**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**

**9.30 – 17.30 (Paris time / UTC+2)**

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

**Item 7 of the Agenda:**

**Other issues requiring further reflection**

|  |
| --- |
| In concluding Part I of its meeting (online, 8 and 9 July 2021), the Open-ended intergovernmental working group decided to further discuss a number of issues when resuming Part II of its meeting. The present document provides additional information and proposals regarding D) Feasibility, roles and functionality for creating a platform/network/forum for the follow-up of inscribed elements and E) Number of files per cycle. |

**Background**

1. The present document seeks to both present a mapping of proposals which have surfaced following experts’ advice and discussions held during Part I of the Open-ended intergovernmental working group (hereafter referred to as ‘the working group’) and further unpack the potential functionalities and roles of these proposals so that their feasibility can be further discussed during Part II of the meeting.
2. While Part I of the working group was able to clarify many issues along the reflection themes, it was decided to discuss again a set of issues when meeting again in Part II (see paragraph 12 of [Recommendations of Part I of the Open-ended intergovernmental working group](https://ich.unesco.org/doc/src/52249-EN.docx)). The working group requested the Secretariat to provide further information taking into account the points agreed in this regard.
3. Of these, three topics that are considered as priorities are treated in working document [LHE/21/16.COM WG/6](https://ich.unesco.org/doc/src/LHE-21-16.COM_WG-6-EN.docx), namely:

A: a simplified procedure for transferring elements between the Lists as well as for including in the Register those safeguarding experiences that have successfully improved the viability of elements inscribed on the Urgent Safeguarding List;

B: a specific procedure for removing elements from the Lists of the Convention, including the introduction of interim measures;

C: Revised procedures for inscription of elements on an extended basis.

1. The present document aims to deal with questions other than the above-mentioned issues, notably:

D: Feasibility, roles and functionality of creating an ‘arm’s-length’ online platform, a network of inscribed elements and a special forum (paragraphs 12.c and 12.d of the Part I recommendations).

E: Number of files per cycle, in particular the three specific proposals put forward during Part I of the working group (paragraphs 12.i, 12.j and 12.k of the Part I recommendations).

1. In Part I of its meeting, the working group recommended that a reflection for a broader implementation of Article 18 of the Convention be initiated (paragraph 10 of the Part I recommendations), while the possible ‘deletion or reformulation of criteria, other than criterion P.9’ could be further discussed pending this reflection (paragraph 12.a of the Part I recommendations). Given the direct links between the selection criteria, the nature of the Register and the broader implementation of Article 18, it may be more efficient to frame any discussion on possible amendments to the criteria within a future reflection on the implementation of Article 18. In the meantime, taking into account that proposals to the Register of Good Safeguarding Practices need to best satisfy the selection criteria (paragraph 7 of the Operational Directives) and not strictly meet each and every single criterion, the working group may wish to recommend that the Committee invite the Evaluation Body to take note of the discussions of the expert meetings and intergovernmental working group in taking an overall approach when evaluating proposals to the Register.
2. For issues to be further discussed as per paragraphs 12.b and 12.g of the Part I recommendations, the working documents for Part I remain relevant.
3. **Feasibility, roles and functionality for creating a platform/network/forum for the follow-up of inscribed elements**
4. During Part I of the meeting, the working group considered different ways through which to enhance the follow-up of inscribed elements and possibly facilitate community participation, on the basis of the suggestions made by the Category VI expert meeting in May 2021, which can be consulted in the meeting reports of breakout groups. Three types of functions were considered by the working group – an arm’s-length platform, a network of inscribed elements and a special forum to represent the voice of bearer communities – recognizing that these different functions might be combined under the same umbrella. The proposals were generally received with interest, however the working group asked to receive more precisions pertaining to the functionalities, roles and feasibility of creating such an arm’s-length platform, network and/or forum. The reports of the expert breakout groups 2 and 3 discussed the issues on the follow up of inscribed elements in detail. It must be noted, however, that the establishment, maintenance and funding of this platform, network or forum, and the status they would have under the Convention, were intentionally not specified by the experts, as such administrative, financial and technical matters are to be decided through the intergovernmental mechanisms of the Convention.
5. **Status of the arm’s-length** **platform, network and forum**: Based on the proposals from the Category VI expert meeting, the working group discussed three functions as described in the paragraphs below. While the working group’s initial discussions considered that these functions could be combined, in practical terms these three functions fulfil different roles and their implementation is not necessarily linked with one another. It could therefore be envisaged to have them supported by different bodies, such as the Accredited NGOs (for the arm’s length platform - see document LHE/21/16.COM WG/6), the Secretariat of the Convention (for the network of inscribed elements) and the Secretariat of the Convention and/or the ICH NGO Forum[[1]](#footnote-1) (for the special forum). It is proposed that the working group considers each one of these functions separately when discussing their respective feasibility and roles.
6. **Arm’s-length platform for the follow-up of inscribed elements**: It is intended to be a platform to coordinate the provision of advisory services to the Committee in the follow-up of inscribed elements (see document [LHE/21/16.COM WG/6](https://ich.unesco.org/doc/src/LHE-21-16.COM_WG-6-EN.docx)). It would allow the Committee to benefit from the expertise of community representatives from inscribed elements and selected good safeguarding practices, accredited NGOs, UNESCO Chairs, relevant expert institutions, UNESCO facilitators and Category 2 Centres. While the platform would be run on a global basis, inter-regional dialogue could be facilitated at the same time through regional ‘rooms’ or similar.
7. The Convention provides a specific and clear framework to conduct advisory services for the Committee: [Article 9](https://ich.unesco.org/en/convention) establishes an accreditation system for non-governmental organizations (NGOs) with recognized competence in the field of intangible cultural heritage to contribute in an advisory capacity to the work of the Committee.[[2]](#footnote-2) Should the governing bodies require advisory services in the follow-up of inscribed elements, be it from experts, communities and/or other relevant stakeholders, Article 9 of the Convention constitutes a statutory basis that the working group should consider in its debates.
8. It seems to be in the interest of the Convention and its governing bodies to benefit from the advice of a wide range of stakeholders, particularly from the communities concerned, in the follow-up of inscribed elements. However, one primary concern should be to avoid establishing parallel advisory services, which would not be cost-efficient and may in fact complicate the work of the Committee. Considering that the Convention foresees a specific mechanism for advisory organizations to assist the Committee in fulfilling its functions and that the General Assembly and the Committee recognized that this mechanism was under-utilized,[[3]](#footnote-3) it would be logical to reinforce the application of Article 9 perhaps through an extension of advisory functions carried out by accredited NGOs to include such an arm’s length platform, rather than creating a separate advisory mechanism. The details for setting up and maintaining an arm’s-length platform might be summarized as follows:

|  |  |
| --- | --- |
|  | **Arm’s length platform for the follow-up of inscribed elements** |
| Main purpose | Enhance follow-up mechanisms |
| Support structure | ICH NGO Forum |
| Statutory requirements | * Committee decision
* Amendments of Operational Directives
 |
| Membership | Community representatives from inscribed elements and selected good safeguarding practices, accredited NGOs, UNESCO Chairs, expert institutions, UNESCO facilitators, Category 2 Centres  |
| Main activities | * Engaging with communities and bearers on the follow-up of inscribed elements
* Upstream advice as part of the transfer of elements
* Preparing justification for the inclusion of successful safeguarding experience in the Register
* Checking information and undertaking enhanced follow-up actions as part of the procedure for the removal of elements
 |
| Cost implications | * Additional financial resources for:
	+ administrative and logistical costs for the maintenance of the ICH NGO Forum and the platform
	+ knowledge management services
* Additional Secretariat time required for:
	+ liaising with and coordinating the work of ICH NGO Forum
* Direct costs related to follow-up actions (see document LHE/21/16.COM WG/6)
 |

1. **A network of inscribed elements**: The main purpose of creating a network of inscribed elements is to specifically facilitate dialogue amongst communities practising elements of intangible cultural heritage that are inscribed on the Lists of the Convention, for sharing safeguarding experiences, without necessarily going through the Register-related procedures. It is also hoped that this focused and bottom-up approach would allow the Committee to learn the views of communities, for example on thematic issues of interest by launching a call through the network. In addition, the network would aim at facilitating cooperation among communities, fostering communication and could provide capacity-building opportunities for communities with support from accredited NGOs through the ICH NGO Forum, UNESCO Chairs, expert institutions, UNESCO facilitators, Category 2 Centres and other relevant stakeholders. It is proposed that the network be supported in its activities by a dedicated team within the Secretariat of the Convention. A network of inscribed elements could also constitute a basis upon which to organize an ad hoc special forum on themes relevant to the work of the Committee (see [paragraph 13](#_A_special_forum:) below). The details for setting up and maintaining such a network might be summarized as follows:

|  |  |
| --- | --- |
|  | **Network of inscribed elements** |
| Main purpose | Facilitate exchanges, communication and capacity-building and dialogue on safeguarding experiences and thematic issues |
| Support structure | Secretariat of the 2003 Convention |
| Statutory requirements | * Committee decision
 |
| Membership | Contact persons of the inscribed elements as focal points |
| Main activities | * Coordination of experience sharing
* Communication
* Capacity-building (with support from accredited NGOs through the ICH NGO Forum, UNESCO Chairs, expert institutions, UNESCO facilitators, Category 2 Centres and other relevant stakeholders)
 |
| Cost implications | * Additional financial resources for:
	+ Personnel need to maintain the functioning of the network
	+ meeting organization costs (interpretation, technicians etc)
	+ translation of documents
	+ expert advisory services (when relevant)
 |

##### **A special forum:** This forum’s aim would be to represent the voices of communities and bearers of living heritage with regards to the 2003 Convention during its governing bodies’ meetings and other statutory processes. This suggestion is inspired by the International Indigenous Peoples’ Forum on World Heritage (IIPFWH) launched in 2018 under the 1972 Convention, which itself is modelled on the UN Convention on Biological Diversity and the UN Framework Convention on Climate Change (IIPFCC). It would be an ad hoc body aiming to support more direct and formal engagement with the 2003 Convention’s governing bodies during its statutory meetings.

1. Its organizational structure would be fluid and the special forum would be convened on an ad hoc basis by decision of the Intergovernmental Committee. Its role would be to address thematic issues which may benefit from closer engagement and dialogue between States Parties to the Convention and ICH practitioners and bearers. The Secretariat could engage with accredited NGOs and the network of inscribed elements to identify key thematic areas and participants with relevant experience and knowledge on the issues at hand. The details for setting up and maintaining such a forum might be summarized as follows:

|  |  |
| --- | --- |
|  | **Special forum** |
| Main purpose | Support more direct engagement of the Committee with communities and bearers of living heritage (on an ad hoc basis) |
| Support structure | Secretariat of the 2003 Convention with support from the ICH NGO Forum and the network of inscribed elements |
| Statutory requirements | * Committee decision
 |
| Membership | No permanent membership. Session-based selection of community representatives |
| Main activities | * Selection of participants
* Travel and participation in the Committee meetings
 |
| Cost implications | * Additional financial resources for:
	+ travel costs of community representatives and bearers
	+ organization of events during Committee sessions
* Additional Secretariat time required for:
	+ Identification of participants and liaison with the ICH NGO Forum and the network of inscribed elements
* Additional Committee time
 |

1. **Number of files by cycle**
2. It is evident that the reform of the listing mechanisms would bring important implications to the annual number of files that can be treated by the Committee, Evaluation Body and the Secretariat. The working group took note during its Part I meeting that since a high number of files (particularly multinational nominations) continue to be presented each year and with 180 States Parties on board, it would not be possible under the current circumstances to respect the principle of treating one file per State Party every two years, let alone responding to the priorities set out in paragraph 34 of the Operational Directives; alternative measures would have to be introduced.
3. The working group members started to discuss the following three issues at the end of Part I of the meeting, but the time was not enough to clearly define the issues presented between square brackets in the Part I Recommendation. It would be necessary, therefore, that Part II of the meeting first agree whether to treat these questions.

[12.i. Consider the possibility of reviewing the adaptability of the composition and the working methods of the Evaluation Body to allow for a higher number of files per cycle to be evaluated, keeping in mind geographical representation;]

[12.j. Consider the possibility of examining two files per State every three years alternating between a nomination to the Representative List and the Urgent Safeguarding List or the Register of Good Safeguarding Practices;]

[12.k. Consider the possibility of moving all International Assistance requests to the Bureau of the Intergovernmental Committee for the Safeguarding of the Intangible Cultural Heritage.]

1. In this regard, it must be noted that the recommendations of Part I of the working group would not entail any significant decrease in the current workload of the stakeholders and depending on the decisions eventually taken, it may in fact require an increase in the workload. Consequently, the current number of annual files (55 – 60) would at best have to be maintained. The working group might therefore wish to consider the following alternative measures in term of the annual number of files per cycle to treat:
	* one file per submitting State Party every three years instead of every two years, or
	* one national or one multinational file per submitting State in a given cycle, or
	* discontinue the principle of one file per State Party every two years and only apply the priorities as set out in paragraph 34 of the Operational Directives.
1. . The ICH NGO Forum was initially set up in 2010 by NGOs accredited under the Convention, as an informal platform for communication, networking, exchange and cooperation. Coordinated by a fully elected steering committee composed of seven persons, it now constitutes a platform for international and regional cooperation between accredited NGOs through thematic and regional working groups, and coordinates the contribution of accredited NGOs to the debates of the governing bodies for the Convention at each session. As such, the ICH NGO Forum – itself an NGO registered in France but not accredited under the Convention – operates, in some ways, as an arm’s length entity coordinating the contribution from accredited NGOs to the work of the Committee. [↑](#footnote-ref-1)
2. . As of 2021, 193 NGOs based in all regions and showing a diversity of profiles and expertise, are accredited under the Convention. The full list is available at: <https://ich.unesco.org/en/accredited-ngos-00331>. [↑](#footnote-ref-2)
3. . In the context of the reflection on the possible ways in which the participation of NGOs could be further enhanced under the Convention, the General Assembly ‘acknowledge[d] the important role and untapped potential of the ICH NGO Forum and accredited non-governmental organizations’ (Resolution [8.GA 12](https://ich.unesco.org/en/Decisions/8.GA/12)). [↑](#footnote-ref-3)