



United Nations
Educational, Scientific and
Cultural Organization



Intangible
Cultural
Heritage

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**UNITED NATIONS EDUCATIONAL, SCIENTIFIC
AND CULTURAL ORGANIZATION**

CONVENTION FOR THE SAFEGUARDING OF THE INTANGIBLE CULTURAL HERITAGE

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

**Fourth session
Abu Dhabi, United Arab Emirates
28 September to 2 October 2009**

**Item 19 of the Provisional Agenda:
Draft revisions of the Operational Directives**

Summary

The Subsidiary Body for the examination of nominations to the Representative List, in its Decision 4.COM 1.SUB 6, recommended a number of amendments to chapter [1.2](#) of the Operational Directives concerning "Inscription on the Representative List". The Committee may wish to consider adopting these and other amendments, for submission to the third session of the General Assembly.

Decision required: paragraph 7

1. The Convention foresees that the Committee shall prepare a number of documents and directives and submit them to the General Assembly for approval. Some of these are identified in specific articles of the Convention and others are described in general terms in [Article 7 \(e\)](#) as “operational directives for the implementation of this Convention”. At its first session, the General Assembly requested the Committee to submit to it for approval at its second session, inter alia, draft operational directives that would guide the implementation of the Convention (Resolution [1.GA 7A](#)). The Committee, as required by the Convention and the General Assembly, prepared an initial set of draft Operational Directives during the course of its first ordinary, first extraordinary, second ordinary and second extraordinary sessions between 2006 and 2008.
2. At its second extraordinary session, the Committee adopted the compilation of directives to be presented to the General Assembly (Decision [2.EXT.COM 16](#)). The Committee emphasized in its discussions that it did not see the first set of Directives as final and complete, but rather that the Operational Directives were an important step forward in an ongoing process of reflection. These Directives were presented to the second session of the General Assembly in Document [ITH/08/2.GA/CONF.202/5](#). As noted in the introduction to that document, “they should be considered as liable to evolve over time, as experience is gained with the implementation of the Convention”. In their debates leading to the adoption of the Directives, as amended, in Resolution [2 GA.5](#), States Parties reiterated their understanding that the Directives should in the future be amended as required by experience.
3. In the fifteen months since the General Assembly adopted the Directives in June 2008, the Convention has seen the first cycles of nominations for the Urgent Safeguarding List ([Article 17](#)) and Representative List ([Article 16](#)) respectively, the first cycle of proposals of programmes, projects and activities (Article 18), and one year of International Assistance requests (Article [19-24](#)). During that time, a number of deficiencies in the existing Directives have become apparent.
4. The Subsidiary Body for the examination of nominations to the Representative List that was established by the Committee at its third session (Decision [3.COM 11](#)) encountered a number of such difficulties in its work. As it noted in its report to the Committee, Document [ITH/09/4.COM/CONF.209/13](#), the large number of nominations submitted in the first cycle “poses a substantial challenge to the quality with which the Committee, the Subsidiary Body and the Secretariat can carry out their respective responsibilities”. In its Decision 4.COM 1.SUB 6, the Subsidiary Body consequently recommended a number of revisions to the Operational Directives concerning the Representative List intended to address that critical concern by establishing limitations on the number of nominations to be examined in a given cycle. Other amendments proposed by the Subsidiary Body would modify certain deadlines, create the possibility of deferring a nomination to a subsequent cycle, and encourage multinational nominations. The amendments proposed by the Subsidiary Body with regard to Chapter [1.2](#) of the Operational Directives concerning the Representative List are set out in Annex 1 of the present document. In his report to the Committee (Document [ITH/09/4.COM/CONF.209/INF.6](#)), the Rapporteur of that Body provides further explanation of its proposals.
5. The Committee may also wish to consider further minor revisions in the Operational Directives that are set out in Annex 2 of the present document. Such amendments fall into two categories: the first includes adjustments to a number of the deadlines for the Urgent Safeguarding List, International Assistance, and proposals of programmes, projects and activities ([Article 18](#)) to harmonize better with the deadlines proposed by the Subsidiary Body for the Representative List. The experience accumulated in the first cycle of these activities establishes that additional time is needed at several crucial stages, and calls for the timetables of the several procedures to be more closely coordinated. In the same way, several suggestions are offered to harmonize the language referring to forms and procedures with the language proposed by the Subsidiary Body.

6. The second category of possible amendments would be those to clarify the presentation of the procedures for International Assistance in paragraphs [68](#) to [75](#) of the present Directives, which has proven to be confusing to all concerned. The proposed amendments do not alter the substance of the existing Directives (except as regards the deadlines for receipt of assistance requests), but rather aim to explain the procedures and deadlines more clearly than the present text.
7. The Committee may wish to adopt the following decision:

DRAFT DECISION 4.COM 19

The Committee,

1. Having examined Document ITH/09/4.COM/CONF.209/19;
2. Recalling Resolution [2.GA 5](#);
3. Taking note of the recommendations of the Subsidiary Body for the examination of nominations to the Representative List and of the experience gained since the adoption of the Operational Directives in June 2008;
4. Submits to the General Assembly for approval the draft amendments to the Operational Directives, as annexed to this decision.

ANNEX 1

**Amendments to Chapter [1.2](#) of the Operational Directives
proposed by the Subsidiary Body for the examination of nominations to the
Representative List of the Intangible Cultural Heritage of Humanity
(Decision 4.COM 1.SUB 6)**

Existing Operational Directives	Proposed Amendments
1.2 <u>Inscription on the Representative List</u>	[no change]
Criteria for inscription	[no change]
Nomination procedure	
	20. States Parties may submit no more than three nominations within each annual cycle.
	20 bis. The annual limit is set at 100 on the total number of nominations the Committee will evaluate. Priority will be given to States Parties having no elements inscribed on the List and to those whose nominations were deferred.
20. States Parties are encouraged to jointly submit multi-national nominations when an element is found on the territory of more than one State Party.	20 ter. States Parties are encouraged to jointly submit multi-national nominations when an element is found on the territory of more than one State Party. Such multi-national nominations shall not be subject to the limit set out in paragraph 20 above.
21. Submitting States Parties are requested to use the nomination form annexed to these Operational Directives, and to involve the communities, groups and, where applicable, individuals concerned in the preparation of their nominations.	21. Nominations shall be prepared using Form ICH-02 (available at www.unesco.org/culture/ich or on request from the Secretariat) and shall include all the information requested therein.
	21 bis. Submitting States Parties shall involve the communities, groups and, where applicable, individuals concerned in the preparation of their nominations.
22. A State Party may withdraw a nomination it has submitted at any time prior to evaluation by the Committee.	[no change]
Examination of nominations	
23. Examination of nominations shall be accomplished by a subsidiary body of the Committee established in accordance with Rule 21 of its Rules of Procedure.	[no change]

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| 24. The examination made by the subsidiary body shall include assessment of the nomination's conformity with the inscription criteria. | [no change] |
| 25. The examination report shall include a recommendation to the Committee to inscribe, or not to inscribe, the nominated element. | 25. The examination report shall include a recommendation to the Committee to inscribe, or not to inscribe, the nominated element, or to defer the decision to a following session. |

Evaluation and decision by the Committee

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| 26. The subsidiary body will provide to the Committee an overview of all nomination files and a report of their examination, which will also be made available by the Secretariat to States Parties for their consultation. | [no change] |
| 27. After evaluation the Committee decides whether an element shall or shall not be inscribed on the Representative List. | 27. After evaluation the Committee decides whether an element shall or shall not be inscribed on the Representative List, or whether to defer its decision to a following session. |
| | 27 bis. If the Committee decides that its decision on a nomination shall be deferred, the submitting State(s) Party(ies) shall have the opportunity to resubmit the nomination before the following 30 November, addressing any deficiencies noted by the Committee, for re-examination by the Subsidiary Body. |
| 28. If the Committee decides that an element should not be inscribed on the Representative List, the nomination may not be resubmitted to the Committee for inscription on this List, before four years have passed. | [no change] |

Removal of an element from the Representative List

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| 29. An element shall be removed from the Representative List when the Committee determines that it no longer satisfies one or more criteria for inscription on that list. | [no change] |
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Transfer of an element from one List to the other

30. An element may not simultaneously be inscribed on the Representative List and the Urgent Safeguarding List. A State Party may request that an element be transferred from one List to the other. Such a request must demonstrate that the element satisfies all of the criteria for the List to which transfer is requested, and shall be submitted according to the established procedures and deadlines for nominations. [no change]

Modification of an inscription

- 30 bis. A State Party may request that the name by which an element is inscribed be changed. Such a request shall be submitted at least three months prior to a Committee session.
- 30 ter. A State(s) Party(ies) may, with the agreement of the other State(s) Party(ies) concerned, propose inscription on a multi-national basis of an element already inscribed. The States Parties concerned shall together submit a new nomination that satisfies all of the criteria set out in paragraph 19. The request shall be considered a multi-national one not subject to the limit set out in paragraph 20 above. Such a request shall be submitted according to the established procedures and deadlines for nominations. In the event that the Committee decides to inscribe the element as a multi-national one, the multi-national inscription shall supersede the original inscription. In the event that the Committee, on the basis of the new nomination file, decides not to inscribe the element as a multi-national one, the original inscription shall remain intact.

Updating and publication of the Representative List

31. The nomination files and examination reports of elements inscribed on the List shall be available for consultation at the Secretariat and, to the extent possible, made available on-line for general access. [no change]

32. Upon request of the Committee, the Secretariat publishes the updated Representative List annually, primarily through the website of the Convention. A printed version will be published every two years, on the occasion of the session of the General Assembly. [no change]

Timetable – Overview of procedures

33. *Phase 1: Preparation and submission*

31 August Year 1	Deadline by which nominations must be received by the Secretariat. Nominations received after this date will be examined in the next cycle.	30 June Year 1	[change of date only]
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1 November Year 1	Deadline by which the Secretariat will have processed the nominations, including registration and acknowledgement of receipt. If a nomination is found incomplete, the State Party will be advised to complete the nomination.	30 September Year 1	[change of date only]
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15 January Year 2	Deadline by which additional information required to complete the nomination, if any, shall be submitted by the State Party to the Secretariat. Nominations that remain incomplete may be completed for the following cycle.	30 November Year 1	[change of date only]
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Phase 2: Examination

May Year 2	Examination by the subsidiary body.		[no change]
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1 July Year 2	The Secretariat transmits to the nominating States Parties the examination reports by the subsidiary body.	30 June [*] Year 2	[change of date only]
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* To align all dates to the end of a month.

1 August Year 2	The Secretariat transmits to the Committee Members the examination reports. The nomination files and the examination reports shall also be available on-line for consultation by States Parties.	Four weeks before the session of the Committee	[change of date only]
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Phase 3: Evaluation

September Year 2	The Committee evaluates the nominations and makes its decisions.	September to November Year 2	[change of date only]
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ANNEX 2

Additional Amendments to the Operational Directives

Existing Operational Directives	Proposed Amendments
1.1 <u>Inscription on the Urgent Safeguarding List</u>	
Criteria for inscription	[no change]
Nomination procedure	
2. Submitting States Parties are requested to use the nomination form annexed to these Operational Directives, and to involve the communities, groups and, where applicable, individuals concerned in the preparation of their nominations.	2. Nominations shall be prepared using Form ICH-01 (available at www.unesco.org/culture/ich or on request from the Secretariat) and shall include all the information requested therein.
	2 bis. Submitting States Parties shall involve the communities, groups and, where applicable, individuals concerned in the preparation of their nominations.

Timetable - Overview of procedures

17. Phase 1: Preparation and submission			
1 September Year 0	Deadline by which preparatory assistance may be requested from the Committee.	30 June Year 0	[change of date only]
31 March Year 1	Deadline by which nominations must be received by the Secretariat. Nominations received after this date will be examined in the next cycle.		[no change]
1 June Year 1	Deadline by which the Secretariat will have processed the nominations, including registration and acknowledgement of receipt. If a nomination is found incomplete, the State Party will be advised to complete the nomination.	31 May [*] Year 1	[change of date only]

^{*} To align all dates to the end of a month.

1 September Year 1	Deadline by which additional information required to complete the nomination, if any, shall be submitted by the State Party to the Secretariat. Nominations that remain incomplete may be completed for the following cycle.	31 August* Year 1	[change of date only]
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Phase 2: Examination

September Year 1	Selection by the Committee of one or more advisory organizations, research institutes and/or experts responsible for examination of each nomination file.	September to November Year 1	[change of date only]
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October Year 1 to April Year 2	Examination	October to December Year 1 through April Year 2	[change of date only]
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31 March Year 2	Deadline by which States Parties will have submitted supplementary information requested by the examiners for proper review of a nomination.		[no change]
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1 May Year 2	The Secretariat transmits to the nominating States Parties the relevant examination reports.	30 June Year 2	[change of date only]
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1 August Year 2	The Secretariat transmits to the Committee Members the examination reports. The nomination files and examination reports shall also be available on-line for consultation by States Parties.	Four weeks before the session of the Committee	[change of date only]
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Phase 3: Evaluation

September Year 2	The Committee evaluates the nominations and makes its decisions.	September to November Year 2	[change of date only]
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* To align all dates to the end of a month.

18. **Transitional timetable for the first inscriptions on the List of Intangible Cultural Heritage in Need of Urgent Safeguarding** [delete this paragraph]

1.4 Programmes, projects and activities that best reflect the principles and objectives of the Convention

Proposal and selection procedure

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| 48. Submitting States Parties are requested to use the format annexed to these Directives. A proposal shall be submitted by 1 March of the year in which the Committee is requested to evaluate it. | 48. Proposals shall be prepared using Form ICH-03 (available at www.unesco.org/culture/ich or on request from the Secretariat) and shall include all the information requested therein. |
| | 48. A proposal shall be submitted by 31 March of the year in which the Committee is requested to evaluate it. |
| | 48. The Secretariat shall assess the completeness of the proposal and may ask for additional information. |

2.2 International assistance

Procedure for the submission of international assistance requests

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| 68. States Parties may submit to the Committee requests for international assistance. Such requests may also be jointly submitted by two or more States Parties. | 68. [no change] |
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| <p>69. Requests for international assistance have to be submitted to the Secretariat by using the appropriate form annexed to these Operational Directives.</p> | <p>69. Requests shall be prepared using the appropriate form (available at www.unesco.org/culture/ich or on request from the Secretariat) and shall include all the information requested therein.</p> <p>(a) Requests for preparatory assistance to elaborate a nomination for inscription on the Urgent Safeguarding List (Article 17) shall be submitted using Form ICH-05.</p> <p>(b) Requests for preparatory assistance to elaborate a proposal of a programme, project or activity for selection and promotion by the Committee (Article 18) shall be submitted using Form ICH-06.</p> <p>(c) All other requests for international assistance shall be submitted using Form ICH-04.</p> | | | | | | | | |
| <p>70. Requests for preparatory assistance should be received by the Secretariat by 1 September two years before the envisaged evaluation by the Committee of requests for inscription on the Urgent Safeguarding List foreseen under Article 17 of the Convention, or by 1 September one year before the envisaged evaluation by the Committee of proposals of programmes, projects and activities as foreseen under Article 18.</p> | <p>70. Requests shall be received by the Secretariat according to the following deadlines:</p> <table border="0" style="margin-left: 20px;"> <tr> <td style="padding-right: 20px;">30 June</td> <td>Preparatory assistance</td> </tr> <tr> <td>31 August of the year prior to the Committee's evaluation</td> <td>International assistance greater than US\$25,000</td> </tr> <tr> <td>Any time</td> <td>Emergency requests for international assistance greater than US\$25,000</td> </tr> <tr> <td>Any time</td> <td>International assistance up to US\$25,000 (except for preparatory assistance)</td> </tr> </table> | 30 June | Preparatory assistance | 31 August of the year prior to the Committee's evaluation | International assistance greater than US\$25,000 | Any time | Emergency requests for international assistance greater than US\$25,000 | Any time | International assistance up to US\$25,000 (except for preparatory assistance) |
| 30 June | Preparatory assistance | | | | | | | | |
| 31 August of the year prior to the Committee's evaluation | International assistance greater than US\$25,000 | | | | | | | | |
| Any time | Emergency requests for international assistance greater than US\$25,000 | | | | | | | | |
| Any time | International assistance up to US\$25,000 (except for preparatory assistance) | | | | | | | | |
| <p>71. The Secretariat shall assess the completeness of the request and may ask for additional information. It shall inform the requesting State(s) Party(ies) about the possible evaluation dates of the request.</p> | <p>71. [no change]</p> | | | | | | | | |

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| <p>72. The Secretariat shall seek examination for complete requests over USD 25,000.</p> | <p>72. With a view to their evaluation by the Committee, requests for international assistance greater than US\$25,000 shall be examined by preferably more than one advisory organization accredited in conformity with Article 9.1 of the Convention. In conformity with Article 8.4, the Committee may invite public or private bodies and/or private persons with recognized competence in the field of intangible cultural heritage, in order to consult them on specific matters. No request will be examined by (a) national(s) of the State(s) Party(ies) submitting the request.</p> |
| <p>73. The Secretariat shall submit complete requests to the relevant authority for evaluation and approval:</p> <p>[see table in paragraph 73]</p> | <p>73. The Secretariat shall submit complete requests to the relevant authority for evaluation and approval:</p> <p>(a) All requests up to US\$25,000, including preparatory assistance, are evaluated and approved by the Bureau.</p> <p>(b) Requests greater than US\$25,000 are evaluated and approved by the Committee.</p> <p>[delete table]</p> |
| <p>74. The Secretariat shall communicate the decision concerning the granting of assistance to the requesting party(ies) within two weeks following the decision. The Secretariat shall reach agreement with the requesting party(ies) on the details of the assistance.</p> | <p>74. [no change]</p> |
| <p>75. The assistance will be subject to appropriate monitoring, reporting and evaluation.</p> | <p>75. [no change]</p> |

3.2 Non-governmental organizations and the Convention

3.2.2 Participation of accredited non-governmental organizations

94. Requests for accreditation should be sent to the Secretariat, by using the format annexed to these Directives, at least three months before an ordinary session of the Committee, preferably by e-mail to ICH-assistance@unesco.org or by postal mail to:
- UNESCO, Section of Intangible Cultural Heritage (NGOs)
1, rue Miollis
75732 Paris CEDEX 15 - France
- 94 bis. Requests for accreditation shall be prepared using Form ICH-09 (available at www.unesco.org/culture/ich or on request from the Secretariat) and shall include all the information requested therein. Requests shall be received by the Secretariat at least four months before an ordinary session of the Committee.