.
3. The Evaluation Body presented the methodology that would be used for the process during an information and exchange session in March, where questions from the States Parties were addressed by the Secretariat and the Evaluation Body. The files that would be considered for this process would be those with minor issues that could be solved with a simple question and answer exchange.
4. Following the third meeting of the Evaluation Body in September, the working group invited the Evaluation Body to an open discussion meeting with the participation of numerous States Parties, to learn about the lessons learned with the introduction of the new procedure. Their overview will be available to States Parties during the fourteenth session of the Committee in Bogotá.
5. During the meeting with the Evaluation Body, the following views were expressed:
* The Evaluation Body presented the methodology and expressed that they found the process as a positive experience and that, while including an additional step to the evaluation created supplementary work, it was not as consuming as expected. Nevertheless, since it was the launch of the process, it implied deciding on internal criteria, types of questions and approaches to address the files and the States Parties involved, which will be easier to attend to in the future.
* The most addressed criteria were R.3 and R.4; the questions about criterion R.5 were less frequent, suggesting a positive result on the adjustments made on the form format.
* The States Parties also agreed that the mechanism was a positive exercise that would facilitate the work of the Committee and welcomed it.
* Participants agreed that the timeframe for the evaluation process must be revised after assessing the outcome of the ‘provisional upstream dialogue process’.
* Many States Parties addressed the need for amendments in the Operational Directives to formalize the process once revised and discussed, and asked the Secretariat to take proper measures in this regard.
1. It is expected that this methodology will be helpful for reducing and managing politicization of nominations and decisions, as well as for strengthening the decision-making and the credibility of the Committee.
2. The issue of this new methodology will be considered by the fourteenth session of the Committee in Bogotá, where the amendments in the Operational Directives will be discussed.

**Possible ways in which the participation of NGOs could be further enhanced and how this would be reflected in the accreditation and renewal mechanisms of NGOs**

1. This year concluded the two-year reflection process on the role of the NGOs in the 2003 Convention. Among others, it searched to define the ‘*inter alia’* advisory functions mentioned in paragraph 96 of the Operational Directives, the accreditation process of the NGOs, and to differentiate amongst the various NGOs in the network. The process included discussions with and between States Parties, the ad hoc working group and accredited NGOs, as well as an online consultation with the accredited NGOs and the States Parties, with a view to adopting revisions to the Operational Directives that could be presented to the General Assembly of the Convention in 2020.
2. As mandated by the working group, the Chair participated in a Consultation Meeting convened by the Secretariat with the representatives of the ICH NGO Forum and the States Parties. During the meeting, the results of the electronic consultation on the potential advisory functions to be fulfilled by accredited NGOs and possible ways forward for the accreditation system were discussed.
3. During the meeting, the following views were expressed, by both States Parties and NGOs (the Chair invites the State Parties to consult the report of the Secretariat [LHE/19/NGO/2](https://ich.unesco.org/doc/src/LHE-19-NGO-2-EN.docx) for further details):
* Mapping the NGOs, according to their different expertise and capacities, could prove useful to define their possible ‘*inter alia’* advisory functions mentioned in paragraph 96 of the Operational Directives, as well as identifying ways in which NGOs can contribute to the implementation of the 2003 Convention.
* NGOs could be an important resource to promote capacity building at the national, regional or international levels, depending on their scope. This could contribute towards bringing balance to the geographical representations amongst the accredited NGOs.
* Knowledge exchanges between NGOs could be promoted to share good practices and common challenges regarding safeguard activities in the same field of ICH, same geographical regions, or regarding the possible advisory functions of the NGOs (advise, monitoring, capacity building, etc.), among others.
* There are different expectations from the NGOs and States Parties about what accreditation means, which are not exclusive and could come together in a future accreditation system.
1. The Chair also held a meeting with the States Parties to discuss the results of the consultation meeting prepared by the Secretariat. The following views were expressed:
* The issue of geographical imbalance of accredited NGOs needs to be addressed, among others with stronger capacity building initiatives.
* Collaboration with Category 2 centers to enhance the cooperation with accredited NGOs could be explored, especially regarding the need for capacity building.
* It is necessary for the NGOs to be effective allies to implement the 2003 Convention on the field.
* Some States Parties are invited to come to conclusions on this issue during the fourteenth session of the Committee, taking into account the [report](https://ich.unesco.org/doc/src/LHE-19-14.COM-15-EN.docx) that the Secretariat will give on the matter.

**Recommendations**

1. The Chairpersons submit the following recommendations based on discussions of the ad hoc working group:

**Reflection on the launch of the ‘provisional upstream dialogue process’, in exchange with the Secretariat, States Parties and the Evaluation Body**

1. The States Parties agreed on revising the timeframe for the evaluation process, after assessing the outcome of the ‘provisional upstream dialogue process’, and the information that will be submitted by the Evaluation Body and the Secretariat on the subject during the fourteenth session of the Committee. The final timeframe for the methodology should consider the additional time needed by both the Evaluation Body and the States Parties (government authorities as well as communities involved) to address the questions made during the process.
2. The States Parties and the Evaluation Body considered the ‘provisional upstream dialogue process’ appropriate, and are willing to discuss the procedures for making the amendments in the Operational Directives during this fourteenth session of the Committee in Bogotá. The aim is to agree on amendments to be able to present them to the General Assembly of the Convention in 2020.

**Reflection on possible ways in which participation of NGOs could be further enhanced and how this would be reflected in the accreditation and renewal mechanisms of NGOs**

1. This issue raised the attention on challenges such as geographical under-representation; the importance of mapping NGOs’ capacities and expertise in order to make the most of the different experiences and have a better understanding on their possible roles and advisory functions; and ways to enhance the dialogue between NGOs and States Parties, to promote their partnership for the safeguarding of ICH at the national and local level.
2. It is important to consider means in which the existing resources of the Convention are used in a more efficient way, which is the case for accredited NGOs.
3. Noting that the Secretariat will present the results of the two-year reflection process during this fourteenth session of the Committee, all States Parties are encouraged to further reflect on the accreditation system for the NGOs to clarify their expectations both in relation to the accreditation system and what they expect from the accredited NGOs in terms of safeguarding ICH, in order to conclude this process.