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Evaluation of UNESCO's Standard-setting Work of the Culture Sector

Part I – 2003 Convention for the Safeguarding of the Intangible Cultural Heritage

FINAL REPORT

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Executive Summary

As the only UN agency with a mandate in culture, UNESCO has developed a comprehensive series of standard-setting instruments in this field, including six main culture conventions, many recommendations and a number of declarations. Significant time and resources are spent on standard-setting activities related to these instruments and even though the visibility of some of this work is high, no comprehensive evaluation has ever been conducted of the standard-setting work of UNESCO. It is in this context that UNESCO decided to conduct this evaluation.

Evaluation purpose, scope and methodology

The purpose of the overall evaluation is to generate findings and recommendations regarding the relevance and the effectiveness of the standard-setting work of the culture sector with a focus on its impact on ratification; on legislation, policies, and strategies of Parties to UNESCO's culture conventions; and on the implementation of the conventions at the national level. A separate report by the IOS Audit Section assesses the adequacy and efficiency of the working methods used in the standard-setting work.

The evaluation aims to help the UNESCO Culture Sector, Senior Management and the Governing bodies of the conventions to strengthen, refocus and better coordinate the organisation's standard-setting activities. It also wants to contribute to generating a better understanding about how conventions work in practice, i.e. how they affect legislation and policies of Parties and the behaviour of key institutional actors. It thereby intends to serve as a source of information for Member States, who have the primary responsibility for the implementation of the standard-setting instruments at national level.

The overall evaluation examines four of UNESCO's culture conventions (1970, 1972, 2003 and 2005). The present report constitutes part one of the overall evaluation. It focuses on the 2003 Convention for the Safeguarding of the Intangible Cultural Heritage and looks at the following three levels of standard-setting work and at related activities undertaken both by State Parties and by UNESCO:

- Ratification (or accession / acceptance / approval) of the Convention;
- Integration of the provisions of the Convention into national / regional legislation, policy and strategy; and,
- Implementation of the legislation, policies and strategies at the national level.

The evaluation aims to find out about the results achieved at each of these levels, about the effectiveness of the mechanisms used to support the implementation of the Convention, and about the overall relevance of this standard-setting instrument. It also examines the relevance and effectiveness of the support provided by UNESCO to State Parties to the Convention.

The foundation of the evaluation methodology is constituted by a Theory of Change. This is a summary overview of the key causal assumptions connecting, through a number of intermediate assumptions, the different types of UNESCO support, as well as the actions of State Parties and other stakeholders within the framework of the 2003 Convention, to the final intended objectives. The Theory of Change was reconstructed on the basis of different inputs, such as documents and interviews, as it had not yet been clearly articulated. It provided the basis for a 'nested' methodological design, which included purposive sampling and data collection at the different levels of the causal chain from ratification to implementation as basis for acquiring credible data at all three levels. Data collection methods included a desk study, phone/Skype interviews, surveys, and in person interviews in a few selected countries.

Key evaluation findings

State Parties consider the 2003 Convention for the Safeguarding of the Intangible Cultural Heritage to be a highly relevant international legal instrument, both in terms of its consistency with national and local priorities and with the needs of the concerned communities, groups and individuals. This view is also shared by many non-state stakeholders involved in the implementation of the Convention, including NGOs, representatives of intangible cultural heritage (ICH) bearer organisations, and academics. The Convention, and the standard-setting work related to it, is also of relevance to UNESCO's priorities as described in the current 34 C/4 Medium-Term Strategy and the 36 C/5 Programme and Budget as well as in the draft 37 C/4 and 37 C/5. The specific reasons for considering it relevant and important vary considerably depending on the type of stakeholder consulted and the respective socio-cultural and historical context.

The 2003 Convention has significantly broadened the international discourse around the definition and meaning of cultural heritage. The concept of ICH itself is quite new and its use has largely been credited to the 2003 Convention. As recently as ten years ago the term ICH was almost unknown and was only used by a small group of experts. Intangible Cultural Heritage is today recognized as a valuable and integral part of people's cultural heritage. The Convention broadened the more traditional view of heritage to include anthropological and sociological points of view. It also introduced a number of important concepts related to ICH, such as the understanding that the community is the real bearer of ICH and that this heritage is defined in terms of the community; the notion that culture is living and evolving as it is transmitted from one generation to another; and the concept of safeguarding as measures aimed at ensuring the viability of ICH.

Overall, due to its standard-setting work related to various conventions, UNESCO is widely recognized as a leader in the field of cultural heritage. Increasingly, the organization is also valued by Member States and other UN agencies for its efforts to demonstrate the links between culture and development. However, although the link between ICH and sustainable development is generally considered to be important, clarifying the nature of this link, identifying its potential both for sustainable development and for the viability of ICH, and identifying the potential risks that development, if not sustainable, holds for ICH, are still very much work in progress.

Many stakeholders acknowledge the gender dimension of ICH. However, an in-depth debate about gender equality and ICH has not yet happened. Given the absence of such a debate and any appropriate guidance, the working mechanisms of the Convention, related documents, forms and assessments, as well as the support provided by the Secretariat have been quite gender blind so far. The same applies to the Periodic Reports. This is a lost opportunity to create awareness about this very important topic and to collect interesting information and good practices that could later be shared with others.

While many State Parties have integrated the Convention's provisions in cultural policies and laws following ratification, a lot more work needs to be done to establish the required legislative and policy environment, both as it relates to laws and policies in the field of culture, as well as to those in the field of sustainable development that have a bearing on the implementation of the 2003 Convention. This is one of the areas where support is needed and where UNESCO could intervene more explicitly.

In many countries Government institutions lack the financial and human resources to successfully implement the Convention. Understanding the concepts of the Convention also often remains a challenge, both at the government and community levels. This is especially evident when it comes to inventorying, the design and implementation of safeguarding measures, cooperation with other

State Parties, preparation of nomination files (both national and multi-national), and community consultation and participation in all of these areas.

Although community participation is at the heart of the 2003 Convention, it has proven to be one of the most challenging aspects in its implementation. Community participation needs to be enhanced in many areas related to the implementation of the Convention, including in inventorying, in the elaboration of safeguarding programmes and projects, and in the preparation of nomination files.

UNESCO has put in place an extensive world-wide capacity building programme with a network of qualified experts. Of all the mechanisms established by the Convention and the Secretariat to support the implementation of the Convention, the capacity building programme is considered by many to be the most important. The programme could usefully be extended to include more support in policy and legislative development; ICH and sustainable development and the required inter-sectoral cooperation; community mobilization and participation; and ICH and gender equality in a context of human rights. More efforts are needed for follow-up and assessment of results achieved by the capacity building activities.

While the Representative List has contributed to increasing the visibility of the Convention and to raising awareness about intangible cultural heritage, its relative importance is overrated. Other mechanisms, such as the List of Intangible Cultural Heritage in Need of Urgent Safeguarding, the Register of Best Safeguarding Practices and the International Assistance are underused. A better balance needs to be found between these mechanisms by (a) clarifying all misperceptions regarding the concepts and intention of the Representative List; (b) promoting and re-positioning the Urgent Safeguarding List; (c) promoting the International Assistance Programme; and (d) rethinking the way best practices are identified and disseminated.

Evaluation of nomination files to the Convention's mechanisms is undertaken by two separate bodies. This arrangement is questioned by many stakeholders who believe that nominations to the Representative List and to the List of Intangible Cultural Heritage in Need of Urgent Safeguarding should be examined by one body only in order to ensure that the same standards are applied in the evaluation of nomination files. The fact that the members of the Subsidiary Body are representatives of State Parties also raises considerable discontent and concerns about possible conflicts of interest.

The 2003 Convention is closely linked to the 1972 and 2005 Conventions as well as to some of the work of the World Intellectual Property Organization. While this is generally acknowledged by stakeholders, possibilities for strengthening policy and implementation connections, exchanging experiences and enhancing cooperation between the various culture conventions, and between UNESCO and WIPO have not been fully exploited.

NGOs are acknowledged to play an important role in the implementation of the Convention at the national level. Their contribution is primarily focused on the implementation of safe-guarding measures. Other important roles, such as contributing to cultural policy making or mediating and building bridges between various actors, such as between communities and Government, are less recognized. At the international level, entry points for NGOs, including organizations representing ICH bearers, to contribute to decision making are limited. Many accredited NGOs feel that their accreditation status is not taken seriously by the IGC as the NGO forum Statement and individual contributions of NGOs and other observers are often not sufficiently considered during the debates and therefore do not have much effect on decisions taken by the IGC. One of the reasons for why NGOs' views are not taken into consideration by the IGC seems to have to do with the accreditation criteria of NGOs, which are not stringent enough. This has led to the rapid approval of many organisations that are not playing a very active role in the implementation of the Convention.

Overall, the Convention lacks a Theory of Change and an overall results framework with objectives, time-frames, indicators and benchmarks, which makes it difficult to capture and demonstrate results. Periodic reports provide a valuable source of information on the implementation of the Convention. However, for the purpose of monitoring the implementation of the Convention globally, the Reports alone currently do not provide all the required information. The reporting format should be revised and the Reports complemented by other sources, so that a more complete data set on results achieved and lessons earned can be established.

The work of the UNESCO 2003 Convention Secretariat is considered to be of high quality. Overall its services are much appreciated by State Parties, who consider the Secretariat to be professional, efficient and responsive. The Secretariat, however, lacks resources, which has put constraints on the number of nominations and proposals processed and on other activities.

The evaluation generated a large number of recommendations directed to the Intergovernmental Committee for the Safeguarding of the Intangible Cultural Heritage and to the 2003 Convention Secretariat. They are included in the respective chapters of the report and a full list is available in [chapter 8](#) of this report.

List of Acronyms and Terms

1972 Convention	1972 Convention concerning the Protection of the World Cultural and Natural Heritage
2003 Convention	2003 Convention for the Safeguarding of Intangible Cultural Heritage
2005 Convention	2005 Convention on the Protection and Promotion of the Diversity of Cultural Expressions
Chengdu Conference	Chengdu International Conference on Intangible Cultural Heritage in Celebration of the Tenth Anniversary of UNESCO's Convention for the Safeguarding of the Intangible Cultural Heritage, China, 14 – 16 June 2013
IA	International Assistance
ICH	Intangible Cultural Heritage
IGC	Intergovernmental Committee for the Safeguarding of the Intangible Cultural Heritage
Masterpieces	Proclamation of Masterpieces of the Oral and Intangible Heritage of Humanity
MDG-F	Millennium Development Goals Achievement Fund
Mondiacult	World Conference on Cultural Policies, Mexico City, 1982
NGO	Non-Governmental organisation
Operational Directives	Operational Directives for the Implementation of the Convention for the Safeguarding of the Intangible Cultural Heritage, adopted by the General Assembly of the States Parties to the Convention at its second session (Paris, 16-19 June 2008), amended at its third session (Paris, 22-24 June 2010) and at its fourth session (Paris, 4-8 June 2012)
RBP	Register of Best Safeguarding Practices
RL	Representative List of the Intangible Cultural Heritage of Humanity
USL	List of Intangible Cultural Heritage in Need of Urgent Safeguarding
WIPO	World Intellectual Property Organisation

Chapter 1 Introduction and Background

1.1 Evaluation purpose, scope and methodology

1. As the only UN agency with a mandate in culture, UNESCO has developed a comprehensive series of standard-setting instruments in this field, including six main culture conventions, many recommendations and a number of declarations.¹ Significant time and resources are spent on standard-setting activities related to these instruments and even though the visibility of some of this work is high, no comprehensive evaluation has ever been conducted of the standard-setting work of UNESCO. It is in this context that UNESCO decided to conduct an evaluation of UNESCO's standard-setting work.

1.1.1 Evaluation purpose

2. The purpose of the overall evaluation is to generate findings and recommendations regarding the relevance and the effectiveness of the standard-setting work of the culture sector with a focus on its impact on ratification; on legislation, policies, and strategies of Parties to UNESCO's culture conventions; and on the implementation of the conventions at the national level. A separate report by the IOS Audit Section assesses the adequacy and efficiency of the working methods used in the standard-setting work.
3. The evaluation aims to help the UNESCO Culture Sector, Senior Management and the Governing Bodies of the Conventions to strengthen, refocus and better coordinate the Organisation's standard-setting activities. The evaluation also wants to contribute to generating a better understanding about how conventions work in practice, i.e. how they affect legislation and policies of Parties and the behaviour of key institutional actors. It thereby also intends to serve as a source of information for Member States, who have the primary responsibility for the implementation of the standard-setting instruments at national level. Last but not least, the evaluation is expected to feed into ongoing discussions about the challenges and lessons learned with regard to evaluating normative work in the UN.
4. The overall evaluation examines four of UNESCO's culture conventions (1970, 1972, 2003 and 2005), with a focus on the standard-setting work related to the 1970 and 2003 Conventions, which are being examined in more depth and detail. The results of the analysis will inform the design, implementation and management of the standard-setting work to be carried out under the new eight-year Medium-Term Strategy (C4) for 2014-2021 and the new four-year Programme (C5) for 2014-2017.

1.1.2 Evaluation scope

5. The present report constitutes part one of the overall evaluation of the UNESCO's standard-setting work of the Culture Sector. It focuses on the 2003 Convention for the Safeguarding of the Intangible Cultural Heritage. This is the first time that an evaluation of the standard-setting work related to this Convention is being conducted. The present exercise is expected to inform UNESCO's future efforts to promote the implementation of the 2003 Convention and to feed into the overall evaluation of standard-setting work of the Culture Sector.
6. It looks at the following three levels of standard-setting work and at related activities undertaken both by State Parties and by UNESCO:
 - Ratification (or accession / acceptance / approval) of the Convention;

¹ Full list of UNESCO's standard-setting instruments in Culture : http://portal.unesco.org/en/ev.php-URL_ID=13649&URL_DO=DO_TOPIC&URL_SECTION=-471.html

- Integration of the provisions of the Convention into national / regional legislation, policy and strategy; and,
- Implementation of the legislation, policies and strategies at the national level.

The evaluation aims to find out about the results achieved at each of these levels, about the effectiveness of the mechanisms used to support the implementation of the Convention, and about the overall relevance of this standard-setting instrument.

7. The evaluation covers the standard-setting work undertaken within the framework of both the regular and extrabudgetary programmes during the 34C/5 (2008-2009), 35C/5 (2010-2011) and 36C/5 (2012-2013) biennia up to the time of the evaluation.

1.1.3 Evaluation methodology

8. The foundation of the evaluation methodology is constituted by a Theory of Change. This is a summary overview of the key causal assumptions connecting the different types of UNESCO support, as well as the actions of State Parties and other stakeholders within the framework of the 2003 Convention, through a number of intermediate assumptions to the final intended objectives. The Theory of Change was reconstructed on the basis of different inputs, such as documents and interviews, as it had not yet been clearly articulated. The draft Theory of Change is presented in [chapter 1.3](#) of this report.
9. The Theory of Change comprises the three key levels of standard-setting work: I. Ratification; II. Integration of the provisions of the Conventions in national/regional legislation, policy and strategy (policy development level); and III. Implementation of the legislation, policies and strategies at national level (policy implementation level). This provided the basis for a 'nested' methodological design, which included purposive sampling and data collection at the different levels of the causal chain from ratification to implementation as basis for acquiring credible data at all three levels. The multi-level purposive sampling strategy started out from a sample from the broad population of all countries at the ratification level, and gradually narrowed down to sampling from smaller populations of countries with certain levels of policy development and implementation (or a lack thereof).
10. Data collection methods included a desk study, phone/Skype interviews, surveys, and in person interviews in a few selected countries. More specifically, the evaluation used the following methods:
 - Desk review of all relevant documents on the 2003 Convention including:
 - 2003 Convention for the Safeguarding of the Intangible Cultural Heritage;
 - Operational Directives for the Implementation of the Convention for the Safeguarding of the Intangible Cultural Heritage (hereafter the Operational Directives);
 - Intergovernmental Committee and General Assembly documents;
 - Brochures and other communication materials including the website;
 - Periodic Reports of State Parties;
 - National culture and other policies, legislation, strategies;
 - Materials for capacity building workshops including workshop reports;
 - International Assistance Requests and progress reports;
 - Nomination files and expert assessments, and
 - Academic and research papers on intangible cultural heritage.
 - Articulation of a draft Theory of Change for the 2003 Convention.
 - Interviews with UNESCO Secretariat staff at Headquarters and in the field, current and former members of the Intergovernmental Committee's Subsidiary and Consultative bodies, representatives of Permanent Delegations to UNESCO, facilitators of the

capacity building programme, representatives of accredited non-Governmental organisations, representatives of international organisations;

- Survey of all NGOs accredited by the Intergovernmental Committee: 49% response rate (73 respondents out of 150);
- Survey of all State Parties to the 2003 Convention: 37% response rate (57 respondents out of 155);
- Observation of the 6th session of the Intergovernmental Committee in December 2012, the Joint meeting of the Subsidiary and the Consultative Bodies in April 2013, the meeting of the Subsidiary Body in June 2013, and the Consultative Body in July 2013;
- Observation of the Meeting of ICH stakeholders in Spain (I Encuentro de Gestores del Patrimonio Cultural Inmaterial de la Humanidad), Madrid, Spain, 6-7 June 2013;
- Observation of the Chengdu International Conference on Intangible Cultural Heritage in Celebration of the Tenth Anniversary of UNESCO's Convention for the Safeguarding of the Intangible Cultural Heritage, Chengdu, China, 14-16 June 2013; and
- Field missions to Kenya, Mongolia, Serbia and Spain to collect additional data on the implementation of the 2003 Convention through interviews with Government representatives, National Commissions, and representatives of civil society, communities and other stakeholders.

1.1.4 Evaluation limitations

11. The evaluation was confronted with the following limitations:

- Data collection and analysis for the evaluation of the standard-setting work related to the 2003 Convention were limited to a very short time frame (March to August 2013).
- Information contained in the Periodic Reports submitted by State Parties to the Convention is more activity- than results-oriented, which makes the assessments of results produced difficult.
- The lack of monitoring data on the longer-term outcomes of capacity building activities further complicated the assessment of results achieved. The evaluation tried to compensate for this by collecting data through interviews and during the field missions.
- Most International Assistance (IA) projects were still ongoing at the time of the evaluation and had not yet submitted final reports.
- The resources (human and financial) for this evaluation were limited; therefore, only a few countries could be visited and examined to collect data on the implementation of the Convention.

1.2 Introducing the 2003 Convention

1.2.1 Towards a legal instrument on Intangible Cultural Heritage

12. The 2003 Convention for the Safeguarding of the Intangible Cultural Heritage (hereafter the 2003 Convention) was adopted after more than fifty years of UNESCO's programmes and standard-setting work in the field of culture and heritage. Until the 1980's however, the development of legal instruments focused mainly on the protection of tangible cultural heritage and copyright and only addressed the intangible aspects indirectly.
13. Then, prior to the 12th session of the Intergovernmental Copyright Committee in 1973, the Republic of Bolivia proposed the development of an international instrument for the "protection of folk arts and cultural heritage of the various nations of the world."² The proposal was not accepted, but a year later UNESCO began working with WIPO on the protection of intellectual property rights applicable to cultural manifestations.
14. The World Conference on Cultural Policies (Mondiacult) held in Mexico City in 1982 crafted a new definition of cultural heritage to include "both tangible and intangible works through which creativity of people finds expression: languages, rites, beliefs, historical places and monuments, literature, works of art, archives and libraries."³ The Conference also asked UNESCO to develop its programmes in the field of safeguarding and study of intangible cultural heritage (hereafter ICH).
15. In 1989 UNESCO's General Conference adopted the Recommendation on the Safeguarding of Traditional Culture and Folklore, which was the first legal instrument on ICH reflecting the conclusions of the Mondiacult conference. To promote the Recommendation, UNESCO further focused a part of its culture programme on the establishment of inventories and safeguarding plans, as well as the revitalisation of ICH of minority and indigenous groups.⁴
16. In the 1990s UNESCO's General Conference created a new programme – the Proclamation of Masterpieces of the Oral and Intangible Heritage of Humanity (hereafter the Masterpieces) – whose objectives were to raise awareness of ICH and the need to document and safeguard it; to evaluate and list the world's oral and ICH; to encourage countries to establish national inventories and take legal and administrative measures for the protection of their oral and ICH; and to promote the participation of traditional artists and local practitioners identifying and revitalising their ICH. Between 2001 and 2005, 90 elements of the oral and intangible heritage from more than 70 countries were proclaimed as Masterpieces of either forms of popular or traditional expression or cultural spaces.
17. The process for creating a legally-binding instrument on ICH continued in the early 2000s. In 2002, the United Nations Year for Cultural Heritage, a roundtable on ICH and Cultural Diversity was held in Istanbul, Turkey, which recommended the adoption of a new international convention on ICH. In September of that year UNESCO convened the first meeting of experts to work on a draft convention. During the process of elaborating the new convention on ICH, experts raised the issue of the importance of a glossary of terms relating to ICH. In June 2002 the Netherlands National Commission proposed a set of draft definitions for the glossary that were later finalised by a group of experts and the UNESCO Secretariat. This definition of ICH inspired the one in the 2003 Convention. The Turin Expert Meeting (2001) also contributed

2 Proposal for International Instrument for the Protection of Folklore, Intergovernmental Copyright Committee, Twelfth Session, December 1973 (IGC/XII/12)

3 Mexico City Declaration on Cultural Policies adopted by the World Conference on Cultural Policies, Mexico 6 August 1982

4 More information on UNESCO's programmes leading up to the adoption of the 2003 Convention can be found in the brochure "Working towards a Convention on intangible cultural heritage".

substantially to this definition. (More on this in the [section 2.2](#) on International discourse and practice in the area of Intangible Cultural Heritage.)

18. After a year of further negotiation, consensus was reached, and at its 32nd session on 17 October 2003, UNESCO's General Conference adopted the Convention for the Safeguarding of the Intangible Cultural Heritage. The Convention entered into force on 20 April 2006, three months after the date of the deposit of the thirtieth instrument of ratification, acceptance, approval or accession by a state. As other States ratify the Convention it enters into force for them three months after the deposit of their instrument.
19. The 2003 Convention now constitutes one of the six main UNESCO culture conventions. The sixth and youngest of them is the 2005 Convention on the Protection and Promotion of the Diversity of Cultural Expressions, which complements the 2003 Convention in its contribution to promoting and preserving cultural diversity.

1.2.2 Administration of the Convention

20. The General Assembly of the State Parties to the Convention is the sovereign body of the Convention. It provides strategic orientation for the implementation of the Convention and elects the 24 members of the Intergovernmental Committee for the Safeguarding of the Intangible Cultural Heritage (IGC). The General Assembly meets in ordinary session every two years and may convene extraordinary sessions if necessary.
21. The main functions of the IGC include the promotion of the objectives of the Convention; the use of the resources of the Intangible Cultural Heritage Fund; the inscription of ICH manifestations proposed by State Parties on the lists of the Convention; and the selection and promotion of programmes, projects and activities submitted by State Parties that best reflect the objectives and principles of the Convention. The IGC also proposes to the General Assembly the accreditation of NGOs that may have advisory functions to the IGC. It meets in ordinary session every year and in extraordinary session at the request of at least two thirds of its members.
22. The Intangible Cultural Heritage Section assumes the function of Secretariat of the 2003 Convention. The Section is organised in four units:
 - Governing Bodies and Processing Unit: responsible for the preparation of the meetings of the governing bodies of the Convention and the processing of nominations to the three Lists of the Convention, requests for International Assistance, and the Periodic Reports submitted by State Parties;
 - Programme and Evaluation Unit: responsible for technical evaluations of nominations and reports submitted by State Parties and for the planning and implementation of specific programmes in ICH;
 - Capacity Building and Heritage Policy Unit: responsible for the implementation of the global capacity building strategy to support States in ratifying and implementing the Convention; and
 - Information and Communication Unit: responsible for awareness-raising activities on the Convention such as publications, the website, the management of the Convention's logo and emblem and relations with various stakeholders.
23. At the time of the evaluation (July 2013) the Section had a total of 19 people (13 Professional and 6 General Service) of which 12 were funded by the Regular Programme (RP) budget and 7 by extrabudgetary funds (including PAs, Associate Experts and one secondment).
24. In addition to the 19 people at UNESCO Headquarters, the implementation of the 2003 Convention is supported by the network of Culture Programme Specialists in 47 UNESCO Field

Offices. The capacity building programme activities are decentralised to the field at a budget rate of 88%.⁵

25. In the current biennium (36 C/5 2012-2013) the 2003 Convention falls under UNESCO's Main Line of Action (MLA) 3 in the Culture Sector. According to the 36C/5 document, the implementation of the 2003 Convention was to have a total regular programme (RP) approved budget of USD 10 367 300, which is the second highest of the UNESCO culture conventions. Of this amount, USD 6 225 300 are dedicated to programme-related staff, USD 3 719 600 are dedicated to activities, and USD 422 400 are dedicated to administrative support. Due to the financial crisis, the regular programme activities budget was reduced to USD 1 161 907 (Source: SISTER). In the previous biennium (35 C/5 2010-2011) the 2003 Convention had a similar regular programme budget of USD 10 338 000 (6 496 800 for staff and 3 841 200 for activities).
26. In addition to the regular programme budget, the implementation of the 2003 Convention is supported by extrabudgetary funds. According to SISTER⁶, the total allocation of extrabudgetary funds is USD 22 618 533, of which approximately half is within the Intangible Cultural Heritage Fund. The total expenditure at the time of the evaluation was at USD 11 507 802.

1.3 2003 Convention Theory of Change – an initial draft

27. In 2012 Evaluation Heads involved in the United Nations Evaluation Group (UNEG) agreed on the following definition of normative (standard-setting) work:

The support to the development of norms and standards in conventions, declarations, resolutions, regulatory frameworks, agreements, guidelines, codes of practice and other standard setting instruments, at global, regional and national level.

Normative work also includes the support to the implementation of these instruments at the policy level, i.e. their integration into legislation, policies and development plans, and to their implementation at the programme level.

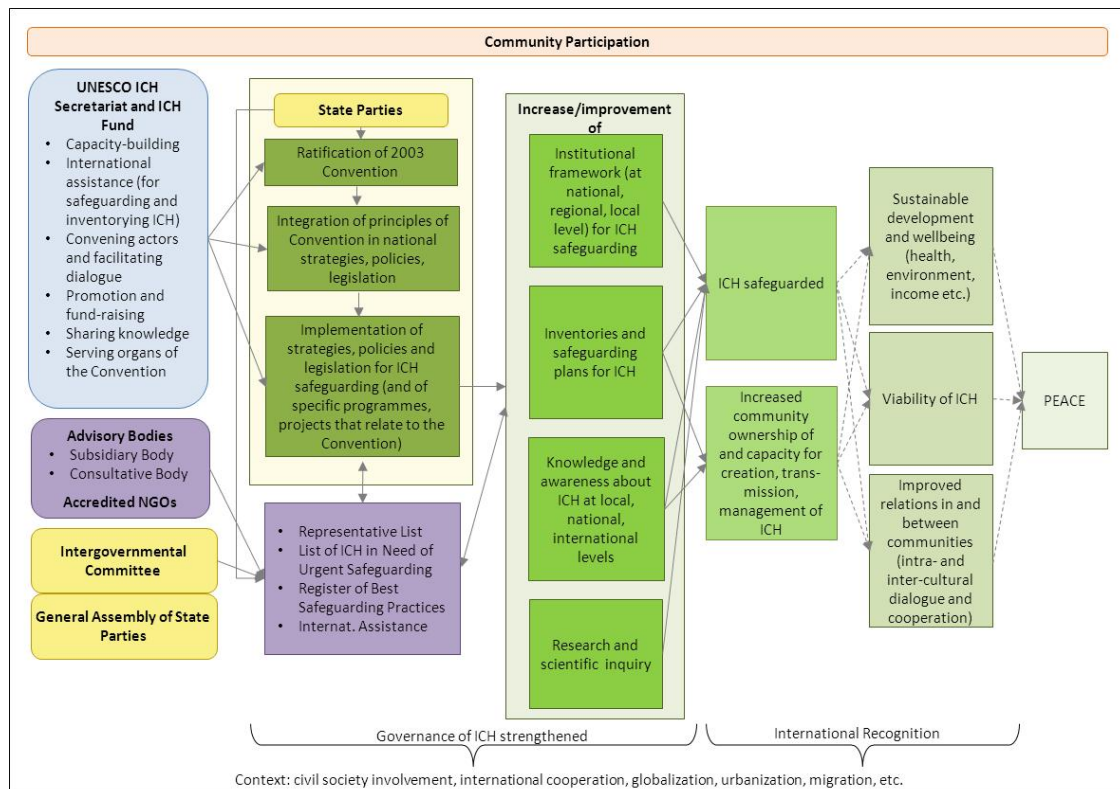
28. This definition is now used in the evaluation of standard-setting work across UN Agencies. It points to various levels of standard-setting work, such as the development of norms and standards; the ratification of norms and standards (not specifically mentioned in the definition); the integration of norms and standards into legislation, policies and development plans; and finally to their implementation at the programme level. The definition served as a basis for the present evaluation, which looked at all these levels in relation to the 2003 Convention.
29. The evaluators drafted a Theory of Change for the 2003 Convention (see chart below) using this definition in order to provide a framework for the current evaluation exercise. The intention of the evaluators was to depict the different levels of the causal chain from ratification to policy/legislative development to implementation, as well as some of the short- and longer-term results that the standard-setting work on the 2003 Convention is expected to produce.
30. The Theory of Change was developed based on an in-depth study of the Convention text, its Operational Directives and other key documents. The draft Theory of Change was then used to

⁵ Report of the Secretariat on the implementation of the global capacity building strategy, Seventh session of the Intergovernmental Committee for the Safeguarding of the Intangible Cultural Heritage (December 2012)

⁶ SISTER 36 C/5 Financial summary, updated on 15 July 2013

structure the way data was collected in the context of the evaluation exercise. It also inspired the basic structure of the present report.

31. The Theory of Change thereby became a working tool for this evaluation. It is not meant to represent any overall consensus among State Parties (hereafter SPs) about how this Convention is expected to work, but rather serve as a living draft that hopefully will be further discussed and improved in the future. It will certainly be further refined by the evaluators based on the feedback received, and any new insights will feed into the overall Evaluation of the Standard-Setting work of the Culture Sector, of which the present evaluation is a part.



32. The above draft Theory of Change shows the assumptions that underlie the work related to the 2003 Convention. The way to read them could be as follows:

If State Parties have ratified the Convention, then they will integrate the principles of the Convention in national strategies, policies, and legislation.

If the Convention's principles have been integrated in national strategies, policies, and legislation, then they will be implemented.

If the strategies, policies and legislation are implemented, then this will lead to the establishment/improvement of inventories and of the institutional infrastructure, increased knowledge and awareness about ICH, more research and scientific inquiry, etc.

If UNESCO provides capacity building activities, State Parties and other stakeholders will be in a better position to amend/draft policy and legislation and to implement safeguarding measures.

If ICH elements are inscribed on the List of ICH in Need of Urgent Safeguarding, on the Representative List or the Register of Best Safeguarding Practices, then this will further improve safeguarding measures of ICH and increase visibility and awareness.

If communities are involved in all safeguarding measures, then these measures will be more effective.

If inventories are established, institutional infrastructure is strengthened, awareness is raised, research is undertaken etc. and communities have been sufficiently involved, then community ownership and capacity for the creation, transmission and management of ICH will be stronger.

If inventories are established, institutional infrastructure is strengthened, awareness is raised, research is undertaken etc. and communities have been sufficiently involved, then ICH will be safeguarded.

If community ownership and capacity is strengthened and ICH is safeguarded, then development will be more sustainable, ICH will be viable, and the relations within and between communities will be better, and then, ultimately, this will contribute to peace (which is what UNESCO stands for).

33. It was beyond the scope of the present evaluation to test all the above assumptions. However, efforts were made to shed some light on most of them. This is what the following chapters are about.

Chapter 2 Relevance of the 2003 Convention

2.1 Relevance and importance of the Convention

34. State Parties consider the 2003 Convention for the Safeguarding of the Intangible Cultural Heritage to be an highly relevant international legal instrument, both in terms of its consistency with national and local priorities and with the needs of the concerned communities, groups and individuals. This view is also shared by many non-state stakeholders involved in the implementation of the Convention, including NGOs, representatives of ICH bearer organisations, and academics. The Convention, and the standard-setting work related to it, is also of relevance to UNESCO's priorities as described in the current 34 C/4 Medium-Term Strategy and the 36 C/5 Programme and Budget (as well as in the draft 37 C/4 and 37 C/5, which are currently being discussed by Member States).
35. The Convention responds to a need for an international standard-setting instrument in the field of ICH, which is, inter alia, demonstrated by an exceptionally high number of ratifications. 155 States have become Parties to the Convention in the past ten years. Of course, high ratification levels alone do not prove that the Convention is relevant, but they demonstrate a commitment to the values of the Convention and a will to adopt its principles. The ultimate proof of its relevance will be demonstrated by concrete action, once ratified, to progressively implement the Convention and to monitor its implementation.
36. Stakeholders consulted in the context of the present evaluation were of the opinion that an international Convention (or similar treaty) was the only available legal instrument that could rally countries around the world behind the shared commitment to safeguard ICH and to engage in international cooperation related to this goal. Given that UNESCO was recognised internationally as a lead agency with regard to cultural heritage issues and in light of the older UNESCO culture conventions, it is considered to be only natural that the Member States of UNESCO would develop a convention for ICH.
37. It is interesting to note that data collected from stakeholders (Government, NGOs, communities, academics, UNESCO staff etc.) around the world in the context of this evaluation exercise, showed that while people generally agreed that the Convention was relevant and that it was important to have such a Convention, the specific reasons for considering it relevant and important varied considerably depending on the type of stakeholder consulted and the respective socio-cultural and historical context. Reasons given for the relevance of the Convention include the following:
 - Safeguarding ICH is essential because ICH practices are in danger of disappearing due to globalisation, urbanisation, poverty, etc.
 - The Convention corrects and expands an older ethnocentric definition of culture by including the intangible heritage, which pertains to everyone and all peoples, and by placing an emphasis on the participation of communities.
 - The Convention encourages the shift from top-down approaches to heritage protection and safeguarding to bottom-up approaches that involve communities, groups, and individuals as central actors.
 - In a context of permanent social transformation the Convention helps to link past generations to future ones by putting emphasis on the transmission of ICH across generations.
 - ICH has often been neglected, under-valued or even disregarded. Valuing and ensuring respect for the ICH of communities allows them to reclaim their past and their identity as a strong foundation for the future.
 - Safeguarding ICH is a way of respecting and protecting cultural diversity.

- The Convention is a platform for international dialogue and cooperation and mobilises international support for safeguarding.
- It provides State Parties with a framework for their work and communities with a tool they can use to call upon their respective Governments to support ICH safeguarding and to ensure community participation.
- The Convention provides a platform that builds bridges between the various stakeholders involved (Government, communities, NGOs, heritage institutions, academia, and others).

2.2 International discourse and practice in the area of Intangible Cultural Heritage

38. The concept of intangible cultural heritage (hereafter ICH) itself is quite new and its use has largely been credited to the 2003 Convention. As recently as ten years ago the term ICH was almost unknown and was only used by a small group of experts. As mentioned in the introduction to this report, the concept of intangible heritage was used officially for the first time at the Mondiacult Conference in Mexico City in 1982. However, the 1989 Recommendation referred to the safeguarding of folklore. The Recommendation defined folklore as follows:

“Folklore (or traditional and popular culture) is the totality of tradition-based creations of a cultural community, expressed by a group or individuals and recognised as reflecting the expectations of a community in so far as they reflect its cultural and social identity; its standards and values are transmitted orally, by imitation or by other means. Its forms are, among others, language, literature, music, dance, games, mythology, rituals, customs, handicrafts, architecture and other arts.”⁷

39. Since the start of negotiations on an international standard-setting instrument, the term ICH was once again brought to the forefront. In 2002 UNESCO convened an international group of experts to draft a glossary of ICH related terms. The Netherlands National Commission for UNESCO provided a set of draft definitions of several terms, which served as a basis for the work of the group. While the glossary was never officially endorsed, it focused on the broader concept of ICH and defined 33 related terms, including *safeguarding*, *community* and many others that have become key to the understanding and implementation of the 2003 Convention.

40. The definition of ICH in the Convention is closely linked to the one in the 2002 Glossary, taken to a large extent from the definition proposed by the expert meeting in Turin in 2001:

“The ‘intangible cultural heritage’ means the practices, representations, expressions, knowledge, skills – as well as the instruments, objects, artefacts and cultural spaces associated therewith – that communities, groups and, in some cases, individuals recognise as part of their cultural heritage. This intangible cultural heritage, transmitted from generation to generation, is constantly recreated by communities and groups in response to their environment, their interaction with nature and their history, and provides them with a sense of identity and continuity, thus promoting respect for cultural diversity and human creativity. For the purposes of this Convention, consideration will be given solely to such intangible cultural heritage as is compatible with existing international human rights instruments, as well as with the requirements of mutual respect among communities, groups and individuals, and of sustainable development.”⁸

⁷ Recommendation on the Safeguarding of Traditional Culture and Folklore, 15 November 1989

⁸ Convention for the Safeguarding of the Intangible Cultural Heritage, 17 October 2003, Article 2 - Definitions

41. The adoption of the 2003 Convention initiated and broadened the international discourse on ICH. According to the Chengdu Conference final Recommendation document, “the concept of ‘intangible cultural heritage’ has entered the vocabulary of languages to an extent that few could have imagined a decade earlier.” As a result, the field of ICH has become widely known and its related terms are now widely used by experts and the media alike. According to the Convention, ICH is manifested inter alia in the following five domains: (a) oral traditions and expressions, including language as a vehicle of the intangible cultural heritage; (b) performing arts; (c) social practices, rituals and festive events; (d) knowledge and practices concerning nature and the universe; and (e) traditional craftsmanship.
42. The Convention has also led to ICH being recognised as an integral part of cultural heritage. It broadened the more traditional view of heritage to include anthropological and sociological points of view. Round-table 1 of the Chengdu International Conference on Intangible Cultural Heritage (hereafter the Chengdu Conference) also confirmed that a new field of ICH research had been established since the adoption of the Convention that is, to some degree, broader and separate from folklore. Several concepts related to ICH and integrated into its definition have now become widely accepted in the international community.
43. First, the definition confirms the understanding that the *community, groups and, in some cases, individuals* are the real bearer of ICH and that this heritage is defined in terms of the community. The community is also the actor that carries the most important responsibility for safeguarding its ICH. In practice this has started to generate a new set of relationships between States and local and other communities. Second, it underlines the notion that *culture is living* and evolving as it is transmitted from one generation to another. Third, it reaffirms the UN’s commitment to international human rights instruments, which include the rights of women, children, migrant workers, indigenous people, minorities, etc. It also underlines the importance of cultural rights. Finally, it enforces the understanding that ICH is multidisciplinary and touches all (not just cultural) aspects of life in a community. This is further underlined in the expressed link between ICH and sustainable development (more on this in the next section).
44. Another concept introduced by the 2003 Convention is that of *safeguarding*. Whereas international practice used to focus on the protection, preservation or conservation of heritage, the dominant theme related to ICH has become safeguarding, and its definition is widely attributed to UNESCO. According to the Convention, “‘Safeguarding’ means measures aimed at ensuring the viability of the intangible cultural heritage, including the identification, documentation, research, preservation, protection, promotion, enhancement, transmission, particularly through formal and non-formal education, as well as the revitalisation of the various aspects of such heritage.” What is novel about this approach is that both the formal and non-formal transmission of ICH are key elements to its safeguarding.
45. And last but not least, the Convention, inspired by the UNESCO Universal Declaration on Cultural Diversity (2001) takes the fundamental equality of cultures as a given. As a consequence, cultural expressions and practices of communities and groups are also considered equal in value and importance, and value hierarchies that differentiate between specific ICH elements (whether inscribed on the Convention’s Lists or on any national inventories or not) on the basis of some externally-imposed value system are rejected. In this sense, the fundamental value being celebrated is that of diversity itself to which the world’s ICH contributes. However, this must be understood within the context of respect for the internationally-agreed values of human rights and the mutual respect between cultures.
46. Since the adoption of the 2003 Convention, a network of ICH experts has arisen from UNESCO’s work, leading to an ever increasing exchange of expertise. The challenge remains, however, to draw experts from outside the culture field into the ICH debate. It should be

remembered that the process of drafting the preliminary text of the Convention was undertaken by an inter-disciplinary group comprising mainly legal and anthropological experts. This represented an important aspect of the process that should be continued in its implementation at both national and international levels.

2.3 Intangible cultural heritage and sustainable development

2.3.1 Culture and sustainable development

47. The link between culture and development has been subject of international debates over many decades. Building on previous milestone events⁹, the last decade has seen a renewed interest in the role of culture in achieving more equitable and sustainable development. Although the MDGs, established in the year 2000, do not make any direct reference to the role of culture, the importance of culture was recognised repeatedly in Summits and Conferences conducted during the first decade of the new millennium, thereby strengthening the framework for culture at the global level. In 2005, the World Summit Outcome Document, adopted by the UN General Assembly recognised that all cultures contribute to the enrichment of humankind and acknowledged the importance of respect and understanding for cultural diversity. The Outcome Document of the Millennium Development Goals Summit (2010) and several important UNGA resolutions¹⁰ furthermore emphasise the importance of culture for development and its contribution to the achievement of the Millennium Development Goals, and call for the mainstreaming of culture into development policies and strategies.
48. More recently, culture was included in the outcome document "The Future We Want" of the 2012 United Nations Conference on Sustainable Development (Rio+20)¹¹, which emphasises that the three dimensions of sustainable development (economic, social, and environmental) need to be mainstreamed in the work of the UN system. The document only contains a few, rather modest, references to the role of culture for sustainable development. No in-depth discussion of the linkages between the two and the potential contribution of culture to sustainable development is included in the document. In May 2013 an International Congress was held in Hangzhou, China, on the topic "Culture: Key to Sustainable Development." It provided the first global forum to discuss the role of culture in sustainable development in view of the post-2015 development framework. The Hangzhou Declaration reaffirms the role of culture as an enabler and a driver of sustainable development and calls for "a specific Goal focused on culture [to] be included as part of the post-2015 UN development agenda, to be based on heritage, diversity, creativity and the transmission of knowledge and including clear targets and indicators that relate culture to all dimensions of sustainable development."¹²
49. In June 2013, the UN General Assembly conducted a High Level Thematic Debate on Culture and Development. The G-77 and China, the European Union and the Community of Latin America and Caribbean States (CELAC) requested an explicit reference to culture as an enabler and driver for development in the post-2015 agenda, emphasizing that it plays a central role in accelerating the MDGs, as highlighted in the Hangzhou Declaration. And at the time when the

⁹ Such as, for instance, the World Conference on Cultural Policies (MONDIACULT, Mexico City, 1982), the World Commission on Culture and Development (*Our Creative Diversity*, 1995), and the Intergovernmental Conference on Cultural Policies for Development (Stockholm, 1998).

¹⁰ UN General Assembly Resolutions N. 65/1 ("Keeping the Promise: United to Achieve the Millennium Development Goals", 2010), N. 65/166 (2011) and N. 66/208 (2012) on "Culture and Development".

¹¹ http://www.un.org/ga/search/view_doc.asp?symbol=A/RES/66/288&referer=http://sustainabledevelopment.un.org/futurewant.html&Lang=E

¹² The Hangzhou Declaration. Placing Culture at the Heart of Sustainable Development Policies.

Adopted in Hangzhou, People's Republic of China, on 17 May 2013.

<http://www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/CLT/images/FinalHangzhouDeclaration20130517.pdf>

present evaluation report is being finalised (July 2013), ECOSOC is in the process of conducting its Annual Ministerial Review Meeting. The theme of its High-Level Segment is "Science, technology and innovation (STI), and the potential of culture, for promoting sustainable development and achieving the Millennium Development Goals."

50. The UN Secretary-General, in his report for the ECOSOC Annual Ministerial Review¹³, emphasises that culture, both as an enabler and a driver, provides an entry point in all sectors of sustainable development, encompassing the social dimension, economic development, environmental sustainability and peace and security. He points out that the post-2015 framework should integrate culture as a key element, and that greater emphasis on cultural contexts within development policies and programmes would enable a more effective, inclusive and human-centred approach to development. At the same time, the creative sector would act as a driver of development, contributing to poverty reduction, increased well-being and inclusion. The development of culture-related indicators and statistics to demonstrate this impact was crucial. The report also refers to some of the links between culture and education, gender equality and the environment. It furthermore encourages the UN system to integrate culture into UN Development Assistances Frameworks (UNDAFs) and countries to ratify culture-related conventions. UNESCO's contribution document to the report provides a more nuanced and in-depth discussion of the potential role of culture in the context of sustainable development, advocating for culture to be placed as the fourth pillar of sustainable development.
51. As the only UN agency with a mandate in culture, UNESCO is more than ever called to demonstrate its leadership and contribution to the ongoing debate. Already over the past few years, considerable efforts have been made by the organisation to take the discussion forward by demonstrating the contribution of culture to sustainable development. UNESCO's efforts are now being rewarded by a growing recognition of the importance of culture for sustainable development in general and the post-2015 development framework in particular. Obviously, there is still a long way to go for culture to be truly accepted as an integral part of the overall sustainable development framework, and for the necessary policies and programmes to be in place and implemented. However, the first steps have been taken, and they are promising.

2.3.2 The 2003 Convention and sustainable development

52. The 2003 Convention plays a significant role in this context. Referring to various international legal instruments, the Convention, in its preamble, recognises the importance of the intangible cultural heritage as a mainspring of cultural diversity and a guarantee of sustainable development. Article 1 on the purposes of the Convention does not directly make reference to sustainable development, Article 2 on Definitions, however, clearly states that for the purposes of the Convention "...consideration will be given solely to such intangible cultural heritage as is compatible with existing international human rights instruments, as well as with the requirements of mutual respect among communities, groups and individuals, and of sustainable development." Compatibility with sustainable development has thus been identified as one of the essential prerequisites for ICH to be considered by the Convention. This also implies that ICH that hinders or impedes sustainable development is not to be considered, nor are practices that are in contradiction with international human rights standards.
53. The Convention does not give any more direction with regards to what does and does not make ICH compatible with sustainable development, nor does it explain the linkages between the two. The Convention's Operational Directives encourage the media "... to contribute to raising awareness about the importance of the intangible cultural heritage as a means to foster

¹³See advance copy dated April 2013: http://www.un.org/en/ecosoc/docs/adv2013/13_amr_sg_report.pdf

social cohesion, sustainable development and prevention of conflict, in preference to focusing only on its aesthetic or entertainment aspects..." and urge SPs to manage tourism in a sustainable way that does not put the concerned ICH at risk. They do not explain how ICH is expected to foster sustainable development and whether particular ICH domains foster sustainable development more than others, nor do they discuss the relationship between any of the proposed ICH safeguarding measures and other interventions that countries might implement to foster sustainable development.

2.3.3 How stakeholders see the link between ICH and sustainable development

54. Stakeholders consulted almost unanimously agreed that ICH can make an important contribution to sustainable development. It was also pointed out that it was thanks to this Convention and to the 2005 Convention that this link, which had always existed, had become apparent and is now better appreciated than before. This point was also made by participants in the Chengdu Conference. During a discussion about the achievements of the Convention, participants expressed the view that the contribution ICH can make to sustainable development appears to be much better understood as a result of the Convention's adoption.
55. The conference concluded that intangible cultural heritage was the foundation for the sustainable development of humankind, being indispensable for fostering close interpersonal relationships, enabling cultural exchanges and promoting mutual understanding and tolerance. Recommendations were made with regard to the role of ICH in the context of education (curricula development), conflict avoidance and dispute resolution, prevention of disasters and post-disaster recovery, environmental sustainability, responding to climate change, ensuring food security and health.
56. It should be noted, that the list of speakers and round table participants of the Chengdu conference included 2003 Convention experts, representatives of UNESCO and partners, and Government officials from a few SPs, mostly from the culture sector. In other words, this was not an inter-sectoral forum, where ICH was discussed with non-culture stakeholders from sectors such as education, environment or health, who might either not clearly see the linkages between ICH and their respective area of work or who might lack the tools and mechanisms to appreciate and integrate the contribution of ICH in their work.
57. In fact, the evaluation established that while people involved in the Convention generally agreed that the link was important, clarifying the nature of this link, identifying the potential that these linkages hold both for sustainable development on one hand and for the viability of ICH on the other, identifying the potential risks that development, if not sustainable, holds for ICH, etc. were still very much work in progress. This is not surprising given that the Convention is a relatively new instrument and that the linkages are manifold and not always easy to understand.
58. A large number of stakeholders (including Governmental and non-state actors) consulted during the evaluation exercise pointed to the potential economic benefits of ICH as important content of the cultural activities, goods and services produced and distributed by cultural industries and through cultural infrastructures. This also included the potential of cultural industries to create employment and income for the private sector and non-profit organisations, artists, and communities involved. Cultural industries related to books, theatre, film, basketry, photography, dance, music, fashion, traditional crafts etc. are seen as drivers of economic development. The close relationship between ICH and the creative economy points to the linkages between the 2003 Convention and the 2005 Convention on the Protection and Promotion of the Diversity of Cultural Expressions, which could be better exploited in UNESCO's programming.

59. Many stakeholders also highlighted the potential of ICH to attract cultural tourism and the economic benefits it could bring to communities and to the economy, ultimately contributing to poverty reduction. In this context, the potential dangers of tourism for ICH were pointed out, including the fact that ICH domains such as performing arts, rituals, festive events and others, once conducted for the purposes of tourism only, might be "frozen" in time or distorted, separated from people's identity and emotions, and might therefore lose their intrinsic meaning and the importance the ICH once held for concerned communities and people. In fact, these kinds of performances would not even qualify as ICH in the spirit of the Convention. Overall, however, most stakeholders consulted are optimistic that the benefits of tourism, if sustainable and well managed, would outweigh the risks involved.
60. Traditional knowledge and practices, including environmentally friendly practices related to agriculture, and the contribution of traditional craftsmanship (rather than mass production) to environmental sustainability, are other examples that were often mentioned as demonstrating the link between ICH and sustainable development. The contribution of traditional practices to efforts made to prevent biodiversity loss, reduce land degradation, and mitigate the effects of climate change, were also emphasised. Stakeholders also pointed out that valuing the contribution of traditional practices to these efforts, which so far often had not received any special acknowledgment, had an empowering effect on communities.
61. It was also pointed out that ICH carries the social and cultural values of societies and that these would enhance the social cohesion of societies, which was important especially in times of crisis and transformation. A large number of stakeholders stressed the fundamental significance of ICH as part of communities' identities, and how a sense of identity was important to respond to the socio-cultural challenges faced by people living in multi-cultural societies. This sense of identity, together with intercultural dialogue and a true rapprochement of cultures, was therefore considered to be essential for development to be more equitable and sustainable.
62. The issue of identity was also repeatedly raised in other contexts, such as Governments putting specific expressions of ICH at the centre of a country's national heritage, with a view of building a national identity around them. This suggests a misunderstanding or misuse of the Convention, as do disputes between SPs over claims to "ownership" of specific ICH elements inscribed or to be inscribed on the Representative List.
63. Overall, the evaluation found that the potential of ICH as a driver of development through cultural industries, corresponding institutional infrastructures and sustainable cultural tourism is much appreciated by stakeholders. ICH is seen as contributing to generating income, creating employment, and reducing poverty. Some traditional agricultural practices and craftsmanship are considered to provide valuable alternatives to, or to complement modern techniques. Other traditional knowledge and practices that are relevant for sustainable development, such as those related to traditional medicine or pharmacology for instance, or traditional ways of learning, of conflict prevention and resolution are only rarely mentioned. ICH's potential as an enabler of sustainable development is mostly linked to its function as a source of identity and creativity.

2.3.4 ICH and sustainable development in practice

64. Knowing about and appreciating the linkages of ICH and sustainable development is one thing, consciously building on such linkages in practice or even creating such linkages where they do not yet exist is a wholly different challenge. While it was beyond the scope of this evaluation exercise to study this rather complex and evolving topic in all its forms and facets, a few interesting observations were made. There is certainly a need to research the relation between ICH and sustainable development (and vice versa) in more depth in the future.

65. At the level of State Parties, an analysis of the Periodic Reports submitted by SPs at the time of writing (2011-2013 cycles), reveals that almost 75% of reporting Parties (29 out of 41)¹⁴ have put in place some kind of new ICH safeguarding policy, 24 of which demonstrate that a link between ICH and sustainable development (economic, social, rural and environmental) work has been established to some extent. As such, ICH is clearly perceived as a driver of development. (More on policy and legislation is discussed in a later chapter of this report.)
66. At the international level, UNESCO has made considerable efforts to bring culture to the centre of the international development debate. As outlined in more detail above, progress has been made over the past couple of years, as demonstrated by the fact that several important Summit outcome documents and United Nations General Assembly (UNGA) resolutions emphasise the importance of culture for development and its contribution to the achievement of the Millennium Development Goals. The UNGA acknowledged the importance of culture in the context of the post-2015 agenda, and the topic is currently being discussed by the ECOSOC.
67. Obviously, all this work also includes ICH as integral part of cultural heritage. Some of the above-mentioned documents make specific reference to ICH as being an important asset for cultural tourism, or to ICH as content for cultural industries, or refer to indigenous knowledge systems and environmental management practices that contribute to environmental sustainability. Little mention is made to ICH as it relates to other sectors, or to the central role that communities play in the safeguarding of ICH, or whether and how their role in the overall sustainable development landscape will or should change as a consequence etc.
68. The UN system is encouraged to integrate culture in the United Nations Development Assistance Framework (UNDAF). A study undertaken by UNESCO in 2012 revealed that culture is now present in 70% of all UNDAFs. 73% of these entries relate to the three pillars of sustainable development (social, economic and environmental). Entries directly referring to ICH are few, although the number of these entries has been increasing over the past couple of years. Only nine of all UNDAF documents mention ICH, which is evenly spread over the three pillars of sustainable development and human rights. Most of these entries focus on the linkages between ICH and (national) identity. Overall, it can be concluded that ICH is little visible in the UNDAF. This, of course, has to do with several factors including the relatively recent entry into force of the 2003 Convention (in 2006), the absence of UNESCO field offices in many countries and others. UNESCO will have to undertake more efforts in the future to show how ICH could easily be linked to most of the UNDAF's key thematic areas.
69. One important initiative that helped demonstrate this link was the Thematic Window on Culture & Development of the Millennium Development Goals Achievement Funds (MDG-F) established in 2006. Its purpose was to speed up progress towards the achievement of the MDGs worldwide. The Culture and Development Window, which was convened by UNESCO, consisted of programmes implemented in 18 different countries. ICH safeguarding, policy development and strengthening institutional infrastructure were among the activities undertaken. It is interesting to note that several of the countries also established inventories of ICH elements as part of the MDG-F programmes, while a few others initiated activities that linked traditional knowledge and practices related to health (in Ecuador) or climate change (in Ethiopia) with the larger development systems.¹⁵

¹⁴ At the time of writing, 41 States Parties had submitted periodic reports to the Secretariat that were available for analysis. Of these, 31 have been presented to the Committee for examination (2011-2013) and 10 are being revised by the submitting States for examination by the Committee in a subsequent cycle.

¹⁵ UNESCO has put in place a comprehensive knowledge management system for the MDG-F Thematic Window on Culture & Development. The database can be accessed by clicking on the following link: <http://www.unesco.org/new/en/culture/achieving-the-millennium-development-goals/mdg-f-culture-and-development/>

70. To conclude, due to its standard-setting work, especially the 1972 Convention, but also the 2003 Convention and others, UNESCO is widely recognised as a leader in the field of cultural heritage. Increasingly, the organisation is also valued by Member States and other UN Agencies for its efforts to demonstrate the links between culture and development. Work undertaken in the context of the implementation of the 2003 Convention contributes to this conversation.

2.4 Intangible Cultural Heritage and gender equality

71. UNESCO's dual approach towards its Global Priority Gender Equality - gender mainstreaming and gender specific programming - is relevant and in line with international practice. Although most of the sectors have implemented a number of visible and relevant gender-specific activities, there is a lacuna in the Culture Sector that needs to be addressed.
72. The question of integrating UNESCO's Global Priority Gender Equality into relevant ICH-related policies, legislation, development planning, safeguarding plans and programmes, etc. would seem to be the "elephant in the room" - everybody is aware of its importance, but nobody wishes to acknowledge it. It is a very sensitive issue given the apparent lack of consonance between the human rights values of gender equality and non-discrimination and the fear that a high proportion of ICH would be excluded if these tests were applied more strictly to defining/identifying ICH.
73. It is not, however, necessary for there to be a contradiction between safeguarding and celebrating ICH and accepting that certain traditional practices cannot be tolerated because they clearly violate human rights standards; this is explicitly recognised in the definition of ICH given in Article 2 of the Convention. Rather, the Intergovernmental Committee for the Safeguarding of the Intangible Cultural Heritage (hereafter IGC), assisted by UNESCO, should work towards defining more clearly where the limits lie between what can be identified as ICH for the purposes of the Convention and what should not.¹⁶
74. An important position for UNESCO and the IGC to take here is that the Convention has the potential to encourage the evolution/adaptation of traditional cultural practices in such a way that their core value to the community is retained while any seriously discriminatory aspects are removed or neutralised. This, of course, would have to be approached in a participatory manner and through negotiation within the relevant community and between all stakeholders concerned.
75. It is important that the central role often played by women (and men) in the creation, maintenance and transmission of ICH is properly celebrated as well as the potential that ICH has to empower women (and men) in their lives. Rather than taking a negative view of traditional culture as inevitably damaging to women and equality, a positive one of it as constantly evolving and inherently flexible is possible.
76. The idea here is not to push for the equal participation of women and men in all practices and events at all times, but rather to open a space for a reflection about women's and men's aspirations for their lives and how they relate to and whether they are being supported by the ICH they practice. It would also be important to look at ICH safeguarding measures and to identify how / whether they affect women's and men's lives differently.
77. Data gathered as part of the present evaluation exercise shows that many stakeholders acknowledge the gender dimension of ICH and confirm that a lot of traditional social practices

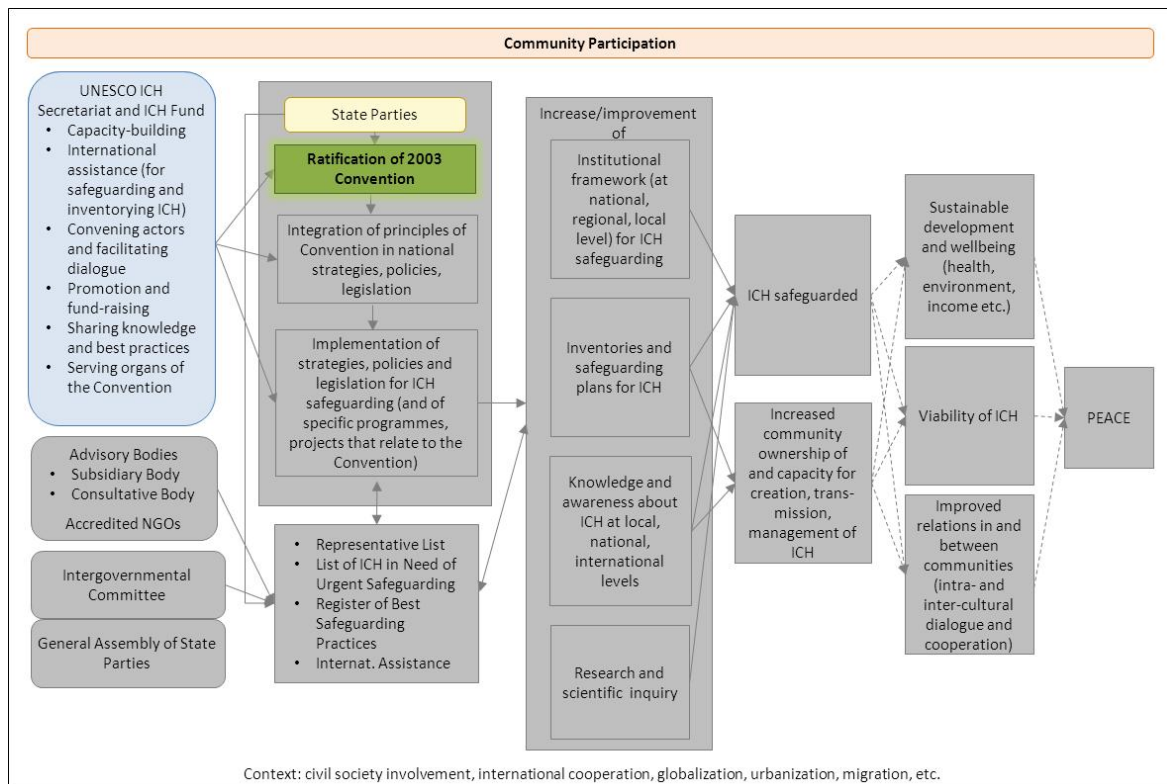
¹⁶ This will require theoretical consideration, but much of this work has and is being done in the Human Rights Council (especially by the Special Rapporteur for Cultural Rights, Farida Shaheed) and it is quite appropriate for UNESCO to draw upon this.

have evolved over time to respond not only to the changing overall socio-cultural and economic environment, but also to the constant evolution of gender roles and expectations. It is, however, also acknowledged that knowledge and tools to specifically address gender equality in relationship to ICH are often missing.

78. With regard to the working mechanisms of the Convention and the support provided by the Secretariat, several entry points exist for creating awareness about gender-specific aspects of ICH and for introducing a gender perspective in the various levels of standard-setting work (ratification–policy/legislation–implementation). Given the absence of an in-depth debate about gender equality and ICH and any appropriate guidance, to date these mechanisms and related documents, forms and assessments have been quite gender blind. For instance, none of the nomination files (for the RL, USL, International Assistance or Register of Best Safeguarding Practices) request any information about the links between gender equality and the concerned ICH elements. Nor are submitting State Parties asked to include gender responsive objectives and indicators.
79. The same also applies to the Periodic Reports, although in its examination of Periodic Reports the IGC already urged SPs to pay attention to gender. However, they still do not include a gender-specific question, nor is any sex-disaggregated data requested, which leaves it up to State Parties to say something about it or not. This is a lost opportunity to create awareness about this very important topic and to collect interesting information and good practices that could later be shared with others. A recent positive development is the inclusion of the following benchmark in the draft 37C/5, which relates to the indicator on the number of Periodic Reports to be analysed by the Secretariat: “100 reports, of which 50 address gender issues”.
80. The Secretariat’s Capacity Building Programme (discussed in a later chapter) also does not address this topic in much detail, most likely for lack of guidance and direction by the IGC. Needless to say that neither the Convention nor the Convention’s Operational Guidelines provide any direction on this matter either, other than that consideration shall only be given to ICH that is compatible with existing international human rights instruments, as well as with the requirements of mutual respect among communities, groups and individuals, and of sustainable development.
81. The 2003 Convention Secretariat has recently embarked on a study on ICH and gender and the development of a toolkit that should help address gender in concrete safeguarding projects including inventorying. This is certainly a first step in the right direction. Hopefully, the toolkit will also include a lot of innovative examples of how communities have adapted their ICH over time so that it has become more gender responsive, while keeping its social functions and meanings.

Recommendation 1.	Revise all relevant documents and forms (including the Operational Guidelines, the Periodic Reporting Formats, and nomination files) to include gender-specific guidance and questions.
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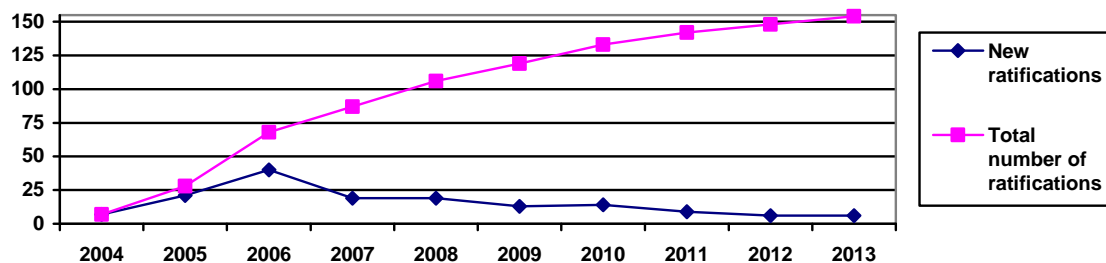
Chapter 3 Ratification of the 2003 Convention



3.1 High level of ratification across all regions

82. The 2003 Convention entered into force on 20 April 2006 for the thirty States that had ratified it on or before 20 January 2006. In 2006 it was ratified by an additional 40 States and the ratification rate has continued to grow steadily, reaching 155 State Parties at the time of the present evaluation (July 2013).

Figure 1 Ratification of 2003 Convention: 2004 – 2013

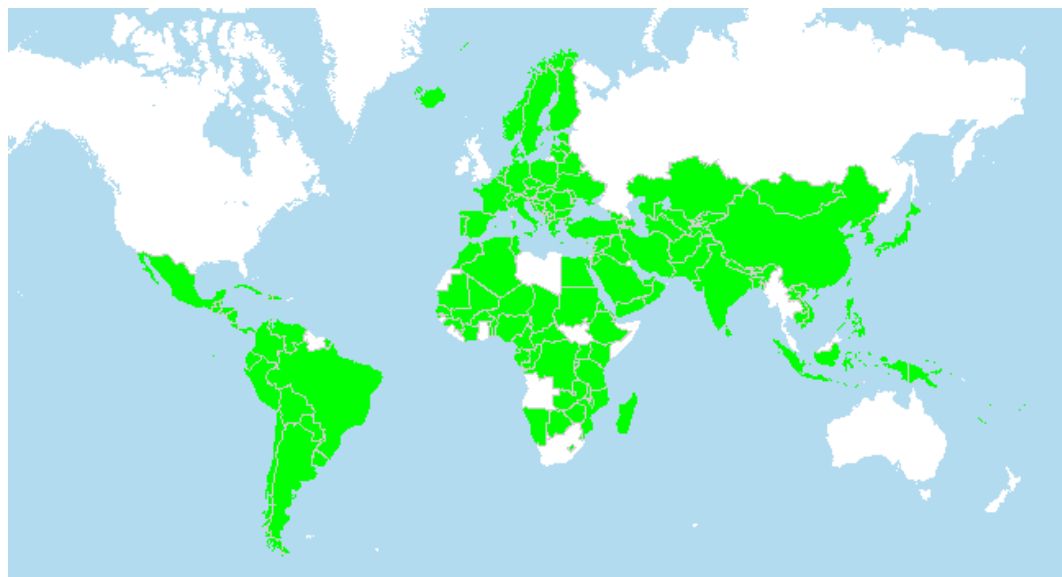


Source: UNESCO Legal Instruments website

83. This means that, as UNESCO's second youngest culture convention, the 2003 Convention has seen an exceptionally high number of ratifications in a very short period of time. In comparison, the only UNESCO culture convention with a higher number of ratifications – the 1972 Convention concerning the Protection of the World Cultural and Natural Heritage – reached the same number of ratifications 26 years after its adoption in 1998. It should be acknowledged, however, that the high rate of ratification of the 2003 Convention is also partly

a result of the success of the 1972 Convention which recently celebrated its 40th anniversary. Only UNESCO's 2005 Convention against Doping in Sport obtained the same number of ratifications in a shorter time period, just six years, reaching 174 ratifications by 2013.

Figure 2 Ratification of 2003 Convention around the world



Source: UNESCO Intangible Cultural Heritage website; July 2013 (The figure does not yet include Malaysia, which ratified in July 2013).

84. Ratification has been high across all of UNESCO's six regional groups as shown in Figure 2 above and Table 1 below.

Table 1 Ratification of the 2003 Convention by Regional Group

Regional Group	Number of UNESCO Member States	Number of State Parties that have ratified	States that have not ratified
I	27	19	Andorra, Canada, Ireland, Israel, Malta, San Marino, United Kingdom of Great Britain and Northern Ireland, United States of America
II	25	24	Russian Federation
III	33	29	Bahamas, Guyana, Saint Kitts and Nevis, Suriname
IV	44	30	Australia, Cook Islands, Kiribati, Maldives, Marshall Islands, Myanmar, New Zealand, Samoa, Singapore, Solomon Islands, Thailand, Timor-Leste, Tuvalu
Va	46	37	Angola, Cape Verde, Comoros, Ghana, Guinea-Bissau, Liberia, Sierra Leone, Somalia, South Africa
Vb	18	16	Bahrain, Kuwait
Total:	193	155	

Source: UNESCO website, 31 July 2013

85. Several observations can be made from the table above. A number of historically influential states (especially in Group I) such as Canada, the United Kingdom of Great Britain and Northern Ireland and the United States of America, have not ratified the 2003 Convention. In Southern and Eastern Europe and Central Asia (Group II) almost all states have ratified the

Convention, with the exception of the Russian Federation. In the Caribbean (Group III) and Asia-Pacific (Group IV) regions, many small island states have not ratified, nor have larger states such as Australia and Thailand. In Africa (Group Va), which comprises the largest regional group and UNESCO's global priority, only 9 out of 46 states have not ratified the Convention. In southern Africa, only two countries have not ratified: Angola and South Africa. In the Arab region (Group Vb), most states have ratified.

86. Reasons for the non-ratification of the Convention vary. A number of states have not ratified due to internal political matters. In federal states, the ratification process also takes much longer, which is another possible explanation for late ratification. Finally, in some countries the ratification of the convention is simply not a current priority.
87. The evaluation found that in some cases the non-ratification of the 2003 Convention by a state has not prevented the state from actually implementing measures that are in line with the Convention. For example, a number of states or sub-national units have put in place ICH legislation (Newfoundland Canada, South Africa, Thailand etc.), have undertaken inventories of ICH (United Kingdom) or engaged in safeguarding activities (United States of America). (More on this in Chapter 4 and in Chapter 5.)

3.2 UNESCO support for ratification

88. UNESCO has undertaken a number of actions to encourage its Member States to ratify the 2003 Convention. A capacity building strategy was put in place in 2009 to support States in the implementation of the Convention. Among the four thematic areas identified as urgent priorities for Member States was ratification. To this end, the UNESCO Secretariat produced a special training manual on the ratification of the 2003 Convention and has organised several specific Ratification workshops that have mainly targeted small island states: Comoros (July 2011), Timor Leste (November 2011), Samoa (February 2012), and Saint Kitts and Nevis (May 2012).
89. The workshop manual "Ratifying the UNESCO Intangible Heritage Convention" was designed for facilitators of the capacity building programme. Its aim is to introduce the 2003 Convention and its mechanisms to various stakeholders who would take part in the Ratification and other capacity building workshops. The manual presents the legal aspects of ratification, the steps required to reach agreement on ratification, and the preparation for ratification that would then facilitate implementation. It also presents the various mechanisms of implementing the convention at the national and international levels.
90. The aim of the Ratification workshops was to inform participants on the importance and the benefits of ratifying the convention and in some cases to encourage the translation of the convention into local languages. An example of such a Ratification workshop is described in Box 1 below.

Box 1. Ratification workshop in Apia, Samoa, 14-15 February 2012

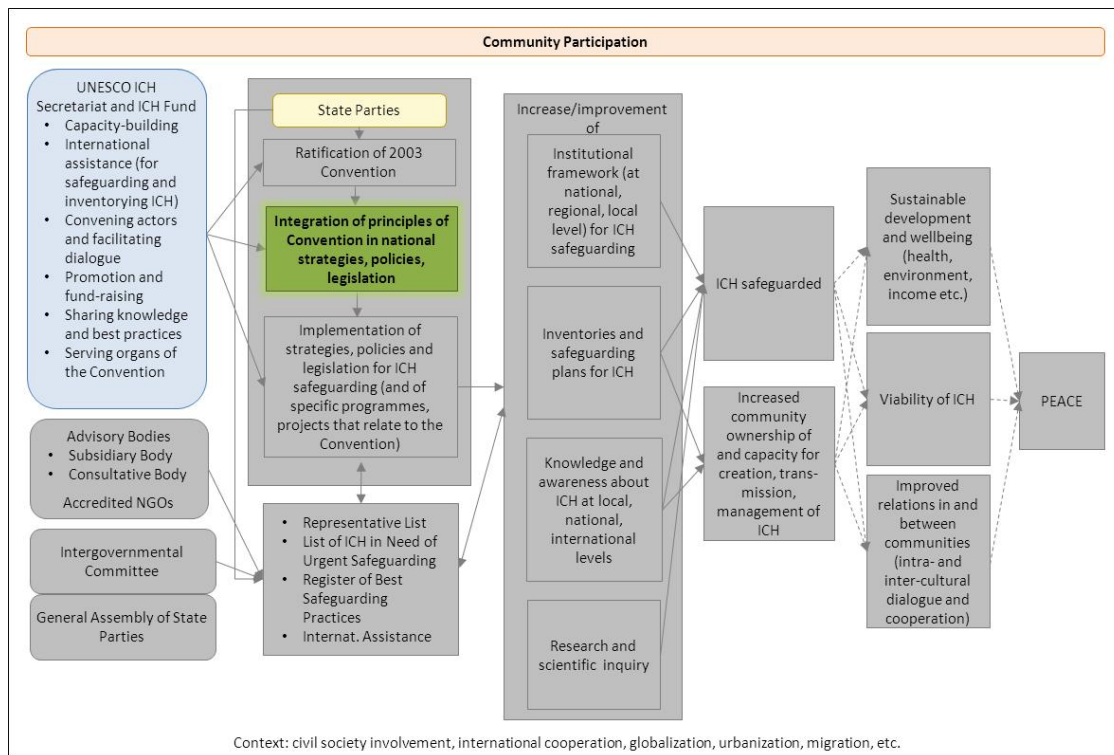
The Ratification workshop in Samoa brought together 32 representatives from Government ministries, non-Governmental organisations and communities for 8 sessions over a period of 2 days. Participants were introduced to the key concepts of the 2003 Convention as well as the international mechanisms established by it. According to the workshop's final report¹⁷, participants engaged in discussions on how the Convention treats sacred ICH, its relation with customary laws, its compatibility with other international treaties, and multinational actions concerning shared heritage. The workshop produced a series of recommendations among which were to translate the convention

¹⁷ Report on the Intangible Cultural Heritage Ratification Workshop, 14-15 February 2012, Culture Division, Ministry of Education, Sports & Culture, Apia, Samoa

into Samoan, to launch a national consultation in April 2012 on the ratification of the convention, and to explore the establishment of a National Committee for the Safeguarding of Samoa's ICH.

91. In addition to the specific Ratification workshops, UNESCO organised a series of Implementation workshops in countries that have not yet ratified the 2003 Convention. For example, four different workshops have been organised in Timor Leste covering implementation and inventorying. In April 2011, the UNESCO Cluster Office in Accra organised a workshop on the "Power of Culture and Development" to promote the ratification and implementation of the 2003 Convention as well as the 2005 Convention in Ghana and Liberia, two African countries that had not yet ratified.
92. At the time of the evaluation however, none of the states that had Ratification workshops organised on their territories had ratified the 2003 Convention. The reasons for non-ratification in these states, however, could not be established, though some were reported to have been in the process of ratifying.
93. The rapid rate of ratification of the 2003 Convention is a great success in itself. As concluded by the Chengdu Conference, it demonstrates that the convention responded to unfulfilled needs of States and other actors. The implementation of the convention, however, has not been without challenges. These will be discussed in more detail in the following chapters.

Chapter 4 Policy and legislation related to the 2003 Convention



4.1 Integration of the provisions of the Convention into policies and legislation

4.1.1 Legislative framework

94. It is clear that many Parties have responded to the strong encouragements of the 2003 Convention in terms of introducing new legislation and/or revising existing legislation, mostly in the period since 2006. On the basis of the Periodic Reports thus far submitted,¹⁸ 14 Parties have introduced new dedicated Laws or included ICH into existing legislation and 5 Parties are currently developing new legislation. Some Parties, of course, have had ICH-related legislation for many years (e.g. Japan since 1950 and Korea since 1962) and it is interesting to observe how far their practice will develop to respond to new requirements under the Convention. In France, it is expected that the new heritage law to be adopted in 2013 would take ICH into account. Madagascar has a draft law on safeguarding ICH in line with the 2003 Convention, while Morocco has a draft law on heritage with a specific chapter dedicated to ICH.
95. The evaluation also established that, in addition to the 19 State Parties who provided information on legislation in their Periodic Reports, several others have also taken steps in that direction. China published its first Law of Intangible Cultural Heritage in 2011, and Viet Nam amended its 2001 Law on Cultural Heritage in 2009 to be in line with the 2003 Convention and to better respond to the current situation in the country. Montenegro promulgated the Protection of Cultural Property Act in 2010, which includes provisions on ICH (“non-material cultural property”). In Slovenia, which became a State Party in 2008, the Cultural Heritage

¹⁸ So far 41 Parties have reported (in 2011, 2012 and 2103). The information for those that reported in the 2011 and 2012 cycles may now be out-dated.

- Protection Act came into force in the same year. The Act defines ICH as living cultural heritage. Some countries, such as Uzbekistan and Thailand, have integrated provisions from the 2003 Convention into legislation prior to their actual ratification. In El Salvador a proposal for law reform has been made with the intention of strengthening issues related to ICH while, in Georgia, a specific law on Intangible Cultural Heritage is currently being developed,
96. In Serbia, which only ratified the Convention in 2010, a Memorandum of Understanding has been concluded between the Ministry of Culture and the Faculty of Law of the University of Belgrade to develop a draft new Law on Cultural Heritage that will include ICH safeguarding. Mongolia is also currently revising its cultural heritage law in order to better align it with the 2003 Convention and other conventions that the country has ratified. One of the key features of the revised law is the decentralisation of the responsibility for ICH safeguarding from the central to the provincial and local levels. In Niger, plans exist to revise the country's cultural heritage law to take ICH and related safeguarding measures into account.
 97. It is worth noting that some of the new legislation (for example, in the Dominican Republic) has been/is being developed by newly established dedicated institutions (Directorates, Commissions, Committees etc.) for ICH safeguarding. In some cases, the new legislation also establishes a new institution, as in Gabon. In Peru, for instance, the Ministry of Culture was established by law (2010), which specifies its functions and competencies including those related to ICH. In 2011 a special ministerial directive established the functions of the Ministry's ICH directorate and procedures to be followed with regard to the declaration of the country's material and immaterial cultural heritage. In other cases, the law designates an existing institution for ICH safeguarding (e.g. Burkina Faso, 2011 Law) with identifying ICH on the country's territory and establishing an inventorying system stated as a common purpose.
 98. In a number of cases, it is specified that the new or revised legislation has been enacted in order to bring the country's cultural heritage policy and law in line with the provisions of the 2003 Convention. Setting and coordinating cultural policies (e.g. through a national safeguarding plan) is another common objective of this new legislation and, in some cases, it appears that the requirements of ICH safeguarding have led to a re-orientation of policy-making. Several of these laws have as their main purpose the establishment of systems for giving official recognition to Living Human Treasures (e.g. Cambodia, Senegal) or include this alongside other purposes (e.g. Morocco).
 99. Some country-specific aspects of this law-making that are of note include the following. In Morocco, the Berber language (as a vector of ICH) was officially recognised by a 2011 Law and included in school curriculum. Bulgaria, while developing new ICH legislation, amended the Community Centres Act in order to involve them directly in ICH safeguarding activities (e.g. festivals, exhibitions, dissemination, education etc.), and a 2009 ICH Law in Armenia includes provisions on property rights, international cultural cooperation and cooperation between peoples of Armenia and other countries. In Turkey, as a result of the 2006 ICH Law 302 field studies for ICH identification have been conducted.

Box 2. Example of amending legislation in line with the 2003 Convention - Viet Nam

In 2008 Viet Nam carried out a survey related to the amendment of the Law on Cultural Heritage. This project was supported by UNESCO. In 2009, at the debate of the National Assembly of Viet Nam for the approval of the draft amendment of the Law on Cultural Heritage, the issue about ranking ICH elements arose. Responding to the request of Viet Nam, the 2003 Convention Secretariat was able to clarify that ranking ICH elements was not in the spirit of the 2003 Convention. The Amended Law on Cultural Heritage was then passed. It contains regulations regarding ICH inventorying and the inscription of ICH elements on the National ICH List.

100. In several State Parties with federal systems, legal competences related to culture belong to provincial Governments. This is, for instance, the case of Austria, where the nine provinces, through its cultural promotion acts, are concerned with legal safeguarding measures on ICH. In Italy, the region Lombardy adopted a law for the safeguarding of intangible cultural heritage (2008), and in Switzerland several culture laws exist at the level of the Cantons that include provisions on ICH. In the UAE and Spain, new legislation has been introduced on the regional level in tandem with or in place of national legislation. This can have the effect of a patchy implementation of the Convention.
101. The above information shows that considerable diversity exists with regard to the legislative framework related to ICH. While some State Parties have legislation specifically for safeguarding the ICH present on their territory, others have integrated ICH into their overall culture legislation. It is interesting to see that, in some other cases, countries have very specific protection aimed at particular ICH elements, which are usually inscribed on their national ICH inventory/register and/or the RL. This legislation has usually developed gradually over many years, often prior to the ratification of the Convention. Such states should be encouraged to develop an umbrella Law covering all ICH elements present on their territory or explicitly to include ICH in their general cultural heritage legislation. Depending on the political system of each country, legislation might be promulgated by the federal level, while in others it is the responsibility of the individual provinces. In the latter case, ICH related legislation might differ considerably from one province to the other.

4.1.2 ICH policies and safeguarding plans

102. From the Periodic Reports (2011-2013 cycles), it is possible to identify that almost 75% of reporting Parties (29 out of 41) have put in place some kind of new ICH safeguarding policy, 24 of which can be regarded as demonstrating the integration of ICH safeguarding into other policy areas to some extent. Among the new policies that uniquely address ICH safeguarding, the priorities are varied including: awareness-raising (with capacity building or education), transmission and youth, education, completing inventories, promotion and enhancement, creating an enabling environment for ICH, strengthening its function in society etc.
103. In some cases, however, there is a continued tendency to place a heavy emphasis on documentation and recording, rather than on safeguarding ICH within and by communities. In a few others, most safeguarding policy-making appears to revolve around element(s) inscribed on the RL, to the detriment of ICH in general.
104. Reporting Parties described diverse objectives and/or principles underlying their ICH safeguarding policies. Mexico, Peru and Guatemala, for instance, place an emphasis on inter-cultural dialogue, ethnic and cultural diversity and the heritage of indigenous peoples. In Burkina Faso, ICH is seen as playing a central role in social cohesion. The power of ICH to prevent conflict or in post-conflict resolution is noted in the policies of Kyrgyzstan and Côte d'Ivoire. Despite its long experience, Korea's cultural heritage Master Plan (2007-2011) includes the following priorities: (1) expanding the opportunities for the public to enjoy ICH; (2) drawing up guidelines for supporting activities by ICH practitioners; and (3) construction and operation of a heritage training centre to lay the foundation for heritage transmission.
105. Additional data collected by the evaluation confirms that several State Parties who have not yet submitted Periodic Reports also have ICH policies in place or are in the process of developing them. In Kenya, for instance a National Culture and Heritage Policy was promulgated in 2010 by the then Ministry of State for National Heritage and Culture. Many stakeholders consider this policy not to be broad enough and concerns were also raised about the lack of stakeholder consultation in the process of policy development. Officials from the newly established Ministry of Sports, Culture and the Arts have indicated that further revision

following an extensive consultation process was needed for this reason as well as to bring the policy in line with Kenya's new Constitution.

106. The Czech Republic has two types of regional policies that either focus on culture in general including ICH, or that are ICH-specific. Malawi's Government is currently revising its draft Cultural Policy of 2005, which still has not been adopted. The idea is to bring the draft up to date and to include an implementation plan for ICH safeguarding. Uzbekistan has a State Programme on the Safeguarding of the Intangible Cultural Heritage, which was adopted in 2010, and Gabon has submitted a draft Cultural Policy that includes the provisions of the 2003 Convention to the National Assembly for evaluation.
107. Some specific policy programmes that are named in the Periodic Reports include: Bulgaria's National Strategy for Cultural Development (2010-2020), the overall Flemish strategic vision paper on ICH titled: "A policy for intangible cultural heritage in Flanders" (2010), the Growth and Transformation Plan (2010-2015) of Ethiopia for ICH safeguarding, Belarus's "Culture of Belarus" national cultural policy programme (2011-2015), the 2011-2015 Strategy for safeguarding, protecting and the sustainable commercial use of the cultural heritage of Croatia, Lithuania's National Programme of Ethnic Culture (2010-2014), and the new national Indigenous Knowledge Systems policy being developed by the Seychelles as part of an SADC initiative that will address the protection of this important element in the country's ICH in conjunction with indigenous community members, the business community and NGOs.
108. The Spanish National Plan for ICH (2010) is worth separate mention. Importantly, it is designed to ensure the viability of ICH through developing the concepts, methodology and criteria for ICH safeguarding. It is also meant to facilitate information-sharing and coordination between Governmental administrations (important in such a de-centralised system) as well as provide a methodological framework for the actions of public administrations, private bodies and society in general. Another policy approach of interest is that of France, which is a mixture of pre-existing and new approaches, and where special attention is given to research on ICH and, in particular, to a scientific critique. A main policy axis is to develop the networking of associations and territorial groupings, thus translating local cultural policies into actions.
109. Flanders has a similarly bottom-up approach that aims at capacity building of NGOs/CSOs for ICH safeguarding, with local communities, local authorities and NGOs the key actors; this closely matches the new notion of the 'heritage community' used in the Faro Convention (Council of Europe, 2005). Cyprus also aims for a bottom-up approach through providing State subsidies to communities and CSOs in order to empower them; local communities are encouraged to submit concrete safeguarding proposals (e.g. for folk festivals, equipping cultural centres, buying costumes, documentaries etc.) and community services are clustered for greater efficiency.
110. However, these de-centralised approaches have their down-sides with certain regional and/or sectoral disparities identified in ICH activities in France and in Belgium. Both Mexico and Mongolia note that due to the wide geographical spread and ethnic diversity of their countries (and, in Mexico's case, the plurality of active Government and civil institutions) it is difficult to take a uniform national approach to ICH safeguarding.
111. The previous paragraphs show that the shapes and forms of policies and safeguarding plans vary considerably from State Party to State Party. In some overall cultural heritage policies contain provisions related to ICH, while other State Parties have specific ICH policies.

4.1.3 Other policy areas

112. Periodic Reports submitted by 41 SPs so far (2011-2013 cycles) show that most of the State Parties who have put in place some kind of new ICH safeguarding policy (29 out of 41) were

able to establish a link between ICH and sustainable development (economic, social, rural and environmental) to some extent (24 out of the 29). As such, ICH is clearly perceived as a driver of development. The following are some examples of what SP have reported with regard to the linkages between ICH and development initiatives in their respective countries:

113. In Burkina Faso, culture is viewed as a main pillar of development while Zimbabwe sees it (especially African languages and religion) as a basis for building the country's future. Turkey reports to integrate ICH into development planning. With regard to sustainable development, Brazil's policy is to broaden access to ICH as a basis for achieving this, while Bulgaria seeks an integrated approach to creative cultural development and sustainable development (including a better standard of living) in its 2010-2020 National Strategy for Cultural Development. Morocco has instituted integrated policies that marry local development with ICH safeguarding (e.g. Government support for cultural tourism SMEs) and Mongolia's 'Endorsement of the Millennium Development Goals-based Comprehensive National Development Strategy' (2008) calls for State support for the preservation, protection and restoration of tangible and intangible heritage.
114. In Nigeria, again, it is generally recognised that ICH elements can be pivotal in achieving economic growth and sustainable development, and cultural industries have been created by the Federal Government and handed over to local Governments to foster an enabling environment for these ICH elements to be learnt and practiced. The impacts of development on ICH have been assessed in Mali in relation to the construction of hydro-power plants, thus applying a sustainability test.
115. Rural development is another policy area into which ICH safeguarding has been integrated, with, for instance, an emphasis in Bulgaria on rural, under-developed regions of the country. Hungary provides funding through its National Rural Network for communities that identify ICH for inventorying or that have already listed ICH; other development funding is also directed towards ICH festivals and research. In Cyprus, ICH seen as a driver for community-level development and the Town Planning and Housing Department preserves cultural spaces associated with ICH while, Belarus's National Programme of the Development of Small Towns and Villages provides investment for developing the economy, social and cultural environment of provinces rich in ICH and preserving the traditional rural landscape. The Autonomous Region of Galicia (in Spain) also takes account of ICH in land use and urban planning. In Lithuania, the relationship between ICH and the natural environment is well-recognised and there are various programmes for revitalising traditional crafts and encouraging rural communities to demonstrate and practice their ICH in national parks; a database of traditional agricultural products is also being created.
116. In terms of economic development more generally, many countries recognise the contribution of ICH to local economies, especially through handicrafts and tourism (e.g. of shadow puppets in Cambodia). In Armenia, ICH festivals are held within Tourism Support Services programmes and State policy also encourages quality vocational education (crafts skills etc.) to all groups as part of socio-economic development; a notable programme is teaching arts/handicrafts to vulnerable groups and the disabled. Kyrgyzstan also includes handicraft industries within State development planning and, in Egypt, local cultural industries are beginning to be incorporated into development and the Ministry of Industry has incorporated information on traditional crafts into its programmes and traditional craftsmen are encouraged to participate in national and international fairs.
117. The National Directorate of Crafts of the Peruvian Ministry of Foreign Trade and Tourism develops the handicraft sector both for its importance as an economic activity and its social and cultural meanings. Pakistan has taken this even further through the National Institute of Cultural Studies which, in collaboration with private partners, offers professional diplomas

(e.g. hotel management, interior design, fashion and textile design, museum studies, and TV direction and production) with a special focus on ICH and a series of innovative workshops for artisans from all over the country on different themes (e.g. textiles, woodwork, metal work etc.) in which artisans are trained in market trends, product design, packaging and market access. Croatia supports the production, distribution, marketing etc. of craft industries products (e.g. toy- and gingerbread- making) and the Ministry of Culture actively cooperates with other ministries to include ICH in local- and state-level strategic programmes and plans (culture and tourism, supporting craftsmanship, encouraging creativity and new ideas on traditional values and skills) with a view to ensuring sustainability in their programmes. These examples highlight the strong potential of the 2003 Convention to inter-act more closely with the 2005 Convention on Diversity of Cultural Expressions, especially for States that are Parties of both - this is, so far, an under-developed potential of both Convention regimes.

118. Another, related, characteristic of this policy integration is that many Parties are taking a broad, multi-sectoral approach that responds well to the procedural requirements of sustainable development. For example, ICH policies in Brazil are integrated into other policy areas (e.g. environment, social, TK and genetic resources, local economies, etc.) and there are inter-ministerial initiatives on the environment, tourism and health. The ICH Department, for example, is involved in environmental mitigation and protection measures and ICH is integrated into the country's general 4-Year Plans (2004, 2008 and 2012). In Latvia the planned dedicated legislation (in 2012) was developed under the leadership of the Ministry of Culture with the broad participation of other ministries and Governmental institutions as well as other partners. The Chinese Ministry of Culture oversees an inter-ministerial Joint Conference for Safeguarding ICH, which is composed of 14 Departments or Ministries covering a wide range of domains (cultural, economic, scientific, educational, planning, information, religious, etc.).
119. The potential of ICH to contribute to community development is also recognised in policy-making, as in the Seychelles where the Culture Department of the Ministry of Social Development and Culture is charged with ICH safeguarding and the current Five-year Strategic Plan (2011-2015) includes cultural initiatives to encourage social participation. In Viet Nam, the Strategy for Cultural Development (2010-2020) encourages joint programmes between the Ministry of Culture and the Committee for Ethnic Minorities to strengthen the preservation and development of the cultures of the ethnic minorities. The role ICH can play in conflict prevention and resolution is also taken account of and integrated into wider policy-making and, in Cote d'Ivoire, it is regarded as a catalyst for social peace; ICH also an important social resource (traditional medicine, metallurgy etc.) while, in Mali, the state often relies upon professional groupings of *griots* (masters of words) and religious leaders to mediate between the State, civil society and unions or to resolve conflicts between neighbouring communities over natural resources.
120. As demonstrated by the Periodic reports, several SPs have taken steps to integrate ICH into their larger efforts towards achieving sustainable development. A number of examples relate to ICH as a driver of rural development and essential to achieving environmental sustainability. A high percentage refer to economic development through cultural tourism and cultural industries. The importance of traditional crafts is repeatedly pointed out in this context. Certainly, these efforts are very encouraging. Overall, however, interviews, surveys and desk research showed that this is one of the areas with a lot of yet under-utilised potential and with a considerable number of challenges.

4.2 Challenges with legislation and policy

121. The integration of ICH in non-cultural sustainable development policies and legislation is certainly one of the major challenges faced by many SPs. Even in those cases where the

importance of ICH to the sustainable development of the country is acknowledged in its larger overall development framework or policy, the integration of ICH in specific individual policies and laws is often still pending.

122. This also demonstrates the importance and need for the culture sector to cooperate with other sectors on policy/legislative development and implementation. This type of inter-sectoral cooperation is hampered by several issues, including the fact that the number of institutions and stakeholders to be involved is usually high, and efficient cooperation mechanisms are often lacking as part of the institutional infrastructure. This makes coordination difficult.
123. Another constraining factor is the lack of knowledge about ICH and culture in general by many legal experts in charge of drafting and amending existing legislation. The consequence of this is that even when sustainable development related policies and laws make reference to ICH, it is not always done in the spirit of the 2003 Convention.
124. A further challenge relates to the consultation and involvement of communities and NGOs in developing policies, legislation, sustainable development plans, etc. This, of course, also applies to the development of culture policies and legislation. As the evaluation has shown, in most cases, there is a rather narrow set of actors involved in such exercises, since the majority of Parties operate a fairly top-down approach. The Periodic Reports from several countries demonstrate that policy making is fairly centralised and that while non-state actors such as NGOs or research institutions are consulted to some extent, mechanisms to bring communities into the process often do not exist. NGOs have a key role to play in establishing the link between communities and the Government and in ensuring that policies and legislation are informed by the aspirations and the development needs of the communities concerned.
125. This is an issue that should be addressed by the IGC of the Convention since it is not wholly in the spirit of Article 15 which would suggest a broader involvement of (or, at least, consultation with) a range of civil society stakeholders as part of the design of policies, plans and programmes for ICH safeguarding activities.
126. The evaluation also observed that a further factor plays a key role with regard to the integration of ICH (and culture in general) in sustainable development policies/legislation and programmes. This has to do with the ability of the culture sector to make a compelling case for the link between ICH and sustainable development. A lot of awareness-raising and lobbying will be needed in the future to demonstrate this link and to convince non-cultural stakeholders to take action. This will require the culture sector to use a "language" that speaks to these other sectors and to look at these linkages from their perspective, rather than from the perspective of culture. In other words, there is a need for culture experts to put themselves in the shoes of other sectors and to look at ICH through the lens of sustainable development. Only then will culture stakeholders be able to identify openings for the integration of ICH in other policy areas, and to make concrete practical suggestions for how to go about it. This of course, will require culture experts to team up with sustainable development experts and practitioners whenever knowledge of several sectors is required.
127. The examples of combined ICH-sustainable development work undertaken by SPs also highlight the strong potential of the 2003 Convention to inter-act more closely with the 2005 Convention on the Protection and Promotion of the Diversity of Cultural Expressions, especially for States that are Parties of both. This is, as far, an under-developed potential of both Convention regimes.

Recommendation 2. Promote increased NGO and community involvement in the development of policy, legislation, safeguarding plans and sustainable development plans.

Recommendation 3. Enhance cooperation with sustainable development experts for integrating ICH into non-cultural legislation and policy, and for other work related to ICH and sustainable development.
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4.3 UNESCO support to policy and legislation development

128. The 2003 Convention Secretariat together with UNESCO's Field Offices runs a comprehensive Capacity Building Programme to assist State Parties with the implementation of the Convention. In line with its global capacity building strategy, the programme consists of several different training modules and other mechanisms that State Parties can benefit from. More about the programme is discussed later in this report.
129. So far, policy and legislative development have not been an explicit focus of the capacity building programme, although some of the training modules contain specific sessions dealing with these issues. For instance, participants of the ratification workshops are reminded that the Convention and its Operational Directives strongly encourage State Parties to adopt policies to ensure that the ICH will be safeguarded in the spirit of the Convention,¹⁹ and that State Parties are expected to create an enabling legal environment for safeguarding. Parties are also cautioned against putting too much legislative control in place, which could hinder ICH safeguarding, and they are encouraged to ensure that communities are left in control of their ICH.
130. These key principles are reiterated during the implementation workshop, where they are complemented with information on the roles and responsibilities of stakeholders at different levels (national, provincial, local). It is pointed out, for instance, what our evaluation also revealed, namely that all these levels have different roles to play with regard to the provision of an enabling legal and policy environment for safeguarding, and that no one-size-fits-all approach exists. National (or federal) legal and administrative frameworks may include ICH-related provisions in a constitutional law and in heritage legislation or cultural and heritage policies. They may also include mainstreaming of ICH in policies, laws and institutions relating to other areas including finance, intellectual property rights, medicine, health and agriculture. It is also pointed out that legal and administrative measures taken at the national level are primarily aimed at contributing to ICH promotion and safeguarding in general and at creating a supportive framework for safeguarding actions at the local level.
131. This shows that general discussions about policy and legislation are part of the ongoing capacity building programme. It, however, does not and cannot in its current workshop-centred format provide more detailed direction with regard to the actual development of specific policies or laws, or any comparative analysis of different types of policies and laws, or any specific guidance as to how ICH could be integrated in legislation of other policy areas etc. General principles and approaches could, however, be developed as guidance to State Parties.
132. The International Assistance funded through the Fund for the Safeguarding of Intangible Cultural Heritage (discussed in more detail in a later chapter of this report) supports, inter alia, programmes, projects and activities aimed at the safeguarding of ICH. This could include activities related to policy and legislation development. So far, most of the larger International Assistance requests (over US\$ 25,000) aimed for the establishment of inventories. No projects with an explicit focus on policy and legislation have been funded so far.
133. UNESCO has supported the establishment of an enabling legislative and policy environment for ICH safeguarding through other mechanisms. For instance, the UNESCO Cluster Office in Harare has initiated policy reviews as part of a capacity building project in several Southern

¹⁹ Convention Article 13(a); ODs 105(d), 105(f), 105(g) and 107.

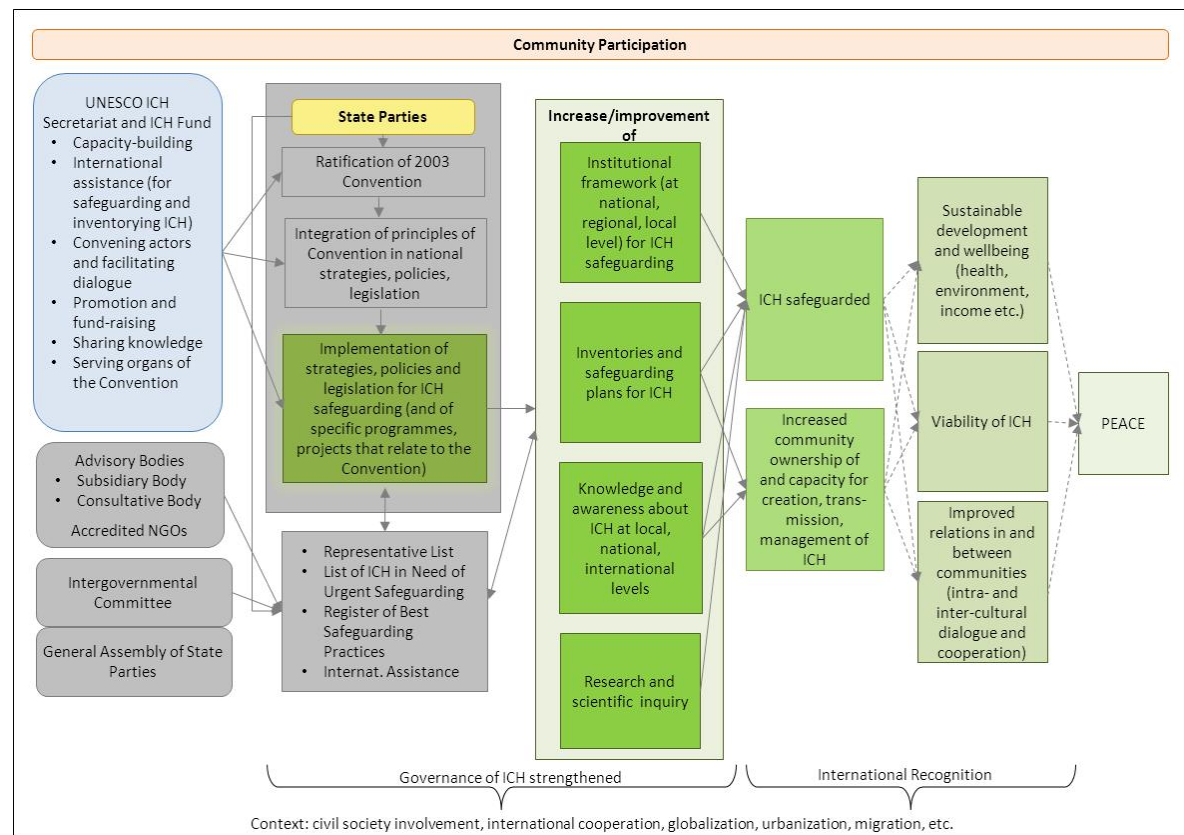
African countries such as Botswana, Malawi, Zambia and Zimbabwe. The purpose of these exercises was to analyse existing legislation and policies relating to ICH or which have a bearing on the 2003 Convention and to identify strengths and gaps of the existing legislative and policy framework against the key approaches of the Convention. Each review resulted in a set of recommendations to help the State Party strengthen its framework for the successful implementation of the Convention. The reviews were followed up by a workshop that brought stakeholders from the four countries together. All four reviews concluded that the legislative and policy environment for the implementation of the 2003 Convention in these countries was not sufficient and that a lot more work was required to strengthen it. To this effect a further project has been submitted to the donor.

134. Another approach is that taken by the UNESCO Office in Phnom Penh, which supported the Cambodian Ministry of Culture and Fine Arts with the development of a draft Cultural Policy of Cambodia, which would serve as a basis for further discussions and consultation. The draft built on issues emerging from various stakeholder consultations previously conducted by the Ministry in cooperation with UNESCO.
135. The creation of an enabling legislative and policy environment for culture including ICH has also been part of some of the MDG-F projects under the Culture and Development Thematic Window convened by UNESCO. In Ethiopia, for instance, at the national level a by-law for research and cultural heritage (“Research and Conservation of Cultural Heritage Proclamation No. 209/2000” - pending endorsement by the Council of Ministers) was drafted. Through this proclamation a new Government institution responsible for both tangible and intangible cultural heritage would be established. In Namibia recommendations were made to include ICH in the 2004 National Heritage Act. Overall, however, the creation of an enabling legislative and policy environment was not a focus of the MDG-F projects.
136. The previous chapters show that a lot of more work needs to be done by State Parties to establish the required legislative and policy environment, both as it relates to laws and policies in the field of culture, as well as to those in the field of sustainable development that have a bearing on the implementation of the 2003 Convention. The above examples also show that the legislative and policy environment for the implementation of the 2003 Convention has been given some attention by UNESCO. However, overall, much more has been done in the field of implementation rather than on policy and legislation development, and this would therefore be an area in which UNESCO could seek to intervene more explicitly.
137. As pointed out in the previous chapter, the integration of ICH in sustainable development laws and policies requires the culture sector to be able to make a compelling case for the link between ICH and sustainable development, and to use a “language” that speaks to other sectors. This is something for UNESCO to keep in mind when providing support to State Parties, especially to non-cultural stakeholders. To provide support effectively, the Secretariat might be required to engage sustainable development experts in some of its capacity building activities.

Recommendation 4.	Support State Parties with the development of legislation and policy as part of the ongoing 2003 Convention capacity building programme and design appropriate capacity building formats to do so.
Recommendation 5.	Cooperate with sustainable development experts when supporting State Parties with the integration of ICH into non-cultural legislation and policy, and with other work related to ICH and sustainable development.

Chapter 5 Implementation of the 2003 Convention

5.1 Safeguarding ICH at the national level



5.1.1 Inventories

138. It is clear that identification and inventorying of ICH must be an essential first step in any safeguarding programme and, although many countries were already identifying and documenting various aspects of their ICH (as 'traditional culture', 'folklore' etc.) before they became Parties to the Convention, this remains a top implementing priority in many countries.
139. According to the Periodic Reports, inventorying ICH is specifically mentioned as a leading priority by approximately 20 Parties and has been undertaken in most. In Turkey, for example, identification, inventorying and defining ICH are noted as the second of four main axes of the national safeguarding plan, and Burkina Faso has piloted its inventory in four ethno-cultural communities (2007). In France, it is notable that the requirements of inventory-making under the ICH have led to a real revolution in thinking and methodology, despite many years of ethnographic documentation.
140. The evaluation confirmed that the establishment of ICH inventories is one of the most visible results of the implementation of the Convention by State Parties. Inventories exist both at national level and/or at provincial and local levels. They can be general or specifically dedicated to certain ICH domains (music, textile fabrication, indigenous knowledge, etc.). In many countries efforts are underway to expand or to improve existing inventorying systems to better align them with the Convention.

Box 3. Innovative example of expanding an inventorying system - Austria

Knowledge and practices concerning nature and the universe are one of the ICH domains listed in the 2003 Convention. This domain had so far been under-represented in Austria's Inventory of the Intangible Cultural Heritage. The Government therefore decided to make an increased effort to support safeguarding measures related to this type of ICH. Through a cross-sectoral cooperation with several Ministries (the Federal Ministry for Education, the Arts and Culture; the Federal Ministry of Health and the Federal Ministry of Agriculture, Forestry, Environment and Water Management) and the support of the private sector, the Austrian Commission for UNESCO supported the establishment of the Documentation Centre for Traditional and Complementary Healing Methods (<http://www.cam-tm.com/de/index.htm>). It documents traditional and complementary healing methods, ensures ongoing scientific exchange on traditional healing methods and acts as a resource centre for the public.

141. In Viet Nam, for instance, 62 out of 63 provinces and cities have carried out inventorying activities, which form the basis of the National ICH List and of nominations to UNESCO's ICH Lists. Austria has made conscious efforts to expand its inventories to include elements related to knowledge and practices concerning nature and the universe, which had been under-represented so far. Malawi established a national inventory for ICH practiced by several communities and conducted community-based inventorying in many parts of the country in 2010 and 2013.

Box 4. Good examples of inventories

Spain has many different inventories at the regional (autonomous) levels, with the Atlas of Intangible Heritage of Andalusia (Atlas del Patrimonio Cultural Inmaterial de Andalucía) being the most sophisticated one.²⁰

As part of the implementation of Spain's National Plan for the Safeguarding of ICH (Plan Nacional de Salvaguarda del Patrimonio Cultural Inmaterial; 2011) a draft model inventorying system was developed for discussion with stakeholders from Spain's autonomous regions. The model is expected to help stakeholders improve the inventorying systems at regional levels and to ensure that they are in line with the requirements of the Convention.

142. Kazakhstan and Tajikistan are in the process of establishing national inventories, while in Slovakia a national inventory already exists and inventorying is currently ongoing at the regional and local levels. Germany, which only recently ratified the Convention, has plans to set up an overall national inventory that would complement already existing specific inventories.

143. *Challenges:* Several challenges exist with regard to inventories. While most of the State Parties do have some kinds of inventories of ICH, not all of them are necessarily in line with the spirit of the 2003 Convention. For instance, inventories established by a number of State Parties focus on ICH elements considered to have "outstanding value" and/or to be "authentic", while others put an emphasis on ICH that is in danger of extinction. While it is legitimate for countries to establish these types of inventories, if they are needed, it has to be pointed out that the Convention's emphasis is on living heritage that is transmitted from generation to generation, and that neither authenticity nor outstanding value are criteria used by the Convention.

144. Another challenge relates to the way inventories are established. In many countries Government and academic institutions are taking the lead in inventorying, with tradition bearers being involved as informants. The Convention calls for a more bottom-up approach to

²⁰ The Atlas of Intangible Heritage of Andalusia can be accessed under the following link: <http://www.iaph.es/web/canales/patrimonio-cultural/patrimonio-inmaterial/atlas/>

inventorying and safeguarding with the widest possible participation of communities, groups and, where appropriate, individuals.

Box 5. Example of putting the Convention into practice – Inventorying in Mongolia

Mongolia has decided to improve its existing inventorying system in light of the insights acquired during a recent workshop on community-based inventorying conducted by UNESCO (May 2013). So far, the Mongolian inventorying system had focused on tradition bearers (Living Human Treasures), while the Convention encourages a much broader approach to inventorying that takes the social context and the larger environment into account. Workshop participants also established that the existing inventory did not include the full spectrum of ICH domains, as only a very small part of the registered ICH related to knowledge and practices concerning nature and the universe.

Participants furthermore came to the conclusion that the existing system had to be improved with regard to the involvement of communities, and that more efforts were needed to continuously update the information contained in the inventory. The Mongolian Government's plan to increase the number of cultural officers at the local level will facilitate this new approach.

145. Overall, many stakeholders consulted during this evaluation confirmed that a lot had been achieved with regard to setting up inventories, but that the work was far from being completed. Misunderstandings and misinterpretation still exist of the concepts and principles outlined by the Convention. These misunderstandings are reflected in the way safeguarding measures are undertaken by State Parties, including those related to inventorying.

5.1.2 Institutional infrastructure

146. The establishment or development of institutions for ICH safeguarding is an important element of effective implementation of the 2003 Convention, which stipulates (Art. 13 (b)) that State Parties shall endeavour to “designate or establish one or more competent bodies for the safeguarding of the intangible heritage present in its territory.” According to the Periodic Reports submitted by State Parties and additional data gathered by the present evaluation, it seems that this is taking place on the ground, whereas the actual capacities (human and financial) of these institutions may vary greatly.
147. Periodic Reports show that coordination of the activities of stakeholders (NGOs, CSOs, communities, university researchers, national and local Government etc.) is one important role of these new bodies (e.g. in Burkina Faso, Turkey, Hungary). In Hungary, a national network of experts is coordinated by County-level ICH Coordinators (operating under the Expert Committee on ICH within the new National Commission for UNESCO) who act as a bridge between local communities and Government. These bodies may also play an advisory role to the relevant Ministry, as in the Hungarian Expert Committee, the ICH Expert Commission (in Turkey) which has re-orientated the mission and vision of the Ministry, the Nigerian National Committee on Oral and ICH made up of Nigerian experts in different domains of ICH and community representatives and the Croatian Advisory Committee for Intangible Cultural Heritage (composed of 7 experts from various scientific and expert institutions). In a few cases, the pre-existing body (or bodies) has been given a new mandate to include ICH (e.g. in UAE and Belgium).
148. A significant aspect of some of the institutional arrangements made (despite a general tendency to centralise policy-making, decision-making and implementation) is their de-centralised character. For example, although Brazil has had an institution (Instituto do Patrimônio Histórico e Artístico Nacional - IPHAN) and safeguarding policy in place since 2000, it has more recently created new Cultural Reference Centres and Pontos de Cultura in order to implement safeguarding plans at the local level. Belarus safeguards ICH on the regional and local levels through Cultural Resource Centres in the six administrative regions of the country

- with community representatives and the local authorities; they also coordinate the work of over 70 'houses' and centres of folklore and more than 90 houses of crafts. Viet Nam implements its ICH safeguarding policy through 63 Provincial Departments of Culture, Sports and Tourism (DOCST), each with a unit/division in charge of ICH. In Mali, the central Directorate (DNPC) operates through regional off-shoots to reach the local level which, in turn, collaborate with the local community and its leaders; importantly, the authority of these traditional managers is recognised by both the State and the community.
149. China, with a specialized ICH department in the Ministry, has introduced ICH management at the local Government level and has created or reinforced relevant bodies in both Macau and Hong Kong Special Administrative Regions. In Turkey, there are ICH Boards in national and regional bodies and separate Expert Commissions (under the central ICH Expert Commission) in each of 81 administrative units of the country as a coordinating mechanism. In India, seven zonal Cultural Centres foster the elements at grass-roots level (study, research, documentation, presentation). In Spain, the 17 Autonomous Communities and two Autonomous Cities share responsibility for culture with central Government, with an overall national policy within which Autonomous bodies operate separately.
 150. In some cases, the institutional framework has evolved over time so that, in France, the Directorate for Heritage (2009) included ICH, ethnology and science policy with activities on 4 axes (inventories, RL nominations, awareness-raising and information). In 2010, a Centre for ICH was then established as an autonomous body to establish active networks and scientific research and reflection. France also places much reliance on the work of a pre-existing NGO (Maison des Cultures du Monde).
 151. In some countries, there are several institutions with competency for ICH safeguarding. In Mexico, for instance, several pre-existing bodies operate under the National Commission for ICH (2010), and Belgium (Flanders region) also uses pre-existing institutions, but has shared responsibility with two NGOs (FARO and tapis plein). Cyprus has divided ICH safeguarding competencies between institutions with the University of Cyprus for teaching in ICH, the Cultural Workshop (an NGO) for inventorying, enhancement, promotion and revitalisation of ICH; local Government authorities are also highly implicated in Cyprus' safeguarding strategy. In Egypt four national bodies are involved in implementing the Convention: the Supreme Council of Culture (drafts regulations and defines policy and programmes); the Egyptian Society for Folk Culture (promotes ICH safeguarding); and Archives of Folk Life and Traditions and the Centre for Documentation of Cultural and Natural Heritage (documentation). Nigeria also has a multiplicity of institutional actors (some more directly related to ICH than others).
 152. Institutional infrastructure for ICH safeguarding also exists in the countries visited by the evaluators. In Mongolia, for instance, the Center of Cultural Heritage with its Division for Intangible Cultural Heritage is the main coordinating body for ICH safeguarding in the country. The Center is under the Ministry of Culture, Sports and Tourism and works closely with a network of cultural officers at the provincial (Aimag) and local (Soum) level. The representation of cultural officers at the local level and the Centre's cooperation with the local level is currently being strengthened.
 153. Serbia, since becoming a Party in 2010, has established a new institutional framework for ICH policy-making and implementation which builds upon existing institutions (in particular the Section for Cultural Heritage within the Ministry of Culture which now includes ICH safeguarding policies within its overall mission). However, some key institutions have been created in addition to this with a specific focus on ICH, namely the National ICH Committee (together with Ministry of Culture in charge of policy and strategy, harmonising national legislation, supervising implementation, etc.), the National ICH Centre (implementing body) and the National Commission for the National ICH Register. The institution of five Regional ICH

Coordinators (for each main administrative region of the country) is an important one, with the following mandate: to sensitise local communities; act as bridges between the centre and local communities and associations; and receive nominations from communities for inscriptions on the National ICH Register.

154. Overall, examples of institutional infrastructure for ICH are plenty. Establishment of institutional infrastructure is often one of the first actions taken by State Parties after (or even before) ratifying the Convention. As the above examples show, a large diversity of different types of institutional infrastructure exists, depending on the historical context and the specific political system, the overall institutional landscape, the importance (or not) given to ICH as part of a country's cultural heritage, the availability of human and financial resources, the Government's commitment to involve communities and NGOs in the implementation of the Convention, etc.
155. *Challenges:* The evaluation established that while the majority of State Parties have put in place some kind of institutional infrastructure, a lot remains to be done to strengthen and consolidate existing structures. It should not be forgotten that setting up institutions is not an end in itself. It all depends on the work these institutions are able to do. Frequently, a lack of trained human resources and/or budgetary restraints, are serious obstacles to the effective operation of these institutions, as is an ingrained tradition of top-down forms of operating. For these and other reasons, many of the existing institutions fall short of the expectations of stakeholders. A considerable number of these bodies have also only been established quite recently and are therefore still in a process of consolidation and institutional development.
156. Depending on the specific context and on the overall institutional landscape in a given country, competent bodies for the safeguarding of the ICH are usually expected to perform some of the following functions: contributing to policy and strategy development; coordinating safeguarding activities including those related to inventorying, documentation, research, awareness-raising and capacity building; and ensuring the participation of communities, groups and individuals in all safeguarding activities. This work is very demanding and requires human and financial resources; the ability to connect with a plethora of different stakeholders (communities, research institutions, NGOs, provincial and local Government, private sector etc.) engaged in the implementation of the Convention at various levels (national, provincial, local); and the expertise and authority required to engage with non-culture stakeholders (tourism, education, agriculture etc.) in order to be able to contribute to the development of sustainable development policies and programmes that have a bearing on ICH safeguarding.
157. To differing degrees the establishment of an institutional infrastructure for ICH safeguarding is work in progress in most State Parties. No single model exists that can be promoted for every context. What is clear, however, is that a specific infrastructure is needed for the implementation of the Convention. The extent to which dedicated institutions are able to connect with and involve those who create, maintain and transmit the ICH and to link them with other important stakeholders will ultimately determine whether safeguarding is successful or not.

5.1.3 Research, awareness-raising and capacity building by State Parties

158. The Convention (Art. 13) stipulates that State Parties shall endeavour to foster *scientific, technical and artistic studies as well as research methodologies* with a view to effective safeguarding of the ICH, in particular the intangible cultural heritage in danger. Traditionally, research and documentation have been leading forms of identification and safeguarding and continue to be an important activity in several Parties.
159. In France, for example, a lot of support is available for research studies on ICH and, importantly, to develop a scientific critique in the field, develop new methodologies and

examine the impact of the 2003 Convention on ICH itself. Spain also funds a great deal of ICH-related research (both at the national and autonomous region levels) and, again, is seeking to re-conceptualise the field and develop a new methodological approach. In many cases, such as Romania and France, this research appears to be a continuation of pre-existing ethnological/ethnographic research programmes and, as in Luxemburg, Egypt and Croatia, the collection and documentation of ICH is a primary focus.

160. A concrete example of ICH-related ethnological research is undertaken by the Department of Social and Cultural Anthropology of the National University of Mongolia. Some of it focuses on shamanism. This work was initiated in the early 1990s after the breakdown of communism. Naturally, the focus of the research has shifted over the years. And in Peru, the Directorate for ICH in the Ministry of Culture conducted 20 in-depth research projects about ICH in the country. The results were published in book, documentaries, CDs, and exhibition catalogues.
161. The above are a few examples of stakeholders undertaking research in different contexts and countries. It was beyond the scope of this evaluation to establish how much and what kind of research is undertaken by whom and where. A first step in this direction was taken by several researchers involved in a meeting of ICH researchers in Paris in 2012. In the paper “Charting a way forward. Existing research and future directions for ICH research related to the ICH Convention”²¹ the authors explore the range and depth of existing research and propose areas for further study. They set-up a database of ICH related research papers. The database at this stage is still work in progress and does not contain all research from all over the world. However, the authors were able to establish that significant research activity seems to be ongoing all over the world, especially in Asia, Latin America, Europe, Australia, the US and also in Africa. The majority of it is yet to be shared and collected. It is also interesting to note that research on ICH shows significant regional differentiation in terms of focus and content.
162. Several States are now digitalising their documentation and archive collections in a move to make them more accessible to the public (and communities): Morocco set up a digitalised archive of all its ICH documentation in 2010; Hungary now has ca. 90,000 items on the europeana.eu website; digitalisation and fixation of ICH is a main safeguarding priority for Belarus, with about 1000 digitised records made; and Croatia has put its ICH databases online. Of course, the degree to which such moves contribute to accessibility greatly depends on the penetration of information and communication technologies in the country (potentially both a positive and a negative for remote communities) and also raises important issues of copyright and the right of communities to keep their ICH secret. This last issue is being addressed by some Parties, especially those with indigenous communities.

Box 6. Innovative example of documenting and sharing knowledge and experience – South Asia

The Indian NGO Craft Revival Trust has set up an online Encyclopaedia about ICH in South Asia (www.Asiainch.org). The Asia InCH Encyclopaedia of Intangible Cultural Heritage contains information on ICH in 8 Asian countries, including on its practice and transmission by the bearers. Access to knowledge is understood to be a route to safeguarding ICH. The Asia InCH Encyclopaedia works to further this aim.

163. The Convention (Art. 14) also asks State Parties to undertake *educational, awareness-raising and information programmes* for the general public, specific educational and training programmes within the communities and groups concerned, and capacity building activities for the safeguarding of the ICH. With regard to awareness-raising, it is often argued that all implementation measures somehow contribute to raising people’s awareness of the

²¹ Harriet Deacon and Chiara Bortolotto (joint paper):#Charting a way forward. Existing research and future directions for ICH research related to the ICH Convention”; Meeting of ICH Researchers, 3 June 2012, Paris.#

importance of ICH, especially those related to inventorying, preparation of nomination files and policy development and strategic planning as long as it is done in a participatory way. To some extent this is certainly the case. This chapter, however, looks at initiatives undertaken specifically with the main purpose of raising awareness and informing the public about ICH. Such initiatives are sometimes aligned with formal and non-formal educational programmes.

164. Surprisingly, awareness-raising is cited as a specific priority by only 12 of the 41 State Parties that submitted Periodic Reports. These include Burkina Faso, for example, which conducts many awareness-raising activities to a range of stakeholders (in schools, communities and skills sharing sessions). Zimbabwe undertakes awareness-raising and capacity building as well as festivals for promotion of ICH. Hungary conducts awareness-raising (at all levels) through travelling 'road shows' and public information meetings. Ethiopia conducts community awareness-raising alongside formal and non-formal education (based on ICH inventory), and Cyprus, as in other cases, involves bearer communities in this activity. Awareness-raising in Cote d'Ivoire, also in communities, focuses on the importance of natural spaces (e.g. sacred forests).
165. Data collected by the evaluation confirms that awareness-raising activities have been conducted in many other countries also, such as Georgia, for example, where competitions about ICH are organised for school children and sensitization workshops for regional cultural institutions, school resource centres, students etc. Malawi, with the support of UNESCO, has conducted awareness-raising activities about ICH and the Convention for journalists from different media houses.
166. ICH promotion is often also closely linked with festivals and other similar events. Of the Periodic Reports, 19 make reference to the role of festivals (often community-organised), which may well receive State support, as in Mali that regularly supports festivals, rituals and other ceremonies organised by communities. Some examples of how festivals are used in safeguarding include Hungary where festivals serve both promotion and transmission and there is a voluntary Festival Quality Evaluation Programme established by the Hungarian Festivals Association; Kyrgyzstan where many festivals are held and they are seen as a key mode of transmission as well as promotion; and Pakistan where National Folk Festivals are held in all regions of Pakistan as main form of promotion/transmission (and supported by the State). In Belarus, the festival movement is a leading approach for awareness-raising and promotion of ICH, and the Dominican Republic coordinates the annual festival calendar with the communities and supports the festivals associated with the two RL inscribed elements.
167. *Education (formal and non-formal) and training* are also important activities for many State Parties, being viewed as a means of capacity building, promotion and transmission of ICH, with bearer communities directly involved to a larger or lesser degree. In Burkina Faso, for instance, training is aimed at Government staff, while research has been undertaken on including ICH in school education, with cultural community partners. Education and training on ICH in Belarus is specially targeted at young people and schools, although there are also programmes within communities provided by the regional and local Resource Centres and NGOs. In Brazil, each Heritage House has a locally-tailored educational programme.
168. Latvia approaches ICH education as the transmission of traditions to children and school youth through hobby-related extra-curricular education. Lithuania organises training sessions for transmission from tradition bearers to the younger generation in cultural institutions, centres of traditional dance etc. Korea fosters transmission through the apprenticeship system (oral transmission) and the contemporary public education system (systematic ICH education at secondary and tertiary levels), and training is also provided by preservation associations/communities. Mali has cooperated with the African School of Heritage (EPA), a regional training institution for heritage managers from sub-Saharan African countries based in

Porto-Novo, Benin, that advocates for the integration of heritage elements in teaching programmes and teacher training. Mali also undertakes capacity building for communities about ICH safeguarding, human resource management and organisational management.

169. A significant educational initiative is the development of educationally, culturally and linguistically relevant educational material (in mother languages and Spanish) in Peru, used at all levels of formal education. Teachers are also trained in intercultural education, the inclusion of traditional knowledge and the dynamics of non-formal transmission in schools. Cote d'Ivoire has initiated the "Integrated Schools" project and teaches 10 mother tongue languages in primary schools, with appropriate materials development. Going beyond classic educational approaches, Cyprus has established ICH summer camps for schoolchildren and offers classes about ICH elements of Cyprus within the framework of the Ministry of Education and Culture's Life-Long Learning Programme. In Morocco, for instance, ICH training is directed towards communities; Centres for Craft Training have been established for this. Zimbabwe provides ICH skills training (e.g. basket-weaving). This is also the case in many other countries.

Box 7. Innovative example of integrating ICH education into school curricula – Viet Nam

In Viet Nam the Department of Cultural Heritage in collaboration with the Museum of Ethnology and the Department of Education and training of Ha Noi city carried out a pilot project (2006 – 2007) of "Developing Methods for Integrating ICH Education into Formal Subjects in Ha Noi Schools". ICH elements were, for instance, included in several subjects related to natural sciences, for example by using water puppets to illustrate how several things float or using a monochord musical instrument (đàn bầu) to explain the development of sound waves. As an innovative method in teaching and learning, the approach not only provided school children with knowledge of intangible cultural heritage, but also helped to make the teaching content easy to understand and memorize. The method also encouraged creativity and communication among teachers and pupils, and provided a bridge to the surrounding social and natural environments.

170. The above examples show that a large number of State Parties have made efforts to raise awareness and to provide information about the importance of ICH and the Convention, and that many of them have organised educational programmes or capacity building activities for different stakeholders. Hardly any State Party seems to exist that has not undertaken and put in place a few such initiatives. This is an achievement in itself as it shows that State Parties are making efforts to ensure recognition of and respect for the ICH in the larger society, including communities, students, and young people in general.
171. These activities, together with other initiatives for the implementation of the Convention at the national level (inventorying, policy / legislation development, establishment of institutional infrastructure etc.) and at international level (international discourse, List of ICH in Need of Urgent Safeguarding, Representative List of the ICH of Humanity, International Assistance etc.) have certainly resulted in a better understanding and appreciation by many stakeholders of the issues concerned, and increased commitment to safeguarding.
172. *Challenges:* Overall, however, while progress has been made over the past years, significant challenges remain with regard to stakeholders' awareness and recognition of the importance of ICH safeguarding, understanding of the concepts of the 2003 Convention, and knowledge and skills needed for safeguarding. This applies to all levels of stakeholders, including cultural policy makers (and policy makers in other sectors), legislators, Government officers at all levels, NGOs working in the field of cultural heritage, communities and also the public at large.
173. In fact, in the context of this evaluation lack of awareness and understanding of the Convention and insufficient capacities were identified as some of the major challenges encountered in the implementation of the Convention. This manifests in many ways such as in a general lack of familiarity with the Convention; confusion of the concepts and principles of

the 2003 Convention with those of the 1972 Convention (authenticity, outstanding universal value etc.); a focus on “preserving” past “authentic” forms of ICH, rather than safeguarding them as living heritage that is constantly recreated by community; lack of understanding of legal issues pertaining to the Convention by legislators; insufficient understanding of how ICH relates to sustainable development, both by people working in the culture sector and in other sectors; limited understanding of the need (or commitment to) recognise the central role that communities play in the safeguarding of ICH; lack of understanding of the relationship between gender and ICH; lack of appreciation by communities of their ICH; and insufficient knowledge in communities about the Convention and national safeguarding programmes etc.

174. This lack of awareness and understanding then finds its expression in the way the Convention is implemented, including in inventorying, in the design and implementation of safeguarding measures, in the cooperation with other SPs, in the preparation of nomination files, and with regard to community consultation and participation in all these areas. These issues are pointed to in other chapters of the report.
175. Data collected from countries around the world confirmed that not only is more effort needed to raise awareness, clarify misunderstandings and educate about the Convention, but also that this effort needs to be more strategic, i.e. part of an overall comprehensive long-term approach targeting all important stakeholders and with interventions tailored to the specific context. Up until now, a lot of the activities undertaken were one-off, rather isolated events reaching not more than a limited number of stakeholders. Of course, this does not apply to all the activities undertaken by SPs in an equal manner, but the evidence points to the fact that this is a problem with a large number of them.

5.1.4 Participation of communities, groups and individuals

176. The participation of communities, groups and individuals is key to the implementation of the 2003 Convention. Article 11 (b) and 15 stipulate that within the framework of its safeguarding activities of the ICH, State Parties shall endeavour to ensure the (widest possible) participation of communities, groups and, where appropriate, individuals that create, maintain and transmit such heritage, and to involve them actively in its management. Further direction is given in the Operational Guidelines (III.1.), where it is explained in more detail what this could entail. Recommended measures include supporting cooperation among communities and with experts and research institutes; creating a coordination mechanism to facilitate their participation in the identification of ICH, drawing up of inventories, programme implementation and preparation of nomination files; sensitization of communities about the ICH and the Convention; capacity building of communities; sharing information on ICH elements, etc. Some of these areas of activities were already discussed in earlier chapters of this report.
177. Several countries have set up coordination mechanisms to facilitate multi-stakeholder participation in the implementation of the Convention. For instance, in almost all the Southern African countries, National ICH Committees, which were established during the past couple of years, are expected to fulfil this function. One example is the National ICH Committee of Zimbabwe, which is a consultative body operating under the direction of the Ministry of Education, Sport, Art and Culture. It was set up in line with the provisions of the Convention’s Operational Guidelines (III.1. paragraph 80). The chapter on institutional infrastructure above provides more examples of the bodies that State Parties have put in place.
178. Community participation in the establishment of inventories varies considerably from country to country. Usually, communities are involved to some extent. In many cases their participation is limited to that of being informants. This is often a legacy from the past, such as in many of the former Soviet countries, where inventorying was traditionally led by

researchers in cooperation with Government. Some of these countries are now reviewing their inventorying systems to better align them with the principles of the Convention. Other, more community-driven examples also exist, such as for instance in Flanders, where communities are now connected with research institutions, experts and NGOs via various mechanisms including an online database where they can register their ICH themselves.

Box 8. Innovative example of community participation and empowerment as part of an overall comprehensive approach – Flanders

Following the ratification of the 2003 Convention, the Flemish Community embarked on a variety of short- and long-term measures to raise the awareness of “heritage communities,” groups and individuals of the importance of ICH safeguarding and to create an enabling environment for communities to transmit the ICH. The key activities included:

- the development of a vision paper called “A Policy for Intangible Cultural Heritage in Flanders” as a first step towards an overall policy. The paper outlines the key parameters of the future policy, putting a focus on the living nature of the ICH and therefore on safeguarding for the future, rather than emphasizing the roles it had played in the past. The vision paper was developed in a bottom-up approach involving communities and NGOs. It establishes “heritage communities” and groups as the key actors in all safeguarding efforts, with the Government assuming a facilitation and support function. Key instruments in this framework are the methods of mediation/cultural brokerage and networking among different types of stakeholders at all levels;

- the establishment of a network of different institutions to support communities in their efforts to safeguard and transmit the ICH. This includes cultural heritage organisations (museums, centres of expertise, organisations for popular culture, cultural archives institutions); local and provincial authorities working on local/provincial heritage policy; heritage workers employed by local authorities who support local heritage communities and provide a link to the authorities; specialized NGOs; and others. All these organisations work as cultural brokers/mediators, facilitating, supporting, raising awareness, and building capacities of heritage communities and groups; and

- the establishment of an interactive website (www.immaterieelerfgoed.be) on ICH safeguarding in Flanders. The website contains a database that is expected to expand the Inventory of the Intangible Heritage in Flanders, to increase the visibility of the Flemish ICH, to link elements of ICH with each other as well as with best practices and expertise, and to share safeguarding measures and examples of ICH transmission. The website is a networking, information sharing and learning tool, where both communities, groups, individuals and experts can register ICH and exchange experience, knowledge and expertise related to ICH safeguarding. It links actors of all types (communities, experts, NGOs etc.) and at all levels (local, municipal, Flemish Community level) with each other and provides a platform for communication and exchange.

The results of all these efforts are the recognition of ICH as one important cultural policy area, the empowerment of communities, groups and individuals to safeguard their ICH, and the creation of a network of centres of expertise, such as specialized NGOs (like tapis plein and FARO) that support communities through cultural brokerage and by providing opportunities for networking.

179. UNESCO has made considerable efforts to build capacities for community-based inventorying, both through its 2003 Convention capacity building programme (more info on this is presented in the next chapter) as well as other capacity building initiatives, such as those undertaken in Southern Africa under the leadership of the UNESCO Office in Namibia in cooperation with local experts.

180. Many examples also exist of community involvement in the implementation (and to a lesser extent in the elaboration) of safeguarding programmes and projects. One such example is the following project, which was funded under the Convention’s International Assistance Programme.

Box 9. Innovative example of community leadership in project implementation – Kenya

Kayas are forested areas of spiritual and cultural significance to the Mijikenda people of coastal Kenya. The project “Traditions and Practices Associated to the Kayas in the Sacred Forests of the Mijikenda” was implemented by the then Ministry of State for National Heritage and Culture in cooperation with National Museums of Kenya through its Coastal Forest Conservation Unit and Kaya communities. The main goal of the project was to improve livelihood through the protection and safeguarding of traditions and practices associated to the Kayas.

The project started with a training workshop for community members on project design and management as well as on income generation activities. The specific livelihood projects to be undertaken in the various parts of the Kayas were then identified and implemented by the communities, who received support from participating organisations. The project also involved students from various schools in the neighbourhood in order to raise their awareness of the local ICH, ensure knowledge transmission, and involve them in the safeguarding activities. The production of recordings, photographs, and articles for wider dissemination, inter-community exchange programmes, community festivals, and skills development activities related to income generation were also part of the project.

Phase II of this project is still ongoing and no information on final results achieved was available at the time of the evaluation. It is interesting to note that the Traditions and Practices associated with the Kayas in the sacred forest of the Mijikenda were inscribed on the List of ICH in need of Urgent Safeguarding (2003 Convention) in 2009, while the Sacred Mijikenda Kaya Forests were inscribed as a Cultural Landscape on the World Heritage List (1972 Convention) in 2008. This is a good example of the linkages between the two Conventions.

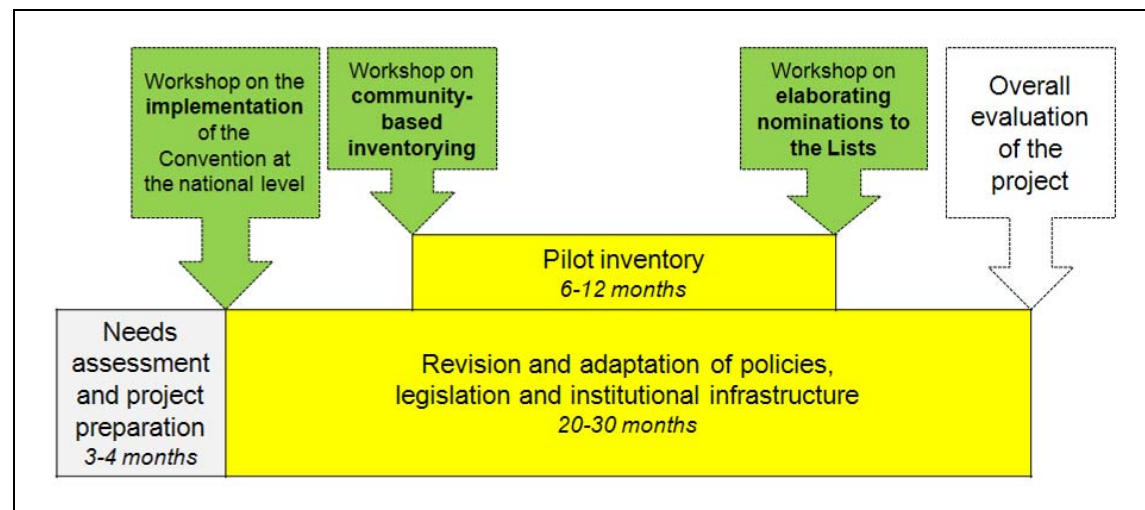
181. Communities are also expected to be involved in the preparation of nomination files for the 2003 Convention Lists. This is another area where a lot of different models exist. Files submitted for nomination over the past couple of years have demonstrated that concerned communities are often not sufficiently involved in this. Such files have not been favourably recommended by the bodies responsible for the evaluation of the files (Subsidiary Body for the RL and Consultative Body for the USL).
182. *Challenges:* Although community participation is at the heart of this Convention, it has proven to be one of the most challenging aspects in its implementation, and one area with a lot of room for improvement. The evidence collected suggests that community participation needs to be enhanced in all the areas mentioned in the previous paragraphs. This will require a careful analysis of the reasons of these shortcomings, which vary depending on the specific context, and the development of mechanisms that facilitate the meaningful participation of the communities concerned. In some countries this has already been done, and examples of such activities are provided in several parts of the report.
183. Reasons why communities are not always sufficiently involved include, but are not limited to, the following: a weak legislative and policy environment; lack of Government commitment, lack of Government capacities for and/or insufficient resources for consultation; lack of awareness (by all stakeholders, including communities) about the principles of the Convention; weak community capacities to self-organise, to design and implement safeguarding activities; lack of networking and exchange of experience between communities and between communities and other stakeholders; and inadequate mechanisms for consultation and participation of communities in policy development, inventorying, nominations, safeguarding programmes, etc.
184. The dangers of not ensuring adequate participation of communities are obvious. Since communities, groups, individuals are the main creators, practitioners and transmitters of their ICH, their lack of participation might result in the inability of communities to have ownership

of the safeguarding process, the misinterpretation and misrepresentation of the ICH and its associated meaning by other stakeholders, fossilisation of the element, over-commercialisation, lack of transmission and the consequent loss of its viability, etc. Of course, community participation alone is not a guarantee that all will go well, but it is one of several factors that increase the likelihood that the implementation of the Convention will be successful.

5.1.5 UNESCO support to safeguarding at the national level (capacity building programme)

185. To assist State Parties with the implementation of the 2003 Convention at the national and international levels, in 2009 the UNESCO Secretariat developed a global capacity building strategy. The strategy was put into practice at the country-level in 2011:
 - A set of training materials (manuals and PowerPoint presentations) were developed for capacity building facilitators and field colleagues focusing on four themes: ratification, implementation, community-based inventorying and nomination (to the various international mechanisms established by the convention). These materials can be accessed from a dedicated online workspace that was created for the facilitators. The materials were updated in 2012 following a year of testing.
 - A network of 79 expert facilitators was trained and established from all regions (43% from Africa and 40% women). The facilitators were trained at six Training of Trainers workshops held in Beijing, Harare, Libreville, Sofia, Havana and Abu Dhabi during the course of 2011 along with UNESCO field office staff from the regions. The network is encouraged to interact and share experiences through the dedicated online workspace.
 - Over 100 capacity building workshops have been held around the world to date focusing on the four themes mentioned above. Approximately one-third of them have taken place in Africa, which demonstrates UNESCO's commitment to this global priority. Most of the workshops were implemented at the national level, and a few of them at the regional level.
 - Depending on the theme of the workshop, participants included a selection of the following stakeholders: Government representatives (culture sector) from central, provincial and local levels; academia; NGOs and cultural heritage associations; practitioners; the media; and others.
 - Five regional workshops were organised for specific target groups. Two of them (one in Africa and one in Latin America) focused specifically on the role of NGOs in implementing the Convention at both national and international levels. They also created a space for debate and exchange of experiences, good practices and challenges regarding the contribution of NGOs to safeguarding ICH. One workshop (Africa) involved African university lecturers and explored how teaching about ICH could be integrated in University curricula. The remaining two regional workshops were forums organised for young people in Africa and the Caribbean.
186. The capacity building strategy was designed to last 18 to 36 months in each participating State Party. As shown in Figure 3 below, following ratification of the 2003 Convention and an assessment of national needs, countries are to have a series of workshops organised on their territory starting with a general one on implementation, followed by community-based inventorying and ending with a focus on nominations to the convention's lists.

Figure 3 Typical capacity building country project



Source: Report of the Secretariat on the implementation of the global capacity building strategy, Seventh session of the Intergovernmental Committee for the Safeguarding of Intangible Cultural Heritage, December 2012

187. Regarding the immediate outputs of the workshops, many of the workshop reports produced by the facilitators immediately after the events, provide some information on the results achieved and draw important conclusions for the future, such as the following:

- Workshop participants not only acquired new knowledge and experience, but also had the opportunity to participate in practical safeguarding exercises through site visits, role playing, and other specific projects.
 - The capacity building workshops served as important platforms for cooperation between various stakeholders (Government, civil society and community representatives, academia, etc.) and were very useful for information sharing. In some countries, these workshops brought different stakeholders together for the very first time, such as in Kyrgyzstan. In a number of countries, such as in Cambodia, networks of actors for the safeguarding of ICH were established. Several facilitators also reported that the workshops lead to the realisation by stakeholders that cooperation between them is absolutely necessary for the successful implementation of the convention at the national level.
 - Some other workshops organised brainstorming and project planning activities that resulted in the formulation of lists of project proposals for ICH safeguarding with ideas on potential national and international partners such as in Zambia and Zimbabwe. These proposals were to be further developed and submitted as requests for International Assistance.
 - In addition to the training-sessions on community-based inventorying, some sessions on the implementation of the Convention resulted in the drawing up of an initial inventory of elements that could be proposed for nomination to the RL and the USL such as in Burundi.
 - Several workshops contributed to the creation of National ICH Committees such as in Malawi and Namibia.
188. It is also encouraging to learn that four Southern African countries which had benefitted from the capacity building programme submitted nominations to the USL in the 2012 cycle. Some of the nomination files made explicit reference to the fact that their participation in the capacity building projects enabled them to respond better to the different requirements of the nomination process, including community-based inventorying.

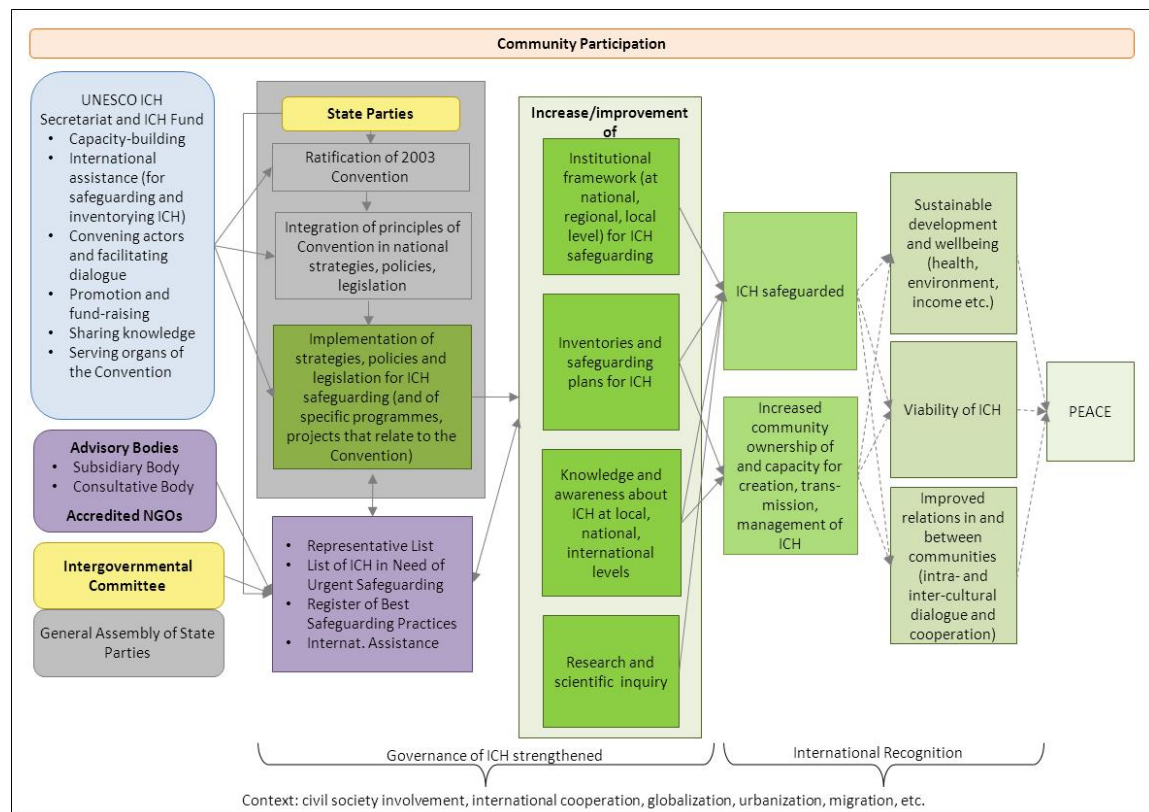
189. In the context of the present evaluation a number of former participants in capacity building activities, responsible UNESCO field offices, facilitators, and other stakeholders were interviewed. One of the evaluators also participated in one of the workshops (on community-based inventorying held in Mongolia in May 2013). Stakeholders interviewed stressed the importance of capacity building for the successful implementation of the Convention. Of all the mechanisms established by the Convention and the Secretariat to support the implementation of the Convention, the capacity building programme is considered by many to be the most important.
190. Those who had themselves participated in some of the workshops confirmed their relevance and usefulness. They reported to have, inter alia, gained a better understanding of the concepts and principles of the Convention, more clarity about their own and other stakeholders' roles in implementation, and new skills to implement the Convention (for example, for inventorying). Participants also much appreciated the opportunity to connect with each other and to establish relationships across organisational borders. A concrete output of the community-based inventorying workshop in Mongolia was that participants came to the conclusion that it was time to adapt the existing inventorying system to better align it with the principles of the Convention. This will, among other issues, include a reinforced focus on community participation and the inclusion of additional information on the socio-cultural context of the ICH, its transmission, and other issues ([see box in a previous chapter](#)).
191. It was difficult for the evaluation to establish the long-term results of the capacity building workshops that have taken place so far. There is no systematic monitoring mechanism in place that would allow UNESCO to follow up with participants several months after they had been part of a workshop. Therefore no reports exist on any sustained behaviour change (different approaches or practices used) and on the ultimate impact of the programme (improved inventories, better policy and legislative environment, increased community involvement, successful nomination of elements on RL and USL etc.) resulting from stakeholders' participation in the activities.
192. Monitoring the achievement of the outcomes of any capacity building programme is a challenging task and would require the involvement of the responsible UNESCO Office and/or National Commission. It is not a responsibility that can be given to workshop facilitators, who work with UNESCO on a contractual basis for limited periods of time dedicated to workshop preparation, workshop facilitation, and report writing. This is certainly an area where more efforts and creative thinking are needed in the future. Having a good follow-up system in place would not only help the Secretariat continuously to adapt and improve the programme and provide insights and experiences that could be shared with others, but also help demonstrate concrete results achieved to potential donors and supporters.
193. In November 2012 UNESCO organised a review meeting of its global capacity building strategy in Beijing. The aim of the meeting was to take stock of experiences so far, assess lessons learned, and decide on a way forward. The following key points were raised:
- Moving from a "workshop approach" to an "integrated project approach" under the strategy for strengthening national safeguarding capacities, which would entail advisory services and other practical measures additionally to the training workshops;
 - There is no "one-size-fits-all" approach and therefore customisation is not a choice, but a requirement. The choice of project activities (as well as the training materials and methods) have to be adapted to each specific situation.
 - The need to build so much capacity that UNESCO's presence and intervention will be no longer required. This is the ultimate goal.
 - In light of the fact that a larger objective of safeguarding ICH is the well-being of people and the sustainable development of their communities and societies, consider extending

the outreach of the global strategy to Ministries and actors involved in other areas than the Culture Sector per se, namely education, health, environment and others.

- Review meetings should become part and parcel of the capacity building strategy as they allow efficient information-sharing, capacity building for facilitators and learning from one another.
194. The evaluation fully endorses all the above suggestions. In light of the findings of the present evaluation it is also recommended to review the current content of the programme. While overall the content of the workshop material seems to be relevant, some of it might be more relevant in certain contexts than in others, and some thematic areas might have to be given more focus in the future. Areas that might need to receive more attention in the next couple of years include: policy/legislative development; culture and sustainable development and the required inter-sectoral cooperation; community mobilisation and participation; and ICH and gender equality in a context of human rights.

Recommendation 6.	Establish, with the full involvement of UNESCO field office and in cooperation with National Commissions, a follow-up mechanism for capacity building activities to gather data about their effectiveness.
Recommendation 7.	Review (and adapt if necessary) the content and format of the capacity building strategy to ensure that it responds to the major implementation challenges at the national level.

5.2 Safeguarding ICH at the international level



195. In addition to encouraging the safeguarding of ICH at the national level, the 2003 Convention has set up a series of mechanisms to safeguard ICH at the international level. Three mechanisms have been created, each with its own goals:

- List of Intangible Cultural Heritage in Need of Urgent Safeguarding (hereafter the USL): to take “appropriate safeguarding measures” (2003 Convention, Article 17.1);
 - Representative List of the Intangible Cultural Heritage of Humanity (hereafter the Representative List): “to ensure better visibility of the intangible cultural heritage and awareness of its significance, and to encourage dialogue which respects cultural diversity” (2003 Convention, Article 16.1); and
 - Register of Best Safeguarding Practices (hereafter RBP): “national, subregional and regional programmes, projects and activities for the safeguarding of the heritage which [the IGC] considers best reflect the principles and objectives of the Convention, taking into account the special needs of developing countries” (2003 Convention, Article 18.1).
196. The evaluation found that of the three mechanisms listed above, the Representative List was the most visible, while the other two were largely underused. The processes for examination of nominations to the two Lists and the Register have also raised questions. The various issues are elaborated on in the subsections below.

5.2.1 List of Intangible Cultural Heritage in Need of Urgent Safeguarding

197. The USL’s aim is to encourage the safeguarding of ICH elements “whose viability is at risk” (criterion U.2.a. of the Operational Directives) or “facing grave threats as a result of which it cannot be expected to survive without immediate safeguarding” (criterion U.2.b of the Operational Directives). Two of the key criteria for elements on this list is that safeguarding plans should be elaborated for them before they are nominated (criterion U.3), and that the element was nominated following the widest possible participation of the community, group or individuals concerned and with their free, prior and informed consent (criterion U.4). Nominations are examined by the Consultative Body, composed of six independent experts and six representatives of accredited NGOs (OD I.I.7.). It was established for the first time at the 5th session of the IGC in November 2010 and replaced the former system of individual examinations of requests for International Assistance and nominations to the Urgent Safeguarding List, and the Register of Best Safeguarding Practices.
198. Many stakeholders interviewed pointed out that the USL had initially intended to serve as the most important international safeguarding mechanism of the 2003 Convention. The potential benefits of the USL have been appreciated by some State Parties such as Mongolia and China that have inscribed quite a number of elements on the USL, but overall the list remains underused. To date, the USL contains only 31 elements from 18 State Parties. Only six of the elements are from Africa.
199. There are several reasons for this. While the purpose of the USL seems to be clear to most stakeholders, significant differences seem to exist with regard to the meaning that is given to having an element inscribed on the list. While it is perceived by many to demonstrate commitment to ICH safeguarding, for others it is the public demonstration of the failure to be able to do so. This has resulted in many SPs not having given priority to the USL so far. Certain confusion also consists with regard to the differences between the USL and the List of World Heritage in Danger set up under the 1972 Convention.
200. The introduction of a limit to the number of nomination files submitted by State Parties to any of the 2003 Convention’s lists has further discouraged the nomination of elements to the USL, as most State Parties have so far privileged the Representative List (more on this in the next Section 5.2.2). A few stakeholders interviewed for this evaluation expressed concerns regarding the efforts and resources needed to prepare nomination files, which could alternatively also be used for actual safeguarding measures.

201. Despite its limited appeal to State Parties, the evaluation found that the USL has already started to show some promising results. The nomination process itself has in some cases promoted ownership of safeguarding plans among both practitioners and communities. In several countries the inscription of elements on the USL has also effectively contributed to their safeguarding and even to the wider goals of the 2003 Convention. Survey responses by State Parties and accredited NGOs include the following examples:

- The inscription of “Ojkanje singing” by Croatia in 2010 has led to support from various levels of Government for its safeguarding through promotion, documentation and research. It has also changed the wider public attitude towards this element and motivated tradition bearers and younger generations to engage in its active transmission.
- In Viet Nam, the inscription of “Ca trù singing” and “Xoan singing of Phú Thọ Province” elements on the USL drew attention from politicians, tradition-bearers and the public throughout the country. As the result, financial, human and other resources have been invested by the Government, NGOs and individuals for the safeguarding of these elements.
- In Botswana the inscription of “Earthenware pottery-making skills in Botswana’s Kgatleng District” has raised the importance of safeguarding this skill not only in the Kgatleng community, but in others which have similar practices. Workshops have been organised on the meaning of the element and its associated traditional practices, and the documentation of different types of soil used for this pottery-making has been initiated.

202. State Parties are expected to submit specific Periodic Reports on the status of the inscribed elements at four year intervals following their inscription. For the 12 elements inscribed on the USL in 2009, State Parties are required to submit Periodic Reports on their status by 15 December 2013.²² To date only Belarus has submitted an interim report on the status of the “Rite of the Kalyady Tsars (Christmas Tsars)” that was inscribed in 2009. As described in Box 10 below, the report aims to demonstrate that the inscription of the element on the USL has indeed contributed to its safeguarding.

Box 10. Safeguarding of the Rite of the Kalyady Tsars

According to the Periodic Report²³ on the “Rite of the Kalyady Tsars (Christmas Tsars)”, the inscription of the element on the USL has drawn much attention from Government, experts and media to the village of Semezhava where a ritual New Year procession in traditional costumes takes place on January 13th every year. The rite was considered at risk because of the high emigration rate of youth from the village due to a lack of economic prospects in the region. Following the listing of the element, many former residents of the village including youth now come back to participate in the ritual. The community and Government have also taken measures to safeguard the element such as by introducing an annual award for the protection of traditions of Semezhava; disseminating information on the rite through national mass media; conducting a detailed study on the rite by the Institute of Art, Ethnography and Folklore of the National Academy of Sciences of the Republic of Belarus; and, organizing a special workshop for residents of the village on the possibilities of developing cultural tourism around the rite.

²² Following the IGC’s decision 6.COM 8.3, Brazil is expected to report to the IGC at its 8th session in December 2013 on safeguarding measures put in place for the element “Yaokwa, the Enawene Nawe people’s ritual for the maintenance of social and cosmic order”, which was inscribed on the USL in 2011.

²³ Report N° 00757/Belarus on the Status of an element inscribed on the List of Intangible Cultural Heritage in Need of Urgent Safeguarding, Sixth Session of the Intergovernmental Committee for the Safeguarding of Intangible Cultural Heritage, Bali, Indonesia, 22-29 November 2011.

203. It is too early to draw final conclusions on the effectiveness of the USL as the number of elements inscribed on it has been very limited. The Chengdu Conference also concluded that four years of operation was too short for any concrete results to be seen.
204. However, what is clear is that the USL's potential benefits have yet to be fully appreciated by State Parties and used to their advantage. More needs to be done to promote the list and to re-position it as an expression of commitment to safeguarding rather than as an expression of SPs' failure to do so. In other words, the reputation of the list needs to change to something positive in order to attract more interest and commitment to nominate elements for inscription. The IGC should also undertake more efforts to recognise and appreciate those SPs that submit nominations.

Recommendation 8. Promote the USL by re-positioning it as an expression of State Parties' commitment to safeguarding and to the implementation of the Convention, and especially recognise those State Parties that submit nominations to the USL.

5.2.2 Representative List of the Intangible Cultural Heritage of Humanity

205. The Representative List is the most visible of the mechanisms set up by the 2003 Convention, following the example of the World Heritage List created under the 1972 Convention. It has become a platform for national and (in some cases) multinational ICH elements from all around the world. To date, the List contains 257 elements of which 90 were incorporated from the formerly proclaimed Masterpieces in 2008. In just four years (2009 – 2012) the IGC has inscribed 167 new elements to this List, which demonstrates its popularity among State Parties. An examination of the geographical distribution of elements on the List shows a high concentration of elements in Europe, Latin America, and Asia-Pacific Regions. Despite the importance of ICH in Africa, the region is the least visible on the Representative List as described in Box 11 below.

Box 11. Representative List in Africa

Of the 257 elements on the Representative List, only 7% (18 elements) are from Africa, and 14 of these were originally proclaimed Masterpieces and then integrated into the List in 2008. This means that only 2% (4 elements) of the inscriptions to the Representative List since 2009 were from African countries. The preparation of nomination files requires considerable human and financial resources. This is most likely one of the reasons for the small number of African inscriptions.

As part of UNESCO's capacity building strategy, the Secretariat has organised twelve specific workshops on nominations to the RL as well as to the USL, three of which took place in Africa: Windhoek (November-December 2010), Harare (June 2012), and Bagamoyo (December 2012). To date, however, none of these countries have elements inscribed on the Representative List. Only Zimbabwe has one element on the List, which dates back from the Masterpieces period.

206. The evaluation established that the Representative List has indeed enhanced the visibility and raised awareness of ICH by drawing increased attention and media coverage to the inscribed elements. Listing has often contributed to creating a sense of uniqueness and pride for the communities concerned. It has also raised the profile of these communities at the national and international levels.
207. The inscription of elements on the Representative List has, in a few cases, also contributed to the wider purposes of the 2003 Convention such as safeguarding. For example, according to the surveys of State Parties and accredited NGOs, in Colombia, Nigeria and Viet Nam it has helped mobilise national public resources for the safeguarding of ICH. It has also helped raise awareness of ICH by encouraging research of the inscribed elements such as in Georgia, Mali, Malawi, and Nigeria.

208. Survey results and interviews also show that in some countries, inscription has led to intergenerational dialogue by motivating tradition bearers to find ways of transmission of ICH to younger generations (such as in Croatia). It has also increased interest among youth, such as for example in Georgia, where there is growing interest in polyphonic singing. In Nigeria the same can be said of the Ijele masquerade where youth sing and dance to Akunechenyi music. In India, the inscription of “Kutiyattam, Sanskrit theatre” created awareness of this practice and a Training Centre was opened in Kerala. As a result, more young people are now studying the practice.
209. In a number of countries, the inscription has led to an increase in the number of interpreters and producers. The inscription of “Fado, urban popular song of Portugal” has not only generated conferences around the subject, but has led to more Fado singers and places where one can hear the performances. In Slovakia, inscription has led to an increase in interpretation of Fujara flute and its music. These are illustrative examples of society-level impact.
210. Stakeholders also reported about how the process of developing nominations to the RL itself has in many cases led to intercultural and even interreligious dialogue such as for instance in Serbia. In many countries, the preparation of a nomination file has resulted in increased dialogue among communities and between communities and Government.

Challenges of the Representative List

211. Interviews have also shown, however, that many State Parties misunderstand the purpose of the Representative List. Some believe that inscription of an element creates national ownership of that element for the submitting State Party. In several instances this has generated competition and conflict between State Parties and even a rush to submit a file for nomination. The lack of dialogue between State Parties about these issues is seen as one of the reasons for the inappropriate use of the RL and has become a cause for concern. Moreover, the important notion of ‘representativeness’ that underpins this list (as ‘outstanding value’ does for the World Heritage List) and that represents the contribution of ICH to cultural diversity worldwide is not always understood by State Parties.
212. For the purpose of promoting international cooperation, avoiding competition between SPs, and in order to involve all concerned communities, the IGC and the 2003 Convention Secretariat encourage multinational nominations to the RL. The preparation of multinational nominations has led to cooperation and intercultural dialogue among SPs and communities. To date, the RL has 15 multinational elements submitted by a wide range of SPs. Some are bilateral nominations such as the “Processional giants and dragons in Belgium and France”, while others involve many SPs, such as the element “Falconry, a living human heritage”, which includes twelve SPs from three different continents. Multinational nominations should be further encouraged since they both recognise the trans-frontier character of many ICH elements, and encourage a spirit of international cooperation, which lies at the basis of the Convention.
213. To be inscribed on the Representative List, an element should satisfy the five criteria stipulated in the Operational Guidelines (I.2). However, the evaluation found that this was not always the case. In several instances, elements were inscribed on the List by the IGC against the recommendations of the Subsidiary Body. The fact that the Body and the IGC were using different criteria has led many to question the credibility of the List and compare it with lists of other conventions that are becoming more and more politicized.
214. One of the key criteria for the Representative List is that safeguarding measures are elaborated that may protect and promote the element (criterion 3), though this often seems to be regarded as secondary in nature. Large numbers of nomination files do not provide satisfactory information on measures to safeguard the elements proposed for inscription. Indeed, many

stakeholders interviewed and surveyed for this evaluation (and confirmed by participants in the Chengdu Conference) have expressed concern over the fact that the importance of inscription is overemphasised, and that safeguarding itself is not seen as much of a priority.

215. Many State Parties have indeed been in a rush to inscribe a maximum number of elements on the RL, which has caused it to swell up since 2009. The attention on the RL has also led to each IGC session spending the majority of its time examining nominations to this List alone, consequently leaving very little time for other matters. The result of all this is seen by many stakeholders as quite unfortunate: listing becoming an end in itself rather than as a tool that encourages safeguarding.
216. Another important criterion of the RL concerns community involvement in the nomination of an element (criterion 4). The evaluation found that in some countries, communities are indeed the ones who initiate the preparation of the nomination files, while in others the process remains very much top-down and is Government-led. A number of NGOs have even expressed concerns over the fact that there is no way for the IGC to check if communities have really been consulted. This uncertainty and lack of real monitoring is also obvious in the Periodic Reporting process.

Recommendation 9.	Clarify to State Parties and other stakeholders all misconceptions regarding the purpose and use of the Representative List.
Recommendation 10.	Ensure that inscription of elements to the Representative List reflect more closely the criteria and procedures specified in Chapter I.2 of the Convention's Operational Guidelines.

The process of inscription to the Representative List

217. The evaluation of nominations to the Representative List is undertaken by the Subsidiary Body, which is composed of six members of the IGC. This Body was first created on a temporary basis by the IGC at its 3rd session in Istanbul in November 2008 for the examination of nominations to the Representative List in 2009 and 2010.²⁴ A parallel Consultative Body was established in 2010 for evaluating nominations to the USL and RBP for requests for IA. This arrangement is questioned by many stakeholders (including representatives of SPs, experts and NGOs) who believe that nominations to both lists should be examined by one body only in order to ensure that the same standards are applied in the evaluation of nomination files. The fact that Subsidiary Body members are SP representatives also raises considerable discontent and concerns about possible conflicts of interest.
218. While some State Parties claim that Subsidiary Body members, while being appointed by Government, are ICH experts and not diplomats, this is not always the case. Indeed, even when ICH experts are appointed to the Subsidiary Body, they sometimes have to refrain from expressing their expert opinions in order to be in line with the political positions of their Government. The absence of clear rules regarding the participation of Subsidiary Body members in IGC meetings raises further questions, given that some Body members also represent their Governments to the IGC and take the floor during the sessions to support certain nominations. As a result of this many stakeholders question the integrity of the evaluation process to the RL.
219. The concerns mentioned above have already been the subject of several IGC debates. At its 5th session in Nairobi in 2010 the IGC created an open ended Intergovernmental working group to discuss possible measures to improve the treatment of nominations to the Representative

²⁴ Decision 3.COM.11, Third Session of the Intergovernmental Committee for the Safeguarding of Intangible Cultural Heritage, Istanbul, Turkey, 4-8 November 2008

- List.²⁵ In September 2011 it emerged that the majority tendency emerging from the consultations with State Parties was in favour of “entrusting the Consultative Body...with the examination of the nominations to the Representative List...in order to ensure independent consultative opinions and consistency in examining nominations to the Representative List and the Urgent Safeguarding List, for which three of five criteria for inscription are the same, while maintaining collegial working methods.”²⁶
220. After examining the report of the working group, at its 6th session in Bali in November 2011 the IGC in its Decision 6.COM 15 recommended that “the examination of nominations to the Representative List be carried out by the Consultative Body...so that it examines all files submitted during a cycle...”²⁷ During the same session of the IGC, the NGO Statement from Bali 2011 stated the following: “for reasons of efficiency and consistency of treatment, the examination of nominations to the Representative List be carried out by the Consultative Body.” Despite the recommendations mentioned above, at its 4th session in 2012, the General Assembly decided to keep both the Subsidiary and Consultative Bodies and to “re-examine the status of both the Subsidiary Body and the Consultative Body at its next session” (Resolution 4.GA. 5).
221. It should be noted that a number of representatives of State Parties interviewed for this evaluation are in favour of keeping the Subsidiary Body. However, in light of the arguments outlined above, having two separate bodies examining nominations to the various mechanisms of the 2003 Convention does not appear to be justified. Furthermore, even though the costs of the Subsidiary Body are largely covered by State Parties, the transaction costs of having two separate bodies are still considerable. Indeed, in the context of the current financial crisis, UNESCO and State Parties should be looking to streamline procedures and reduce costs rather than servicing multiple bodies.

Recommendation 11. Suspend the Subsidiary Body, so that all nominations are evaluated by one common and independent body.

5.2.3 Register of Best Safeguarding Practices

222. According to Article 18 of the 2003 Convention, the “Committee shall periodically select and promote national, subregional and regional programmes, projects and activities for the safeguarding of the heritage which it considers best reflect the principles and objectives of this Convention, taking into account the special needs of developing countries.” As a result, the Register of Best Safeguarding Practices (hereafter the RBP) was set up to encourage State Parties to submit examples of their best practices. To be selected for the RBP, programmes, projects or activities must satisfy nine criteria as specified in the Operational Directives (I.3).
223. To date the RBP contains only ten examples (nine are from seven countries and one was submitted by three). This has to do with the insufficient quality of projects submitted and/or the fact that some of them were not considered to be able to serve as models for others or to be applicable in a developing country context. Another factor that currently contributes to the low number of nominations has to do with the capacity constraints of the 2003 Convention Secretariat, as a result of which only one file per SP is treated in each round of nominations. The consequence of this is that the RBP is “competing” with other mechanisms, such as the

²⁵ State Parties were invited to comment on this issue and contributions were received from 37 of them.

²⁶ ITH/11/6.COM/CONF.206/15, Report of the open ended Intergovernmental working group on possible measures to improve the treatment of nominations to the Representative List by the Committee, its Subsidiary Body and the Secretariat, Sixth Session of the Intergovernmental Committee for the Safeguarding of Intangible Cultural Heritage, Bali, Indonesia, 22-29 November 2011

²⁷ Decisions of the Sixth Session of the Intergovernmental Committee for the Safeguarding of Intangible Cultural Heritage, Bali, Indonesia, 22-29 November 2011.

USL and RL and the International Assistance mechanism. Of all the mechanisms created under the 2003 Convention, it is the most underused and the least visible.

224. Despite the dissemination of the practices inscribed on the RBP via the UNESCO website and in publications, the present evaluation did not find that the examples inspired any safeguarding measures in other countries. Furthermore, not all the safeguarding practices inscribed on the RBP were considered by stakeholders to constitute “best practices.” While it is too early to come to a final conclusion about whether the RBP will indeed encourage others to adopt similar measures, what is clear is that it has not been effective so far. It should be reconsidered and complemented by other, more practical ways, of sharing experience.

Recommendation 12. Reconsider and complement the Register of Best Safeguarding Practices by developing alternate, lighter ways of sharing safeguarding experiences such as dedicated websites, e-newsletters, online forums, etc. (This recommendation is linked to Recommendation 19.)

5.2.4 International Assistance via the Fund for the Safeguarding of Intangible Cultural Heritage

225. To encourage international cooperation and assistance, the 2003 Convention established a “mechanism of assistance to State Parties in their efforts to safeguard the intangible cultural heritage” (2003 Convention, Article 19). According to the Convention’s Article 20, International Assistance (hereafter IA) may be granted for the following purposes:

- The safeguarding of the heritage inscribed on the USL;
- The preparation of inventories in the sense of Articles 11 and 12;
- Support for programmes, projects and activities carried out at the national, subregional and regional levels aimed at the safeguarding of ICH; and,
- Any other purpose the Committee may deem necessary.

226. According to the Operational Guidelines, IA requests greater than USD 25 000 are evaluated by the Consultative Body, whereas requests under this amount are evaluated by the Bureau of the IGC. Between 2009 and 2012, the IGC granted a total of USD 1 556 174 for 38 programmes/projects from 25 State Parties.²⁸ Just nine of these requests were for amounts greater than USD 25 000 ranging from USD 33 007 to USD 262 080 and most of these were for establishing ICH inventories on State Parties’ territories or for specific safeguarding projects. The remaining requests were for amounts ranging from USD 5 000 to just under USD 25 000. Seventeen of these were for preparatory assistance to the USL, ten for ICH inventories or for safeguarding projects and two for preparatory assistance to the RBP.

227. The majority of projects for which IA was granted are still underway and it is therefore difficult to draw conclusions on the results achieved. However, out of the seventeen approved requests for preparatory assistance to the USL, eight resulted in the following elements being inscribed on the USL:

- Kenya: Traditions and practices associated with the Kayas in the sacred forests of the Mijikenda (2009)
- Latvia: Suiti cultural space (2009)
- Mali: Secret society of the Kôredugaw, the rite of wisdom in Mali (2011)
- Mauritania: Moorish epic T’heydinn (2011)
- Mongolia: Mongol Biyelgee, Mongolian traditional folk dance (2009) and Mongol Tuuli, Mongolian epic (2009)

²⁸ Source: UNESCO website

- Viet Nam: Ca tru singing (2009) and Xoan singing of Phu Tho Province (2011)
228. Out of the nine requests for IA for amounts over USD 25 000, five projects were only just starting at the time of the present evaluation. Two others had submitted reports on the first phases of their progress:
- Belarus “Establishing of the National Inventory of the Intangible Cultural Heritage” (USD 133 600) (January 2012 – September 2013)²⁹: Detailed lists and descriptions of ICH elements were prepared, a national digital database was launched and an internet site is under elaboration. The project is expected to continue with the finalization of the inventory and the production of a catalogue on the country’s ICH as well as a DVD series.
 - Kenya “Traditions and practices associated with the Kayas in the sacred forests of the Mijikenda” (USD 126 580)³⁰, described in more detail in an [earlier part of this report](#).
229. Two other projects were completed in the Republic of Mauritius: “An inventory of elements of intangible heritage pertaining to the indenture experience in the Republic of Mauritius”, which is a detailed inventory of the ICH related to the Aapravasi Ghat (Immigration Depot) World Heritage Site, and a first ever overall ICH inventory at the national level.

Challenges of the International Assistance mechanism

230. In light of the many challenges SPs are facing in the implementation of the Convention, it is very unfortunate that the IA has so far not been solicited much to address these. There are several reasons for this. Currently, due to the capacity constraints of the Secretariat, only one file per SP is treated in each nomination cycle. SPs therefore must choose between submitting an element for nomination to one of the lists or to the RBP or requesting IA. For visibility reasons, many of them prefer to submit nominations to the RL and have therefore not applied for IA.
231. The NGO forum in Bali expressed concern on this issue in its final statement³¹: “If a ceiling is placed on the number of files to be treated every year by the Intergovernmental Committee and this ceiling includes International Assistance requests and Article 18 proposals for the identification of best safeguarding practices, this may disadvantage developing countries in applying for assistance and in nominating elements to the lists of the Convention. It may also reduce the possibility of sharing best practices under the Convention. We would therefore like International Assistance requests and Article 18 proposals to be excluded from the possible ceiling of files to be examined.”
232. Another possible reason for the small number of IA requests is that many State Parties do not have the human and financial resources to prepare elaborate project proposals. The 2012 report of the Consultative Body on the Examination of IA requests greater than USD 25 000 explains why only a small number of IA requests was approved. The Body found that most proposals were either not consistent enough, did not have rigorous and transparent budgets, or did not pay particular attention to the proposed methodologies.
233. Building State Parties’ capacities for the implementation of the 2003 Convention is an urgent priority and the IA mechanism can play an important role in this. IA requests should therefore not be required to compete with nominations to the Convention’s other mechanisms. They should be examined as a priority.

²⁹ Project Report “Establishing of the national inventory of intangible cultural heritage”, January 1, 2012 – October 30, 2012, Contract between UNESCO and the Institute for Culture of Belarus

³⁰ Report on the implementation of the project “Traditions and practices associated with the Kayas in the sacred forests of the Mijikenda”, Department of Culture, Ministry of State for National Heritage and Culture in Partnership with National Museums of Kenya through its Coastal Forest Conservation Unit in Kilifi, received in February 2013

³¹ NGO Statement, ICH Intergovernmental Committee Session 6 COM, Bali, 22 November 2011

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| <p>Recommendation 13. Give priority to International Assistance requests within the ceiling of files to the Convention's mechanisms.</p> <p>Recommendation 14. Promote International Assistance as a capacity building mechanism for State Parties.</p> |
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234. The overall conclusion regarding the international mechanisms is that while the Representative List has contributed to increasing the visibility of the Convention and to raising awareness about ICH, its relative importance is overrated. Other mechanisms, such as the List of ICH in Need of Urgent Safeguarding, the Register of Best Safeguarding Practices and the International Assistance are under-utilised. A more even balance needs to be found between these mechanisms.

Chapter 6 Links, partnerships and knowledge management

6.1 UNESCO culture conventions and other international legal instruments

235. UNESCO currently administers six conventions in the field of culture and the 2003 Convention is closely inter-related with two of them: the 1972 Convention concerning the Protection of the World Cultural and Natural Heritage (hereafter the 1972 Convention) and the 2005 Convention on the Protection and Promotion of the Diversity of Cultural Expressions (hereafter the 2005 Convention).
236. Without doubt, the 2003 Convention was heavily influenced by and learned from the experience of the 1972 Convention. And it seems that in recent years some of the work related to the 2003 Convention has in turn inspired the 1972 Convention. Indeed, participants in the Chengdu conference discussed how ICH concepts and orientations may have influenced the practices of tangible heritage protection, especially in the areas of sustainable development and with regard to the role of local communities.
237. These two Conventions are also closely related in practice, given that communities living near or on many cultural and natural world heritage sites practice ICH elements that are associated with these sites. This also applies to some of the ICH elements inscribed on the RL or USL. One example that was given earlier in this report is the Traditions and Practices associated with the Kayas in the sacred forest of the Mijikenda, Kenya, which were inscribed on the USL, while the Sacred Mijikenda Kaya Forests are also inscribed as a Cultural Landscape on the World Heritage List.
238. The 2005 Convention focuses on contemporary cultural expressions, which usually, but not always, represent new creations. Its aim is, inter alia, to contribute to sustainable development by ensuring people's rights to produce, disseminate, access and enjoy cultural expressions, and by promoting the production and dissemination of cultural goods and services through cultural industries. Often, however, intangible heritage that has been transmitted from generation to generation (such as for instance ICH manifested in the domains of oral traditions and expressions, performing arts, rituals and festive events, and traditional craftsmanship), forms the basis of the cultural goods and services produced and distributed by cultural industries. For many communities this constitutes an important source of income and addition to their livelihood, and may well motivate communities to safeguard their ICH. Examples of this relationship are provided in an earlier chapter of this report, where mention is also made of the potential dangers of the commercialization of ICH.
239. These close linkages between the three Conventions create both opportunities and challenges for stakeholders involved in policy and legislation development and implementation of the Conventions. On one hand, the potential exists to create synergies between the work related to these Conventions, while on the other hand, understanding this potential and putting the required coordination and cooperation mechanisms in place is no small matter. Each Convention has its own group of constituencies, which sometimes overlaps and sometimes does not overlap with that of the others, and this can make any concrete cooperation a challenging task. In addition, the way in which programmes and interventions are structured (and budgeted) does not always support inter-conventional cooperation.
240. Working across Convention boundaries also requires a high degree of understanding of the concepts, objectives as well as of the implementation challenges of the other Conventions and partnership arrangements that facilitate such cross-conventional linkages. Some of the related challenges were also mentioned in an [earlier chapter](#) of this report dedicated to ICH and sustainable development. Opportunities and challenges exist both at the level of State Parties and at the level of UNESCO, where the organisational set-up and the specific working methods

of each Convention, including the way how technical assistance and capacity building are provided and how programmes/projects are managed and funded, do not easily lend themselves to cross-conventional cooperation.

241. However, while no overall cross-conventional programme exists so far at the level of UNESCO's Convention Secretariats, closer linkages between the Conventions have been established in the daily work of the Field Offices. This is also facilitated by the fact that individual UNESCO culture officers in the field usually have to deal with all culture conventions and cooperate with all the various Convention counterparts of the country they are serving. This also applies to many of the National Commissions for UNESCO. There are also precedents of cross-conventional cooperation beyond the Organisation, for example between the Secretariat of the 1972 Convention and that of the 1992 UN Convention on Biological Diversity.
242. The 2003 Convention Secretariat has taken a number of steps over the past couple of years to point out and sensitise stakeholders about the linkages between the 2003 Convention, the 1972 and 2005 Conventions, and other international legal instruments such as the 1992 UN Convention on Biological Diversity and the 2007 UN Declaration on the Rights of Indigenous Peoples. This was done, for instance, in the context of the 2003 Convention Capacity Building Programme and as part of presentations made by members of the Secretariat in the context of international meetings and conference. An entire session of the Chengdu Conference (June 2013) was dedicated to the exploration of the linkages between world heritage, cultural goods and services, and intellectual property.³²
243. In practice, however, many opportunities for linkages and synergies between the three UNESCO culture conventions have not been seized, both at the level of UNESCO and by State Parties. For the reasons mentioned above (capacities, coordination mechanisms, information exchange), this is an area of collaboration that is perceived to be challenging. On the other hand, many entry points for bringing the Conventions closer together do exist. These are a few examples:
 - Work on culture and sustainable development at international, national, local level
 - Policy/legislation development (culture-related and of other sectors)
 - Implementation of programmes that link Conventions (e.g., ICH safeguarding with the promotion of cultural industries; ICH safeguarding with the protection of the tangible heritage it is associated with; ICH safeguarding around World Heritage sites, etc.)
244. Some of the exploration about potential areas of cooperation and synergies could be done by thematic cross-conventional working groups that involve a variety of stakeholders and have a time-bound specific mandate. This should be accompanied by increased efforts to share knowledge and information about successful examples of already existing inter-conventional collaboration and linkages.
245. The following project constitutes an interesting example of how the implementation of the 2003 Convention is linked with that of the 2005 Convention.

Box 12. Creating a cultural industry around balafons - Côte d'Ivoire

The project promotes the creation of a balafon cultural industry in Côte d'Ivoire. It focuses on the development of professional skills linked to this popular musical instrument by offering training programmes on the design, fabrication, performance and commercialization of traditional xylophones and modern diatonic and chromatic balafons. While playing balafons is generally

³² UNESCO's Culture Sector is working on communication and coordination between Convention Secretariats, such as through the Convention Coordination Group, especially with regard to the Conventions' working methods. The IOS Audit of the Convention working methods (2013) should further contribute to this endeavour.

practiced by men, the project encourages the involvement of women in the balafon cultural industry. The project is being implemented by Groupe Ba Banga Nyeck, an Ivorian non-governmental organization committed to the promotion and professionalization of balafon practices. It works in close partnership with the Ivorian Ministry of Culture and the Francophonie of Côte d'Ivoire. The project received funding from the 2005 Convention's International Fund for Cultural Diversity (IFCD) in its 2012 funding cycle.

246. The World Intellectual Property Organisation (WIPO) is another important organisation to whose work the 2003 Convention is closely linked. The WIPO Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore has for over ten years been conducting discussions with WIPO Member States about the development of an international standard-setting instrument that would protect the intellectual property rights of communities over, inter alia, their traditional knowledge, cultural practices and expressions, most of which constitute ICH as defined by the 2003 Convention. After years of consultation it is likely that such a standard-setting instrument will be drafted in the not so distant future.
247. Even though the 2003 Convention does not establish any IP of ICH, it is clearly stated (Art 3(b)) that nothing in the Convention may be interpreted as "affecting the rights and obligations of State Parties deriving from any international instrument relating to intellectual property rights or to the use of biological and ecological resources to which they are parties", and the Operational Guidelines (IV.1.2. paragraph 104.) encourage SPs "to ensure, in particular through the application of intellectual property rights, privacy rights and any other appropriate form of legal protection, that the rights of the communities, groups and individuals that create, bear and transmit their intangible cultural heritage are duly protected when raising awareness about their heritage or engaging in commercial activities."
248. The establishment of such an international standard-setting instrument raises many questions related, for instance, to whom to consider a member of a community, who could assume IP rights, the distribution of IP benefits, the safeguarding of secret/sacred ICH and the access to traditional knowledge.³³ WIPO would like UNESCO's ICH experts to be more involved in the debates around the new standard-setting instrument. In fact, UNESCO's contribution and expertise are considered to be very important in this context, given the urgency and the critical issues at stake.
249. From a UNESCO perspective, the discussion led by WIPO might also create an opportunity for UNESCO to clarify to State Parties of the 2003 Convention (who to a large extent are also Member States of WIPO) how the 2003 Convention "deals" or rather does not "deal" with the issue of IP rights. It became apparent during the present evaluation exercise, not only that the question of if and how ICH can be protected by the international and national IP system is regarded by many stakeholders as a very important one, but also that it is often wrongly assumed that inscription of an element on the USL or RL of the 2003 Convention established a kind of IP right.
250. It is obvious that thematic linkages also exist between UNESCO's work on the 2003 Convention, especially as it relates to sustainable development, with what UNESCO is doing in other sectors. Examples of this are, for instance, the Education Sector's programme on education and sustainable development, or the Natural Sciences Sector's work with indigenous peoples. The latter has, for instance, through its LINKS Programme supported inventorying of indigenous knowledge and practices, such as on the interdependence between people and

³³ Important relevant international laws include the 1992 CBD and the Nagoya Protocol, the TRIPS Agreement of WTO and the FAO's work on food security. Various regional agreements also exist, for instance the Legal Instrument for the Protection of Traditional Knowledge and Expressions of Folklore (2007) of the African Regional Intellectual Property Organisation (ARIPO) and the Swakopmund Protocol on the Protection of Traditional Knowledge and Expressions of Folklore (2010).

nature and on navigation and fishing techniques. A UNESCO policy for indigenous peoples is currently being developed with the participation of several sectors, including CLT's 2003 Convention Secretariat.

Recommendation 15.	Strengthen UNESCO's cooperation with WIPO over traditional knowledge and culture to ensure an ongoing exchange and learning between the two organisations and their Member States, especially in the context of WIPO's current discussions about a new international standard-setting instrument for the protection of the intellectual property rights of communities.
Recommendation 16.	Create opportunities for joint thinking, exchange of experiences, cooperation and synergies between UNESCO's culture conventions of 1972, 2003 and 2005 and establish appropriate mechanisms for this.

6.2 Partnerships with non-Governmental organisations

251. Regarding the cooperation with non-Governmental organizations (hereafter NGOs) a distinction needs to be made between the cooperation with NGOs at the national level, and the cooperation with NGOs at the international level in their capacity as advisory bodies to the IGC. Chapter 6.2.1. below deals with the former, while 6.2.2. is dedicated to the latter.

6.2.1 Partnerships with non-Governmental organisations at the national level

252. The 2003 Convention encourages State Parties to work with "communities, groups and relevant non-Governmental organisations" in its inventorying efforts (Article 11(b)). The Operational Directives further emphasise the role of NGOs by specifying that NGOs shall participate at the national level "...in identifying and defining intangible cultural heritage and in other appropriate safeguarding measures...". (Article 90)

253. As discussed in previous chapters, many State Parties are facing multiple challenges in implementing the 2003 Convention, one of them related to the involvement of communities in safeguarding measures, another to the consultation and involvement of communities in the development of policies, legislation and safeguarding plans. NGOs can play an important role in this as the mediators and "bridges" between various actors. Many specialized NGOs not only have an excellent understanding of the Convention and relevant expertise, but are also connected to both local communities and Government. Their ability to link up the two should therefore not be underestimated.

254. The present evaluation found that some NGOs have indeed played an important role in the implementation of the Convention at local and national levels. Specific actions by NGOs have included:

- Explaining the Convention and its principles to communities;
- Conducting research projects on ICH;
- Conducting inventories of ICH in communities;
- Participating in the preparation of nomination files to the Convention's Lists;
- Engaging in safeguarding activities such as research, the organisation of workshops, festivals, capacity building;
- Defending the specific interests of local communities in the face of Governmental authorities;
- Acting as the legal representatives of local communities in contracts with Governmental bodies, and
- Providing advice to Governments and Governmental bodies.

255. However, the evaluation also established that the Convention's consideration of the potential role of NGOs at national level has been rather limited. Indeed, the main entry point for NGOs is at the international level through the provision of an accreditation status to a select number of organisations by the IGC. The advantages and shortcomings of accreditation are discussed in the section below.

6.2.2 Partnerships with accredited non-Governmental organisations at the international level (advisory function to the IGC)

256. The Convention encourages the participation of NGOs in its implementation by allowing them to apply for accreditation status in view of acting in an advisory capacity to the Committee (Article 9.1). According to the Operational Guidelines (Article 96), accredited non-Governmental organisations may be called upon to advise the IGC on:

- the nomination of files for the List of Intangible Cultural Heritage in Need of Urgent Safeguarding;
- the programmes, projects and activities mentioned in Article 18 of the Convention;
- requests for International Assistance; and
- the effects of safeguarding plans for elements inscribed on the List of Intangible Cultural Heritage in Need of Urgent Safeguarding.

257. NGOs that wish to request accreditation status are required to submit formal requests to the IGC and to demonstrate that their activities are in the field of safeguarding ICH. To date, 156 NGOs have been accredited to provide advisory services to the IGC. Their geographical representation, however, is quite uneven, with only two NGOs from the Arab region. Since the creation of the Consultative Body, six representatives of accredited NGOs have been participating in the evaluation of nominations to the USL, the RBP and of IA requests.

258. To further encourage the participation of NGOs, UNESCO facilitates an NGO forum, which usually takes place the day before the start of the meeting of the IGC. Three such forums have taken place so far (in Nairobi in 2010, in Bali in 2011, and in Paris in 2012)³⁴. Accredited NGOs were encouraged to send representatives to the forums, and UNESCO provided financial assistance for the participation of one representative from each NGO from a least developed country. The forums discussed the contribution of NGOs to the safeguarding of ICH at the national level and the nature of their advisory services to the Committee. The forums in Bali and Paris resulted in the release of NGO Statements.

259. Interviews with representatives of NGOs and the survey of accredited NGOs revealed that accreditation status has brought many benefits to their work. UNESCO's name carries prestige and provides the organisations with an international status. The opportunity to interact with others working in the ICH field at the NGO forum, the online portal set up for NGOs, and other informal mechanisms have enabled accredited organisations to learn about what others are doing and be kept informed on latest developments in ICH.

260. The evaluation also found, however, that many NGOs feel that their accreditation status is not taken seriously by the IGC as the NGO forum Statement and individual contributions of NGOs and other observers are often not sufficiently considered during the debates and therefore do not have much effect on decisions taken by the IGC.

261. One of the reasons for why NGOs' views are not taken into consideration by the IGC seems to have to do with the accreditation criteria. Indeed, a number of stakeholders indicated that the

³⁴ A common statement was produced by NGOs already in Abu Dhabi (2009), and subsequently in Nairobi (2010), Bali (2011) and Paris (2012).

current criteria for the accreditation of NGOs were not stringent enough. This has led to the rapid approval of many organisations that are not playing a very active role in the implementation of the Convention. In order for NGOs to be perceived as serious partners in national and international safeguarding efforts as well as for the Convention’s mechanisms, their selection process and criteria need to be reviewed. Such a revision process should include a variety of stakeholders, including the NGOs themselves. The last NGO forum also indicated that NGOs wish to be “active participants in any possible revision of criteria for accreditation.”³⁵

262. Interviews with representatives of accredited NGOs also show that many of them would like to play a bigger role in the implementation of the Convention, such as for example in following up on safeguarding measures for elements inscribed on the USL. The Statement from the Paris NGO forum also contains a number of recommendations that support NGOs’ more active involvement. The group affirmed that “the role of accredited NGOs as stakeholders in the implementation of the Convention goes beyond the limited opportunities to act in an advisory capacity to the Committee.”³⁶ The forum even recommended that accredited NGOs be required to submit periodic reports in addition to those of State Parties. Such a mechanism might indeed be an effective complementary way to monitor the implementation of the convention.

Recommendation 17.	Encourage representatives of accredited NGOs to participate in IGC debates prior to voting on agenda items and include the outcomes of the NGO forums (such as the NGO Statements) in the Committee agendas.
Recommendation 18.	Revise the accreditation process and criteria for NGOs to ensure that all accredited NGOs have the required experience and capacity to provide advisory services to the Committee.

6.3 Other partnerships

263. Here again, one needs to distinguish between partnerships at the national and partnerships at the international level. At the national level, numerous different forms of partnerships exist, depending on the specific context. As many examples provided in this report demonstrate, implementation of the Convention at the national level would be impossible without the cooperation between stakeholders from Government (central, provincial and local level), communities, NGOs and cultural heritage institutions, academia, the media and others.
264. Cooperation with National Commissions is also important in some countries. In Mongolia, for instance, the National Commission cooperates closely with the UNESCO Office in Beijing and coordinates the UNESCO-funded activities related to the 2003 Convention (and others) in the country. The analysis of the Periodic Reports shows that National Commissions also play a role in other countries, such as in Cyprus or Kyrgyzstan. In Cyprus and Latvia, for instance, the National Commission worked with ASPnet on ICH in schools. What is notable, however, is how few examples are to be found of such partnerships by the National Commissions on the national level and this is an area that may well require development in the future.³⁷ Overall, National Commissions for UNESCO appear to have been more involved in implementation than in policy-setting.

³⁵ NGO Statement ICH 7.COM, Paris, 6 December 2012

³⁶ *Idem.*

³⁷ More general information on National Commissions and their cooperation with the UNESCO Secretariat can be found in the 2011 IOS report on the Review of the Cooperation of UNESCO’s Secretariat with the National Commissions for UNESCO <http://unesdoc.unesco.org/images/0021/002151/215104e.pdf>.

265. One area that is very little considered is that of public/private partnerships. The role of the private sector is ill-defined and there has so far not been any real discussion of the role of public/private partnerships in ICH management and safeguarding. Periodic Reports of only a few State Parties (such as Turkey and Latvia) mention cooperation with the private sector. This is an area in which a national and UNESCO-level debate should be encouraged in order for the role of the private sector to be better defined. This also ties in with the linkages between the 2005 Convention and the 2003 Convention (discussed above) and the need for much greater consideration by UNESCO and the IGC to be given to how the potential synergies between the two treaties can be better utilised by Parties of both.
266. Internationally, interesting examples of bilateral and (sub-)regional forms of cooperation exist. The South East Europe (SEE) ICH Experts Network, for instance, is appreciated by many stakeholders as an effective body for international cooperation (sharing of information and experience and joint initiatives among State Parties). It appears from the last SEE Network meeting on “New strategies for sustainable development, tourism and partnerships” held in Sofia, Bulgaria, in May 2013, that revising and adapting cultural heritage national legal frameworks (including laws and by-laws) in order to align them better with the objectives of the 2003 Convention, and developing ICH-specific policies (to enhance the role of ICH in fostering sustainable development, and the safeguarding of ICH through revenues from heritage-related income generating activities, e.g. tourism, etc.) are priorities for the countries of this region.
267. Baltic countries are engaged in multinational activities that contribute to the safeguarding of the Baltic Song and Dance Celebrations (an element inscribed on the RL following a multinational nomination by Estonia, Latvia and Lithuania). These activities, which are coordinated by the Baltic Coordinating Committee on the Song and Dance Celebration Tradition in the framework of a 10-year action plan, include international conferences and other activities.
268. Many other examples of (sub-)regional cooperation exist, such as for instance between ASEAN Member States, in the context of EU funded programmes related to ICH, or between some of the National Commissions, such as the Turkish and Bulgarian Commissions, and the Latvian National Commission and others with ICH as an international cooperation priority. International / bilateral cooperation is often also a result of the preparation of multinational nomination files for submission to the RL. (This was mentioned in an earlier chapter.)
269. MedLiHer (Mediterranean Living Heritage; 2009 - 2013) is an interesting EU funded initiative in the Arab Region that was implemented through UNESCO in partnership with Egyptian, Lebanese, Syrian (later suspended due to the political situation) and Jordan stakeholders, National Commissions for UNESCO and the French NGO Maison des Cultures du Monde. Its purpose was to build capacities of communities and Government institutions for the implementation of the Convention through specific safeguarding projects, and to improve regional cooperation and sharing of experience. The 2012 project evaluation concluded that the MedLiHer project had been of high relevance to the UNESCO commitment to roll out the safeguarding standards of the ICH Convention of 2003 in a part of the world where significant parts of intangible heritage are increasingly under threat, in some cases subject to being instrumentalised, or simply neglected. The regional approach had been important for learning processes linking Mediterranean partner countries with each other.
270. Category 2 centres (for ICH) may also be an important source of regional cooperation and networking. Currently six centres exclusively dedicated to ICH exist world-wide and work with State Parties in their specific region. It was beyond the scope of the present evaluation exercise to establish the contribution of these centres to the implementation of the Convention and to the achievement of the goals and objectives of UNESCO. While some of the Centres are certainly very active, concerns with regard to their alignment with UNESCO’s

mission and the coordination among themselves and with the work of the organisation were raised by many stakeholders. These are issues that were recently discussed at a meeting of ICH category 2 centres and UNESCO in Bulgaria (July 2013), which ended with a few important conclusions, including the need for category 2 centres to better coordinate their work with UNESCO and to use approaches that are in line with those of UNESCO and the 2003 Convention, to improve governance mechanisms of the centres, to increase communication between themselves and with UNESCO, and to adopt an RBM approach including reporting on C/5 expected results achieved. It was furthermore agreed to develop a strategy for the category 2 centres for the period 2014 – 2021, with the purpose of improving synergies between the work of the centres and of UNESCO as well as the centres' effectiveness and impact.

271. Last but not least, the partnership of UNESCO's 2003 Convention Secretariat with the members of the IGC, with all SPs and with the many other stakeholders involved is at the core of the standard-setting work related to this Convention. Its work is considered to be of high quality. Overall its services are much appreciated by State Parties, who find the Secretariat to be professional, efficient and responsive. As alluded to in earlier chapters of this report, the Secretariat lacks resources, which has put constraints on the number of nominations and proposals processed and on other activities.

Recommendation 19. Encourage a debate on the role of the private sector and of private/public partnerships in safeguarding ICH at all levels (national, regional and international) in order to better define its potential for cooperation and involvement.

6.4 Knowledge management

272. UNESCO's Knowledge Management and Information and Communication Technology Strategy (2012 – 2017) defines knowledge management (KM) as "a set of principles, policies and practices through which an organisation consciously and comprehensively gathers, organises, shares, and analyses its knowledge—in terms of insights, experiences and skills—perceived as a strategic resource." Its ultimate goal is to contribute to organisational learning, which in turn generates new knowledge that can then feed into the overall KM system. This shows that KM goes far beyond information sharing or sharing of best practices. Managing knowledge can be quite a challenging activity that requires time, expertise and financial resources.
273. KM in the context of a Convention is yet a much more demanding task still, since it is supposed to facilitate learning across countries and different types of stakeholders, and even across Conventions. As this report has shown, a lot has been achieved in terms of the implementation of the 2003 Convention, but many challenges still exist and need to be addressed. Through all these experiences, both good and bad, knowledge has been generated that could, if properly organised and shared, provide input in and a valuable source of inspiration for other activities undertaken by other stakeholders.
274. The importance of sharing of information and experience through networking, international/regional/national/local cooperation between the various constituencies, web-based tools and other mechanisms, has been pointed out again and again by stakeholders consulted during this evaluation exercise. In fact, there seems to be a real hunger for sharing, learning from each other, for developing new ways of working together and best practices are in high demand.
275. At the national level KM and information sharing mechanisms exist in some countries with varying degrees of comprehensiveness, while in many others this is an area that is completely under-served. At the international level, the 2003 Convention Secretariat and UNESCO Field

Offices have publications about the Convention, and the Secretariat has several databases and a very well developed website and other online resources through which information is shared with State Parties and the public and that allow State Parties to interact on specific matters. Among the international mechanisms established by the Convention, the Register of Best Safeguarding Practices has been the primary mechanism for sharing best practices. As pointed out in an earlier chapter of this report and for the reasons given, the Register has not proven to be an effective instrument. Overall, the current demand for the exchange of knowledge, experience and guidance seems greatly to exceed the supply.

276. This is certainly an area where more efforts and different approaches are needed. One of the issues to consider here is whether the exchange of “best” practices is the most effective way of sharing experience and generating learning. First of all, as the experience with the Register has shown, projects submitted by State Parties rarely ever fulfil all the criteria to qualify as “best” as stipulated in the Operational Guidelines (I.I.3.). Second, what might work “best” in one context, rarely works best in another. And even initiatives that did not work “best” can still provide an inspiration to others as long as the experience is analysed and lessons are drawn (and shared) about the reasons of its success or failure.
277. Overall, given the high demand for the exchange of knowledge and information on one hand, and the wealth of experience that is currently being generated world-wide with regard to all aspects of the standard-setting work related to this Convention on the other, consideration should be given to a different approach to sharing of experiences that is much lighter (than through the Register), less formal, interactive and could be pursued through various media including the website and social media, such as Facebook, Twitter and others.
278. The idea would not be to share “best” practices but rather to share interesting and innovative examples of working on the Convention. The thematic areas covered could also be expanded to include not only safeguarding of ICH, but also policy/legislation development, working on ICH and sustainable development, innovative partnerships, etc. The development of this new approach would require some thinking, preparation and resources, but it would certainly be worth it.
279. The 2005 Convention’s Secretariat has started a number of initiatives related to the International Fund for Cultural Diversity that go in the direction of what is being proposed here. They might provide a good source of inspiration.

Box 13. Communicating success stories of the 2005 Convention’s International Fund for Cultural Diversity (IFCD)

The International Fund for Cultural Diversity (IFCD), established under UNESCO’s 2005 Convention on the Protection and Promotion of the Diversity of Cultural Expressions, recently launched a communication campaign to raise awareness of the impact of its funded projects. The IFCD Secretariat regularly sends out an e-newsletter on project success stories and has created a dedicated web space³⁸ on the projects’ results. The featured stories describe the projects’ goals, achievements, challenges and impact along with colourful photos and testimonials. The result is very inspiring indeed!

Recommendation 20. Strengthen informal sharing of interesting and innovative examples on working on the Convention, including about ICH safeguarding, development of policy and legislation, ICH and sustainable development, innovative partnerships and others.

³⁸ <http://www.unesco.org/new/en/culture/themes/cultural-diversity/diversity-of-cultural-expressions/international-fund/>

Chapter 7 Monitoring the implementation of the Convention

280. State Parties are required to report periodically to the Convention's Intergovernmental Committee on the legislative, regulatory, and other measures taken for the implementation of the Convention at the national and the bilateral, regional and international level. They are expected also to provide information on the current status of all elements of ICH that have been inscribed on the RL, as well as on the institutional context for the elements inscribed and on any impacts of their inscription. Reports on the status of elements inscribed on the USL are to be submitted on a four-yearly basis. All reports are to be prepared with the widest possible participation of the communities, groups, and individuals concerned.
281. These Periodic Reports of SPs constitute the Convention's major international mechanism for monitoring its implementation. They contain a wealth of information, which is summarized by the Secretariat, presented to the Committee and made available to all SPs for information. Once examined by the Committee, they are also made available to the public.
282. All the Periodic Reports submitted so far have been studied as part of this evaluation exercise. The data presented therein was found to be highly informative. They demonstrate SPs' commitment to take their responsibilities with regard to the implementation of the Convention seriously, and show once more how the success of the Convention hinges on the effectiveness of the partnerships between all the various stakeholders involved. The Periodic Reports themselves also constitute an additional national safeguarding measure, as they require SPs to take stock of the overall state of implementation, which can only really be done with the involvement of all concerned stakeholders.
283. The analysis of the Periodic Reports also revealed, however, that for the purpose of monitoring the implementation of the Convention globally, the Reports alone do not provide all the information that is required. This has to do with several factors.
284. First of all, the information presented in the Reports is not necessarily presented in a results-oriented way. Most of the Reports focus on activities undertaken rather than on results (outputs and outcomes) achieved. This partly has to do with how the questions contained in the reports are formulated. For instance, SPs are asked to report on measures undertaken, which naturally leads them to report on activities. No questions are included about the actual results achieved as a consequence of the measures undertaken. This is a shortcoming of the reporting format that could easily be remedied.
285. Second, a number of important questions are currently missing in the reporting format. For instance, there is no specific question on policy/legislation development related to ICH, although the Convention (Art. 13) urges SPs to adopt a general policy aimed at promoting the function of the ICH in society, and the Operational Guidelines (IV.1.2) encourage SPs to, inter alia, promote policies for the public recognition of bearers and practitioners of ICH and to develop policies to recognise the contribution of the manifestations of the ICH present in their territories to the cultural diversity and wealth of the States. The latter part relates to the relationship between ICH and sustainable development. The reporting format also does not require SPs to provide any information on if/how gender concerns are being dealt with in policy development and safeguarding. These are also shortcomings of the reporting format that could be easily remedied.
286. Thirdly and most importantly, capturing and reporting on results (outputs and outcomes) is only possible if it is clear what results are to be achieved. This is not the case right now. While some SPs have national, provincial or local monitoring and evaluation frameworks for their ICH safeguarding work (see more on this below), no overall results framework at the level of the Convention exists. Drawing conclusions about the progress made with regard to the

- implementation of the Convention is difficult in the absence of objectives, indicators and benchmarks.
287. For instance, does the fact that XX number of SPs report on the development of a policy and legal framework mean that significant progress has been made, some progress, or little progress? Without any specific benchmark, no final conclusion is possible. Or does the fact that XX number of SPs have involved communities in the establishment of inventories mean that overall communities are very involved, sufficiently involved, not involved enough etc.? This, of course, also applies to all the other activities that SPs are expected to take.
 288. The evaluation therefore encourages the development of an overall results framework for the 2003 Convention (with objectives, time-frames, quantitative and qualitative indicators, and benchmarks). Pending discussion, the draft Convention Theory of Change presented in chapter 1.3. could serve as a basis for the results framework.
 289. A first step towards improved monitoring of results has already been made with the formulation of indicators and benchmarks included in the draft 37C/5 Programme and Budget, which is currently being discussed by Member States. It will be important to ensure that the overall Convention results framework is aligned with the C/5 (and vice versa).
 290. Another important initiative to pay attention to in this context is the development of the Culture for Development Indicator Suite. The Suite comprises a set of indicators that aim to demonstrate how culture contributes to development. It addresses seven inter-related policy dimensions of culture and development. Not all these policy dimensions are relevant to the 2003 Convention. It would, however, be worth exploring if some of the indicators could play a role in any future results framework. Although the primary purpose of ICH safeguarding is not an economic development one, demonstrating the economic impact of commercial activities related to ICH, for instance as they relate to tourism or to the trade in cultural goods and services, would be an important part of SPs' larger ambition to demonstrate results.
 291. Fourth, Periodic Reports are submitted by SPs and therefore primarily present the Government's perspective, even though SPs are asked to involve communities, groups and concerned individuals in the reporting. This is not necessarily a shortcoming of the Periodic Reporting system, after all the Convention is an inter-Governmental mechanism and it is ratified by Government and not by communities or groups. However, given that communities, NGOs, and many other stakeholders play a key role in the implementation of this Convention, no overall monitoring and follow up would be complete without also taking their views into account. This could be done by allowing NGOs to provide feedback on SPs' Periodic Reports during the meetings of the IGC and/or by inviting NGOs to submit comments on the Periodic Reports in writing, which the Secretariat could then make available to the IGC.³⁹
 292. Monitoring of the implementation of the Convention at the national level is done in many different ways. A number of State Parties have put in place national systems to monitor the implementation of national ICH safeguarding plans. Even though the major monitoring responsibility is with Government at the national, provincial and local level, many other stakeholders including academia, NGOs and communities are involved. This is the case in Uzbekistan that reports having established a monitoring and evaluation mechanism for the implementation of the state programme on ICH safeguarding, including time-frames expected results, and indicators.

³⁹ Other organizations also have practices that allow for NGO contribution to the reporting process. One is the Universal Periodic Review (UPR) process of the Human Rights Council (HRC), where two reports are submitted by each country under review in the UPR, one from Government and one from the NGO/CSO community, and then the HRC produces a summary report that relies on both.

293. In other countries, the Government brings together stakeholders as part of its overall monitoring efforts to jointly take stock of the implementation of the Convention. Spain, for instance, organised a national meeting of organisations and experts from the autonomous regions this year (I Encuentro de Gestores del Patrimonio Cultural Inmaterial de la Humanidad; June 2013). The purpose of the meeting was to facilitate a dialogue and exchange of experience between Government and civil society stakeholders involved in the implementation of the Convention. In the Flanders region in Belgium, the Government follows up annually with all the organisations that are part of the Flemish network of ICH-related expertise (already presented in an [earlier chapter of this report](#)) and that receive funding from the Government. This is complemented by an open internet platform that serves as a transparent communication tool about ICH safeguarding. The platform is open to all stakeholders. Monitoring of the safeguarding of elements included in the Flemish Inventory on ICH is based on information provided on the platform. Additional advice is provided by an expert commission. It is interesting to note that the preparation of Belgium's Periodic Report to UNESCO was accompanied by an evaluation of the tools and approaches used in safeguarding and the state of the elements inscribed on the RL.
294. For lack of data and information, it was not possible for this evaluation to come to any representative and comprehensive conclusion regarding the monitoring mechanisms existing at the national level. Periodic Reports do not provide much information on this, nor did the surveys circulated to Government and NGOs. The overall picture is patchy. However, what has become apparent is that in many State Parties no overall monitoring and follow-up mechanism on the implementation of the Convention exists. The compilation of the Periodic Report often creates the first opportunity for the responsible Government institution to learn about how the various stakeholders are engaged in the implementation of the Convention.
295. In some cases Governments focus their monitoring efforts almost exclusively on the ICH elements inscribed on the RL and USL; in others, elements that are part of the national inventory are included. This does not always seem to be the case, though. In many countries, monitoring is a divided responsibility of many different stakeholders who are each in charge of following-up on the implementation of the specific project or activity they are individually responsible for. Reports are then submitted to the respective funding agencies. This has the disadvantage that no central coordinating body has an overview of all that is being done to implement the Convention, nor does it allow for the identification of safeguarding gaps and challenges that need to be addressed.

Recommendation 21.	Revise the periodic reporting form to include specific questions on policy, legislation and gender, and to ensure that the reports focus on results rather than on activities.
Recommendation 22.	Develop an overall results framework for the Convention, linked to a Convention Theory of Change and including clear objectives, time-frames, indicators and benchmarks.
Recommendation 23.	Complement the data gathered on the implementation of the Convention through Periodic Reports submitted by State Parties with information provided by NGOs.
Recommendation 24.	Strengthen monitoring and evaluation of the implementation of the Convention at the national level.

Chapter 8 Overall conclusion and summary list of recommendations

296. The 2003 Convention has created a lot of enthusiasm both internationally and nationally in many countries. It is considered to be a highly relevant international legal instrument, which is, *inter alia*, demonstrated by an exceptionally high number of ratifications. This view is shared by many, including not only State Parties but also other stakeholders involved in culture such as NGOs and communities. The Convention has significantly broadened the international discourse about the definition and meaning of cultural heritage. Thanks to the Convention, ICH is today recognized as a valuable and integral part of people's cultural heritage, putting communities at centre stage.
297. Progress has been made in the implementation of the Convention both at the level of policy/legislative development and with regard to the implementation of safeguarding measures. Considerable challenges exist in both areas that need to be addressed. UNESCO has put in place an extensive worldwide capacity building programme with a network of qualified experts. This programme is important as it strengthens national capacities to deal with these challenges. It needs to be continuously adapted to emerging needs and to the evolving context.
298. While the Representative List has contributed to increasing the visibility of the Convention and to raising awareness about ICH, its relative importance is overrated. Other mechanisms, such as the List of ICH in Need of Urgent Safeguarding, the Register of Best Safeguarding Practices and the International Assistance are under-utilized.
299. Areas that should be given increased attention in the future include strengthening community participation in safeguarding; providing entry points for NGO contribution nationally and internationally; establishing the link between ICH and sustainable development; gender and ICH; knowledge management and inter-conventional cooperation. Reaching an overall conclusion about results achieved in terms of ICH that has been safeguarded is difficult, since the Convention lacks a Theory of Change and corresponding results framework with objectives, indicators and benchmarks, and a results-oriented monitoring system.
300. The summary list of evaluation recommendations is presented on the following page.

Recommendation 1.	Revise all relevant documents and forms (including the Operational Guidelines, the Periodic Reporting Formats, and nomination files) to include gender-specific guidance and questions.
Recommendation 2.	Promote increased NGO and community involvement in the development of policy, legislation, safeguarding plans and sustainable development plans.
Recommendation 3.	Enhance cooperation with sustainable development experts for integrating ICH into non-cultural legislation and policy, and for other work related to ICH and sustainable development.
Recommendation 4.	Support State Parties with the development of legislation and policy as part of the ongoing 2003 Convention capacity building programme and design appropriate capacity building formats to do so.
Recommendation 5.	Cooperate with sustainable development experts when supporting State Parties with the integration of ICH into non-cultural legislation and policy, and with other work related to ICH and sustainable development.
Recommendation 6.	Establish, with the full involvement of UNESCO field office and in cooperation with National Commissions, a follow-up mechanism for capacity building activities to gather data about their effectiveness.
Recommendation 7.	Review (and adapt if necessary) the content and format of the capacity building strategy to ensure that it responds to the major implementation challenges at the national level.
Recommendation 8.	Promote the USL by re-positioning it as an expression of State Parties' commitment to safeguarding and to the implementation of the Convention, and especially recognise those State Parties that submit nominations to the USL.
Recommendation 9.	Clarify to State Parties and other stakeholders all misconceptions regarding the purpose and use of the Representative List.
Recommendation 10.	Ensure that inscription of elements to the Representative List reflect more closely the criteria and procedures specified in Chapter I.2 of the Convention's Operational Guidelines.
Recommendation 11.	Suspend the Subsidiary Body, so that all nominations are evaluated by one common and independent body.
Recommendation 12.	Reconsider and complement the Register of Best Safeguarding Practices by developing alternate, lighter ways of sharing safeguarding experiences such as dedicated websites, e-newsletters, online forums, etc. (This recommendation is linked to Recommendation 19.)
Recommendation 13.	Give priority to International Assistance requests within the ceiling of files to the Convention's mechanisms.
Recommendation 14.	Promote International Assistance as a capacity building mechanism for State Parties.
Recommendation 15.	Strengthen UNESCO's cooperation with WIPO over traditional knowledge and culture to ensure an ongoing exchange and learning between the two organisations and their Member States, especially in the context of WIPO's current discussions about a new international standard-setting instrument for the protection of the intellectual property rights of communities.
Recommendation 16.	Create opportunities for joint thinking, exchange of experiences, cooperation and synergies between UNESCO's culture conventions of 1972, 2003 and 2005 and establish appropriate mechanisms for this.

Recommendation 17.	Encourage representatives of accredited NGOs to participate in IGC debates prior to voting on agenda items and include the outcomes of the NGO forums (such as the NGO Statements) in the Committee agendas.
Recommendation 18.	Revise the accreditation process and criteria for NGOs to ensure that all accredited NGOs have the required experience and capacity to provide advisory services to the Committee.
Recommendation 19.	Encourage a debate on the role of the private sector and of private/public partnerships in safeguarding ICH at all levels (national, regional and international) in order to better define its potential for cooperation and involvement.
Recommendation 20.	Strengthen informal sharing of interesting and innovative examples on working on the Convention, including about ICH safeguarding, development of policy and legislation, ICH and sustainable development, innovative partnerships and others.
Recommendation 21.	Revise the periodic reporting form to include specific questions on policy, legislation and gender, and to ensure that the reports focus on results rather than on activities.
Recommendation 22.	Develop an overall results framework for the Convention, linked to a Convention Theory of Change and including clear objectives, time-frames, indicators and benchmarks.
Recommendation 23.	Complement the data gathered on the implementation of the Convention through Periodic Reports submitted by State Parties with information provided by NGOs.
Recommendation 24.	Strengthen monitoring and evaluation of the implementation of the Convention at the national level.

Annexes

Evaluation Terms of Reference

Note: The below Terms of Reference refer to the overall evaluation of standard-setting work of the Culture Sector. The present evaluation report on the work related to the 2003 Convention represents part I of this exercise. The full evaluation report, including all the elements described in the TOR below, will be finalised in spring 2014.

Evaluation of UNESCO's standard-setting work of the Culture Sector - with a focus on four Conventions

TERMS OF REFERENCE

November 2012

Background

Through its standard-setting work UNESCO aims to serve as a central forum for coordinating the ethical, normative and intellectual issues of our time, and to work towards universal agreements on these issues, defining benchmarks and mobilizing international opinion. The standard-setting function is key for UNESCO and sets it apart from many other UN organizations.

A large number of standard-setting instruments, including conventions, recommendations and declarations, have been adopted under the Organization's auspices. As the only UN agency with a mandate in culture, UNESCO has developed a comprehensive series of standard-setting instruments in this field, including six main culture Conventions, many recommendations and a number of declarations.⁴⁰ Significant time and resources are spent on standard-setting activities related to these instruments and even though the visibility of some of this work is high, no comprehensive evaluation has ever been conducted of the standard-setting work of UNESCO.

It is in this context that UNESCO decided to include an evaluation of UNESCO's standard-setting work in the work-plan for the current biennium. The evaluation is expected to provide critical insights that will help UNESCO strengthen its reform efforts and follow up on the recommendations of the 2010 Independent External Evaluation, specifically on those related to a need for more strategic focus. With the current challenging times, UNESCO is more than ever called to demonstrate its relevance, to be more effective in its work and to increase its efficiency. UNESCO thereby also responds to a request from the culture sector to review the working methods of its Conventions.

The present evaluation aims to help the UNESCO Culture Sector, Senior Management and the Governing bodies of the Conventions to strengthen, refocus and better coordinate the Organization's standard-setting activities. The evaluation will also contribute to generating a better understanding about how conventions work in practice, i.e. how they affect legislation and policies of Parties and the behaviour of key institutional actors. It thereby also intends to serve as a source of information for Member States, who have the primary responsibility for the implementation of the standard-setting instruments at national level. Last but not least, the evaluation is expected to feed into ongoing discussions about the challenges and lessons learned with regard to evaluating normative work in the UN.

Purpose

The purpose of the evaluation is two-fold:

⁴⁰ Full list of UNESCO's standard-setting instruments in Culture : http://portal.unesco.org/en/ev.php-URL_ID=13649&URL_DO=DO_TOPIC&URL_SECTION=-471.html

- 1) To generate findings and recommendations regarding the relevance and the effectiveness of standard-setting work of the culture sector with a **focus on its impact on legislation, policies, and strategies of Parties to the conventions**; and
- 2) To assess the **adequacy and efficiency of the working methods** of UNESCO's standard-setting work.

The results of the analysis will inform the design, implementation and management of the standard-setting work to be carried out under the new eight-year Medium-Term Strategy (C4 document) for 2014-2021 and the new four-year Programme (C5) for 2014-2017.

The evaluation is furthermore expected to inform and significantly enrich ongoing discussions in the international evaluation community (UNEG and others) about the opportunities and challenges encountered when evaluating standard-setting / normative work and the approaches to be used for this type of evaluation.

Scope

The evaluation will assess the **contribution of UNESCO's** standard-setting work, which is designed to support Member States with the:

- I. Ratification (or accession / acceptance / approval) of the Conventions
- II. Integration of the provisions of the Conventions into national / regional legislation, policy and strategy (policy development level)
- III. Implementation of the legislation, policies and strategies at national level (policy implementation level).

The evaluation will focus on a purposive sample of the Culture Sector's standard-setting work. It will specifically **look at four of the six main Culture Conventions** (1970, 1972, 2003, and 2005 Conventions). UNESCO's work related to all four Conventions will be examined with regard to its relevance and effectiveness, with a focus on its impact at the legislation / policy / strategy level, (i.e. at the policy development level II (see three levels above)).

As explained above, it will be beyond the scope of this evaluation to fully examine the results of UNESCO's support to the implementation of legislation, policies and strategies by State Parties (level III.) for all four Conventions. The evaluation will, however, analyse samples of work at the implementation level in order to illustrate some of the effects of the implementation of legislation / policies / strategies on actual behaviour of institutions (and citizens). The samples chosen for **in-depth analysis will relate to the 1970 and 2003 Conventions**. UNESCO's work on these two Conventions has either been evaluated by IOS long ago (1970 Convention) or so far not been subject to evaluation at all (2003 Convention). These two Conventions also represent two different governing models and levels of maturity.

The analysis of the efficiency and effectiveness of the working methods (Management Review) will include all four Conventions.

The evaluation will cover the standard-setting work undertaken within the framework of both the regular and extrabudgetary programmes during the 34C/5 (2008-2009), 35C/5 (2010-2011) and 36C/5 (2012-2013) biennia up to the time of the evaluation. It will build on several evaluations and audits conducted by IOS over the past few years, including the 2012 evaluation of the International Fund for Cultural Diversity (under the 2005 Convention on the Protection and Promotion of the Diversity of Cultural Expressions), evaluations of UNESCO's Strategic Programme Objective (SPO) 11 and SPOs 9&10, the 2005 evaluation of the 1970 Convention on Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership Cultural Property, and other relevant evaluations and studies commissioned by sectors. It will also build on previous audits of the World Heritage Centre (WHC) (1972 Convention on the Protection of the World Cultural and Natural Heritage), specifically on an IOS audit exercise taking place in 2012, which takes stock of earlier audits and evaluations, follows up on recommendations, and assesses internal controls and the financial model of the WHC.

This is an annotated list of the four Conventions that will be covered by this evaluation:

- **Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005):** This Convention is intended to ensure that artists, cultural professionals, practitioners and citizens worldwide can create, produce, disseminate and enjoy a broad range of cultural goods, services and activities, including their own. Recognizing that culture can no longer be just a by-product of development, but rather the mainspring for sustainable development, the Convention aims to usher in a new international framework for the governance and management of culture.
- **Convention on the Safeguarding of the Intangible Cultural Heritage (2003):** Intangible cultural heritage includes traditions or living expressions inherited from our ancestors and passed on to our descendants, such as oral traditions, performing arts, social practices, rituals, festive events, knowledge and practices concerning nature and the universe or the knowledge and skills to produce traditional crafts. The purposes of this Convention are to safeguard and ensure respect for the intangible cultural heritage, to raise awareness at the local, national and international levels of the importance of the intangible cultural heritage, and to provide for international cooperation and assistance.
- **Convention on the Protection of the World Cultural and Natural Heritage (1972):** This Convention seeks to encourage the identification, protection and preservation of cultural and natural heritage around the world considered to be of outstanding value to humanity. As the most visible of UNESCO's normative instruments, its mission is to encourage countries to preserve their cultural and natural heritage and to encourage international cooperation in the field of conservation.
- **Convention on Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership Cultural Property (1970):** Under the provisions of this international treaty, States cooperate to protect the cultural property on their territory and fight its illicit import, export and transfer. This Convention addresses a rapidly evolving issue that is attracting a significant political, media, diplomatic, and legal attention.

Evaluation Questions

The major evaluation questions are the following:

- 1) **How relevant is the standard-setting work of the culture sector?**
 - To what extent do UNESCO's standard-setting instruments occupy a niche, i.e. address a clear need among stakeholders?
 - What are stakeholders' (governing bodies, national governments, civil society, private sector, UNESCO Secretariat) expectations regarding the four Conventions?
 - To what extent do the four Conventions complement other international standard-setting instruments?
 - To what extent has UNESCO's standard-setting work influenced (and been influenced by) the international discourse and practice, including international codes of ethics and other tools, related to issues addressed by the four Conventions?
 - How has the Organization reflected its two Global Priorities (Africa and Gender) in its standard-setting work?
- 2) **How effective is the standard-setting work?**
 - What are the main results achieved at the ratification level, policy development level (all four Conventions), policy implementation level (1970 and 2003 Conventions)?
 - Are UNESCO's theories of change (causal chains) for the standard-setting work related to the four Conventions clearly articulated and reflected in programming and reporting? Is there a

- shared understanding among stakeholders (UNESCO Secretariat, governing bodies, national governments, etc.) about what the standard-setting work is expected to achieve and how?
- To what extent has UNESCO been able to identify and address the key factors that enable or constrain standard-setting work of Parties to the Conventions? At what level in the causal chain from ratification to policy development to policy implementation of a Convention do they occur?
 - When compared to other international standard-setting instruments, what are the key factors (conditions, incentives, resources, mechanisms etc.) that need to be in place to ensure success at the policy development and implementation level?
 - To what extent has UNESCO been successful in establishing effective partnerships (with Governments, civil society, the private sector, UN, National Commissions, Category I and II Centres etc.) in the context of its standard-setting work?
 - Has UNESCO been successful in analysing and sharing the results of its work, thereby contributing to learning by Member States?
 - What mechanisms are in place to monitor and evaluate progress achieved in the Organization's standard-setting work? How effective are the existing reporting mechanisms on the implementation of the Conventions?

3) How adequate and efficient are the working methods of the Conventions and how could they be improved for greater synergies, harmonization and efficiencies?

- How does UNESCO oversee and coordinate its standard-setting work at the overall organizational / sectoral level and is this mechanism effective?
- Are the working methods for administration, programming and governance of each Convention clearly established, operating as intended and achieving the expected results?
- Are resources (Regular Programme, State Party assessment and/or voluntary contribution) associated with each Convention programmed, budgeted and reported in a transparent and consolidated manner?
- What common administrative, programmatic and governance practices are in place among the Convention secretariats and governing bodies?
- Are there potential efficiencies in grouping these common practices while achieving equivalent or improved services or results?
- What unique administrative, programmatic and governance practices are in place among the Convention secretariats and governing bodies?
- Which of these could be seen as best practices to be considered for replication or adoption within other Conventions?
- What good practices are in place among other Conventions (both within UNESCO and external to UNESCO) that could bring increased efficiency or effectiveness if replicated or adopted within the UNESCO Culture Conventions?

The evaluation will identify good practices and lessons learned for all three areas of inquiry.

The evaluation questions will be fine-tuned and finalized in the context of the inception report.

Methodology

The overall methodological design will include:

- A systematic in-depth desk study (to be undertaken by external consultants in cooperation with IOS)
- Articulation of theories of change for those Conventions where they do not exist
- Multi-site data collection with purposive sampling of cases (to be undertaken by external consultants in cooperation with IOS)
- Management review (to be undertaken by IOS).

The foundation of the evaluation methodology constitutes a nested design, i.e. including purposive sampling and data collection at different levels of the causal chain from ratification to implementation. This will allow the evaluation to present credible complementary perspectives on UNESCO's achievements with regard to its standard-setting function at different levels. The three levels of this design correspond to the three levels of standard-setting work as described above: I. Ratification; II. Integration of the provisions of the Conventions into national / regional legislation, policy and strategy (policy development level); and III. Implementation of the legislation, policies and strategies at national level (policy implementation level). They also cover the first two major evaluation questions on the relevance and the effectiveness of the standard-setting work.

The methodology will include a desk study, phone/Skype interviews, surveys, in person interviews in a few selected countries. The multi-level purposive sampling strategy starts out from a sample from the broad population of all countries at the ratification level, and gradually narrows down to sampling from smaller populations of countries with certain levels of policy development and implementation (or a lack thereof).

The Management Review (to be undertaken by IOS only) will focus on the third overall evaluation question related to the adequacy and efficiency of the working methods of the Conventions and potentials for their improvement. The methodology will include a comparative analysis of the working methods used for each of the four Conventions through a desk study and interviews with UNESCO staff and members of the Governing Bodies.

Responsibilities, Deliverables and Schedule

The evaluation will be conducted by a team of external consultants, under the supervision of IOS. IOS will also actively participate in the evaluation process. The precise division of labour will be agreed upon in the inception phase. The external evaluation team is expected to produce the following deliverables:

- a. Inception Report outlining the overall proposed evaluation approach, including logical framework(s), final evaluation questions, methodology, list of key informants, workplan, timeline and division of responsibilities
- b. Detailed Country Studies (to be submitted at the end of each country visit)
- c. Draft Evaluation Report
- d. Final Evaluation Report

The consultants are furthermore responsible for editing and quality control of language. The final report should be presented in a way that directly enables publication.

IOS (Evaluation Section) will participate in the data collection process, and be responsible for approving the inception and the final reports and for initiating payments upon approval. **Data collection, analysis and report writing related to the third overall evaluation question (including its various sub-questions) regarding the working methods of the Conventions (Management Review) will be entirely conducted by IOS (Audit Section).** It will constitute an integral part of the overall evaluation report.

PROPOSALS SUBMITTED IN THE CONTEXT OF THE PRESENT RFP THEREFORE ONLY NEED TO ADDRESS MAJOR EVALUATION QUESTIONS 1 (ON THE RELEVANCE OF THE STANDARD-SETTING WORK) AND 2 (ON THE EFFECTIVENESS OF THE STANDARD-SETTING WORK).

A reference group will accompany the evaluation process and provide feedback on the draft TOR and the draft evaluation report. The group will include members from IOS, the Culture Sector, the Bureau of Strategic Planning, and potentially one or two external experts.

Development of ToR and Consultation	September - October 2012
International tender and recruitment of consultants	November - December 2012

Start of work of external consultants	January 2013
Desk Study and Inception Report	January - February 2013
Data collection	March – May 2013
Draft Evaluation report	Early June 2013
Consultation and debriefing workshop	June 2013
Final Evaluation report	July 2013

Evaluation Team

The evaluation will be undertaken under the supervision of UNESCO’s Internal Oversight Service, Evaluation Section and in cooperation with two external consultants. One or two evaluators from IOS’ Evaluation Section will be part of the overall team. One or two auditors from IOS’ Audit Section will also be part of the team, the latter with a focus on the working methods of the Conventions.

The following qualifications are required:

Company:

- It is mandatory for Firm/Entity to have min 5 years of global/international experience in policy / programme evaluation. Firm/entity with less than 5 years of experience will be disqualified

Team leader and senior evaluation expert:

- It is mandatory for the team members to have: Advanced university degree in specialized fields of culture, social science, law, public policy, international relations or related fields; and excellent oral communication and report writing skills in English or French.
- It is also mandatory for each of the proposed candidates to have min 10 years of policy and programme evaluation on a global/international basis of relevance to policy making,
- It is desirable for the firm to propose candidates with 3 references that demonstrate knowledge of the international conventions that are included in the present evaluation exercise (1970, 1972, 2003 and 2005 Conventions);
- It is desirable that the candidates have undertaken at least 3 assignments for the UN;
- It is desirable that the candidates have at least 3 references that demonstrate experience with the evaluation of international conventions and other standard-setting instruments.

Three samples of previous evaluation work, preferably relevant to the evaluation of standard-setting work, must be submitted as part of the technical proposal. Candidates are furthermore encouraged to also submit other references (research papers, articles, etc.) that demonstrate team members’ familiarity with the conventions that are included in the present evaluation exercise.

Budget

The evaluation is budgeted with a maximum of 30 consultant person weeks. The team is expected to visit three to four countries. Additionally, team members are expected to travel to Paris three times to participate in a kick-off meeting during the inception phase, to conduct interviews during the data collection phase, and to present the draft report to relevant stakeholders.

List of People Interviewed

UNESCO Secretariat:

2003 Convention Secretariat:

Pauline Barbet	Statutory Meetings and Processing Unit
Helena Drobna	Capacity Building Unit
Cécile Duvelle	Chief, Intangible Cultural Heritage Section
María Paz Fernández Undurraga	Programme and Evaluation Unit
Ronan Grippay	Statutory Meetings and Processing Unit
Ritamae Hyde	Capacity Building Unit
Susanne Martin-Sigfried	Statutory Meetings and Processing Unit
Edmond Moukala	Head, Information and Communication Unit
Yumiko Nanaumi	Programme and Evaluation Unit
Thu Huong Nguyen-Duy	Information and Communication Unit
Frank Proschan	Head, Programme and Evaluation Unit
Colette Saba-Touzain	Project Coordinator, MedLiHer
Rasul Samadov	Information and Communication Unit
Berta de Sancristobal	Programme and Evaluation Unit
Oulimata Sarr	Statutory Meetings and Processing Unit
Giovanni Scepi	Programme and Evaluation Unit
Susanne Schnuttgen	Head, Capacity Building Unit
Hugues Sicard	Head a.i., Statutory Meetings and Processing Unit

UNESCO Field Office Staff:

Fernando Brugman	Culture Coordinator, UNESCO Havana, Oficina Regional de Cultura para América Latina y el Caribe
Timothy Curtis	Programme Specialist in Culture, UNESCO Bangkok Office
Damir Djakovic	Programme Specialist in Culture, UNESCO Windhoek Office
Mohamed Djelid	Director, UNESCO Regional Office for Eastern Africa
Ricardo Favis	Programme Specialist in Culture, UNESCO Bangkok Office
Julien Glenat	Project Assistant for Culture, UNESCO Beijing Office
Beatrice Kaldun	Programme Specialist for Culture, UNESCO Beijing Office
Anthony Krause	Head of Culture Unit, UNESCO Regional Bureau for Science and Culture in Europe, Venice
Jane (Jiangping) Li	Consultant, UNESCO Beijing Office
Mulekeni Ngulube	Programme Specialist in Culture, UNESCO Nairobi Office
Yuri Peshkov	Culture Specialist, UNESCO Almaty Cluster Office for Kazakhstan, Kyrgyzstan, Tajikistan and Uzbekistan

Other UNESCO Staff:

Alexander Leicht	Chief, Section of Education for Sustainable Development, Education Sector
Douglas Nakashima	Chief, Small Islands and Indigenous Knowledge Section, Natural Sciences Sector
Ann-Belinda Preis	Senior Planning Officer for Culture, Bureau of Strategic Planning

Permanent Delegations:

Marija Antonijevic	Deputy Permanent Delegate of the Republic of Serbia to UNESCO
Patricia Duran	Permanent Delegation of Peru to UNESCO
Anar Karimov	Chargé d’Affaires, Délégation Permanente de la République Azerbaïdjanaise auprès de l’UNESCO
Mary M. Khimulu	Ambassador, Permanent Delegate of Kenya to UNESCO
Yosuke Kobayashi	First Secretary Permanent Delegation of Japan to UNESCO (outgoing)
Silvanus Makokha	Third Secretary, Permanent Delegation of Kenya to UNESCO
Keishi Nono	First Secretary Permanent Delegation of Japan to UNESCO (incoming)
Dries Willems	Délégué adjoint du Gouvernement flamand en France et membre de la Délégation permanente

Current and Former Members of Subsidiary Body:

Soledad Mujica	Director of Intangible Heritage, Ministry of Culture, Peru
Ahmed Skounti	Institut national des sciences de l’archéologie de du patrimoine, Maroc
Sidi Traoré	Secrétaire Permanent de la Semaine Nationale de la Culture (SNC) / MCT, Burkina Faso

Current and Former Members of Consultative Body:

Ayoub Abdrrahman	
Claudine Augée Angoue	Anthropologue, Enseignante à la faculté des Lettres et Sciences Humaines de l’Université Omar Bongo
Pierre Bois	Conseiller artistique, Maison des Cultures du Monde
Francis Gichuru	African Cultural Regeneration Institute
Rahul Goswami	Goa Heritage Action Group
Maria Inês Ladeira	Centro de Trabalho Indigenista
Rusudan Tsurtsumia	Director, International Research Centre for Traditional Polyphony, Tbilisi State Conservatoire
Wim van Zanten	International Council for Traditional Music

Facilitators of Capacity building Programme:

Noriko Aikawa-Faure
Silverse Anami
Lovemore Mazibuko
Suzanne Ogge
Deirdre Prins-Solani
Rieks Smeets
Sabira Soltongeldieva

Representatives of Accredited Non-governmental Organizations:

Ani Casimir	Executive Secretary, Center for Peace Building and Poverty Reduction among Indigenous African Peoples, Nigeria
George M. Frandsen	Secretary General, International Organization of Folk Art

Marc Jacobs	Directeur, FARO, Belgium
V. Jayarajan	Chairman, Folkland, International Centre for Folklore and culture, Elambachi, Kasargod, Kerala
Toshiyuki Kono	Member of International Executive Committee, International Council on Monuments and Sites (ICOMOS)
Stephen Rwagweri	Executive Director, Engabu Za Tooro (Tooro Youth Platform for Action), Uganda

Representatives of International Organizations and Institutes:

Anthony Gad Bigio	Coordinator, Urban Cultural Heritage and Earth Observation for Development, World Bank
Sara Ferrer Olivella	Programme Advisor, MDGF Secretariat, UNDP
Wend Wendland	Director, Traditional Knowledge Division, World Intellectual Property Organization
Xu Mingji	Researcher, International Training Center for Intangible Cultural Heritage Asia-Pacific Region, China
Yang Nai	Programme Officer, International Training Center for Intangible Cultural Heritage Asia-Pacific Region, China

Others:

Hamid Al Saadi	Iraqi Maqam Singer
Chen Feilong	Director, The Institute of Theory of Literature and Arts in the Chinese Academy of Arts

People interviewed during the field missions:

Mongolia

Tsetsegmaa Amar	UN Coordination Specialist, United Nations, Mongolia
Tserenpil Ariunaa	Director, Arts Council of Mongolia
Yundenbat Boldbaatar	Head of Department, History and Cultural Studies, Mongolian University of Science and Technology, School of Social Technology
D. Bum-Ochir	Professor, Head of Department of Social and Cultural Anthropology, National University of Mongolia
Yo. Dashzegve	Knucklebone Shooter, Knucklebone Shooting Association of Mongolia
Bayanmunkh Dorjpalam	Cultural Heritage Program Director, Arts Council of Mongolia
Galbadrakh Enkhbat	Director, Center of Cultural Heritage, Mongolia
Khurelbaatar Erdembileg	Programme Officer for Culture and World Heritage, Mongolian National Commission for UNESCO
S. Galbadrakh	Knucklebone Shooter, Knucklebone Shooting Association of Mongolia
Nyamaa Galiimaa	Professor of Tourism, School of Social Technology, Mongolian University of Science and Technology
Gundegmaa Jargalsaikhan	Secretary-General, Mongolian National Commission for UNESCO
Tuul Machlay	Programme Specialist for Culture, Mongolian National Commission for UNESCO
Lkhamsuren Munkh-Erdene	Professor, Department of Social and Cultural Anthropology, National University of Mongolia

D. Purevjav	Researcher, International Institute for the Study of Nomadic Civilizations
Tsevegdorj Tsendsuren	Chairman for Intangible Cultural Heritage, Department of Culture and Art, Ministry of Culture, Sport, and Tourism
Ariunaa Tserenpil	Executive Director, Arts Council of Mongolia
Norov Urtnasan	President, Foundation for the Protection of Natural and Cultural Heritage
Avirmed Yanjiv	Officer of Intangible Cultural Heritage, Department of Culture and Art, Ministry of Culture, Sport, and Tourism
Sonom-Ish Yundenbat	Head of the Intangible Cultural Heritage Division, Center of Cultural Heritage, Mongolia

Spain

Maria Agundez Leria	Jefe de Área, Subdirección General de Protección del Patrimonio Histórico, Secretaría de Estado de Cultura
Javier Ceballos Aranda	Practitioner of Falconry
Andrés López Sanchez	Presidente, Asociación Española de Cetrería y Conservación de Aves Rapaces
Maria Pía Timón Tiemblo	Coordinadora del Plan Nacional de Salvaguarda del Patrimonio Cultural Inmaterial, Unidad de Etnología, Instituto del Patrimonio Cultural de España

Kenya

George Abungu	Consultant, Okello Abungu Heritage Consultants
Silverse Anami	Member of the National Assembly, Parliament of Kenya
Verena de la Rey Swardt	Organiser, Kisumu Peace Festival
June Gachui	General Manager, Kenya Association of Music Producers and Principal, JGIP Consultants
Douglas Gichuki	Assistant Lecturer, Strathmore Law School and Fellow, Center for Intellectual Property and Information Technology Law
Francis Gichuru	Director, African Cultural Regeneration Institute
Robinson Kanyenze	Acting Director of Culture, Department of Culture, Ministry of State for National Heritage and Culture
Kiprop Lagat	Assistant Director, Nairobi National Museum, National Museums of Kenya
Terry Little	Chief Operations Officer, Trust for African Rock Art
Patrick Maundu	Director, Kenya Society of Ethnoecology and Kenya Research Centre for Indigenous Knowledge, National Museums of Kenya
John Mireri	Assistant Secretary General, Kenya National Commission for UNESCO
Julius Shoboi Mwachunga	Senior Cultural Officer, Office of the Vice President, Ministry of State for National Heritage and Culture
Elizabeth Irene Nasubo	Head, Visual Arts, Department of Culture, Ministry of State for National Heritage and Culture
Leo Niskanen	Regional Technical Co-ordinator, International Union for Conservation of Nature
James Njogu	Head of Conventions and Research Authorization, Kenya Wildlife Service
Evangeline Njoka	Secretary General / CEO, Kenya National Commission for UNESCO
Tabu Osusa	Executive Director, Ketebul Music

Aghan Odero Agan John Moogi Omare	Director-CEO, Kenya Cultural Centre Head of Languages and Oral Traditions, Department of Culture, Ministry of State for National Heritage and Culture
Wenslas Ong'ayo	Director of Administration, Office of the Vice President, Ministry of State for National Heritage and Culture
Tabu Osusa Maggie Otieno Elizabeth Ouma	Executive Director, Ketebul Music East Africa Secretariat, Arterial Network Project Manager, Kenya Smithsonian Folklife Festival 2014, Kenya Cultural Center
Keith Pearson Michiel Terellen	Managing Director, The Theatre Company Limited Former officer of the International Labour Organisation, Cambodia
Michael Tiampati	National Coordinator, Pastoralists Development Network of Kenya
Hoseah Wanderi	Research Scientist, Nairobi National Museum, National Museums of Kenya
Harsita Waters	Arts and Cultural Affairs Coordinator, Alliance Française

Serbia

Biljana Djordjević	Programming Director of the National Museum of Serbia and member of the National ICH Committee
Danijela Filipović Miladin Lukić	Coordinator at the Center for ICH of Serbia Deputy Minister in the Ministry of culture (in charge of cultural heritage)
Miroslava Lukic-Krstanovic Milorad Radovanovic	Regional ICH Coordinator for Belgrade Flask-maker whose skills are listed in the national inventory of ICH
Slobodanka Rosić	representative of the NGO "Guardians of the Christ's tomb" (an element in the National ICH Inventory)
Goran Savic Saša Srećković	President of the association of the potters of Zlakusa Head of the Centre for ICH of Serbia and President of National ICH Committee
Miroslav Tasić Snezana Tomic-Jokovic Maša Vukanović	Director of the Ethnographic Museum in Belgrade Regional ICH Coordinator for Western Serbia academic member of the Institute for Research on Cultural Development and an analyst of ICH trends
Dušica Živković	former President of National ICH Committee and former Deputy Minister for Culture (inaugurated the system of ICH in Serbia)
Jasna Zrnović	Secretary-General of the Serbian National Commission to UNESCO (based in the Ministry of Foreign Affairs)

Surveys for State Parties/Accredited NGOs on 2003 Convention

Please indicate your country: _____

Please indicate the name of your organization: _____

Please indicate your name and position within your organization: _____

Policy and Legislation

1. Is there a national/regional/local policy and/or legislation and/or safeguarding plan related to intangible cultural heritage (in the culture, education, agriculture, or other fields) in your country?

Yes

No

If yes, please indicate the titles, types and the years when they were adopted. / If no, please indicate whether there are any plans to develop such a policy, legislation or safeguarding plan: _____

2. Please explain the process of developing this policy/legislation/safeguarding plan, especially how communities, groups and individuals were involved. _____
3. What were/are some of the challenges in developing a policy and/or legislation and/or safeguarding plan related to intangible cultural heritage in your country? _____
4. Did UNESCO support the development of a policy and/or legislation and/or safeguarding plan related to intangible cultural heritage (by providing international assistance, capacity-building, information-sharing, etc.) in your country?
 - a. Yes
 - b. No
 - c. If yes, please indicate the type of support received and explain how this support enabled the development of the policy/legislation/safeguarding plan related to intangible cultural heritage: _____

Implementation

5. What steps have been taken to safeguard intangible cultural heritage in your country (setting up specialized institutions, undertaking inventories, carrying out specific safeguarding projects, etc.) and what are the main results achieved? Please provide some examples. _____
6. Please explain the role of your organization in the safeguarding of intangible cultural heritage in your country. Who are your most important partners in these efforts? _____
7. To what extent is gender equality taken into consideration in the safeguarding of intangible cultural heritage in your country? _____
8. What are some of the main challenges encountered in safeguarding intangible cultural heritage in your country? _____
9. How did UNESCO support the safeguarding of intangible cultural heritage (for example, by providing international assistance, capacity-building, information-sharing, etc.) in your country and what were the results of this support? _____

10. If your country has elements inscribed on the 2003 Convention's two Lists, please explain how the inscription has contributed to the goals of these Lists:
 - a. Representative List of the Intangible Cultural Heritage of Humanity – please describe how the inscription of an element on this List has ensured visibility of intangible cultural heritage and awareness of its significance, and encouraged dialogue which respects cultural diversity: _____
 - b. List of Intangible Cultural Heritage in Need of Urgent Safeguarding – please describe how the inscription of an element on this List has contributed to the safeguarding of this element: _____
11. To what extent has the inscription of elements on these Lists contributed to awareness raising and the safeguarding of other intangible cultural heritage in your country? Please explain. _____
12. In your view, how effective is the mechanism of preparation of nominations to the two Lists? How are communities, groups and individuals consulted in this process? _____
13. What kind of monitoring and evaluation system for the safeguarding of intangible cultural heritage has been set up in your country and by whom? _____
14. In what ways does your organization/country participate in international cooperation related to the implementation of the 2003 Convention (exchange of information and experience, joint initiatives such as the submission of multinational files to the two Lists, development of networks for joint approaches concerning safeguarding, participation in regional and global cooperation activities, etc.)? _____
15. In your view, how does the safeguarding of intangible cultural heritage in your country contribute to sustainable development? _____