**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 14 of the Provisional Agenda:**

**Reflection on the listing mechanisms of the Convention**

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| **Summary**At its thirteenth session in 2018, the Intergovernmental Committee launched a global reflection on the listing mechanisms of the 2003 Convention, with support from the Government of Japan (Decisions [13.COM 6](https://ich.unesco.org/en/Decisions/13.COM/6) and [13.COM 10](https://ich.unesco.org/en/Decisions/13.COM/10)).This document summarises the issues and challenges encountered by the Committee and its evaluation bodies through the implementation of the Convention so far in relation to the listing mechanisms and proposes a way forward for the reflection.**Decision required:** paragraph 36 |

#### Introduction

1. The listing mechanisms under the 2003 Convention became truly operational ten years ago, in 2009[[1]](#footnote-1), with the first set of inscriptions on the Representative List of the Intangible Cultural Heritage of Humanity, the List of Intangible Cultural Heritage in Need of Urgent Safeguarding, and the Register of programmes, projects and activities that best reflect the principles and objectives of the Convention. After a decade of implementation, a high number of wide-ranging, complex and inter-related issues, both positive and negative, have been identified by various stakeholders in relation to these mechanisms.
2. The need for an overall reflection on the intent and purpose of the listing mechanisms was clearly expressed by the Committee for the first time in 2017, when it examined a request, submitted by Viet Nam, to transfer an element from the Urgent Safeguarding List to the Representative List ([Decision 12.COM 14](https://ich.unesco.org/en/Decisions/12.COM/14)). On that occasion, the Committee decided to convene an open-ended intergovernmental working group to reflect on the procedures for the removal of an element from a List and the transfer from one List to the other, on the nature and purposes of the Lists and the Register established under the Convention and on the relevance of the various criteria for each of these mechanisms, amongst others. Funding for this reflection came through at the thirteenth session of the Committee in 2018 which accepted a voluntary supplementary contribution from the Government of Japan to the Intangible Cultural Heritage Fund to support a global reflection on the listing mechanisms of the 2003 Convention (Decisions [13.COM 6](https://ich.unesco.org/en/Decisions/13.COM/6) and [13.COM 10](https://ich.unesco.org/en/Decisions/13.COM/10)).
3. The overall aim of the initiative is to reflect, *inter alia*, on the nature and purposes of the Lists and the Register of the Convention as well as on the relevance of the various criteria for each of these mechanisms. The review of the methodology for the evaluation and examination of nominations also forms an important part of the reflection. The process will consist of a meeting of experts to be held during the first semester of 2020 and another meeting of the open-ended intergovernmental working group in 2021; in addition, the sessions of the Committee and the General Assembly will provide an opportunity for intergovernmental discussions on the topic. Annex I presents the provisional timeline, bearing in mind the request by the Committee to finalize the reflection in time for the ninth session of the General Assembly in 2022.
4. Given the long-term timeframe, the Committee also requested that the Secretariat propose ways to improve the inscription process of nominations, taking into account imminent issues raised during its thirteenth session as part of the ‘early harvest package’. These concern, in particular, the inclusion of the ‘provisional upstream dialogue’ process between the Evaluation Body and submitting States to clarify minor issues identified in nomination files, through a simple question and answer process. This ‘dialogue’ process, used for the first time during the 2019 cycle on a provisional basis, is expected to be formalized through the revision of the Operational Directives by the General Assembly at its eighth session in 2020.
5. This document summarizes the issues and challenges encountered by the Committee and its evaluation bodies through the implementation of the listing mechanisms of the Convention and proposes ways forward for the reflection.

#### A historical overview – the Convention and its listing mechanisms

1. Despite initial hesitations expressed by some when preparing for the adoption of the 2003 Convention[[2]](#footnote-2), Member States opted for an international listing system. It was hoped that such a system would act as a driving force to raise the visibility of the new international legal instrument in favour of the safeguarding of intangible cultural heritage. This decision was based on the experience gained from the 1972 Convention concerning the protection of world cultural and natural heritage (hereafter, ‘the World Heritage Convention’). However, Member States insisted that no value judgement – in particular ‘outstanding universal value’ which is central to the inscription on the list of the World Heritage Convention – should be implied when inscribing elements of living heritage on the Lists and the Register of the 2003 Convention since such judgements would go against the spirit of the 2003 Convention[[3]](#footnote-3).
2. Instead, the purpose of the system was understood to be to serve as a tool to help sensitize national authorities and communities around the world to the importance of living heritage in general and to the need to safeguard it, as well as to mobilize international solidarity. The international listing system of the 2003 Convention would be composed of three mechanisms: two Lists and one Register, each with distinct and specific but complementary objectives, as set out under Articles 16, 17 and 18 of the Convention, respectively, and as further elaborated in the Operational Directives:
* The Representative List of the Intangible Cultural Heritage of Humanity (hereafter, ‘Representative List’);
* The List of Intangible Cultural Heritage in Need of Urgent Safeguarding (hereafter, ‘Urgent Safeguarding List’);
* The Register of programmes, projects and activities that best reflect the principles and objectives of the Convention (hereafter, ‘Register of Good Safeguarding Practices’).
1. At its second session in 2008, the General Assembly adopted the Operational Directives, which included a set of criteria for inscription on each of the three listing mechanisms, together with the nomination procedures[[4]](#footnote-4). The adoption of the Operational Directives was preceded by a lengthy discussion on the criteria and the nomination procedures in three sessions of the Committee[[5]](#footnote-5) and three dedicated category VI meetings of experts[[6]](#footnote-6). These multiple meetings were necessary to reconcile different positions on dealing with fundamental issues related to the Lists. For instance, different options were discussed concerning the relationship between the Urgent Safeguarding List and the Representative List, the purpose and nature of the Lists, the length of inscription, including the possibility of introducing a sunset clause, and community involvement. At the time, a number of experts cautioned against the possible politicization of the Representative List[[7]](#footnote-7).
2. Even though the Operational Directives regarding the nomination procedure and the nomination forms have evolved since the first inscription cycle, the inscription criteria themselves have only been subject to minor amendments. The amendment adopted by the third session of the General Assembly concerned criteria P.4 and P.5 for selection on the Register of Good Safeguarding Practices. The objective of this amendment was to limit the Register to programmes, projects or activities that are already completed, and not to include those that are only at the planning stage[[8]](#footnote-8). The other amendment adopted by the General Assembly at its fifth session concerned criterion U.3 for inscription on the Urgent Safeguarding list, where ‘safeguarding measures’ was replaced with ‘safeguarding plans’ to distinguish the safeguarding plan expected for the Urgent Safeguarding List from the set of safeguarding measures expected for the Representative List[[9]](#footnote-9).
3. Over the past ten cycles, the Committee has inscribed 59 elements on the Urgent Safeguarding List, 429 elements on the Representative List, and 20 programmes, projects or activities have been included in the Register of Good Safeguarding Practices. It is undeniable that the listing mechanisms, and in particular the Representative List, attract a high level of attention from States Parties, communities and the public in general, thus positively enhancing the visibility of the Convention and of intangible cultural heritage. Over the years, however, the evaluation bodies and the Committee have faced recurrent challenges related to the inscription procedure, the criteria and fundamental issues concerning the listing mechanisms. It is interesting to note that many of these issues were already extensively debated at the time of the elaboration of the Convention and the listing criteria.

#### Challenges related to the listing mechanisms

1. The challenges related to the listing mechanisms of the Convention are numerous and complex. When reviewing them, it quickly becomes evident that many of the issues are interlinked and cannot be considered in isolation of each other. For the purpose of the reflection process at hand, and particularly to help prepare for the forthcoming meeting of experts and another meeting of the open-ended intergovernmental working group, it is proposed that the following non exhaustive list of challenges be used, which can be broken down into four categories: (A) overall approach to the listing mechanisms; (B) issues related to the criteria for inscription; (C) issues related to the follow-up of inscribed elements; (D) methodology for the evaluation and examination of nominations.

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| A. Overall approach to the listing mechanisms |

1. **Preference for the Representative List:** The number of inscribed elements on the Lists and the Register demonstrates a clear preference by States Parties for the Representative List over the other two mechanisms. Noting this trend, the Evaluation Body regretted the underuse of the Urgent Safeguarding List and the Register of Good Safeguarding Practices in its 2015 and 2018 reports[[10]](#footnote-10). The overrating of the Representative List was also noted by the Internal Oversight Service of UNESCO (IOS) in its 2013 Evaluation concerning the Convention for the Safeguarding of the Intangible Cultural Heritage[[11]](#footnote-11).This matter should be discussed through the reflection process at hand to clarify what future States Parties to the Convention wish to see[[12]](#footnote-12). For example, the Lists and the Register may follow a strict and rigid criteria-based selection process, or alternatively, an inclusive, more open and fluid listing system. The Representative List, in particular, may better serve its purpose through a more inclusive, evolving and dynamic system which might include a ‘sunset clause’ to limit the duration of inscriptions, as initially discussed when elaborating the mechanism[[13]](#footnote-13). It is also now evident that a list which does not set limits on the duration of inscriptions also requires an enhanced and robust monitoring mechanism.
2. **‘Misunderstanding’ of the purpose of the Representative List**: The IOS evaluation found that States had difficulties in understanding the notion of ‘representativeness’ and therefore misunderstood the purpose and intent of the Representative List. Experience has shown that a number of States nominate elements because they consider that an inscription on the Representative List valorises the element itself rather than because its inscription would contribute to the purpose of the List, probably confusing ‘representativeness’ with ‘outstanding universal value’ in the sense of the World Heritage Convention. Furthermore, the IOS evaluation found that some States understood that inscription on the Representative List meant national ownership of the element, which in some instances generated conflict between States. In fact, the Committee was confronted with this type of misunderstanding on multiple occasions and therefore felt that it was necessary to remind States that an inscription was not intended to establish a system of ownership and that it did not imply exclusive ownership of a cultural expression[[14]](#footnote-14).
3. **Lighter ways of sharing**: With regard to the Register of Good Safeguarding Practices, the above-mentioned IOS evaluation also found that, at the time, the Register did not serve as an inspiration for good ways to safeguard living heritage. Based on these findings and noting the underuse of the Register, the Committee called upon States Parties and the Secretariat to complement the Register with ‘alternative and lighter ways of sharing intangible cultural heritage safeguarding practices’[[15]](#footnote-15). In response, the Secretariat launched a broad consultation, through an online survey, as reported to this session of the Committee[[16]](#footnote-16) (see [LHE/19/14.COM/5.b](https://ich.unesco.org/doc/src/LHE-19-14.COM-5.b-EN.docx) for more information on this topic).

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| B. Issues related to the criteria of inscription. |

1. **Recurrent difficulties with criterion R.2**: Criterion R.2 reflects the fundamental purpose and objective of the Representative List, which include contributing to the visibility of intangible cultural heritage and raising awareness of its importance, encouraging dialogue among communities, groups and individuals, as well as promoting respect for cultural diversity and human creativity. However, the evaluation bodies and the Committee have repeatedly underlined the persistent misunderstanding of criterion R.2 on the part of submitting States[[17]](#footnote-17). Many files focus on the enhanced visibility of the element itself rather than the visibility of intangible cultural heritage in general. One reason for such difficulties seems to relate to the fact that this criterion requires a point of view on the nominated element that is external to the communities themselves, while the rest of the criteria and the descriptive parts of the nomination files are set up to encourage the demonstration of the communities’ points of view[[18]](#footnote-18). Furthermore, this criterion requires proof of a future outcome, which is not known when the nomination is being drafted[[19]](#footnote-19). The misunderstanding related to the purpose of the Representative List and confusion between ‘representativeness’ and ‘outstanding universal value’ is another major reason for the difficulties States experience in responding to criterion R.2. Despite several revisions to the nomination forms concerning R.2, this criterion continues to pose problems in the nomination process.
2. **Difficulties with criterion U.5/R.5**: Criteria U.5/R.5 reflect the obligation of States Parties to draw and update inventories of intangible cultural heritage present in their territories with the participation of communities, groups and non-governmental organizations as a safeguarding measure (articles 11 and 12 of the Convention). In this regard, the evaluation bodies have repeatedly drawn attention to the fact that many nomination files failed to fully satisfy criteria U.5/R.5. This seems often to be because the modality and periodicity of drawing and updating inventories in accordance to articles 11 and 12 was not explained adequately, leading to referral recommendations[[20]](#footnote-20). Nevertheless the Evaluation Body in 2018 felt that the recent reform of the nomination forms regarding criterion R.5 had helped to better guide submitting States in providing the necessary information to satisfy this criterion[[21]](#footnote-21).
3. **Earlier debates**: It should be noted that, at the request of the General Assembly at its third session in 2010[[22]](#footnote-22), the Committee already undertook a reflection on revising the criteria for inscription on the Urgent Safeguarding List and the Representative List at its fifth and sixth sessions. The arguments expressed by a minority of States regarding potential amendments to criterion R.2 during these meetings included the following: (1) that the visibility and awareness of the significance of intangible cultural heritage were a consequence rather than a pre-condition for inscription; (2) that criterion R.2 was redundant; and (3) that criterion R.2 should be deleted or merged with criterion R.1. The majority of States considered that the criteria had been established as the result of careful and lengthy considerations and that revision at that point would therefore be premature. Furthermore, it was argued that criterion R.2 reflected the main purpose of the Representative List and should therefore be retained[[23]](#footnote-23). Following the debates, the Committee recommended that the inscription criteria for the two Lists remain unchanged[[24]](#footnote-24).

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| C. Issues related to the follow-up of inscribed elements |

1. **Treatment of information**: The Secretariat has observed an increasing trend whereby issues regarding elements inscribed on the Lists are brought to its attention by communities, non-governmental organizations (NGOs), individuals and other third parties, as well as through the press. Despite the seriousness of some of the issues raised, there is currently no mechanism in place to guide the Secretariat in bringing such information to the attention of the Committee. In light of this increasing trend and the absence of a mechanism in this regard, at its thirteenth session in 2018 the Committee ‘recognize[d] the need to reflect on the follow-up of inscribed elements’ and decided to include this reflection in the broader reflection on the future of the listing mechanisms of the Convention[[25]](#footnote-25).
2. During the reporting period (December 2018-September 2019), four elements were the subject of correspondence from the communities concerned or third parties that expressed concerns regarding the latest developments affecting the status and viability of an inscribed element (see Annex II). The correspondence received has raised several important issues that may affect the status of inscribed elements. According to ‘Guidelines for the treatment of correspondence from the public or other concerned parties with regard to nominations’ ([Decision 7.COM 15](https://ich.unesco.org/en/Decisions/7.COM/15)), which were adopted by the Committee in 2012, the Secretariat serves as a messenger between the stakeholder that raised the issue and the State Party(ies) concerned. In application of the guidelines, the Secretariat transmitted the letters received to the competent authorities of the element concerned. In all cases, States Parties have not yet provided a response that could be transmitted back to the stakeholder that sent the initial correspondence.
3. Inspiration to address the situation could be sought from Chapter IV of the Operational Guidelines for the Implementation of the World Heritage Convention concerning the process for monitoring the state of conservation of World Heritage Properties and in particular paragraphs 169 to 176 about the Reactive Monitoring mechanism. In accordance with these Guidelines, when information from third parties concerning the state of conservation of World Heritage Properties is received, the Secretariat verifies the source and the contents of the information in consultation with the State Party(ies) concerned and request its comments. Consequently, the information received, together with the comments of the State Party(ies) and the Advisory Bodies, is brought to the attention of the World Heritage Committee[[26]](#footnote-26).
4. Nevertheless, bearing in mind that the World Heritage Convention and 2003 Convention are based on different purposes and that their Lists are established on different criteria, it seems clear that the Reactive Monitoring mechanism, as developed for the World Heritage Convention, would not be directly transferrable to the 2003 Convention. However, some principles of this mechanism such as the accountability of States Parties concerning inscribed elements and ways for stakeholders other than the State Party to provide information to the Committee through the Secretariat, may be useful for a follow-up mechanism for inscribed elements under the 2003 Convention.
5. The details of an appropriate mechanism for dealing with information received on inscribed elements could be clarified during the overall reflection of the listing mechanisms of the Convention at hand. The reflection might address considerations such as ways to set up a long-term monitoring mechanism against the need to respond to unforeseen events, managing the flows of information and opinions from various stakeholders, as well as the usefulness of the periodic reporting mechanism, amongst others. In the meantime, the Committee may wish to request the Secretariat to continue to bring to the attention of the Committee information received from third parties concerning already inscribed elements. This may take the form of a summary to be included in a working document regarding the follow-up of already inscribed elements.
6. **Transfer of an element from one List and removal of an element from a List**: The necessity for an overall reflection on the Convention and the intent and purpose of its listing mechanisms became evident when, for the first time in 2017, the Committee examined a request, submitted by Viet Nam, to transfer an element from the Urgent Safeguarding List to the Representative List[[27]](#footnote-27) based on an evaluation undertaken by the Evaluation Body in this regard. While the Operational Directives include provisions for the transfer of an element from one List and removal of an element from a List, the Evaluation Body and consequently the Committee felt that neither the available forms nor the Operational Directives provided an adequate mechanism for dealing with the transfer in that specific case.
7. At this session, the Committee is to examine the case of the Aalst Carnival (Belgium) to ascertain whether this element which was inscribed in 2010 still satisfies the criteria for inscription on the Representative List. While being attentive to the outcome of this deliberation, the global reflection at hand will need to address larger questions on how best to monitor the status of elements already inscribed on the lists.

D. Methodology for the evaluation and examination of nominations

1. **Inscription based only on information presented**: The evaluation bodies have been adhering to the principle of basing their recommendations only on the adequacy of the information presented in the nomination files themselves[[28]](#footnote-28). The Committee in turn have repeatedly declared that it examines files not elements[[29]](#footnote-29). This principle also means that the Evaluation Body does not take into account important information that may be publicly available on nominated elements at the time of the evaluation. However, a number of issues brought to the attention of the current as well as past sessions of the Committee regarding elements already inscribed on the Lists of the Convention bring to light possible shortcomings with this principle. Specifically, they demonstrate that such public information may shed light on the suitability of an element as part of the UNESCO listing mechanisms. For example, it is unclear whether some of the issues concerning inscribed elements reflect a changing or evolving status of those elements or rather information about the element that may have been publicly available at the time of the evaluation.
2. The reflection process should ultimately aim to help communities to better safeguard their living heritage. For the time being, the inscription process tends to privilege those communities living in States with the required technocratic capacities to prepare good files, somewhat irrespective of the breadth and range of intangible cultural heritage present in a specific territory or within a specific community. In order to support those States with less administrative experience and expertise, the capacity-building approach should continue to be promoted. At the same time, the reformed system would need to be able to recognize and take into account the broader safeguarding intentions of submitting States and communities, so that the files be assessed beyond their merits as a mere drafting exercise.

#### Early harvest package

Upstream dialogue process

1. At its eleventh session in 2016, the Committee recognized the need to include an additional step in the nomination cycle to allow for a dialogue between the Evaluation Body and the submitting State(s). In particular, the Committee wished to make a distinction between files recommended for referral by the Evaluation Body due to minor technical aspects and files recommended for referral based on more fundamental issues. Consequently, the Committee decided to establish an informal ad hoc working group in order to examine, *inter alia*, issues related to the dialogue between the Evaluation Body and submitting States and requested that the Secretariat propose a procedure in this regard[[30]](#footnote-30). This step was made against the backdrop of an unprecedentedly high number of decisions taken that year by the Committee on nominations, proposals and requests that reversed the recommendations of the Evaluation Body. In other words, the intention behind the dialogue process is to provide States Parties whose files would have been referred due to minor technical aspects with an opportunity to address these issues during the nomination cycle rather than having to wait an additional two years before the Committee can examine their file again.
2. The position of the Committee at its twelfth session in 2017 was to allow more time for a number of adjustments introduced in the evaluation process to take effect (notably on nomination forms), before considering the establishment of a formal ‘dialogue’ process. On the same occasion, the Committee decided to continue the informal ad hoc working group until 2018 making it open to all States Parties. The group was asked to, *inter alia,* ‘further reflect on an appropriate ‘dialogue’ mechanism, in consultation with the Evaluation Body, taking into account the respective resolutions by the next General Assembly’[[31]](#footnote-31).
3. The urge to see improvements in the inscription procedure heightened at the thirteenth session in 2018, following the deliberations on a certain number of nominations at that session. In particular, the Committee requested that the Secretariat transmit any questions of the Evaluation Body on files submitted for the 2019 cycle to the States Parties concerned after the second meeting of the Evaluation Body in 2019. At the same time, the Committee invited the States Parties concerned to submit clarifications to the Evaluation Body before the third meeting of the Evaluation Body in 2019. The mandate of the informal open-ended ad hoc working group was extended again, until 2019 to also ‘exchange with the Secretariat and the Evaluation Body on the implementation of the experimental dialogue mechanism’[[32]](#footnote-32).
4. Accordingly, the provisional upstream dialogue procedure was introduced in the 2019 cycle. A specific provisional arrangement was necessary to respect the calendar of evaluation specified in paragraph 55 of the Operational Directives. It should be noted that the opinion of the 2019 Evaluation Body on the dialogue cases is being published as an information document, separately from the recommendations on individual nominations, again to remain in conformity with paragraph 55 of the Operational Directives. For more details, the report of the Evaluation Body presented to the present session of the Committee indicates the procedure, results and the conclusions of the Body[[33]](#footnote-33). The Evaluation Body remarked that the process made it more confident in is decisions. This, in turn, should assure the Committee that on the one hand nominations that benefitted from the dialogue process did not need to wait an additional two years to be re-examined, and on the other hand that recommendations for referral were not made based on minor reasons.
5. Based on this year’s experience with the upstream dialogue process, the Committee may wish to follow the suggestion of the Evaluation Body and endorse a set of amendments to Chapter I.15 of the Operational Directives, as provided in Annex III to the present document. The rationale is to create an intermediary step in the evaluation cycle to allow the Body to finalize its recommendations for files concerned by the dialogue process during the Body’s third and last meeting.
6. For the evaluation of files not concerned by the dialogue process, however, the Evaluation Body should continue to follow the existing evaluation timetable set out in the current version of the Operational Directives and should finalize its evaluation during its second meeting, held between April and June. This distinction is important – if the dialogue process has to be applied to all files for which a recommendation for referral is considered, there is a real risk that the Evaluation Body will be unable to complete its evaluation by the September meeting. What is at stake is the capacity of the Evaluation Body to fulfil its mandate, since its members make their recommendations for each criterion of each file consensually, through collegial discussions, during its second meeting. The drafting of the report after the June meeting, prior to its final adoption in September, also requires the time of the Chairperson, Vice-Chairperson and the Rapporteur of the Body over a time frame of about twelve weeks.

#### Ways forward

1. The overall reflection process will begin with a preliminary meeting (category VI) of experts during the first semester of 2020 at UNESCO Headquarters in Paris. In light of the impact that the reflection will have on the future of the 2003 Convention, the Secretariat considers it crucial that the process be as inclusive as possible.
2. In this sense, on 17 October 2019 the Secretary of the Convention sent a letter addressed to all States Parties inviting them to suggest, before the deadline of 18 November 2019, an expert in the field of intangible cultural heritage who could take part in this meeting, while clarifying that the recommendation of an expert does not guarantee his or her participation in the meeting. Furthermore, the 2019 Evaluation Body recommended that the Committee encourage the participation of experts and NGOs that have served on past and present evaluation bodies in this overall reflection on the listing mechanisms[[34]](#footnote-34). The experts will participate in a private capacity and not as representatives of any particular government or organization. Some thirty experts will be appointed by the Director-General of UNESCO, taking into account their profiles and experience as well as geographical balance and gender equality.
3. Prior to the meeting, the Secretariat will make available a set of working documents to provide further background information and to guide the reflections of the experts. The conclusions of the experts’ meeting, as well as the ‘early harvest package’, will be presented to the eighth session of the General Assembly in June 2020 as well as to the fifteenth session of the Committee in 2020.
4. The Committee may wish to adopt the following decision:

DRAFT DECISION 14.COM 14

The Committee,

1. Having examined document LHE/19/14.COM/14,
2. Recalling [Decisions 12.COM 14](https://ich.unesco.org/en/Decisions/12.COM/14), [13.COM 10](https://ich.unesco.org/en/Decisions/13.COM/10) and [13.COM 6](https://ich.unesco.org/en/Decisions/13.COM/6),
3. Further recalling [documents ITH/17/12.COM/14](https://ich.unesco.org/doc/src/ITH-17-12.COM-14-EN.docx), [LHE/19/14.COM/5.b](https://ich.unesco.org/doc/src/LHE-19-14.COM-5.b-EN.docx),[LHE/19/14.COM/10](https://ich.unesco.org/doc/src/LHE-19-14.COM-10-EN.docx) and [LHE/19/14.COM/12](https://ich.unesco.org/doc/src/LHE-19-14.COM-12-EN.docx),
4. Also recalling Chapter I.15 of the Operational Directives,
5. Reaffirms the need for a global reflection on the listing mechanisms of the Convention;
6. Renews its gratitude to the government of Japan for its contribution to supporting the global reflection on the listing mechanisms of the Convention;
7. Takes note of the provisional timeline for the reflection on the listing mechanisms of the 2003 Convention, as contained in Annex I to this document;
8. Requests that the Secretariat report to the eighth session of the General Assembly and the fifteenth session of the Committee on the results of the category VI preliminary experts’ meeting as well as the ‘early harvest package’ to be organized during the first semester of 2020;
9. Further takes note of the four cases, as contained in Annex II to this document, that were subject of correspondence concerning already inscribed elements received by the Secretariat during the reporting period;
10. Further requests that the Secretariat continue to bring to the attention of the Committee information received from third parties concerning already inscribed elements and to do so in the form of a summary to be included in a working document regarding the follow-up of already inscribed elements;
11. Acknowledges the positive experience that the provisional upstream dialogue process undertaken during the 2019 cycle has brought to the evaluation and inscription process;
12. Recommends that the General Assembly revise the Operational Directives for the implementation of the Convention, as contained in Annex III to this document.

**Annex I:**

Provisional timeline for the reflection on the listing mechanisms of the 2003 Convention

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| YEAR | MEETING | NOTE |
| December 2017 | 12.COM | Decision 12.COM 14 |
| November - December 2018 | 13.COM | Decision 13.COM 6 |
| December 2019 | 14.COM | Preliminary intergovernmental discussion and agreement on amendments to the Operational Directives regarding the dialogue process (early harvest)  |
| March 2020 | Meeting of experts UNESCO Headquarters | Initiation of reflections  |
| June 2020 | 8.GA | Progress report, intergovernmental discussion and adoption of amendments to the Operational Directives (ODs) regarding the dialogue process (early harvest) |
| November - December 2020 | 15.COM | Progress report and preliminary discussion on amendments to the ODs |
| June 2021 (tbc) | Open-ended intergovernmental working group - UNESCO Headquarters | Intergovernmental discussion and further discussion on the draft amendments to the ODs |
| November - December 2021 | 16.COM | Agreement on the amendments to the ODs to be recommended to 9.GA |
| June 2022 | 9.GA | Adoption of the amendments to the ODs |

**Annex II:**

Elements that were the subject of correspondence from the communities concerned or third parties (December 2018 – September 2019)

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| **Element** **(List and year of inscription)** | **State(s) Party(ies)** | **Nature of issues raised** | **Number and type of correspondences received** |
| Aalst carnival (Representative List, 2010) | Belgium | Issues linked to the requirements of mutual respect among communities (racism, xenophobia, discrimination) | * 21 letters/emails and an online petition with 19,000 signatures (civil society, individuals (within and outside the community))
* Multiple media reports
 |
| Processional giants and dragons in Belgium and France (Representative List, 2008) | Belgium and France(complaint concerned a procession in Belgium only) | Issues linked to the requirements of mutual respect among communities (racism, xenophobia, discrimination) | * One letter (civil society)
* Multiple media reports
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| Singing to the accompaniment of the Gusle (Representative List, 2018) | Serbia | Concerns regarding ownership of an element due to the practice of a similar performing art in another country  | * One letter (academia)
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| Valencia Fallas Festivity(Representative List, 2016) | Spain | Environmental concerns related to the burning of large amounts of polystyrene and polyurethane foams | * Three emails (individuals outside of the community)
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**Annex III**

Proposed amendments to the Operational Directives

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|  | **Operational Directives** |  | **Proposed amendments** |
| **I.15** | **Timetable – Overview of procedures** | **I.15** | [No change.] |
|  |  |  | 54. | [No change.] |  |
| 55. | Phase 2: | Evaluation | 55. | Phase 2: | Evaluation |
|  | December Year 1to May Year 2 | Evaluation of the files by the Evaluation Body. |  | December Year 1to May Year 2 | **Individual** evaluation of the files by the Evaluation Body **members**. |
|  | April – JuneYear 2 | Meeting for final evaluation by the Evaluation Body. |  | JuneYear 2 | Meeting~~for final evaluation by the Evaluation Body~~ **at which the Evaluation Body collectively finalizes its evaluation of the files and decides which files will be included in the dialogue process. Only the evaluation of those files included in the dialogue process will still be pending until the final meeting of the Evaluation Body.****The dialogue process is initiated when the Evaluation Body considers that a short question and answer process with the submitting State(s), conducted in writing through the Secretariat, could influence the result of its evaluation.** |
|  |  |  |  | **Two weeks after the June meeting Year 2** | **Deadline by which the Evaluation Body shall transmit, through the Secretariat, its questions to the States Parties concerned by the dialogue process, in one of the two working languages of the Convention.** |
|  |  |  |  |  | **States Parties shall respond to the requests of the Evaluation Body, through the Secretariat, within four weeks following the receipt of the letter, in the two working languages of the Convention.** |
|  |  |  |  | **Latest by September Year 2** | **Meeting at which the Evaluation Body finalizes its evaluation of the files concerned by the dialogue process and its report on the evaluation of all files.** |
|  | Four weeks prior to the session of the Committee | The Secretariat transmits the evaluation reports to the members of the Committee and makes them available online for consultation. |  | Four weeks prior to the session of the Committee | The Secretariat transmits the evaluation reports to the members of the Committee and makes them available online for consultation. |
| 56. | Phase 3: | Examination | 56. | [No change.] |  |

1. . At its third session in 2008, the Committee decided to incorporate into the Representative List the ninety elements proclaimed ‘Masterpieces of the Oral and Intangible Heritage of Humanity’ before the entry into force of the Convention ([Decision 3.COM 1](https://ich.unesco.org/en/decisions/3.COM/1)). [↑](#footnote-ref-1)
2. . As mentioned in the opening remarks of the Director-General of UNESCO on the occasion of the first intergovernmental experts’ meeting on the drafting of the Convention. [↑](#footnote-ref-2)
3. . Documents [ITH/07/2.COM/CONF.208/3](https://unesdoc.unesco.org/ark%3A/48223/pf0000234414/PDF/234414eng.pdf.multi) and [ITH/07/1.EXT.COM/CONF.207/12](https://unesdoc.unesco.org/ark%3A/48223/pf0000177690/PDF/177690eng.pdf.multi) [↑](#footnote-ref-3)
4. . [Resolution 2.GA 5](https://ich.unesco.org/en/Resolutions/2.GA/5) [↑](#footnote-ref-4)
5. . Committee sessions:

First session of the Committee (November 2006, Algiers, Algeria)

First extraordinary session of Committee (May 2007, Chengdu, China)

Second session of the Committee (September 2007, Tokyo, Japan) [↑](#footnote-ref-5)
6. . Experts’ meetings:

Selection Criteria and Procedures for Inscription of Intangible Cultural Heritage Elements, (December 2005, UNESCO Headquarters, Paris).

Community Involvement in Safeguarding Intangible Cultural Heritage (March 2006, Tokyo, Japan).

The Lists Established in the 2003 Convention for the Safeguarding of the Intangible Cultural Heritage (April 2007, New Delhi, India). [↑](#footnote-ref-6)
7. . [Summary Report of the meeting ‘The Lists Established in the 2003 Convention for the Safeguarding of the Intangible Cultural Heritage’ (April 2007 New Delhi, India)](https://ich.unesco.org/doc/src/00186-EN.pdf) [↑](#footnote-ref-7)
8. . [Resolution 3.GA 5](https://ich.unesco.org/en/Resolutions/3.GA/5) [↑](#footnote-ref-8)
9. . [Resolution 5.GA 5.1](https://ich.unesco.org/en/Resolutions/5.GA/5.1) [↑](#footnote-ref-9)
10. . Documents [ITH/15/10.COM/10](https://ich.unesco.org/doc/src/ITH-15-10.COM-10_EN.doc) and [ITH/18/13.COM/10](https://ich.unesco.org/doc/src/ITH-18-13.COM-10-EN.docx) [↑](#footnote-ref-10)
11. . [Document IOS/EVS/PI/129](https://unesdoc.unesco.org/ark%3A/48223/pf0000223095/PDF/223095eng.pdf.multi) [↑](#footnote-ref-11)
12. . Documents [ITH/14/9.COM/4](https://ich.unesco.org/doc/src/ITH-14-9.COM-4_Rev.-EN.doc) and [ITH/15/10.COM/4](https://ich.unesco.org/doc/src/ITH-15-10.COM-4_EN.docx) [↑](#footnote-ref-12)
13. . [Summary Report of the meeting ‘Criteria for inscription on the Lists established by the 2003 Convention’ (Paris, 2005)](https://ich.unesco.org/doc/src/00035-EN.pdf) and [Summary Report of the meeting ‘The Lists Established in the 2003 Convention for the Safeguarding of the Intangible Cultural Heritage’ (April 2007 New Delhi, India)](https://ich.unesco.org/doc/src/00186-EN.pdf) [↑](#footnote-ref-13)
14. . Decisions [13.COM 10.b.4](https://ich.unesco.org/en/Decisions/13.COM/10.b.4); [12.COM 11](https://ich.unesco.org/en/Decisions/12.COM/11), [9.COM 10](https://ich.unesco.org/en/Decisions/9.COM/10), [9.COM 10.3](https://ich.unesco.org/en/Decisions/9.COM/10.3), [9.COM 10.6](https://ich.unesco.org/en/Decisions/9.COM/10.6) and [9.COM 10.34](https://ich.unesco.org/en/Decisions/9.COM/10.34) [↑](#footnote-ref-14)
15. . Decisions [8.COM 5.c.1](https://ich.unesco.org/en/Decisions/8.COM/5.c.1) and [10.COM 10](https://ich.unesco.org/en/Decisions/10.COM/10) (paragraph 10) [↑](#footnote-ref-15)
16. . [Document LHE/19/14.COM/5.b](https://ich.unesco.org/doc/src/LHE-19-14.COM-5.b-EN.docx) [↑](#footnote-ref-16)
17. . Documents [ITH/15/10.COM/10](https://ich.unesco.org/doc/src/ITH-15-10.COM-10_EN.doc)**,** [ITH/16/11.COM/10](https://ich.unesco.org/doc/src/ITH-16-11.COM-10-EN.docx), [ITH/17/12.COM/11](https://ich.unesco.org/doc/src/ITH-17-12.COM-11-EN.docx), [ITH/18/13.COM/10](https://ich.unesco.org/doc/src/ITH-18-13.COM-10-EN.docx), [ITH/15/10.COM/4](https://ich.unesco.org/doc/src/ITH-15-10.COM-4_EN.docx), [ITH/16/11.COM/4](https://ich.unesco.org/doc/src/ITH-16-11.COM-4-EN.docx)**,** [ITH/17/12.COM/4](https://ich.unesco.org/doc/src/ITH-17-12.COM-4-EN.docx) **and** [ITH/18/13.COM/4](https://ich.unesco.org/doc/src/ITH-18-13.COM-4-EN.docx) [↑](#footnote-ref-17)
18. . Documents [ITH/18/13.COM/10](https://ich.unesco.org/doc/src/ITH-18-13.COM-10-EN.docx) and [LHE/19/14.COM/10](https://ich.unesco.org/doc/src/LHE-19-14.COM-10-EN.docx) [↑](#footnote-ref-18)
19. . [Document ITH/10/5.COM/CONF.202/10 Part I](https://unesdoc.unesco.org/ark%3A/48223/pf0000235270/PDF/235270eng.pdf.multi) [↑](#footnote-ref-19)
20. . Documents [ITH/14/9.COM/10](https://ich.unesco.org/doc/src/ITH-14-9.COM-10%2BAdd.3-EN.doc), [ITH/15/10.COM/10](https://ich.unesco.org/doc/src/ITH-15-10.COM-10_EN.doc), [ITH/16/11.COM/10](https://ich.unesco.org/doc/src/ITH-16-11.COM-10-EN.docx), [ITH/17/12.COM/11](https://ich.unesco.org/doc/src/ITH-17-12.COM-11-EN.docx), [ITH/18/13.COM/10](https://ich.unesco.org/doc/src/ITH-18-13.COM-10-EN.docx) [↑](#footnote-ref-20)
21. . [Document ITH/18/13.COM/10](https://ich.unesco.org/doc/src/ITH-18-13.COM-10-EN.docx) [↑](#footnote-ref-21)
22. . [Resolution 3.GA 5](https://ich.unesco.org/en/Resolutions/3.GA/5) (paragraph 6) [↑](#footnote-ref-22)
23. . [Document ITH/11/6.COM/CONF.206/16](https://ich.unesco.org/doc/src/ITH-11-6.COM-CONF.206-16-EN.doc) [↑](#footnote-ref-23)
24. . Documents [ITH/10/5.COM/CONF.202/10 Part I](https://unesdoc.unesco.org/ark%3A/48223/pf0000235270/PDF/235270eng.pdf.multi.page%3D1%26zoom%3Dauto%2C-16%2C842), [ITH/11/6.COM/CONF.206/16](https://unesdoc.unesco.org/ark%3A/48223/pf0000242915/PDF/242915eng.pdf.multi) and [Decision 5.COM 10.1](http://www.unesco.org/culture/ich/doc/src/ITH-10-5.COM-CONF.202-Decisions-EN.doc) [↑](#footnote-ref-24)
25. . [Decision 13.COM 9](https://ich.unesco.org/en/Decisions/13.COM/9) [↑](#footnote-ref-25)
26. . <https://whc.unesco.org/en/reactive-monitoring/> [↑](#footnote-ref-26)
27. . [Document ITH/17/12.COM/14](https://ich.unesco.org/doc/src/ITH-17-12.COM-14-EN.docx) [↑](#footnote-ref-27)
28. . Documents [ITH/15/10.COM/10](https://ich.unesco.org/doc/src/ITH-15-10.COM-10_EN.doc), [ITH/16/11.COM/10](https://ich.unesco.org/doc/src/ITH-16-11.COM-10-EN.docx), [ITH/17/12.COM/11](https://ich.unesco.org/doc/src/ITH-17-12.COM-11-EN.docx) and [ITH/18/13.COM/10](https://ich.unesco.org/doc/src/ITH-18-13.COM-10-EN.docx) [↑](#footnote-ref-28)
29. . Documents [ITH/15/10.COM/4](https://ich.unesco.org/doc/src/ITH-15-10.COM-4_EN.docx), [ITH/16/11.COM/4](https://ich.unesco.org/doc/src/ITH-16-11.COM-4-EN.docx)**,** [ITH/17/12.COM/4](https://ich.unesco.org/doc/src/ITH-17-12.COM-4-EN.docx) **and** [ITH/18/13.COM/4](https://ich.unesco.org/doc/src/ITH-18-13.COM-4-EN.docx) [↑](#footnote-ref-29)
30. . [Decision 11.COM 10](https://ich.unesco.org/en/D%C3%A9cisions/11.COM/10) [↑](#footnote-ref-30)
31. . [Decision 12.COM 13](https://ich.unesco.org/en/Decisions/12.COM/13) [↑](#footnote-ref-31)
32. . [Decision 13.COM 16](https://ich.unesco.org/en/Decisions/13.COM/16) [↑](#footnote-ref-32)
33. . [Document LHE/19/14.COM/10](https://ich.unesco.org/doc/src/LHE-19-14.COM-10-EN.docx) [↑](#footnote-ref-33)
34. . [Document LHE/19/14.COM/19](https://ich.unesco.org/doc/src/LHE-19-14.COM-19-EN.docx) [↑](#footnote-ref-34)