**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 12 of the Provisional Agenda:**

**Procedures to facilitate dialogue
between the Evaluation Body and the submitting State(s)**

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| **Summary**At its eleventh session in 2016, the Committee requested that the Secretariat propose, for examination at its present session, a procedure for the evaluation of files that allows submitting States to respond to preliminary recommendations to be made by the Evaluation Body. The present document proposes such procedure, together with draft amendments to the Operational Directives in this regard that the Committee may wish to recommend to the General Assembly for adoption.**Decision required:** paragraph 9 |

1. At its eleventh session, the Intergovernmental Committee for the Safeguarding of the Intangible Cultural Heritage (‘the Committee’) took two interrelated actions under [Decision 11.COM 10](https://ich.unesco.org/en/Decisions/11.COM/10). On the one hand, the Committee requested that the Secretariat ‘propose a procedure, to the next session of the Committee, which would include an intermediary step in the evaluation of files, thus allowing submitting States to respond to preliminary recommendations that the Evaluation Body would have addressed beforehand to the Secretariat’ (paragraph 12). This document proposes such a procedure, together with the draft amendments to the Operational Directives that would be required to enact it, which the Committee may wish to recommend to the General Assembly for adoption.
2. By the same decision, the Committee also established an informal ad hoc working group in order to ‘examine issues related to the consultation and dialogue between the Evaluation Body and the submitting States, the decision-making process of the Committee concerning nominations, proposals and requests’ (paragraph 13). The conclusions of the ad hoc working group are detailed in its report (document [ITH/17/12.COM/13](https://ich.unesco.org/doc/src/ITH-17-12.COM-13-EN.docx)).
3. Such actions were triggered by the unprecedented high number of decisions taken by the Committee on nominations, proposals and requests that reversed the recommendations of the Evaluation Body for the 2016 cycle. The Committee decided to inscribe or select seventeen out of twenty-four files (71 per cent) even though the recommendations by the Evaluation Body on these files were not favourable. On several occasions, the Committee found that these negative recommendations were presented to it because of missing information of a minor and technical nature. At that session, many delegates also expressed concerns as to the fact that no mechanism currently exists in the procedure allowing submitting States to respond to the concerns raised by the Evaluation Body before their cases are brought to the Committee.
4. With reference to Chapter I.15 of the Operational Directives, the schedule established for the recent cycles is for the Evaluation Body to meet three times per cycle. The first meeting, in February/March, is an orientation session involving a presentation of the files to be examined, a review of the criteria and working methods of the evaluation body as well as the election of the Chairperson, Vice-Chairperson and Rapporteur. For a period of ten to twelve weeks after that meeting, the twelve members of the Body independently evaluate each of the fifty or so files. The Body meets for the second time in June for a collective evaluation, criterion by criterion, of each file, so as to reach consensus as a group, as well as to discuss cross-cutting issues. Immediately after the second meeting, in consultation with the Chairperson and with the support of the Secretariat, the Rapporteur begins drafting the report of the Evaluation Body to the Committee. The third meeting takes place in September, and is aimed at reviewing the draft report of the Evaluation Body to finalise the wording of the recommendations for each file, as well as the overall report on the work of the Evaluation Body.
5. This process, which combines individual and collective evaluations over the course of three meetings, has proved useful in ensuring that the evaluation of each file benefits from the geographical balance of the members of the Body, who are elected from each Electoral Group of UNESCO, while allowing the Body to speak in a united voice. Furthermore, experience has shown that the time allowed for each of the above-mentioned steps is just long enough to evaluate the fifty or so files. The issue at hand, then, is the need to create a window of opportunity within the evaluation cycle to allow the submitting States to respond to the queries posed by the Evaluation Body.
6. Following exchanges with the informal ad hoc working group, the Secretariat wishes to propose to hold the election of the Evaluation Body members immediately after a meeting of the General Assembly every two years instead of every year and to renew half of the members rather than a quarter. In this way, the first meeting of the newly elected Evaluation Body could be held in September in General Assembly years, immediately after the last meeting of the Evaluation Body of the ongoing cycle. The members of the Body could start preparing their individual evaluations by December/January – after the files completed in September have been translated – in preparation for their next meeting in April. Any questions the Evaluation Body may wish to address to a submitting State would then be communicated, in writing, to the submitting States concerned, so that they might send a written response within three weeks of the date on which the letter was sent out by the Secretariat. The Secretariat will translate both the questions of the Evaluation Body and the responses of the submitting States into the other working language of the Committee, as necessary. In its second meeting, the Evaluation Body would take into account these responses when finalizing its recommendations to the Committee. When presented on 10 May 2017 and again at its open-ended session on 2 June 2017, the ad hoc informal working group was satisfied with this proposal. An extra step in the evaluation cycle would mean, however, that the Secretariat would be tasked with the additional workload of facilitating the exchange of letters, including their translation, within a short timeframe. The new dialogue process might require either a change in the working methods for certain other statutory mechanisms, or additional human resources for the Secretariat, which is already stretched to meet various statutory obligations under the Convention. A simple graphic representation of the proposed revised nomination cycle calendar is found in Annex II to this document.
7. Operationally, changing the schedule of the election of the members of the Evaluation Body would require a transition period until the mandate of all the current members expires. It is proposed that, immediately after the seventh session of the General Assembly in 2018, the Committee elect three new members with a four-year mandate (2019-2022) and three new members with a three-year mandate (2020-2022). After the eighth session of the General Assembly in 2020, the Committee would elect three new members with a four-year mandate (2021-2024) and three new members with a three-year mandate (2022-2024).
8. The creation of an intermediary step in the evaluation cycle, according to the method presented in this document, would require amendments to the Operational Directives, which are presented in its Annex. The proposed changes concern the revised timetable for the evaluation cycle as well as the new method for the election of the members of the Body.
9. The Committee may wish to adopt the following decision:

DRAFT DECISION 12.COM 12

The Committee,

1. Having examined document ITH/17/12.COM/12,
2. Recalling its [Decision 11.COM 10](https://ich.unesco.org/en/Decisions/11.COM/10),
3. Also recalling Chapters I.8 and 1.10 of the Operational Directives,
4. Taking into account the debates of the informal ad hoc working group,
5. Recommends that the General Assembly revise the Operational Directives for the implementation of the Convention, as annexed to this decision.

**ANNEX I**

|  | **Operational Directives** |  | **Proposed amendments** |
| --- | --- | --- | --- |
| **I.8** | **Evaluation of files** | **I.8** | **Evaluation of files** |
|  |  | 26-27. | [No change] |
| 28. | The duration of office of a member of the Evaluation Body shall not exceed four years. Every year, the Committee shall renew one quarter of the members of the Evaluation Body. At least three months prior to the opening of the session of the Committee, the Secretariat shall inform the States Parties within each Electoral Group with a vacant seat to be filled. Up to three candidatures shall be sent to the Secretariat by the Chairperson of the Electoral Group concerned at least six weeks prior to the opening of the session. Once appointed by the Committee, the members of the Evaluation Body shall act impartially in the interests of all the States Parties and the Convention. | 28. | The duration of office of a member of the Evaluation Body shall not exceed four years. Every **two** year**s**, **immediately after an ordinary session of the General Assembly,** the Committee shall **meet to** renew ~~one quarter~~ **half** of the members of the Evaluation Body. At least three months prior to the opening of the session of the ~~Committee~~ **General Assembly**, the Secretariat shall inform the States Parties within each Electoral Group with a vacant seat to be filled. Up to three candidatures shall be sent to the Secretariat by the Chairperson of the Electoral Group concerned at least six weeks prior to the opening of the session. Once appointed by the Committee, the members of the Evaluation Body shall act impartially in the interests of all the States Parties and the Convention. |
|  |  | 29-31. | [No change] |
| **I.15** | **Timetable – Overview of procedures** | **I.15** | **Timetable – Overview of procedures** |
|  |  |  | 54. | [No change.] |  |
| 55. | Phase 2: | Evaluation | 55. | Phase 2: | Evaluation |
|  |  |  |  | **September Year 1** | **Meeting for orientation and election of the Chairperson, Vice-Chairperson and Rapporteur of the Evaluation Body.** |
|  | December Year 1to May Year 2 | Evaluation of the files by the Evaluation Body. |  | December Year 1to ~~May~~ **April** Year 2 | **Individual** evaluation of the files by the Evaluation Body **members**. |
|  | April – JuneYear 2 | Meeting for final evaluation by the Evaluation Body. |  | Latest by April ~~– June~~Year 2 | Meeting for collective evaluation by the Evaluation Body. |
|  |  |  |  | **Latest by 15 April Year 2** | **Deadline by which the Evaluation Body, through the Secretariat, shall transmit requests for clarifications or supplementary information to the States Parties concerned, 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 three weeks following the receipt of the letter, in one of the two working languages of the Convention.** |
|  |  |  |  | **Latest by September Year 2** | **Meeting for final evaluation by the Evaluation Body.** |
|  | 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 on-line 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.] |  |

**Annex II**

