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

**Open-ended intergovernmental working group
in the framework of the global reflection on the listing mechanisms
of the 2003 Convention**

**Online**

**8 and 9 July 2021 (Part I)**

**9 and 10 September 2021 (Part II)**

**Item 2 of the Agenda:**

**Global reflection on the listing mechanisms of the 2003 Convention:
Progress to date and meeting objectives**

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| In 2018, the Committee launched a global reflection on the listing mechanisms of the 2003 Convention to address a series of broad-ranging issues identified over a decade of implementation (Decisions [13.COM 6](https://ich.unesco.org/en/Decisions/13.COM/6) and [13.COM 10](https://ich.unesco.org/en/Decisions/13.COM/10)). The present document summarizes the reflection process, which entails an Open-ended intergovernmental working group as part of the inclusive consultations and discussions and outlines the objectives and working methods proposed for the present meeting. |

1. **Background**
2. The listing system of the 2003 Convention became operational in 2009, with the first set of inscriptions on the two Lists and the Register which are introduced, respectively, in Articles 16, 17 and 18 of the Convention and further explained in the Operational Directives. Currently, there are 492 elements (corresponding to 128 countries) inscribed on the Representative List of the Intangible Cultural Heritage of Humanity (or ‘the Representative List’), 67 elements (corresponding to 35 countries) inscribed on the List of Intangible Cultural Heritage in Need of Urgent Safeguarding (‘the Urgent Safeguarding List’), and 25 programmes, projects and activities included in the Register of Good Safeguarding Practices (the ‘Register’). In 2008, eighty items proclaimed ‘Masterpieces of the Oral and Intangible Heritage of Humanity’ were incorporated in the Representative List in accordance with Article 31 of the Convention.
3. The listing mechanisms are meant to support safeguarding, mobilize international solidarity and to raise awareness among authorities and communities around the world about the diversity and importance of living heritage and the need to safeguard it. After more than a decade of implementation, the system has contributed positively to enhancing the visibility of the Convention and of intangible cultural heritage, supported by a high level of attention from States Parties, communities and the public in general. At the same time, however, various stakeholders have identified many complex and interrelated issues regarding the three mechanisms.
4. The need for a reflection to improve the listing system was first expressed by the Committee in 2017, when it examined a request submitted by Viet Nam to transfer an element from the Urgent Safeguarding List to the Representative List ([Decision 12.COM 14](https://ich.unesco.org/en/Decisions/12.COM/14)). On that occasion, the Committee decided to convene an Open-ended intergovernmental working group (hereafter referred to as ‘the working group’) to reflect on the procedures for the removal and the transfer of an element, the nature and purposes of the Lists and the Register and the relevance of the various criteria for each of the three mechanisms, among other issues. With the voluntary supplementary contribution by the Government of Japan to the Fund for the Safeguarding of the Intangible Cultural Heritage to support the initiative, the Committee decided to launch a global reflection process ([Decisions 13.COM 6](https://ich.unesco.org/en/Decisions/13.COM/6) and [13.COM 10](https://ich.unesco.org/en/Decisions/13.COM/10)) at its thirteenth session in 2018.
5. Updated information and reference documents concerning the global reflection process are available on the webpage of the 2003 Convention: <https://ich.unesco.org/en/global-reflection-on-the-listing-mechanisms-01164>.
6. **The reflection process: themes and timeline**
7. Many of the issues raised concerning the listing system are interlinked and therefore cannot be considered in isolation of each other. Taking this into account, and in order to advance the reflection process, the various issues raised over several committee sessions, were grouped into four themes listed below, as detailed in the working document presented during the fourteenth session of the Committee in December 2019 ([document LHE/19/14.COM/14](https://ich.unesco.org/doc/src/LHE-19-14.COM-14-EN.docx)). It is proposed that the working group’s discussion will also be centred around these four themes.

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| Theme A: Overall approach to the listing mechanismsTheme B: Issues related to the inscription criteriaTheme C: Issues related to the follow-up of inscribed elementsTheme D: Methodology for the evaluation of nominations |

1. In addition, at different sessions the Committee requested that certain specific issues be addressed during the global reflection, as summarized in the Annex. These topics include the revision of criterion R.2, the procedure for the removal and transfer of elements, the follow-up of inscribed elements, the annual nomination ceilings, the preparation of multinational nominations as well as the procedure for their extension, and how living heritage safeguarding contributes to sustainable development (see paragraph 17).
2. The timeline of the reflection process is summarized below.

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| **Dates** | **Key milestones** |
| 4 to 9 December 2017Jeju Island, Republic of Korea | **Twelfth session of the Intergovernmental Committee**Item 14: Reflection on the removal of an element from a List and the transfer of an element from one List to the other |
| 26 November 2018 to 1 December 2018Port Louis, Republic of Mauritius | **Thirteenth session of the Intergovernmental Committee**Item 6: Intangible Cultural Heritage Fund: Voluntary supplementary contributions and other issuesItem 10: Report of the Evaluation Body on its work in 2018 |
| 9 to 14 December 2019Bogotá, Republic of Colombia | **Fourteenth session of the Intergovernmental Committee**Item 14: Reflection on the listing mechanisms of the Convention |
| 8 to 10 September 2020Paris, UNESCO Headquarters | **Eighth session of the General Assembly of States Parties**Item 10: ‘Early harvest’: Amendments to the Operational Directives to include a dialogue process in the evaluation of nominationsItem 11: Update on the reflection on the listing mechanisms of the Convention |
| 14 to 19 December 2020Online (Jamaica and Paris, UNESCO Headquarters) | **Fifteenth session of the Intergovernmental Committee**Item 9: Number of files submitted for the 2020 and 2021 cycles and number of files that can be treated in the 2022 and 2023 cycles |
| March and April 2021 | Online survey for experts |
| 7, 26 and 27 May 2021Online | **Expert meeting (category VI)** |
| 8 and 9 July 20219 and 10 September 2021Online | **Meeting of the Open-ended intergovernmental working group** |
| 13 to 18 December 2021Colombo, Sri Lanka | **Sixteenth session of the Intergovernmental Committee** |
| Mid-2022Paris, UNESCO Headquarters | **Ninth session of the General Assembly of States Parties** |

1. The reflection process includes several sessions of the Committee and the General Assembly, as well as consultation with experts through a survey and a category VI meeting (see below). Efforts have been made to design the process as inclusively as possible so as to benefit from the perspectives and experience of a diverse and geographically representative group of experts and to respond to the request of the General Assembly ([Resolution 8.GA 11](https://ich.unesco.org/en/Resolutions/8.GA/11)) to promote the broad participation of experts in the consultation process.
2. The original timeline of the reflection, as presented to fourteenth session of the Committee in 2019 (document [ITH/19/14.COM/14](https://ich.unesco.org/doc/src/LHE-19-14.COM-14-EN.docx) and [Decision 14.COM 14](https://ich.unesco.org/en/Decisions/14.COM/14)) had to be adjusted due to the COVID-19 pandemic and related travel restrictions. A meeting of experts initially planned as an in-person meeting in 2020 was replaced by a two-step consultation including an online survey and an online meeting in 2021 (see below). The revised plan was presented to the eighth session of the General Assembly in 2020 ([Resolution 8.GA 11](https://ich.unesco.org/en/Resolutions/8.GA/11)). The plan at that time was to try to convene an in-person meeting of the working group in July 2021. However, the ongoing pandemic with travel restrictions meant that the present meeting also had to be convened online.
3. **Progress to date**
4. **Dialogue process:** The earlier intergovernmental discussions have already resulted in the first concrete outcome of the reflection, also referred to as the ‘early harvest’. This concerns the inclusion of a dialogue process in the examination of nominations. This process allows for dialogue between the Evaluation Body and submitting States to clarify minor issues identified in nomination files through a simple question-and-answer process ([Decision 13.COM 10](https://ich.unesco.org/en/Decisions/13.COM/10)). Based on the positive experience gained during the 2019 cycle, when this possibility was included on an experimental basis, the eighth session of the General Assembly of the States Parties to the 2003 Convention in September 2020 revised the Operational Directives to formalize the dialogue process ([Resolution 8.GA 10](https://ich.unesco.org/en/Resolutions/8.GA/10)).
5. **Expert consultation**: In line with the timetable of the reflection, the Secretariat of the 2003 Convention undertook a two-step consultation with experts in the first half of 2021. This entailed a survey and a category VI expert meeting:

**a. Expert survey**: As a first step of the expert consultation, the Secretariat invited 201 experts to participate in the survey (54 responses received) between 26 March and 11 April 2021 to seek their views on the main challenges identified so far regarding the listing mechanisms and on possible approaches for finding solutions. The survey questions closely followed the four reflection themes (see the survey questions in [English](https://ich.unesco.org/doc/src/LHE-21-EXP-INF.2-EN.pdf)/[French](https://ich.unesco.org/doc/src/LHE-21-EXP-INF.2-FR.pdf)). The participation included those experts proposed by States Parties in response to a call, present and past members of the Evaluation Body (157 in total, including past Subsidiary Body and Consultative Body members), and experts identified by the Secretariat, including representatives of the NGO Forum. The details of the survey, including how the experts were selected and its preliminary results, are provided in document [LHE/21/EXP/5](https://ich.unesco.org/doc/src/LHE-21-EXP-5-EN.docx) of the category VI expert meeting (see also the [compilation](https://ich.unesco.org/doc/src/LHE-21-EXP-INF.1.pdf) of the responses).

**b. Expert meeting**: As the second step of the expert consultation, an online expert meeting was convened over six non-consecutive days in May 2021 (see <https://ich.unesco.org/en/online-meeting-of-experts-category-vi-01165> for the agenda and timetable, the list of participants and background paper). Thirty-four experts participated and were selected taking into account their specific profile and experience as well as with a view to balancing gender and geographical representation.

The experts took stock of two papers which were commissioned specifically for their meeting and that are also relevant for the present working group meeting. The first paper, which was written by Mr Rieks Smeets, provided an historical overview, tracing how aspects of the listing mechanisms were developed through the preparation of the text of the 2003 Convention and its Operational Directives (document [LHE/21/EXP/3](https://ich.unesco.org/doc/src/LHE-21-EXP-3_Rev-EN.docx)). The second, by Ms Eva Kuminková, outlined the results of the small-scale interviews and online survey carried out with present and past members of the Evaluation Body, as well as the analysis of past reports of the Evaluation Body (document [LHE/21/EXP/4](https://ich.unesco.org/doc/src/LHE-21-EXP-4-EN_.docx)). The results of the above-mentioned online survey were also presented.

Experts were invited to work in plenary sessions and in three breakout groups. All three groups were asked to discuss Theme A, as it concerned the overall approach. Each group also reflected on one of the three remaining themes. The discussions were wide-ranging, touching on all the steps of the listing and follow-up processes. Each of the three breakout groups submitted a detailed report to the plenary session. The final report ([LHE/21/16.COM EXP/7](https://ich.unesco.org/doc/src/LHE-21-EXP-7-EN.docx)), and particularly the breakout group reports contained therein, reflects a series of suggestions or options considered by experts which do not form conclusive solutions; the purpose of the expert consultation was not for the experts to agree on every point of the reflection. Their positions, nevertheless, may be summarized into four approaches: (a) fine-tuning; (b) repositioning; (c) stricter control and (d) maximum inclusivity. The vast majority of positions seemed to fall either into (a) fine-tuning, or (b) repositioning, with (c) stricter-control and (d) maximum inclusivity representing ‘outlier’ positions. A quick show of hands at the end of the meeting showed an equal balance of experts between ‘fine-tuning’ and ‘repositioning’. The characteristics of each of these approaches, together with possible implications are described in document [LHE/21/16.COM WG/3.](https://ich.unesco.org/doc/src/LHE-21-16.COM_WG-3-EN.docx)

1. **Objectives and working methods of the present meeting**
2. The primary goal of the Open-ended intergovernmental working group will be to reach a consensus on the overall approach for improving the listing system of the 2003 Convention and to agree on a set of changes that would be required to achieve the agreed vision. Given the extensive nature of the recommendations made by the experts of the category VI meeting in May 2021, the present meeting of the working group is convened in two parts:
* **Part I** (online, 8 and 9 July 2021): the working group will discuss the recommendations of the category VI expert meeting in order to decide on a general direction to take for the reform of the listing system of the Convention.
* **Part II** (online, 9 and 10 September 2021): on the basis of the recommendations of Part I of the meeting, the working group will agree to recommend specific changes to be made in line with the general direction chosen in Part I.
1. The recommendations of the working group, which will be adopted at the end of Part II of the meeting, will allow the Committee to examine draft amendments to the Operational Directives at its sixteenth session (Colombo, Sri Lanka, 13 to 18 December 2021). If the Committee agrees, the amendments may be presented for examination and possible adoption by the General Assembly at its ninth session in mid-2022. The recommendations of the working group may also lead to the amendment of the Rules of Procedure of the Intergovernmental Committee and the revision of nomination forms.
2. For Part I of the working group meeting (more information about Part II will be provided in due course, in order to reflect the discussions to be held during Part I of the meeting), the participants will meet each day through the Zoom platform, with four sessions of 90 minutes each. For the meeting agenda and timetable, see document [LHE/21/16.COM WG/1](https://ich.unesco.org/doc/src/LHE-21-16.COM_WG-1-EN.docx). States Parties to the 2003 Convention are the main participants of the meeting, while States not Party to the Convention and accredited non-governmental organizations may participate as observers (see [the preliminary list of participants](https://ich.unesco.org/en/list-of-participants-01178)). The debates of the meeting are open to the public and will be transmitted by webcast in real time through the website of the Convention.
3. On the first day, the working group will begin its work by electing the Bureau (a Chairperson and five Vice-Chairpersons, one from each of the remaining of UNESCO’s electoral groups and who will also act as rapporteurs) who will remain in office until the end of the meeting (both Part I and Part II). The Chairperson duties will replicate those of the Chairperson of the General Assembly of States Parties to the 2003 Convention. The five Vice-Chairpersons will assist the Chairperson in carrying out his or her duties.
4. The working group will then discuss the main reflection issues and possible approaches outlined in working document [LHE/21/16.COM WG/3](https://ich.unesco.org/doc/src/LHE-21-16.COM_WG-3-EN.docx), which builds on the recommendations of the above-mentioned category VI expert meeting as well as on the preparatory work and comments of Committee members and States Parties during previous sessions of the governing bodies of the Convention. Accordingly, the working group will be able to consider related issues by the four reflection themes.
5. While doing so, it will also be important to respond to the specific requests made by the Committee (see the Annex). For example, the working group may give a specific focus on criterion R.2 under session 4.b. Similarly, the discussion under session 4.c could consider in particular specific procedures for removing or transferring elements from and between Lists, while session 4.d may deal with the extension of multinational nominations.
6. The Bureau will meet online at least twice (during the slots indicated in the timetable). They will also exchange by electronic means, if necessary, in order to prepare a draft of the recommendations of the Part I of the working group meeting. The plan is to distribute the draft to delegates before the third session on the second day.

**Annex:** **Relevant decisions of the Governing Bodies of the Convention by category**

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| 1. Overall approach to the listing mechanisms
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| ***Nature and purposes of the Lists******Decision 13.COM 10 (Para 10)***Recalls Decisions [12.COM 11](https://ich.unesco.org/en/Decisions/12.COM/11) and [12.COM 14](https://ich.unesco.org/en/Decisions/12.COM/14) and welcomes in this regard, the generous voluntary supplementary contribution of the Government of Japan to the Intangible Cultural Fund to organize a preliminary meeting of experts and support the convening of an open-ended intergovernmental working group; these two meetings would be called to reflect on, *inter alia*, the nature and purposes of the Lists and the Register established under the Convention and on the relevance of the various criteria for each of these mechanisms, in particular criterion R.2 in relation to the nature and purpose of the Representative List of the Intangible Cultural Heritage of Humanity;***Decision 12.COM 14 (Paras 8 and 11)***Acknowledges, on the basis of its debate at the twelfth session, that the issue of the transfer of an element from one List to the other and the removal of an element from a List raises fundamental questions linked to the intent and purpose of the Convention and its listing mechanisms;Decides to convene an open-ended intergovernmental working group, to be held before the fourteenth session of the Committee in 2019, to reflect *inter alia* on the procedures for the removal of an element from a List and the transfer from one List to the other, on the nature and purposes of the Lists and the Register established under the Convention and on the relevance of the various criteria for each of these mechanisms; this meeting would be organized on the condition that voluntary supplementary contributions to the Intangible Cultural Heritage Fund are received in due course, and in any case not later than January 2019, in order to cover all of the costs of organizing the meeting and the costs of the participation of representatives of developing countries that are Parties to the Convention, whether or not they are members of the Committee, but only for persons who are experts in intangible cultural heritage;***Lighter ways of sharing safeguarding measures******Decision 14.COM 5.b (Para 6)***Welcomes the results of the survey on alternative and lighter ways of sharing intangible cultural heritage safeguarding experiences and decides to take these results into consideration in the ongoing global reflection on the listing mechanisms established under the Convention;***Agenda 2030 and Sustainable Development******Decision 15.COM 8 (Para 9)***Welcomes the increased number of elements highlighting the links between intangible cultural heritage and environmental sustainability, further underlines the importance of including more systematically the contributions of the elements to sustainability according to the Agenda 2030 and its Sustainable Development Goals in the nomination files and requests the Secretariat to conduct a reflection on this subject in the framework of the global reflection on the listing mechanisms and to present it to the Committee for consideration at its sixteenth session; |
| 1. Issues related to the criteria of inscription
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| ***Criterion R.2******Decision 14.COM 14 (Para 12)***Also emphasizes the need to examine possible revisions to criterion R.2, taking into account the recurring challenges encountered by communities, States Parties and the Evaluation Body with this criterion;***Decision 14.COM 10 (Para 9)***Acknowledges the continued difficulties and challenges encountered by the Evaluation Body in evaluating criterion R.2, despite the changes made to Section 2 of Form ICH-02, and reaffirms the need to undertake a review of the formulation of this criterion in relation to the purpose of the Representative List of the Intangible Cultural Heritage of Humanity in the context of the global reflection on the listing mechanisms; |
| 1. Issues related to the follow-up of inscribed elements
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| ***Follow-up mechanism******Decision 13.COM 9 (Paras 5, 6 and 7)***Recognizes the need to reflect on the follow-up of inscribed elements and on ways for concerned communities, groups and, where applicable, individuals, and other stakeholders to participate in the monitoring of inscribed elements;Acknowledges the link between the follow-up of inscribed elements and the ongoing reflection on the nature and purposes of the Lists of the Convention, recalls its [Decision 12.COM 14](https://ich.unesco.org/en/Decisions/12.COM/14) to convene an open-ended intergovernmental working group on these topics and welcomes the generous voluntary supplementary contribution of the Government of Japan to the Intangible Cultural Heritage Fund to organize a preliminary meeting of experts and support the convening of the above-mentioned open-ended intergovernmental working group;Decides to include a reflection on the establishment of a follow-up mechanism for inscribed elements in the mandate of the above-mentioned preliminary meeting of experts and the open-ended intergovernmental working group.***Decision 15.COM 7 (paragraph 6)***Requests the Secretariat to include an item on the provisional agenda of its next ordinary session, concerning a possible amendment of the Operational Directives on restricting the evaluation of new nomination files if the reporting duties concerning already inscribed elements have not been fulfilled by the States Parties;***Transfer and Removal of an element******Resolution 8.GA 11(Para 11)***Recalls paragraph 11 of [Decision 14.COM 14](https://ich.unesco.org/en/Decisions/14.COM/14) which emphasizes that a revision of the Operational Directives is necessary in order to establish clear and specific procedures and criteria for the removal of an element from a list and the transfer of an element from one list to another;***Decision 14.COM 14 (Para 11)***Emphasizes that a revision of the Operational Directives is necessary in order to establish clear and specific procedures and criteria for the removal of an element from a list and the transfer of an element from one list to another;***Decision 12.COM 14 (Para 8 and 11)***Acknowledges, on the basis of its debate at the twelfth session, that the issue of the transfer of an element from one List to the other and the removal of an element from a List raises fundamental questions linked to the intent and purpose of the Convention and its listing mechanisms;Decides to convene an open-ended intergovernmental working group, to be held before the fourteenth session of the Committee in 2019, to reflect *inter alia* on the procedures for the removal of an element from a List and the transfer from one List to the other, on the nature and purposes of the Lists and the Register established under the Convention and on the relevance of the various criteria for each of these mechanisms; this meeting would be organized on the condition that voluntary supplementary contributions to the Intangible Cultural Heritage Fund are received in due course, and in any case not later than January 2019, in order to cover all of the costs of organizing the meeting and the costs of the participation of representatives of developing countries that are Parties to the Convention, whether or not they are members of the Committee, but only for persons who are experts in intangible cultural heritage;***Decision 10.COM 19 (Para 10)***Decides to convene an open ended intergovernmental working group, to be held before the twelfth session of the Committee, to discuss draft operational directives on the procedure for removal of an element from a List and the transfer from one list to the other; this meeting will be organized on condition that voluntary supplementary contributions to the Intangible Cultural Heritage Fund are received in due course, and in any case not later than January 2017, in order to cover all of the costs of organizing the meeting and the costs of the participation of representatives of developing countries that are parties to the Convention, whether or not members of the Committee, but only for persons who are experts in intangible cultural heritage.***Reporting mechanism******Decision 14.COM 9.a (Para 7)***Acknowledges that the global reflection on the listing mechanisms of the 2003 Convention may have an impact on the reporting exercise on the status of elements inscribed on the List of Intangible Cultural Heritage in Need of Urgent Safeguarding and that this specific reporting mechanism will remain unchanged in the meantime, until the overall reflection has advanced; |
| 1. Methodology for the evaluation and examination of nominations
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| ***Multinational Files******Decision 15.COM 8 (Para 8)***invites the Secretariat to prepare guidance notes for the preparation of multinational files in order to improve their quality, taking into account the global reflection on the listing mechanisms;***Decision 14.COM 14 (Para 13)***Acknowledges the need to undertake a reflection on the ways in which the process of extension of multinational elements to new States Parties could be possibly simplified and requests the Secretariat to include this item in the global reflection on the listing mechanism;***Number of files******Resolution 8.GA 11(Para 8)***Recommends to the Committee, in line with the reflection process on the listing mechanisms, to consider the possibility of increasing this number to include all files submitted by States Parties for the 2022-2023 cycles; |