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

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

**Twelfth session**

**Jeju Island, Republic of Korea**

**4 to 9 December 2017**

**Item 11 of the Provisional Agenda:**

**Report of the Evaluation Body on its work in 2017**

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| **Summary**At its eleventh session, the Committee established a consultative body responsible for the evaluation in 2017 of nominations to the Urgent Safeguarding List and to the Representative List, proposals to the Register of Good Safeguarding Practices and requests for International Assistance greater than US$100,000 ([Decision 11.COM 11](https://ich.unesco.org/en/Decisions/11.COM/11)). This document constitutes the report of the Evaluation Body, which includes an overview of the 2017 cycle (Part A), observations and recommendations on working methods and a number of cross-cutting issues (Part B) and a draft decision for the Committee’s consideration (Part C).**Decision required:** paragraph 66 |

1. In conformity with paragraph 27 of the Operational Directives, the evaluation of nominations for inscription on the List of Intangible Cultural Heritage in Need of Urgent Safeguarding and on the Representative List of the Intangible Cultural Heritage of Humanity, proposals for the Register of Good Safeguarding Practices and requests for International Assistance greater than US$100,000 is accomplished by a consultative body of the Committee established in accordance with Article 8.3 of the Convention, as well as Rule 20 of its Rules of Procedure, known as the ‘Evaluation Body’.
2. By its [Decision 11.COM 11](https://ich.unesco.org/en/Decisions/11.COM/11), the Committee established the present body at its eleventh session (Addis Ababa, Ethiopia, 28 November to 2 December 2016). The Evaluation Body is composed of six experts qualified in various fields of intangible cultural heritage representative of States Parties non-Members of the Committee and six accredited non-governmental organizations. As indicated in [Decision 9.COM 11](https://ich.unesco.org/en/Decisions/9.COM/11), a system of rotation among the seats was established, according to which the Committee reappointed nine continuing members and elected three new members – Ms Sonia Montecino Aguirre (Chile), Ms Hien Thi Nguyen (Viet Nam) and the Egyptian Society for Folk Traditions – at its eleventh session ([Decision 11.COM 11](https://ich.unesco.org/en/Decisions/11.COM/11)). They were elected by the Committee taking into consideration equitable geographical representation and their qualifications in various domains of intangible cultural heritage. The twelve members, together with the country they represent in the case of experts, are:

**Expert representatives of States Parties non-Members of the Committee**

EG I: Ms Amélia Maria de Melo Frazão Moreira (Portugal)

EG II: Mr Saša Srećković (Serbia)

EG III: Ms Sonia Montecino Aguirre (Chile)

EG IV: Ms Hien Thi Nguyen (Viet Nam)

EG V(a): Mr John Moogi Omare (Kenya)

EG V(b): Mr Ahmed Skounti (Morocco)

**Accredited non-governmental organizations**

EG I: Norsk Håndverksinstitutt / Norwegian Crafts Institute

EG II: Czech Ethnological Society

EG III: Associação dos Amigos da Arte Popular Brasileira – Museu Casa do Pontal / Association of Friends of Brazilian Folk Art – Casa do Pontal Museum

EG IV: 中国民俗学会 / China Folklore Society (CFS)

EG V(a): The Cross-Cultural Foundation of Uganda (CCFU)

EG V(b): Egyptian Society for Folk Traditions

1. Following the submission of a report on its work to the twelfth session of the Committee, the present Evaluation Body shall cease to exist. A new Evaluation Body will be established at the twelfth session of the Committee, following the requirements described in [Decision 9.COM 11](https://ich.unesco.org/en/Decisions/9.COM/11).
2. The report of the Evaluation Body consists of six working documents, as follows:
3. The present document ITH/17/12.COM/11 constitutes its general report with an overview of all 2017 files (Part A), general observations and recommendations on working methods and a number of cross-cutting issues (Part B) and a draft decision for the Committee’s consideration (Part C);
4. Document [ITH/17/12.COM/11.a](https://ich.unesco.org/doc/src/ITH-17-12.COM-11.a_Rev.-EN.docx) concerns nominations for inscription on the List of Intangible Cultural Heritage in Need of Urgent Safeguarding. It includes an assessment of the conformity of nominations with the inscription criteria as provided in Chapter l.1 of the Operational Directives, including an assessment of the viability of the element, and of the feasibility and sufficiency of the safeguarding plan and the risks of it disappearing, as provided in paragraph 29 of the Operational Directives. The document also includes a recommendation to the Committee to inscribe or not to inscribe the nominated element on the Urgent Safeguarding List or to refer the nomination to the submitting State(s) for additional information;
5. Document [ITH/17/12.COM/11.b](https://ich.unesco.org/doc/src/ITH-17-12.COM-11.b_Add.-EN.docx) concerns nominations for inscription on the Representative List. It includes an assessment of the conformity of nominations with the inscription criteria, as provided in Chapter l.2 of the Operational Directives, as well as a recommendation to the Committee to inscribe or not to inscribe the nominated element on the Representative List or to refer the nomination to the submitting State(s) for additional information;
6. Document [ITH/17/12.COM/11.c](https://ich.unesco.org/doc/src/ITH-17-12.COM-11.c-EN.docx) concerns the request for the transfer of the element ‘Xoan singing of Phu Tho Province, Viet Nam’ from the Urgent Safeguarding List to the Representative List, which is examined on an exceptional basis, in conformity with [Decision 10.COM 19](https://ich.unesco.org/en/Decisions/10.COM/19). It includes an evaluation of the report submitted on the status of the element, with an assessment of the status of the element against the criteria of the Urgent Safeguarding List, as well as a recommendation to the Committee to remove or not remove it from the Urgent Safeguarding List. It also includes an assessment of the conformity of the nomination with the criteria for inscription on the Representative List, as provided in Chapter l.2 of the Operational Directives, as well as a recommendation to the Committee to inscribe or not to inscribe the nominated element on the Representative List or to refer the nomination to the submitting State(s) for additional information;
7. Document [ITH/17/12.COM/11.d](https://ich.unesco.org/doc/src/ITH-17-12.COM-11.d-EN.docx) concerns requests for International Assistance greater than US$100,000. It includes an assessment of the conformity of the requests with the selection criteria, as provided in Chapter l.4 of the Operational Directives, as well as a recommendation to the Committee to approve or not to approve the requests or to refer the requests to the submitting State(s) for additional information;
8. Document [ITH/17/12.COM/11.e](https://ich.unesco.org/doc/src/ITH-17-12.COM-11.e_Add.-EN.docx) concerns proposals to the Register of Good Safeguarding Practices. It includes an assessment of the conformity of the proposals with the selection criteria, as provided in Chapter l.3 of the Operational Directives, as well as a recommendation to the Committee to select or not to select the proposals or to refer the proposals to the submitting State(s) for additional information.
9. The nominations, proposals and requests evaluated by the Evaluation Body are available on the website of the Convention at: <https://ich.unesco.org/en/files-2017-under-process-00859>.

**A. Overview of 2017 cycle**

1. The deadline for the submission of files for the 2017 cycle was 31 March 2016 (paragraph 54 of the Operational Directives). The Operational Directives provide that ‘The Committee determines two years beforehand, in accordance with the available resources and its capacity, the number of files that can be treated in the course of the two following cycles’ (paragraph 33). At its tenth session in Windhoek (2015), the Committee determined that in the course of the 2017 cycle, a total of fifty files could be treated for the Urgent Safeguarding List, Representative List, Register of Good Safeguarding Practices and International Assistance greater than US$25,000 ([Decision 10.COM 13](https://ich.unesco.org/en/Decisions/10.COM/13))[[1]](#footnote-1). In addition, the Committee decided to examine the request of Viet Nam to transfer an element from the Urgent Safeguarding List to the Representative List above the adopted overall ceiling for the 2017 cycle ([Decision 10.COM 19](https://ich.unesco.org/en/Decisions/10.COM/19)).
2. Following the abovementioned [Decision 10.COM 13](https://ich.unesco.org/en/Decisions/10.COM/13) as well as [Decision 9.COM 12](https://ich.unesco.org/en/Decisions/9.COM/12) to have at least one file per submitting State processed over the two-year period 2016-2017 and applying the priorities set out in paragraph 34 of the Operational Directives, the Evaluation Body was informed that the Secretariat had treated a total of [fifty-two files](https://ich.unesco.org/en/submitting-states-and-priorities-00860) as follows:

By level of priority:

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| --- | --- | --- |
| **Reference** | **Type of file** | **Number** |
| Decision 10.COM 13 | Files from States that did not have a file treated for the 2016 cycle[[2]](#footnote-2) | 22 |
| Paragraph 34 of the Operational Directives – priority (i) | Files submitted by States having no elements inscribed, no good safeguarding practices selected or no requests for International Assistance greater than US$25,000 approved | 5 |
| Nominations to the Urgent Safeguarding List | 3 |
| Paragraph 34 of the Operational Directives – priority (ii) | Multinational files | 3 |
| Paragraph 34 of the Operational Directives – priority (iii) | Files from States having up to ten elements inscribed, good safeguarding practices selected or requests for International Assistance greater than US$25,000 approved | 18 |
| Decision 10.COM 19 | Request for the transfer of an element inscribed on the Urgent Safeguarding List to the Representative List | 1 |
| **Total** |  | **52** |

1. Five States (China, France, Japan, the Republic of Korea and Spain) that submitted files for the 2017 cycle could not see their files treated within the ceiling of fifty files in the 2017 cycle: their files will be examined with priority in the 2018 cycle, following the principle of at least one file per submitting State during the two-year cycle ([Decision 10.COM 13](https://ich.unesco.org/en/Decisions/10.COM/13)).
2. The Secretariat processed each of the fifty-two files and in June 2016 contacted the submitting State(s) about information that was further required for the files to be considered technically complete (with the exception of nine files that were initially complete). In the course of the process, two files remained technically incomplete and one file was withdrawn by the submitting State. A total of forty-nine files were completed by the submitting States in time for evaluation by the Evaluation Body, as follows:

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| Urgent Safeguarding List | 6 |
| Representative List | 35 |
| Register of Good Safeguarding Practices | 4 |
| International Assistance  | 3 |
| Transfer from one List to another[[3]](#footnote-3) | 1 |
| **Total** | **49** |

1. Among the nominations evaluated for inscription on the Urgent Safeguarding List, one was withdrawn after evaluation in a previous cycle and not inscribed by the Committee in another previous cycle, and one was withdrawn after evaluation in a previous cycle. Among the nominations evaluated for inscription on the Representative List, five were referred by the Committee in previous cycles, one was withdrawn after evaluation in a previous cycle, and one was incomplete in a previous cycle.
2. The Evaluation Body met for the first time at UNESCO Headquarters in Paris on 2 and 3 March 2017. After consultation, the Body elected Mr Ahmed Skounti (Morocco) to serve as its Chairperson, Ms Amélia Maria de Melo Frazão Moreira (Portugal) to serve as Vice-Chairperson, and Mr Saša Srećković (Serbia) to serve as Rapporteur.
3. As it had done for preceding cycles, the Secretariat established a password-protected, dedicated website through which members could consult the documents of the meetings as well as the files to be evaluated, together with any accompanying documentation. An email distribution list facilitated communication among members of the Body. Every member of the Evaluation Body evaluated each file online and prepared an individual report on it explaining whether and how it responded to the applicable criteria.
4. The Evaluation Body met from 19 to 23 June 2017 to debate and reach a consensus on its recommendations on each criterion for each file as well as on cross-cutting issues. On this basis, the Rapporteur prepared draft decisions for each file, as well as general observations and recommendations from the Body. The Evaluation Body met again from 25 to 27 September 2017 to validate the draft decisions for each file and adopt the Body’s reports. The resulting draft decisions presented in the six respective reports thus represent the consensus of the Evaluation Body.

**B. General observations and recommendations**

1. This part of the report outlines some of the issues, observations and conclusions that arose during the deliberations of the Evaluation Body in this cycle. An overview of the submissions for the cycle is proposed, followed by an examination of emerging issues that cut across some of the files that were examined. Comments and suggestions are also offered on more specific issues related to the evaluation tools and criteria used.

***Working methods***

1. **Collective entity**. Each member of the Body evaluated each file individually before they met to undertake a joint evaluation. During the joint evaluation, the Body reached consensus on each specific criterion of each file. In other words, the Body functions as a collective entity that speaks with one voice which is evenly distributed geographically and between experts and non-governmental organizations.
2. **Evaluation of the contents of the files**. The Evaluation Body, as has been the practice in the past, focused its evaluation on the contents of the files, and not on an element as such, or on its interpretation of an element or its practice. The Body was keen to ensure consistency in its evaluations.
3. **Evaluators’ neutrality**. To ensure neutrality and equity, and as has been the custom, a member of the Body did not participate in the evaluation of a nomination submitted by the country of domiciliation of the non-governmental organization he/she represents or by the country of nationality of an expert or of a representative from a non-governmental organization. This was the case for seven of the forty-nine files examined in this cycle.
4. **Position of the Evaluation Body concerning missing information under R.5/U.5**. The Evaluation Body again encountered a considerable number of files lacking information or evidence related to criterion R.5/U.5. While noting that most of the other criteria in the respective files were met, it regretted those situations in which a nomination would be recommended for referral only because of the lack of factual information related to the inclusion of the element in an inventory (R.5/U.5). The required information that is often missing mostly relates to statements about the participation of the communities concerned in drafting the inventory, the body responsible for managing the inventory, the periodicity of the updating and the extract from the inventory. The Body also noted that, in some cases, the web links to the inventories were not readily available online or did not have English/French versions. In certain cases, the inventory extracts only provided listings without the required details about the element. Therefore, noting that nomination forms using a revised format for section 5 will only be used from the 2018 cycle, the Evaluation Body reached a consensus for those cases and wishes to propose a possible way forward involving a form of dual system of draft decisions with two options: 1) to refer the file to the submitting State due to the missing information, as per the existing procedure; 2) to allow the State Party concerned to provide evidence of the missing information at the Committee meeting, so that it will not have to wait another two years to resubmit the nomination file and have it examined by the Committee. The Evaluation Body underlines that this process should only apply to this cycle and should be limited to U.5/R.5.

***Overview of files***

1. **Quality of files**. The Evaluation Body was pleased to note the continuing trend of high-quality nominations. Its overall impression was that the quality of the files is growing constantly with each new cycle and it would therefore like to take this opportunity to commend States Parties for the work well done.
2. **Diversity and new perspectives**. Overall, the Evaluation Body appreciated the noteworthy diversity of the nominations. These included elements belonging to particular subdomains that had been somewhat underrepresented in previous cycles, such as traditional games or know-how on managing natural resources. Likewise, some new perspectives have emerged in this cycle such as nominations in which children are the main practitioners or practices such as rituals derived from memories associated with recent historic events that had previously mostly been carried out by heritage mechanisms and institutions rather than communities. The diversity of the files submitted for this cycle can be seen, for example, in those that include multiple domains of intangible cultural heritage within one nomination. The files also included practices closely related to specific cultural and natural spaces, phenomena of urban heritage, elements integrating ritual journeys, an increasing number of culinary practices and other associated aspects. In this cycle, the Body also encountered requests for capacity-building projects related to intangible cultural heritage aimed both at community members and academic institutions.
3. **Good examples**. The Evaluation Body was pleased to be able to recommend some of the nominations to the Representative List in this cycle as overall good examples:
4. ‘Craft of the miller operating windmills and watermills’ submitted by the Netherlands;
5. ‘Traditional system of Corongo’s water judges’ submitted by Peru;
6. ‘Door-to-door rounds of Kurenti’ submitted by Slovenia;
7. ‘Basel Carnival’ submitted by Switzerland.

In addition, the following files are also commended:

1. ‘Sega tambour of Rodrigues Island’, submitted by Mauritius, for the community’s broad participation in the preparation of the nomination;
2. ‘Rebetiko’, submitted by Greece, for the quality of the safeguarding measures described, which highlight the role of museums and the strong link between musicians and educational actions;
3. ‘Art of crafting and playing with Kamantcheh/Kamancha, a bowed string musical instrument’, a multinational file submitted by the Islamic Republic of Iran and Azerbaijan, for the planned measure to monitor the possible effects of increased visibility on the status of the element.
4. **Previously referred nominations**. The Evaluation Body was pleased to note that three nominations that had been referred by the Committee in previous cycles, some of which had been referred on several criteria, had been significantly improved and are therefore recommended for inscription in the present cycle. While the referral option was only recently introduced, the Body is of the opinion that this positive outcome shows that this option is already showing its benefits.
5. **Linguistic quality and inappropriate language**. States Parties are reminded of the need to pay attention to the linguistic quality of files, for instance by avoiding cases of misspelling in the names of elements. They are also reminded of the need to use language that adheres to the principles and spirit of the Convention when preparing nominations. The vocabulary used should not include expressions that imply the immutability of elements of intangible cultural heritage, such as the words ‘purity’, ‘intact’, ‘counterfeited’ or ‘authenticity’. States Parties should also be very cautious when making statements about the origins of an element. It is important to avoid expressions borrowed from other normative frameworks, along with all their relevant connotations (e.g. the term ‘universality’ from the World Heritage List).
6. **Title of the element**. The Evaluation Body would again like to highlight certain titles of nomination files that might imply appropriation when the element is shared by different communities and States Parties. During the deliberations, the Evaluation Body also noted nationalistic aspirations in some cases, as well as tendencies towards exclusivity over the element. Therefore, it is recommended that States Parties avoid using adjectives of nationality that may reflect claims of ownership. It is also important to note that some nomination titles do not match the main content provided in the description.
7. **Applicability of domains of intangible cultural heritage**. The Body highlighted the need for a close correspondence between the domains of intangible cultural heritage that are selected for a file and the description of the element provided in the nomination form. In several cases, the domains in the available boxes were not ticked in a comprehensive manner. On the other hand, the indications made in the boxes sometimes included too many domains, which were not reflected in the nomination form. It is important to ensure that the text in the form accurately reflects the indications in the boxes.
8. **Importance of videos**. Videos serve as the compulsory form of visual documentation supporting nomination files. They can be used to evaluate the status of an element thanks to the additional insight provided by video formats. There were cases in which the video showed that the element is widely practised, thereby removing certain doubts or dilemmas about the status of elements of intangible cultural heritage. The Evaluation Body continues to note a wide variety in the videos submitted in terms of both their quality and format.

***Thematic issues***

1. **Ownership / Use of the Lists as a means to establish geographic origin**. The concerns of ‘counterfeiting’ a practice are not relevant to the Convention and may instead refer to issues of intellectual property rights. States Parties are reminded that the inscription of an element on one of the Lists of the 2003 Convention does not imply that exclusive rights are claimed over that element nor does it prevent other States Parties from doing the same. In this regard, States Parties are further reminded that the 2003 Convention does not seek to establish a system of protection based on geographic origin or geographic indication. The Body is concerned that some countries may be exploiting or misusing the Lists as a means to authenticate the practice of an element in that specific country. It is important to recall that certain elements are shared across different countries and are not restricted to one specific country or specific groups. Even the identification of a specific community in the form does not necessarily exclude others from practising the element.
2. **Licenses**. In one case, the issue of licensing a practice of intangible cultural heritage arose. This issue may be interpreted differently according to specific contexts. Under the Convention, it is acceptable if a license serves only as an acknowledgement for the tradition bearers, but not if it is used as a restrictive measure to prevent other practitioners from engaging in the practice of the element.
3. **Over-commercialization**. Concerns were raised regarding measures that may encourage the over-commercialization or over-exploitation of an element. This is a common threat for various culinary traditions and may suggest that a recipe or dish acquires commercial recognition upon its inscription on one of the Lists, which is counter to the intent of the inscription process.
4. **The importance of distinguishing between a ritual and a commercial activity**. Elements of intangible cultural heritage are often practised in different ways, some of which bring commercial benefits, such as tourist programmes and performances during festivals. If the audiences of the element are situated outside of the local communities, the element is more likely to be commercialized to a certain degree. It is essential to indicate in the file whether or not the practitioners are salaried employees and in what way the element forms part of an economic process.
5. **Tourism**. When tourism forms part of the proposed safeguarding plan, preventive measures need to be indicated that will ward against the specific risks that it entails. For example, the use of souvenirs to promote an element, sometimes in a rather nationalistic manner, was noted in some cases: this does not reflect the spirit of the Convention and should be avoided. There are also some cases in which the companies advertising a specific product related to the element are named, which is also not in line with the Convention.
6. **Intangible cultural heritage and professional sports**. The Evaluation Body highlighted the need to pay attention to the distinction between traditional games as practices of intangible cultural heritage and the professional sports that some games have subsequently become. Increased visibility could foster the development of the element as a professional sport, which could in turn endanger its status as a traditional practice. Other related concerns include the safety of the participants, codes of ethics etc. The difficulty of distinguishing between a traditional practice and a sport derives from the need to demonstrate the cultural significance of an element for the communities concerned when it is in the form of a professional sport. In some cases, however, highly professionalized sports and other expressions of that element can coexist.
7. **Gender**. The Body encountered issues in cases where it was unclear whether women’s participation in certain practices of intangible cultural heritage was voluntary. In those cases, the Body was particularly concerned about the implications of such participation on the conditions of women. For example, when the purpose of young girls’ participation is to find a suitor for marriage, there is an issue around whether the girls agreed to partake of their own free will or whether an element of coercion was involved. While some elements of intangible cultural heritage attribute gender-specific roles, without necessarily contributing to gender inequalities, other intangible cultural heritage practices may in fact be seen as reinforcing gender inequalities and thus not in the spirit of the Convention. States Parties are reminded to pay due attention to specific gender-conditioned roles regarding practices of intangible cultural heritage in their respective countries.
8. **Gender and economic revitalization**. Efforts to restore certain traditions for the economic benefit of communities are not necessarily linked to promoting gender equality or empowering women. A project can be successful in economic terms but may still fail to achieve particular social goals such as the empowerment or emancipation of women who are the tradition bearers. It is important to follow up on the real impact of such practices within the community in the long term.
9. **Labour rights of practitioners**. States Parties should take heed of some of the implications of a practice acquiring greater visibility if it is inscribed. This may apply, in particular, to good practices in which the economic interest constitutes an important objective, such as in the case of craft workshops. For example, if the labour regulations within the workshops do not grant due rights to workers and practitioners, the visibility of the heritage may convey negative messages.
10. **Environmental sustainability**. Some intangible cultural heritage practices pose risks to environmental sustainability; this can be due to different factors, such as pollution and the over-exploitation of the natural resources needed to sustain the element. However, there are cases in which intangible cultural heritage practices promote environmentally-friendly measures such as those that make use of natural energy sources and traditional technologies. States Parties are invited to address these issues in the files.
11. **Confusion between the 1972 and 2003 Conventions**. The Body identified some cases in which States Parties had mixed up the 1972 Convention concerning the Protection of the World Cultural and Natural Heritage and the 2003 Convention. These two normative instruments are not identical and therefore States Parties are advised to abstain from designating elements of intangible cultural heritage as ‘world heritage’.

***Specific issues related to criteria for inscription on the List of Intangible Cultural Heritage in Need of Urgent Safeguarding and on the Representative List of Intangible Cultural Heritage of Humanity***

1. **R.1/U.1**. There needs to be a clear description of what the know-how associated with an element actually is: for example, what it represents and what importance it has for its bearers. However, it is important to note the difficulty of providing elaborate details on all of the different aspects of an element in the short description required in the form.
2. **U.1. Number of practitioners and urgent safeguarding**. The question of whether an element can actually be judged to be in need of urgent safeguarding when it has a relatively large number of practitioners was identified. At times, the number of bearers is over-estimated due to a failure to distinguish between people who are simply aware of an element, its audiences and those who actively practise it.
3. **R.2. Visibility of intangible cultural heritage in general**. Compared to last year’s examination cycle, fewer files failed to meet this criterion. However, the challenge remains and some files require a more substantial explanation as to how the inscription of the element on the Representative List could increase the visibility and raise awareness of intangible cultural heritage in general. The Evaluation Body is, however, aware of the difficulties that people working in the communities/at the regional and local levels have in understanding and expressing how the inscription of an element could increase the visibility of living heritage at the international level.
4. **R.2. Formulation of questions**. Some members of the Evaluation Body felt there was a problem with the formulation of the questions in this section of the nomination form. The Body discussed the ways forward and identified a few possible directions. One option would be to divide the questions on the form into sub-questions, while another option could be to provide separate boxes in which to place the answers. It was also proposed that States Parties be requested to provide information on concrete cases that could illustrate the statements provided on the form, which by themselves are mostly rhetorical and overly abstract.
5. **U.2. Threats of a generic and specific nature**. There was a discussion over whether generic threats can be considered to be sufficient to identify if an element is in need of urgent safeguarding, and if targeted safeguarding actions can feasibly be undertaken in response. Ideally, these threats should be as specific to the element as possible. It is also difficult to assess whether threats are generic or specific since they are often interconnected within a given context. In addition, the Body mentioned the need to be able to determine the severity of threats within specific contexts.
6. **Linkage between U.2 and U.3**. If the threats identified are too generic, it is not possible to assess the appropriateness of the safeguarding plan. Even large-scale threats have targeted and concrete socio-economic consequences, but the safeguarding plan cannot be expected to address them in all their aspects. There needs to be a precise correspondence between the factors threatening the viability of the element identified in U.2 and the safeguarding plan proposed in U.3.
7. **R.3 versus U.3. Safeguarding measures versus safeguarding plans**. Occasionally, there was some confusion over the difference between safeguarding measures (required under R.3) and the safeguarding plan (required under U.3). It is necessary to distinguish between the two. The latter needs to be precisely formulated and articulated as a whole; it should identify the objectives, activities, expected results, detailed budget and responsible bodies. A detailed budget and plan are not required for safeguarding measures, as they are for criterion R.3.
8. **R.3 and U.3. Community participation in State-led measures**. The Evaluation Body noted that some safeguarding measures are led entirely by governmental bodies. In some cases, such an approach is useful at particular stages of implementation. However, States should ensure that communities are involved to the largest extent possible, so that they can define, work proactively on and take a leading role in carrying out safeguarding measures.
9. **R.3 and U.3. Information on past, current and future safeguarding measures**. For some files, the Body encountered difficulties in distinguishing between ongoing safeguarding measures and those completed in the past, those recently implemented and those planned for in the future. It would therefore like to invite States Parties to ensure that the period of implementation of proposed safeguarding measures is made clear in nomination files.
10. **U.3. Linkage between proposed safeguarding actions and communities concerned**. The Body stressed the importance of the actions proposed being specific and connected with the groups and individuals concerned, rather than of a more general nature. The objectives and expected results need to be clearly laid out so that the outcomes can be matched against the initial projections.
11. **R.4/U.4. Selection of communities concerned**. It is important to determine the representativeness of those who expressed their consent for a nomination. It is one of the requirements set out in the form that there be a justification for the selection of community representatives. This consideration appears not to have been given due attention in recent years; future Bodies should therefore be reminded of the need to enforce a systematic approach to selecting the representatives involved in the nomination process.
12. **R.4/U.4. Letters of consent**. States Parties should be encouraged not to send standardized consent letters. It is important to ensure that the forms of consent are as varied as possible, including various forms of media. Petition forms supporting the nomination are not acceptable. In some cases, there is a lack of clarity as to whether or not those who have expressed their consent have actually understood what safeguarding intangible cultural heritage involves, especially given the use of standardized letters of consent. Equally, communities do not seem to have been properly informed of the difference between a nomination to a List of the 2003 Convention and a proposal to the Register of Good Safeguarding Practices.
13. **R.4/U.4. Number and form of statements of consent**. The number of signatories needs to be taken into account. There is a dilemma over whether to continue with an open approach or rather to provide more specific guidelines to States Parties concerning the number and form of the statements of consent. This has been an issue in previous files, with the use of a very limited number of consent letters to represent an entire community.

***Specific issues related to the transfer of an element from one List to another***

1. **Specific working methods**. For the first time, the Evaluation Body encountered a case in which a State Party wished to: 1) remove an element from a List (the Urgent Safeguarding List in this case); and 2) transfer the same element onto another List (the Representative List in this case). Following Viet Nam’s request to transfer the element ‘Xoan singing of Phú Thọ province, Viet Nam’ from the Urgent Safeguarding List to the Representative List, in 2015 the Committee decided to concurrently examine the report on the status of the element inscribed on the Urgent Safeguarding List and a new nomination of the same element for inscription on the Representative List, and to take a decision on the requested transfer ([Decision 10.COM 19](https://ich.unesco.org/en/Decisions/10.COM/19)).
2. Pursuant to the process set out in [Decision 10.COM 19](https://ich.unesco.org/en/Decisions/10.COM/19), the Evaluation Body first evaluated the report on the status of the element inscribed on the Urgent Safeguarding List, to assess whether the element could be removed from this List. As the format of the report on the status of the element does not follow the same structure as the nomination form for the Urgent Safeguarding List, and hence does not employ the same sequence as the criteria for inscription on the Urgent Safeguarding List, the Evaluation Body considered the information contained in the report on the status of the element to be insufficient as a whole to ascertain whether the element is still in need of urgent safeguarding. As a second step, the Evaluation Body evaluated the nomination file submitted by Viet Nam for inscription of the element on the Representative List criterion by criterion. As decided by the Committee, the Evaluation Body carried out the process on an experimental basis and subsequently identified the lessons learned, as set out in paragraphs 53-58 below.
3. **Is the element still in need of urgent safeguarding?** There needs to be a procedure in place to determine whether or not the element is still under threat, i.e. whether it could be removed from the List in question. It is necessary to focus specifically on criterion U.2 in order to determine the viability of the element and ascertain whether it is still in need of urgent safeguarding. The Body noted that there is a contradiction between saying that an element is no longer in need of urgent safeguarding and then emphasizing that challenges still exist. It is also important to identify who determines the viability of the element and decides on its possible removal from the List and whether communities play the key role in the relevant decision-making process.
4. **Community consent**. The Body considered that submitting States should have to provide proof of the consent of the communities concerned for requests related to the removal of an element from one List and/or its transfer to another. In particular, there were concerns about how to ascertain whether or not the community that had consented to the inscription of the element on the Urgent Safeguarding List was the same as the one that had consented to its removal.
5. **Transfer mechanism and periodic report**. Concerning the removal of the element from the Urgent Safeguarding List, the Body was asked to draw conclusions and offer an informed recommendation based on the periodic report on the safeguarding of the element, to which the State Party had committed itself when the element had been inscribed on the Urgent Safeguarding List. However, the Body observed that the periodic report does not provide sufficient evidence and indicators to assess whether the element is still in need of urgent safeguarding. In its current form, the periodic report does not follow the order of the criteria for the Urgent Safeguarding List, as set out in the nomination form. This issue of evidence is critical throughout the process; without sufficient evidence, the Evaluation Body is necessarily basing its evaluation on trust alone. Based on this experience, the Body recommends that a new, dedicated form be developed specifically for the removal of elements inscribed on the Urgent Safeguarding List.
6. **Evaluation of the implementation of the safeguarding plan**. At the point at which the State Party decided to request the removal of the element from one List and its transfer onto another, the safeguarding plan had not been fully implemented (it was due to be completed only in 2020). As a result, the Evaluation Body did not have the means to determine whether the current status of the element had been duly affected by the implementation of the safeguarding plan.
7. **Recommendations and comments from the Evaluation Body:**
	* The removal or transfer process needs to be carried out using an established order of activities and with an appropriate procedure since neither the available forms nor the Operational Directives provided an adequate mechanism for dealing with the transfer case in question.
	* It is also important to note that the removal of an element from one List does not necessarily entail its transfer onto another. Indeed, should it necessarily be a transfer to the Representative List, given that a successful safeguarding process could in fact make it a case for a transfer to the Register of Good Safeguarding Practices?
8. **Purpose of the Urgent Safeguarding List**. This case also raised the question of how long an element under threat can stay on the Urgent Safeguarding List, which needs to be considered so that the effects of inscription on the List can be assessed and ascertained. This, in turn, once again raises the question of the very purpose of the Urgent Safeguarding List.

***Specific issues related to International Assistance***

1. **Clear definition of communities**. One of the major concerns raised in relation to the evaluation of International Assistance requests was the need to provide a clear identification of the beneficiary communities.
2. **Academic institutions and community involvement**. The Evaluation Body specifically wishes to draw the Committee’s attention to requests pertaining to safeguarding activities to be implemented by universities, as this constitutes a relatively new approach to safeguarding projects. It would like to stress that the primary focus of such projects should be on safeguarding activities carried out in close collaboration with the bearer communities themselves, rather than exclusively on research and teaching activities.
3. **Importance of having a diversity of partners**. In order to ensure the wide social relevance of International Assistance projects, it is important to demonstrate the participation of a diversity of partners from different contexts in safeguarding intangible cultural heritage.
4. **Monitoring and follow-up**. The Evaluation Body underscored the need to monitor the implementation of International Assistance granted to States Parties. It is important to monitor the performance of projects after they have been approved by the Committee, to ensure they are implemented in accordance with the requirements set out in the form and the Operational Directives. The Body also stressed the importance of following up on the future development and sustainability of projects after their formal termination, given the importance of assessing the impact and effects of such projects in the long term.

***Specific issues related to the Register of Good Safeguarding Practices***

1. **Challenges in the application of an overall evaluation approach**. A number of issues were raised during the discussions concerning submissions for this mechanism. Unlike nominations to the Lists of the Convention, the selection of good safeguarding practices does not require submitted programmes and projects to meet all the nine criteria outlined in paragraph 7 of the Operational Directives. At times, the Body therefore found it difficult to decide on what constitutes a model for safeguarding and to ascertain whether a programme could indeed be replicated in different contexts.
2. **Programmes related to armed conflict and war**. Close attention needs to be paid to elements and practices connected with wars/armies as this is always a highly sensitive issue. When considering programmes with commemorative functions, there needs to be a clear distinction between the event to which the practice relates (i.e. the armed conflict of World War I), and the practice/ceremony itself that pays tribute to the victims. The specific historical background needs to be taken into account. On the other hand, the Evaluation Body is concerned that, in the future, it may be asked to examine practices that could be seen as supporting a specific political agenda. Another set of questions concerns the issue of whether or not such programmes contribute to the safeguarding of intangible cultural heritage. Likewise, can this type of commemoration be relevant to other contexts where peace is fragile? Links between peace and sustainable development are particularly important in that regard. The overall feeling among members of the Body was that there needs to be more evidence of safeguarding efforts besides that contained in the nomination form for the selected programme.
3. **Models applicable for other countries**. Similarly to previous cycles, criterion P.9 was the subject of considerable discussion within the Evaluation Body. How can the proposal in question be replicated in developing countries as a model? This question raised a lively discussion among the Body since the circumstances in particular countries are often quite specific, thereby impeding efforts to apply safeguarding models from elsewhere. Does it make sense to formulate the criterion in this way? There is a need for good models for safeguarding practices in both developed and developing countries. The Evaluation Body acknowledges the need to reflect openly on the applicability of criterion P.9 for the evaluation of proposals to the Register of Good Safeguarding Practices as currently defined in the Operational Directives.
4. **Draft Decision**
5. The Committee may wish to adopt the following decision:

DRAFT DECISION 12.COM 11

The Committee,

1. Recalling Chapter I of the Operational Directives,
2. Having examined documents ITH/17/12.COM/11, ITH/17/12.COM/11.a, ITH/17/12.COM/11.b, ITH/17/12.COM/11.c, ITH/17/12.COM/11.d and ITH/17/12.COM/11.e, as well as the files submitted by the respective States Parties,
3. Expresses its satisfaction with the work of the Evaluation Body, thanks its members for their efforts and the quality of the present report and appreciates the assistance of the Secretariat to facilitate the work of the Evaluation Body;
4. Takes note with appreciation of the observations made by the Evaluation Body in the course of its work for the 2017 cycle;
5. Recalls Decisions [10.COM 10](https://ich.unesco.org/en/Decisions/10.COM/10) and [11.COM 10](https://ich.unesco.org/en/Decisions/11.COM/10) and notes that many of the issues raised in these decisions are still relevant to the 2017 cycle;
6. Appreciates the benefits brought by the referral option as several nomination files that had been referred in previous cycles have been inscribed on the Lists of the Convention in this 2017 cycle;
7. Takes note of the dual system of draft decisions proposed by the Evaluation Body for nine nominations and underlines that this system was used on an exceptional basis as nominations for the 2017 cycle did not benefit from the nomination forms using a revised format for section 5 that have been introduced for the 2018 cycle;
8. Reminds States Parties that the Convention does not seek to establish a system of ownership such as through geographical indication, intellectual property, professional certifications or licenses, and that the inscription of an element on one of the Lists of the Convention does not imply exclusive ownership of a cultural expression;
9. Further reminds States Parties that more attention should be paid to the possible negative impacts of commercialization and the need to avoid any danger of decontextualization of the element as a result of increased tourism;
10. Further takes note of the recurring challenges encountered by the Evaluation Body in evaluating criterion R.2 and acknowledges the need to undertake a broader reflection on the purpose of the Representative List of the Intangible Cultural Heritage of Humanity, also in light of the lessons learnt from the first evaluation of the transfer of an element from one List to another;
11. Also takes note of the initial observations from the Evaluation Body concerning the transfer of an element from one List to another, the issues raised by this transfer mechanism concerning the purposes and links between the List of Intangible Cultural Heritage in Need of Urgent Safeguarding, the Representative List of the Intangible Cultural Heritage of Humanity and the Register of Good Safeguarding Practices and the recommendation from the Evaluation Body to establish an appropriate procedure for this transfer mechanism;
12. Welcomes the increasing scope of safeguarding projects for which International Assistance is sought and underlines the importance of setting up efficient mechanisms to monitor and evaluate the results, challenges and lessons learnt of these projects;
13. Commends the four States Parties that submitted proposals to the Register of Good Safeguarding Practices and encourages States Parties to continue submitting effective examples of good practices in the safeguarding of intangible cultural heritage;
14. Acknowledges the need to reflect openly upon the applicability of criterion P.9 for the evaluation of proposals to the Register of Good Safeguarding Practices as currently defined in the Operational Directives.
1. . At its sixth session in June 2016, the General Assembly approved a revision of the Operational Directives, whereby the budget threshold for International Assistance requests that the Evaluation Body examines was increased from US$25,000 to US$100,000 (Resolution 6.GA 7). [↑](#footnote-ref-1)
2. . Algeria, Armenia, Azerbaijan, Bolivia [Plurinational State of], Bosnia and Herzegovina, Colombia, Côte d’Ivoire, Indonesia, Iran [Islamic Republic of], Ireland, Italy, Kyrgyzstan, Mongolia, Morocco, Netherlands, Panama, Peru, Serbia, Slovakia, Turkmenistan, United Arab Emirates and Zambia. [↑](#footnote-ref-2)
3. . This includes a file submitted for the removal of an element inscribed on the Urgent Safeguarding List and a file submitted for the inscription of the same element on the Representative List. [↑](#footnote-ref-3)