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Educational, Scientific and  
Cultural Organization

Organisation  
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pour l'éducation,  
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Organización  
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para la Educación,  
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منظمة الأمم المتحدة  
للتربية والعلم والثقافة

联合国教育、  
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# Intangible Cultural Heritage

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**UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND  
CULTURAL ORGANIZATION**

**GENERAL ASSEMBLY OF THE STATES PARTIES TO THE  
CONVENTION FOR THE SAFEGUARDING OF THE INTANGIBLE CULTURAL  
HERITAGE**

**First session  
Paris, UNESCO Headquarters, Room XII  
27- 29 June 2006**

## **DRAFT SUMMARY RECORDS**

This document presents the Draft Summary Records of the First Session of the General Assembly. The Resolutions taken by the General Assembly and a list of participants are included in Annex 1.

The first session of the General Assembly of the States Parties to the Convention for the Safeguarding of the Intangible Cultural Heritage was held at UNESCO Headquarters in Paris from 27 to 29 June 2006. Representatives of 44 States Parties attended the meeting, and representatives of 73 Member States and 6 Non-Governmental Organizations attended as observers. The Intangible Heritage Section of UNESCO provided the Secretariat of the meeting.

[Room XII, 27.06.06, 10 am]

**AGENDA ITEMS 1A AND 1B: OPENING OF THE FIRST SESSION OF THE GENERAL ASSEMBLY BY THE DIRECTOR-GENERAL AND ELECTION OF A CHAIRPERSON, VICE-CHAIRPERSONS AND RAPPORTEUR OF THE GENERAL ASSEMBLY**

**[Official opening ceremony]**

1. The first session of the General Assembly of the States Parties to the Convention for the Safeguarding of the Intangible Cultural Heritage started with an official opening ceremony presided over by Mr Koïchiro Matsuura, Director-General of UNESCO.
2. In his opening speech, the **Director-General** welcomed all the representatives of the States Parties to the Convention, the observer Member States as well as the non-governmental organizations that played an important role in the Proclamation of Masterpieces of the Oral and Intangible Heritage of Humanity programme. He was particularly grateful to the guests of honour for their presence on this occasion, which bears great significance not only for UNESCO, but also for the entire the international community.

Mr Matsuura recalled the substantial contribution of Mr Javier Pérez de Cuéllar to the emergence of a new ethic of responsibility towards cultural heritage, both tangible and intangible, through the Report of the World Commission on Culture and Development that he chaired. He also warmly greeted Mr Mohammed Bedjaoui, Algerian Minister of Foreign Affairs, recalling his tireless efforts and his enlightened view as chairman of all the preparatory non-governmental and intergovernmental meetings that led to the birth of the Convention in 2003. He expressed his gratitude to the Government of Japan, represented by Mr Kenji Kosaka, Minister of Education, Culture, Sports, Science and Technology, for its generous and unfailing support granted to the Proclamation of Masterpieces of the Oral and Intangible Heritage of Humanity programme. The Director-General then greeted Mrs Mehriban Aliyeva, First Lady of Azerbaijan and UNESCO Goodwill Ambassador for Oral and Musical Traditions, and highlighted her remarkable commitment to promoting such expressions. Mr Matsuura then thanked Mr Kebede Kassa, representing Mr Alpha Oumar Konare, Chairperson of the African Union Commission, for his presence, thus demonstrating the attachment of Africa to this important convention for the African continent. The Director-General finally greeted the Chairmen of UNESCO's two governing bodies, Mr Musa Bin Jaafar Bin Hassan, Chairman of the General-Conference, and Mr Zhang Xingsheng, President of the Executive Board, both tireless advocates for the Convention.

The Director-General recalled the speed at which the 2003 Convention entered into force, obtaining a record 52 ratifications within 30 months of its adoption. He congratulated the 45 States Parties participating in this first session of the General Assembly and recalled that the seven States which had ratified the Convention since 27 March 2006 would become States Parties three months after the date on which they deposited their instrument with UNESCO. The Director-General then referred to the important tasks on the agenda of this first session of the General Assembly, namely the election of the Member States to the Intergovernmental Committee for the Safeguarding of the Intangible Cultural Heritage that, during their first term will have the great responsibility of drafting an initial set of operational directives for the implementation of the Convention. He pointed out that there were 18 seats within the Committee to be filled during this first session but that the organization of an Extraordinary General Assembly would be desirable in order to bring the number of Member States to the Committee to 24, as there will shortly be 50 States Parties to the Convention.

In closing, the Director-General invited other States to ratify the promising Convention so as to give a concrete demonstration of their attachment to the preservation of heritage in all its forms.

3. **H.E. Mr Mohammed Bedjaoui**, Algerian Minister of Foreign Affairs, thanked all those who, through their perseverance, patience and talent supported him and eased his task as Chairman of the non-governmental and intergovernmental meetings for the drafting of the Convention. He paid particular tribute to the Director-General for this grand initiative and acknowledged the generosity and assistance of the Japanese Government throughout the Convention's elaboration process. Although he expressed his satisfaction at what had already been achieved, Mr Bedjaoui stressed the importance of the ratification of other States to the Convention as a means of ensuring balanced and equitable representation of the States as well as their heritage. In concluding, he recalled the privilege, but also the responsibility, of the States Parties in the implementation of the Convention, a legal instrument that will be determinant for the future of the intangible heritage.
  
4. On behalf of the Government of Japan, **H.E. Mr Kenji Kosaka**, Minister of Education, Culture, Sports, Science and Technology of Japan, encouraged UNESCO to continue its coordinating role for preserving and safeguarding intangible cultural heritage and to work toward strengthening cooperation among the States Parties in this field. Mr Kosaka recalled Japan's longstanding efforts and experience in safeguarding intangible heritage, as well as its international initiatives such as the organization of meetings for the Asia and Pacific region financed through the UNESCO/Japan Funds-in-Trust for Preservation and Promotion of the Intangible Cultural Heritage. Following this line, Japan informed the General Assembly that it would be pleased to host the 2<sup>nd</sup> meeting of the Intergovernmental Committee for the Safeguarding of the Intangible Heritage in 2007, if elected member of this Committee. In addition, Mr Kosaka reported that his Government recently approved the "Law for the Promotion of International Co-operation on the Protection of Cultural Heritage Abroad", and in conclusion he

declared that Japan takes the entering into force of the 2003 Convention and the establishment of this law as an opportunity to further support and promote the safeguarding of intangible cultural heritage throughout the world.

5. **Mrs Mehriban Aliyeva**, First Lady of Azerbaijan and UNESCO Goodwill Ambassador for Oral and Musical Traditions expressed her satisfaction with the entering into force of the 2003 Convention, since cultural heritage, in particular intangible heritage, is increasingly threatened by stereotypes of mass culture. The Convention therefore represents a timely step directed to readdress the situation. Recalling that Azerbaijani Mugham was proclaimed a Masterpiece of the Oral and Intangible Heritage of Humanity in 2003, Mrs Aliyeva announced that the ratification process of the 2003 Convention by Azerbaijan is in its final stage and that the country will soon join the ranks of the States Parties to the Convention.
6. **Mr Kebede Kassa**, Focal Point for Culture of the Department of Social Affairs within the African Union Commission, congratulated the Director-General on behalf of Mr Alpha Oumar Konare, President of African Union Commission, for the success of the Convention and its rapid entering into force. He also conveyed a greeting from the African Union Commissioner for Social Affairs, Mrs Bience Gawanas, who attaches utmost importance to the 2003 Convention. Mr Kassa underlined the importance of the Convention for the Safeguarding of the Intangible Cultural Heritage for the African continent and recalled that the majority of endangered cultural heritage on the List of World Heritage in Danger is located in Africa. He informed the General Assembly that the situation for intangible heritage is worsening and that this heritage is about to disappear without having been recorded. He reiterated the call of the African Union inviting all African countries to ratify the 2003 Convention. Mr Kassa concluded his intervention by informing the General Assembly that the 1<sup>st</sup> Pan-African Cultural Congress will be organized in November 2006 in Nairobi, Kenya, and that the Congress considers tangible and intangible cultural heritage as equally important themes. He expressed his hope that the Congress would also provide an opportunity to promote ratification of the Convention as well as other normative instruments of UNESCO related to cultural heritage protection.
7. **H.E. Mr Zhang Xinsheng**, Chairman of the Executive Board, Chinese Vice-Minister of Education, and President of the China Scholarship Council, expressed his pleasure in participating in this first session of the General Assembly, which symbolizes the fruit of long-lasting efforts by UNESCO and its Member States for the protection and safeguarding of the intangible cultural heritage. Quoting from the Convention, he stated that the safeguarding of intangible cultural heritage is of general interest to humanity and underlined its invaluable role in bringing human beings closer together, ensuring exchange and understanding among them. Mr Zhang stressed that this first meeting of the States Parties to the Convention marks an important step towards the implementation of the Convention for the Safeguarding of the Intangible Cultural Heritage. He concluded by reminding the significance of this first General Assembly taking place amidst the UN reform process and congratulated the Director-General for his efforts to find a balance and constructive linkage between normative and operational activities.
8. **H.E. Mr Musa Bin Jaafar Bin Hassan**, President of the General Conference, and Permanent Delegate of the Sultanate of Oman to UNESCO, warmly welcomed all

delegations and personalities to this first session of the General Assembly. He paid a special tribute to Mr Bedjaoui for this invaluable role during the intergovernmental meetings that led to the adoption of the Convention, which is complementary to the World Heritage Convention, and recalled the remarkable and generous contribution of the Government of Japan that facilitated its elaboration. He extended his warmest greetings to UNESCO Member States that have already ratified and expressed his hope that many others would do so soon. Mr Musa bin Jaafar bin Hassan recalled the importance of safeguarding intangible cultural heritage, in particular in developing countries, and called for additional resources to allow the implementation of safeguarding measures. The President of the General Conference concluded by underlining the need to double the efforts in this regard and to reinforce international co-operation between Member States.

### [Election of a Chairperson]

9. The General Assembly proceeded with the election of a Chairperson. The **Assistant Director-General for Culture** reminded that one Chairperson, preferably four Vice-Chairpersons and a Rapporteur are to be elected, ideally each of them from a different electoral group.
10. The Delegation of **Japan** took the floor to propose H. E. Mr Mohammed Bedjaoui to be the Chairperson of the General Assembly in view of his rich experience in chairing the intergovernmental meeting for the preparation of the 2003 Convention. The proposal was supported by the Delegations of **Egypt, Senegal, Iran** and **Brazil**, who recalled Mr Bedjaoui's vast experience and competence in the field of intangible cultural heritage.
11. **H.E. Mr Mohammed Bedjaoui**, from Electoral Group V(b), was elected by acclamation Chairperson of the First Session of the General Assembly. The **Assistant Director-General** then invited the other electoral groups to start internal consultation in order to propose their candidates for the remaining posts of vice-chairpersons and rapporteur.
12. **H.E. Mr Mohammed Bedjaoui** thanked all the States Parties for the honour they bestowed on him in electing him Chairperson of the Assembly. Then he paid tribute to the Director-General by recalling that he had been among the first to have identified this ill-known dimension of Culture. The Chairperson then recalled that during the present session, the General Assembly would proceed, namely, to the adoption of its Rules of Procedure, would determine the percentage of the contribution to the Fund for the Safeguarding of the Intangible Cultural Heritage, and would elect the members of the Intergovernmental Committee. He then invited the States Parties to work in a spirit of cooperation and flexibility and he recalled the importance of equitable geographic distribution within the Intergovernmental Committee. He finally exhorted the States Parties candidates to the 5 other posts of the Bureau to act in concert and inform the General Assembly, at the start of the afternoon session, of their decision.

### [Statements by States Parties]

13. Following the intervention by the Chairperson of the General Assembly, twenty-four States Parties took the floor during the opening session of the General Assembly.
14. The Delegations of **China, Republic of Korea, India, Romania, Mexico, Peru, Iran, Hungary, Bolivia, Nigeria, Turkey, Slovakia, Ethiopia, United Arab Emirates, Jordan, Viet Nam, Belarus** and **Panama** congratulated the Chairperson for his election and conveyed their gratitude for his contributions to the elaboration of the text of the 2003 Convention. They expressed their confidence that the General Assembly, under his leadership, would be successful.
15. The Delegation of **China** underlined that safeguarding intangible heritage was as important as the protection of tangible heritage. China, which has about 56 ethnic groups, recently celebrated its first *National Heritage Day*, in which more than 3 million people participated. After stressing the importance of intangible cultural heritage for the creation of employment and the development of tourism, the Delegation announced China's candidature to the election of the Intergovernmental Committee and stressed that China would properly fulfil its obligations under the Convention. Finally, the Delegation proposed to host a meeting of the Intergovernmental Committee next year in China.
16. The Delegation of **Korea** congratulated the international community for having given birth to such an important Convention and recalled the longstanding commitment of Korea to the safeguarding of the intangible cultural heritage. The Republic of Korea has been strongly committed to several intangible heritage programmes for many years, such as the creation of a Living Human Treasures System, the Proclamation of Masterpieces and the Arirang Prize. The Delegation also recalled the creation of a UNESCO-Korean Fund for the safeguarding of the intangible cultural heritage in Asia and the Pacific.
17. The Delegation of **India** pointed out the great number of cultural expressions that have been transmitted in India over many generations in the fields of music, dance, traditional medicine and theatre among others. In addition, many tangible sites contain an intangible component rendering the culture particularly rich. Since 2004, with support from the Ministry of Culture, India has launched an inventory and provided assistance to masters, helping them to transmit their knowledge. The decentralized structure of India has allowed for the involvement of communities in safeguarding activities, and many other measures have been taken, such as the creation of a digital library, revitalisation measures for ancestral knowledge, and initiatives to create the appropriate political framework for the safeguarding of ICH.
18. The Delegation of **Brazil** mentioned that the country is proud of its longstanding experience in the safeguarding of intangible cultural heritage since the beginning of the twentieth century. Today, national measures focus on specific legislation, the methodology for inventory-making, active community participation, research and documentation and also decentralization. It seeks to approach cultural heritage with a global vision.

19. The Delegation of **Romania** observed that the safeguarding of intangible cultural heritage in Romania had been reinforced by the ratification of the Convention and by the Proclamation in 2005 of the Căluș Tradition as a Masterpiece of the Oral and Intangible Heritage of Humanity. Romanian institutions will substantially contribute to this process so that, in conjunction with good liaisons between researchers and local communities, the application of the Convention can be fully ensured.
20. The Delegation of **Egypt** noted the creation of a documentation centre, attached to the Ministry of Culture and the Library of Alexandria. This centre, which has received various prizes from UNESCO, substantially contributes to documenting and inventorying intangible cultural heritage in Egypt, and was instrumental for the Proclamation in 2003 of the *Al-Sirah Al-Hilaliyyah Epic* as a Masterpiece of the Oral and Intangible Heritage of Humanity. The centre also brought together experts from several countries of the Arab region to examine the possibility of safeguarding traditional knowledge.
21. The Delegation of **Mexico** stressed that the safeguarding of intangible cultural heritage is a priority for its Government and that the country has a good legislative framework to support the Convention. After mentioning that Mexico is in the process of ratifying the 2001 Convention on the Protection of the Underwater Cultural Heritage and 2005 Convention on the Protection and Promotion of the Diversity of Cultural Expressions, the Delegation reiterated its candidature to the election to the Intergovernmental Committee and its strong support for attributing an equal number of seats to each electoral group within the Committee.
22. The Delegation of **Peru** recalled its country's efforts in the field of safeguarding intangible cultural heritage and the setting up of a Regional Centre for the Safeguarding of the Intangible Cultural Heritage in Latin America (CRESPIAL), in Cuzco, under the auspices of UNESCO, which was approved by the last General Conference of UNESCO. Peru associated itself with the position to be taken by Electoral Group III with regard to the distribution of seats in the Intergovernmental Committee.
23. The **Chairperson** remarked that various countries had now referred to the distribution of seats in the Intergovernmental Committee and suggested that a working group might be set up in order to address this issue. He invited the General Assembly to reflect upon his proposal.
24. The Delegation of **Iran** stated that intangible cultural heritage must play an important role, as ignorance of it is source of many conflicts between cultures. Several efforts have been made in Iran in the spirit of the Convention during the preparation of the candidature file of Nowrouz to the Third Proclamation of Masterpieces of the Oral and Intangible Heritage of Humanity in 2005. The Delegation expressed Iran's wish to launch an academic research project on intangible cultural heritage common to the countries in the region.
25. The Delegation of **Hungary** expressed its support for the implementation of the Convention and recalled the longstanding Hungarian experience in the field of intangible cultural heritage. The Delegation stressed the importance of giving as much access as possible to intangible heritage, while being aware that certain

caution needs to be taken with some specific manifestations of such heritage. The Delegation further recognized with satisfaction that we are today far beyond the folklorist approach that arose more than a century ago, and pointed out that support for endangered languages should be part of UNESCO's efforts through adapted action plans.

### **[Lunch break]**

*[Room XII, 27.06.06, 3 pm]*

### **[Election of a Rapporteur and four Vice-Chairpersons]**

26. After the lunch break, the General Assembly appointed H.E. Mr O. Faruk Loğoğlu (Turkey, Group I) as Rapporteur. The representatives of Romania (Mr Virgil Nitulescu, Group II), Brazil, (H.E. Mr Luiz Filipe Macedo Soares, Group III), India (Mr Badal Das, Group IV) and Ethiopia (Mr Tesafye Hailu, Group Va) were designated as Vice-Chairpersons.
27. The Delegation of **Bolivia** recalled that Bolivia's proposal in 1973 to add a protocol on intangible heritage to the Copyright Convention was among the very first initiatives aiming at the recognition of the importance of the intangible cultural heritage. Since then, much experience was gained in the country, particularly through the Proclamations of Masterpieces. Bolivia supported the other States Parties of Group III regarding the number of seats in the Intergovernmental Committee, and rejected the principle of the proportional distribution of seats.
28. The Delegation of **Iceland** informed the General Assembly that it would not be a candidate for the Intergovernmental Committee, but that it would contribute fully to the good implementation of the Convention.
29. The Delegation of **Nigeria** mentioned that many activities in the country, with its more than 450 cultural groups, are already implemented in the spirit of the Convention, in particular the creation of a Living Human Treasures system with the support of the UNESCO/Norway Funds-in-Trust. The Delegation expressed the pride of Nigeria for being represented in the Masterpieces programme and recalled that Nigeria occupied the Presidency of the General Conference when it adopted the Convention in 2003.
30. The Delegation of **Turkey** pointed out that many institutions specialized in intangible cultural heritage exist in the country and recalled the meeting held in Istanbul in 2003 that gave a major impulse to the adoption of the text of the Convention. Turkey announced its candidature to the Intergovernmental Committee, hoping that an equitable geographical distribution could be guaranteed.
31. The Delegation of **Slovakia** congratulated the General Assembly on the rapid ratification process allowing henceforth for a better safeguarding of the intangible cultural heritage worldwide.
32. The Delegation of **Ethiopia**, with reference to the great cultural diversity in the country, expressed the hope for better safeguarding of the intangible cultural

heritage, in the light of the various threats that exist today. The Delegation thanked UNESCO for its contribution in launching an inventory project, and Norway for its generous contribution to a project on the collection of Ethiopia's traditional music.

33. The Delegation of the **United Arab Emirates** thanked the Secretariat for its good work and pointed out that the country was developing an inventory-making and safeguarding strategy. Recalling the country's contributions in the past, the Delegation ensured the General Assembly of its continued support in the future through the Sheikh Bin Sultan Al Nahyan Prize, as well as through the translation into Arabic of the *Intangible Heritage Messenger* and other intangible heritage related publications. The Delegation offered to hold a meeting of the Intergovernmental Committee in the United Arab Emirates and informed the Assembly that other countries in the region would be consulted with a view to the elaboration of a file for the inscription of falconry on the Representative List.
34. After thanking Japan for its support for intangible heritage activities, the Delegation of **Jordan** underlined that the implementation of the Convention would contribute to enhanced intercultural dialogue. The Delegation also recalled a number of measures taken in the country to preserve intangible cultural heritage, such as those connected to the sites of Petra and Wadi Rum, and stressed the importance of inventorying such heritage in view of its inscription on lists.
35. The Delegation of **Mongolia** congratulated UNESCO for its role as a clearinghouse of ideas and highlighted the various forms of intangible heritage in the country, including the Mongolian Long Song and other musical expressions. Special attention is given in Mongolia to the culture of nomadic peoples.
36. The Delegation of **Croatia** expressed its satisfaction at the opportunity presented by the gathering of so many States interested in safeguarding intangible cultural heritage and recalled the importance of developing new policies and normative instruments aimed at preserving it. Before confirming its candidature to the election of the Intergovernmental Committee, the Delegation also mentioned the need to coordinate activities both at the national and international level in order to ensure the long-term safeguarding of such heritage.
37. The Delegation of **Viet Nam** informed the Assembly that Viet Nam had recently adopted a law on the protection of intangible heritage, which recognizes the role to be played by communities, practitioners and civil society in general in its transmission to next generations, in particular within the context of a rapidly globalizing world.
38. The Delegation of **Belarus** remarked that the adoption of the Convention had filled a normative gap in the field of cultural heritage and made known that a Framework Action Plan had been adopted in order to support linguistic and cultural diversity. The Delegation also announced the candidature of Belarus to the election of the Intergovernmental Committee.
39. The Delegation of **Panama** recalled that it was the fifth State to ratify the Convention and the first one to do so in Latin America, a region which is rich in cultural diversity thanks to the many different ethnic origins of its peoples. After stressing the role of culture in economic development, the Delegation announced

that a policy had been developed to consult civil society in establishing measures for the safeguarding of intangible heritage.

**AGENDA ITEM 2: ADOPTION OF THE AGENDA AND TIMETABLE OF THE 1<sup>st</sup> SESSION OF THE GENERAL ASSEMBLY**

Document *ITH/06/1.GA/CONF.201/2*

40. The provisional agenda and timetable, as amended, were adopted.

**AGENDA ITEM 3: ADOPTION OF THE RULES OF PROCEDURE OF THE GENERAL ASSEMBLY OF THE STATES PARTIES TO THE CONVENTION FOR THE SAFEGUARDING OF THE INTANGIBLE CULTURAL HERITAGE**

Document *ITH/06/1.GA/CONF.201/3*

41. The **Chairperson** invited Mr Rieks Smeets, Secretary of the General Assembly, to take the floor and to give preliminary clarifications concerning the various linguistic versions of this document. **Mr Smeets** indicated that in the English version, Rule 12, "Representative" appears in singular instead of plural and that the French version of Rule 13.2 should be adjusted to the English wording.
42. The Delegations of **Brazil and Belarus** pointed out that similar mistakes occurred in the Spanish and the Russian versions of the documents. The **Chairperson** invited the States Parties to propose rectifications, which would then be incorporated by the Secretariat.
43. Introducing item 3 of the agenda, the **Chairperson** proposed that Rule 13 of the Provisional Rules of Procedure concerning equitable geographical distribution of membership on the Committee be discussed separately. He invited the General Assembly to consider establishing an informal working group with two representatives per electoral group for a preliminary discussion of the subject. The debate on Rule 13 was continued during the discussion of item 6A of the agenda, which concerned the distribution of seats among the electoral groups when electing an 18-member Committee.
44. After acceptance of this proposal by the General Assembly the **Chairperson** proposed that the General Assembly examine the Rules of Procedure by reading the rules one by one. The General Assembly adopted Rules 1, 2, 4, 5, 6, 7, 8, 9, 10, 11.1, 12, 14, 15.2, 15.4, 15.5, 15.8, 16.1, 17 and 18 without debate and on a provisional basis.

**[Rule 3 "Election of Officers"]**

45. The Delegation of **Mexico**, supported by the Delegation of **Viet Nam**, invited the General Assembly to take advantage of the experience gained in the Executive Board concerning the Rules of Procedure and the precise wording on when, how and how many members will be elected, and proposed therefore adding a paragraph on these issues to Rule 3 of the Rules of Procedure. In addition, Mexico

deemed that members of the Bureau shall not be eligible for re-election. The Chairperson reminded the delegates that this is the first meeting of the General Assembly and pledged for more flexibility to move on with the agenda items.

46. The Delegation of **Brazil** recalled that the Rules of Procedure under discussion, as was earlier indicated by the Chairperson, were identical to other UNESCO and UN procedures and therefore do not require lengthy discussion. The Delegation suggested distinguishing between formal and content items in order to have enough time to examine those rules with explicit political implication more carefully.
47. Upon request by the **Chairperson, Mexico** and **Viet Nam** reconsidered their proposals for an amendment and the **Chairperson** concluded that Rule 3 was provisionally adopted, according to the text presented by the Secretariat.

**[Rule 11: “Resolutions and amendments”]**

48. The Delegation of **India**, supported by the Delegation of **Romania**, required clarification on the exact meaning of the expression “sufficiently in advance” used in paragraph 2 of Rule 11. The **Legal Advisor** of UNESCO, Mr Yusuf, agreed with the Delegation of India that the wording might not be precise enough and therefore suggested the insertion of an exact time limit for the submission of the draft resolutions and amendments. The Delegation of **India** replied that this discussion might take too long and might therefore not be appropriate with regard to the content of the rule.
49. The **Chairperson** proposed to make an amendment by replacing the word “sufficiently” by “reasonably” and the Delegation of **India** agreed.
50. Rule 11 was provisionally adopted as a whole.

**[Rule 13: “Geographical distribution”]**

51. The **Chairperson** recalled that Rule 13 (13.1 and 13.2) should be discussed at a later point, namely as part of agenda items 6A (Distribution among electoral groups of membership of the Intergovernmental Committee for the Safeguarding of the Intangible Cultural Heritage) and 6B (Term of Office of the States Members of the Committee for the Safeguarding of the Intangible Cultural Heritage), as it concerns the content of these two agenda items.

**[Rule 15 “Election of Members of the Committee”]**

52. Concerning paragraph 1 of Rule 15, the Delegation of **Japan** requested clarification concerning the use of the secret ballot in the case that the number of candidates is equal to or lower than the seats to be filled. The **Legal Advisor** explained that if there are 5 vacancies and 10 candidates a secret ballot is needed, while this becomes unnecessary if 5 or less candidatures are proposed for 5 vacancies.
53. The Delegations of **Hungary** and **Iran** proposed to also discuss this rule together with items 6A and 6B, as it touches upon Rule 13.2. Rule 15.1 was therefore put between brackets for later consideration.

54. In accordance with the decision on Rule 15.1, the Delegation of **India** proposed likewise to put Rule 15.3 in brackets for later discussion.
55. Regarding paragraph 6 of Rule 15, two States Parties requested clarification on voting procedures: the Delegation of **Egypt** wished to know the difference between abstention and invalid votes, the Delegation of **Viet Nam** asked whether a ballot paper with no encircled names on it would be considered an abstention. The **Legal Advisor** clarified that while an abstention implies the deliberate intention not to cast a ballot, an invalid ballot paper implies that the elector failed to show his/her clear intention. When fewer names have been circled than seats to be filled, the vote is valid since the elector clearly indicates his/her intention to vote for certain candidates, but not for others.
56. The Delegation of **Romania** suggested that an abstention should be considered as non-voting, and that Rule 15.6 may thus be deleted as a whole.
57. The Delegation of the **United Arab Emirates** suggested amending the text by adding “under supervision of the Chairperson or his or her representative”. The Delegation of **Brazil** replied that such an amendment would not be necessary since another Rule of the Rules of Procedure already states that the Vice-Chairperson will take over in the absence of the chairperson.
58. The Chairperson proposed to keep rule 15.6 as drafted by the Secretariat.
59. Rule 15.6 was provisionally adopted.
60. The Delegation of **India** observed that Rule 15.7 suffered from a problem similar to that occurring in Rule 15.6 and asked whether blank ballot papers should be considered invalid. The **Legal Advisor** replied that although this wording occurs here and in the Rules of Procedure of the Executive Board of UNESCO, these rules have been applied and used for half a century in the UN system.
61. The Delegation of **Belarus** recommended continuing with the adoption of the Rules of Procedure.
62. In response to the Legal Advisor, the Delegation of **India** remarked that, contrary to the Rules of this General Assembly, the Rules of Procedure of UNESCO's General Conference indicate that blank ballot papers should be considered invalid.
63. Referring to the comments of the Legal Advisor, the **Chairperson** suggested taking into consideration that the Rules of Procedure of the General Conference are much more complete than those of an Assembly for one specific Convention, such as the World Heritage Convention. However, he conceded that if the States Parties felt a need to amend Rule 15.7, they were welcome to do so.
64. Rule 15.7 was provisionally adopted with the amendments proposed by India concerning the invalidation of voting papers that contain no indication as to the intention of the voter.

65. Regarding paragraph 9 of Rule 15, given the ambiguity in this paragraph, the Delegation of **India**, supported by the Delegations of **Egypt** and **Jordan**, proposed discussing this Rule alongside agenda items 6A and 6B.
66. Rule 15.9 was put between brackets for later consideration.
67. The Delegation of **Bulgaria** proposed to amend Rule 15.10 in order to reflect that individuals are behind “States Parties”. The proposal was not retained, and Rule 15.10 was provisionally adopted.

**[Rule 16: “Secretariat”]**

68. Concerning Rule 16.2 the Delegation of **Syria** asked for greater geographical balance among officials appointed by the Director-General. The Delegation of **Egypt** supported this statement adding the issue of appropriate specialization of officials.
69. The **Chairperson** reminded the General Assembly that the Director-General has the right to some flexibility in how he chooses to implement the Programme. The Delegations of **Belgium** and **India** fully supported this statement.
70. The Delegation of the **United Arab Emirates** proposed that the General Assembly keep the paragraph as it was drafted, but eventually add the notion “according to UNESCO custom”.
71. The **Chairperson** concluded by maintaining the text in its original form and Rule 16.2 was provisionally adopted.
72. The Delegation of **Brazil** pointed out that the word “Committee” in paragraph 3 of Rule 16 should be replaced by “Assembly” and the Delegation of **Mexico** requested the setting of a clear time limit in which the Secretariat has to provide working documents.
73. The Delegation of **Mexico** proposed that a deadline for the distribution of documents be added to Rule 16. The **Legal Advisor** explained that this issue varies from one text to another. For instance, the Rules of Procedure of the World Heritage Committee do not impose a timeframe, whereas the General Assembly foresees the submission of the documents usually 30 days before meeting. The **Chairperson** suggested that the translated documents would be distributed reasonably in advance, for example 30 days.
74. The Delegation of **Hungary**, supported by the Delegations of **India**, **Panama** and **Brazil**, remarked that their delegation received the working documents for this first General Assembly only 10 days in advance, which made it particularly difficult to analyse, prepare and discuss with the respective authorities and other delegations. More time would considerably improve the work of the General Assembly. The Delegations of **India** and **Brazil** also called for adding “in the six working languages”.
75. The **Assistant Director-General for Culture** agreed that the setting of a timeframe would be fully legitimate. The **Chairperson** therefore repeated the

amendment, including a time limit of 30 days for the submission of working documents. The Delegation of **Senegal** added that the paragraph in question could eventually be divided into two parts for the sake of more clarity.

76. Rule 16.3 was provisionally adopted as amended.
77. The **Chairperson** concluded the session by the adoption, on a provisional basis, of the Rules of Procedure (agenda item 3), with the exception of Rules 13, 15.1, 15.3 and 15.9, which had been put between brackets for later consideration.

[Room XII, 28.06.06, 10 am]

#### **[Accreditation of observers]**

78. At 10am on 28 June the Chairperson opened the plenary by apologizing that he would not be able to chair the General Assembly on Thursday 29 June, but that he would be replaced by the Vice-Chairperson from Brazil. He reiterated his proposal of establishing a working group to debate the geographical distribution of the members of the Intergovernmental Committee. He proposed to dedicate 30 minutes within the Plenary to discussing this question. Before that, however, the Chairperson gave the floor to the Secretariat for the accreditation of the observers.
79. **Mr Rieks Smeets** informed the Plenary that approximately 50 Member States had asked for accreditation, and read out their names. He remarked that seven Member States had already deposited their instruments of ratification, approval or acceptance, but were not States Parties since the Convention had not entered into force for them yet. Several Non-Governmental Organizations were also accredited. The list of all the participants can be found in Annex 1.

#### **[Rule 13: “Geographical Distribution”]**

80. **The Chairperson**, coming back to the geographical distribution proposed in Rule 13, recalled that 45 States were States Parties to the Convention, which implied the election of an 18-member Committee.
81. The Delegation of **Hungary**, as President of the NGO Committee in the Executive Board, expressed its appreciation to UNESCO for the accreditation of Non-Governmental Organisations and requested an explanation from the Legal Advisor concerning the reasons behind choosing a proportional system for distributing the seats among electoral groups.
82. The Delegation of **India** took the floor and stressed that it could not agree with the proposal earlier made by Electoral Group III on distributing an equal number of seats and that the proposed formula was a good compromise for ensuring equitable geographical distribution.
83. The Delegation of **Brazil** cautioned that some States that already deposited their respective instrument of ratification, but that were not States Parties yet, were disadvantaged as they could not present their candidacies to the election of the Intergovernmental Committee. It would therefore be wiser to work in a way that

avoids future complaints of future States Parties and to convene an extraordinary session of the General Assembly to elect the other 6 members at a later date.

84. The **Legal Advisor** of UNESCO reminded that from a legal viewpoint, this Assembly of 45 States Parties to the Convention can only elect 18 members to the Committee. Regarding the equitable geographical representation, the Legal Advisor indicated that the proposal made by the Secretariat was based on the experience of UNESCO with respect to such a distribution in other instances (UNESCO's Executive Board, other international organisations and in the UN Security Council). He further recalled that the General Assembly of the World Heritage Convention could not agree in 1976 on approving an equitable geographical representation system for the purpose of the election of the members of the World Heritage Committee and was therefore now dealing with many problems.

#### [Establishment of a working group on Rule 13]

85. The Delegation of **Belgium**, followed by the Delegations of **Algeria, Iran, Nigeria** and **Romania**, supported the creation of a working group for this agenda item. The Delegation of **Senegal** pointed out that a clear mandate should be given to the working group.
86. The Delegation of **Japan** invited the General Assembly to stick to the principle of equitable distribution as mentioned in the Convention. Japan supported the proposal made by the Secretariat in document ITH/06/1.GA/CONF.201/3, but would also be in favour of the establishment of working group to examine this matter.
87. The Delegation of **China** expressed its appreciation to the Secretariat for having undertaken such a thorough search for an acceptable proposal. However, a consensus had to be reached, and China would take active part in a working group.
88. Several Delegations were in favour of discussing this matter within the Plenary. The Delegation of **Egypt** cautioned that a working group would come back to the Plenary with proposals that would then have to be debated again in the Plenary. The Delegation of **Croatia** welcomed the equitable geographical representation proposed by the Secretariat and considered that no working group was needed.
89. The **Chairperson** acknowledged the diversity of views expressed, concluded that there was a need to establish a working group in order to avoid further delay of the work in Plenary and invited the electoral groups to present their representatives in the working group. The working group was composed by the representatives of the following countries:
- Group I: Belgium, Luxembourg
  - Group II: Estonia, Romania
  - Group III: Bolivia, Mexico
  - Group IV: China, India
  - Group Va: Gabon, Nigeria
  - Group Vb: Algeria, Jordan

90. With regard to its mandate, the **Assistant Director-General for Culture** invited the working group to find a formula for the geographical distribution of the States Members of the Intergovernmental Committee and reminded it that the question on increasing the number of members from 18 to 24 also needed to be taken into account.
91. The **Chairperson** adjourned the session for 5 minutes allowing the members of the working group to leave Room XII for Room IX.

[The debate on Rule 13 continued under Agenda Item 6A (Distribution among Electoral Groups of Membership of the Intergovernmental Committee for the Safeguarding of the Intangible Cultural Heritage); see further below under this agenda item, starting at paragraph 118.]

[Room XII, 28.06.06, 11 am]

#### **AGENDA ITEM 4: DETERMINATION OF A UNIFORM PERCENTAGE OF STATES PARTIES' CONTRIBUTIONS TO THE REGULAR BUDGET OF UNESCO FOR ESTABLISHING THEIR CONTRIBUTION TO THE FUND FOR THE SAFEGUARDING OF THE INTANGIBLE CULTURAL HERITAGE**

Document *ITH/06/1.GA/CONF.201/4*

92. At the request of the Chairperson, the **Secretariat** read the resolution text and provided additional details on the provisions given in the Convention. If the contribution of 1 percent of the States Parties' contribution to the regular budget of UNESCO is retained, States Parties would contribute between US\$31 and US\$600,000, for a total annual budget of about US\$940,000 with the current 45 States Parties.
93. The Delegations of **Brazil, Korea, India, Japan, Mexico, Nigeria, Senegal, China, Peru** and **Slovakia** agreed with the contribution of 1 percent.
94. The Delegation of **Brazil** suggested to start contributions on 1 January 2007 and to end the first payment period on 31 December 2008. It stressed that the contribution of all States Parties should start in 2007 only in order not to penalize the first States Parties to the Convention. The Delegation of **Korea** supported the proposal of Brazil concerning the payment period. The Delegation of **India** reminded that the contribution period that will be fixed by the General Assembly will have to be validated by each State Party first.
95. The **Chairperson**, while agreeing that each country has its own regulations concerning the start of their budgetary year, reminded that 1 percent of the contribution to the regular budget of UNESCO is not an enormous amount for a number of countries. He also recalled that no activity could be implemented without contributions to the Fund.
96. The Delegation of **Japan** stressed that 20 April 2006, the date of entry into force of the Convention, could be accepted as starting date of the payments but requested

some information from the Secretariat on the projects to be implemented before 1 January 2007. The Delegations of **Mexico** and **Nigeria** supported the proposal of Japan.

97. The **Secretariat** informed the General Assembly that the Intergovernmental Committee has to prepare and to submit to the General Assembly for approval a draft plan for the use of the Fund. Consequently, those plans will not be approved before the next ordinary session of the General Assembly. In the meantime, the Secretariat will continue implementing projects with funding from the regular budget as well as from extrabudgetary funding.
98. The Delegation of **India** highlighted that nothing can be done with the Fund before the General Assembly and the Intergovernmental Committee decide on the Rules of its use.
99. The **Secretariat** referred to the biennial system used in UNESCO for all budgetary matters and suggested to consider the first payment period to the Fund from 1 January 2007 to 31 December 2007.
100. The **Chairperson** asked the General Assembly to react to these suggestions and to decide on the payment period.
101. The Delegation of **Brazil** raised the following question: if the contribution period starts with the entry into force of the Convention, would States that become Party later have to pay the same amount. The Delegation of Brazil wanted to obtain the agreement from its government and see it pay from 1 January 2007 on.
102. The Delegation of **Mexico** requested clarification on whether contributions are to be made every year or every two years.
103. The **Secretariat** clarified that payments will be asked every year and that States Parties will have to pay at least every two years. The **Chairperson** invited again the General Assembly to take a decision.
104. The Delegation of **India** recalled that only the Intergovernmental Committee will establish a plan for the use of the Fund and deliberate on paragraphs c, e, d and g of Article 7 of the Convention. As the General Assembly had not decided yet on the date and the venue of its extraordinary session, no decision could be taken on the projects to be financed by the Fund. Starting payments in 2007 would therefore be better.
105. The Delegation of **Senegal** wanted to stick to the entry into force of the Convention as a starting point for the payments as suggested by the Delegation of Japan, and recalled Article 26.2 of the Convention. The Delegations of **Nigeria**, **China** and **Slovakia** supported the proposal made by Japan and Senegal.
106. The **Chairperson** resumed that the first payment period would therefore be from 20 April 2006, the date of the entry into force of the Convention, to 31 December 2007 following the biennial budgetary system of UNESCO.
107. Draft Resolution 1. GA 4 was adopted as amended.

## **AGENDA ITEM 5: DATE AND VENUE OF SESSIONS OF THE GENERAL ASSEMBLY**

Document *ITH/06/1.GA/CONF.201/5*

108. The **Chairperson** introduced this item by reminding that the Convention stipulates in its Article 4.2 that the General Assembly shall meet every two years. As most Member States send representatives to the General Conference of UNESCO and given the limited regular budget, Draft Resolution 1 GA 5 proposed to convene the General Assembly immediately after the ordinary sessions of the General Conference.
109. The **Secretariat** added that other Conventions are organizing their General Assembly during the General Conference of UNESCO. In order to avoid problems due to overlapping of such meetings, it is proposed to foresee the ordinary session of the General Assembly of the 2003 Convention immediately after the General Conference.
110. The **Chairperson** reminded that if the second session of the General Assembly would therefore be organized in November in 2007, the interval between the first and the second ordinary session would be 17 months instead of 24 months.
111. The Delegation of **Brazil** thanked the Secretariat for the good starting point but added that the experts who will be sent by Brazil to the General Assembly are not those who are sent to the General Conference of UNESCO, as they are specialists in a particular field. The Delegation of **Mexico** further remarked that the General Conference of UNESCO has already a heavy workload, and recalled that many texts, in particular the Operational Directives, would have to be adopted at the second session of the General Assembly. It went therefore along with Brazil suggesting to have the next General Assembly in June 2008. The Delegations of **Peru, Panama, Bolivia, Egypt, Nigeria** and **China** supported the interventions by the Delegations of Brazil and Mexico.
112. The Delegation of **India** wondered, with regard to Article 4.2 of the Convention, whether it would be legal to organize the next ordinary session of the General Assembly within less than 2 years.
113. The **Chairperson** summarized the debates so far concluding that the General Assembly wished to convene ordinary sessions of the General Assembly every second year without connection to the General Conference, which means that its second ordinary session will be held in June 2008, and asked for suggestions for its venue.
114. The Delegation of **Egypt** said that it would be delighted to host the next General Assembly in Alexandria.
115. The **Chairperson** added that in absence of any invitations, the General Assembly would be held in Paris.
116. Draft Resolution 1. GA 5 was adopted as amended in the light of the debates.

[Room IX, 28.06.06, 11 am]

**AGENDA ITEM 6A: DISTRIBUTION AMONG ELECTORAL GROUPS OF MEMBERSHIP OF THE INTERGOVERNMENTAL COMMITTEE FOR THE SAFEGUARDING OF THE INTANGIBLE CULTURAL HERITAGE**

Document *ITH/06/1.GA/CONF.201/6A* and Document *ITH/06/1.GA/CONF.201/3*

**[Meeting of the Working Group]**

117. The Working Group met in Room IX beginning at 11 am. At the recommendation of the Delegation of **India**, supported by the Delegation of **China**, Mr Alfredo Miranda, from **Mexico**, was appointed Chairperson of the Working Group.
118. When starting the debate, the Delegation of **China** contended that simultaneous translation was available only in English and French, and that therefore it could not participate in the debate in a fruitful manner. The request for interpretation in Chinese was endorsed by the Delegation of **India**, who cautioned that Group IV would refuse to participate in the debates unless simultaneous interpretation was provided in all the six working languages of UNESCO. After 15 minutes of interruption, simultaneous interpretation could only be provided in English, French and Chinese. The Delegation of China refused to resume the session since it considered that it should not be given preferential treatment, and that interpretation should also be provided in the other three languages. The Delegations of **Jordan**, **Luxembourg**, **Bolivia** and **Romania** endorsed this intervention. Given that simultaneous interpretation could not be made available in the six working languages, the Working Group was adjourned.

[Room XII, 28.06.06, noon]

119. Having been informed of the above, the **Chairperson** suspended the Plenary in order to allow the Working Group to use Room XII, which was equipped with interpretation in all six working languages. The Working Group resumed its discussion at noon, in Room XII.
120. In response to the appeal made by India that the Secretariat should have provided interpretation in six languages, the **Assistant Director-General for Culture** explained that the Secretariat needs at least 24 hours to make the necessary agreements. Since the decision on the creation of a Working Group had not been adopted sufficiently in advance, the Secretariat could only foresee simultaneous translation in English and French in Room IX.
121. The Delegations of **Jordan** and **Algeria** advocated for the attribution of three seats to the Arab Group, on the basis of the history, cultural impact and geographical extension of the Arab World, as well as on the increasing importance of Arabic.
122. The Delegation of **Luxembourg** argued that the Secretariat's proposal did not respect the equitable geographical distribution of seats and stressed that Group I

should also have at least three seats from the very beginning, since long term interests should be taken into account.

123. The Delegation of **India** defended the proposal by the Secretariat as it considered that the only way to distribute seats equitably was on the basis of the number of States Parties per electoral group. No other criteria such as population, territory or language should be used. This intervention was endorsed by the Delegations of **Gabon, Estonia, Romania** and **China**. The Delegation of **Estonia** advanced that it would try to find a compromise, while the Delegation of **China** recalled that the distribution of seats would be revised at each election according to the number of States Parties.
124. The Delegations of **Mexico** and **Belgium** considered that the correct interpretation of Article 6.1 was to equally distribute the seats among electoral groups, which would also avoid problems in the future. They remarked that three electoral groups were in favour of this interpretation. The Delegation of **India** rejected this interpretation of Article 6.1 by pointing out that the Convention requests an “equitable” geographical distribution, not an “equal” distribution.
125. Since no agreement was found, the Delegation of **Estonia** remarked that, if proceeding to a vote on whether having an equal or proportional distribution of seats, 18 States Parties would be against the proportional distribution while 27 would be in favour. The Delegations of **Romania** and **India** agreed with Estonia, while the Delegations of **Luxembourg, Bolivia** and **Peru** regretted that voting on this issue had been proposed and advocated for an equal distribution of seats as the only application of the principle of equitable geographical representation.
126. The **Chairperson of the Working Group** proposed that a maximum of four seats should be attributed to each electoral group in a Committee of 24 Members, which was endorsed by the Delegations of **Luxembourg** and **Belgium**. The Delegation of **Estonia** suggested instead to increase to three the minimum number of seats to be attributed to each group.
127. The Delegation of **Hungary** recalled that some electoral groups were more dynamic than others, and that these groups should not be penalized because they have a larger number of States Parties. The Delegation of **Luxembourg** replied that Group I was not less committed to the Convention than other groups, but that the ratification process could be slower than in other States.
128. The **Chairperson of the Working Group** endorsed the statement by the Delegation of Luxembourg, and recalled his proposal to attribute a maximum of 4 seats per group, which was subsequently supported by the Delegations of **Algeria** and **Bolivia**.
129. Since no consensus could be achieved between the electoral groups in the Working Group, it was decided to continue the debate in Plenary.

[Room XII, 28.06.06, 3 pm]

130. In the afternoon of Wednesday 28 June, the **Chairperson of the General Assembly** invited the **Chairperson of the Working Group** to report to the Plenary on the results of the debate on Rule 13 and about the positions of the electoral groups. The Chairperson reported that some the electoral groups were in favour of accepting the proposal made by the Secretariat, while others preferred systems in which the same number of seats would be attributed to all of the electoral groups.
131. The Delegation of **Estonia** suggested to increase to 3 the minimum number of seats to be attributed to each electoral group, which was supported by the Delegation of **Romania** on behalf of Electoral Group II. It also suggested to keep Rule 13.1 for the time being and to amend Rule 13.2 foreseeing a minimum of 2 seats in an 18-member Committee and 3 in a Committee of 24 members. The Delegation of **Egypt** observed that the minimum of 3 seats should also apply to a Committee of 18 members.
132. The Delegation of **Luxembourg** requested more time for consultations, since the Estonian proposal would have consequences in the future. The Delegations of **Belgium**, **Gabon** on behalf of Group V(a) and **China** on behalf of Group IV supported this request. **The Chairperson** therefore suspended the session for 30 minutes, and at 4.20 pm invited Group I to take the floor.
133. The Delegation of **Luxembourg**, on behalf of Group I, clarified that it would agree with the proposal by Mexico to attribute a maximum of 4 seats to each group since it would lead to an equal distribution of seats in a Committee with 24 members. However, Group I needed more time for consultations.
134. The Delegation of **India**, on behalf of Group IV, stressed that it could agree with the proposal made by the Delegation of Estonia, as a compromise, but not with the one made by the Delegation of Mexico.
135. The Delegation of **Romania**, on behalf of Group II, stressed that the proposal made by the Delegation of Estonia was the joint position of Group II and the best compromise. The Delegation of **Gabon**, on behalf of Group V(a), explicitly supported by the Delegations of Senegal and Mali, remarked that the Estonian proposal would be interesting when incrementing the number of Committee Members to 24, but that for the time being the Group was in favour of maintaining the Secretariat's proposal. The Delegation of **Egypt**, on behalf of Group V(b), supported the proposal made by the Delegation of Estonia with the modification introduced by the Delegation of Romania to amend Rule 13.2 foreseeing a minimum of 2 seats in an 18-member Committee and 3 in a Committee of 24 members, but agreed with Group I that more time would be needed for consultation.
136. The Delegation of **Luxembourg** insisted that the system that was being proposed did not take into account the commitment of Group I to UNESCO's activities.
137. The Delegation of **Moldova** expressed its support for the proposal of the Secretariat.

138. The Delegations of **Bulgaria** and **Romania** recalled that a compromise should be found and that the Estonian proposal was the only compromise between two extremes.
139. The Delegation of **Egypt** declared that Group V(b) had reconsidered its position and that it would support the Estonian proposal.
140. The Delegation of **Belgium** recalled that the proposal made by the Delegation of Mexico to attribute a maximum of four seats to each electoral group needed to be discussed.
141. The Delegations of **India**, **Romania** and **Estonia** disagreed with the Mexican proposal and remarked that if adopted, the election of the first 18 Members of the Committee could not take place.
142. The Delegations of **Luxembourg** and **Belgium** remarked that consultation was needed within the electoral group and with their respective governments before a decision on this issue could be taken.
143. While consultations went on, the Delegation of **Hungary** suggested that the Plenary should move on to another agenda item, which was accepted by consensus.

**[AGENDA ITEM 6B: TERMS OF OFFICE OF COMMITTEE MEMBERS]**

144. Since it was decided, under item 5 of the Agenda, to hold the next General Assembly in June 2008, the terms of office of the States Members of the Committee in its first composition would not deviate from what is regulated in Article 6.3 of the Convention. Item 6B, therefore, had become redundant and was cancelled.

**AGENDA ITEM 7A: DATE AND VENUE OF THE FIRST SESSION OF THE INTERGOVERNMENTAL COMMITTEE MEETING**

Document *ITH/06/1.GA/CONF.201/7A*

145. The **Chairperson** asked the General Assembly whether there was a proposal for the venue of the first session of the Intergovernmental Committee.
146. The Delegation of **Algeria** stressed the importance its Government attaches to the safeguarding of intangible cultural heritage, and recalled the country's intention to establish a Regional Centre for the Safeguarding of the Intangible Cultural Heritage in Algeria. The Delegation declared that Algeria would be very honoured to host the first session of the Intergovernmental Committee in Algiers, at the end of October 2006. The General Assembly welcomed by acclamation the proposal of Algeria and proceeded to adopt Draft Resolution 1. GA 7A as amended.

### [First Extraordinary Session of the General Assembly]

147. The General Assembly then discussed a Draft Resolution proposed by the Secretariat concerning the organization of an extraordinary session of the General Assembly with the purpose of electing six additional Member States of the Committee. The Secretariat had made the proposal in accordance with Article 5.2 of the Convention which provides that the number of States Members of the Committee shall be increased to 24 once the number of the States Parties to the Convention reaches 50. At 30 May 2006, 50 States had deposited their instrument of ratification, acceptance, or approval.
148. The Delegation of **Mexico** remarked that the Draft Resolution should have been submitted in advance on paper to the Delegations, and proposed to convene the extraordinary Session in September 2006, immediately after the entry into force of the Convention for the 50th State Party.
149. The Delegation of **Egypt** suggested convening the extraordinary session during the meeting of the Executive Board of UNESCO in October 2006, which would allow the participation of more States Parties than the first 50. This suggestion was endorsed by the Delegations of **Belgium** and the **United Arab Emirates**.
150. The Observer Delegation of **Argentina** intervened to stress that the General Assembly should be flexible in order to allow the participation of as many States Parties as possible.
151. The Delegation of **Brazil** suggested that only candidates from the first 50 States Parties should be allowed to participate in the election of the six additional seats.
152. The Delegation of **India** requested whether the election of the six additional seats would take place during an extraordinary session of the General Assembly, and whether all States Parties having deposited their respective instrument of ratification three months before the session would be able to participate.
153. **The Chairperson** confirmed the statement by the Delegation of India.
154. The Observer Delegation of **France** announced that France would ratify the Convention in the coming days, and asked the General Assembly to convene its extraordinary session in October in order to allow the country's participation as State Party.
155. The Delegation of **Brazil** suggested that the election should take place on 1 September.
156. The Delegation of **Turkey** remarked that Article 34 of the Convention clarifies the question concerning the dates of the entry into force of the Convention and supported the intervention of the Observer Delegation of France.
157. The Delegation of **Romania** supported the interventions of the Delegation of Turkey and the Observer Delegation of France.

158. The General Assembly adopted Resolution 1. GA 5B by which it decided to convene an extraordinary session of the General Assembly at UNESCO Headquarters during the 175<sup>th</sup> Session of the Executive Board with the purpose of electing six additional States Members of the Intergovernmental Committee among all States Parties, with the understanding that half of them will be chosen by lot to serve a limited term of office, in the spirit of Article 6.3 of the Convention.

**[Agenda item 6A and 3 (Rule 13): Geographical Distribution: continuation]**

159. The **Chairperson** then turned to the item concerning the distribution of seats among electoral groups, and stressed that since paragraph 1 of Rule 13 of the Provisional Rules of Procedure did not pose any problems, it could be adopted. Following the adoption of Rule 13.1, paragraphs 15.1 and 15.3 which had been put into brackets, were also adopted. Paragraph 15.9 was then adopted following the correction of the English version.

160. Continuing the debate on Rule 13, the Delegation of **Brazil** proposed to fix a minimum of three seats per electoral group and a maximum of 5, which was supported by Mexico.

161. The Delegations of **Romania** and **India** preferred to proceed to the elections, without discussing the introduction of an upper limit of seats.

162. The Delegations of **Luxembourg**, **Bolivia** and the **Republic of Korea** suggested to continue the debate the following day. Considering the lack of time for proceeding with the elections, the **Chairperson** closed the afternoon session at 6.30 pm and announced that the debate would be continued the following day.

*[Room XII, 29 June 2006, 10.30 am]*

163. The Presidency on Thursday 29 June 2006 was taken over by the Vice-Chairperson from Brazil, H. E. Mr Luiz Filipe Macedo Soares. The session started at 10.30 am following the request by Electoral Group I to have some additional time in order to submit an amendment to Rule 13.2, which had been amended, following the proposal made by the Delegation of Estonia the day before, by adding the sentence "As soon as the number of States Members of the Committee reaches 24, at least three seats shall be attributed to each of the six electoral groups".

164. The Delegation of **Brazil** suggested to add to the Estonian amendment that "a maximum of 5 seats" should be attributed to each electoral group, which was supported by the Delegations of the Republic of **Korea**, **Turkey**, **Peru**, **Cyprus**, **Syria**, **Bolivia**, **Mexico**, **Egypt**, **Panama**, **Algeria** and **Belgium**.

165. The Delegation of **Luxembourg** proposed to add to the Estonian amendment the sentence "As soon as the number of States Members of the Committee reaches 24, at least three seats shall be attributed to each of the six electoral groups, in proportion to the number of States Parties in each group at the moment of each election", which was supported by the Delegations of **Turkey**, **Peru**, **Mexico**, **Belgium** and **Algeria**.

166. The Delegation of **Japan** remarked that the Brazilian proposal reflected a future situation, not the current situation with 18 Members, and that the proposal of the Delegation of Luxembourg would imply that, contrary to the original text of Rule 13.2, the first three seats would be attributed directly instead of proportionally. The Delegation therefore disagreed with both proposals, which was endorsed by the Delegations of **India** and **Vietnam**.
167. The Delegation of **Gabon** did not support the introduction of a maximum number of seats, which was endorsed by the Delegations of **Mali** and **Senegal**, and considered that clarifications were needed about the proposal made by the Delegation of Luxembourg.
168. The **Chairperson** explained that the amendment by the Delegation of Luxembourg would maintain the proportional system and that the distribution of seats would have to be calculated at each election. The Brazilian proposal would add a maximum of 5 seats to the minimum of three, which would also imply a new distribution of seats at each election.
169. The Delegation of **Hungary** requested clarifications from the Legal Advisor, since it considered that the distribution of seats should be done anew every four years, which was supported by the Delegation of **Senegal**. The **Legal Advisor** replied that the calculation needed to be done at each election, since half of the Committee Members are renewed every two years.
170. Concluding that no consensus was reached, the **Chairperson** suggested putting the amendments to vote. The Delegation of **Japan** raised a point of order and requested clarifications about the text to be voted on. The Delegations of **Croatia**, **Hungary** and **Romania** underlined that the current wording of paragraph 2 of Rule 13 led to confusion, and requested a ten-minute break for consultation within the electoral groups.
171. Following the break, the **Chairperson** remarked that the General Assembly seemed to agree on the first subparagraph of Rule 13.2, which provides that “The seats in the Committee composed of 18 Members shall be distributed among electoral groups in proportion to the number of States Parties from each group, provided that, after such distribution, at least two seats have been attributed to each group”.
172. The Delegation of **Hungary** proposed to put the second paragraph of Rule 13.2 into brackets for discussion later in the afternoon, and proceed to the election of the members of the Intergovernmental Committee since there was a consensus on the first subparagraph of Rule 13.2.
173. The **Legal Advisor** informed the assembly that no legal problem would be posed when proceeding as proposed by the Delegation of **Hungary**. The Delegations of **Romania**, on behalf of Electoral Group II, **Japan**, **India**, **Algeria**, **Belgium** on behalf of Group I and **Gabon** on behalf of Group V (b) endorsed the Hungarian proposal, which was subsequently adopted.

**AGENDA ITEM 6C: ELECTION OF THE INTERGOVERNMENTAL COMMITTEE**

Document *ITH/06/1.GA/CONF.201/INF.6*

174. The **Chairperson** proposed that the Assembly start with the elections of the 18-member Committee according to the distribution of seats proposed in document 6A, following the principles laid down in Rule 13.
175. The Delegation of **Luxemburg**, Group I, informed the Plenary that it withdrew its candidature to the election in favour of the Belgian candidature, under the condition that Rule 13 paragraph 2 would be discussed later.
176. The **Chairperson** asked the Secretariat to read the list of candidates. **Mr Rieks Smeets** announced that the following 30 States Parties had presented their candidature to the election of the 18 seats on the Intergovernmental Committee: Algeria, Belarus, Belgium, Bolivia, Brazil, Bulgaria, Central African Republic, China, Croatia, Egypt, Estonia, Gabon, Hungary, India, Iran (Islamic Republic of), Japan, Jordan, Luxembourg, Mali, Mauritius, Mexico, Nigeria, Peru, Romania, Senegal, Slovakia, Syrian Arab Republic, Turkey, United Arab Emirates, Viet Nam.
177. The Delegations of **Mali** and **Mauritius** announced the withdrawal of their candidacies in support of the other candidates of Electoral Group V(a). Following the announcement made by the Delegation of **Jordan** on behalf of Group V(b), the Delegation of **Syria** and the Delegation of **Egypt** withdrew their candidacies, giving priority to Algeria and the United Arab Emirates by principle of seniority. The **Chairperson** then asked to update the list of candidates which was the following:
- |             |   |
|-------------|---|
| Group I:    | Belgium, Turkey (clean slate)                                   |
| Group II:   | Belarus, Bulgaria, Croatia, Estonia, Hungary, Romania, Slovakia |
| Group III:  | Bolivia, Brazil, Mexico, Peru                                   |
| Group IV:   | China, India, Iran, Japan, Viet Nam                             |
| Group V(a): | Central African Republic, Gabon, Nigeria, Senegal               |
| Group V(b): | Algeria, United Arab Emirates (clean slate)                     |
178. The Delegation of **Romania** proposed the Delegation of **Moldova** as a teller on behalf of Group II. The Delegation of **Gabon** proposed the Delegation of **Mauritius** as a teller on behalf of Group V(a). The **Chairperson** then declared the tellers as approved by the Plenary and asked to proceed with the election. The **Assistant Director-General for Culture** further informed the General Assembly that the election could not be interrupted once started.
179. Since for Groups I and V(b) the number of candidates was identical to the number of seats to be filled, the General Assembly proceeded with the election of Members of the Committee for electoral groups II, III, IV et V(a).
180. The **Secretariat** distributed to the 44 Delegations present at the election, in alphabetical order, an envelope with 4 ballot papers. The Delegation of **Bhutan** was absent at the time of the election.

## [Counting of votes]

[Room XII, 29.06.06, 2.30 pm]

181. At 2.30 pm, while thanking the tellers for their careful supervision of the election, the **Chairperson** declared the following States Parties elected to the Intergovernmental Committee:

Group I: Belgium, Turkey (clean slate)  
Group II: Hungary (32 votes), Estonia (31), Rumania (29), Bulgaria (24)  
Group III: Mexico (35), Brazil (34), Peru (33)  
Group IV: China (40), Japan (37), India (36), Viet Nam (29)  
Group Va: Nigeria (43), Senegal (36), Gabon (34)  
Group Vb: Algeria, United Arab Emirates (clean slate)

Number of voters: 44

Number of invalid votes: 0

Number of abstentions: 0

[Room XII, 29.06.06, 4.45 pm]

## [Rule 13.2, continuation, and adoption of the Rules of Procedure]

182. At the opening of the afternoon session, the **Chairperson** informed the General Assembly of the two remaining issues that needed to be addressed: The selection of those States Members of the Committee that will serve for a term of 2 years and the geographic distribution of the Committee Members (building upon the discussion of the morning session). He proposed that the GA deal separately with the latter issue.
183. The **Chairperson** recalled the context of the debate that arose during the morning session, and noted that while the first paragraph of Rule 13.2 had already been supported by all States Parties, the second paragraph required further consideration concerning the proposal that each electoral group be granted a minimum number of 3 seats and, possibly, a maximum of 5 seats per group.
184. The Delegation of **India**, on behalf of Group IV, and supported by the Delegation of **Belgium** on behalf of Group I and the Delegations of **Nigeria** and **Mali**, observed that the first part of Rule 13.2 was acceptable, but that an upper limit of 5 seats would need further discussion. The Delegation of **Algeria**, on behalf of Group V(b) also supported India but requested a rephrasing of the last sentence. The Delegation of **Romania**, on behalf of Group II, requested clarification on whether or not there is a consensus for the second paragraph, in which case the General Assembly should focus on discussing the last sentence, which proposes a maximum limit on the number of seats, separately as a third paragraph.
185. The Delegations of **Gabon**, on behalf of Group V(a), **Estonia**, **China** and **Croatia** supported India's proposal and expressed their agreement with paragraph 2. The Delegation of **Romania** pointed out that all groups are in favour of the second paragraph which should therefore be considered as adopted.

186. The Delegation of **India**, thanking the Delegation of Brazil and Group III for their proposal and the effort to achieve a consensus, remarked that it would be premature to adopt the text with the last sentence since Group IV, with the exception of the Republic of Korea who supports the idea of setting the maximum number of seats, does not support it. India noted that the 2003 Convention receives tremendous support from the Asia & Pacific region as well as from Africa where many countries will ratify this Convention in the near future. It would therefore be unwise to take a decision on a maximum limit of seats at this time. India strongly suggested discussing this issue during a next session when more States Parties would be able to participate in the debate. India also pointed out that an electoral group will never be able to have more than 6 members in the Committee. The Delegation of **Viet Nam** expressed its agreement with the remarks made by India as well as those made by the Delegation of Mali which had likewise emphasized that discussion of the proposal to establish a maximum number of seats is premature.
187. In response, the Delegation of **Brazil** urged the General Assembly to reconsider the proposal that it had forwarded in the morning, which had been made in the spirit of compromise. Brazil voiced its concern for the Convention's viability in the future, since, as had been previously stated, several countries interested in becoming States Parties to the Convention cannot do so in a timely manner as ratification procedures vary from one country to another. Brazil emphasized that the proposal made in the morning was offered with balance, universality and compromise in mind. Without a maximum limit, it would be possible to have a single electoral group with up to 9 seats.
188. The Delegation of **Mexico**, supporting this last proposal, mentioned that Article 6.1 of the Convention does not refer to proportionality with regard to the geographical distribution, but rather to equitable distribution and rotation. Focusing on proportionality would therefore go against the Convention. From this point of view, the necessity of setting a ceiling for the number of seats to be attributed to each electoral group appears to be clear. It is important to discuss equitability and fairness, which should not depend on the number of countries in each group. The Delegations of **Turkey**, **Belgium** and **Peru** agreed with the statement made by Mexico, and advocated that the objective to set a maximum limit of seats should be maintained.
189. The Delegation of **Jordan** informed the Plenary that Morocco had ratified the Convention in the morning.
190. The Delegation of **Senegal** felt that fairness and universality are important, and that an imbalance between electoral groups should be avoided. Those groups that may have a large number of States Parties in the future also have the duty of supporting solidarity, universality and functionality. After having introduced a corrective measure of raising the minimum number of seats for the 24-member Committee, another such measure could be introduced regarding a maximum upper limit. However, Senegal supported India's proposal to discuss this item at a later stage. The Delegation of **Mali** conveyed its understanding of the concerns expressed but supported the wish of the Delegations of India and Senegal to address this item at a later stage.

191. The Delegation of **India** suggested that that the Plenary officially take note of this point and return to it during its next meeting as it is impossible to decide now. The suggestion was supported by the Delegations of **Algeria** and the **United Arab Emirates**.
192. The Delegation of **Egypt** expressed its concern that this issue could be deferred endlessly without ever reaching a consensus. Should not the Plenary bear in mind that it is the intangible cultural heritage which is at stake, and that this heritage needs to be protected as soon as possible? The Delegation of **Panama** also recalled the universal nature of intangible cultural heritage, and that the Convention should be based from the beginning on the principle of universality.
193. The Delegation of **Romania** agreed to delay the discussion on this issue to the next session of the General Assembly, but already proposed an amendment to Rule 13.2 according to which no electoral group could have more than 5 seats in the Committee as of the second session of the General Assembly. The Delegation of **India** asked the Plenary to vote on its proposal to debate this point at a later session of the General Assembly, and not to take into account Romania's proposal.
194. The Delegation of **Mexico**, recognizing the appropriateness of a separate paragraph foreseeing the delay of the decision, proposed to include in the paragraph a request to the Secretariat to provide possible scenarios of equitable geographic distribution and rotation in short and medium term for the next General Assembly, and to make a proposal for an amendment to Rule 13.
195. The Delegation of **India**, while thanking Mexico for its remark, cautioned nevertheless that this would be a step backward, and proposed a third paragraph that would defer any decision about an upper limit of 5 seats to the next session of the General Assembly. The Delegation of **Estonia** proposed not to indicate a maximum number of seats in this third paragraph.
196. The Delegation of **Egypt** requested clarification from the Delegations of Mexico and India whether such a next session would be an extraordinary session or an ordinary session of the General Assembly.
197. The **Chairperson** recalled that, in conformity with Rule 18 of the Rules of Procedure, the Rules of Procedure must be amended by a two-thirds majority. He therefore proposed to mention only the "next session of the General Assembly", without indicating whether it is an extraordinary or an ordinary session.
198. The Delegation of **India** stressed that a decision on the maximum number of seats be taken by simple majority. It accepted the proposals made by the Chairperson and Estonia.
199. The **Chairperson** advocated postponing a decision on this item to the next General Assembly. He proposed adopting the Rules of Procedure with the exception of Rule 13.2 leaving this part of the text in between brackets.

200. The Delegation of **Belgium** requested a short interruption of the session in order to discuss this suggestion with Group I; however, the **Chairperson** asked that consultation take place without interrupting the plenary session.
201. In order to save time, the Delegation of **Romania** suggested proceeding to the selection by lot of half of the members of the Committee with a limited term of office during the consultation of Group I. The **Chairperson** proposed deferring the selection by lot to the next session when the election of the additional 6 members to the Committee will have taken place. This proposal was supported by the Delegations of **Bulgaria, Peru, India, Brazil, Mali, and Mexico**.
202. In response to the Delegation of **Romania**, which wanted to know when the mandate of the Members of the Intergovernmental Committee starts, the **Chairperson** clarified that the mandate starts at the moment of their election.
203. The Delegation of **Belgium**, on behalf of Group I, accepted the proposal of the Chairperson on the condition that only a third new paragraph of Rule 13.2 will be discussed in the future. The **Chairperson** confirmed that it is understood that only the upper limit of seats will be discussed later. The Delegation of **Belgium** stated that in this case, the draft resolution can be supported under the condition that the proposal made by Romania is included, foreseeing that no electoral group could have more than 5 seats in the Committee as of the second session of the General Assembly.
204. Upon request by the Delegation of **India** to place the last sentence (third paragraph) between brackets in order to reflect that only this point will be discussed later, being understood that everything else can be regarded as adopted, the **Chairperson** clarified again that the item regarding the ceiling of the seats will be discussed during the next session of the General Assembly and will only require a simple majority.
205. The Delegation of **Belgium**, on behalf of Group I, insisted upon keeping the proposal made by the Delegation of **Romania**, who clarified that the first two paragraphs of Rule 13.2 have already been adopted, and suggested that the draft resolution explicitly indicate that the question regarding the upper limit of seats in the Committee might become a separate third paragraph. The Delegation of **Japan** endorsed Romania's remark and wished to clarify that only paragraph 3 is suspended, in order to ensure the validation of the election.
206. The **Chairperson**, understanding the statement of Japan as an endorsement of Romania, reiterated that paragraph 3 does not exist yet, but recommended that it be mentioned in the draft resolution.
207. The Delegation of **Egypt** requested clarification from the Legal Advisor of UNESCO regarding the procedure. It should be clarified whether an ordinary or an extraordinary session was necessary, noting further that a decision on the upper limit of seats in the Intergovernmental Committee only *after* the election of the remaining 6 members was not in order.

208. The Observer Delegation of the **United States of America** recalled Romania's proposal to put the third paragraph in between brackets, thereby indicating that 13.2 (iii) was not part of that resolution.
209. The Delegation of **Brazil** stated that a consensus in terms of the substance has already been reached and that the Rules of Procedure are adopted with the exception of the question on the upper limit of seats for each geographical region. The Delegation of **India** supported Brazil as well as the Chairperson's proposal to insert a phrase stating that a decision on the upper limit could be passed by a simple majority. The Delegations of **Belarus**, the **United Arab Emirates** and **Algeria** endorsed the Chairperson's text.
210. The Rules of Procedure were adopted as amended and Draft Resolution 1. GA 3 amended accordingly.

#### **AGENDA ITEM 7B: CLOSURE OF THE SESSION**

211. After the oral report presented by the **Rapporteur**, His Excellency Mr O. Faruk Loğoğlu, on the deliberations held and decisions taken during the three days of work, the Chairperson stated that important achievements had been attained at this first session of the General Assembly. However, still a lot of work remains to be done.
212. The **Assistant Director-General for Culture** warmly thanked both Chairpersons, H. E. Mr Mohammed Bedjaoui, for the first two days, and H.E. Mr Luiz Filipe de Macedo Soares for the last day, for their commitment and wise guidance of the debates allowing to address a large number of complex issues. She reminded that the General Assembly will meet again in its first extraordinary session in October 2006 in UNESCO Headquarters and thanked again the Algerian authorities for their generous offer to host the first session of the Intergovernmental Committee in Algiers, at the end of October 2006.
213. The **Chairperson**, after having expressed his appreciation to the Assistant Director-General for Culture, the Chief of the Intangible Cultural Heritage Section, the Secretariat, the tellers and the interpreters for their efficient and dedicated work, declared the first session of the General Assembly of States Parties to the 2003 Convention closed.