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

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

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

**Online**

**9.30 – 17.30 (Paris time / UTC+2)**

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

**Summary records for Part I**

**Chairperson**: Mr Atsuyuki Oike (Japan)

**Vice-Chairpersons/Rapporteurs**: Côte d’Ivoire, Germany, Kuwait, Peru, Poland

*[Thursday, 08 July 2021, morning session]*

**ITEM 1 OF THE AGENDA:**

**OPENING**

**Document:** [LHE/21/16.COM WG/1](https://ich.unesco.org/doc/src/LHE-21-16.COM_WG-1-EN.docx), [LHE/21/16.COM WG/2](https://ich.unesco.org/doc/src/LHE-21-16.COM_WG-2-EN.docx), [LHE/21/16.COM WG/3](https://ich.unesco.org/doc/src/LHE-21-16.COM_WG-3-EN.docx), [LHE/21/16.COM EXP/7](https://ich.unesco.org/doc/src/LHE-21-EXP-7-EN.docx)

The **Assistant Director-General for Culture**, Mr Ernesto Ottone, welcomed the participants to the Open-ended intergovernmental working group in the framework of the global reflection on the listing mechanisms of the 2003 Convention and thanked them for attending from various time zones around the world while juggling their responsibilities at work and at home. The pandemic had impacted everyone, and he acknowledged their commitment to make progress on the 2003 Convention for the Safeguarding of the Intangible Cultural Heritage during that challenging time. He also thanked the Government of Japan for its financial support for the reflection process, allowing the open-ended intergovernmental working group to be convened. The pandemic had been a reminder of the importance of culture, particularly intangible cultural heritage, to both collective and individual well-being. The United Nations Educational, Scientific and Cultural Organization (UNESCO) had recently published a report entitled ‘[Living Heritage in the face of the COVID-19 pandemic](https://ich.unesco.org/en/living-heritage-and-the-covid-19-pandemic-01179)’, which provided a set of specific recommendations for post-pandemic recovery plans and underscored how communities had turned to their living heritage as a source of solace and resilience during the pandemic. Over the twelve years of the Convention’s implementation, its Lists had grown considerably, illustrating how intangible cultural heritage manifested in people’s lives and how living heritage was perceived and valued throughout the world. Nevertheless, the 2003 Convention faced numerous interrelated, technical and recurrent challenges. The Intergovernmental Committee for the Safeguarding of the Intangible Cultural Heritage had therefore launched a multiyear reflection, which had already undergone an extensive consultation with experts through a comprehensive online survey and a category VI meeting. While their recommendations were broad, the experts were united in calling for the need to make the Convention’s listing system more directly accessible to communities around the world. The states parties had a collective responsibility to look after the Convention, which must be dynamic and adaptive and continue to evolve in order to respond to the needs of its stakeholders. Looking forward to a fruitful discussion, he urged states to be as concrete as possible during the discussion and to propose solutions and approaches that would address both technical details and big picture issues.

The **Secretary of the Convention**, Mr Tim Curtis, welcomed participants to the meeting, informing them that simultaneous interpretation would be provided in both working languages, English and French. The working documents had been made available online as at 28 June 2021 in both languages and could be found on the [web page](https://ich.unesco.org/en/open-ended-intergovernmental-working-group-01167) of the Convention, along with the new version of the [Basic Texts](https://ich.unesco.org/doc/src/2003_Convention_Basic_Texts-_2018_version-EN.pdf) of the Convention with amendments adopted by the eighth session of the General Assembly of States Parties, held in September 2020. The meeting would take place on the Zoom platform. States parties had received an invitation letter indicating that they could obtain two active connections. The ICH NGO Forum’s representative, as well as category 2 centres in the field of intangible cultural heritage, had also received active connections, and additional connections could be provided upon request, subject to availability. The meeting was being transmitted by webcast through the web page of the Convention in the original language and in interpretation into English and French. The recordings would be made public as soon as they were available. Lastly, the working group would be adopting a set of draft recommendations, for which only states parties could propose amendments.

The **Assistant Director-General for Culture** turned to the election of the Bureau Members, seeking a proposal for Chairperson.

The **delegation of Indonesia** nominated H.E. Mr Atsuyuki Oike, Ambassador and Permanent Delegate of Japan, as the Chairperson.

The **delegation of Djibouti** supported the nomination of Mr Atsuyuki Oike, noting his state’s commitment to the 2003 Convention.

The **Assistant Director-General for Culture** proclaimedMr Atsuyuki Oike Chairperson by acclamation, offering his congratulations and inviting him to take his place on the podium.

The **Chairperson** thanked the delegations for honouring him with their trust and expressed his intention to conduct the working group so as to achieve concrete and constructive proposals. He proceeded to the election of the Vice-Chairpersons, who would also serve as Rapporteurs. The Bureau Members would meet with the Secretariat the following afternoon to review the progress of the meeting and to oversee the preparation of the draft recommendations of Part I of the meeting, to be presented to the plenary that same day. The Bureau would continue to work together on the draft recommendations during Part II of the meeting in September. That approach should help to avoid lengthy discussions on exact wording or punctuation and allow participants to focus instead on the main points of substance. He invited the delegations to propose their nominations for the Bureau.

The **delegation of Sweden** congratulated the Chairperson on his election and nominated Germany as Vice-Chairperson to represent Group I.

The **delegation of Slovakia** congratulated the Chairperson on his election and nominated Poland as Vice-Chairperson to represent Group II.

The **delegation of Brazil** congratulated the Chairperson on his election and nominated Peru as Vice-Chairperson to represent Group III.

The **Chairperson** noted that he would be representing Group IV.

The **delegation of Djibouti** nominated Côte d’Ivoire as Vice-Chairperson to represent Group V(a).

The **delegation of Saudi Arabia** congratulated the Chairperson on his election and nominated Kuwait as Vice-Chairperson to represent Group V(b).

The **Chairperson** thanked the delegations for their cooperation in establishing the working group. He congratulated the Members of the Bureau and looked forward to working closely with them. The first meeting would take place online during the first break in the current session and would be a closed meeting for the sake of expediency. He invited Mr Punchi Nilame Meegaswatte, Secretary-General of the National Commission of Sri Lanka and Chairperson of the forthcoming sixteenth session of the Committee, to speak.

The **Secretary-General of the National Commission of Sri Lanka**, Mr Punchi Nilame Meegaswatte, said that his state was proud to host the forthcoming sixteenth session of the Committee, to be held from 13 to 18 December 2021, by which time he hoped that his country would be almost fully vaccinated, allowing for free movement. Preparations were already under way and, in coordination with the Secretariat, Sri Lanka would be sending out details concerning travel and participation. The current open-ended discussions on the listing mechanisms would enable more comprehensive ideas and proposals to be further discussed at the sixteenth session of the Committee, thereby providing ample opportunity for members to develop comprehensive proposals to be submitted to the General Assembly in 2022. Given the need for a holistic view of the threefold listing mechanisms, it had been deemed useful to determine an overall approach while addressing issues related to the inscription criteria and follow-up and the methods of evaluating nominations in order to establish a comprehensive framework of action in safeguarding the intangible cultural heritage of humanity. He looked forward to welcoming all delegations to Sri Lanka in December 2021.

The **Chairperson** thanked the Secretary-General for his invitation to his beautiful country and invited the Secretary to present the agenda and timetable.

The **Secretary** said that [working document 1](https://ich.unesco.org/doc/src/LHE-21-16.COM_WG-1-EN.docx) contained the agenda and timetable of the meeting, which would be organized in four ninety-minute sessions each day to allow a thirty-minute break between sessions and an hour for lunch. Agenda Item 2 focused on taking stock of the background to the current meeting, particularly the reasons for undertaking the reflection, the progress made to date and the current meeting’s objectives. [Working document 2](https://ich.unesco.org/doc/src/LHE-21-16.COM_WG-2-EN.docx) corresponded to that agenda item. Agenda Item 3 focused on the outcomes of the category VI expert meeting. A short presentation would be made on the possible approaches identified by the expert group, and the moderators of the three breakout groups would comment on the experts’ recommendations. The [report of the expert meeting](https://ich.unesco.org/doc/src/LHE-21-EXP-7-EN.docx) corresponded to that agenda item. Agenda Item 4 was divided into subitems according to the reflection themes. Under 4.a, participants would discuss the overall approach to be taken to reform the listing system before going through more technical reflection points: issues related to the inscription criteria under 4.b, issues related to the follow-up of inscribed elements under 4.c and the methodology for the evaluation of nominations under 4.d. The working group would then return to 4.a to recommend a specific approach to guide the reform of the listing system. [Working document 3](https://ich.unesco.org/doc/src/LHE-21-16.COM_WG-3-EN.docx) corresponded to that agenda item. The meeting would conclude with the adoption of recommendations from Part I of the working group.

The **delegation of Palestine** congratulated the Chairperson on his election and noted that the participants were in good hands. It asked whether the transfer and removal of elements from the Lists would be discussed under Agenda Item 4.c, on issues related to the follow-up of inscribed elements.

The **Secretary** confirmed that issues regarding the transfer and potential removal of elements would be discussed under Agenda Item 4.c.

The **delegation of Côte d’Ivoire** congratulated the Chairperson on his election and asked whether the Bureau meeting would use the same Zoom link during the break.

The **Chairperson** confirmed that the Bureau Members would use the same Zoom link for their meeting and suggested a two-minute maximum for each statement. He noted that a timer was available, if necessary.

**ITEM 2 OF THE AGENDA:**

**GLOBAL REFLECTION ON THE LISTING MECHANISMS OF THE 2003 CONVENTION: PROGRESS TO DATE AND MEETING OBJECTIVES**

**Document:** [LHE/21/16.COM WG/2](https://ich.unesco.org/doc/src/LHE-21-16.COM_WG-2-EN.docx)

The **Chairperson** turned to Agenda Item 2, which would set the context of the meeting by taking stock of the background to the global reflection and determining what should be achieved during the current meeting.

Presenting a summary of the multiyear process, the **Secretary** said that the reflection process dated back to 2017, when the Committee had expressed the need for an overall reflection on the listing mechanisms in its decision [12.COM 14](https://ich.unesco.org/en/decisions/12.COM/14), after examining a request from Viet Nam to transfer an element from the List of Intangible Cultural Heritage in Need of Urgent Safeguarding (Urgent Safeguarding List) to the Representative List of the Intangible Cultural Heritage of Humanity (Representative List). Formally launched in 2018, the overall reflection would include a meeting of experts and an open-ended intergovernmental working group. To that end, the Committee had accepted financial support from the Government of Japan through a voluntary contribution. The related decisions were [13.COM 6](https://ich.unesco.org/en/decisions/13.COM/6) and [13.COM 10](https://ich.unesco.org/en/decisions/13.COM/10). The reflection had been triggered by a number of frustrations expressed by some stakeholders concerning the listing mechanisms. First, communities, groups and individuals around the world felt that inscription had not always fully met their expectations in terms of actual safeguarding for their living heritage. The process was lengthy, even for elements considered to be in need of urgent safeguarding. In other cases, communities had expressed feeling that there had not been great follow-up for safeguarding their elements following inscription. States parties were under increasing pressure, including from communities, to nominate more elements, while the annual ceiling for the number of files to be treated had been limited and the prioritization system had become unsustainable. In addition, the Evaluation Body had expressed weariness of the discrepancies between their recommendations and the decisions made by the Committee, questioning the point of evaluating each file so rigorously when many recommendations were not respected. The Secretariat had been facing an increasing workload for administering the listing mechanisms, which limited its broader mandate of work on capacity-building and safeguarding for sustainable development. Further recurrent issues included why criterion R.2 continued to be problematic, how to recognize successful safeguarding efforts to move elements out of the Urgent Safeguarding List, what would happen to those elements, whether previous submitting states needed to prepare an entire nomination each time new states joined a multinational file and what actions should be taken when an element was no longer in conformity with Article 2 of the Convention. As a result, the general feeling was that some reflection and possible reform of the listing system had become a matter of urgency. The four main themes of the reflection process had been discussed during the fourteenth session of the Committee and provided the basis for the survey questions for experts and the structure of the current meeting. The themes were more extensively described in working document 3 and the reference materials for the global reflection.

With regard to the timeline, the **Secretary** said that the original timeline of the reflection had been presented to the fourteenth session of the Committee in 2019; however, it had already led to some concrete outcomes, known as the early harvest, regarding the inclusion of a dialogue process in the examination of nominations. Formalized by the eighth session of the General Assembly in September 2020, the dialogue process allowed the Evaluation Body and the submitting states to clarify minor issues identified in the nomination files through a simple question-and-answer process. The fifteenth session of the Committee had been organized online in December 2020, during which the number of files to be treated in the 2022 and 2023 cycles had been discussed extensively. The initial plan to hold the expert consultations in the first part of 2020 had been adjusted owing to the global pandemic. The first step, an online survey, had taken place between 26 March and 11 April 2021, and the category VI expert meeting had been convened in May 2021. The conclusions of the meeting had laid the basis for the discussion papers and documents of the current open-ended intergovernmental working group. Recommendations from the current meeting would then be transmitted to the sixteenth session of the Committee, to be held in December 2021, which could in turn propose to adopt certain amendments on the [Operational Directives](https://ich.unesco.org/en/directives) of the Convention during the ninth session of the General Assembly of States Parties, to be held in June 2022. During Part I of the current meeting, participants would be asked to discuss the recommendations of the category VI expert meeting to determine a general direction for the reform of the listing system. Part II, to be held in September, would focus on specific changes to be made in line with the overall approach chosen during Part I. The Committee had also made specific requests to address the recurrent challenges relating to criterion R.2, the need to establish specific procedures for removing or transferring elements from and between the Lists and procedures for extending multinational nominations. A comprehensive list of those issues and the relevant committee decisions could be found in the annex of working document 3.

Noting that there were no questions regarding the presentation, the **Chairperson** turned to Agenda Item 3: Outcomes of the expert meeting.

**ITEM 3 OF THE AGENDA:**

**OUTCOMES OF THE EXPERT MEETING**

**Document:** [LHE/21/16.COM EXP/7](https://ich.unesco.org/doc/src/LHE-21-EXP-7-EN.docx), [LHE/21/16.COM WG/3](https://ich.unesco.org/doc/src/LHE-21-16.COM_WG-3-EN.docx)

The **Secretary** said that the expert meeting had been convened online in May and had included a plenary session and parallel breakout sessions. There had been thirty-four expert participants in the field of living heritage from all regions of the world with specific expertise and experience in various aspects of the listing mechanisms of the 2003 Convention, as well as approximately twenty observer experts designated by states. The experts had been divided into three groups, all of which had discussed theme (a), as it concerned overall approaches to improve the functioning of the listing mechanisms. In addition, Breakout Group 1 had discussed theme (b) on inscription criteria, Breakout Group 2 had discussed theme (c) on the follow-up of inscribed elements and Breakout Group 3 had discussed theme (d) on the methodology for the evaluation of nominations. Given that the purpose of the expert consultation had not been to reach consensus, the suggestions and proposals considered by experts did not form conclusive or necessarily cohesive solutions. Their positions could be categorized broadly into four approaches. The fine-tuning approach stressed the benefits of the current listing system, considering that improvements could be achieved with a set of minor adjustments, for example, by rewording criteria, revising the forms and clarifying certain procedures. The repositioning approach advocated for a more fundamental change to the listing mechanisms, striving to clarify the roles of the two Lists and the Register of Good Safeguarding Practices and to reposition them in relation to each other for a more open, inclusive and fluid overall system. The stricter control approach sought to make the listing system more rigorous with a more robust interpretation and application of the inscription criteria, considering that the current system was solid and in line with the relevant provisions of the Convention. The maximum inclusivity approach would allow for a dramatically higher number of inscriptions on the Lists, including the Urgent Safeguarding List, by mobilizing web-based platforms and electronically supported interactions. An equal number of experts had supported the fine-tuning and repositioning approaches, with only a small number of experts supporting the stricter control and maximum inclusivity approaches. As a result, the current meeting would focus on the former pair. Nevertheless, it was important to bear in mind that the categories were conceptual and not necessarily mutually distinct, and some proposals could fall into both approaches. In fact, many experts had supported a mix of the proposals. The report of the expert meeting had been made available, which included the reports of the three breakout groups. The experts’ main proposals had been summarized by the Secretariat in working document 3. The Secretariat considered it important for the working group to hear directly from the moderators of each of the three breakout groups, who would share their thoughts and highlights of their work.

The **Chairperson** invited Mr Marc Jacobs from Belgium, from Breakout Group 1, to present his group’s recommendations.

**Mr Marc Jacobs** encouraged participants to utilize the extended reports of the breakout groups, included on page 6 of the report of the expert meeting, which contained numerous good ideas, arguments, tools and potential solutions. Breakout Group 1 had made several recommendations. First, it called for developing the potential of Article 18 of the Convention well beyond attempts to fine-tune or reposition the criteria of the Register, for which a new expert meeting should be organized. He encouraged to participants to include that proposal in the draft recommendations. Second, participants should focus on the notion of urgency, considering the time dimension. His group had made proposals concerning fast-tracks, follow-up and the need to limit time spent on the Urgent Safeguarding List. Third, all four approaches should be seriously considered and even combined. For example, stricter control could be interpreted as an emphasis on allowing communities, groups and individuals to determine and consent to decisions impacting their intangible cultural heritage. Their free, prior and informed consent should be reinforced not weakened. Fourth, participants should think outside the box and not downplay the proposals provided under maximum inclusivity, pooling resources and using modern web tools to connect those who expressed a need for assistance with those who could offer solutions and resources. Web-based solutions should also be considered to move beyond the bottleneck that currently existed for Article 17 and the use of funds. Fifth, a number of proposals and alternatives for the criteria of the different Lists had been formulated. Sixth, the ceiling tool should be reconsidered. There was an urgent need to disconnect the procedures of the Lists, the Register and requests for international assistance by introducing web platforms and other internet tools. Seventh, the group suggested making more use of the accredited non-governmental organizations (NGOs), category 2 centres, UNESCO chairs and research institutes to share the responsibility and the work.

The **Chairperson** thanked Mr Jacobs for his presentation and invited Ms Alissandra Cummins from Barbados, from Breakout Group 2, to present her group’s recommendations.

**Ms Alissandra Cummins** said that the basic conclusions from Breakout Group 2 could be characterized as giving priority to addressing the shortfalls, both documented and perceived, regarding communities and communication. The so-called technical dysfunctions in the implementation of the Convention had occurred as a result of the intellectual and emotional disconnect between the Convention and the Committee and between states parties and the communities and practitioners they were meant to serve. In order to effectively address those issues, Member States must better articulate and promote the fundamental principles upon which the performance of the Convention should be based. In large part, the structural inadequacies stemmed from the need to recognize that fundamental tensions existed between the 2003 Convention and to the 1972 World Heritage Convention. The significant oppositionality of the two positions needed to be better clarified for all parties. Experts in Breakout Group 2 had expressed concern about the absence, and sometimes silencing, of the voices of communities, who should actually be at the centre of the Convention. In addition, there was room for improvement in communicating the effectiveness of the Convention’s work for the sharing and safeguarding of intangible cultural heritage. Some key strategies included developing participatory heritage management and monitoring processes, which could complement official processes or procedures; addressing the issues of communities and communication; and ensuring an exchange on broader questions and shared experience that highlighted practices without being prescriptive on how safeguarding should be carried out. First, the arm’s-length platform could provide a vital channel for community input and engagement, the sharing of safeguarding practices and multi-stakeholder collaboration, serving as a clearinghouse for the communities, NGOs and other stakeholders to the Convention. Second, as a key agent for the forthcoming International Decade of Indigenous Languages, UNESCO could broaden participation and activism by encouraging states to submit their nominations in local indigenous languages, thereby encouraging the involvement of the communities, groups or individuals concerned. The files should be published online and could serve as a practical tool to enhance the use of indigenous languages. That proposal would also provide better access to and broader participation in the listing systems for communities and other stakeholders. Furthermore, discussion around the procedural aspects of the Convention had required a closer examination of the foundation of many of the follow-up procedures that had remained impenetrable to many practitioners and policy-makers. Those issues had also emerged as a result of the methodological mismatches and miscommunications in the Convention’s operations. Language and its interpretation, or misinterpretation, played a large part in undermining the expected achievements of both the nominations and safeguarding processes. Unnecessarily punitive language in the evaluation and decision-making process had sometimes led to a desire to disassociate from the Urgent Safeguarding List, while vague terminology had not attracted popular support for the Register of Good Safeguarding Practices. It was also important to use gender-neutral and inclusive language within the implementation of the Convention, avoiding such terms as ‘gentleman’s agreement’. Such a policy would show respect for the gender equality and inclusiveness mainstreamed in the Operational Directives and support their application within the overall framework of the 2003 Convention, UNESCO and the entire United Nations system. There was also a need to convene a separate expert meeting on the involvement of the various actors in providing additional information to the Evaluation Body.

The **Chairperson** thanked Ms Cummins for her presentation and invited Mr Léonce Ki from Burkina Faso, from Breakout Group 3, to present his group’s recommendations.

**Mr Léonce Ki** said that, in terms of the global approach to listing mechanisms, Breakout Group 3 recommended addressing the saturation of the listing system and avoiding the politicization of inscription, as other factors currently played a role in listing, not just the quality of the nomination files. The procedures must be simplified and lightened to facilitate inscriptions. The listing system should also be refocused on safeguarding. His group also recommended introducing a new listing system with cycles alternating between the Representative List and the Urgent Safeguarding List. With regard to the sunset clause, his group did not recommend limiting the time that an element spent on the list. A simplified process would allow for a separate ceiling for nominations to the Representative List. In terms of the global process and methodology, the current composition of the Evaluation Body should be preserved. When submitting multinational files, states parties should bear in mind the composition of the Evaluation Body. Its credibility was called into question when approximately half of its members had to withdraw to evaluate a file. In addition, the Committee should respect the recommendations of the Evaluation Body rather than rely on information provided during the session. The ‘gentleman’s agreement’ should be maintained and even applied on the basis of two criteria in order to give more weight to the Evaluation Body and more credibility to the Convention. His group recognized the cohesion and solidarity behind multinational files but cautioned that the communities concerned should be real, practising communities and not fictitious communities created solely for inscription. Lastly, the Evaluation Body should be allowed to use outside information, as the information provided in the files was often incomplete, which hindered the evaluation process.

The **Chairperson** thanked Mr Ki for his presentation and reiterated his thanks to all three experts for providing an excellent basis for the discussions of the working group.

The **Secretariat** thanked the experts for their hard work and succinct summaries. He underlined that the expert meeting had been preceded by an expert survey, conducted in March and April 2021, the results of which had highlighted the need to better attune the nomination process to the realities and broader safeguarding intentions of communities, groups and individuals, as well as the need to enhance the monitoring of the changing viability of inscribed elements and their safeguarding status. He also drew attention to the issue concerning the number of files submitted and the prioritization system. Logistically, the listing mechanisms had become a victim of their own success, and the established prioritization system, including the ceiling on the number of files to be treated, was no longer compatible or sustainable in its current form. While the experts had taken that issue into account, their mandate had not been to address it specifically. He urged participants to keep that in mind during the discussions.

The **Chairperson** encouraged participants to pose questions to the experts.

The **delegation of Kuwait** congratulated the Chairperson on his election and thanked the experts for their work, as well as the Secretariat. He asked whether Breakout Group 3 had discussed the use of technology to resolve some of the issues mentioned.

**Mr Ki** said that his group had not discussed technology with regard to the methodology.

The **delegation of Cuba** was pleased that Japan was chairing the meeting. It thanked the experts and wondered whether they had discussed the balance between national and multinational nomination files, since multinational files allowed Member States to bypass the policy that limited them to one nomination every two years.

**Ms Cummins** said that the balance between national and multinational nominations was not a question raised within her group; however, they had addressed the need to provide support to states parties not yet included on the Lists and to those in under-represented regions, particularly by ensuring the exchange of technical support.

**Mr Ki** said that, in terms of representation, his group had stressed the need for multinational nominations to focus on real, practising communities rather than virtual communities. Sometimes, a state party sought to connect with other communities to nominate an element simply because it existed in that state. His group felt that such a focus would reduce nominations meant to circumvent limitations.

**Mr Jacobs** said that any form of international collaboration and cooperation should be welcome. His group proposed web-supported forms of matchmaking to be used for multinational nominations to explore the development of Article 18. There were a number of possibilities for international cooperation that had not yet been mobilized, and his group encouraged participants to reconsider them. He also emphasized the importance of securing the consent of the communities and groups involved in multinational nominations.

The **delegation of Poland** congratulated the Chairperson on his election and was looking forward to working with him and the other Members of the Bureau. It thanked the experts for providing the in-depth analysis necessary for the global reflection on the listing mechanisms. The delegation would like to know how to involve more communities in the system for protecting intangible cultural heritage.

**Mr Jacobs** said that one possibility involved internet and web solutions, such as the current online meeting. His group proposed consulting with the World Intellectual Property Organization and learning from their experience, as representatives of communities and groups participated in their meetings.

**Ms Cummins** said that there were a number of suggestions to improve community involvement included in the report of the expert meeting. She stressed that the disconnect between communities and the official languages of UNESCO needed to be addressed internally. Since local or indigenous languages were not necessarily encouraged or used, they were not given equal parity when nominations were presented or finalized. Allowing for their inclusion was an important mechanism by which communities could be encouraged to participate. Her group also supported the development of an online platform or observatory that enabled members of the community, NGOs and various specialized groups to better participate in both the drafting and follow-up of nominations, as they were best placed to conclude whether an element was still viable or at risk. Furthermore, the involvement of communities was stressed in terms of the need to improve capacity-building and access to tools of engagement. The use of online platforms, which was currently possible, would make it easier for members of communities to participate and share their knowledge. Her group proposed a special expert meeting to examine the possibility of allowing oral presentations when adding new material to previously presented nominations rather than limiting them to the text of the file. While some members of the community did not have the capacity to write in the lingua franca of international organizations, they certainly knew their element and were able to speak eloquently to its value.

**Mr Ki** said that his group was opposed to imposing time limits for elements on the Representative List because it would frustrate communities who would no longer be involved in safeguarding. In terms of drafting nominations, his group felt that forms should be submitted in the local language to allow communities to better understand the issue of safeguarding and truly ensure their free, prior and informed consent, as indicated in the Convention.

The **Chairperson** thanked the experts for taking the time to attend the meeting and for their presentations, which had provided an excellent basis for the discussions to come.

The **Secretary** said that the meeting would pause for thirty minutes to allow the Bureau to meet privately. The Bureau meeting would take place in the same meeting room, so all other participants would be sent to a separate breakout room and brought back to the main meeting room when the plenary meeting resumed.

The **Chairperson** adjourned the meeting for a thirty-minute break to allow the Bureau to meet.

*[Twenty-five-minute break]*

**ITEM 4 OF THE AGENDA**

**TOWARDS A REFORMED LISTING SYSTEM**

**Document:** [LHE/21/16.COM EXP/7](https://ich.unesco.org/doc/src/LHE-21-EXP-7-EN.docx), [LHE/21/16.COM WG/3](https://ich.unesco.org/doc/src/LHE-21-16.COM_WG-3-EN.docx)

Moving to Agenda Item 4: Towards a reformed listing system, the **Chairperson** wished to establish the working methods for the discussion. According to the agenda, the discussion would begin with Item 4.a, on the overall approach to the listing mechanisms. He wished to have a broad discussion in which states would comment on the main approaches identified by the experts and indicate which of the four they supported. Participants should also indicate whether they could support the five suggestions meant to encourage broader participation of communities, presented under paragraph 18 of working document 3. Those five items applied across the board, regardless of the approach supported. If participants could arrive at a consensus, those recommendations could also be included in the recommendations from Part I of the current meeting as other deliverables, bearing in mind that more time might be required to have detailed discussions on the proposals, such as the establishment of an arm’s-length body. He urged states to be as concrete as possible when explaining their position by emphasizing which aspects of the listing system they wished to change or improve, in order to find areas of convergence. The discussion would then move to Items 4.b, 4.c and 4.d, before returning once again to 4.a on the overall approach, and participants would have ample time to express their views. Participants should also respond to the Committee’s specific request to address a limited number of priority issues. Under Item 4.b, the main focus should be on criterion R.2. The Chairperson noted that it would be possible to discuss the future of other criteria in Part II of the meeting. Under Item 4.c, the priority should be the removal of elements from a list and their transfer from one list to another. Under Item 4.d, the main focus should be on the procedure for extending multinational files. While he hoped that it would be possible to achieve some consensus on those three items, he would not push participants to make a decision, recognizing the need for further reflection. The Chairperson also remarked that it would be possible to reopen items for discussion. He solicited comments or questions regarding the working method.

The **delegation of Senegal** congratulated the Chairperson on his election and wished to address the first suggestion for increasing community involvement, on providing nomination files in national languages. In Senegal, communities must necessarily be consulted in their language for an element to be listed on the national inventory. Nevertheless, it would be difficult to translate the forms into national languages. There were approximately twenty national languages in the state, some of which did not have an alphabet, and some communities were not able to read in their language. As a result, communities expressed themselves orally in their language when discussing their heritage and providing their consent, which was sought in an inclusive manner. Furthermore, the delegation had questions about the arm’s-length body. In Senegal, the state worked with NGOs, universities and stakeholders who were independent. It wondered whether the arm’s-length body would be a consultative body or an affiliate body, as was the case for other Conventions. Nevertheless, it was essential to have an inclusive approach involving communities throughout the process, from inventorying to inscription.

The **Chairperson** reminded delegations that he had not yet moved to substantive discussions and wished to hear comments on the procedural suggestions that he had made regarding the working methods.

The **delegation of Poland** fully supported the proposed methodology to first choose an option regarding the general approach to the reflection on reforms. It supported the repositioning approach.

The **delegation of China** congratulated the Chairperson on his election. With regard to the proposed methodology, it had no objection to the priorities under Items 4.b, 4.c and 4.d. With regard to the five points related to community participation, the delegation requested further clarification on the basis on which discussions would take place, as community participation was related to every stage of the listing mechanisms.

The **delegation of Norway** congratulated the Chairperson on his election and thanked the expert committee and the Secretariat for its excellent work, expressed strong support for the reflection on the listing mechanisms. It supported the repositioning approach, which best answered the diverse challenges facing the Convention’s mechanisms, particularly the need to clarify the roles and reposition the two Lists and the Register. The most important challenge was to find ways to ensure more direct involvement of communities in order to place them at the centre of safeguarding efforts. Norway therefore supported all five points listed in paragraph 18 of working document 3, while noting that the suggestions needed to be further discussed, especially the arm’s-length body. States parties should hear communities’ opinions and divergent voices, and it was important to allow them to use local indigenous languages, as stressed by Ms Cummins. In addition, the working group should identify a more formal role or mechanism for the involvement of communities and NGOs in the listing processes, including the evaluation of nomination files. It should also explore the potential of Article 18 to develop a safe space for communities, NGOs, experts and civil society actors to share information on the monitoring of safeguarding plans and efforts.

The **delegation of Kuwait** fully supported the methodologies, with the understanding that details would be forthcoming.

The **delegation of the Netherlands** congratulated the Chairperson on his election and thanked Japan for its support for the current meeting. While community involvement was a very important issue, the delegation had difficulty understanding the implications of the five propositions and wished to hear more information before determining its position.

The **delegation of Slovakia** thanked the Secretariat for its initiative to improve the listing mechanisms. The experts had provided several pertinent recommendations, and it was important to stress the expert nature of the process as well as the common objective to harmonize decision-making. While the Representative List was the most visible, the Convention had other tools that were as important for safeguarding heritage. In that connection, the role of the Register of Good Safeguarding Practices should be emphasized. Slovakia therefore supported the repositioning approach, which would allow the Representative List to become more open and inclusive and allow for better interconnectivity among the three mechanisms.

The **delegation of Cuba** fully agreed with the proposed working method and wished to share a few concerns. While it was strongly in favour of greater community participation, participants must remember the intergovernmental nature of the system. There was already significant participation from communities and experts, which was an important element in the evaluation process as well. In addition, the delegation wished to have more information before creating a new evaluation body for communities or any other mechanism. Within UNESCO, the 2003 Convention was the most modern, had the most stable system and gave communities the strongest voice. Lastly, the delegation congratulated the Chairperson for his expert management of the meeting.

The **delegation of Austria** thanked the Secretariat and the Government of Japan for making the current exchange possible. It also thanked the experts of the category VI meeting for determining different options to improve the listing system, as well as the Secretariat for the excellent documents. The most important issues to be discussed were the monitoring and follow-up of inscribed elements, community involvement, the procedure for the removal and transfer of elements and the contributions of safeguarding measures to sustainable development. As the experts had pointed out, the greatest weakness of the current inscription process was the heavy political and diplomatic context of new inscriptions. While reaffirming the overall success of the upstream dialogue process, the delegation felt that the relationship between the Committee and the Evaluation Body should be discussed. Hopefully, a resilient and viable solution could be found, as the so-called gentleman’s agreement was not extensive enough. The delegation noted that a better term might be used to describe the agreement. While the upstream dialogue process in the examination of nominations should be maintained, some fine-tuning might be required. Clear guidelines would help both the Evaluation Body and to the Committee in their deliberations. Given that safeguarding was at the heart of the Convention, the inscription process for the Register of Good Safeguarding Practices should be simplified to make it more accessible to the communities themselves, while continuing to allow audiovisual tools. Sustainable development, particularly the 2030 Agenda for Sustainable Development, were of significant importance for intangible cultural heritage, and the elements’ contributions to sustainability should be recognized in the nomination files. Recent committee discussions and the debate in the expert meeting had revealed that the follow-up and monitoring of inscribed elements was necessary. In that regard, the proposed arm’s-length online platform, in which communities themselves were involved in the monitoring of inscribed elements, could be an interesting idea. A more specific proposal would be highly appreciated. Further discussion was also needed on the issue of the transfer and removal of elements to establish clear and specific procedures and criteria. In that regard, it might be possible to discuss consequences for the evaluation of new nomination files when states parties had not fulfilled their reporting duties. The delegation was in favour of combining elements from the fine-tuning and repositioning approaches and simplifying some criteria, such as R.2; however, it did not support an approach that allowed for a nearly unlimited number of inscriptions, including elements that were not in line with the overall objectives of the Convention but rather pursuing touristic, economic or even nationalist ends. States parties must ensure that all elements met the spirit of the Convention and upheld the values of UNESCO, such as fostering peace and human rights.

The **Chairperson** said that, although he had attempted to focus on the methodology, some statements had already touched on substantive issues. In response to the statements made by the delegations of China and the Netherlands, he noted that the five suggestions on community involvement and the three priority items had been identified to attempt to determine any convergence of views during Part I of the meeting. He acknowledged that more explanations would be required on the arm’s-length body before states could decide whether to implement it. As there was no opposition to the methodology he had proposed, the Chairperson moved to the substantive discussions under Agenda Item 4.a.

**ITEM 4.A OF THE AGENDA**

**OVERALL APPROACH TO THE LISTING MECHANISMS**

**Document:** [LHE/21/16.COM EXP/7](https://ich.unesco.org/doc/src/LHE-21-EXP-7-EN.docx), [LHE/21/16.COM WG/3](https://ich.unesco.org/doc/src/LHE-21-16.COM_WG-3-EN.docx)

The **Secretariat** said that, under Item 4.a, on the overall approach to the listing mechanisms, the most relevant Committee decision was 13.COM 10, which explained the initial reasons for convening the working group to reflect on the listing system. Paragraph 10 stated: ‘an intergovernmental open-ended working group … would be called to reflect on, *inter alia*, the nature and purposes of the Lists and the Register established under the Convention and on the relevance of the various criteria for each of these mechanisms, in particular criterion R.2 in relation to the nature and purpose of the Representative List of the Intangible Cultural Heritage of Humanity.’ Working document 3 presented the four main approaches identified by the experts, the large majority of whom suggested focusing on the fine-tuning and repositioning approaches, bearing in mind that they were not mutually exclusive approaches but rather served as guidelines.

The **delegation of Switzerland** thanked the Secretariat and the experts who had contributed to the reflection, as well as the Government of Japan for its contribution. The work to be done would require much patience, knowledge and meticulousness. The delegation supported the working method and wished to underline the importance of the quality of nominations and the pertinence of inscribed elements. That quality should be based on the central role of communities as well as experts. In addition, the work of the Evaluation Body and other experts must be respected. Participants should bear in mind that the reflection process had several objectives that were not necessarily convergent, differing in terms of content, accessibility to the Lists, adherence to the spirit of the Convention and ease of collaboration, as well as in terms of the procedures, resources available to states and the Secretariat, the number of nominations and prioritization. Consequently, the approaches presented were not mutually exclusive. States parties should consider all of the proposals made under the fine-tuning and repositioning approaches to find their own path. The delegation favoured the fine-tuning approach while including some ideas under the repositioning approach. It also supported the five suggestions concerning community participation but highlighted the need for more information concerning proposals (c), (d) and (e).

The **delegation of Brazil** supported the proposed working method and thanked the Chairperson for his method of conducting the meeting, the Secretariat for the opportunity to discuss the issues and the experts for their presentations. Much importance was placed on inscribing elements but less on protecting them; safeguarding was often forgotten. As a result of modernization, several cultural elements were at risk of disappearing and required protection. In contrast to the 1972 Convention, safeguarding was generally well received, and states did not object to listing at-risk elements. Discussions should include transferring an element between the Lists, and safeguarding and protecting elements should be given sufficient weight.

The **delegation of Portugal** congratulated the Chairperson on his election and thanked all participants contributing to the discussions. It also supported the working methodology and favoured the fine-tuning approach with some elements of the repositioning approach. It was important to enhance the safeguarding potential of the mechanisms, specifically the Urgent Safeguarding List, and improve the relationship between the two Lists and the Register to establish a more dynamic, open-ended system. With regard to the five suggestions on community involvement, the delegation was open to having a fruitful discussion but required more information.

The **delegation of Estonia** congratulated the Chairperson on his election and noted the importance of further clarifying the purpose and aims of each mechanism of the listing system. The Register of Good Safeguarding Practices required the most changes and would certainly benefit from a repositioning approach, while the Lists would perhaps be better served with solutions from both the repositioning and fine-tuning approaches. It could be beneficial to initiate a separate reflection on the implementation of Article 18 in its entirety in order to discuss other lighter ways of promoting and disseminating good safeguarding practices. Over the years, the listing procedures had become heavier and forms more detailed in an effort to clarify them; however, communities continued to struggle, and the forms demanded more than the actual criteria entailed. The complexity of forms should therefore be reduced to make the listing mechanisms more accessible to communities around the world. Safeguarding intangible cultural heritage should also be prioritized in the listing system, and participants should consider how to make the Urgent Safeguarding List more attractive for states parties, including through the provision of financial and expert assistance to communities. Consideration must also be given to the ceiling mechanism and possible solutions to address the existing competition between mechanisms. Discussions should be guided by the principle of improving community involvement in all processes. In that regard, the delegation wholeheartedly supported proposals (a) and (c) but would appreciate more information to understand the benefits of the proposals to establish formal mechanisms or structures.

The **delegation of Japan** thanked the Secretariat for organizing the working group. Japan had been supporting the important process to improve the current system and looked forward to fruitful discussion on issues such as evaluation criteria and the transfer and removal of elements from the Lists. The increasing number of files examined had gradually been putting pressure on the entire evaluation process. The delegation supported the repositioning approach, as it would be very difficult for the Secretariat to maintain the current pace of evaluations with the existing number of files and backlogs. Given that the main purpose of the 2003 Convention was to safeguard intangible cultural heritage, increasing the number of files could encourage communities to recognize their heritage. Such a solution would require a balanced system, simplifying the evaluation criteria without impacting the core purpose of the Convention. The delegation was in favour of broader participation of communities, as expressed in paragraph 18 of working document 3, but required clarification on components such as the arm’s-length body.

The **delegation of the Netherlands** thanked the experts for their valuable report and the Secretariat for the clear documents provided. The discussion on the listing mechanisms, the follow-up of inscribed elements and the evaluation of nominations was of great importance for the future of the Convention and its impact. The Netherlands had been slow in nominating elements for the Lists, focusing instead on capacity-building; the exchange of good practices for safeguarding; the cultural diversity of inventories; and cross-cutting themes, such as intangible cultural heritage in education and in emergencies. The national policy on intangible cultural heritage had always focused on safeguarding, visibility and respect for its cultural and social meaning. The Government employed a bottom-up approach, working with communities to determine how to safeguard their intangible cultural heritage and what support they needed. Nominations to the Lists were meant to support safeguarding, mobilize international cooperation and raise awareness among states parties and communities around the world about the diversity and importance of living heritage and the need to safeguard it. First and foremost, nominations must support communities in their safeguarding efforts, and their input should be taken seriously. Communities were clearly not satisfied, and their expectations were not being fully met. Addressing this issue required action, not just supportive words on their importance. Communities could be more involved in the listing system to ensure their needs were being met. In addition, the delegation would like to discuss the different possibilities to address the interrelated issues facing the Lists, including the listing mechanisms, the evaluation of nominations and monitoring. Rather than choose between the fine-tuning or repositioning approaches, the delegation felt that there could be a more dynamic, inclusive listing mechanism with more interaction between the Lists, lighter procedures where possible, a sunset clause for the Representative List, reflection on criterion R.2 and direct participation for communities and NGOs in the listing and evaluation processes in Committee meetings. Such solutions could also achieve a geographical balance in the mechanisms. Furthermore, both the Urgent Safeguarding List and the Register of Good Safeguarding Practices were underused.

The **delegation of the Sweden** extended its sincere thanks to the esteemed experts from all over the world that had taken part in the deliberations, as well as the Government of Japan for its continued support for the process. It also appreciated the high-quality work of the Secretariat. Regarding the overall approach to the listing mechanisms, the delegation preferred a combination of the fine-tuning and repositioning approaches, as the two options had many advantages. Nevertheless, it had specific questions about some of the points and wished to discuss them further.

The **delegation of Colombia** congratulated the Chairperson on his election and thanked the Secretariat and the experts for the important documents provided. The fine-tuning approach was a likely option for Colombia, but many elements from the three other approaches could be integrated to improve the efficiency of the listing mechanisms. Safeguarding was the most important aspect of the Convention but was sometimes forgotten. In that regard, community participation was important, and states parties had a responsibility to encourage safeguarding at the national level, especially to find linguistic solutions for the communities concerned. The 2003 Convention was the most modern, and its mechanisms favoured local and community expertise over external experts’ views, which was one of its strengths. States parties should take advantage of this very important opportunity to evaluate themselves as well as their management of the Convention. They should be very thorough and ethical in their desires for the listing system, bearing in mind the gentleman’s agreement but using a different term. The goal must truly be to safeguard all of humanity’s heritage.

The **delegation of China** thanked the Chairperson for his guidance, as well as the Secretariat and the experts who had provided their input for the presentations. It also thanked the Government of Japan for its contribution to make the working group possible. Since the adoption of the Convention in 2003 and its operationalization in 2008, the listing mechanisms had been functioning well and had made a significant contribution to achieving the objectives and principles of the Convention. There were already 584 elements inscribed by 131 countries. The listing mechanisms had also greatly contributed to raising the visibility and awareness of safeguarding for intangible cultural heritage and to gaining a broader consensus worldwide. Nevertheless, for various reasons, including limited human or financial resources, the listing mechanisms continuously encountered greater challenges and cross-cutting issues. The reflection process was of great importance to the health and sustainable development of the 2003 Convention. In that connection, the delegation felt that some of the recommendations from both the fine-tuning and repositioning approaches were complementary and preferred not to choose one approach. Participants should reflect on whether they had already done enough or what work remained to be done to ensure the listing mechanisms functioned perfectly. According to Articles 7 and 18 of the Convention, the Committee should provide guidance on best practices and make recommendations on measures for the safeguarding of intangible cultural heritage. It should also accompany the implementation of such projects, programmes and activities by disseminating best practices, using means to be determined by it. In that regard, much work remained to be done, and the delegation would make its own proposals to address specific issues.

The **Chairperson** remarked that a slightly larger number of states supported the repositioning approach, although many delegations felt that discussion should focus on individual measures from both approaches. He once again solicited general comments about the five suggestions regarding community involvement.

The **delegation of Poland** strongly supported the general direction of all five points and wished to have more detailed discussion to determine how the suggestions could be implemented in practice. There were many solutions to address the different constraints of states with a variety of languages and other obstacles that might be encountered. The delegation encouraged discussion on those details to turn words into practice regarding community involvement.

The **delegation of Sweden** supported the overall direction of the five suggestions on community involvement. Sweden fully supported the strong involvement of civil society and believed that practitioners and bearers had a fundamental role to play in ensuring that intangible cultural heritage remained alive and dynamic. It also placed great importance on enabling communities to read about their heritage in their own language. The creation of new mechanisms to further involve civil society and communities in inscribed elements, such as an arm’s-length body and the special forum, could certainly benefit the implementation of the Convention but would require more information. The delegation therefore supported options (a) and (c) and required additional clarification on (b), (d) and (e).

The **delegation of Colombia** thanked the experts for their very interesting approach and strongly supported their proposals. Colombia had long promoted community participation in many ways. Nevertheless, additional details regarding the implementation and viability of the proposals were necessary, as resources presented some of the biggest challenges at the national level. The delegation also wondered how to guarantee that all members could participate in the Convention.

The **delegation of Senegal** supported the five suggestions on community involvement but felt that the implementation of an arm’s-length body required further discussion, particularly in connection with the existing Evaluation Body. A number of issues had been considered when the Convention had been drafted, particularly with regard to Africa, which was under-represented in the 1972 Convention.

The **Chairperson** said that he had a very good idea about the feelings regarding the overall approach and would move on to the next item in the afternoon. Participants would have another opportunity to discuss Item 4.a, following discussion on 4.b, 4.c and 4.d. He adjourned the morning session.

*[Thursday, 08 July 2021, afternoon session]*

**ITEM 4.B OF THE AGENDA**

**ISSUES RELATED TO THE INSCRIPTION CRITERIA**

**Document:** [LHE/21/16.COM EXP/7](https://ich.unesco.org/doc/src/LHE-21-EXP-7-EN.docx), [LHE/21/16.COM WG/3](https://ich.unesco.org/doc/src/LHE-21-16.COM_WG-3-EN.docx)

The **Chairperson** opened the afternoon session and turned to Item 4.b to discuss issues related to the inscription criteria.

The **Secretary** welcomed back the participants, reminding them that the inscription criteria formed the backbone of the listing system. It was important to bear in mind that the criteria, as defined in the Operational Directives, were not set in stone. The text of the Convention itself was silent on the specificities of the criteria, and Articles 16 and 17 of the Convention stipulated that the Committee was expected to draw up and submit to the General Assembly for approval the criteria for the establishment, updating and publication of the Representative List and Urgent Safeguarding List, respectively. The reflection process on Item 4.b should give priority consideration to the issues related to criterion R.2. On numerous occasions, notably in paragraph 12 of decision [14.COM 14](https://ich.unesco.org/en/decisions/14.COM/14) and paragraph 9 of decision [14.COM 10](https://ich.unesco.org/en/decisions/14.COM/10), the Committee had pointed out that the criterion caused recurrent challenges for communities, states parties and the Evaluation Body, despite changes made to the Form ICH-02. The Evaluation Body and the experts consulted in the framework of the global reflection had pointed out that criterion R.2 was perhaps problematic because it obliged communities to take on an external point of view and project possible future consequences of an eventual inscription on aspects of the element that were well beyond their control. With regard to the inscription criteria, the fine-tuning approach proposed rewording and simplifying certain criteria primarily to address recurrent challenges around R.2 and R.3, as well as U.3, to underline safeguarding more strongly and simplify the corresponding parts of the nomination form. The Form ICH-02 might be revised to focus on how inscription would contribute to encouraging dialogue and mutual respect rather than raising the viability of intangible cultural heritage and raising awareness of its significance. Another proposal was to link the questions to sustainable development, asking how inscription on the Representative List might contribute to issues such as reducing poverty, supporting inclusive social development, mitigating climate change or promoting gender equality.

The **Secretary** explained that, under the repositioning approach, the criteria for the Representative List and the Register would be significantly reduced. Criterion R.2 could be removed, with relevant portions incorporated into criteria R.1 and R.4. Once an element was considered to be intangible cultural heritage under criterion R.1, it could be assumed that its inclusion on the Representative List would increase awareness about intangible heritage in general. Portions of R.2 would be placed under R.4 with community consent, to ensure that communities properly understood the meaning of inscription, particularly that the element was not being inscribed as world heritage and that inscription did not imply exclusivity or ownership. In addition, criterion R.3 would become optional, depending on the viability of the element, and criterion R.5 would be largely simplified and aligned with the periodic reporting mechanism. Since inventorying was one of the obligations for states that had ratified the Convention, the issue could be addressed in detail during the periodic reporting and simplified during nominations. Such an approach would establish a direct link between nominating elements and fulfilling periodic reporting obligations every six years. The Urgent Safeguarding List would receive enhanced attention to support communities in fulfilling criterion U.3, as well as through the fund of the Convention. Each approach had different implications. The reduced number of criteria and correspondingly shorter nomination form advocated by the repositioning approach would certainly liberate a significant amount of time and workload for the Evaluation Body, the Committee and the Secretariat. Approximately 80 per cent of the resources and time spent on inscription-related tasks went to the Representative List. On the other hand, while the fine-tuning approach might address some of the imbalances, the overall workload would likely remain the same. Under both approaches, experts advocated for deleting criterion P.9 for the Register of Good Safeguarding Practices.

The **Chairperson** thanked the Secretary for his detailed explanation and stressed the importance of finding a solution to the issues related to criterion R.2 as a matter of priority.

The **delegation of Palestine** thanked the Secretariat for the working documents and the presentation. The majority of states parties had agreed that the current formula for the Evaluation Body was functioning very well, especially with addition of the dialogue process. The delegation hoped that it would be reinforced and felt that change was not needed. With regard to the criteria for the Representative List, it proposed a hierarchy in which criteria R.1 and R.5 would be eliminatory. Criterion R.1 concerned the definition of the element as intangible cultural heritage, and criterion R.5 was stipulated in the Convention. The idea had been proposed before but there had not been enough time to explore it in depth, and it would need to be examined by the experts. In addition, some criteria must be simplified, particularly criterion R.2, which had frequently caused problems. Such a solution could also be applied to the criteria for other listing mechanisms as well.

With regard to the criteria for the Representative List, the **delegation of Switzerland** said that the issues surrounding criterion R.2 were well known, particularly the problems arising from the wording. Nevertheless, the criterion should be kept. Raising awareness about the importance and visibility of intangible cultural heritage should be maintained, but the criterion could be simplified by removing the distinction between the three levels and clarifying the intent of the nomination. It also made clear that inscription did not place any element above the others. It was important to move beyond viewing inscription as an end and understand that it was the means to contribute to safeguarding, cooperation and sustainable development. In that regard, the delegation was in favour of establishing a direct link with sustainable development, particularly the 2030 Agenda and the Sustainable Development Goals, under criterion R.2 or another criterion. With regard to the repositioning approach, it would be counterproductive to make criterion R.3 optional. Safeguarding was essential regardless of the status and viability of the nominated element. Such a reflection would validate the efforts communities had undertaken and would help to begin a concrete project with concrete measures and a dialogue between communities and the authorities. Therefore, criterion R.3 should remain obligatory for the Representative List. With regard to the proposed sunset clause and hall of fame, it was unclear what purpose those proposals would serve and what impact they would have on communities. The delegation requested further clarification from the experts or the Secretariat.

The **delegation of the Netherlands** felt that there could be more interaction between the Urgent Safeguarding List, Representative List and the Register, which would increase consistency. The Representative List could be a light mechanism that states parties used to greatly improve the visibility of intangible cultural heritage. Once they had fulfilled simplified versions of criteria 1, 3, 4 and 5, criterion 2 would no longer be necessary. The elements on the Representative List would naturally foster visibility in the world and would connect through the network of elements to be created according to one of the experts’ suggestions. With such a mechanism, the Evaluation Body and the Committee would not require as much time to evaluate nominations. In addition, the sunset clause would limit the duration of elements on the list, requiring less time for monitoring and follow-up. As a result, the ceiling for nominations would no longer be necessary, and states parties would no longer have to choose among the Lists. States parties, bodies and communities would therefore have more time to focus on the Urgent Safeguarding List and the Register. Furthermore, if the criteria for the Urgent Safeguarding List and the Register could be simplified, they would also be more easily accessible for communities.

The **delegation of Japan** said that criterion R.2 had always been one of the most difficult and confusing criteria for communities and states parties. It would therefore be beneficial to reformulate the criterion by either simplifying it or removing it and including the relevant portions under criterion R.4. The delegation was in favour of deleting criterion P.9 and simplifying criterion R.5 but felt that careful discussion was needed in terms of making criterion R.3 optional. Given that the purpose of the Convention was to protect intangible cultural heritage, safeguarding measures should still be verified in some way. Rather than make the criterion optional, a good solution might be to simplify the submitting form to lighten the workload for both the submitting states and the Secretariat.

The **delegation of Austria** thanked the Chairperson for elaborating on the inscription criteria. It fully supported the inclusion of the Sustainable Development Goals in the nomination process as well as questions related to sustainable development. The delegation was also in favour of a stronger focus on safeguarding, which was at the core of all Lists, and therefore did not support the idea of making criterion R.3 optional. Additionally, it supported simplifying the questions under criterion R.2 and finding lighter ways of sharing safeguarding measures. With regard to the Urgent Safeguarding List, the delegation supported the proposal under which a new safeguarding plan could be submitted after eight years if the original one had not proven successful. Furthermore, simplifying access to and inscription in the Register of Good Safeguarding Practices would possibly make it more attractive to communities and could promote its importance for the Convention. With regard to the Representative List, access to the list should be facilitated, particularly for smaller communities and groups that had less visibility but were of great value to the list’s diversity. Nevertheless, in broadening the baseline, there should be a firmer approach to recommendations by the Evaluation Body in order to avoid further politicization.

The **delegation of Saudi Arabia** echoed the statements made by other states parties and supported the repositioning approach, which addressed issues related to the criteria that posed the most challenges, particularly criterion R.2. The delegation was also in favour of lightening the workload of the Evaluation Body, which was closely linked to the issues raised in Item 4.d on the methodology for the evaluation of nominations.

Although the inscription criteria for the Representative List and the Urgent Safeguarding List adequately reflected the principles of the Convention, **the delegation of Estonia** found that there was still room for lightening the heavy procedures. Criterion R.2 was not a fair question and should be changed. As the Evaluation Body had pointed out, it expected communities to take an external and abstract point of view and predict what would happen in the future regarding the awareness and visibility of intangible cultural heritage in general. Nevertheless, it was very important to underline the need to encourage dialogue and mutual respect, which was also a fundamental part of criterion R.2. Perhaps those issues could be addressed under criterion R.1, as the two criteria were interconnected. The delegation also questioned the rationale for maintaining criteria U.2.b and U.6 to describe an extremely urgent option, which had not yet been used. It was very difficult to differentiate between urgency and extreme urgency and might not be very practical given the lengthy procedures. There was also potential to reduce the level of detail currently required under criteria R.3 and U.3, as the forms demanded more than those criteria entailed. Questions under criteria R.5 and U.5 could also be lightened to merely ensure that the element was included in the national inventory, while the procedure would be described in detail in the state’s periodic report. With regard to the Register of Good Safeguarding Practices, the criteria for selection could be reduced and merged to facilitate access, as proposed under the repositioning approach on page 6 of working document 3. Lastly, it would be beneficial to initiate a separate reflection on the implementation of Article 18 in its entirety in order to discuss other lighter ways of promoting and disseminating good safeguarding practices.

The **delegation of Brazil** agreed with the proposal made by the delegation of Palestine with regard to criteria R.3 and R.5 and felt that they were essential to inscription on the Representative List. Whether a hierarchy was imposed, nominations should not be accepted if they did not meet those two criteria. The delegation was also against removing criterion R.3, as safeguarding was an important principle of the Convention. Furthermore, its removal would leave only four criteria, and it was uncertain how that would impact the gentleman’s agreement. In that connection, the delegation noted the experts’ recommendation regarding the term and hoped that a new expression could be used. With regard to criterion R.2, the main problem stemmed from its subjectivity. Any new draft of that criterion should therefore seek to eliminate its subjective nature. Lastly, the delegation agreed with the proposal to remove criterion P.9.

The **delegation of Kuwait** thanked the Secretariat and the experts for their very comprehensive report. It also commended the Chairperson for his approach to the meeting and urged all participants to adhere to the suggested working method. Concerning the inscription criteria, criterion R.2 should be eliminated because the objective of the 2003 Convention to raise awareness of intangible cultural heritage had been met. While some delegations had proposed shifting portions of R.2 to criteria R.1 and R.4, the delegation of Kuwait worried that such a proposal would simply shift the problems concerning R.2 to other criteria and preferred instead to remove it.

The **delegation of Colombia** wished to thank the experts for the wonderful job of distilling their discussions and rich analysis into an abstract of one-and-a-half pages. Concerning the Representative List, it was more inclined to the solutions proposed in the fine-tuning approach. Rather than delete criterion R.2, it should be refocused on encouraging dialogue and mutual respect. As mentioned by the delegation of Brazil, the criterion had a subjective nature that made it very difficult to answer the questions. In addition, criterion R.3 should not be optional or deleted, as it provided a vision for the future safeguarding of the element. Safeguarding was at the centre of the Convention, and states parties should have some way to protect the proposed elements. As mentioned by the delegation of Switzerland, the nomination process was not an end but a means to safeguarding. Many of the proposals made by the experts were very detailed and complex, and the delegation wished to know more about how they would be implemented. Although it was more inclined to support the proposals under the fine-tuning approach, many elements of the repositioning approach should be considered, and states parties must find a path that mixed both proposals in an effort to fulfil their responsibility to represent their countries, communities and bearers.

The **delegation of Bangladesh** congratulated the Chairperson for representing the Group of Asian and Pacific States and had full confidence in his ability to move forward in the difficult task ahead. It also thanked the Secretariat and the experts for their work, which had allowed participants to begin discussing the issues immediately. The delegation supported the position of the delegation of Kuwait that criterion R.2 was the vaguest and most difficult for Member States to respond to and understand. As the delegation of Palestine had pointed out, there was a need for some compulsory criteria. Criteria R.1 and R.5 should be given much higher priority, whether a hierarchy was established. Regarding criterion R.3, safeguarding measures were truly at the heart of the Convention and should remain, with possible changes to the wording. Furthermore, the order of the criteria should be overridden, with R.1 followed by R.5. Criterion R.2 might then be eliminated, or the first part omitted, given that its inclusion would continue to create a problem for the national experts drafting the file and the experts undertaking the evaluation. Criterion R.4 was the most important but could also be clarified with regard to determining an acceptable level of community participation.

The **delegation of Germany** supported the delegations of Switzerland, Colombia and others in underlining the importance of safeguarding measures in criterion R.3, which was essential and should not be made optional. It also supported the request to change and simplify criterion R.2, for which the repositioning approach proposed by the experts could be a serious option. The delegation stressed the need to simplify the criteria for the Register of Good Safeguarding Practices, given that the experts considered some of them to be too detailed, which could explain why fewer communities made proposals for the Register. The removal of redundant criteria, as proposed in the repositioning approach, should also be given further consideration.

The **delegation of China** recalled that the criteria for the Urgent Safeguarding List and the Representative List had been applied for over ten years, having first been drafted in 2007 at the first extraordinary session of the Committee. Although criterion R.2 was especially difficult for states parties to satisfy, as it referred to potential future events that were not completely in the control of submitting states, it remained very important. It had been drafted according to the articles of the Convention, and the delegation would be quite conservative in reforming the criterion, preferring that it remained the same. Nevertheless, the nomination forms could be further revised and simplified so that submitting states had fewer difficulties in fulfilling the criteria.

The **delegation of Sweden** joined other delegations in supporting the deletion or simplification of criterion R.2, the important elements of which could be introduced into criterion R.4, as suggested in the repositioning approach. Those elements should be retained, as they related to Article 16 of the Convention on the visibility of intangible cultural heritage and dialogue that respected cultural diversity. In support of the delegation of Estonia, the delegation of Sweden wished to incorporate the importance of dialogue into another criterion, should R.2 be removed. It also supported the suggestion to revise Form ICH-02 to include a question under R.1 on the compatibility of elements with existing international human rights instruments, as well as with the requirement of mutual respect among communities, groups and individuals. The delegation supported the deletion of criterion P.9 and felt that the Register of Good Safeguarding Practices embodied the spirit of the Convention and should be further enhanced in the future.

The **delegation of Portugal** agreed that criterion R.2 should be addressed and would support either revising and simplifying the questions or removing the criterion. It also supported a revision of criterion R.1 to include a question on the compatibility of proposed elements with existing international human rights instruments, as proposed under the repositioning approach. The delegation was in favour of preserving criteria R.3, R.4 and R.5 and sought further explanations regarding the sunset clause suggested under the repositioning approach.

The **delegation of Slovenia** reiterated its support for revising criterion R.2; however, it was not in favour of making significant changes to criterion R.5 and strongly supported the emphasis on safeguarding measures. It also encouraged the development and strengthening of the Register of Good Safeguarding Practices, which represented a significant challenge for Slovenia at the national level as well. The delegation also supported the inclusion of compliance with international human rights documents under criterion R.1.

On matters related to the Register, the **delegation of Poland** supported the proposal to initiate a separate reflection on the implementation of Article 18, as the Register encountered significant problems that could not be easily solved by deleting some problematic criteria, such as criterion P.9. The experts had presented more pertinent ideas, such as renaming the Register to better recognize its purpose and provide equal standing with the Lists. They received more attention and recognition than the Register, perhaps owing to the language, as the Register was perceived as something less important and interesting.

The **delegation of Colombia** posed a methodological question about the discussions, wondering whether it was better to speak quickly on each list or to provide an overall impression of the discussion. It wondered how the conclusions of the discussion would be determined.

The **Chairperson** reiterated his suggestion to draw a conclusion on criterion R.2 but reminded participants that they could also discuss other criteria as well.

The **delegation of Colombia** fully supported the statement made by the delegation of Poland regarding the Register of Good Safeguarding Practices.

The **delegation of Jamaica** supported the statements made by Colombia and Poland and also supported removing criterion R.2. It noted that states parties also had issues implementing criterion R.5 and requested clarification on the sunset clause.

The **delegation of France** generally supported the proposals made under the repositioning approach and was in favour of including elements from criterion R.2 in criterion R.4; however, it opposed making criterion R.3 optional. It was also not in favour of revising criterion R.5, as national inventories should be a prerequisite to an element’s inclusion on the list. The delegation also requested more information about the proposed hall of fame.

The **delegation of Senegal** agreed with the delegation of China. The criteria were established pursuant to the articles of the Convention, and each criterion represented a principle within that document. Despite the issues related to comprehension and interpretation, the delegation was in favour of reformulating but not removing some criteria. Criterion R.2 should be simplified and rewritten, since issues arose following inscription. On the other hand, criterion R.3 should be maintained in its entirety. Given that its full title was the Convention for the Safeguarding of the Intangible Cultural Heritage, safeguarding should be maintained or even expanded to incorporate questions concerning sustainable development and the 2030 Agenda.

The **delegation of Norway** supported the proposals made by the delegations of Poland and Colombia and agreed that Article 18 should be examined more deeply to explore its underused potential.

The **delegation of Peru** agreed with several other delegations about the importance of criterion R.3, under which safeguarding measures were identified and applied by communities. The Representative List was clearly an efficient safeguarding mechanism that raised awareness about intangible cultural heritage, hence its popularity among communities. Criterion R.4 was therefore essential, since it illustrated how communities shared their voice. Given the difficulties in responding to criterion R.2, it should undergo some small changes. Lastly, criterion R.5 should be linked to the periodic reporting.

The **Secretary** thanked the delegations for their statements and wished to respond to some of the questions raised. With regard to the sunset clause and the hall of fame, those solutions had been considered to lighten the administrative load for maintaining the Representative List. If the list was opened to more representative elements, the reporting and follow-up would become unmanageable. Considering that intangible cultural heritage was dynamic, it had been argued that an element on the Representative List would not require active monitoring after a certain period and could go into the proposed hall of fame, acknowledging that it had been on the Representative List.

On the issue of sustainable development, the **Secretary** noted that any specific reference to the 2030 Agenda in the criteria would have a limited lifespan. References to the principles of sustainable development, however, could extend beyond 2030. Concerning criteria R.5 and U.5 and the link to periodic reporting, inventorying was indeed one of the obligations of states parties to the Convention. Under the proposal, the periodic reporting would provide an in-depth look at the inventorying systems in order to lighten the criterion during the evaluation process. That proposal could allow states greater access to inscription, as the process would be lightened while still maintaining the obligation of inventorying.

The **Chairperson** gave a broad summary of the discussion. On the issue of criterion R.2, while some delegations supported its deletion with some elements imported into criteria R.4 or R.1, a greater number of states wished to maintain it, while acknowledging the need for simplification. A suggestion had been made to make criterion R.3 optional, but a number of delegations felt that it should be maintained, as safeguarding was the most important theme in the intangible heritage scheme. No suggestions had been made to delete the other criteria. There had been discussion on establishing a hierarchy in which criteria R.1 and R.5 would receive priority treatment, but there had been no convergence of views on that point. In addition, many states had stressed that the criteria for the Urgent Safeguarding List should be simplified to encourage more elements to be listed there, which had not been disputed. Some references had been made to the need to address Article 18.

The **delegation of Portugal** thanked the Chairperson for his summary, noting that some delegations had been in favour of the first suggestion under the repositioning approach to include a question under criterion R.1 on the compatibility of proposed elements with existing international human rights instruments.

The **delegation of Senegal** thanked the Chairperson for his excellent summary and agreed with the Secretary that references to the 2030 Agenda would be limiting. It therefore wished instead to highlight language regarding sustainable development in connection with safeguarding measures.

The **Chairperson** said that delegations had engaged in a very good discussion, of which the Secretariat had taken good note and would provide more precise summaries at a later stage. He adjourned the meeting for a thirty-minute break.

*[Thirty-minute break]*

**ITEM 4.C OF THE AGENDA**

**ISSUES RELATED TO THE FOLLOW-UP OF INSCRIBED ELEMENTS**

**Document:** [LHE/21/16.COM EXP/7](https://ich.unesco.org/doc/src/LHE-21-EXP-7-EN.docx), [LHE/21/16.COM WG/3](https://ich.unesco.org/doc/src/LHE-21-16.COM_WG-3-EN.docx)

The **Chairperson** moved to Item 4.c to discuss the issues related to the follow-up of inscribed elements.

The **Secretary** reminded the working group that the Committee had been very clear in its desire to include the issues related to the follow-up of inscribed elements in the global reflection on the listing system, as could be seen in its Decisions [13.COM 9](https://ich.unesco.org/en/decisions/13.COM/9) and [15.COM 7](https://ich.unesco.org/en/decisions/15.COM/7). In terms of monitoring, paragraph 5 of Decision 13.COM 9 indicated the need to enhance the follow-up mechanisms that would allow communities, groups and where applicable individuals to participate in the monitoring of inscribed elements. Paragraph 6 of Decision 15.COM 7 demonstrated the Committee’s readiness to discuss the possibility of restricting the evaluation of new nomination files for states parties whose reporting duties had not been fulfilled. The Committee had also taken a series of decisions, notably Decisions [10.COM 19](https://ich.unesco.org/en/decisions/10.COM/19), 12.COM 14 and 14.COM 14, that stressed the need to clarify the procedures for removing an element from a list, as well as transferring from one list to the other.

Concerning the follow-up of inscribed elements, the **Secretary** noted that two issues were common to both the fine-tuning and repositioning approaches. The first was a proposal to create an arm’s-length online platform of intangible cultural heritage. The experts had referred to the proposal as an observatory, which the Secretariat had then reclassified as an arm’s-length online platform. It would not be involved in the evaluation of nominations. Rather, it would serve as a space to address issues in the follow-up of inscribed elements before they were passed on to formal statutory mechanisms. The second proposal was that more direct and systematic support should be provided to elements that would be transferred from the Representative List to the Urgent Safeguarding List, particularly from the Intangible Cultural Heritage Fund. Paragraph 14 of working document 3 contained additional details.

The **Secretary** explained that the fine-tuning approach would seek to improve the current system by making full use of the periodic reporting mechanism and international assistance. For example, a request for transfer might follow the periodicity established for reporting, every four years for elements inscribed on the Urgent Safeguarding List and every six years for those inscribed on the Representative List. Under the repositioning approach, no element would remain on the Urgent Safeguarding List for over four reporting cycles. After sixteen years, elements on the list would undergo a monitoring process and, depending on the outcome, would either be transferred to the Representative List, because viability had been sufficiently restored, or removed altogether from the Urgent Safeguarding List. The purpose of the proposal was to ensure that safeguarding plans were implemented expeditiously. For the Representative List, that approach could also involve the sunset clause, under which elements would be included on the list for a certain period of time and then moved to a hall of fame for posterity, without further reporting duties.

The **Chairperson** recalled that the transfer and removal of an element was one of the priority items for discussion.

Noting that the follow-up of inscribed elements was a cross-cutting issue, the **delegation of Switzerland** was in favour of proposals, mechanisms and methodologies that sought to improve follow-up, such as the establishment of an arm’s-length online platform. It was open to the three possible solutions for the transfer of an element: an automatic transfer, simplified procedures or a transfer request. On the other hand, the removal of an element required a more elaborate mechanism based on regulations and a clear decision-making process. A sufficient explanation had not been provided to justify the establishment of a sunset clause, and the delegation did not feel that it would significantly lessen the workload for the follow-up of elements. The hall of fame gave the impression of royalty or luxury, especially if the status was not linked to monitoring obligations. The term itself would imply a kind of hierarchy that contradicted the spirit of the Convention. Lastly, the delegation proposed a separate working group to address the issues under Article 18.

The **delegation of Poland** felt that a very clear procedure was needed for the transfer and removal of an element. It must prioritize the involvement of communities on the ground, as both scenarios would significantly impact them. When transferring an element between the Lists, the advisory mission proposed in the [report](https://ich.unesco.org/doc/src/52149-EN.docx) of Breakout Group 2 could assist communities and states parties. In the case of removal, the reconciliatory and educational potential of the Convention might be better served in the form of interim measures to help take more informed decisions and allow time for reflection. In that connection, the experts had proposed consultative missions in the field to assess the situation on the ground. The delegation wished to hear the positions of other states parties regarding the transfer and removal of an element in order to find a solution that would be satisfactory for all stakeholders.

The **Chairperson** drew attention to the arm’s-length platform as another issue for discussion and encouraged delegations to refer to that point as well.

Regarding the arm’s-length online platform, the **delegation of Colombia** asked who would benefit from it and who would administer it. For the platform to be inclusive, it would need to be translated into other languages in addition to English and French, and it was not clear who would be responsible for maintaining the page. The delegation asked the Secretariat to clarify how the tool would be implemented. In terms of the fine-tuning approach, a limit of eight years on the Urgent Safeguarding List would encourage more dynamic safeguarding actions in urgent cases. Under paragraph 15.d of working document 3, additional clarification was needed to determine how the removal and transfer of an item would impact the periodic reporting, who would be responsible for making that decision and whether states parties and communities would propose it. In terms of the repositioning approach, under paragraph 16.a, states parties should also consider how safeguarding measures could provide some memory or record of elements that simply faded away. Concerning the removal of elements, interim measures were very important, as was evidenced by the previous case when a very difficult decision had been taken to remove an element from the list. Perhaps a friendlier option could be considered.

The **Secretary** wished to clarify the purpose of the arm’s-length online platform. The initial wording used by the expert group had been an observatory, although it was clearly meant to play a role in the follow-up of inscribed elements that went beyond a clearing house. Following brief discussion with the expert group, the Secretariat had taken the liberty of labelling it an arm’s-length online platform. Rather than serve as an evaluating body, it was intended to serve as a forum for discussing issues that would assist in the monitoring and follow-up of inscribed elements, including by allowing communities to engage and liaise. Nevertheless, the Secretariat would need to address some core questions in the future, such as who would administer the platform and who would have access to the resources available under the Fund. While there were real but not insurmountable issues to be discussed in terms of financing and administration, it might be useful to first understand the role and composition of the online platform.

The **delegation of the Netherlands** agreed with the suggestion of limiting time spent on the Urgent Safeguarding List, as well as transferring an element to the Representative List and the Register of Good Safeguarding Practices. Reporting obligations should be incorporated in the periodic reporting as much as possible. With respect to the follow-up of inscribed elements, the delegation valued the experts’ suggestion to provide technical and financial support from the Fund of the Convention to elements that needed to be transferred from the Representative List to the Urgent Safeguarding List. Regarding the arm’s-length platform, it wondered what the status of the platform would be within the listing system.

The **delegation of Kuwait** was more in favour of the repositioning approach for the follow-up of inscribed elements. While the arm’s-length platform was a very good concept, more details were needed on its modality. With regard to delisting, as had been evident during the fourteenth session of the Committee in Colombia, sometimes there was a clear case, and sometimes more investigation was necessary. Delisting should be dynamic. When the Convention was not met, the recommendation could come from the Secretariat and the decision could be made quickly. In situations that were not as clear, the Committee should have the option to seek the experts’ opinion on delisting.

The **delegation of Japan** said that the use of the periodic report to transfer an item from one list to another was a viable proposition, but it needed to be more concrete. The proposed process to remove or transfer an element from the Urgent Safeguarding List after sixteen years was also interesting; however, more careful and detailed discussion on the sunset clause was needed to determine the benefit of moving inscribed elements from the Representative List to a so-called hall of fame. The delegation was in favour of the arm’s-length online platform but wondered how it would be financed and looked forward to a more detailed discussion once the platform had been concretized.

The **delegation of Austria** considered the current topic essential in the reflection process. Establishing a monitoring system was urgent for both the Representative List and the Urgent Safeguarding List in order to evaluate the effectiveness of inscription in terms of successful safeguarding. The delegation also supported restricting the evaluation of new nomination files for a state party that had not fulfilled its reporting obligations. As the delegation of Switzerland has suggested, another working group might be necessary to discuss those delicate issues in greater detail. In addition, the delegation of Austria was in favour of establishing separate, clear and specific procedures and criteria for the removal and transfer of an element. The establishment of an arm’s-length online platform to involve the communities themselves in monitoring was an interesting idea; however, some questions would have to be addressed, as had been pointed out by the delegations of Colombia and the Netherlands, as well as the Secretariat.

The **delegation of Senegal** welcomed the idea of an arm’s-length online platform, which would provide the opportunity for cultural actors, NGOs and academics working on the ground to exchange experiences and participate in the monitoring process. Their opinions should be important. Senegal had undergone an exercise to restore its pilot inventory established with UNESCO and had published a representative list containing fifty-nine elements on its platform. That process had sparked a national discussion on the platform involving the communities, which included practitioners as well as academics, doctors and others who valued the elements. A supplementary inventory had been envisioned to update the list. With regard to the transfer or removal of an element, the delegation agreed that precise procedures were needed. It was important to note that elements inscribed on the Urgent Safeguarding List required specific safeguarding measures to re-establish their viability. If, for whatever reason, the experts deemed that an element was not able to establish its viability after a certain period of time and still did not meet the principles of the Convention, it should be removed. Whether the limit was sixteen years or another amount of time, an element could not remain on the Urgent Safeguarding List forever.

While the **delegation of Brazil** recognized that it was important for the Secretariat and the Committee to have an idea of the general opinion of states, it stressed that it was sharing its opinions in theory, as more information was needed. Ideally, a text based on more complete proposals would be provided. The delegation was in favour of transferring and removing an element. The issue had arisen during the fourteenth session of the Committee in Bogotá, and states parties should be prepared for those situations. In theory, the delegation supported the idea that an element should not remain on the Urgent Safeguarding List forever, as that would mean that it was not receiving the necessary protection measures. Nevertheless, it was important to work with concrete proposals, and the delegation would need time to discuss with the National Heritage Institutes. The observatory was an excellent idea. Direct contact with communities was essential, as was having their immediate responses.

The **delegation of Poland** supported the observatory as a means of embracing the diversity of actors who were not currently heard. An open platform was very much needed to address issues that could not be handled during the regular meetings of the various bodies because of obstacles, a lack of time or a lack of procedures. The platform would also fulfil the need to maintain dialogue and allow communities to sit at the table, not just on the table. While quick and dynamic decisions were needed in the transfer or removal of an element, it was also important to consider the emotions and identities of communities on the ground. The process required time and an understanding of the situation in the field and should introduce reconciliatory measures, such as providing additional benefits rather than simply fast-tracking a decision to remove an element from the list.

With regard to the follow-up of inscribed elements, the **delegation of Sweden** stressed that continued reporting was needed to monitor ever-changing intangible cultural heritage. It would support lowering the priority for the examination of nomination files for states parties that had failed to fulfil their reporting obligations under the Convention. A clear and simple process for transferring an element between the Lists would be welcomed, but the criteria for inscription should still apply. In addition, the delegation agreed that an arm’s-length online platform could be a good idea and supported the engagement and inclusion of diverse voices, as mentioned by the delegation of Poland. It thanked the Secretariat for the explanations provided but felt that more clarification was needed, especially since resources were limited. The delegation was hesitant to support a sunset clause or so-called hall of fame, agreeing with the points made by the delegation of Switzerland.

The **delegation of China** had long been deeply concerned by the imbalance of elements inscribed on the Lists. The Urgent Safeguarding List deserved more attention, given that those elements required urgent assistance. The delegation supported the proposal for a dynamic list on which elements would not be listed permanently. In that regard, the current nomination form should be optimized to reduce the complexity and difficulty of preparing nominations. An assessment system based on the quadrennial periodic report of elements on the Urgent Safeguarding List should be introduced. If the element’s viability had improved after three or four reports, its transfer to the Representative List would be encouraged, with the prior, free and informed consent of the communities concerned. Favourable measures or mechanisms should be drafted in order to facilitate such a transfer. On the other hand, if the assessment determined that the element’s viability had not improved, it would be removed from the list. For example, sometimes elements no longer responded to the environment or modern society. Lastly, the delegation suggested including that issue on the agenda for the Committee meeting for further discussion.

The **delegation of Estonia** joined other delegations in advocating for care in procedures regarding the transfer and removal of elements. Paragraph 16.a of working document 3 proposed a system by which no element would remain on the Urgent Safeguarding List for over sixteen years. The delegation wondered what would happen if the monitoring process found that the criteria for the Urgent Safeguarding List were still met. It also wondered what message would be sent to the communities and the state party if the element did not meet the criteria for the Representative List but was still removed from the Urgent Safeguarding List. Although sixteen years might seem like a long time, intangible cultural heritage was passed down from generation to generation in some cycles.

The **delegation of Portugal** joined previous delegations in the opinion that inscription on the Urgent Safeguarding List should not be permanent. On the other hand, there should be no time limit for an element’s inclusion on the Representative List. It therefore did not support the notion of a hall of fame. The transfer of elements should be linked to periodic reporting and, in the case of elements on the Urgent Safeguarding List, to the international assistance that should be provided during the process. The idea of an arm’s-length platform was interesting, but clarification was needed on whether the proposed forum would be linked in any way to the processes and procedures for transfer and removal.

The **delegation of Belgium** was acutely aware of the need to establish dynamic transfer and monitoring procedures for the Lists. As the delegation of China had mentioned, periodic reports played an important role. Although communities were asked about their implementation of the Convention, they were not asked whether they wished to continue to be listed for the next six-year cycle. The periodic report was also a good tool to take stock of whether they subscribed to the ethical rules and recommendations of the Convention. The delegation also noted that the best practices from periodic reports were rarely showcased, despite the fact that they could serve as models for others. It would also be interesting to know whether those examples continued to be seen as good practices.

Responding to the question from the delegation of Portugal, the **Secretary** said that the arm’s-length platform would be related to the transfer and removal process. Otherwise, it would simply be a classic UNESCO observatory and would not fall under the current discussion. The experts’ proposal, which many delegations had found interesting, was to provide a space to explore and discuss the issues of transfer and viability and to facilitate networking for inscribed elements. It still needed to be connected to the formal mechanisms. In addition, since the Evaluation Body was clearly overloaded with inscriptions, the Secretary wondered where the space for the follow-up would occur. If participants wanted communities to have a voice in the follow-up, the arm’s-length platform could provide a solution. It would also be able to inform the Secretariat, the Committee and potentially the Evaluation Body of the evolving viability of certain elements or other related issues. That concept did not exist within UNESCO and was very different from the process under the 1972 Convention. While there were many implications yet to be determined, the Secretariat noted the importance of exploring that possibility in the course of the current discussion.

**The delegation of Norway** supported the suggested platform for stakeholders to share information on the monitoring of safeguarding plans and methods. It also supported the proposal to transfer elements from the Urgent Safeguarding List to the Representative List as well as to the Register of Good Safeguarding Practices. Such a mechanism could encourage the development and sharing of good safeguarding methods.

In summarizing the discussion, the **Chairperson** said that all delegations wished to have a very cautious approach to the removal of an element. The process would have to be very dynamic and would require time, clear procedures and an interim process. Nevertheless, all delegations had recognized the need for such a process, acknowledging that an element could not remain on the Urgent Safeguarding List forever. Delegations were more flexible on the issue of transfer, for which a simplified process enjoyed more support. Perhaps a more constructive approach would be possible. While delegations found the suggestion of an arm’s-length platform to be interesting, they required more information about its role. Nevertheless, all delegations saw the value in involving communities on the arm’s-length platform and had emphasized the importance of periodic reporting as well. Although many doubts had been expressed about the issue of the sunset clause, it still required additional discussion.

The **Secretary** pointed out that a number of states had spoken about the issue of transferring an element from the Urgent Safeguarding List to the Representative List; however, working document 3 also contained ideas to encourage states and communities to transfer from the Representative List to the Urgent Safeguarding List, with the benefit of fast-tracked access to the Fund of the Convention for safeguarding plans. The participants were all weary of the correlations with the listing mechanisms of the 1972 Convention and the connotation placed on the Lists, but the 2003 Convention had never been meant to be seen in that sense. The experts therefore felt the Urgent Safeguarding List should be made attractive to communities that might wish to garner attention, even if they were already on the Representative List, by making it a better guarantor of access to funding through the international assistance mechanism of the Fund. A much larger portion of the Fund of the Convention was dedicated to international assistance to support safeguarding because it was not being used for monitoring purposes.

The **delegation of Colombia** supported the Secretary’s statement concerning the Urgent Safeguarding List. Under the World Heritage Convention, Colombia had voluntarily moved one of its elements to List in Danger, which had provided a good opportunity to improve the protection of the site, which had then been moved back. As a result, the delegation felt that the approach was very positive and encouraged states parties to support making the Urgent Safeguarding List more dynamic to improve safeguarding for elements in urgent need of assistance. The arm’s-length platform was a very good idea, and the delegation would be awaiting the details of its implementation to ensure that it achieved its intentions.

In response to the statement made by the Secretary, the **delegation of Senegal** said that elements inscribed on the Representative List should also be monitored. States parties often viewed inscription on the Representative List as prestigious, but then they did not follow through. Communities were often disappointed because local plans had been developed with them and they expected certain things to happen following inscription. In the end, however, those communities were left wanting because the state party did not have the means to respect its obligations. It was not possible to provide safeguarding assistance on the Representative List. Communities should therefore be allowed to decide to move their element to the Urgent Safeguarding List in order to take advantage of the implementation of safeguarding measures. That process would be guided by the communities’ wishes and would have no connection to the listing mechanisms of the 1972 Convention, under which the Committee decided to place sites on the List in Danger.

The **delegation of Cuba** thanked the delegation of Senegal for the points it had raised but recalled the intergovernmental nature of the listing mechanisms. While it was very important for communities to be able to take action on safeguarding, which was the spirit of the Convention, it was also important to remember that national institutions played a role in safeguarding intangible cultural heritage. Every state must establish a mechanism to listen to and work with communities; however, the Member State itself should interact with the bodies of the Convention and the Secretariat. If Member States were not able to carry out their work, then the Secretariat or the Fund of the Convention should take measures to provide assistance to those states. The delegation was therefore against giving communities the power to work directly with the bodies of the Convention.

The **delegation of Brazil** agreed with the delegation of Cuba that National Heritage Institutes must be a part of the process. The ideal situation would be to have a discussion in which all parties participated according to their specific role, including the communities, the Evaluation Body, the delegations of Member States and the National Heritage Institutes.

The **Chairperson** wished to determine the path forward concerning three points. In terms of removing an element from a list, all delegations had mentioned the need for caution, time, clear procedures, a dynamic process and a potential interim process. The participants acknowledged the need for a solution to the issue but wished to take a very cautious approach. Many delegations had pointed out that a process for transferring an element between Lists could be very helpful. If enough protection was not extended to a particular element, the national commission or perhaps the local community might wish to move the element from the Representative List to the Urgent Safeguarding List. With enough improvement, the element could then move back. Such a process would be very constructive and helpful and should entail a more simplified procedure. Further consideration would be given to what could be done to simplify the requirements and mechanism for the transfer of an element.

The **Chairperson** noted that the arm’s-length online platform was a useful tool to involve local communities, but national entities, experts and NGOs would not be excluded. In the World Heritage Committee, the transfer from one list to another could be an extremely big issue; however, the same system did not apply to intangible cultural heritage. There was no shame in moving from the Representative List to the Urgent Safeguarding List. The platform could be used very constructively to extend more protection to an element. A more concrete proposal would be drafted to guide discussions about the platform, which would facilitate the exchange of views for the follow-up of already inscribed elements. More detailed discussions would be held at a later stage, possibly in September for Part II of the meeting. The Chairperson asked whether his proposal met the expectations of delegations.

The **delegation of Cuba** supported the Chairperson’s proposal but noted that there was not yet consensus on the relevance of an arm’s-length body for monitoring. Perhaps the Secretariat could play that role with strengthened capacities. States parties had dedicated a significant amount of time to establishing the current Evaluation Body, equally composed of NGOs and Member States. The delegation was not sure that creating a new monitoring mechanism would resolve the issue. Perhaps additional mandates should be assigned to the Evaluation Body instead, or the Secretariat should receive capacity-building in terms of human resources. Nevertheless, the delegation agreed to continue the reflection in September but was not fully convinced of the value of the proposed arm’s-length online platform. States parties should work more closely with NGOs, which were doing great work in the framework of the Convention, along with the UNESCO chairs.

The **Chairperson** acknowledged the position of the delegation of Cuba and noted that a conclusion had not yet been reached. Without any preconditions, more concrete proposals could provide a better understanding and basis for assessing the proposal.

The **delegation of Norway** suggested including the proposal to transfer elements from the Lists to the Register of Good Safeguarding Practices in the further discussions, as it would be beneficial in highlighting good safeguarding practices.

The **Secretary** wished to clarify an idea related to the elements that had been successfully safeguarded in the context of the Urgent Safeguarding List. The community could choose to move to the Representative List, but, at the same time, the successful safeguarding plan and related activities could automatically be included in the Register of Good Safeguarding Practices. It was important to differentiate from the implications of the List in Danger under the 1972 Convention, as an urgent safeguarding nomination could potentially lead to two separate listings.

The **delegation of China** was not convinced of the feasibility of establishing an arm’s-length online platform and echoed the statements made by the delegations of Cuba and Brazil, recalling that the state party itself as well as other relevant stakeholders should play the primary role in the safeguarding process. The delegation also urged participants to consider the Ethical Principles for Safeguarding Intangible Cultural Heritage when discussing the possibility of establishing the platform, particularly paragraphs 6 and 9. According to paragraph 9: ‘Communities, groups, local, national and transnational organizations and individuals should carefully assess the direct and indirect, short-term and long-term, potential and definitive impact of any action that may affect the viability of intangible cultural heritage or the communities who practise it.’ The value of a community’s intangible cultural heritage should not subject to external judgements.

The **delegation of Barbados** noted that Member States had expressed concerns about moving an element from the Representative List to a hall of fame and wished to flag that issue for further discussion. When an element was removed from the list, it was unclear what would happen. The delegation wondered whether special provisions or actions applied, whether there needed to be a transition into the hall of fame and what such a transition would resemble. Additionally, the online platform would be very useful for involving more key stakeholders from communities, national entities and experts in the discussion. It would also provide a space in which that discussion could take place before the follow-through to the formal body.

In connection with the possibility of multiple transfers among the two Lists and the Register, the **delegation of Hungary** asked who could initiate such a transfer, whether it was only the state party or the Committee itself. It also wondered who would draft the file to transfer an element from the Urgent Safeguarding List to the Representative List and who would daft the file detailing the successful safeguarding plan for the Register of Good Safeguarding Practices.

The **Secretary** said that the first request for a transfer, which had come from a state, had triggered the entire reflection process. The Operational Directives contained some guidance on removal but no indications on how the transfer should occur. It was clear that they had been drafted on a theoretical basis without any real application. As a result, it had been necessary to first remove the element and then undergo a process to reinscribe it. The information had been presented to the Evaluation Body, as the only body in a position to undertake the assessment. It had been contained in the periodic report. On that basis, it had been decided to remove the element from the Urgent Safeguarding List. Then a new nomination file had been submitted for re-inscription on the Representative List. The procedure had been cumbersome and heavy, and neither the Evaluation Body nor the Committee had been pleased with it. There was a clear need to simplify the process to avoid rewriting multiple files. There was also a question of who would undertake the evaluation. The discussions of the expert meetings had suggested the need for better consideration, perhaps even missions, although the question remained as to who would undertake them. One solution had been the online platform, to bring together all stakeholders. It was important to think outside of the box and beyond the examples of the 1972 Convention, which was necessarily expert driven. The Evaluation Body had brought up the issues concerning who would write the reports and whether a report or a dialogue process was needed. Perhaps audiovisual technology could be used for a better understanding. The reflection process was an opportunity to think outside the box, bearing in mind the framework of the intergovernmental Convention, as had been mentioned by multiple delegations. The questions posed were the core questions facing the Secretariat as it attempted to make proposals on how to execute the transfer and removal of elements.

The **Chairperson** wished to reformulate his earlier statement. The participants had discussed the removal of an element with serious problems or in which the local community was no longer engaged. While a very cautious approach was necessary, the need for a process to remove an element from the Urgent Safeguarding List was recognized. On the other hand, the proposal to move an element from the Representative List to the hall of fame was not very popular. Nevertheless, discussions could continue, as Barbados had suggested. In addition, certain caveats must be considered on the issue of the arm’s-length online platform, which could make use of modern technology to reduce the burdens of the Evaluation Body and the Secretariat. It was also important to note that the proposal was not meant to circumvent the role of national entities. Perhaps more concrete proposals could be developed regarding the platform in order to have more detailed discussions in September to determine the value of the idea. Lastly, the Chairperson noted that discussions would resume the following day at 9.30 to address Item 4.d: Methodology for the evaluation of nominations, for which the priority item was multinational files. The Chairperson adjourned the meeting.

*[Friday, 09 July 2021, morning session]*

**ITEM 4.D OF THE AGENDA**

**METHODOLOGY FOR THE EVALUATION OF NOMINATIONS**

**Document:** [LHE/21/16.COM EXP/7](https://ich.unesco.org/doc/src/LHE-21-EXP-7-EN.docx), [LHE/21/16.COM WG/3](https://ich.unesco.org/doc/src/LHE-21-16.COM_WG-3-EN.docx)

The **Chairperson** welcomed the participants back to the working group meeting and moved to Item 4.d: Methodology for the evaluation of nominations.

The **Secretary** said that, according to the expert consultations, the current evaluation process was largely satisfactory, including the composition of the Evaluation Body, its working methods and timetable. Nevertheless, some suggestions had been made that would be applicable to both the fine-tuning and repositioning approaches. First, the extension of multinational files to include other states parties should be simplified whenever possible. Experts had stressed that, in line with the spirit of the Convention, community consent should remain a key requirement in the extension process, particularly to indicate the willingness of the newly joining and original communities to be associated with one another. In addition, a new procedure should be established, under which the submission of a full nomination file would not be required for portions concerning the original communities, with a view to reducing the burden on the Evaluation Body. For example, the pre-existing states on the nomination could provide evidence that the original communities had provided their free, prior and informed consent for the extension of the nomination to other communities while also confirming that no major development had taken place that would alter the nature of the element or the information previously submitted. The Secretary reminded participants that the Committee had directly requested that the procedure for extending multinational files should be addressed, as indicated in its Decision 14.COM 14.

With regard to outside information, the **Secretary** mentioned the proposal to allow the Evaluation Body to consider outside information that its members had identified, whether gathered through the body’s own experience, proactive research or correspondence received by the Secretariat. Some experts had felt that such information could indeed be used after verifying its reliability, if all twelve members came to a full consensus on its use. It should also be accounted for in the report of the Evaluation Body and the draft decisions concerning the file. On the other hand, other experts had questioned the desirability of the proposal, as it might complicate the evaluation process because of the different types of information available for different elements. Lastly, the experts had highlighted the importance of using gender-neutral and inclusive language within all aspects of the implementation of the Convention, both in the files and in the debates. The term ‘gentleman’s agreement’ had been singled out as an area for change.

The **Chairperson** thanked the Secretary for identifying the three major topics to be covered under the reflection theme and invited participants to share their views.

The **delegation of Switzerland** thanked the Chairperson for his handling of the debates and looked forward to building on that good model. Although considering outside information could allow for a more detailed analysis, it could also complicate and lengthen the evaluation process. It might also impact the ability to ensure fair treatment for nominations, owing to the highly variable quality and quantity of information available. The delegation therefore did not support the use of information that was not provided in the files. On the other hand, it would support a process that allowed communities to submit information more directly and easily, notably through the use of digital tools. The delegation would be in favour of a model that employed a hearing between the Evaluation Body and community representatives in order to strengthen the upstream dialogue process. Furthermore, it welcomed the simplification of the process for extending multinational files in the spirit of cooperation for a shared living heritage. Nevertheless, the will and consent of communities must be at the centre of any extension. States parties must be careful not to create fictitious communities but rather base nominations on transnational practising communities, as the expert Léonce Ki had pointed out the previous day. Multinational files required special attention and support, and the delegation reiterated the request it had made at the previous Committee meeting to set up specific hotlines for that type of nomination, which had not been sufficiently considered in the first phase of the reflection.

The **delegation of the Netherlands** had always valued the expertise and work of the Evaluation Body and felt that its decisions should be respected. The evaluation process could be enriched by community views; however, information outside of the nomination file likely should not be used. With regard to extending nominations, the Netherlands had invited other countries to join its nomination on the craft of the miller with a view to exchanging knowledge and skills on safeguarding at the international level. Although the nomination procedure could be simplified, a new procedure was not necessary. Most importantly, all communities involved from all states parties should give their consent.

The **delegation of Japan** agreed with the need to simplify the process of extending nominations to include other states parties. In that connection, it also wished to simplify the modalities for extending nominations to newly identified communities following inscription, either within or outside of a state. One possible solution was to allow the nomination to be extended during the periodic reporting. Furthermore, external information should be actively used if it helped to deepen the understanding of the proposed element or determine whether the criteria for inclusion had been met.

The **delegation of Algeria** congratulated the Chairperson on his election. While the involvement of national communities in the inscription process was important, it should not call into question the central role played by national institutes and experts. The process of consulting communities to extend nominations to other states parties must also be simplified. It was not always easy to obtain the consent of all the communities, which were sometimes numerous.

The **delegation of Poland** expressed its full support and appreciation for the work of the Evaluation Body and felt that the evaluation process might be enhanced by occasionally seeking additional information. In that connection, the delegation wished to draw the attention of states parties to the growing ICH NGO Forum and the expertise contained within. On the use of gender-neutral and inclusive language, the Convention was a new and inspiring document, which made it a good forum to begin the discussion. The term ‘gentleman’s agreement’ dated to colonial times, and another term such as ‘verbal agreement’ or ‘non-formal agreement’ could be used instead.

The **delegation of Kuwait** felt that it was important to have an online platform for the nomination and evaluation process. Technology should be used throughout, beginning with the submission of the file. Member States could then access the information at any time, and the process would be more transparent. In addition, Committee Members could examine the history of the files, the information provided and the outcome of all stages when they made a decision. Additionally, it would be beneficial to simplify the procedure for extending multinational files, bearing in mind community involvement. The number of experts on the Evaluation Body should be dynamic and based on the number of files. As the Convention continued to evolve, states parties should not restrict themselves to a specific number of experts, which would create a backlog in the future, as was currently the case. With regard to the use of outside information, the delegation felt that it would create further complications. It wondered whether the information would be validated by Member States and what would happen if it contradicted the information they had provided. The dialogue process in which the experts could discuss issues with Member States was preferable, and decisions should not be based on information that was not provided by states.

The **delegation of Brazil** said that simplifying the evaluation process was a very important issue; however, the evaluation must be based on the file. It supported the proposal made by the delegation of Kuwait that the role of the dialogue process could be expanded to incorporate additional information coming from communities. Nevertheless, all information should be present in the file.

The **delegation of Bangladesh** agreed with the statement made by the delegation of Kuwait. It was a good idea to have extensive dialogue with communities; however, all communities were not on equal footing in terms of language. States parties sometimes also faced issues in representing communities in the files. Inscription was merely a language game, nothing else. While there should definitely be close collaboration and cooperation with communities, communication should go through Member States, because the government process made it easy and accessible to the experts. Participants should not support a solution in which direct communication might impact the importance of the element or efforts to provide good and effective information. An information gap could be created if all parties were not involved, including the state party and even the relevant NGOs. In the name of simplifying the process, it should not be made more complicated.

The **delegation of Romania** said that its state had always respected and appreciated the recommendations of the Evaluation Body. Nevertheless, it could be challenging to obtain more information from different sources, as there was a significant amount of information that was inaccurate or contradicted the communities’ point of view. Direct communication with communities was the best source for additional information. Furthermore, the delegation fully supported a simplified process for the extension of nomination files, especially for the original communities and states parties. Romania was in the process of joining a newly inscribed nomination. It was likely frustrating for the original states parties and communities to undergo another process after just one or two years, although they were very generous in their commitment. The delegation agreed with the delegation of Poland that it would be possible to preserve the principle of the gentleman’s agreement while finding a better term, such as ‘informal agreement’.

The **delegation of Colombia** fully supported access to additional information during the evaluation of nominations but noted that the file provided the main information. Since the process did not involve outside experts, as was the case for the World Heritage Convention, the proposed solution could improve efficiency when additional information was needed. There had been a number of situations in the past in which access to additional information could have been useful. The delegation acknowledged that it would be complicated to determine the extent to which outside information could be used. It should complement the nomination file, not replace it. Additionally, the process of joining a nomination could be simplified, whether it was shortened or followed a different timeline. Nevertheless, countries joining an already inscribed element must submit a complete file and go through the process with their communities to determine the safeguarding measures necessary for their situation, which would differ from those of the states previously included in the nomination file. The delegation agreed that ‘informal agreement’ or a more neutral term could be employed while maintaining the principles of the agreement, as suggested by the delegation from Romania.

The **delegation of Sweden** agreed that the process of extending nominations to include other states parties should be simplified while retaining a community-based approach. Attaching the greatest importance to the high-quality work of the Evaluation Body, the delegation trusted the experts and valued their contributions greatly. It supported the suggestion made by the delegation of Poland to include the ICH NGO Forum in providing additional information to the Evaluation Body, as the forum had proven the quality of its deliberations. The delegation also supported gender-neutral modern language.

The **delegation of China** urged states parties to bear in mind that all the listing mechanisms had been established to contribute to realizing the objectives of the Convention, which were to raise awareness of the importance of intangible cultural heritage, improve its visibility worldwide and encourage dialogue and international cooperation. Therefore, a very open approach should always be taken with regard to the listing mechanisms. The examination procedures should be simplified to encourage more states parties to submit nominations. In addition, the independence and expertise of the Evaluation Body should be respected. All states parties should be evaluated on an equal basis, which meant focusing only on the information in the nomination files rather than additional outside information. Given that the dialogue process and correspondence had already been introduced into the evaluation process, those two elements would help to improve communication between the Evaluation Body and the nominating states. As a result, they should be specifically addressed and clarified in the Operational Directives. Furthermore, the process of extending nominations should be simplified, while maintaining the need to seek the consent of the original communities. Lastly, the delegation proposed allowing the files to be extended to include more communities within a state, in connection with updated national inventories. States parties had to provide evidence of regular updates to their national inventory, which implied the involvement of additional communities in safeguarding elements. The delegation wondered whether it was possible to establish an interaction between the national inventory and the communities of already inscribed elements.

The **delegation of Bangladesh** said that the solutions might complicate the evaluation process. It was important to consider the intention and whether states parties wanted to be liberal about the nomination process. The evaluation of files would become too difficult if more and more criteria were imposed.

The **Chairperson** wished to offer some observations for a more focused discussion going forward. No one was opposed to simplifying the procedures for extending nomination files, so there was no longer a need to discuss that point, pending concrete proposals. With regard to outside information, many states parties were cautious and worried about complicating the process. They also expressed concerns about due diligence and the treatment of outside information in relation to national nomination files. Nevertheless, there had been some suggestions for acquiring additional information, including the involvement of NGOs and direct dialogue with communities using modern technologies. He encouraged participants to express their views on those two suggestions. No one had been opposed to the notion of gender-neutral language, and discussion had centred around the term ‘gentleman’s agreement’ as a typical example. Unless anyone had a strong view about gender-neutral language, the issue could be included in the working group’s recommendations.

The **delegation of Colombia** recalled that there had been long discussions regarding the involvement of accredited NGOs and how to increase their participation in the implementation of the Convention. It therefore supported the proposal made by the delegation of Poland to allow the NGOs to assist the Evaluation Body by providing external information; however, their role would need to be well defined and identified. Those accredited NGOs were regional representatives, and as such, they knew the local languages and English and could serve as a bridge between communities and UNESCO. Such a solution would also address the current situation in which only a few NGOs were able to serve on the Evaluation Body. Perhaps the Secretariat could determine a good way to integrate them without hindering the Evaluation Body. Nevertheless, the delegation stressed that the file submitted by the Member States must remain the main element of the nomination process.

The **delegation of the Netherlands** felt that more direct community participation was needed in all listing mechanisms. Communities, NGOs and researchers should also be able to make proposals for the Register. While an online forum would allow communities to provide their position on nominations and express concerns about transfers, questions remained about the mechanics for such a platform. The delegation wondered who would appoint members to the online platform, what would its relationship be to the ICH NGO Forum and how seriously would the positions of communities and researchers be taken into account.

The **delegation of Poland** expressed its gratitude to the delegation of Colombia for elaborating on the possibility of engaging the ICH NGO Forum, which was already rooted in the Convention. Rather than seeking outside information, where there might be a number of different sources, it might be possible to rely on the expertise of the NGOs that were already members of the forum, knew the spirit of the Convention and had relevant and extensive field knowledge. The delegation also proposed a separate procedure to discuss Article 18 on the Register to explore a clear procedural solution for the involvement of the forum.

The **delegation of Jordan** congratulated the Chairperson for his management of the discussion and thanked the Secretariat for organizing the event. It supported simplifying the process for extending nominations and felt that ungendered language should be applied throughout all documents related to the Convention, including the nomination files. The 2003 Convention was implemented with the collaborative participation of the states parties that had ratified it; however, the interests of the relevant communities might not coincide with those of state governments, especially for those comprised of ethnic or cultural minorities or displaced people. In cases where the mainstream and minority cultures had significant differences, the state’s safeguarding efforts might result in marginalization. Intangible cultural heritage could also be used by state governments for nation-building, thus creating political conflict. The delegation therefore supported the involvement of communities but wondered which channels and approaches would be best.

The **delegation of Brazil** welcomed the participation of NGOs while noting that improvements were still needed in terms of their geographical distribution and capacity-building. It was also important to increase the number of NGOs that could serve on the Evaluation Body. The intent to increase their participation was wonderful, but it had to be followed by a very strong capacity-building programme.

The **delegation of Poland** wished to support the statement made by the delegation of Brazil. Capacity-building and more balanced geographical representation among NGOs was very much needed and remained a significant issue for the ICH NGO Forum.

The **Chairperson** said that more concrete proposals were needed in terms of the process of involving NGOs. The delegations of Brazil and Poland had mentioned the issue of capacity-building and the imbalance in the geographical distribution of NGOs. The delegation of Jordan had spoken about complications regarding community involvement, and the sensitive nature of NGO involvement had been mentioned by the delegation of China. When national authorities drafted the registry, the assumption was that more NGOs and local communities were involved. The question of NGOs and direct communication with the relevant communities could merit further discussion.

The **delegation of Kuwait** echoed the delegations of Brazil and Poland regarding NGOs. It agreed with the delegation of China that the modality of working directly with NGOs and communities in the dialogue process could be complicated. As mentioned by the delegation of Jordan, it would be important to determine which NGOs were on the register and what information was provided, if it differed from that of Member States. The delegation felt that the concept was still premature.

The **delegation of Norway** supported the view of the delegations of Colombia and Poland and others on the involvement of relevant communities and NGOs in the dialogue process. It also supported the delegation of the Netherlands in the need for additional information and trusted the Secretariat to develop relevant procedures for their involvement.

The **delegation of Bangladesh** felt that it was still premature to make a decision regarding the involvement of communities and NGOs in the evaluation of nominations, particularly since the modalities were unknown. The current process was already complicated and allowed for discussion between the evaluators and the state party when there was an issue with the file. Engaging additional parties would therefore create problems rather than facilitate the overall process. Nevertheless, if the modalities could be identified, then the idea was good. The technological development of the World Wide Web allowed for the establishment of an online platform where all participants could share their views. Such a solution could be included in the evaluation process to allow evaluators to have direct contact with communities, although the modalities would still need to be determined. It was important to avoid introducing additional problems into the process. The delegation would rather ensure more files could be evaluated for the Member States.

The **delegation of Poland** thanked all the delegations that had been discussing the involvement of communities and NGOs and wished to clarify its position. Despite the unbalanced geographical representation in the ICH NGO Forum, its involvement should not be postponed. That structural problem related to the financial resources of various countries and the way in which they supported NGOs. Postponing the process until balance was achieved might mean that it would never be possible to utilize the forum’s expertise. The delegation therefore suggested beginning the reflection process while investing in capacity-building, as proposed by the delegation of Brazil, to have further detailed discussions on the procedural aspects of NGO involvement.

The **Secretary** thanked the delegations for their stimulating and interesting comments. He noted that the resources of the Convention were limited and, unfortunately, there had been no solutions to that problem. With regard to NGO involvement, the Secretariat was currently working with the ICH NGO Forum Steering Committee on a mapping exercise to identify the capacities and resources available within the forum, which consisted of approximately 170 accredited NGOs of different shapes, sizes, orientations and capacities. While the NGOs had not specifically been implicated in the evaluation process, discussions were being held in that connection, and the results of the mapping exercise would be presented to the Committee. The Secretary also wished to highlight the statement made by the delegation of Bangladesh, which had said that inscription was a language game and nothing else. That was a concern within the current system. Lastly, the proposals would have to be costed, and, despite all the good intentions, the discussion did not give confidence that it would be possible to evaluate more nominations files.

The **delegation of Colombia** thanked the Secretary for his clarifications and recalled the impressive mapping exercise being undertaken with the NGOs. Perhaps geographical representation in the forum could also be addressed by promoting the involvement of NGOs in terms of providing external information or even capacity-building. Some NGOs might prefer to focus on safeguarding. Following the mapping exercise, perhaps the smaller NGOs could assist the nomination process in providing support, depending on the budget. Nevertheless, the proposal provided an opportunity to address geographical representation and the role of NGOs in the implementation of the Convention.

The **Chairperson** said that the use of modern technologies and online platforms could solve some of the cost issues. Direct dialogue with communities might not cost much if it were possible to make use of internet connections, videos or online information. The involvement of NGOs in the nomination process might not result in a great deal of cost either.

The **delegation of Brazil** wished to clarify that it had not meant to suggest waiting until geographic distribution had been achieved to begin working with the ICH NGO Forum, but rather that the situation required a different solution. Efforts to include more NGOs from other areas of the world had not achieved the intended results. The delegation encouraged participants to consider other solutions while bearing in mind that very important topic, which also needed to be addressed.

The **delegation of Bangladesh** said that, in the current era of technology, it was not very difficult to engage all stakeholders in the dialogue process, including NGOs, states parties and communities. Nevertheless, it wondered whether the current process was being completely overhauled. The delegation clarified that its earlier statement had not been meant to criticize but rather to highlight the importance of language in drafting and presenting the nomination file. If the communities were given the opportunity to work on the file in their own language, the responses might not be easy for the evaluator to assess. A number of Member States had encountered issues in presenting their files, despite the fact that the elements were very important and had the qualities to be considered intangible cultural heritage. Additionally, it was important to employ gender-neutral language and language that could ensure the real involvement of communities.

The **Secretary** clarified that the reason he had cited the comment made by the delegation of Bangladesh was because he fully agreed and felt that it had touched on a very important point to be discussed in the current context.

Acknowledging the Secretary’s comment about finances, the **delegation of Kuwait** stressed that the purpose of the current discussion was to examine all options to improve the 2003 Convention. The financial resources could be explored later. For example, when the reform process had been deemed important, there had not been resources to undertake it. Japan had then provided the financial support to make progress. Therefore, if a solution could add value to the Convention, the participants should not allow the financial concerns to hold them back. Finding a solution to the financial problems was significantly easier than improving the Convention, the evaluation of nominations and the follow-up of inscribed elements. No commitments were being made, so all ideas should be explored. If Member States felt that an idea was useful, perhaps they would support it. Furthermore, the delegation was very committed to NGOs and communities but wished to ensure that the correct modality was employed to encourage their participation. It also pointed out that half of the Evaluation Body was comprised of NGOs. Given that Member States included communities and NGOs in their files, the delegation had no issue with allowing those stakeholders to engage in a dialogue with the Evaluation Body, as long as it was done constructively and transparently. Modern technology could be used to conduct online meetings and improve transparency. Many advances had been made during the COVID-19 pandemic and should continue to be implemented.

The **delegation of Saudi Arabia** echoed the statement made by the delegation of Kuwait and fully supported the use of an online platform to facilitate dialogue and increase transparency.

The **Chairperson** summarized the discussion concerning dialogue between the evaluators and NGOs and communities. A significant number of countries had said it was a useful initiative. Nevertheless, a number of countries had also taken a cautious approach, highlighting the need for transparency and clear modalities. The use of modern technology had been mentioned in that context. With regard to outside opinions, participants had been very negative; however, with good modalities and a transparent dialogue platform, it might be possible to draft a proposal for the involvement of NGOs or communities in the evaluation process. Perhaps the Secretariat could make some suggestions in the future, and the working group might be able to discuss those points in September. Furthermore, geographical distribution and capacity-building in the context of the ICH NGO Forum were very important topics. The Chairperson proposed continuing the discussion on the items mentioned, with more concrete suggestions.

The **delegation of Kuwait** supported the Chairperson’s suggestion and felt that the discussion was moving in the right direction.

The **delegation of Jordan** said that, while the 2003 Convention was based on the participation of communities, it purposely did not contain any concrete conceptualization of the expression ‘communities, groups and individuals’. A decision had been made to address the definition in the implementation phase, which had initiated a broad and complex debate on those concepts. In order to discuss community involvement in the evaluation process, participants needed to redefine the meaning of communities in the Convention itself. The document also did not specify what was meant by participation, how it was accomplished or who represented the communities and groups in a participatory process. Such issues should be discussed and debated before taking any necessary steps towards the participation of communities or representative communities in the evaluation process.

The **Chairperson** wished to clarify that no agreement had yet been reached regarding the involvement of communities. He had simply suggested that more concrete suggestions in terms of the modalities and transparency of such involvement would likely facilitate the discussion in September.

The **delegation of Algeria** said that dialogue with NGOs was important and should be used to facilitate the evaluation process. Clear modalities must be defined for the information collected in order to ensure an objective evaluation of the nomination files. The delegation therefore supported the Chairperson’s proposal to continue discussions.

The **delegation of Kuwait** noted that participants had expressed a desire to simplify procedures while maintaining community and NGO involvement. As a result, proposed solutions should not introduce complications. As a possible suggestion, the dialogue process could become a more concrete part of the evaluation process, and specific NGOs or communities could use the online platform to participate. If Member States supported that suggestion, perhaps it could be further discussed.

The **Chairperson** said that there was not yet a need to have a clear position. As the delegation of Kuwait had mentioned, the intention was not to add another layer to the process but to improve it. Sometimes experts did not have enough information about specific aspects of the nomination, and local communities or the NGOs in the field could be contacted to provide additional information. Nevertheless, as many had expressed reservations, there was a need for clear modalities and a transparent process using modern technologies. The statement made by the delegation of Kuwait would probably provide a good starting basis, and the Chairperson urged participants to continue the discussion with more precise mechanisms in mind.

The **delegation of the Brazil** fully agreed with the proposal made by the delegation of Kuwait to use the dialogue process as an important tool to incorporate consultations with communities and NGOs. Participants should take advantage of the fact that the dialogue process was still taking shape and use it to implement the ideas being raised.

**Mr Marc Jacobs** referred the participants to the [report](https://ich.unesco.org/doc/src/52147-EN.docx) of Breakout Group 1, which emphasized the possibilities of connecting resources and needs. Resources could be money but also expertise from NGOs, as well as communities helping communities. The proposed platform would provide a space for improved connectivity and the pooling of resources. By thinking outside of the box, it would be possible to develop an interesting system.

The **Chairperson** closed the discussion on Item 4.d. He adjourned the meeting for a thirty-minute break, after which the discussion would resume on Item 4.a.

*[Thirty-minute break]*

**ITEM 4.A OF THE AGENDA [CONT.]**

**OVERALL APPROACH TO THE LISTING MECHANISMS**

**Document:** [LHE/21/16.COM EXP/7](https://ich.unesco.org/doc/src/LHE-21-EXP-7-EN.docx), [LHE/21/16.COM WG/3](https://ich.unesco.org/doc/src/LHE-21-16.COM_WG-3-EN.docx)

The **Chairperson** returned to Item 4.a: Overall approach to the listing mechanisms. During the previous day’s sessions, the working group had begun substantive work on that item to gauge the general impressions of states vis-à-vis the experts’ proposals. Three technical aspects were then discussed: inscription criteria under Item 4.b, the follow-up of inscribed elements under Item 4.c and the methodology for the evaluation of nominations under Item 4.d. In light of the technical discussion, the working group would return to the overall approach to clarify anything requiring further elaboration and then, if time allowed, deepen the discussion on how to ensure broader involvement of communities, groups and individuals in the listing system, particularly the five suggestions from paragraph 18 of working document 3.

In terms of the overall approach, the **Chairperson** noted that there had been no clear agreement to implement the fine-tuning or repositioning approaches, the working group preferring to pick and mix elements from both. On issues related to the inscription criteria, the conclusion seemed to recommend maintaining all criteria for the Representative List and the Urgent Safeguarding List. The Register would be discussed in September. An agreement had been reached to delete criterion P.9, but the other criteria had not been discussed. In other words, the working group preferred to fine-tune the current system. On issues related to the follow-up of inscribed elements, the overall tendency was for a more dynamic system connecting the three mechanisms to encourage enhanced safeguarding efforts. In that case, the working group leaned more toward the repositioning approach. With regard to the methodology for the evaluation of nominations, the working group had more or less agreed on two ideas: the extension of files and the use of gender-neutral language. In terms of outside information, states had been quite cautious, but there had been a fruitful discussion on the use of a dialogue mechanism with accredited NGOs and the relevant communities.

The **Secretary** said that the Secretariat had been preparing the draft recommendations of Part I of the meeting and sharing them with the Members of the Bureau. He confirmed that the preference of the working group seemed to be a pick-and-mix approach to select the best of both worlds. Nevertheless, he felt it was his duty to call attention to some possible implications of that approach, particularly with regard to the number of files to be treated each year, which had been an extensive topic of discussion in various intergovernmental meetings. He directed participants to the table under paragraph 19 of working document 3 for consideration going forward. If the reform of the inscription criteria had been more extensive and in line with the repositioning approach, more of the time and resources currently engaged around the Representative List could have been liberated to address additional requests, not to mention follow-up requests. As a result, a higher number of nominations could have been included in each cycle. The Evaluation Body needed time to read all the files and discuss them properly. Under that proposal, the number of nominations would have been set at half the number of states parties to the Convention in order to ensure that each state could submit at least one file every two years, while continuing to apply the current prioritization system explained in paragraph 34 of the Operational Directives. However, the current direction of the working group would not significantly change the process. It was not only a question of resources but also of time for the Evaluation Body, the Committee and the Secretariat. The Secretary did not anticipate increasing the number of files given the current direction. The prioritization system was unsustainable; a high number of files, particularly multinational files, continued to be presented each year; and there were 180 states parties. As a result, alternative measures would have to be introduced, for example, to evaluate one file per submitting state party every three years; limit states to one national or one multinational file in a given cycle; or discontinue the principle of one file per state every two years and strictly apply the priorities set out in paragraph 34 of the Operational Directives, based purely on the number of files a state already had listed. The Secretary felt duty-bound to point out those implications, which must underpin the discussions going forward.

The **delegation of Kuwait** thanked the Secretary for raising that important issue but wished to explain its position. According to working document 3, the Evaluation Body needed a significant amount of time; however, that was in reference to the existing system. The working group was discussing reforms to make the nomination process easier with a view to accommodating more files. Additional international assistance was also available. The working group had to be dynamic. All United Nations bodies first examined the mandate and the need for any project, then sought experts and resources. One solution would be to increase the number of experts within the Evaluation Body to accommodate the changes being made, which would have implications on cost but not time. If the number of human resources was increased based on the need, the time requirements would decrease. The delegation believed that Member States should not be limited in their submissions. UNESCO should accommodate all files and not hinder safeguarding or listing because of a lack of experts.

The **Secretary** noted that the working group wished to keep the current methodology for evaluating nomination files, which was to reach consensus among twelve experts who each read every file individually prior to meeting. Increasing the number of experts would not resolve the issue if each expert still had to read each file individually and then come together on a consensus; the methodology would need to change. As the Chairperson had pointed out in his summary, there had been no desire to change the methodology, which had its advantages in terms of geographic distribution and equity among NGOs and Member States.

The **delegation of Kuwait** thanked the Secretary for his clarification and noted that a number of new ideas had been proposed in the course of the current discussion. It also acknowledged that states parties would encounter the same issues in the future if they maintained the existing system.

The **delegation of Colombia** noted that increasing the number of experts would not necessarily improve the efficiency of the decision-making process, as had been seen in many other scenarios in UNESCO. Given the desire to maintain the quality of the nomination forms and expert discussions and have the best of both worlds, the delegation asked the Secretariat what solution could lessen the workload and provide more time for the Evaluation Body while eliminating limitations on nominations for states, which had a strong desire to showcase their communities’ heritage and creativity.

The **Secretary** thanked the delegations of Kuwait and Colombia for their questions. He did not believe it was possible to have the best of both worlds. It was not possible to have a more rigorous technical and technocratic approach to the listing system, modelled on the 1972 Convention, and have broader participation and represent more communities and elements. Determining the kind of representative list required was at the core of the reflection, whether it should be rigorously controlled in terms of safeguarding efforts, plans, inventories and related requirements or take a lighter repositioned approach to safeguarding. Under an approach that differed from the classic heritage approach, it would be possible to evaluate a larger number of files; however, such an approach would certainly require reducing criteria, requirements and procedures. The resulting representative list might be considered more truly representative, rather than of outstanding universal value.

While acknowledging the under-representation of many countries on the Lists, the **delegation of Brazil** reminded participants that safeguarding protection was also very important. The preoccupation with inscription, which was already happening in the context of the World Heritage Convention, gave cause for concern. If the energy was focused on the inscription process, safeguarding would be forgotten. That could not happen. While the delegation acknowledged that many countries were worried about inscribing more elements, especially those who had few or no elements on the Lists, there should be a balance between inscription and safeguarding.

The **delegation of Switzerland** noted that the impact of the fine-tuning and repositioning approaches, as described in working document 3, was based on conjecture and hypotheses. It wondered whether the repositioning approach would truly result in a reduced workload. Discussion on the methodology and resources should not be combined. Improving the quality of the elements and the efficiency of the Convention were distinct objectives. The quality of inscribed elements and the relevance of the Lists must prevail. Nevertheless, the delegation was sensitive to the challenges surrounding resources and reiterated its previous proposal to establish a separate working group to discuss issues related to the ceiling and prioritization.

The **delegation of Kuwait** echoed the delegation of Brazil and thanked the Secretary for his reply. The working group needed to think outside the box to address the number of files or perhaps hold another *ad hoc* working group. The delegation proposed that the Evaluation Body could have different groups representing each region, and each group could evaluate separate files. The entire Evaluation Body did not need to read every file. For example, the recent expert meeting had involved over thirty individuals who had been separated into three groups to examine a different theme. That same approach could be employed, in which all experts did not need to examine the same file. The financial implications of such an approach should not prevent the working group from moving forward. Participants simply needed to agree on a mechanism to increase the number of files and had already agreed to simplify the process for multinational files. Perhaps, for the evaluation, there could be two groups, with each group representing all six regions in UNESCO.

The **Chairperson** asked the delegation of Kuwait for clarification, as his proposal had not been debated previously. The number of experts would be increased, perhaps to eighteen or twenty-four, and they would be divided into several groups. Then, rather than moving to a plenary meeting, an expert examining a particular file would move to a subgroup of perhaps six or nine experts for the evaluation.

The **delegation of Kuwait** confirmed the Chairperson’s summary. Each group would cover all the regions and include NGOs. They would all read separate files and then come together, essentially creating several replicas of the existing system.

The **Secretary** said that those proposals were feasible, but they were connected to other discussions on issues such as the involvement of the ICH NGO Forum, broader platforms and the expansion of the current system. In terms of finances, he supported the approach of first defining the system and then seeking resources, including human resources. Nevertheless, the issues were interlinked, and some of the ideas discussed had implications on others. Nothing was off the table if states parties agreed to it and the Secretariat was given the resources to deliver.

Thanking the Secretary for his response, the **delegation of Colombia** said that it would be interested in pursuing the recommendation to conduct a study to understand the impact of inscription on the Representative List, as proposed in paragraph 15.b of working document 3. The outcome would help to determine whether the list should be lighter and more representative or more thorough. Colombia had also initiated a national reflection process, because sometimes expectations were not met or the challenges were greater than anticipated. In response to the comment from the delegation of Brazil on safeguarding, it was very important for all Member States to have stronger national policies. In 2010, Colombia had implemented a national policy to improve the quality of nominations, requiring all nominated elements to have a safeguarding plan in place. Other states might wish to consider such a policy if it was pertinent. Regarding the proposal made by the delegation of Kuwait, the delegation of Colombia wished to ensure that diversity was maintained in the nomination process and that the final decision would be taken by all members of the Evaluation Body.

The **delegation of Cuba** reiterated its concern regarding the increasing tendency to put forth multinational nominations. A balance should be maintained between national and multinational files. Not all countries had the same opportunities to join multinational files, whether for historical and geographical reasons. National files should therefore be prioritized. With regard to the proposal made by the delegation of Kuwait, the delegation of Cuba emphasized that a geographical balance had been maintained within the Evaluation Body. If the number of experts increased, it would be important to ensure that all regions remained well represented on the Evaluation Body.

The **Chairperson** clarified that the delegation of Kuwait had said that the geographical balance among experts would be maintained in its proposal.

The **delegation of Norway** pointed out that there were more roads to safeguarding than nominating elements to the Representative List, which already consumed a significant amount of resources from the Secretariat and the Convention, compared to the Urgent Safeguarding List and the Register. The delegation wished to see other or additional mechanisms developed to safeguard living heritage based on the underused potential of Article 18, as had been discussed previously. The periodic reporting system also provided opportunities to safeguard intangible cultural heritage.

The **delegation of China** said that safeguarding intangible cultural heritage was a joint effort in which each actor played a role. It was important to enhance collaboration and complementarity among the diverse stakeholders. The nomination of elements was one of the specific means for states parties to implement the Convention. According to the Operational Directives, states parties should ensure the widest possible participation of communities, groups, individuals and other stakeholders at every stage of the nomination process. Above all, communities were essential participants throughout the entire process. Nevertheless, the states parties had the obligation to submit the nomination file. The delegation was therefore unsure whether communities and NGOs should participate in direct dialogue with the Evaluation Body. It also noted that an open approach should always be taken to the listing mechanisms to encourage more states parties to submit nominations.

With regard to the evaluation process, the **delegation of China** proposed adjusting the current working methods of the Evaluation Body. First, requests for international assistance could be evaluated by the Bureau of the Committee, as it already examined requests under US$100,000. The Evaluation Body could then focus on nomination files for the Representative List, the Urgent Safeguarding List and the Register. Second, states would be able to submit two nomination files within three cycles, one for the Representative List and the other for either the Urgent Safeguarding List or the Register. The proposals would not necessitate a change to the overall mechanism or an increase in the number of Members of the Evaluation Body.

The **Chairperson** asked states to comment on the new proposals made by the delegation of China.

The **delegation of Japan** said that it wanted to maintain the spirit of the Convention while also increasing the number of files. As the delegation of Kuwait had mentioned, states parties should not have to choose. As had been discussed, it might be possible to increase the number of files by simplifying criteria R.2, R.5 and even R.3, without deleting it or making it optional. There were a number of potential solutions moving forward. Building on the proposal made by the delegation of Kuwait, the delegation of Japan suggested that the Evaluation Body could be divided into subgroups that evaluated certain files. If they agreed on a solution, the file would move on. If they could not reach consensus, then the file could be debated extensively in the plenary. That small change in the evaluation method might alleviate some of the work and allow more files to be evaluated.

The **delegation of Sweden** thanked the Secretary for his direct and honest answers to the questions posed by Member States and expressed its appreciation for the willingness of all participants to find new and creative solutions. It agreed with the delegations of Brazil, Colombia, Norway and others that the primary goal of the Convention was not listing but rather safeguarding and transmitting intangible cultural heritage. Member States had a responsibility to protect the integrity of the Convention and its collection of elements. The Evaluation Body and the Secretariat were doing all they could to respond to the increase in nominations submitted by states, and it was up to Member States to lighten the load. The delegation therefore supported the experts’ recommendation to limit the submission of new files for states that were failing to meet their reporting duties. It would also like to discuss other solutions that could create a better balance between the Lists. In doing so, a better geographical balance between the elements could also be achieved.

The **delegation of Poland** thanked the delegation of Kuwait for its creative solution. While it might be a good way to think outside the box, states parties would need time to consider that new idea. The advantage of the current process, in which the twelve experts discussed all nomination files, was the level of intersubjectivity in their opinions and recommendations to the Committee. To maintain that intersubjectivity, a number of files could be shared according to the region, and the Evaluation Body could be opened to other stakeholders, such as regional experts elected by accredited NGOs and communities. The delegation supported the proposal made by the delegation of Japan; when the regional group did not support inscription or encountered issues in its assessment, the file could go to the plenary. That procedure was widely used in academia and in business and could be a fruitful solution to decrease the workload of the twelve experts and evaluate more nominations. Nevertheless, the new proposal certainly required more reflection and greater detail.

The **delegation of Poland** recalled the unanimous support for the need to hear the voices of communities, groups and individuals, without whom safeguarding could not happen. It asked what kind of informed choices communities could make if they were invited to participate but could not communicate. The proposal to submit nominations in the languages of communities, groups and individuals represented a true invitation to engage. It would present a challenge, but one that could be solved. In that connection, concerns had been expressed regarding the time needed to translate the nomination file into the local language, since states were working on the precise wording of nominations until the last second of the deadline. According to the schedule provided in paragraph 54 of the Operational Directives, the nomination deadline was at the end of March and the Secretariat had until the end of September to assess the nominations. If states needed more time, particularly for multinational nominations, they could use those six months.

The **delegation of Estonia** said that the working group could not have its cake and eat it too. While some participants had embarked on the journey with a clear objective to do away with limitations and ceilings, it was unrealistic to hope for a solution that enabled all states parties to present as many files as their communities wished, given the financial, operational and institutional implications. In the previous session, participants had spoken about their trust in the system, the Evaluation Body, its objectivity and independence. The delegation supported the statements made by the delegations of Brazil, Norway, Sweden and others that had underlined the fact that listing should not overshadow other important aspects of the Convention. Doubling the number of experts on the Evaluation Body would not make it possible to evaluate twice the number of files because the process itself still required a significant amount of time and energy. That proposal would not be the magic solution that participants would like to see.

The **Secretary** said that some very interesting issues had been raised. Since the beginning, the 2003 Convention had been in the shadow of the world heritage listing mechanism. At the conclusion of the expert meeting, the Secretary had felt that the Convention might have been better served with a representative list and a safeguarding list, removing the urgency so as not to constantly reinforce that connotation. It could be possible to have a highly inclusive representative list that was solely for representation and a safeguarding list focused on safeguarding efforts. Such a system could be read into the Convention, although it had not been applied that way. As mentioned by the delegations of Norway and others, the Convention was much more than the Lists. The Secretary felt that its biggest success was the number of national institutions and plans that had been established. Twenty years prior, very few countries had had programmes to safeguard intangible cultural heritage at the national level. In addition, the periodic reporting mechanism had been reformed and was showing great improvement. For example, the Latin American region had submitted over 80 per cent of its periodic reports, whereas the overall world rate had been 20 per cent a few years prior. Furthermore, there were examples in which the mechanisms could be linked. States reported on their inventorying obligation under the periodic reporting. That criteria could therefore be extremely light under the nomination file, allowing states to merely point to their inventorying system. There were ways to lighten the Representative List and make it about representation, or it could remain a safeguarding list. It would also be possible to increase the number of Members of the Evaluation Body and create subgroups, if the resources were available and states parties agreed. Nevertheless, the nature of the Lists was also at stake. If the Representative List remained a high cachet list, there would be no need to increase the Evaluation Body; however, if the intention was to make it representative, there would be a need to reduce the technocratic aspect of file production.

The **Chairperson** returned to the recommendations to be made by the working group. He pointed out a number of suggestions. The delegation of Kuwait had proposed increasing the number of experts on the Evaluation Body. The delegation of China had suggested that the Bureau of the Committee should make a decision about the request for international assistance and that states parties should be able to submit two files for every three cycles. The delegation of Sweden had mentioned that reporting obligations should impact the submission of new files. Those issues would be further discussed in the afternoon. The Chairperson then turned to the discussion concerning the five suggestions made in relation to community involvement in order to determine which recommendations would be made by the working group. With regard to the arm’s-length platform, many states had said it was an interesting idea, but more details were necessary. Some states had some reservations, questioning the need for an additional layer in the follow-up process that could require more resources. Additional discussion was needed on the other four items. Several states had supported the first item, on providing nomination files in the local language; however, deeper discussions would help to determine the extent of support. The Chairperson welcomed the participants’ views on those five items.

The **delegation of Kuwait** felt that all the items would add value to the Convention. While providing nomination files in the communities’ language was a great idea, some Member States with several local languages had expressed concern. The delegation wondered how to choose a language in that situation and suggested that perhaps the proposal could be encouraged but remain optional. The delegation was also strongly in favour of item (e), the creation of a special forum that would allow the governing bodies of the Convention to consult communities.

The **Chairperson** said that the spirit of the Convention was included in those five suggestions, despite the practical problems.

In response to the issue raised by the delegation of Kuwait, the **delegation of Poland** noted that the experts had provided clear recommendations for cases in which several languages were spoken by the communities concerned. There must be cooperation between states and communities throughout the entire nomination process, and the matter of language would necessarily be a part of that process. The use of different languages could also enhance communication in the so-called arm’s-length online platform. Given that advanced technological solutions were being developed very quickly as a result of the pandemic, perhaps automatic translation mechanisms could be used. The Intangible Cultural Heritage Fund could also provide funds for translation when needed, especially for countries with financial constraints.

The **delegation of Romania** supported the idea to include the nomination file in the communities’ language on the UNESCO website. In Romania, files were first prepared in Romanian to facilitate working directly with the communities, who would appreciate having that version on the website. The proposed network of inscribed elements for sharing safeguarding experiences would provide communities, groups and individuals the chance to learn directly from the experiences of bearers from other states in the region and beyond. Romanian communities often consulted the Representative List to search for similar elements with a view to improving their proposals. Nevertheless, the communities were sometimes unable to understand the jargon of the nomination forms and would benefit from more direct engagement with their peers. In order to create such a network, a good starting point would be to consider the Dive into Living Heritage interactive visuals, which were a great tool to demonstrate the connections between concepts, elements, different fields and domains of the Convention. Although it had been designed to show the connections between intangible cultural heritage and the Sustainable Development Goals, it also highlighted the interconnectedness of elements and could serve as a starting point.

The **delegation of Colombia** said that all nomination forms were translated into Spanish and had once been translated into an indigenous language. The suggestion would provide a great opportunity to include more multilingual material online, which already existed in many cases. With regard to item (c), the delegation wondered how the arm’s-length online platform would connect with communities that did not have access to the internet and encouraged that issue to be taken into account. Regarding the creation of a specialized forum to consult community representatives, perhaps it would be better to work within or expand the existing tools under the Convention rather than creating another forum. As had been mentioned by the delegation of Romania, the Dive into Living Heritage platform could perhaps be enriched or adapted. Community participation was essential, and the delegation wished to ensure that the entire process, whether for inscription or for safeguarding, was undertaken alongside communities and other stakeholders.

The **delegation of Brazil** said that it supported items (b) and (d). With regard to item (a), it was in favour of using the community’s language in preparing files in principle but would like more information on how the procedure would be employed to avoid additional complications for the evaluation process. On items (c) and (e), it might be better to begin with one single platform to address both themes, which would allow communities to participate in monitoring the viability of inscribed elements and allow the governing bodies of the Convention to consult with communities.

The **delegation of Jordan** said that, in the Arab world, Arabic was the official language, but some areas had hundreds of indigenous languages and dialects that were also considered a repository of culture. It was a wonderful idea to use indigenous languages in safeguarding plans and nominations. Communities, groups and individuals would be very proud to see their languages used in the implementation of the Convention. Nevertheless, states parties must be very careful in choosing between official languages and the indigenous languages concerned. The proposal should be precise to avoid relying solely on official languages. The use of indigenous languages would also contribute to preserving endangered languages and related intangible cultural heritage elements.

In response to the delegations of Brazil and Jordan, the **delegation of Poland** clarified that submitting files in the communities’ languages would not mean more work for the Evaluation Body, which must operate in English or French. It would honour and enhance the role of communities in the Convention and encourage them to play a more active role in the periodic reporting and monitoring processes. Paragraph 81 of the Operational Directives stated that communities should fully benefit from the Convention, which would be difficult without nomination files in their languages. According to paragraph 120, when publicizing and disseminating information on the elements inscribed on the Lists, care should be given to focusing on their value and meaning for the communities concerned; however, that could not be done without engaging with communities in their own languages. The legal classification of the language, whether official, indigenous or endangered, was not an issue, as long as it was the language used by the communities.

The **Chairperson** said that there had been no opposition in principle to the question of language, although there was a need to elaborate on the actual modalities of that theme. There also had not been any straightforward opposition to item (b). Audiovisual tools were a very useful instrument to gather information. Since many participants did not want to create another network or layer of dialogue, perhaps items (c), (d) and (e) could be combined into a single platform with multiple functions.

The **Secretary** agreed that creating one platform with different functions would be more efficient, although the some of the proposals targeted different stakeholders. Combining the platforms would be more cost efficient, but there would still be a cost. Additional posts would also be required to maintain the platforms, but it was quite feasible. Nevertheless, some issues remained around determining the role it would play with regard to item (c).

The **Chairperson** invited Ms Janet Blake of the Persian Garden Institute for Living Heritage, representing the Steering Committee of the ICH NGO Forum, to offer a statement on the global reflection on the listing mechanisms of the 2003 Convention.

**Ms Janet Blake** said that the ICH NGO Forum had been following the debate closely and was pleased to hear the participants reference its potential contribution towards implementing the 2003 Convention. The forum was fully ready to support the global reflection on the listing system and cooperate with states parties in their efforts. In that connection, the forum also appreciated the proposals for capacity-building for NGOs. The NGOs accredited to the Convention enjoyed a range of expertise, global knowledge and diverse experiences that could make the forum a valuable partner in the process. In working with states parties and other relevant actors, the accredited NGOs could assist in the endeavour by supporting and engaging in dialogue with states parties, communities, groups, individuals and other non-state actors; gathering, sharing and disseminating experiences and information on good practices related to safeguarding; supporting the Evaluation Body in its work, using the forum’s networks on the ground and their own specific range of expertise; conducting studies, along with other relevant actors, on the impacts of safeguarding, inscription and other issues; and finally, undertaking studies to support the Secretariat in its work, such as the mapping of accredited NGOs and their expertise.

The **Chairperson** thanked Ms Janet Blake for expressing the willingness of the ICH NGO Forum to play an active role in the reformed listing system. In the afternoon session, he would summarize possible recommendations. The Bureau Members would then meet to discuss the conclusions of the working group, which would in turn be presented to the participants in writing for their comments. The Chairperson adjourned the meeting.

*[Friday, 09 July 2021, afternoon session]*

**Adoption of recommendations of Part I of the Open-ended intergovernmental working group**

The **Chairperson** welcomed back the participants and said that he would begin by mentioning the issues on which there was a convergence of views and then identify issues for further discussion in September. Following the Bureau meeting, the plenary session would resume to discuss the preliminary text of the draft recommendations, which would guide discussion in September. Nothing was being decided, and participants should not be too focused on the wording or structures. With regard to the inscription criteria, there was a general convergence of views on maintaining all criteria for the Representative List and the Urgent Safeguarding List. Criterion R.2 could be reformulated and simplified to focus on how the nominated element contributed to mutual respect and dialogue and the principles of sustainable development. Criteria R.4 and U.4 could be revised to ensure that communities understood that inscription on the Lists of the Convention did not place their element above others nor imply exclusivity or ownership of the element. Criteria R.5 and U.5 could be simplified by referring to the inventorying systems already identified in the periodic report. There had also been no objection to the deletion of criterion P.9 for the Register of Good Safeguarding Practices. The Chairperson reiterated that none of the recommendations were final, recognizing that states parties might need to consult with national experts. He invited delegations to comment on the formulation of the recommendations.

The **delegation of Portugal** added that there had been no objections to including a question under criterion R.1 on the element’s compatibility with existing international human rights instruments as well as with the requirements of mutual respect among communities, groups and individuals.

The **Secretary** said that a portion of the form already referred to Article 2 of the Convention and, in that sense, there was already a reference to international human rights instruments; however, it could be formulated more explicitly.

In terms of the follow-up of inscribed elements, the **Chairperson** said that there had been a convergence of views to encourage safeguarding efforts for elements on the Urgent Safeguarding List by fast-tracking and facilitating access to financial systems and technical support. Participants had also agreed to reinforce the monitoring system through the periodic reporting mechanism to ensure that safeguarding plans were implemented so that no element would remain on the Urgent Safeguarding List indefinitely.

The **delegation of Egypt** expressed its concern about safeguarding measures being included in the form. Some communities faced great difficulty in monitoring the implementation of safeguarding measures. While they proposed the safeguarding activities they wished to have, the government was responsible for implementation, not the communities or the nomination team. The delegation wondered how to monitor the implementation of safeguarding measures when it was not possible to tell communities that they were not safeguarding their elements.

The **Chairperson** clarified that the formulation of the proposal did not say that communities would implement safeguarding measures. It said that the monitoring system would be reinforced through the periodic reporting mechanism to ensure that safeguarding plans were implemented so that no element would remain on the Urgent Safeguarding List indefinitely. He understood the concern of the delegation of Egypt but stressed that the Member States issued the periodic reporting.

The **delegation of Egypt** wished to voice its concern because communities did not have access to governments to force them to implement safeguarding measures, yet they were obliged to include the implementation on the form.

The **Chairperson** felt that the concern expressed by the delegation of Egypt was perhaps applicable to other items as well and would bear it in mind. The next proposal under the follow-up of inscribed elements was to facilitate the transfer of elements between the Lists, which included adding successful safeguarding plans implemented under the Urgent Safeguarding List to the Register. Concerning the methodology for the evaluation of nominations, the first proposal was to simplify the procedure for the extension of multinational nominations, bearing in mind the importance of community consent. That item did not address the issue of balance between national and multinational nominations, as had been pointed out by the delegation of Cuba. The second item was to use gender-neutral and inclusive language within all aspects of the implementation of the Convention, including, for example, avoiding such terms as ‘gentleman’s agreement’. Regarding the five proposals to ensure broader community involvement, there had been no opposition to the use of the community’s language or a language that was accessible to them in the preparation of nominations, although the details needed to be worked out. There had also been no opposition to the second proposal on the use of audiovisual tools to provide the information requested in the nomination forms or to communicate any concerns.

Moving to the issues identified for further discussion during Part II of the meeting in September, the **Chairperson** said that redundant criteria under the Register could be deleted pending a broader discussion on the implementation of Article 18 of the Convention. The second item corresponded to items (c), (d) and (e) on community participation, regarding the feasibility and functionality of creating a platform, network or forum for the following three items: an arm’s-length online platform with community participation, allowing for their engagement in the follow-up of inscribed elements, which corresponded to (c); a network of inscribed elements for sharing safeguarding experiences, which corresponded to (d); a special forum that would allow the governing bodies of the Convention to consult community representatives in a systematic matter, which corresponded to (e). Nevertheless, there was still a need to examine the modalities and arrangements in place before reaching an agreement. The next item for discussion was to consider the implications of the proposed arm’s-length online platform, with clarifications on its role and status within the follow-up of inscribed elements, including how it would be set up, who would maintain it, what its status would be within the Convention, how it would be funded and how it would interact with all stakeholders. The Secretariat would surely be able to draft more concrete suggestions for that item in the future. The next item was to initiate a reflection on the implementation of Article 18 of the Convention, including the possibility of setting up another independent working group. The following item was a specific procedure for removing elements from the Lists of the Convention, including the introduction of an interim step. While many delegations had expressed caution, there was a need to continue discussion on that difficult and controversial topic. The Chairperson recognized that there had not been much support for simplifying the removal mechanism but felt that discussions needed to take place.

The **delegation of Portugal** wished to clarify that if the proposal was linked in any way with the suggestion of a sunset clause for the Representative List, several participants would not be interested in pursuing it.

The **Chairperson** explained that he was only addressing items for discussion in September but had not mentioned items for which there had been no support, which included the sunset clause and the hall of fame. Removal from the Lists was therefore not related to the sunset clause. Nevertheless, it could be added if any participant wished to discuss it in September. The next item for discussion was simplified procedures for transferring elements between the Lists, which included transferring successful safeguarding experiences to the Register. That proposal had been heavily debated, and some difficulties remained. For example, the delegation of Hungary had wondered who would propose it and who would evaluate it. The next item concerned the possibility of obtaining additional information for nominations by using a dialogue process with accredited NGOs and the communities concerned. There had been several expressions of caution regarding the use of outside information not included in the file. As a result, the scope had been narrowed. The proposal could be discussed again in September with clearer modalities.

The **Secretary** said that there had been broad consensus for initiating a reflection on the implementation of Article 18 of the Convention, so that item could be included as a recommendation rather than an issue to be discussed in September.

The **Chairperson** said that, although no one had opposed the idea, an agreement had not been reached on the creation of a new working group. He asked participants whether to move the element to the recommendations with broad consensus or to keep it under pending issues.

The **delegation of Poland** supported the suggestion made by the Secretary.

The **delegation of Colombia** supported listing the item as a recommendation but asked for further clarification on the criteria for the Register. Although an agreement had been reached about criterion P.9, no agreement had been reached regarding the other criteria.

The **Secretary** clarified how the process would move forward. Several proposals had been taken from the expert meeting, which included lightening the current process for the Register. There had also been strong support for the need for broader discussion on the implementation of Article 18, which could go beyond the Register. Although that discussion needed be initiated by the Committee in December, there was nothing to prevent working on simplifying the Register as it existed. The proposal was to start with criterion P.9 and then discuss some initial further lightning in September if a consensus could be reached. The reflection process on Article 18 would take some time, so it could be possible to fast-track achievements, pending that broader discussion.

The **Chairperson** proposed including the item under general convergence of views rather than those pending further discussions. In the morning session, the delegation of Kuwait had proposed increasing the number of experts on the Evaluation Body and possibly having breakout groups among them to examine nominations. Although a consensus had not been reached, many delegations expressed interest in continued discussion. The Chairperson asked whether that proposal could be included for discussion in September.

The **delegation of Portugal** expressed its support for discussing that proposal in September and suggested that perhaps several options could be prepared in the interim.

The **delegation of Japan** was also in favour of discussing that item in September.

The **Chairperson** confirmed that, while it would be possible to discuss the item in September, it might not be possible for the Secretary to discuss it with the experts prior to the meeting.

In response to the statement made by the delegation of Portugal, the **Secretary** said that it would likely not be possible to have concrete proposals ready for September. The proposals that had been presented to the working group had been discussed extensively. While the proposal should remain on the agenda, the Secretariat might need more time to work on it.

Given the clarification provided by the Secretary, the **Chairperson** said that the item would be included for discussion in September. He recalled that the delegation of China had made two proposals: approval by the Bureau of financial and technical assistance and the submission of two files for every three cycles. The Chairperson proposed returning to the latter proposal once reform measures had been agreed upon. He asked whether there were any other points to be included in the draft recommendations, which would be discussed by the Bureau Members and then presented following the break.

The **delegation of Portugal** noted that there had been support expressed for the proposal on page 7 of working document 3 suggesting that the priority for the examination of nomination files might be lowered for states parties that had failed to fulfil their reporting obligations.

The **Chairperson** apologized for overlooking that proposal and confirmed that it had received support. He asked whether the proposal could be included for discussion in September.

**Mr Marc Jacobs** asked whether the expert group would be expected to provide additional input on the platforms or the organs prior to the meeting in September.

The **Secretary** said that the Secretariat did not foresee the need for further expert consultations on the issues at that time. Everyone was in need of a bit of a summer break following the COVID-19-filled winter.

The **Chairperson** said that the Bureau Members would meet in approximately ten or fifteen minutes to allow the Secretariat time to include some of the elements in the draft recommendations. The plenary session would reconvene following the Bureau meeting, and participants were encouraged to remain on the link to be brought into the discussions at that time. The Chairperson closed the discussions to prepare the draft recommendations.

*[Fifty-five-minute break for Bureau meeting]*

The **Chairperson** welcomed the participants back to the plenary session. The last remaining point was to agree on the document, which began with several factual elements. Paragraph 1 referred to the fact that the meeting had been held. Paragraph 2 was simply a statement of fact as well. Paragraph 3 stated that the working group appreciated the experts. Paragraph 4 was also a factual statement. Paragraph 5 affirmed the principle of the working group. The elements discussed earlier in the plenary session began in paragraph 6; the chapeau explained that all criteria for the Representative List and the Urgent Safeguarding List would be maintained.

The **delegation of Austria** confirmed that the wording on the compatibility of the element with international human rights in paragraph 6(1)a aligned with Article 2 of the Convention.

The **Chairperson** said that the item had recently been included based on the suggestion by the delegation of Portugal.

The **delegation of Colombia** wished to confirm that a reference to sustainable development was not necessarily related to the 2030 Agenda.

The **Chairperson** confirmed.

The **delegation of Austria** wished to adjust the text that read ‘how the element contributes to the principles of sustainable development’ to better reflect the wording of Article 2 of the Convention by removing the phrase ‘to the principles of’ and simply leaving ‘contributes to sustainable development’.

With regard to paragraph 5, the **delegation of Cuba** wondered whether the wording should be ‘inscription process’ or ‘mechanisms’.

The **Chairperson** asked the delegation of Cuba to clarify.

The **delegation of Cuba** said that ensuring more active participation in all stages of the inscription mechanisms would include the Evaluation Body. It was unclear how the communities would participate in that mechanism. The delegation asked the Secretary to clarify whether the ‘stages of the inscription process’ was the same as a reference to the ‘inscription mechanisms’, which would include the Evaluation Body.

The **Secretary** said that there had been a mistranslation between the English and the French. The English document referenced the ‘listing mechanisms’ rather than ‘inscription mechanisms’.

The **Chairperson** returned to paragraph 6.

The **delegation of Austria** suggested amending the text in subparagraph b to more precisely reflect Article 2 of the Convention to read: ‘encourage mutual respect and dialogue among communities, groups and individuals’.

The **delegation of Poland** noted that the precise wording of the Convention was ‘among communities, groups and where applicable individuals’.

The **Chairperson** drew attention to Subparagraph (2) to amend the criteria for the Register of Good Safeguarding Practices, including the deletion of criterion P.9.

Commenting on the statement made by the delegation of Poland, the **delegation of Austria** said that ‘and where applicable’ did not appear in its version of the Convention and asked the Secretariat to verify the wording of Article 2.

The **Secretary** confirmed that the phrase ‘where applicable’ did not appear in Article 2, as it did in other parts of the Convention. It could be assumed that mutual respect should apply to all individuals, communities and groups.

The **delegation of Austria** said that it would prefer not to redraft the Convention.

The **Chairperson** asked whether that solution was agreeable to the delegation of Poland.

The **delegation of Poland** said that its intention had not been to redraft the text. There had been a previous discussion to highlight that individuals were a part of the entire intangible cultural heritage system in some cases, but not all the time. The delegation of Austria was correct; ‘where applicable’ was not in the text of the Convention. Article 1 said ‘in some cases, individuals’. The phrase ‘in some cases’ should be used in order to be precise and stress that the proposal did not apply to all individuals but rather those bearers engaged in intangible cultural heritage.

The **Secretary** said that, in Article 1, mutual respect was mentioned twice. At the end of the text, it said ‘and individuals’; however, in the beginning, it said ‘in some cases, individuals’. While he was not sure whether the discussion constituted redrafting the Convention, he had no opinion on the wording.

The **delegation of Austria** said that it had a quite strong opinion on the issue. The text in Article 2 that said ‘in some cases’ referred to the definition of intangible; however, the proposal referenced the specific requirements of respect for and dialogue among communities. In that connection, the text was very clear in the last sentence of Article 2, which read: ‘as well as with the requirement of mutual respect among communities, groups and individuals’. The delegation strongly urged the working group to adhere scrupulously to the text of the Convention and not begin to redraft it, which was an absolute red line.

Not wanting to prolong discussions, the **Chairperson** nevertheless felt it necessary to seek the consent of the delegation of Poland.

The **delegation of Poland** said that it fully agreed.

The **Chairperson** thanked the delegation of Poland for its understanding and asked whether any delegation had an issue with subparagraphs b, c, d, e or paragraph 6(2)a. He then moved on to paragraph 7 about the follow-up of inscribed elements.

For paragraph 7.b, the **delegation of Colombia** wished to delete the wording ‘so that no element will remain on the Urgent Safeguarding List indefinitely’. The List should be dynamic and reinforce the monitoring system by providing an option for elements to be removed; however, there were some extreme cases in which elements might continue to require safeguarding. The delegation offered to propose an alternative wording, such as ‘to make the Urgent Safeguarding List a tool for improving the safeguarding of the element’.

The **Chairperson** said that the text could simply be deleted if the participants wished to remove the reference to time limitations for the Urgent Safeguarding List.

The **delegation of Venezuela** supported proposal made by the delegation of Colombia to delete the phrase. While there was no desire to see an element remain on the Urgent Safeguarding List indefinitely, there were many challenges that could cause an element to remain for some time.

The **delegation of Egypt** also supported the proposal made by the delegation of Colombia to delete the phrase. Communities were not responsible for implementing safeguarding measures, and their listing should therefore not be restricted.

The **Chairperson** proposed deleting the phrase. He said that an expert had requested to make a statement and reminded participants that, while their views were well appreciated, the experts did not play a role in the decision-making process.

**Mr Marc Jacobs** said that the inclusion of subparagraph d under paragraph 7, which was specifically about inscribed elements, would limit its scope.

The **Secretary** confirmed that the paragraph did not fall under the follow-up of inscribed elements and should become a new paragraph 9. He thanked Mr Marc Jacobs for noting the error. The Secretariat had been in a rush during the Bureau meeting and had moved the item up from the list of points to be discussed in September.

The **delegation of Barbados** also supported the change to paragraph 7.b, proposed by the delegation of Colombia.

The **Chairperson** asked whether paragraph 7 was acceptable with those amendments and moved on to paragraph 8 on the methodology for the evaluation of nominations.

The **delegation of Colombia** reiterated that the simplification of multinational nominations could be a double-edged sword. Nevertheless, the delegation agreed to the paragraph but stressed that every state needed to implement safeguarding measures based on its situation.

The **Secretary** said that, in fact, the recommendation sought to avoid requiring every state to have the same measures and requiring every submitting state to resubmit and align. The experts had agreed that it was important for communities in the original submission to understand and agree to extend the file to other communities and to work with them. It was not a question of aligning one measure for all states.

The **delegation of Japan** wished to include the extension of national files under paragraph 8 as well, changing the wording to read: ‘of multinational and national nominations’. Although the issue had not been debated extensively, the delegation hoped that the process to include new communities in a national nomination would be made easier at a later stage.

The **Chairperson** recalled that Japan had inscribed a number of local dances on the list, but there were more local dances that had approximately the same degree of value.

The **Secretary** said that the proposal could be reflected in a new paragraph 11 for possible discussion in September, bearing in mind that it had been agreed for multinational files.

**Ms Alissandra Cummins** said that the proposal in paragraph 8.b had not been intended to be confined within the methodology for the evaluation of nominations and should perhaps be placed elsewhere.

The **Chairperson** noted that the issue had been raised when discussing methodology but was indeed broadly applicable and suggested creating a new independent paragraph 9. He thanked Ms Alissandra Cummins for her constructive suggestion and asked whether there were any comments concerning paragraphs 8, 9 or 10 before moving on to paragraph 11.

In connection with paragraph 11.b, the **delegation of Kuwait** proposed using a more general term, such as ‘the use of technology’ or ‘technological tools’, rather than limiting the text to ‘audiovisual tools’.

The **Chairperson** proposed ‘modern technological tools’.

The **Secretary** proposed ‘the use of technology, such as audiovisual tools’.

The **delegation of Kuwait** agreed with the Secretary’s suggestion.

The **delegation of Venezuela** suggested adding ‘when possible’, since many communities had limited access or ability to use technology.

The **Chairperson** confirmed the suggestion made by the delegation of Venezuela to use the wording: ‘technology, such as audiovisual tools, where possible’. He invited the ICH NGO Forum to speak, bearing in mind the statement he had made previously regarding non-states parties.

**Mr Laurier Turgeon**, the Secretary of the ICH NGO Forum, suggested using the term ‘digital technology’ in place of ‘technology’, which felt general and vague.

Bearing in mind the statement made by the delegation of Venezuela, the **Secretary** said that the text should not be limited to digital technology. Audiovisual might also include photos taken with a camera and printed out.

The **Chairperson** thanked Mr Laurier Turgeon and the Secretary for their contributions.

As a matter of procedure, the **delegation of Kuwait** asked who was able to amend the text, whether it included NGOs or only Member States.

The **Chairperson** said that independent paragraphs had been created as a result of the experts’ contributions. The Member States were the decision-makers, as he had stated when inviting the first expert to speak. Nevertheless, there was always value in listening to people with expertise. The Chairperson then asked whether an agreement had been reached on paragraph 11.b. The following paragraph included issues to be discussed in September. If an item was not included, it was assumed that it would not be discussed. The section on inscription criteria contained subparagraphs a and b.

The **delegation of Poland** said that the following sentence was unclear: ‘pending a broader discussion on the implementation, redundant criteria could also be deleted’.

The **Chairperson** asked whether the delegation of Poland had an alternate wording to suggest.

The **delegation of Poland** said that the recommendation concerned not only the deletion but also the reformulation of criteria and was not limited to the redundancy in criteria but also covered the repositioning of the Register as a whole. Perhaps it was not necessary to mention the redundant criteria because it was part of a broader topic to be discussed.

The **Secretary** suggested that maybe the word ‘redundant’ was problematic and invited Ms Fumiko Ohinata to propose an alternate wording.

**Ms Fumiko Ohinata** suggested: ‘deletion or reformulation of criteria, other than criterion P.9, under the Register of Good Safeguarding Practices, pending a broader discussion on the implementation of Article 18 of the Convention’. Perhaps the word ‘redundant’ was not needed, in light of the statement made by the delegation of Poland.

The **Chairperson** asked whether that rephrasing had addressed the issue.

The **delegation of Poland** confirmed that the solution was acceptable.

The **delegation of Venezuela** thanked the delegation of Poland and supported its proposed amendment.

The **Chairperson** asked whether there were further changes to subparagraph a and then moved to subparagraph b.

The **delegation of Venezuela** would prefer to replace the phrase ‘lowering the priority’ with ‘revising the priority’, so as not to prejudge the forthcoming discussion. That neutral phrase was more appropriate, since a decision had not yet been made regarding the presentation of reports.

The **Chairperson** called on the delegations of Portugal and Sweden, since they had raised the point during the discussions.

The **delegation of Portugal** expressed no opposition to a slight rephrasing while noting that the wording had come from the suggestion presented in working document 3.

The **delegation of Sweden** agreed with the delegation of Portugal. The phrasing had come from the experts’ suggestion. The goal would be some sort of change to use those measures to lighten the workload for the Secretariat and the Evaluation Body. Nevertheless, the delegation would be open to a slight change in the wording in order to progress in the discussion.

The **Chairperson** said that the simplest solution was to replace the word ‘lowering’ with ‘revising’ and asked whether subparagraph b was acceptable. Under subparagraph c, the Roman numerals i, ii and iii corresponded to items (c), (d) and (e) of the five points for community engagement. Subparagraph d specified issues in relation to the arm’s-length online platform. The Chairperson confirmed the consensus on those subparagraphs and moved to subparagraphs e and f.

The **delegation of Colombia** asked whether subparagraph f was similar to a paragraph that had already been agreed upon.

The **Secretariat** did not feel that the issue had been mentioned before. The participants had agreed on a need for simplified procedures but had not yet worked out the details of those procedures, which would be discussed in September. He asked the delegation of Colombia to specify which paragraph had been repeated.

The **delegation of Colombia** thought that perhaps it had been on the Lists.

The **Secretary** noted that, under paragraph 7.c, facilitating the transfer of elements between the Lists had been included as a concrete recommendation. It was included under subparagraph f because work remained to be done in September to determine the procedures. He suggested changing the phrase ‘facilitate the transfer’ to ‘propose simplified procedures’.

The **Chairperson** confirmed whether the changes were agreeable to Colombia and then moved to the methodology for the evaluation of nominations, subparagraphs g and h. The latter included the suggestion made by the delegation of Kuwait.

The **delegation of Colombia** requested to change the wording of subparagraph h, as it had not agreed to ‘reconsider the composition and the working methods’ of the Evaluation Body but would agree to discussing a possible change in the composition.

Taking into account the statement made by the delegation of Colombia, the **delegation of Poland** suggested the wording: ‘discussing the composition and the working methods of the Evaluation Body’. It also proposed clarifying that the idea focused on using regional groups, with a view to providing a clear message for those who had not participated in the meeting.

In support of the delegations of Colombia and Poland, the **delegation of Sweden** said that the wording was slightly different from what had been discussed. Since the recommendation had not been included in the experts’ deliberations, the delegation was a bit more hesitant, although there was value in continuing the discussion.

The **delegation of China** requested that its proposals be duly reflected in the recommendations, whether incorporated in subparagraph h or a separate paragraph. With regard to subparagraph f, the delegation wished to change the word ‘revitalize’ to ‘improve the viability of’ elements inscribed on the Urgent Safeguarding List.

The **Chairperson** asked China which proposal it wished to include in the document, the one related to international assistance or the one related to the submission of two files in three cycles.

The **delegation of China** requested that both proposals be reflected.

With regard to the wording of subparagraph f, the **Secretary** said that it would be more consistent to use the wording ‘successfully improve the viability of elements’. The two points raised by China and the point made by the delegation of Kuwait were meant to improve the file limitation, which had been a background issue to the expert meeting. The Secretary suggested a new section that addressed the number of files, including the composition of the Evaluation Body; the examination of international assistance requests by the Bureau; and the possibility of submitting at least two files per three years, alternating between the Representative List and the Urgent Safeguarding List or the Register.

The **Chairperson** agreed but asked for suggestions on the wording to be included in the document.

The **Secretary** said that the items should be moved under a new subheading entitled ‘Number of files per cycle’. Subparagraph h could be moved there, followed by a subparagraph that read: ‘Consider the possibility of examining two files per state every three years, alterning between a nomination to the Representative List and the Urgent Safeguarding List or the Register of Good Safeguarding Practices’. The last subparagraph would read: ‘Consider moving all international assistance requests to the Bureau’.

The **Chairperson** wished to ensure that the proposal made by the delegation of Japan was also included.

The **Secretary** said that the proposal made by Japan to apply the same simplified process to extending national nominations fell under the methodology for the evaluation of nominations, for items to be further discussed in September. He suggested adding the subparagraph: ‘Consider the possibility of simplifying the extension of national files to include more communities in a similar manner to that proposed for multinational files’.

The **Chairperson** thanked the Secretariat for its swift drafting capabilities.

The **delegation of Kuwait** thanked the delegations of Colombia and Sweden for their concern and suggested changing the wording of the beginning of the paragraph to read: ‘Reconsider the adaptability of the composition and the working methods’ and suggested adding the phrase ‘keeping in mind geographical representation’ at the end to address the concerns of the delegations of Colombia, Sweden and Poland. The delegation reiterated that the recommendation was simply to have more generic discussion on the proposal in September.

The **delegation of Estonia** thanked the delegation of Kuwait for its clarifications but still preferred a more general wording, as the proposal had not been discussed in detail. It had not yet been decided whether the proposal was possible or desirable, but it merited further discussion. The delegation suggested replacing the term ‘reconsider’ with ‘discuss’ to read: ‘Discuss the composition and working methods of the Evaluation Body to consider the possibility to allow for a higher number of files per cycle to be evaluated, keeping in mind geographical representation.’

The **delegation of Cuba** thanked the delegation of Kuwait for its addition regarding geographical representation on the Evaluation Body. The delegation asked whether the proposal to submit two files for every three-year cycle applied to multinational files as well as national files on the Representative List. It was still not clear how a balance would be maintained between national and multinational files, which also gave cause for concern.

The **Chairperson** asked whether there was any opposition to the proposal made by the delegation of Japan, in subparagraph h, or the second suggestion from China to move all international assistance requests to the Bureau.

The **delegation of Sweden** noted that the three suggestions under number of files per cycle had not been part of the experts’ suggestions. It would therefore prefer to keep the recommendations general and allow the experts to examine those proposals to assist the working group moving forward.

The **delegation of Portugal** suggested adding the phrase ‘Consider the possibility of’ to the beginning of the three proposals in order to address the concerns expressed.

The **Chairperson** suggested the following wording for the first proposal: ‘Consider the possibility of reviewing the adaptability of the composition and the working method of the Evaluation Body …’ and asked whether that formulation could be agreed upon. It was also possible to indicate that those proposals had not yet been fully discussed with the experts and were for discussion in September.

With regard to the statement made by the delegation of Cuba, the **delegation of Belgium** pointed out that states dedicated a considerable amount of time to preparing international files, sometimes over ten years, and care should be taken not to penalize them too harshly in the system to be implemented.

The **Chairperson** agreed that those issues would need to be discussed in September.

The **delegation of Norway** supported the proposal made by the delegation of Sweden to use more general language regarding the three proposals to be discussed in September.

The **delegation of Finland** also preferred a more general paragraph concerning those proposals. The discussion during Part I of the meeting had been based on suggestions prepared by the expert group and included in the text provided. While the three proposals were interesting, they had arisen in the course of the current meeting. It was perhaps premature to enumerate them in the document.

The **Chairperson** emphasized that the proposals were for discussion only, and nothing had been agreed upon. He asked whether an agreement could be reached on the formulation of subparagraph i, regarding the composition and the working methods of the Evaluation Body. He moved on to subparagraph j, regarding the submission of two files in every three years.

The **Secretary** said that the number of files that could be treated was linked to the evaluation methods and processes. The proposed recommendations could remain in the document for discussion in September, but the Secretariat did not have the time or the means to provide concrete proposals on those items. The issues discussed by the experts needed to be addressed first, and it was doubtful that all of the recommendations could be finalized in a two-day meeting in September.

The **Chairperson** said that the number of files to be evaluated should be considered following the completion of the reform process. Nevertheless, the recommendation could be kept, but it seemed that participants were not in agreement.

The **delegation of Sweden** thanked the Secretary for highlighting the lack of time to examine the proposals in detail. To address the states parties’ concerns, the delegation suggested replacing subparagraphs i, j and k with a more general paragraph that read: ‘Consider the possibility of discussing the working methods on the number of files, including geographical distribution, bearing in mind the discussions at the first part of the working group.’

The **delegation of Colombia** suggested adding a chapeau that read: ‘Other issues discussed during the meeting, to be borne in mind’, indicating that the recommendations had not been proposed by the experts, but states parties wished to consider them in the future.

The **delegation of Poland** wondered whether it would be possible to move Part II of the meeting to the end of September in order to allow sufficient time to prepare additional information after the holiday.

The **Chairperson** noted that the meeting had gone beyond the allotted time. If his proposal was not accepted, he would have to include the three the recommendations in brackets. The delegation of Sweden had suggested replacing the proposal made by China regarding the submission of two files for every three years with the following text: ‘Considering the possibility of discussing the working methods on the number of files, including geographical distribution’. He asked whether there was any opposition to that proposal.

The **delegation of China** reiterated that the recommendations were simply to provide a basis for discussion during the next part of the meeting. No specific ideas had been agreed upon. The delegation therefore wished to include the specific proposals to duly reflect the ideas of the different participants of the working group, those of the delegations of Kuwait and China.

The **Chairperson** said that, because there was no agreement, his final suggestion was to include a chapeau that read: ‘The following new ideas proposed by the states will be discussed further in the process ahead’ and maintain the suggestions made by the delegations of China and Kuwait in brackets.

The **delegation of Sweden** said that, given that construction, the proposal it had made should be removed.

The **Chairperson** thanked the participants for their constructive participation and invited the Secretary-General of the National Commission of Sri Lanka to deliver his closing remarks.

The **Secretary-General of the National Commission of Sri Lanka** said that, as the Chairperson of the sixteenth session of the Intergovernmental Committee for the Safeguarding of the Intangible Cultural Heritage, it was a pleasure to convey the closing remarks of Part I of the open-ended intergovernmental working group. He conveyed his sincere thanks and heartfelt gratitude to all the delegations from various regions of the world for their active participation. They had drawn on their experience and expertise to engage in fruitful, constructive and open dialogue throughout the two-day meeting. He thanked the Chairperson for his excellent management; the Secretary for his able leadership, guidance and support; and all the members of the Secretariat for their hard work and dedication to the successful completion of the two-day session. He looked forward to the continuation of the meeting in September as well as the sixteenth session of the Committee, to be held in December in Sri Lanka with possible concrete proposals. He was eagerly waiting to welcome all states parties to Sri Lanka, the most beautiful island in the Indian Ocean.

The **Chairperson** thanked the Secretary-General and looked forward to meeting him in his beautiful island country. He also expressed his heartfelt appreciation to all the interpreters and apologized for extending the meeting. In addition, he thanked the Secretariat team for their extensive assistance. The meeting had met with reasonable success, and he hoped to conduct more fruitful discussions in September. The Chairperson adjourned the working group.