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

**GENERAL ASSEMBLY OF THE STATES PARTIES TO THE CONVENTION**

**Ninth session**

**UNESCO Headquarters, Room I**

**5 to 7 July 2022**

**Item 12 of the provisional agenda:**

**Proposed revisions to the Rules of Procedure of the General Assembly
of the States Parties to the Convention**

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| **Summary**The proposed revisions to the Rules of Procedure of the General Assembly are hereby presented as part of the Culture Sector’s effort to harmonize the equivalent rules for the seven assemblies of the culture conventions.**Decision required:** paragraph 10 |

**Background**

1. This session of the General Assembly is requested to examine the proposed revisions to the Rules of Procedure of the 2003 Convention's General Assembly. These revisions are presented in response to the requests made by Member States to harmonize procedures of the governing bodies of UNESCO's culture conventions [[1]](#footnote-1).

2015 to 2020

1. The initiative to harmonize the Rules of Procedures across the Culture Conventions dates back to 2015, when the 38th General Conference of UNESCO[[2]](#footnote-2) invited all Conventions to discuss the follow-up to the recommendations of the External Auditor's report to improve their governance. The same session of the General Conference also established an Open–Ended Working Group on Governance, Procedures and Working Methods of the Governing Bodies of UNESCO with the objective to pursue greater synergy, harmonization, efficiency and impact. The 39th session of the General Conference in 2017 subsequently examined the report of the Open-Ended Working Group[[3]](#footnote-3) and endorsed the group's recommendations.[[4]](#footnote-4)These recommendations are of particular relevance as they invite governing bodies of the culture Conventions, through broad consultations, to further explore, as appropriate, harmonization of the rules of procedure and coherence in decision-making procedures, taking into account their respective mandates and specificities.[[5]](#footnote-5)
2. Regarding the 2003 Convention, its governing bodies have discussed, between 2015 and 2019, the need to harmonize the rules of procedure of its governing bodies with the rules of other Culture Conventions (see for the General Assembly: Resolutions [6.GA 11](https://ich.unesco.org/en/Decisions/6.GA/11), [7.GA 12](https://ich.unesco.org/en/Decisions/7.GA/12) and [7.GA 13](https://ich.unesco.org/en/Decisions/7.GA/13); and for the Committee: Decisions [13.COM 17](https://ich.unesco.org/en/Decisions/13.COM/17) and [14.COM 19](https://ich.unesco.org/en/Decisions/14.COM/19)). Subsequently, the Secretariats of the 1972, 2003 and 2005 Conventions established a working group in 2019 to carry out an informal comparative analysis of the Rules of Procedures of these instruments. This round of trial encountered challenges with the question of which rule from which Convention to use as a baseline for harmonization. Consequently, the eighth session of the General Assembly in 2020 encouraged the Culture Sector to continue its efforts of harmonization while inviting the Secretariat to submit a new draft consolidated version of the Rules of Procedure at the ninth session of the General Assembly in 2022 (Resolution [8.GA 15](https://ich.unesco.org/en/Decisions/8.GA/15)).

Recent developments

1. In view of the similar needs identified by the other assemblies[[6]](#footnote-6) of UNESCO's Conventions in the field of culture, the forty-first session of UNESCO's General Conference in 2021 examined a set of model rules of procedure for the assemblies of the Parties to UNESCO's culture conventions (hereafter ‘the Model Rules of Procedure’) annexed to document [41 C/55](https://unesdoc.unesco.org/ark%3A/48223/pf0000379755_eng/PDF/379755eng.pdf.multi). The General Conference adopted [41C/Resolution 74](https://unesdoc.unesco.org/in/documentViewer.xhtml?v=2.1.196&id=p::usmarcdef_0000380399&highlight=41%20C%2FResolution&file=/in/rest/annotationSVC/DownloadWatermarkedAttachment/attach_import_2662b8f8-b83f-4490-be3c-ffb66eaed78c%3F_%3D380399eng.pdf&locale=en&multi=true&ark=/ark:/48223/pf0000380399/PDF/380399eng.pdf#%5B%7B%22num%22%3A137%2C%22gen%22%3A0%7D%2C%7B%22name%22%3A%22XYZ%22%7D%2C54%2C478%2C0%5D), by which it ‘[took] note of the model rules of procedure for the assemblies of UNESCO’s conventions in the field of culture annexed to document 41 C/55, from which the said assemblies may draw insights to explore possible ways to harmonize their respective rules of procedure, as appropriate’. The General Conference also requested the Director-General to submit a report at its next session ‘on the follow-up to this resolution on raising effectiveness of UNESCO’s conventions in the field of culture’.

**Proposed revisions**

1. The proposed revisions are closely based on the Model Rules of Procedure, which were developed through a collaboration between the Secretariats of all Conventions and the Office of International Standards and Legal Affairs in 2021. The group conducted an in-depth comparative study of the regulatory texts and procedural practices of each assembly.The Model Rules of Procedure respect each Convention's specificities and practices and aim to serve as a basis for the harmonization exercise, with the following goals:
* To bring coherence in terminology to allow for a uniform interpretation;
* To clarify ambiguities and formalize certain practices when helpful;
* To introduce procedures reflecting the best practices of the assemblies;
* To include new provisions aimed at addressing certain shortcomings in the rules.
1. The annex includes a comparative table to demonstrate how the Rules of Procedure with the existing nineteen rules will be revised to include forty rules (some of them with sub-rules), supported by explanatory notes.
2. While the proposed revisions are closely based on the Model Rules of Procedure, there are two provisions for which the model is not followed:

a. The **proposed Rule 11.1** replicates the current Rule 3 of the General Assembly of the 2003 Convention and formalizes the existing practice with respect to the election of the Chairperson, Vice-Chairpersons and the Rapporteur. The proposal is to reflect the practice of the General Assembly of the 2003 Convention and to elect up to five Vice-Chairpersons, rather than up to four Vice-Chairpersons as the Model Rule of Procedure suggests, This is in order to ensure geographical equity, taking into account that the functions of Chairperson and Rapporteur are nominal appointments, and that the practice of the General Assembly and the Committee of the 2003 Convention is that the delegation of the State Party of the Chairperson is seated in the Bureau to represent the electoral group of that State.

b. The **proposed Rule 12.2** replicates the current Rule 4.2 of the General Assembly of the 2003 Convention with harmonised terminology as regards the temporary replacement of the Chairperson during her or his absence. The proposal is to maintain the well-established and well-functioning practice of the General Assembly of the 2003 Convention, so that the temporary replacement of the Chairperson is to be chosen at the discretion of the Chairperson, rather than, as the Model Rule of Procedure suggests, basing the selection on the use of the French alphabetical order of the Bureau members.

Information and exchange meeting on 31 May 2022

1. Given the volume and technical complexity of the revisions proposed, the Secretariat invited States Parties to the 2003 Convention to an online information and exchange meeting on 31 May 2022.[[7]](#footnote-7) The session was attended by around 150 participants from 80 States Parties.
2. The document for the meeting (document [LHE/22/MEETING ROP/2](https://ich.unesco.org/doc/src/LHE-22-MEETING_ROP-2_EN.docx)) included a comparative table, which was used during the session to introduce the proposed revisions one by one, with the details of the proposal, reasons for the proposal and sources of the proposal. The table included in Annex I of the present document is the same as the version issued for the information and exchange session (with the exception of minor linguistic adjustments[[8]](#footnote-8) that were pointed out during that session).
3. The General Assembly may wish to adopt the following resolution:

DRAFT RESOLUTION 9.GA 12

The General Assembly,

1. Having examined document LHE/22/9.GA/12 with its annex,
2. Recalling Resolutions [6.GA 11](https://ich.unesco.org/en/D%C3%A9cisions/6.GA/11), [7.GA 12](https://ich.unesco.org/en/D%C3%A9cisions/7.GA/12), [7.GA 13](https://ich.unesco.org/en/D%C3%A9cisions/7.GA/13) and [8.GA 15](https://ich.unesco.org/en/D%C3%A9cisions/8.GA/15) as well as Decisions [13.COM 17](https://ich.unesco.org/en/D%C3%A9cisions/13.COM/17) and [14.COM 19](https://ich.unesco.org/en/D%C3%A9cisions/14.COM/19),
3. Further recalling [41C/Resolution 74](https://unesdoc.unesco.org/in/documentViewer.xhtml?v=2.1.196&id=p::usmarcdef_0000380399&highlight=41%20C%2FResolution&file=/in/rest/annotationSVC/DownloadWatermarkedAttachment/attach_import_2662b8f8-b83f-4490-be3c-ffb66eaed78c%3F_%3D380399eng.pdf&locale=en&multi=true&ark=/ark:/48223/pf0000380399/PDF/380399eng.pdf#%5B%7B%22num%22%3A137%2C%22gen%22%3A0%7D%2C%7B%22name%22%3A%22XYZ%22%7D%2C54%2C478%2C0%5D) and document [41 C/55](https://unesdoc.unesco.org/ark%3A/48223/pf0000379755_eng/PDF/379755eng.pdf.multi),
4. Commends the effort of the Culture Sector and the Office of International Standards and Legal Affairs to establish the Model Rules of Procedure that provided a ‘birds-eye view’, and thanks the Secretariat of the 2003 Convention for spear-heading the exercise as the first Culture Convention to explore possible ways to harmonize its Rules of Procedure,
5. Approves the revisions to the Rules of Procedure of the General Assembly as described in Annex I of the present Resolution, which take into account the Model Rules of Procedure for the assemblies of the Parties to UNESCO's culture conventions.

**ANNEX**

**Proposed revisions to the Rules of Procedure of**

**the General Assembly of the States Parties to the Convention for the Safeguarding of the Intangible Cultural Heritage**

|  | **Current Rules of Procedure** |  | **Proposed revisions to the Rules of Procedure based on the Model Rules** | **Explanatory notes** |
| --- | --- | --- | --- | --- |
|  | **[No equivalent chapter in the Rules of Procedure]** |  | **~~I. PARTICIPATION~~****CHAPTER I****FUNCTIONS OF THE ASSEMBLY** |   |
|  | **[No equivalent rule in the Rules of Procedure]** |  | **Rule 1****Functions of the Assembly** |  |
|  |  |  | **In accordance with Article 4 of the Convention for the Safeguarding of the Intangible Cultural Heritage (hereinafter ‘the Convention’), adopted during the General Conference of the United Nations Educational, Scientific and Cultural Organization, meeting in Paris, from 29 September to 17 October 2003 at its 32nd session, the General Assembly of the States Parties (hereinafter ‘the Assembly’) was established as the sovereign body of the Convention. The Convention outlines the functions of the Assembly. The Assembly adopts its own Rules of Procedure.**  | ***Proposal:***The proposed Rule 1 is to clarify the functions of the Assembly in a first provision of the rules.***Reason for the proposal:***The term ‘States Parties’ is proposed to be kept in alignment with the terminology of the text of the 2003 Convention, and as provided for in the Draft Model Rules of Procedure.***Source of the proposal:***This paragraph replicates Articles 4.1 and 4.3 of the 2003 Convention[[9]](#footnote-9) and may also be understood in conjunction with its Article 7. |
|  | **I. PARTICIPATION** |  | **~~I~~ CHAPTER II****PARTICIPATION** |  |
|  | **Rule 1****Participation** |  | **~~Rule 1 Participation~~** **Rule 2****States Parties to the Convention** |  |
|  | The representatives of all States Parties to the Convention for the Safeguarding of the Intangible Cultural Heritage (hereinafter referred to as ‘the Convention’) adopted by the General Conference on 17 October 2003, may take part, with the right to vote, in the work of the General Assembly of States Parties (hereinafter referred to as ‘the Assembly’). |  | **The representatives of all States Parties to the Convention ~~for the Safeguarding of the Intangible Cultural Heritage (hereinafter referred to as ‘the Convention’) adopted by the General Conference on 17 October 2003,~~ may participate ~~take part~~, with the right to vote, in the work of the ~~General~~ Assembly ~~of States Parties (hereinafter referred to as ‘the Assembly’)~~.** | ***Reason for the proposal:***The full title of the 2003 Convention and that of the Assembly are indicated in the proposed Rule 1.A slight additional reformation is proposed to harmonize its terminology with the rules of procedure of the seven assemblies[[10]](#footnote-10) and to use ‘participate’ instead of ‘take part’. |
|  | **Rule 2****Representatives and observers** |  | **~~Rule 2 Representatives and observers~~****Rule 3****Observers** |  |
| 2.1 | The representatives of Member States of UNESCO not party to the Convention, of Associate Members of UNESCO and of permanent observer missions to UNESCO may participate in the work of the Assembly as observers, without the right to vote, and subject to Rule 7.3. | **3.1** | **The representatives of Member States of UNESCO not ~~party~~ parties to the Convention, and of Associate Members ~~of UNESCO~~, as well as ~~and~~ of permanent observer missions to UNESCO may participate in the work of the Assembly as observers, without the right to vote, and subject to Rule ~~7.3~~ 16.3.** | ***Reason for the proposal:***A slight reformulation of the provision is proposed to harmonize its terminology with the rules of procedures of the other assemblies, and to prevent the repetition of ‘of UNESCO’ in the same sentence.The proposed Rule 16.3 replaces Rule 7.3 of the current Rules of Procedure. |
| 2.2 | Representatives of the United Nations and organizations of the United Nations system and other intergovernmental organizations which have concluded mutual representation agreements with UNESCO, as well as observers of intergovernmental and international nongovernmental organizations invited by the Director-General, may participate in the work of the Assembly, without the right to vote, and subject to Rule 7.3. | **3.2** | **Representatives of the United Nations and organizations of the United Nations system and other intergovernmental organizations ~~which~~ that have concluded mutual representation agreements with UNESCO, ~~as well as observers of intergovernmental and international nongovernmental organizations invited by the Director-General,~~ may participate in the work of the Assembly as observers, without the right to vote~~,~~ and subject to Rule ~~7.3~~16.3.** | ***Reason for the proposal:***The mention of ‘observers of intergovernmental and international nongovernmental organizations invited by the Director-General’ is moved out to create a new Rule (see the proposed Rule 3.3).The proposed Rule 16.3 replaces the Rule 7.3 of the current Rules of Procedure. |
|  | [See above Rule 2.2] | **3.3** | **Representatives of other intergovernmental and non-governmental organizations, as well as other representatives or observers, invited by the Director-General, may participate in the work of the Assembly as observers, without the right to vote and subject to Rule 16.3.** | ***Reason for the proposal:***See the explanatory note under the proposed Rule 3.2.The inclusion of reference ‘other representatives or observers’ would provide flexibility to the Director General to invite other personalities to the work of the assembly, such as experts. |
|  | **II. ORGANIZATION OF THE ASSEMBLY** |  | **~~II~~ CHAPTER III****ORGANIZATION OF THE ASSEMBLY** |  |
|  | **[No equivalent rule in the Rules of Procedure]** |  | **Rule 4****Ordinary and Extraordinary Sessions** |  |
|  | [No equivalent rule in the Rules of Procedure] | **4.1** | **The Assembly shall meet every two years in ordinary session in accordance with Article 4.2 of the Convention.** | ***Source of the proposal:***This paragraph is based on the first sentence of Article 4.2[[11]](#footnote-11) of the Convention which explicitly provides for the periodicity of ordinary sessions of the Assembly. |
|  | [No equivalent rule in the Rules of Procedure] | **4.2** | **The Assembly shall meet in extraordinary session if it so decides or at the request either of the Intergovernmental Committee for the Safeguarding of the Intangible Cultural Heritage (hereinafter ‘the Committee’) or of at least one-third of the States Parties.** | ***Source of the proposal:***This paragraph is based on the second sentence of Article 4.2[[12]](#footnote-12) of the Convention which explicitly establishes the conditions for the convening of extraordinary sessions of the Assembly. |
|  | **[No equivalent rule in the Rules of Procedure]** |  | **Rule 5****Date and Place** |  |
|  | [No equivalent rule in the Rules of Procedure] | **5.1** | **The Director-General shall determine the date of the ordinary session. The Director-General shall communicate such date to all States Parties and observers.** | ***Reason for the proposal:***The Proposed Rule 5.1 codifies the practice by which the Director-General determines the precise date of the ordinary session and communicates it to all States Parties and observers. |
|  | [No equivalent rule in the Rules of Procedure] | **5.2** | **Unless the date has been decided by the Assembly, the Director-General shall determine the date of the extraordinary session. The Director-General shall communicate such date to all States Parties and observers.** | ***Reason for the proposal:***The proposed Rule 5.2 codifies the practice by which the Director-General determines the precise date of the extraordinary session and communicates it to all States Parties and observers. |
|  | [No equivalent rule in the Rules of Procedure] | **5.3** | **Ordinary and extraordinary sessions shall be held at the Headquarters of UNESCO, unless the Assembly decides to meet elsewhere.** | ***Reason for the proposal:***The proposed Rule 5.3 codifies the usual practice by which ordinary and extraordinary sessions of the Assembly to be held at UNESCO Headquarters, while also leaving the possibility for the Assembly to decide to hold the sessions elsewhere. |
|  | **[No equivalent rule in the Rules of Procedure]** |  | **Rule 6****Online sessions** | ***Proposal:***The proposed Rule 6 aims at codifying the recent practice of holding online sessions, developing defined procedures for the decision to hold such sessions. |
|  | [No equivalent rule in the Rules of Procedure] | **6.1** | **The Assembly may hold online sessions only during periods of emergency or in exceptional circumstances rendering *in praesentia* meetings impracticable.** | ***Source of the proposal:***This paragraph is based on the first General Recommendation of the Open-ended working group on the working methods of the 41st session of the General Conference[[13]](#footnote-13) which was established with the mandate to provide guidelines for the organization of an online session of the General Conference. |
|  | [No equivalent rule in the Rules of Procedure] | **6.2** | **At an ordinary or extraordinary session, the Assembly may decide to hold an online session by a simple majority of States Parties present and voting.** | ***Reason for the proposal:***The proposed Rule 6.2 provides for the procedure to decide the holding of an online session while the assembly is in session.The requirement of a simple majority is proposed taken into account Rule 12.2 of the current Rules of Procedure. |
|  | [No equivalent rule in the Rules of Procedure] | **6.3** | **Should at least one-third of the States Parties propose the holding of an online session while the Assembly is not in session, the Director-General shall consult all the States Parties by correspondence. The Assembly shall hold an online session, unless one third of the States Parties disagrees to the proposal.** | ***Reason for the proposal:***The proposed Rule 6.3 provides for the procedure to decide the holding of an online session when the assembly is not in session.The number of States Parties proposing or disagreeing for holding an online session is suggested to be set at one-third.The terms ‘by correspondence’ are understood as allowing for the possibility of a consultation through electronic means.The active disagreement of at least one third of the States Parties is proposed as a requirement for deciding the holding of the session online in order to provide more flexibility to the Assembly. |
|  | **[No equivalent rule in the Rules of Procedure]** |  | **Rule 7****Provisional Agenda** | ***Proposal:***The proposed Rule 7 codifies the preparation, contents and circulation of the provisional agenda. |
|  | [No equivalent rule in the Rules of Procedure] | **7.1** | **The provisional agenda of the session shall be prepared by the Director-General.** | ***Reason for the proposal:***The proposed Rule 7.1 codifies the preparation of the agenda and specifies that it is the Director-General who has the responsibility of preparing the provisional agenda, following the rules of procedure and practice of various bodies, including the committees of conventions in the field of culture. |
|  | [No equivalent rule in the Rules of Procedure] | **7.2** | **The provisional agenda of an ordinary session shall include:****(a) Any question required by the Convention and the present Rules of Procedure;****(b) Any question the inclusion of which has been decided by the Assembly at a previous session;****(c) Any question referred by the Committee;****(d) Any question proposed by the States Parties to the Convention;****(e) Any question proposed by the Director-General.** | ***Reason for the proposal:***The proposed Rule 7.2 codifies the items to be included in the agenda of an ordinary session, using the harmonized wording of provisions already provided for in the Rules of Procedure of the assemblies of the 1970, 2001 and 2005 Conventions. |
|  | [No equivalent rule in the Rules of Procedure] | **7.3** | **The provisional agenda for an extraordinary session shall only include those questions for which the session has been convened.** | ***Reason for the proposal:***The proposed Rule 7.3 codifies the items to be included in the agenda of an extraordinary session, using the harmonized wording of provisions already provided for in the Rules of Procedure of the assemblies of the 1970 and 2001 Conventions. |
|  | [No equivalent rule in the Rules of Procedure] | **7.4** | **The Secretariat shall circulate to the States Parties and observers the provisional agenda at least sixty days before the opening of an ordinary session of the Assembly and as soon as possible in the case of an extraordinary session.** | ***Source of the proposal:***The proposed Rule 7.4 was established in furtherance of the Recommendations of the Working Group on Governance[[14]](#footnote-14), which provide that draft agendas and preliminary timetables should be prepared and disseminated earlier. |
|  | **[No equivalent rule in the Rules of Procedure]** |  | **Rule 8****Adoption of the Agenda** |  |
|  | [No equivalent rule in the Rules of Procedure] |  | **The Assembly shall adopt its agenda at the beginning of each session.** | ***Reason for the proposal:***The proposed Rule 8 codifies the well-established practice by which the Assembly adopts its agenda at the beginning of each session. |
|  | **[No equivalent rule in the Rules of Procedure]** |  | **Rule 9****Amendments, deletions and new items** |  |
|  | [No equivalent rule in the Rules of Procedure] |  | **The Assembly may amend, delete or add new items to the agenda so adopted if so decided by a two-thirds majority of the States Parties present and voting.** | ***Reason for the proposal:***The proposed Rule 9 contains the usual practice that foresees the possibility to amend the adopted agenda under a required majority.The proposed Rule 9 establishes a clear procedure including the required majority to modify the agenda after its adoption.The requirement of a two-thirds majority is proposed, taking into account Rule 11 of the Rules of Procedure for the Intergovernmental Committee of the 2003 Convention. |
|  | **[No equivalent chapter in the Rules of Procedure]** |  | **CHAPTER IV****BUREAU** |  |
|  | **[No equivalent rule in the Rules of Procedure]** |  | **Rule 10****Bureau** | ***Proposal:***The proposed Rule 10 governs the composition, functions and meetings of the Bureau and is divided in three paragraphs for clarity. |
|  | [No equivalent rule in the Rules of Procedure] | **10.1** | **The Bureau shall consist of the Chairperson, the Vice-Chairperson(s) and the Rapporteur.** | ***Reason for the proposal:***The proposed Rule 10.1 describes the composition of the Bureau.***Source of the proposal:***The existing rules of procedure[[15]](#footnote-15) already provide for the appointment of Chairperson, Vice-Chairperson(s) and the Rapporteur. However, it is common practice in intergovernmental bodies to refer collectively to the officials above, when meeting together, as the ‘Bureau’. |
|  | [No equivalent rule in the Rules of Procedure] | **10.2** | **The Bureau shall coordinate the work of the Assembly and fix the order of business of the session. It shall also assist the Chairperson in carrying out her or his functions.** | ***Reason for the proposal:***The proposed Rule 10.2 aims to codify the two functions exercised by the Bureaus in the practice of all seven assemblies of the conventions in the field of culture.***Source of the proposal:***An explicit provision detailing the functions of the Bureau is common practice in the rules of procedure of intergovernmental organs, including those of the UNESCO General Conference[[16]](#footnote-16). |
|  | [No equivalent rule in the Rules of Procedure] | **10.3** | **The Bureau, convened at the request of its Chairperson, shall meet as frequently as deemed necessary. The Bureau may, if the Chairperson deems it appropriate, be consulted by correspondence.** | ***Reason for the proposal:***The proposed Rule 10.3 governs the convening of meetings and consultation by correspondence of the Bureau to allow it to have a clear and ordinate conduct of the work.The terms ‘by correspondence’ are understood as allowing for the possibility of a consultation through electronic means. |
|  | **Rule 3** **Election of officers** |  | **~~Rule 3~~ Rule 11****Election of officers** |  |
|  | The Assembly shall elect a Chairperson, (a) Vice-Chairperson(s) and a Rapporteur. | **11.1** | **The Assembly shall elect ~~a~~ the Chairperson, ~~(a)~~ up to five Vice-Chairperson~~(s)~~s and ~~a~~ the Rapporteur at the opening of each session in conformity with the principle of equitable geographical representation.** | ***Proposal:***The proposed Rule 11.1 codifies the existing practice of the Assembly with respect to the election of the Chairperson, Vice-Chairpersons and the Rapporteur.***Reason for the proposal:***Since the Assembly of the 2003 Convention is without a standing Bureau, the term ‘ordinary’ is omitted in order for the Bureau to be elected at the beginning of each session, regardless of whether it is ordinary or extraordinary.A deviation from the Model Rule 11.1 is proposed to maintain the practice of the General Assembly of the 2003 Convention to elect five Vice-Chairpersons in order to ensure geographical equity. |
|  | [No equivalent rule in the Rules of Procedure] | **11.2** | **The term of office of the Chairperson, the Vice-Chairperson(s) and the Rapporteur will run from the opening of the session of the Assembly in which they are elected until the closing of the session.** | ***Proposal:***The proposed Rule 11.2 codifies the existing practice of the Assembly, with respect to the term of office of officers which affects the role of the Bureau intersessionally.***Reason for the proposal:***The proposal reflects the practice of the Assembly of the 2003 Convention which elect its officers only for the duration of the session for which they were elected. |
|  | [No equivalent rule in the Rules of Procedure] | **11.3** | **The Chairperson, the Vice-Chairperson(s) and the Rapporteur shall not be eligible for immediate re-election after completing two consecutive terms.** | ***Proposal:***The proposed Rule 11.3 is to achieve harmonization of the practice on possible limits to the re-eligibility of members of the Bureaus.***Source of the proposal:***The proposal is based on the provision present in the Rules of Procedure of the assemblies of the 1970[[17]](#footnote-17) and 2001[[18]](#footnote-18) Conventions. |
|  | **Rule 4****Duties of the Chairperson** |  | **~~Rule 4~~ Rule 12****Powers and duties of the Chairperson** |  |
| 4.1 | In addition to exercising the powers which are conferred upon him/her elsewhere by the present Rules, the Chairperson shall open and close each plenary meeting of the Assembly. He/She shall direct the discussions, ensure observance of these Rules, accord the right to speak, put questions to the vote and announce decisions. He/She shall rule on points of order and, subject to the present Rules, shall control the proceedings and the maintenance of order. He/She shall not vote, but he/she may instruct another member of his/her delegation to vote on his/her behalf. | **12.1** | **In addition to exercising the powers and duties which are conferred upon ~~him/her~~ her or him elsewhere by the present Rules of Procedure, the Chairperson shall open and close each plenary meeting of the Assembly. ~~He/She~~ She or he shall direct the discussions, ensure observance of ~~these~~ the present Rules of Procedure, accord the right to speak, put questions to the vote and announce decisions. ~~He/She~~ She or he shall rule on points of order and, subject to the present Rules of Procedure, shall control the proceedings and the maintenance of order. ~~He/She~~ She or he shall not vote, but ~~he/she~~ she or he may instruct another member of ~~his/her~~ her or his delegation to vote ~~on his/her behalf~~ in her or his place.** | ***Proposal:***A reformation of the provision is proposed to harmonize its terminology with the rules of procedures of the other assemblies concerning the powers and duties of the Chairperson. Use of gender-inclusive language, taking into account the United Nations Guidelines for gender-inclusive language, is also proposed.***Source of the proposal:***The last sentence is based on a provision found only in the Rules of Procedure of the Meeting of the High Contracting Parties to the 1954 Convention[[19]](#footnote-19). It is included in an effort to codify the well-established principle according to which the Chairperson does not participate to votes but may instruct another member of her or his delegation to vote in her or his place. |
| 4.2 | Should the Chairperson be absent during a meeting, or any part thereof, he/she shall be replaced by a Vice-Chairperson. The Vice-Chairperson acting as Chairperson shall have the same powers and duties as the Chairperson. | **12.2** | **Should the Chairperson be absent during a meeting, or ~~any~~ part thereof, ~~he/she shall be replaced by a Vice-Chairperson.~~ her or his powers and duties shall be exercised by one of the Vice-Chairpersons, selected at the discretion of the Chairperson. ~~The~~ A Vice-Chairperson acting as Chairperson shall have the same powers and duties as the Chairperson.** | ***Proposal:***Draft Model Rule 12.2 harmonizes the existing wording of the different rules of procedure as regards the temporary replacement of the Chairperson during her or his absence and provides that a Vice-Chairperson acting as Chairperson shall have the same powers and duties as the Chairperson.In addition, the proposal aims to codify the procedure and criteria for the selection of the Vice-Chairperson concerned, which are not specified in any of the Rules of Procedure of the seven assemblies in the field of culture.***Source of the proposal:***The proposed procedure for the temporary replacement of the Chairperson during her or his absence is inspired from objective criteria found in the Rules of Procedures of the committees of the 1970[[20]](#footnote-20) and 1972 Conventions[[21]](#footnote-21) and the 1999 Second Protocol[[22]](#footnote-22).A deviation from the Model Rule 12.2 is proposed in order to maintain the practice of the General Assembly of the 2003 Convention which gives more flexibility when choosing the temporary replacement of the Chairperson. |
|  | **III CONDUCT OF BUSINESS** |  | **~~III~~ CHAPTER V****CONDUCT OF BUSINESS** |  |
|  | **Rule 6****Quorum** |  | **~~Rule 6~~ Rule 13****Quorum** |  |
| 6.1 | A quorum shall consist of a majority of the States referred to in Rule 1 and represented at the Assembly. | **13.1** | **A quorum shall consist of a majority of the States Parties referred to in Rule ~~1~~ 2 and represented at the Assembly.** | ***Reason for the proposal:***A slight reformulation is proposed to achieve the internal consistency of the terminologies and numbering within the proposed Rules of Procedure. |
| 6.2 | The Assembly shall not decide on any matter unless a quorum is present. | **13.2** | **[no change to the text under Rule 6.2]**  |  |
|  | **Rule 5****Public nature of meetings** |  | **~~Rule 5~~ Rule 14****Public nature of meetings** |  |
|  | Meetings shall be held in public unless decided otherwise by the Assembly | **14.1** | **[no change to the text under Rule 5]** |  |
|  | [No equivalent rule in the Rules of Procedure] | **14.2** | **Any decision taken by the Assembly at a private meeting shall be announced at a subsequent public meeting.** | ***Proposal:***The proposed Rule 14.2 is to clarify the procedure followed in the event of private meetings.***Source of the proposal:***The proposal is based on the corresponding provisions of UNESCO’s Governing Bodies[[23]](#footnote-23). |
|  | **[No equivalent rule in the Rules of Procedure]** |  | **Rule 15****Subsidiary bodies** |  |
|  | [No equivalent rule in the Rules of Procedure] | **15.1** | **The Assembly may establish such subsidiary bodies, including working groups, as it deems necessary for the performance of its functions.** | ***Reason for the proposal:***The proposal is to confirm the assembly’s power to establish subsidiary bodies and the procedure applicable thereto, in case the need to do so would arise, even though the assembly of the 2003 Convention has not seen the need to establish subsidiary bodies for the performance of its functions. |
|  | [No equivalent rule in the Rules of Procedure] | **15.2** | **The Assembly shall define the composition and the terms of reference (including mandate and duration of office) and, if necessary, the quorum of such subsidiary bodies at the time of their establishment.** | See the note above for the proposed Rule 15.1. |
|  | [No equivalent rule in the Rules of Procedure] | **15.3** | **Each subsidiary body shall elect its Chairperson.** | See the note above for the proposed Rule 15.1. |
|  | [No equivalent rule in the Rules of Procedure] | **15.4** | **In appointing members of subsidiary bodies, due regard shall be given to principle of equitable geographical representation.** | See the note above for the proposed Rule 15.1. |
|  | **Rule 7****Order and time-limit of speakers** |  | **~~Rule 7~~ Rule 16****Order and time-limit of ~~speakers~~ speeches** |  |
| 7.1 | The Chairperson shall call upon speakers in the order in which they signify their wish to speak. | **16.1** | **[no change to the text under Rule 7.1]** |  |
| 7.2 | For the convenience of the discussion, the Chairperson may limit the time to be allowed to each speaker. | **16.2** | **[no change to the text under Rule 7.2]** |  |
| 7.3 | The consent of the Chairperson must be obtained whenever an observer wishes to address the Assembly. | **16.3** | **[no change to the text under Rule 7.3]** |  |
|  | **Rule 11****Resolutions and amendments** |  | **~~Rule 11~~ Rule 17****Draft resolutions and amendments** | ***Reason for the proposal:***The inclusion of ‘draft’ in the title is more legally precise.***Source of the proposal:***The proposed title is based on the Rules of Procedures of the Meeting of States Parties to the 2001 Convention[[24]](#footnote-24).  |
| 11.1 | Draft resolutions and amendments may be proposed by the participants referred to in Rule 1 and shall be transmitted in writing to the Secretariat of the Assembly, which shall circulate copies to all participants. | **17.1** | **Draft resolutions and amendments may be proposed by the ~~participants referred to in Rule 1~~ States Parties and shall be transmitted in writing to the Secretariat of the Assembly, which shall circulate ~~copies~~ them to all participants.** | ***Reason for the proposal:***A slight reformulation of the provision is proposed to harmonize its terminology with the rules of procedures of other assemblies. |
| 11.2 | As a general rule, no draft resolution or amendment shall be discussed or put to the vote unless it has been circulated reasonably in advance to all participants in the working languages of the Assembly. | **17.2** | **[no change to the text under Rule 11.2]** | ***Reason for the proposal:***It is proposed to maintain that the draft resolutions shall be circulated in the working languages of the assembly, even though Model Rule 17.2 does not include this specification. |
|  | **Rule 8****Points of order** |  | **~~Rule 8~~ Rule 18****Points of order** |  |
| 8.1 | During a discussion, any delegation may raise a point of order; such a point of order shall be immediately decided upon by the Chairperson. | **18.1** | **During ~~a~~ the discussion of any matter, ~~any delegation~~ a State Party may rise to a point of order~~;~~ ~~such a~~ and the point of order shall be immediately ~~decided~~ ruled upon by the Chairperson.** | ***Reason for the proposal:***A slight reformulation of the provision is proposed to harmonize its terminology with the rules of procedures of other assemblies.***Source of the proposal:***The proposal is based on the language of the corresponding rule contained in the Rules of Procedure of UNESCO’s Governing Bodies[[25]](#footnote-25).  |
| 8.2 | An appeal may be made against the ruling of the Chairperson. Such an appeal shall be put to the vote immediately and the Chairperson’s ruling shall stand, unless overruled by a majority of the delegations present and voting. | **18.2** | **~~An appeal~~ A State Party may appeal ~~be made~~ against the ruling of the Chairperson. ~~Such an~~ The appeal shall be put to the vote immediately, and the Chairperson’s ruling shall stand~~,~~ unless overruled by a majority of the ~~delegations~~ States Parties present and voting.** | ***Reason for the proposal:***A slight reformulation of the provision is proposed to harmonize its terminology with the rules of procedures of other assemblies.***Source of the proposal:***The proposal is based on the language of the corresponding rule contained in the Rules of Procedure of UNESCO’s Governing Bodies[[26]](#footnote-26).  |
|  | **Rule 9****Procedural motions** |  | **~~Rule 9~~ Rule 19****Procedural motions** |  |
| 9.1 | During a discussion, any delegation may move the suspension or adjournment of the meeting or the adjournment or closure of the debate. |  | **During ~~a~~ the discussion of any matter, ~~any delegation~~ a State Party may ~~move~~ propose a procedural motion: ~~the~~ suspension or adjournment of the meeting, ~~or the~~ adjournment ~~or closure~~ of the debate or closure of the debate.** | ***Reason for the proposal:***A slight reformulation of the provision is proposed for this rule which is a chapeau paragraph for Rules 20 to 23.***Source of the proposal:***The proposal is based on the corresponding rule of the Rules of Procedure of the Executive Board of UNESCO[[27]](#footnote-27). |
|  | **[See Rule 9.1 above]** |  | **Rule 20****Suspension or adjournment of the meeting** |  |
|  | [No equivalent rule in the Rules of Procedure but related to Rule 9.1 above] |  | **During the discussion of any matter, a State Party may move the suspension or the adjournment of the meeting. Such motions shall not be debated but shall be immediately put to the vote.** | ***Reason for the proposal:***The draft Rule 20 follows the approach which includes separate rules for each of the procedural motions, taking into account their specificities.***Source of the proposal:***The proposal reflects the rule included in the Rules of Procedure of the Meeting of States Parties to the 2001[[28]](#footnote-28) Convention and is based on the wording of the corresponding rule of the Rules of Procedure of UNESCO’s Governing Bodies[[29]](#footnote-29). |
|  | **[See Rule 9.1 above]** |  | **Rule 21****Adjournment of the debate** |  |
|  | [No equivalent rule in the Rules of Procedure but related to Rule 9.1 above] |  | **During the discussion of any matter, a State Party may move the adjournment of the debate on the item under discussion. On moving the adjournment, the State Party shall indicate whether it moves the adjournment *sine die* or to a particular time which it shall specify. In addition to the proposer of the motion, one speaker may speak in favour of, and one against, the motion, after which the motion shall be immediately put to the vote. The Chairperson may limit the time to be allowed to speakers under this rule.** | ***Reason for the proposal:***The draft Rule 21 follows the approach which includes separate rules for each of the procedural motions, taking into account their specificities. ***Source of the proposal:***The proposal reflects the rule included in the Rules of Procedure of the Meeting of States Parties to the 2001 Convention[[30]](#footnote-30) and is based on the wording of the corresponding rule of the Rules of Procedure of UNESCO’s Governing Bodies[[31]](#footnote-31).  |
|  | **[See Rule 9.1 above]** |  | **Rule 22****Closure of the debate** |  |
|  | [No equivalent rule in the Rules of Procedure but related to Rule 9.1 above] |  | **During the discussion of any matter, a State Party may move the closure of the debate on the item under discussion, whether or not any other speaker has signified her or his wish to take part in the discussion. If application is made for permission to speak against the closure, it may be accorded to not more than two speakers, after which the motion shall be immediately put to the vote. If the Assembly is in favour of the closure, the Chairperson shall declare the closure of the debate. The Chairperson may limit the time to be allowed to speakers under this rule.** | ***Reason for the proposal:***The draft Rule 22 follows the approach which includes separate rules for each of the procedural motions, taking into account their specificities.***Source of the proposal:***The proposal reflects the rule included in the Rules of Procedure of the Meeting of States Parties to the 2001 Convention[[32]](#footnote-32) and is based on the wording of the corresponding rule of the Rules of Procedure of UNESCO’s Governing Bodies[[33]](#footnote-33). |
|  | **[See Rule 9 above]** |  | **Rule 23****Order of procedural motions** |  |
| 9.2 | Such a motion shall be put to the vote immediately. Subject to Rule 8.1, such motions shall have precedence in the following order over all other proposals or motions before the meeting:(a) suspension of the meeting;(b) adjournment of the meeting;(c) adjournment of the debate on the question under discussion;(d) closure of the debate on the question under discussion. |  | **~~Such a motion shall be put to the vote immediately.~~ Subject to Rule ~~8.1~~ 18.1, ~~such~~ the following motions shall have precedence in the following order over all other proposals ~~or motions~~ before the meeting:****(a) ~~suspension of~~ to suspend the meeting;****(b) ~~adjournment of~~ to adjourn the meeting;****(c) ~~adjournment of~~ to adjourn the debate on the ~~question~~ item under discussion;****(d) for the closure of the debate on the ~~question~~ item under discussion.** | ***Reason for the proposal:***A slight reformulation of the provision is proposed to harmonize its terminology with the rules of procedures of other assemblies.***Source of the proposal:***The proposal is based on the language of the corresponding rule in the Rules of Procedure of UNESCO’s Governing Bodies[[34]](#footnote-34). |
|  | **[No equivalent chapter in the Rules of Procedure]** |  | **CHAPTER VI****WORKING LANGUAGES** |  |
|  | **Rule 10****Working languages** |  | **~~Rule 10~~ Rule 24****Working languages** |  |
| 10.1 | The working languages of the Assembly shall be Arabic, Chinese, English, French, Russian and Spanish. | **24.1** | **[no change to the text under Rule 10.1]** |  |
| 10.2 | Speeches made at the Assembly in one of the working languages shall be interpreted into the other languages. | **24.2** | **[no change to the text under Rule 10.2]** |  |
| 10.3 | Speakers may, however, speak in any other language, provided that they make their own arrangements for interpretation of their speeches into one of the working languages. | **24.3** | **[no change to the text under Rule 10.3]** |  |
|  | [See Rule 16.3 (i) below] | **24.4** | **The documents of the Assembly shall be issued in all the working languages.** | ***Source of the proposal:***The proposed Rule 24.4 is based on the current Rule 16.3 (i) which governs the distribution of the documents in all working languages[[35]](#footnote-35).  |
|  | **[See Rule 16.3 (i) below]** |  | **Rule 25****Deadline for the distribution of documents** |  |
|  |  |  | **The documents relating to the items on the provisional agenda of each session of the Assembly shall be distributed, either in paper format or electronically, at the latest thirty days before the opening of the ordinary session, and as soon as possible in the case of an extraordinary session, to all States Parties and observers.** | ***Reason for the proposal:***The proposal aims to clarify that the distribution of documents may be made ‘either in paper format or electronically’.The deadline for the distribution of all official documents (at least thirty days before the opening of the session of the Assembly) was already included in the current Rule 16.3 (i).Furthermore, given the special circumstances in which extraordinary sessions may be convened, it appears useful to provide an additional provision on distribution of documents for extraordinary sessions. |
|  | **[No equivalent rule in the Rules of Procedure]** |  | **Rule 26****Summary records** |  |
|  |  |  | **The Secretariat shall prepare summary records of all statements made during the plenary meetings of the Assembly in English and French for approval at the opening of the next session.** | ***Proposal:***This codifies the well-established practice of the Assembly of the 2003 Convention.***Source of the proposal:***The proposal is inspired by the Rules of Procedure of the Meeting of States Parties to the 2001 Convention[[36]](#footnote-36).  |
|  | **[No equivalent chapter in the Rules of Procedure]** |  | **CHAPTER VII****VOTING** |  |
|  | **Rule 12****Voting** |  | **~~Rule 12~~ Rule 27****Voting rights** |  |
| 12.1 | The representative of each State referred to in Rule 1 shall have one vote in the Assembly. |  | **~~The representative of~~ ~~e~~Each State Party ~~referred to in Rule 1~~ shall have one vote in the Assembly.** | ***Reason for the proposal:***A slight reformulation of the provision is proposed to harmonize its terminology with the rules of procedures of other assemblies and to ensure the consistent use of the term ‘State(s) Party(ies)’ within the Rules of Procedure of the Assembly. |
|  | **[No equivalent rule in the Rules of Procedure]** |  | **Rule 28****Consensus** |  |
|  |  |  | **Every effort shall be made to adopt decisions in the Assembly by consensus. If consensus cannot be reached, decisions shall be adopted by vote.** | ***Reason for the proposal:***The proposal is to codify the well-established practice of all seven assemblies in order to ensure transparency and security in the decision-making process. It provides that resort is to be made to voting when consensus cannot be reached.***Source of the proposal:***The proposal is based on language found in the rules of procedure of intergovernmental bodies outside from UNESCO, which was preferred due to its clarity and simplicity. |
|  | **[No equivalent rule in the Rules of Procedure]** |  | **Rule 29****Conduct during voting** |  |
|  |  |  | **After the Chairperson has announced the beginning of voting, no one shall interrupt the voting except on a point of order in connection with the actual conduct of the voting.** | ***Reason for the proposal:***The proposal codifies the well-established practice of all seven assemblies and a practice universally followed by intergovernmental bodies.***Source of the proposal:***The proposal reproduces the wording found in the Rules of Procedure of the assemblies of the 2001 and 2005 Conventions[[37]](#footnote-37), as well as the Rules of Procedure of the UNESCO General Conference[[38]](#footnote-38).  |
|  | **[No equivalent heading in the Rules of Procedure]** |  | **Rule 30****Simple majority** |  |
| 12.2 | Subject to the provisions of Rules 6.2 and 17, decisions shall be taken by a majority of the States present and voting, except for the provisions of Rule 12.3. | **30.1** | **~~Subject to the provisions of Rules 6.2 and 17,~~ When the Assembly resorts to voting, decisions shall be taken by a simple majority of the States Parties present and voting, except ~~for the provisions of Rule 12.3~~ as otherwise provided for in the present Rules of Procedure.** | ***Reason for the proposal:***A reformulation of the provision is proposed to harmonize its terminology with the rules of procedures of other assemblies, and adds the clarification that this rule should be applied ‘when the Assembly resorts to voting’ in order to account for the previous rule on consensus.The exceptions referred to concern (a) the decision-making by a two-thirds majority under the proposed Rules 9, 39 and 40, (b) the decision-making by at least one-third of States Parties under the proposed Rule 6.3 and (c) how to count a simple majority under the proposed Rule 30.2. |
| 12.3 | The decision concerning the amount of the contributions, in the form of a uniform percentage applicable to all States which have not made the declaration referred to in paragraph 2 of Article 26 of the Convention, shall be determined by a majority vote of the States Parties present and voting which have not made the above-mentioned declaration. | **30.2** | **The decision concerning the amount of the contributions, in the form of a uniform percentage applicable to all States Parties which have not made the declaration referred to in paragraph 2 of Article 26 of the Convention, shall be determined by a simple majority vote of the States Parties present and voting which have not made the above-mentioned declaration.** | ***Reason for the proposal:***The proposed adjustment is to ensure the consistent use of the term ‘States Parties’ within the Rules of Procedure of the Assembly. |
|  | **[No equivalent heading in the Rules of Procedure]** |  | **Rule 31****Voting by show of hands and roll-call** |  |
| 12.5 | Voting shall normally be by show of hands, except for the election of members of the Intergovernmental Committee for the Safeguarding of the Intangible Cultural Heritage (hereinafter referred to as ‘the Committee’). | **31.1** | **Except as otherwise provided for in the present Rules of Procedure, ~~V~~voting shall ~~normally~~ be by show of hands ~~except for the election of members of the Intergovernmental Committee for the Safeguarding of the Intangible Cultural Heritage (hereinafter referred to as ‘the Committee’)~~.** | ***Reason for the proposal:***A slight reformulation of the provision is proposed to harmonize the existing wording which is already provided in the Rules of Procedure of six assemblies. |
| 12.6 | When the result of a vote by show of hands is in doubt, the Chairperson may take a second vote by roll-call. A vote by roll-call shall also be taken if it is requested by not less than two delegations before the voting takes place and for the decision mentioned in Rule 12.3. | **31.2** | **When the result of a vote by show of hands is in doubt, the Chairperson may take a second vote by roll-call.** **~~A~~ ~~v~~Vote by roll-call shall also be taken if it is requested by not less than two ~~delegations~~ States Parties. The request shall be made to the Chairperson before the voting takes place** **~~and for the decision mentioned in Rule 12.3.~~ or immediately after the vote by show of hands. Vote by roll-call shall be taken for the decision mentioned in Rule 30.2.** | ***Reason for the proposal:***A slight reformulation of the provision is proposed to harmonize the existing wording which is already provided in the Rules of Procedure of six assemblies.An additional provision specific to the 2003 Convention must be included on the decision concerning the amount of the contributions which shall be taken by roll-call, which is reflected under the proposed Rule 30.2. |
|  | [No equivalent rule in the Rules of Procedure] | **31.3** | **When a vote is taken by roll-call, the vote of each State Party participating shall be inserted in the summary records.** | ***Reason for the proposal:***The proposed paragraph reflects the practice of the Assembly.***Source of the proposal:***The wording used is based on Rule 85 of the Rules of Procedure of the UNESCO General Conference[[39]](#footnote-39).  |
|  | **[No equivalent rule in the Rules of Procedure]** |  | **Rule 32****Order of voting on proposals** |  |
|  | [No equivalent rule in the Rules of Procedure] | **32.1** | **If two or more proposals, other than amendments, relate to the same question, they shall, unless the Assembly decides otherwise, be voted on in the order in which they were submitted. The Assembly may, after each vote on a proposal, decide whether to vote on the next proposal.** | ***Reason for the proposal:***The proposed Rule 32.1 is to codify the generally applied practice in order to ensure the good conduct of proceedings.***Source of the proposal:***The equivalent Rule is present in the Rules of Procedure of the assemblies of the 2001 Convention[[40]](#footnote-40) and 2005 Convention[[41]](#footnote-41).  |
|  | [No equivalent rule in the Rules of Procedure] | **32.2** | **A motion requiring that no decision be taken on a proposal shall have priority over that proposal.** | ***Reason for the proposal:***The proposed Rule 32.2 is to codify the generally applied practice in order to ensure the good conduct of proceedings. |
|  | **[See Rule 12 above]** |  | **Rule 33****Voting on amendments** |  |
| 12.7 | When an amendment to a proposal is moved, the amendment shall be voted on first. When two or more amendments to a proposal are moved, the Assembly shall first vote on the amendment deemed by the Chairperson to be furthest removed in substance from the original proposal, and then on the amendment next furthest removed therefrom and so on, until all the amendments have been put to the vote. | **33.1** | **When an amendment to a proposal is moved, the amendment shall be voted on first. When two or more amendments to a proposal are moved, the ~~Assembly~~ Chairperson shall ~~first~~ put them to the vote ~~on~~ starting with the amendment deemed by ~~the Chairperson~~ her or him to be furthest removed in substance from the original proposal, ~~and then on the amendment next furthest removed therefrom~~ and so on~~, until all the amendments have been put to the vote~~. In case of doubt, the Chairperson shall consult the Assembly.** | ***Reason for the proposal:***The proposed Rule 33.1 reproduces provisions found in the Rules of Procedure of all seven assemblies.***Source of the proposal:***Harmonized terminology was inspired by the corresponding provision of the Rules of Procedure of the UNESCO General Conference[[42]](#footnote-42). |
| 12.8 | If one or more amendments are adopted, the amended proposal shall then be voted upon as a whole. | **33.2** | **If one or more amendments are adopted, the amended proposal shall then be put to the vote~~d~~ ~~upon as a whole~~.** | ***Reason for the proposal:***The proposed Rule 33.2 reproduces provisions found in the Rules of Procedure of six assemblies. It is understood that the amended proposal is voted as a whole.***Source of the proposal:***Harmonized terminology was inspired by the corresponding provision of the Rules of Procedure of the UNESCO General Conference[[43]](#footnote-43).  |
| 12.9 | A motion is considered an amendment to a proposal if it merely adds to, deletes from or revises part of that proposal. | **33.3** | **[No change to the text under Rule 12.9]** |  |
|  | **[See Rule 12 above]** |  | **Rule 34****Meaning of the expression ‘States Parties present and voting’** |  |
| 12.4 | For the purpose of the present Rules, the expression ‘States present and voting’ shall mean States casting an affirmative or negative vote. States abstaining from voting shall be regarded as having not voted. |  | **For the purpose of the present Rules of Procedure, the expression ‘States Parties present and voting’ ~~shall~~ means States Parties casting an affirmative or negative vote. States Parties who abstain~~ing~~ from voting ~~shall be regarded~~ are considered as ~~having~~ not vot~~ed~~ing.** | ***Source of the proposal:***The wording is harmonized in light of the language used in the corresponding rule in the Rules of Procedure of the UNESCO General Conference[[44]](#footnote-44). |
|  | **IV ELECTION OF MEMBERS OF THE INTERGOVERNMENTAL COMMITTEE FOR THE SAFEGUARDING OF THE INTANGIBLE CULTURAL HERITAGE** |  | **~~IV ELECTION OF MEMBERS OF THE INTERGOVERNMENTAL COMMITTEE FOR THE SAFEGUARDING OF THE INTANGIBLE CULTURAL HERITAGE~~****CHAPTER VIII** **ELECTION AND TERM OF OFFICE OF THE COMMITTEE** | ***Proposal:***As the Rules of Procedure of all six relevant assemblies include detailed provisions concerning the respective committees which reflects the differences between the institutional structure of each convention, the Secretariat is not proposing harmonization of this chapter and the corresponding provisions are omitted in the Draft Model Rules. |
|  | **Rule 13** **Geographical distribution** |  | **~~Rule 13~~ Rule 35****Geographical distribution** |  |
| 13.1 | The election of Members of the Committee shall be conducted on the basis of the electoral groups of UNESCO, as determined by the UNESCO General Conference at its most recent session, it being understood that ‘Group V’ shall consist of two separate groups for the African and Arab States. | **35.1** | **[no change to the text under Rule 13.1]** |  |
| 13.2 (i) | The seats in the Committee composed of 18 Members shall be distributed among electoral groups in proportion to the number of States Parties from each group, provided that, after such distribution, at least two seats have been attributed to each group. | **35.2** | **The seats in the Committee composed of ~~18~~ 24 Members shall be distributed among electoral groups in proportion to the number of States Parties from each group, provided that, after such distribution, at least ~~two~~ three seats have been attributed to each group.** | ***Reason for the proposal:***In line with Article 5 of the 2003 Convention and since the number of States Parties has gone beyond 50, it is proposed to update Rule 13.2 (i) of the Rules of Procedure; the proposal is to reflect that the Committee is composed of 24 Members and that at least three seats (and no longer two) in the Committee shall be distributed to each electoral group. |
| 13.2 (ii) | Once the number of States Members of the Committee reaches 24, the seats shall be distributed at each election among electoral groups in proportion to the number of States Parties from each group, provided that, after such distribution, at least three seats have been attributed to each group. |  | **~~Once the number of States Members of the Committee reaches 24, the seats shall be distributed at each election among electoral groups in proportion to the number of States Parties from each group, provided that, after such distribution, at least three seats have been attributed to each group.~~** | ***Reason for the proposal:***See above; the proposal is to delete this paragraph following the revision proposed to Rule 13.2 (i) of the Rules of Procedure. |
|  | **Rule 14****Procedures for the presentation of candidatures to the Committee** |  | **~~Rule 14~~ Rule 36****Procedures for the presentation of candidatures to the Committee** |  |
| 14.1 | The Secretariat shall ask all States Parties, three months prior to the date of the election, whether they intend to stand for election to the Committee. States Parties are requested to send their candidature to the Secretariat at least six weeks prior to the opening of the Assembly. | **36.1** | **[no change to the text under Rule 14.1]** |  |
| 14.2 | At least four weeks prior to the opening of the Assembly, the Secretariat shall send to all States Parties the provisional list of candidate States Parties, indicating the electoral group to which they belong and the number of seats to be filled in each electoral group. The Secretariat shall also provide information on the status of all compulsory and voluntary contributions to the Fund for the Safeguarding of the Intangible Cultural Heritage made by each of the candidates. The list of candidatures will be revised as necessary. | **36.2** | **[no change to the text under Rule 14.2]** |  |
| 14.3 | No payments of compulsory and voluntary contributions to the Fund (for the purpose of presenting a candidature to the Committee) will be accepted later than a week before the opening of the Assembly. | **36.3** | **[no change to the text under Rule 14.3]** |  |
| 14.4 | The list of candidatures shall be finalized three working days prior to the opening of the General Assembly. No candidature will be accepted in the three working days preceding the opening of the Assembly. | **36.4** | **[no change to the text under Rule 14.4]** |  |
|  | **Rule 15****Election of Members of the Committee** |  | **~~Rule 15~~ Rule 37****Election of Members of the Committee** |  |
| 15.1 | The election of Members of the Committee shall be conducted by secret ballot except that, where the number of candidates within geographical distribution is the same as or less than the number of seats to be filled, the candidates shall be declared elected without the need to hold a ballot. | **37.1** | **[no change to the text under 15.1]** |  |
| 15.2 | Before the election begins, the Chairperson shall appoint two tellers from among the delegates present; he/she shall hand to them the list of States Parties entitled to vote and the list of candidate States Parties. He/She shall announce the number of seats to be filled | **37.2** | **Before the election begins, the Chairperson shall appoint two tellers from among the delegates present; ~~he/~~She or he shall hand to them the list of States Parties entitled to vote and the list of candidate States Parties. ~~He/~~She or he shall announce the number of seats to be filled.** | ***Reason for the proposal:***Use of gender-inclusive language, taking into account the United Nations Guidelines for gender-inclusive language, is proposed. |
| 15.3 | The Secretariat shall prepare for each delegation having the right to vote an envelope without any distinguishing mark and separate ballot papers, one for each of the electoral groups. The ballot paper for each electoral group shall bear the names of all the candidate States Parties in that electoral group. | **37.3** | **[no change to the text under Rule 15.3]** |  |
| 15.4 | Each delegation shall cast its vote by encircling the names of those States for which it desires to vote. | **37.4** | **[no change to the text under Rule 15.4]** |  |
| 15.5 | The tellers shall collect from each delegation the envelope containing the ballot papers and shall count the votes, under the supervision of the Chairperson. | **37.5** | **[no change to the text under Rule 15.5]** |  |
| 15.6 | The absence of any ballot paper in the envelope shall be considered an abstention. | **37.6** | **[no change to the text under Rule 15.6]** |  |
| 15.7 | Ballot papers on which more names have been circled than there are seats to be filled as also those containing no indication as to the intention of the voter shall be considered invalid. | **37.7** | **[no change to the text under Rule 15.7]** |  |
| 15.8 | The counting of the votes for each electoral group shall take place separately. The tellers shall open the envelopes, one by one, and shall sort the ballot papers into electoral groups. The votes cast for the candidates States Parties shall be entered on lists prepared for that purpose. | **37.8** | **[no change to the text under Rule 15.8]** |  |
| 15.9 | The Chairperson shall declare elected those candidates who obtain the greatest number of votes up to the number of seats to be filled. If two or more candidates obtain the same number of votes, and, as a result, there are still more candidates than seats to be filled, there shall be a second secret ballot restricted to those candidates who obtained the same number of votes. If in the second ballot two or more candidates obtain the same number of votes, the Chairperson shall draw lots to decide the elected candidate. | **37.9** | **[no change to the text under Rule 15.9]** |  |
| 15.10 | When the counting of the votes is completed, the Chairperson shall announce the results of the ballot separately for each of the electoral groups. | **37.10** | **[no change to the text under Rule 15.10]** |  |
|  | **V SECRETARIAT OF THE ASSEMBLY** |  | **~~V~~ CHAPTER IX****SECRETARIAT OF THE ASSEMBLY** |  |
|  | **Rule 16****Secretariat** |  | **~~Rule 16~~ Rule 38****Secretariat** |  |
| 16.1 | The Director-General of UNESCO or his/her representative shall participate in the work of the Assembly, without the right to vote. He/She may, at any time, make either oral or written statements to the Assembly on any question under discussion. | **38.1** | **The Director-General of UNESCO or ~~his/her~~ her or his representative shall participate in the work of the Assembly, its subsidiary bodies and the Bureau without the right to vote. ~~He/She~~ She or he may, at any time, make either oral or written statements to the Assembly on any question under discussion.** | ***Reason for the proposal:***The proposal reproduces the text of the rules of procedure of the majority of assemblies, with minor terminological harmonization.Furthermore, the proposed Rule 38.1 recognizes that the Director-General or her or his representative shall participate in the work not only of the assembly itself, but also of its subsidiary bodies and the Bureau. |
| 16.2 | The Director-General of UNESCO shall appoint an official of the Secretariat of UNESCO to act as Secretary to the Assembly, and other officials who shall together constitute the Secretariat of the Assembly. | **38.2** | **The Director-General of UNESCO shall appoint an official of the Secretariat of UNESCO to act as Secretary to the Assembly, ~~and~~ as well as other officials who shall together constitute the Secretariat of the Assembly.** | ***Reason for the proposal:***The proposed Rule 38.2 enshrines the provision, contained in the Rules of Procedure of all seven assemblies, with a minor terminological harmonization. |
| 16.3 (i) | The Secretariat shall receive, translate and distribute, in the six working languages and at least thirty days before the opening of the session of the Assembly, all official documents. | **38.3** | **The Secretariat shall receive, translate and distribute~~,~~ ~~in the six working languages and at least thirty days before the opening of the session of the Assembly,~~ all ~~official~~ documents; arrange for the interpretation of the discussions; prepare summary records; and publish the adopted resolutions and distribute them to the States Parties.** | ***Reason for the proposal:***The proposed Rule 38.3 reflects the practice of all seven assemblies in terms of the functions of the Secretariat, with harmonized terminology, and includes the preparation of summary records of the assembly’s session (in order to be consistent with the proposed Rule 26) as well as the arrangement for the interpretation of the discussions which is taken from Rule 16.3 (ii) of the current Rules of Procedure. |
| 16.3 (ii) | It shall arrange for the interpretation of the discussions and also perform all other duties necessary for the proper conduct of the work of the Assembly. | **38.4** | **~~It~~ The Secretariat shall ~~arrange for the interpretation of the discussions and~~ also perform all other duties necessary for the proper conduct of the work of the Assembly.** | ***Reason for the proposal:***The arrangement for the interpretation is moved to the proposed Rule 38.3. |
|  | **VI ADOPTION, AMENDMENT AND SUSPENSION OF THE RULES OF PROCEDURE** |  | **~~VI~~ CHAPTER X****~~ADOPTION,~~ AMENDMENT TO AND SUSPENSION OF THE RULES OF PROCEDURE** |  |
|  | **Rule 17****Adoption** |  | **~~Rule 17~~****~~Adoption~~** |  |
|  | The Assembly shall adopt its Rules of Procedure by a decision taken in plenary meeting by a majority of the representatives of States present and voting. |  | **~~The Assembly shall adopt its Rules of Procedure by a decision taken in plenary meeting by a majority of the representatives of States present and voting.~~** | ***Reason for the proposal:***Since the Rules of Procedure have already been adopted by the General Assembly of the 2003 Convention, the provision can be deleted. |
|  | **Rule 18****Amendment** |  | **~~Rule 18~~ Rule 39****Amendment** |  |
|  | The Assembly may amend these Rules of Procedure by a decision taken in plenary meeting by a two-thirds majority of the representatives of States present and voting. |  | **The Assembly may amend the present Rules of Procedure by a decision taken ~~in plenary meeting~~ by a two-thirds majority of the ~~representatives of~~ States Parties present and voting, except when they reproduce provisions of the Convention.** | ***Reason for the proposal:***The proposed Rule 39 harmonizes the wording already included in the Rules of Procedure of all seven assemblies and clarifies the required majority. It is further proposed to add in the provision the clarification that the assembly may not modify its Rules of Procedure when they reproduce provisions of the Convention. |
|  | **Rule 19****Suspension** |  | **~~Rule 19~~ Rule 40****Suspension** |  |
|  | The General Assembly may suspend the application of any of these Rules of Procedure, except when they reproduce provisions of the Convention, by a decision taken in plenary meeting by a two-thirds majority of the States Parties present and voting. |  | **The ~~General~~ Assembly may suspend the application of any of the present Rules of Procedure, except when they reproduce provisions of the Convention, by a decision taken ~~in plenary meeting~~ by a two-thirds majority of the States Parties present and voting.** | ***Reason for the proposal:***The proposed Rule 40 reproduces the terms of the existing Rule 19 of the current Rules of Procedure, with minor terminological harmonization.It is proposed to omit the precision that a decision to suspend the application of the Rules of Procedures has to be taken ‘in plenary meeting’ in order to provide more flexibility to the Assembly. |

1. The rules of procedure of the seven assemblies correspond to the Rules of Procedure of: the Meeting of High Contracting Parties to the 1954 Convention, the Meeting of States Parties to the 1970 Convention, the General Assembly of States Parties to the 1972 Convention, the Meeting of States Parties to the 1999 Second Protocol, the Meeting of States Parties to the 2001 Convention, the General Assembly of States Parties to the 2003 Convention and the Conference of Parties to the 2005 Convention. [↑](#footnote-ref-1)
2. [38 C/Resolution 101](https://unesdoc.unesco.org/ark%3A/48223/pf0000243325/PDF/243325eng.pdf.multi.page%3D85%26zoom%3Dauto%2C-16%2C144); [document 38 C/23](https://unesdoc.unesco.org/ark%3A/48223/pf0000259886_eng/PDF/259886eng.pdf.multi) [↑](#footnote-ref-2)
3. [Document 39 C/20](https://unesdoc.unesco.org/ark%3A/48223/pf0000259081/PDF/259081eng.pdf.multi) [↑](#footnote-ref-3)
4. [39 C/Resolution 87](https://unesdoc.unesco.org/ark%3A/48223/pf0000260889/PDF/260889eng.pdf.multi), as amended by APX Commission ([document 39 C/70](https://unesdoc.unesco.org/ark%3A/48223/pf0000260089/PDF/260089eng.pdf.multi)) [↑](#footnote-ref-4)
5. See [Recommendations](https://unesdoc.unesco.org/ark%3A/48223/pf0000259081/PDF/259081eng.pdf.multi), in particular 96 as well as 58, 65, 66, 67 and 71. [↑](#footnote-ref-5)
6. The requests of the assemblies are listed in document [41 C/55](https://unesdoc.unesco.org/ark%3A/48223/pf0000379755_eng/PDF/379755eng.pdf.multi) (pages 1-2). [↑](#footnote-ref-6)
7. See <https://ich.unesco.org/en/information-and-exchange-meeting-01253> [↑](#footnote-ref-7)
8. Adjustments were made to:

 English: proposed Rule 3.3, explanatory note under the proposed Rule 7.4, and the existing Rule 15.9, and

 French: proposed Rule 3.3, explanatory note under the proposed Rule 7.4, and the Proposed Rules 6.3 and 23. [↑](#footnote-ref-8)
9. <https://ich.unesco.org/en/convention> [↑](#footnote-ref-9)
10. The rules of procedure of the seven assemblies correspond to the Rules of Procedure of: the Meeting of High Contracting Parties to the 1954 Convention, the assembly of the 1970 Convention, the General Assembly of States Parties to the 1972 Convention, the Meeting of States Parties to the 1999 Second Protocol, the Meeting of States Parties to the 2001 Convention, the General Assembly of States Parties to the 2003 Convention and the Conference of Parties to the 2005 Convention. [↑](#footnote-ref-10)
11. Article 4.2 of the 2003 Convention, ‘The General Assembly shall meet in ordinary session every two years.’ [↑](#footnote-ref-11)
12. Article 4.2 of the 2003 Convention, ‘[...] It may meet in extraordinary session if it so decides or at the request either of the Intergovernmental Committee for the Safeguarding of the Intangible Cultural Heritage or of at least one-third of the States Parties.’ [↑](#footnote-ref-12)
13. The Open-ended working group on the working methods of the 41st session of the General Conference was established by the 211th session of the Executive Board with the mandate to provide guidelines for the organization of an online session of the General Conference ([211 EX/Decision 27.II](https://unesdoc.unesco.org/in/documentViewer.xhtml?v=2.1.196&id=p::usmarcdef_0000377290&highlight=211%20EX%2FDecision%2027.II&file=/in/rest/annotationSVC/DownloadWatermarkedAttachment/attach_import_074fbafe-8ad5-4bfa-85d4-779fba1df70d%3F_%3D377290eng.pdf&locale=en&multi=true&ark=/ark:/48223/pf0000377290/PDF/377290eng.pdf" \l "%5B%7B%22num%22%3A100%2C%22gen%22%3A0%7D%2C%7B%22name%22%3A%22XYZ%22%7D%2C54%2C746%2C0%5D)). [↑](#footnote-ref-13)
14. See Annex 1 of [Document 39C/70](https://unesdoc.unesco.org/ark%3A/48223/pf0000260089/PDF/260089eng.pdf.multi), Recommendations of the Working Group on Governance, paragraph 62. [↑](#footnote-ref-14)
15. Rule 3 of the Rules of Procedure of the General Assembly of States Parties to the 2003 Convention. [↑](#footnote-ref-15)
16. See Rule 40 of the Rules of Procedure of the General Conference. [↑](#footnote-ref-16)
17. Rules of Procedure of the Meeting of States Parties to the 1970 Convention: [https://unesdoc.unesco.org/ark:/48223/pf0000377772](https://unesdoc.unesco.org/ark%3A/48223/pf0000377772) [↑](#footnote-ref-17)
18. Rules of Procedure of the Meeting of States parties to the 2001 Convention:[https://unesdoc.unesco.org/ark:/48223/pf0000372668](https://unesdoc.unesco.org/ark%3A/48223/pf0000372668) [↑](#footnote-ref-18)
19. Rules of Procedure of the Meeting of the High Contracting Parties to the 1954 Convention: [https://unesdoc.unesco.org/ark:/48223/pf0000155565\_eng.locale=en](https://unesdoc.unesco.org/ark%3A/48223/pf0000155565_eng.locale%3Den) [↑](#footnote-ref-19)
20. See Rule 14.1 of the Rules of Procedure of the Committee of the 1970 Convention. [↑](#footnote-ref-20)
21. Rule 15.1 of the Rules of Procedure of the Committee of the 1972 Convention. [↑](#footnote-ref-21)
22. Rule 18.1 of the Rules of Procedure of the Committee of the 1999 Second Protocol. [↑](#footnote-ref-22)
23. Rule 58.2 of the Rules of Procedure of the General Conference and Rule 29.2 of the Rules of Procedure of the Executive Board. [↑](#footnote-ref-23)
24. See Rule 19 of the Rules of Procedure of the Meeting of States Parties to the 2001 Convention. [↑](#footnote-ref-24)
25. See Rule 39 of the Rules of Procedure of the Executive Board and Rule 71 of the Rules of Procedure of the General Conference. [↑](#footnote-ref-25)
26. See Rule 39 of the Rules of Procedure of the Executive Board and Rule 71 of the Rules of Procedure of the General Conference. [↑](#footnote-ref-26)
27. Rule 40 of the Rules of Procedure of the Executive Board. [↑](#footnote-ref-27)
28. See Rule 14 of the Rules of Procedure of the Meeting of States Parties to the 2001 Convention. [↑](#footnote-ref-28)
29. See Rule 41 of the Rules of Procedure of the Executive Board and Rule 72 of the Rules of Procedure of the General Conference. [↑](#footnote-ref-29)
30. See Rule 15 of the Rules of Procedure of the Meeting of States Parties to the 2001 Convention. [↑](#footnote-ref-30)
31. See Rule 42 of the Rules of Procedure of the Executive Board and Rule 73 of the Rules of Procedure of the General Conference. [↑](#footnote-ref-31)
32. See Rule 16 of the Rules of Procedure of the Meeting of States Parties to the 2001 Convention. [↑](#footnote-ref-32)
33. See Rule 43 of the Rules of Procedure of the Executive Board and Rule 74 of the Rules of Procedure of the General Conference. [↑](#footnote-ref-33)
34. See Rule 75 of the Rules of Procedure of the General Conference. [↑](#footnote-ref-34)
35. Rule 16.3(i) of the Rules of Procedure of the General Assembly of States Parties to the 2003 Convention. [↑](#footnote-ref-35)
36. See Rule 27.4 of the Rules of Procedure of the Meeting of States Parties to the 2001 Convention. [↑](#footnote-ref-36)
37. See Rule 20.4 of the Rules of Procedure of the Meeting of States Parties to the 2001 Convention and Rule 14.5 of the Rules of Procedure of the Conference of Parties to the 2005 Convention. [↑](#footnote-ref-37)
38. See Rule 86 of the Rules of Procedure of the General Conference. [↑](#footnote-ref-38)
39. See Rule 85 of the Rules of Procedure of the General Conference. [↑](#footnote-ref-39)
40. See Rule 20.10 of the Rules of Procedure of the Meeting of States Parties to the 2001 Convention. [↑](#footnote-ref-40)
41. See Rule 14.11 of the Rules of Procedure of the Conference of Parties to the 2005 Convention. [↑](#footnote-ref-41)
42. Rules of Procedure of the General Conference: [https://unesdoc.unesco.org/ark:/48223/pf0000380874.locale=en](https://unesdoc.unesco.org/ark%3A/48223/pf0000380874.locale%3Den) [↑](#footnote-ref-42)
43. Rules of Procedure of the General Conference: [https://unesdoc.unesco.org/ark:/48223/pf0000380874.locale=en](https://unesdoc.unesco.org/ark%3A/48223/pf0000380874.locale%3Den) [↑](#footnote-ref-43)
44. See Rule 83 of the Rules of Procedure of the General Conference. [↑](#footnote-ref-44)