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

**INTERGOVERNMENTAL COMMITTEE FOR THE
SAFEGUARDING OF THE INTANGIBLE CULTURAL HERITAGE**

**Fifteenth session**

**Online**

**14 to 19 December 2020**

**Item 9 of the Provisional Agenda:**

**Number of files submitted for the 2020 and 2021 cycles and
number of files that can be treated in the 2022 and 2023 cycles**

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| **Summary**In order to manage the listing mechanisms of the Convention, the Committee is to determine the number of files to be treated during the following two cycles two years beforehand. This document provides an overview of the files submitted for the 2020 and 2021 cycles. It is reported that a warning raised for the 2019 cycle has been confirmed under the 2021 cycle; an unusually high number of national files, and from a higher than normal number of submitting States, means that the annual ceiling and priorities system is no longer tenable. An interim solution is proposed for the number of files to be treated for the 2022 and 2023 cycles.**Decision required:** paragraph 14 |

#### Background

1. Under the Convention, one of the functions of the Committee is to decide on requests by States Parties for the inscription of elements on the Lists. The current system regarding the number of files[[1]](#footnote-1) that can be included in a cycle and the priorities for selecting those files is laid out in paragraphs 33 and 34 of the Operational Directives of the Convention.
* Paragraph 33 stipulates that: ‘[t]he Committee determines two years beforehand, in accordance with the available resources and its capacity, the number of files that can be treated in the course of the two following cycles’; and
* Paragraph 34 establishes the priorities for selecting those files as follows:

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| priority (i) – files from States having no elements inscribed, best safeguarding practices selected or requests for International Assistance greater than US$100,000 approved, and nominations to the List of Intangible Cultural Heritage in Need of Urgent Safeguarding; priority (ii) – multinational files; priority (iii) – files from States with the fewest elements inscribed, best safeguarding practices selected or requests for International Assistance greater than US$100,000 approved, in comparison with other submitting States during the same cycle.  |

1. In addition, the Committee has regularly been establishing an annual ceiling of files for a given cycle, while requesting that at least one file per submitting State be processed during a two-year period, within the agreed ceiling.[[2]](#footnote-2) In application of the Committee’s decisions that at least one nomination file per submitting State be processed during a two-year period, files from submitting States with no national files included in the preceding cycle are called priority (0). In addition, to ensure fairness among submitting States with equal priority, the Committee has also been requesting that the Secretariat exercise flexibility in cases when several States have the same number of inscribed elements, even if the total number of files exceeds the established annual ceiling.
2. At is thirteenth session in 2018, when setting the number of files at fifty for the 2020 and 2021 cycles, the Committee requested that the Secretariat report to it at its current session on the number of files submitted for those cycles and on its experience in applying the Operational Directives and the decisions of the previous sessions ([Decision 13.COM 15](https://ich.unesco.org/en/Decisions/13.COM/15)). Accordingly, the Committee is called upon to take note of the number of files submitted for the 2020 and 2021 cycles with the analysis of the situation for these two cycles, and to determine the overall number of files that can be treated for the 2022 and 2023 cycles.

#### Report on the 2020 cycle

1. For the 2020 cycle,[[3]](#footnote-3) the Secretariat received sixty-one new files from fifty-seven States by the deadline of 31 March 2019. Together with the newly received files, there were numerous files carried over from previous cycles (called ‘backlog files’) that were not previously treated due to the established ceiling. Based on the indications given by the submitting States on which of the files they wished to be considered, eighty nominations (including sixteen multinational files) could potentially be considered for the 2020 cycle. In application of the Committee’s [Decision 13.COM 15](https://ich.unesco.org/en/Decisions/13.COM/15) and the levels of priority set out in paragraph 34 of the Operational Directives, fifty-three of these eighty files were considered for the 2020 cycle (thirty-seven national files and sixteen multinational ones). This meant that twenty-seven States with one or more elements already inscribed on the Lists could not have their files included in the 2020 cycle.

#### Report on the 2021 cycle

1. For the 2021 cycle,[[4]](#footnote-4) the Secretariat received seventy-one new files from sixty-four States by the deadline of 31 March 2020. With the backlog files, the number of receivable files for the 2021 cycle was 220. Based on the indications given by the submitting States on which of the files they wished to be considered, ninety-two potential files (including sixteen multinational files) were considered for the 2021 cycle.
2. What distinguishes the 2021 cycle is that fifty-three files, out of the ninety-two submitted, fall under priority (0). In other words, and for the first time, the number of national files under priority (0) alone exceeded the annual ceiling of fifty files and, in turn, all the other files falling under other categories would not be considered, including sixteen multinational files. The thirteenth session of the Committee in 2018 was alerted about the increasing number of national files in category priority (0), which concerned thirty-two files for the 2019 cycles, that is, two thirds of the files treated; consequently, only files under priorities (0), (i) and (ii) were included in the 2019 cycle. A warning was made that if the trend continued, the Convention could face a situation wherein multinational files corresponding to category (ii) may not be treated (document [ITH/18/13.COM/15](https://ich.unesco.org/doc/src/LHE-19-14.COM-15-EN.docx)). This prediction came true for the 2021 cycle.
3. Mindful of the importance of multinational files for international cooperation as well as the need to continue the efforts to improve upon the geographical balance of the Lists, the Secretariat decided to include sixty files in the 2021 cycle. As a result, this cycle includes not only files under priority (0), but also files under priority (i), together with five multinational files out of the sixteen files received under priority (ii). These five multinational files included at least one submitting State that has no national elements inscribed. The remaining eleven multinational files could not be included in this cycle and twenty States with one or more elements inscribed could not see their national files under priority (iii) included in the cycle.

#### Challenges and possible ways forward

1. The above-mentioned problem encountered in the 2021 cycle was discussed at length during the eighth session of the General Assembly in September 2020. While welcoming the good will of the Secretariat to increase the number of files for the 2021 cycle to sixty, the Assembly emphasized the need to step up the efforts to render the Lists more geographically representative, balanced and culturally diversified. To that end, the General Assembly recommended that the Committee consider the possibility of increasing the number of files to include all the files submitted by States Parties for the 2022 and 2023 cycles ([Resolution 8.GA 11](https://ich.unesco.org/en/Resolutions/8.GA/11)).
2. The issue of the annual number of files dates back to the beginning of the listing mechanisms. The first set of Operational Directives (2008) did not include any limitation or provisions concerning the number of files. For the first nomination cycle in 2009, the Committee was asked to examine as many as 130 files, including 111 nominations for the Representative List (for which 3 States Parties submitted 65 nominations altogether, more than half of which were submitted by Electoral Group IV). In addition to the discussion by the Committee at its fourth session, the experience of the first nomination cycle prompted an expert meeting[[5]](#footnote-5) (2010), three meetings of a working group[[6]](#footnote-6) (2010) and a meeting of an open-ended intergovernmental working group[[7]](#footnote-7) (2011) dedicated to the issue of the annual number of files to be treated. As a result of these reflections, the Operational Directives were amended in July 2012, establishing the current system that makes it possible to adjust the number of files in a given cycle according to the annual ceiling and priority, while recognizing the prerogative of States Parties to submit any number of files for a given cycle.
3. Through the implementation of the listing mechanisms, the following issues have been identified, which need to be taken into account when considering the problems encountered for the 2021 cycle:

**a. Spirit of inclusiveness**: The listing mechanisms are intended to promote international cooperation and mutual understanding. Limiting the number of files is considered to not be consistent with the purpose of the Convention to recognize the importance and diversity of the living heritage of all communities around the world. Many States are also faced with the need to recognize the living heritage of diverse communities within their territories.

**b. Balanced Lists**: How to ensure the Lists are geographically balanced has been a concern of the Committee since the outset. While some consider that increasing the number of files would help achieve the desired balance, others are concerned that if an unlimited number of files were allowed, States Parties with more experience in preparing nominations, as well as more resources, would be significantly advantaged.

**c. Credibility and workload**: Ensuring the credibility of the current criteria system has resulted in the need to undertake a thorough completeness assessment, evaluation and examination, limiting the number of files that can realistically be considered by a given session of the Committee. Consequently, the current system creates a heavy workload for the Committee, its Evaluation Bodies and the Secretariat, which cannot be expected to take on an increased number of files. It should be noted that the workload of the Committee and the Secretariat has become heavier substantially since 2009 due to the growing number of States Parties, the operationalization of several international mechanisms and a rising number of new, complex thematic issues.

**d. Evaluation Body**: Contrary to what has often been suggested, increasing the number of members of the Evaluation Body would not help evaluate more files. According to the established procedure, each member evaluates each file individually before the Body then discusses them collegially to arrive at a consensus for each criterion for every file. Bringing in more members would make the consensus-building process more complex. Dividing the Evaluation Body, whether with an increased number of members or not, into separate groups to treat a large number of files would run the risk of not ensuring a consistent evaluation within the cycle.

1. Taking these considerations forward, it appears that it would not be feasible under the current system to satisfy the recommendation of the eight session of the General Assembly to include all the files submitted by States Parties for the 2022 and 2023 cycles. Above all, it is highly likely that priority (0) would continue to exceed the annual ceiling of fifty files, or even sixty if it were set at that number, given that there are currently 180 States Parties. In application of the Committee’s decision that at least one file per submitting State should be processed during a two-year period, up to ninety files would fall under priority (0). The accumulating number of backlog files would also result in a very high number of files that could potentially be considered in future cycles, as was the case for the 2020 and 2021 cycles. The experience with the first cycle of nominations and the insights gained through the subsequent cycles indicate that even if more financial and human resources were dedicated to the evaluation process – under the current approach – the time available during a cycle is only just sufficient for the Evaluation Body to evaluate around fifty files. Moreover, the assessment of the workload of the Committee, the Secretariat and the Evaluation Body presented to the thirteenth session of the Committee ([Document 13.COM 15](https://ich.unesco.org/doc/src/ITH-18-13.COM-15-EN.docx)) remains valid.
2. Any reflections that might lead to a sustainable change in the number of overall files must be undertaken carefully in conjunction with the global reflection process on the listing mechanisms, as initiated by the thirteenth session of the Committee, which will last until at least 2022; the experience of the Evaluation Body and the Committee in evaluating and examining sixty files under the 2021 cycle should also be taken into account. If the annual ceiling were to be changed to include a high number of files, the overall listing system would need to be drastically changed, for example by moving to an open and inclusive Representative List with a minimal evaluation process, perhaps combined with a ‘sunset clause’ to control the overall number of inscribed elements in order to satisfy some States Parties who wish to see all submitted files examined by the Committee. Alternatively, if the Committee were to continue with the annual ceiling system, different ways of managing the priority system would need to be devised.

#### Number of files for the 2022 and 2023 cycles: intermediary solution

1. Pending the results of the overall reflection process on the listing mechanisms and the feedback of the Evaluation Body concerning the 2021 cycle, an intermediary solution needs to be sought. The Committee may wish to request that the Secretariat include at least fifty files under both the 2022 and the 2023 cycles, while ensuring that all files under priority (0) are included. In the event that the number of files under priority (0) alone exceeds the ceiling of fifty files, the Secretariat may consider the possibility of also treating:
* priority (i) national files from submitting States with no elements inscribed on any of the Lists, good safeguarding practices selected or requests for International Assistance greater than US$100,000 approved, as well as nominations to the List of Intangible Cultural Heritage in Need of Urgent Safeguarding, priority (i);
* priority (ii) multinational files, giving priority to files from States with no national elements inscribed.
1. The Committee may wish to adopt the following decision:

DRAFT DECISION 15.COM 9

The Committee,

1. Having examined document LHE/20/15.COM/9,
2. Recalling paragraphs 33 and 34 of the Operational Directives, as well as its Decisions [10.COM 13](https://ich.unesco.org/en/Decisions/10.COM/13), [11.COM 12](https://ich.unesco.org/en/Decisions/11.COM/12), [12.COM 13](https://ich.unesco.org/en/Decisions/12.COM/13)[, 12.COM 14](https://ich.unesco.org/en/Decisions/12.COM/14) and [13.COM 15](https://ich.unesco.org/en/Decisions/13.COM/15), and Resolution [8.GA 11](https://ich.unesco.org/en/Resolutions/8.GA/11),
3. Considering that its capacities to examine files during a cycle are still limited, as are the capacities and human resources of the Secretariat,
4. Further considering that the Evaluation Body’s composition and working methods are designed to promote both an equitable geographical representation and an even representation of experts and non-governmental organizations in the evaluation of each criterion of every individual file, the time constraints of which limit its capacity,
5. Takes note of the fact that sixty files are being treated for the 2021 cycle (fifty-five national files and five multinational ones) and that fifty-three are being treated for the 2020 cycle (thirty-seven national files and sixteen multinational ones), while welcoming the efforts of the Secretariat to increase the number of files for the 2021 cycle from fifty to sixty;
6. Decides that, in the course of the 2022 and 2023 cycles, the number of nominations to the List of Intangible Cultural Heritage in Need of Urgent Safeguarding and to the Representative List of the Intangible Cultural Heritage of Humanity, proposals of programmes, projects and activities that best reflect the principles and objectives of the Convention and International Assistance requests greater than US$100,000 that can be treated is determined to be at least fifty per cycle;
7. Further decides that at least one file per submitting State should be processed during the two-year period of 2022–2023, in conformity with paragraph 34 of the Operational Directives, and that those States Parties that submitted files that could not be treated in the 2021 cycle will see their files given priority in the 2022 cycle, following the principle of one file per submitting State during the two-year period;
8. Also decides that the Secretariat may exercise some flexibility if this will permit greater equity among submitting States with equal priority under paragraph 34 of the Operational Directives;
9. Requests that the Secretariat consider the possibility of also treating, according to its resources and those of the Evaluation Body:

- priority (i) national files from submitting States with no elements inscribed on any of the Lists, good safeguarding practices selected or requests for International Assistance greater than US$100,000 approved, as well as nominations to the List of Intangible Cultural Heritage in Need of Urgent Safeguarding,

- priority (ii) multinational files, giving priority to files from States with no national elements inscribed;

1. Invites States Parties to take the present decision into account when submitting files for the 2022 and 2023 cycles;
2. Further requests that the Secretariat report to it on the number of files submitted for the 2022 and 2023 cycles, its experience in applying the Operational Directives and the present decision at its seventeenth session.
1. . In conformity with Article 7 (g) of the Convention, each year the Committee examines: nominations of elements for inscription on the Representative List and the Urgent Safeguarding List, proposals for selection on the Register of Good Safeguarding Practices and Requests for International Assistance above US$100,000. [↑](#footnote-ref-1)
2. . Decisions [8.COM 10](https://ich.unesco.org/en/Decisions/8.COM/10); [9.COM 12](https://ich.unesco.org/en/Decisions/9.COM/12); [10.COM 13](https://ich.unesco.org/en/Decisions/10.COM/13), [11.COM 12](https://ich.unesco.org/en/Decisions/11.COM/12), [12.COM 13](https://ich.unesco.org/en/Decisions/12.COM/13) [, 12.COM 14](https://ich.unesco.org/en/Decisions/12.COM/14) and [13.COM 15](https://ich.unesco.org/en/Decisions/13.COM/15). [↑](#footnote-ref-2)
3. . The list of files for the [2020 cycle](https://ich.unesco.org/en/submitting-states-and-priorities-2020-01054) are displayed on a dedicated page of the website of the Convention, along with an indication of those files that have been treated. [↑](#footnote-ref-3)
4. . The list of potential files for the [2021 cycle](https://ich.unesco.org/en/submitting-states-and-priorities-2021-01135) are displayed on a dedicated page of the website of the Convention, along with an indication of those files that are or have been treated. [↑](#footnote-ref-4)
5. . [https://ich.unesco.org/en/events/expert-meeting-on-the-2003-convention-00129](https://ich.unesco.org/en/events/expert-meeting-on-the-2003-convention-00129%20) [↑](#footnote-ref-5)
6. . <http://ich.unesco.org/en/events/5.COM-3.WG-00131>; <http://ich.unesco.org/en/events/5.COM-3.1.WG-00133>, <http://ich.unesco.org/en/events/5.COM-4.WG-00134> [↑](#footnote-ref-6)
7. . <https://ich.unesco.org/en/events/6.COM-WG-00155> [↑](#footnote-ref-7)