Unit 44

Hand-out:

Multiple-choice questions

#### Nominations

### Question 1

States Parties submit nominations to the Lists of the Convention. Many stakeholders may be involved in the preparation of a nomination, but which of them can initiate it?

(a) Any group or agency may initiate the process, as long as the relevant communities, groups and individuals participate and agree to it.

(b) Communities, or their representatives, must initiate the process because they are the ones who need to give prior informed consent.

(c) Researchers or specialized institutions must start the process because they are the best informed about the ICH being nominated.

### Question 2

Can countries that are not States Parties to the Convention nominate elements for inscription on the Lists of the Convention?

(a) Yes, but only if the element is in need of extremely urgent safeguarding.

(b) No, not until they become States Parties.

(c) Yes, but only if they are part of a multinational nomination submitted by one or more other States who are already States Parties to the Convention.

### Question 3

The Heritage Department of federal country W is considering the request of community X, the main inhabitants of province Y, to have their ICH practice, Z, inscribed on a List of the ICH Convention. The ICH element Z was inscribed two years ago on the federal ICH register. The Z tradition, while thriving in many villages of the southern half of province Y, is heavily endangered elsewhere. The choice of the correct list is a matter of debate; what would be the best option to aim for?

(a) An inscription on both lists.

(b) An inscription on the Representative List of the Intangible Cultural Heritage of Humanity.

(c) An inscription on the List of Intangible Cultural Heritage in Need of Urgent Safeguarding.

(d) Waiting until the element is equally endangered, or not endangered, everywhere before attempting inscription on one or both lists.

### Question 4

Can languages as such be inscribed on the Convention’s Lists?

(a) Yes, languages can be inscribed on the Convention’s Lists because they are intrinsic to ICH.

(b) No, languages cannot be mentioned in nominations to the Lists of the Convention because language is not relevant as an ICH domain.

(c) No, the Convention indicates that languages may only be part of an inscription when considered as vehicles of ICH.

### Question 5

Can several States Parties to the Convention nominate a shared element together, rather than making separate nominations?

(a) Yes, the Convention and the ODs encourage multinational nominations for the same element if it is shared across borders.

(b) No, if an element occurs in two States, they must find a way of differentiating it so that two different nominations can be made.

(c) No, only the State Party where the element has the longest history of uninterrupted practice is allowed to submit a nomination file.

### Question 6

Does the ICH of immigrant communities qualify for inclusion in the Lists of the Convention?

(a) Yes, nominations to the Lists of the Convention that include ICH elements from immigrant communities located in a particular State may be inscribed if these elements meet the criteria set out in the ODs.

(b) Yes, elements nominated to the Lists of the Convention that include the ICH of immigrant communities may be inscribed, but only if special permission is sought from the countries of origin of the immigrants concerned.

(c) No, only elements that are indigenous to the submitting States Parties, and that are relevant to their national identity or to that of majority groups present in them, may be included in the Lists of the Convention.

### Question 7

Can inscribing an element on the Lists of the Convention be used to establish a community or group’s intellectual property rights (IPR) over an element?

(a) No, the Convention cannot establish IPR over an ICH element through inscription on its Lists.

(b) Yes, inscription on one of the Convention’s Lists gives communities and groups the automatic right to sue for damages if anyone else practises their ICH element.

(c) Yes, inscription on one of the Convention’s Lists gives the communities and groups concerned IPR over their heritage.