



United Nations  
Educational, Scientific and  
Cultural Organization



Intangible  
Cultural  
Heritage

# Basic Texts

of the 2003 Convention for  
the Safeguarding of the  
Intangible Cultural Heritage

**2016 Edition**





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Educational, Scientific and  
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*All the terms used in these Basic Texts to designate the person discharging duties or functions are to be interpreted as implying that men and women are equally eligible to fill any post or seat associated with the discharge of these duties and functions.*

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## Foreword

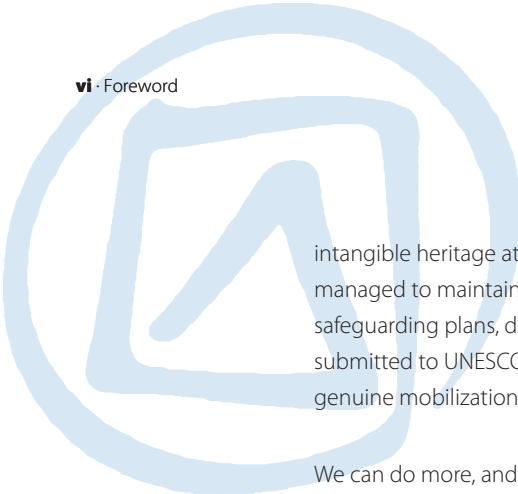
At a time when the world is seeking new ways to further peace and sustainable development, there is a pressing need for unifying projects which bring us together in all our diversity. The 2003 Convention for the Safeguarding of the Intangible Cultural Heritage is one such opportunity for dialogue and action. Every State, every community can assert its rights in this framework, share its own vision and release the creative energy of cultural diversity to consolidate our common values.

Culture is a renewable resource *par excellence* and a major dimension of sustainable development. Culture is a force for social inclusion and collective mobilization. Experience proves that the acknowledgement of cultural heritage in the design and conduct of development policies is key to the active participation of communities and to the effectiveness of programmes in the longer term. The United Nations 2030 Agenda for Sustainable Development, which was adopted in 2015, acknowledges for the first time at this level this crucial role of culture as an enabler for sustainable development and mutual understanding. The implementation of the 2003 Convention will be a key contributor to the implementation of this vision.

UNESCO's Convention for the Safeguarding of the Intangible Cultural Heritage is a key constituent in this advocacy work. Thirteen years after its adoption, the Convention has already secured the accession of 170 Member States. This impressive rate says much about the attachment of peoples to their intangible cultural heritage and about the relevance of our standard-setting action in this area. The expression 'intangible heritage' has entered everyday speech and the need to safeguard it is widely recognized. This is largely thanks to UNESCO's action.

The practices, representations and skills sustained by cultures constitute major contributions to education, resource management, risk management and democratic governance. Intangible cultural heritage provides direct access to the memory of peoples, it is a living source where responses can be found to the challenges of peace and sustainable development.

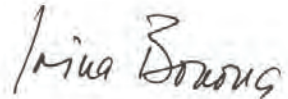
The world is exhausting its natural resources: we must allow its cultural environment to flourish! This effort involves the implementation of more vigorous public policies, capable of promoting



intangible heritage at all levels. The capacity-building programme launched in 2010 has managed to maintain the rate of ratifications, and to initiate new inventories, fresh policies and safeguarding plans, drawn up with the full participation of communities. The periodic reports submitted to UNESCO by the States Parties to the Convention indicate that there has been a genuine mobilization to exploit all of the opportunities provided by the Convention.

We can do more, and we must. The Basic Texts, first published in March 2009, were conceived as a practical tool to provide rapid access and a better understanding of the 2003 Convention. This new edition takes account of the resolutions of the sixth session of the General Assembly of States Parties to the Convention for the Safeguarding of the Intangible Cultural Heritage, held from 30 May to 1 June 2016 at UNESCO headquarters in Paris, as well as the decisions of the tenth session of the Intergovernmental Committee of the Safeguarding of the Intangible Cultural Heritage, held from 28 November to 2 December 2015 in Windhoek, Namibia. Several important elements of the Operational Directives were amended, such as an additional chapter on the linkages between intangible cultural heritage and sustainable development at the national level and an unprecedented increase in the ceiling of International Assistance requests to be examined by the Bureau of the Intergovernmental Committee so as to make this safeguarding mechanism more accessible to the States Parties. Policy guidance on ethical principles is also included in this new edition.

Going forward, the most pressing need is for capacity building, which is the main lever for the implementation of the 2003 Convention. The 2016 edition of the Basic Texts will, I am sure, prove to be an indispensable companion in support of this ambition. I wish to reaffirm UNESCO's determination to carry on with this work, in the firm belief that intangible cultural heritage plays a central role in the construction of peace and sustainable development.



**Irina Bokova**


*Director-General of UNESCO*

*November 2016*



# 1

## Convention for the Safeguarding of the Intangible Cultural Heritage



Various language versions of the text of the Convention for the  
Safeguarding of the Intangible Cultural Heritage are available at:  
[www.unesco.org/culture/ich/en/convention](http://www.unesco.org/culture/ich/en/convention)

## 1

## Convention for the Safeguarding of the Intangible Cultural Heritage

Paris, 17 October 2003

The General Conference of the United Nations Educational, Scientific and Cultural Organization hereinafter referred to as UNESCO, meeting in Paris, from 29 September to 17 October 2003, at its 32nd session,

**Referring** to existing international human rights instruments, in particular to the Universal Declaration on Human Rights of 1948, the International Covenant on Economic, Social and Cultural Rights of 1966, and the International Covenant on Civil and Political Rights of 1966,

**Considering** the importance of the intangible cultural heritage as a mainspring of cultural diversity and a guarantee of sustainable development, as underscored in the UNESCO Recommendation on the Safeguarding of Traditional Culture and Folklore of 1989, in the UNESCO Universal Declaration on Cultural Diversity of 2001, and in the Istanbul Declaration of 2002 adopted by the Third Round Table of Ministers of Culture,


**Considering** the deep-seated interdependence between the intangible cultural heritage and the tangible cultural and natural heritage,

**Recognizing** that the processes of globalization and social transformation, alongside the conditions they create for renewed dialogue among communities, also give rise, as does the phenomenon of intolerance, to grave threats of deterioration, disappearance and destruction of the intangible cultural heritage, in particular owing to a lack of resources for safeguarding such heritage,

**Being aware** of the universal will and the common concern to safeguard the intangible cultural heritage of humanity,

**Recognizing** that communities, in particular indigenous communities, groups and, in some cases, individuals, play an important role in the production, safeguarding, maintenance and recreation of the intangible cultural heritage, thus helping to enrich cultural diversity and human creativity,

#### 4 · The Convention



**Noting** the far-reaching impact of the activities of UNESCO in establishing normative instruments for the protection of the cultural heritage, in particular the Convention for the Protection of the World Cultural and Natural Heritage of 1972,

**Noting further** that no binding multilateral instrument as yet exists for the safeguarding of the intangible cultural heritage,

**Considering** that existing international agreements, recommendations and resolutions concerning the cultural and natural heritage need to be effectively enriched and supplemented by means of new provisions relating to the intangible cultural heritage,

**Considering** the need to build greater awareness, especially among the younger generations, of the importance of the intangible cultural heritage and of its safeguarding,

**Considering** that the international community should contribute, together with the States Parties to this Convention, to the safeguarding of such heritage in a spirit of cooperation and mutual assistance,

**Recalling** UNESCO's programmes relating to the intangible cultural heritage, in particular the Proclamation of Masterpieces of the Oral and Intangible Heritage of Humanity,

**Considering** the invaluable role of the intangible cultural heritage as a factor in bringing human beings closer together and ensuring exchange and understanding among them,

**Adopts** this Convention on this seventeenth day of October 2003.

## I GENERAL PROVISIONS

### Article 1 Purposes of the Convention

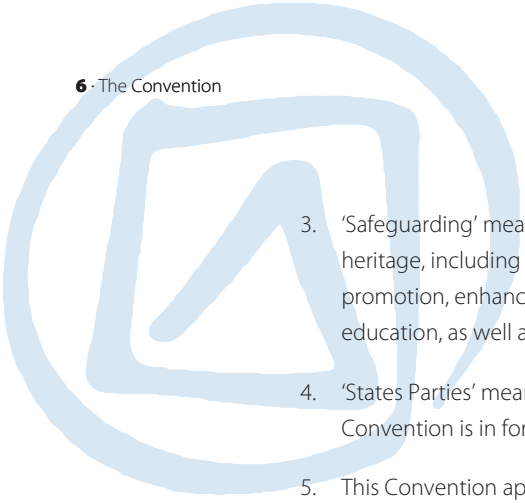
The purposes of this Convention are:

- (a) to safeguard the intangible cultural heritage;
- (b) to ensure respect for the intangible cultural heritage of the communities, groups and individuals concerned;
- (c) to raise awareness at the local, national and international levels of the importance of the intangible cultural heritage, and of ensuring mutual appreciation thereof;
- (d) to provide for international cooperation and assistance.

### Article 2 Definitions

For the purposes of this Convention,

1. The 'Intangible Cultural Heritage' means the practices, representations, expressions, knowledge, skills – as well as the instruments, objects, artefacts and cultural spaces associated therewith – that communities, groups and, in some cases, individuals recognize as part of their cultural heritage. This intangible cultural heritage, transmitted from generation to generation, is constantly recreated by communities and groups in response to their environment, their interaction with nature and their history, and provides them with a sense of identity and continuity, thus promoting respect for cultural diversity and human creativity. For the purposes of this Convention, consideration will be given solely to such intangible cultural heritage as is compatible with existing international human rights instruments, as well as with the requirements of mutual respect among communities, groups and individuals, and of sustainable development.
2. The 'Intangible Cultural Heritage', as defined in paragraph 1 above, is manifested *inter alia* in the following domains:
  - (a) oral traditions and expressions, including language as a vehicle of the intangible cultural heritage;
  - (b) performing arts;
  - (c) social practices, rituals and festive events;
  - (d) knowledge and practices concerning nature and the universe;
  - (e) traditional craftsmanship.

- 
3. 'Safeguarding' means measures aimed at ensuring the viability of the intangible cultural heritage, including the identification, documentation, research, preservation, protection, promotion, enhancement, transmission, particularly through formal and non-formal education, as well as the revitalization of the various aspects of such heritage.
  4. 'States Parties' means States which are bound by this Convention and among which this Convention is in force.
  5. This Convention applies *mutatis mutandis* to the territories referred to in Article 33 which become Parties to this Convention in accordance with the conditions set out in that Article. To that extent the expression 'States Parties' also refers to such territories.

### Article 3 Relationship to other international instruments

Nothing in this Convention may be interpreted as:

- (a) altering the status or diminishing the level of protection under the 1972 Convention concerning the Protection of the World Cultural and Natural Heritage of World Heritage properties with which an item of the intangible cultural heritage is directly associated; or
- (b) affecting the rights and obligations of States Parties deriving from any international instrument relating to intellectual property rights or to the use of biological and ecological resources to which they are parties.

## II ORGANS OF THE CONVENTION

### Article 4 General Assembly of the States Parties

1. A General Assembly of the States Parties is hereby established, hereinafter referred to as 'the General Assembly'. The General Assembly is the sovereign body of this Convention.
2. The General Assembly shall meet in ordinary session every two years. It may meet in extraordinary session if it so decides or at the request either of the Intergovernmental Committee for the Safeguarding of the Intangible Cultural Heritage or of at least one-third of the States Parties.
3. The General Assembly shall adopt its own Rules of Procedure.

### **Article 5 Intergovernmental Committee for the Safeguarding of the Intangible Cultural Heritage**

1. An Intergovernmental Committee for the Safeguarding of the Intangible Cultural Heritage, hereinafter referred to as 'the Committee', is hereby established within UNESCO. It shall be composed of representatives of 18 States Parties, elected by the States Parties meeting in General Assembly, once this Convention enters into force in accordance with Article 34.
2. The number of States Members of the Committee shall be increased to 24 once the number of the States Parties to the Convention reaches 50.

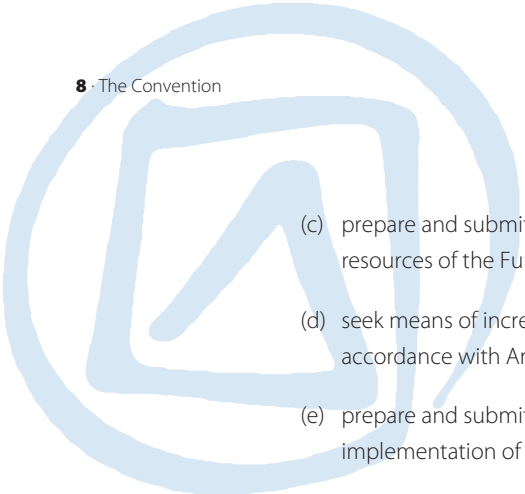
### **Article 6 Election and terms of office of States Members of the Committee**

1. The election of States Members of the Committee shall obey the principles of equitable geographical representation and rotation.
2. States Members of the Committee shall be elected for a term of four years by States Parties to the Convention meeting in General Assembly.
3. However, the term of office of half of the States Members of the Committee elected at the first election is limited to two years. These States shall be chosen by lot at the first election.
4. Every two years, the General Assembly shall renew half of the States Members of the Committee.
5. It shall also elect as many States Members of the Committee as required to fill vacancies.
6. A State Member of the Committee may not be elected for two consecutive terms.
7. States Members of the Committee shall choose as their representatives persons who are qualified in the various fields of the intangible cultural heritage.

### **Article 7 Functions of the Committee**

Without prejudice to other prerogatives granted to it by this Convention, the functions of the Committee shall be to:

- (a) promote the objectives of the Convention, and to encourage and monitor the implementation thereof;
- (b) provide guidance on best practices and make recommendations on measures for the safeguarding of the intangible cultural heritage;

- 
- (c) prepare and submit to the General Assembly for approval a draft plan for the use of the resources of the Fund, in accordance with Article 25;
  - (d) seek means of increasing its resources, and to take the necessary measures to this end, in accordance with Article 25;
  - (e) prepare and submit to the General Assembly for approval operational directives for the implementation of this Convention;
  - (f) examine, in accordance with Article 29, the reports submitted by States Parties, and to summarize them for the General Assembly;
  - (g) examine requests submitted by States Parties, and to decide thereon, in accordance with objective selection criteria to be established by the Committee and approved by the General Assembly for:
    - (i) inscription on the lists and proposals mentioned under Articles 16, 17 and 18;
    - (ii) the granting of international assistance in accordance with Article 22.

#### **Article 8 Working methods of the Committee**

1. The Committee shall be answerable to the General Assembly. It shall report to it on all its activities and decisions.
2. The Committee shall adopt its own Rules of Procedure by a two-thirds majority of its Members.
3. The Committee may establish, on a temporary basis, whatever ad hoc consultative bodies it deems necessary to carry out its task.
4. The Committee may invite to its meetings any public or private bodies, as well as private persons, with recognized competence in the various fields of the intangible cultural heritage, in order to consult them on specific matters.

#### **Article 9 Accreditation of advisory organizations**

1. The Committee shall propose to the General Assembly the accreditation of non-governmental organizations with recognized competence in the field of the intangible cultural heritage to act in an advisory capacity to the Committee.
2. The Committee shall also propose to the General Assembly the criteria for and modalities of such accreditation.



**Article 10**    **The Secretariat**

1. The Committee shall be assisted by the UNESCO Secretariat.
2. The Secretariat shall prepare the documentation of the General Assembly and of the Committee, as well as the draft agenda of their meetings, and shall ensure the implementation of their decisions.

**III    SAFEGUARDING OF THE INTANGIBLE CULTURAL HERITAGE  
AT THE NATIONAL LEVEL****Article 11**    **Role of States Parties**

Each State Party shall:

- (a) take the necessary measures to ensure the safeguarding of the intangible cultural heritage present in its territory;
- (b) among the safeguarding measures referred to in Article 2, paragraph 3, identify and define the various elements of the intangible cultural heritage present in its territory, with the participation of communities, groups and relevant non-governmental organizations.

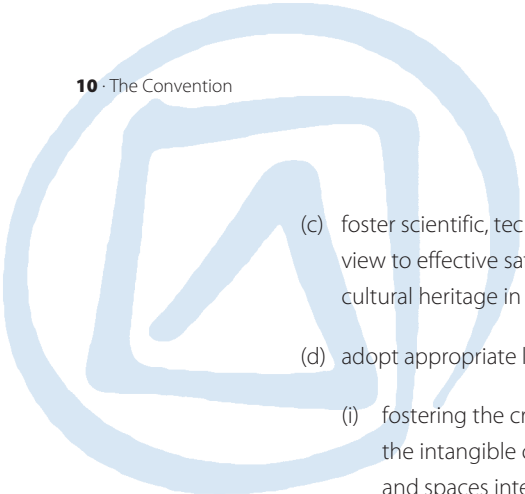
**Article 12**    **Inventories**

1. To ensure identification with a view to safeguarding, each State Party shall draw up, in a manner geared to its own situation, one or more inventories of the intangible cultural heritage present in its territory. These inventories shall be regularly updated.
2. When each State Party periodically submits its report to the Committee, in accordance with Article 29, it shall provide relevant information on such inventories.

**Article 13**    **Other measures for safeguarding**

To ensure the safeguarding, development and promotion of the intangible cultural heritage present in its territory, each State Party shall endeavour to:

- (a) adopt a general policy aimed at promoting the function of the intangible cultural heritage in society, and at integrating the safeguarding of such heritage into planning programmes;
- (b) designate or establish one or more competent bodies for the safeguarding of the intangible cultural heritage present in its territory;

- 
- (c) foster scientific, technical and artistic studies, as well as research methodologies, with a view to effective safeguarding of the intangible cultural heritage, in particular the intangible cultural heritage in danger;
  - (d) adopt appropriate legal, technical, administrative and financial measures aimed at:
    - (i) fostering the creation or strengthening of institutions for training in the management of the intangible cultural heritage and the transmission of such heritage through forums and spaces intended for the performance or expression thereof;
    - (ii) ensuring access to the intangible cultural heritage while respecting customary practices governing access to specific aspects of such heritage;
    - (iii) establishing documentation institutions for the intangible cultural heritage and facilitating access to them.

#### **Article 14 Education, awareness-raising and capacity-building**

Each State Party shall endeavour, by all appropriate means, to:

- (a) ensure recognition of, respect for, and enhancement of the intangible cultural heritage in society, in particular through:
  - (i) educational, awareness-raising and information programmes, aimed at the general public, in particular young people;
  - (ii) specific educational and training programmes within the communities and groups concerned;
  - (iii) capacity-building activities for the safeguarding of the intangible cultural heritage, in particular management and scientific research; and
  - (iv) non-formal means of transmitting knowledge;
- (b) keep the public informed of the dangers threatening such heritage, and of the activities carried out in pursuance of this Convention;
- (c) promote education for the protection of natural spaces and places of memory whose existence is necessary for expressing the intangible cultural heritage.

#### **Article 15 Participation of communities, groups and individuals**

Within the framework of its safeguarding activities of the intangible cultural heritage, each State Party shall endeavour to ensure the widest possible participation of communities, groups and, where appropriate, individuals that create, maintain and transmit such heritage, and to involve them actively in its management.

## IV SAFEGUARDING OF THE INTANGIBLE CULTURAL HERITAGE AT THE INTERNATIONAL LEVEL

### Article 16 Representative List of the Intangible Cultural Heritage of Humanity

1. In order to ensure better visibility of the intangible cultural heritage and awareness of its significance, and to encourage dialogue which respects cultural diversity, the Committee, upon the proposal of the States Parties concerned, shall establish, keep up to date and publish a Representative List of the Intangible Cultural Heritage of Humanity.
2. The Committee shall draw up and submit to the General Assembly for approval the criteria for the establishment, updating and publication of this Representative List.

### Article 17 List of Intangible Cultural Heritage in Need of Urgent Safeguarding

1. With a view to taking appropriate safeguarding measures, the Committee shall establish, keep up to date and publish a List of Intangible Cultural Heritage in Need of Urgent Safeguarding, and shall inscribe such heritage on the List at the request of the State Party concerned.
2. The Committee shall draw up and submit to the General Assembly for approval the criteria for the establishment, updating and publication of this List.
3. In cases of extreme urgency – the objective criteria of which shall be approved by the General Assembly upon the proposal of the Committee – the Committee may inscribe an item of the heritage concerned on the List mentioned in paragraph 1, in consultation with the State Party concerned.

### Article 18 Programmes, projects and activities for the safeguarding of the intangible cultural heritage

1. On the basis of proposals submitted by States Parties, and in accordance with criteria to be defined by the Committee and approved by the General Assembly, the Committee shall periodically select and promote national, subregional and regional programmes, projects and activities for the safeguarding of the heritage which it considers best reflect the principles and objectives of this Convention, taking into account the special needs of developing countries.
2. To this end, it shall receive, examine and approve requests for international assistance from States Parties for the preparation of such proposals.
3. The Committee shall accompany the implementation of such projects, programmes and activities by disseminating best practices using means to be determined by it.

## V INTERNATIONAL COOPERATION AND ASSISTANCE

### Article 19 Cooperation

1. For the purposes of this Convention, international cooperation includes, *inter alia*, the exchange of information and experience, joint initiatives, and the establishment of a mechanism of assistance to States Parties in their efforts to safeguard the intangible cultural heritage.
2. Without prejudice to the provisions of their national legislation and customary law and practices, the States Parties recognize that the safeguarding of intangible cultural heritage is of general interest to humanity, and to that end undertake to cooperate at the bilateral, subregional, regional and international levels.

### Article 20 Purposes of international assistance

International assistance may be granted for the following purposes:

- (a) the safeguarding of the heritage inscribed on the List of Intangible Cultural Heritage in Need of Urgent Safeguarding;
- (b) the preparation of inventories in the sense of Articles 11 and 12;
- (c) support for programmes, projects and activities carried out at the national, subregional and regional levels aimed at the safeguarding of the intangible cultural heritage;
- (d) any other purpose the Committee may deem necessary.

### Article 21 Forms of international assistance

The assistance granted by the Committee to a State Party shall be governed by the operational directives foreseen in Article 7 and by the agreement referred to in Article 24, and may take the following forms:

- (a) studies concerning various aspects of safeguarding;
- (b) the provision of experts and practitioners;
- (c) the training of all necessary staff;
- (d) the elaboration of standard-setting and other measures;
- (e) the creation and operation of infrastructures;

- (f) the supply of equipment and know-how;
- (g) other forms of financial and technical assistance, including, where appropriate, the granting of low-interest loans and donations.

#### **Article 22**    **Conditions governing international assistance**

1. The Committee shall establish the procedure for examining requests for international assistance, and shall specify what information shall be included in the requests, such as the measures envisaged and the interventions required, together with an assessment of their cost.
2. In emergencies, requests for assistance shall be examined by the Committee as a matter of priority.
3. In order to reach a decision, the Committee shall undertake such studies and consultations as it deems necessary.

#### **Article 23**    **Requests for international assistance**

1. Each State Party may submit to the Committee a request for international assistance for the safeguarding of the intangible cultural heritage present in its territory.
2. Such a request may also be jointly submitted by two or more States Parties.
3. The request shall include the information stipulated in Article 22, paragraph 1, together with the necessary documentation.

#### **Article 24**    **Role of beneficiary States Parties**

1. In conformity with the provisions of this Convention, the international assistance granted shall be regulated by means of an agreement between the beneficiary State Party and the Committee.
2. As a general rule, the beneficiary State Party shall, within the limits of its resources, share the cost of the safeguarding measures for which international assistance is provided.
3. The beneficiary State Party shall submit to the Committee a report on the use made of the assistance provided for the safeguarding of the intangible cultural heritage.

## VI INTANGIBLE CULTURAL HERITAGE FUND

### Article 25 Nature and resources of the Fund

1. A 'Fund for the Safeguarding of the Intangible Cultural Heritage', hereinafter referred to as 'the Fund', is hereby established.
2. The Fund shall consist of funds-in-trust established in accordance with the Financial Regulations of UNESCO.
3. The resources of the Fund shall consist of:
  - (a) contributions made by States Parties;
  - (b) funds appropriated for this purpose by the General Conference of UNESCO;
  - (c) contributions, gifts or bequests which may be made by:
    - (i) other States;
    - (ii) organizations and programmes of the United Nations system, particularly the United Nations Development Programme, as well as other international organizations;
    - (iii) public or private bodies or individuals;
  - (d) any interest due on the resources of the Fund;
  - (e) funds raised through collections, and receipts from events organized for the benefit of the Fund;
  - (f) any other resources authorized by the Fund's regulations, to be drawn up by the Committee.
4. The use of resources by the Committee shall be decided on the basis of guidelines laid down by the General Assembly.
5. The Committee may accept contributions and other forms of assistance for general and specific purposes relating to specific projects, provided that those projects have been approved by the Committee.
6. No political, economic or other conditions which are incompatible with the objectives of this Convention may be attached to contributions made to the Fund.

## Article 26 Contributions of States Parties to the Fund

1. Without prejudice to any supplementary voluntary contribution, the States Parties to this Convention undertake to pay into the Fund, at least every two years, a contribution, the amount of which, in the form of a uniform percentage applicable to all States, shall be determined by the General Assembly. This decision of the General Assembly shall be taken by a majority of the States Parties present and voting which have not made the declaration referred to in paragraph 2 of this Article. In no case shall the contribution of the State Party exceed 1% of its contribution to the regular budget of UNESCO.
2. However, each State referred to in Article 32 or in Article 33 of this Convention may declare, at the time of the deposit of its instruments of ratification, acceptance, approval or accession, that it shall not be bound by the provisions of paragraph 1 of this Article.
3. A State Party to this Convention which has made the declaration referred to in paragraph 2 of this Article shall endeavour to withdraw the said declaration by notifying the Director-General of UNESCO. However, the withdrawal of the declaration shall not take effect in regard to the contribution due by the State until the date on which the subsequent session of the General Assembly opens.
4. In order to enable the Committee to plan its operations effectively, the contributions of States Parties to this Convention which have made the declaration referred to in paragraph 2 of this Article shall be paid on a regular basis, at least every two years, and should be as close as possible to the contributions they would have owed if they had been bound by the provisions of paragraph 1 of this Article.
5. Any State Party to this Convention which is in arrears with the payment of its compulsory or voluntary contribution for the current year and the calendar year immediately preceding it shall not be eligible as a Member of the Committee; this provision shall not apply to the first election. The term of office of any such State which is already a Member of the Committee shall come to an end at the time of the elections provided for in Article 6 of this Convention.

## Article 27 Voluntary supplementary contributions to the Fund

States Parties wishing to provide voluntary contributions in addition to those foreseen under Article 26 shall inform the Committee, as soon as possible, so as to enable it to plan its operations accordingly.

### **Article 28** International fund-raising campaigns

The States Parties shall, insofar as is possible, lend their support to international fund-raising campaigns organized for the benefit of the Fund under the auspices of UNESCO.

## **VII** REPORTS

### **Article 29** Reports by the States Parties

The States Parties shall submit to the Committee, observing the forms and periodicity to be defined by the Committee, reports on the legislative, regulatory and other measures taken for the implementation of this Convention.

### **Article 30** Reports by the Committee

1. On the basis of its activities and the reports by States Parties referred to in Article 29, the Committee shall submit a report to the General Assembly at each of its sessions.
2. The report shall be brought to the attention of the General Conference of UNESCO.

## **VIII** TRANSITIONAL CLAUSE

### **Article 31** Relationship to the Proclamation of Masterpieces of the Oral and Intangible Heritage of Humanity

1. The Committee shall incorporate in the Representative List of the Intangible Cultural Heritage of Humanity the items proclaimed 'Masterpieces of the Oral and Intangible Heritage of Humanity' before the entry into force of this Convention.
2. The incorporation of these items in the Representative List of the Intangible Cultural Heritage of Humanity shall in no way prejudice the criteria for future inscriptions decided upon in accordance with Article 16, paragraph 2.
3. No further Proclamation will be made after the entry into force of this Convention.



## IX FINAL CLAUSE

### Article 32 Ratification, acceptance or approval

1. This Convention shall be subject to ratification, acceptance or approval by States Members of UNESCO in accordance with their respective constitutional procedures.
2. The instruments of ratification, acceptance or approval shall be deposited with the Director-General of UNESCO.

### Article 33 Accession

1. This Convention shall be open to accession by all States not Members of UNESCO that are invited by the General Conference of UNESCO to accede to it.
2. This Convention shall also be open to accession by territories which enjoy full internal self-government recognized as such by the United Nations, but have not attained full independence in accordance with General Assembly resolution 1514 (XV), and which have competence over the matters governed by this Convention, including the competence to enter into treaties in respect of such matters.
3. The instrument of accession shall be deposited with the Director-General of UNESCO.

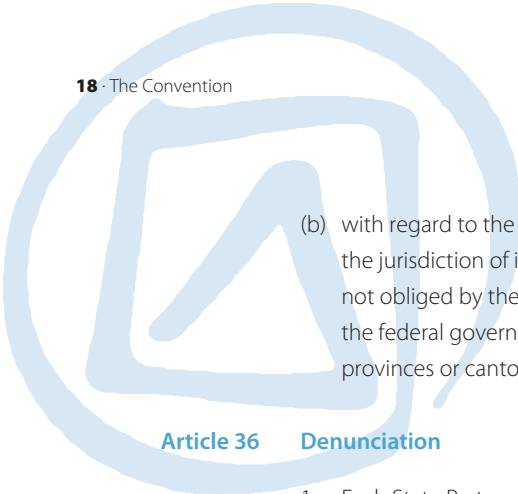
### Article 34 Entry into force

This Convention shall enter into force three months after the date of the deposit of the thirtieth instrument of ratification, acceptance, approval or accession, but only with respect to those States that have deposited their respective instruments of ratification, acceptance, approval or accession on or before that date. It shall enter into force with respect to any other State Party three months after the deposit of its instrument of ratification, acceptance, approval or accession.

### Article 35 Federal or non-unitary constitutional systems

The following provisions shall apply to States Parties which have a federal or non-unitary constitutional system:

- (a) with regard to the provisions of this Convention, the implementation of which comes under the legal jurisdiction of the federal or central legislative power, the obligations of the federal or central government shall be the same as for those States Parties which are not federal States;

- 
- (b) with regard to the provisions of this Convention, the implementation of which comes under the jurisdiction of individual constituent States, countries, provinces or cantons which are not obliged by the constitutional system of the federation to take legislative measures, the federal government shall inform the competent authorities of such States, countries, provinces or cantons of the said provisions, with its recommendation for their adoption.

#### **Article 36 Denunciation**

1. Each State Party may denounce this Convention.
2. The denunciation shall be notified by an instrument in writing, deposited with the Director-General of UNESCO.
3. The denunciation shall take effect twelve months after the receipt of the instrument of denunciation. It shall in no way affect the financial obligations of the denouncing State Party until the date on which the withdrawal takes effect.

#### **Article 37 Depositary functions**

The Director-General of UNESCO, as the Depositary of this Convention, shall inform the States Members of the Organization, the States not Members of the Organization referred to in Article 33, as well as the United Nations, of the deposit of all the instruments of ratification, acceptance, approval or accession provided for in Articles 32 and 33, and of the denunciations provided for in Article 36.

#### **Article 38 Amendments**

1. A State Party may, by written communication addressed to the Director-General, propose amendments to this Convention. The Director-General shall circulate such communication to all States Parties. If, within six months from the date of the circulation of the communication, not less than one half of the States Parties reply favourably to the request, the Director-General shall present such proposal to the next session of the General Assembly for discussion and possible adoption.
2. Amendments shall be adopted by a two-thirds majority of States Parties present and voting.
3. Once adopted, amendments to this Convention shall be submitted for ratification, acceptance, approval or accession to the States Parties.

4. Amendments shall enter into force, but solely with respect to the States Parties that have ratified, accepted, approved or acceded to them, three months after the deposit of the instruments referred to in paragraph 3 of this Article by two-thirds of the States Parties. Thereafter, for each State Party that ratifies, accepts, approves or accedes to an amendment, the said amendment shall enter into force three months after the date of deposit by that State Party of its instrument of ratification, acceptance, approval or accession.
5. The procedure set out in paragraphs 3 and 4 shall not apply to amendments to Article 5 concerning the number of States Members of the Committee. These amendments shall enter into force at the time they are adopted.
6. A State which becomes a Party to this Convention after the entry into force of amendments in conformity with paragraph 4 of this Article shall, failing an expression of different intention, be considered:
  - (a) as a Party to this Convention as so amended; and
  - (b) as a Party to the unamended Convention in relation to any State Party not bound by the amendments.

#### **Article 39** Authoritative texts

This Convention has been drawn up in Arabic, Chinese, English, French, Russian and Spanish, the six texts being equally authoritative.

#### **Article 40** Registration

In conformity with Article 102 of the Charter of the United Nations, this Convention shall be registered with the Secretariat of the United Nations at the request of the Director-General of UNESCO.



# 2

## Operational Directives for the Implementation of the Convention for the Safeguarding of the Intangible Cultural Heritage



The Operational Directives for the Implementation of the Convention for the Safeguarding of the Intangible Cultural Heritage are periodically revised to reflect the resolutions of the General Assembly of the States Parties to the Convention.

Please verify that you are using the most recent version of the Operational Directives by checking the latest update on UNESCO's website at the address indicated below:

**[www.unesco.org/culture/ich/en/directives](http://www.unesco.org/culture/ich/en/directives)**

## 2

## Operational Directives for the Implementation of the Convention for the Safeguarding of the Intangible Cultural Heritage

Adopted by the General Assembly of the States Parties to the Convention at its second session (UNESCO Headquarters, Paris, 16 to 19 June 2008), amended at its third session (UNESCO Headquarters, Paris, 22 to 24 June 2010), its fourth session (UNESCO Headquarters, Paris, 4 to 8 June 2012), its fifth session (UNESCO Headquarters, Paris, 2 to 4 June 2014) and its sixth session (UNESCO Headquarters, Paris, 30 May to 1 June 2016)

*Paragraph(s)*

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## ABBREVIATIONS

Committee	Intergovernmental Committee for the Safeguarding of the Intangible Cultural Heritage
Convention	Convention for the Safeguarding of the Intangible Cultural Heritage
Director-General	Director-General of the United Nations Educational, Scientific and Cultural Organization
Fund	Intangible Cultural Heritage Fund
General Assembly	General Assembly of the States Parties to the Convention
Masterpieces	Masterpieces of the Oral and Intangible Heritage of Humanity
State Party	State Party to the Convention for the Safeguarding of the Intangible Cultural Heritage
UNESCO	United Nations Educational, Scientific and Cultural Organization

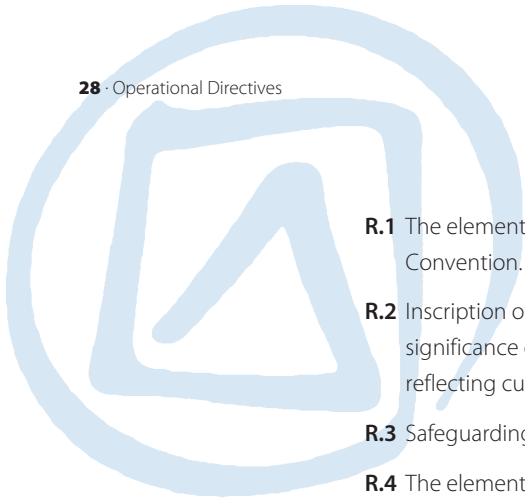
## CHAPTER I SAFEGUARDING OF THE INTANGIBLE CULTURAL HERITAGE AT THE INTERNATIONAL LEVEL, COOPERATION AND INTERNATIONAL ASSISTANCE

### I.1 Criteria for inscription on the List of Intangible Cultural Heritage in Need of Urgent Safeguarding

1. In nomination files, the submitting State(s) Party(ies) is (are) requested to demonstrate that an element proposed for inscription on the List of Intangible Cultural Heritage in Need of Urgent Safeguarding satisfies all of the following criteria:
  - U.1** The element constitutes intangible cultural heritage as defined in Article 2 of the Convention.
  - U.2** (a) The element is in urgent need of safeguarding because its viability is at risk despite the efforts of the community, group or, if applicable, individuals and State(s) Party(ies) concerned; or  
(b) The element is in extremely urgent need of safeguarding because it is facing grave threats as a result of which it cannot be expected to survive without immediate safeguarding.
  - U.3** A safeguarding plan is elaborated that may enable the community, group or, if applicable, individuals concerned to continue the practice and transmission of the element.
  - U.4** The element has been nominated following the widest possible participation of the community, group or, if applicable, individuals concerned and with their free, prior and informed consent.
  - U.5** The element is included in an inventory of the intangible cultural heritage present in the territory(ies) of the submitting State(s) Party(ies), as defined in Articles 11 and 12 of the Convention.
  - U.6** In cases of extreme urgency, the State(s) Party(ies) concerned has (have) been duly consulted regarding inscription of the element in conformity with Article 17.3 of the Convention.

### I.2 Criteria for inscription on the Representative List of the Intangible Cultural Heritage of Humanity

2. In nomination files, the submitting State(s) Party(ies) is (are) requested to demonstrate that an element proposed for inscription on the Representative List of the Intangible Cultural Heritage of Humanity satisfies all of the following criteria:



- R.1** The element constitutes intangible cultural heritage as defined in Article 2 of the Convention.
- R.2** Inscription of the element will contribute to ensuring visibility and awareness of the significance of the intangible cultural heritage and to encouraging dialogue, thus reflecting cultural diversity worldwide and testifying to human creativity.
- R.3** Safeguarding measures are elaborated that may protect and promote the element.
- R.4** The element has been nominated following the widest possible participation of the community, group or, if applicable, individuals concerned and with their free, prior and informed consent.
- R.5** The element is included in an inventory of the intangible cultural heritage present in the territory(ies) of the submitting State(s) Party(ies), as defined in Articles 11 and 12 of the Convention.

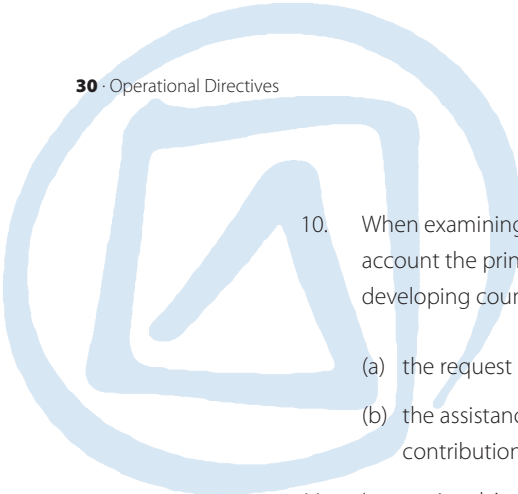
### **I.3 Criteria for selection of programmes, projects and activities that best reflect the principles and objectives of the Convention**

- 3. States Parties are encouraged to propose national, subregional or regional programmes, projects and activities for safeguarding intangible cultural heritage to the Committee for selection and promotion as best reflecting the principles and objectives of the Convention.
- 4. At each session the Committee may explicitly call for proposals characterized by international cooperation, as mentioned in Article 19 of the Convention, and/or focusing on specific priority aspects of safeguarding.
- 5. Such programmes, projects and activities may be completed or in progress at the time they are proposed to the Committee for selection and promotion.
- 6. In its selection and promotion of safeguarding programmes, projects and activities, the Committee shall pay special attention to the needs of developing countries and to the principle of equitable geographic distribution, while strengthening South-South and North-South-South cooperation.
- 7. From among the programmes, projects or activities proposed to it, the Committee shall select those that best satisfy all of the following criteria:
  - P.1** The programme, project or activity involves safeguarding, as defined in Article 2.3 of the Convention.

- P.2** The programme, project or activity promotes the coordination of efforts for safeguarding intangible cultural heritage on regional, subregional and/or international levels.
- P.3** The programme, project or activity reflects the principles and objectives of the Convention.
- P.4** The programme, project or activity has demonstrated effectiveness in contributing to the viability of the intangible cultural heritage concerned.
- P.5** The programme, project or activity is or has been implemented with the participation of the community, group or, if applicable, individuals concerned and with their free, prior and informed consent.
- P.6** The programme, project or activity may serve as a subregional, regional or international model, as the case may be, for safeguarding activities.
- P.7** The submitting State(s) Party(ies), implementing body(ies), and community, group or, if applicable, individuals concerned are willing to cooperate in the dissemination of best practices, if their programme, project or activity is selected.
- P.8** The programme, project or activity features experiences that are susceptible to an assessment of their results.
- P.9** The programme, project or activity is primarily applicable to the particular needs of developing countries.

#### **I.4 Eligibility and selection criteria of International Assistance requests**

8. All States Parties are eligible to request International Assistance. International Assistance provided to States Parties for the safeguarding of intangible cultural heritage is supplementary to national efforts for safeguarding.
9. The Committee may receive, examine and approve requests for any purpose and for any form of International Assistance mentioned in Articles 20 and 21 of the Convention respectively, depending on the available resources. Priority is given to requests for International Assistance concerning:
  - (a) the safeguarding of the heritage inscribed on the List of Intangible Cultural Heritage in Need of Urgent Safeguarding;
  - (b) the preparation of inventories in the sense of Articles 11 and 12 of the Convention;
  - (c) support for programmes, projects and activities carried out at the national, subregional and regional levels aimed at the safeguarding of the intangible cultural heritage;
  - (d) preparatory assistance.

- 
10. When examining requests for International Assistance, the Committee shall take into account the principle of equitable geographical distribution and the special needs of developing countries. The Committee may also take into account whether:
    - (a) the request implies cooperation at the bilateral, regional or international levels; and/or
    - (b) the assistance may have a multiplier effect and may stimulate financial and technical contributions from other sources.
  11. International Assistance as described in Articles 20 and 21 of the Convention may be granted on an emergency basis, as mentioned in Article 22 of the Convention (emergency assistance).
  12. The Committee will base its decisions on granting assistance on the following criteria:
    - A.1** The community, group and/or individuals concerned participated in the preparation of the request and will be involved in the implementation of the proposed activities, and in their evaluation and follow-up as broadly as possible.
    - A.2** The amount of assistance requested is appropriate.
    - A.3** The proposed activities are well conceived and feasible.
    - A.4** The project may have lasting results.
    - A.5** The beneficiary State Party shares the cost of the activities for which International Assistance is provided, within the limits of its resources.
    - A.6** The assistance aims at building up or reinforcing capacities in the field of safeguarding intangible cultural heritage.
    - A.7** The beneficiary State Party has implemented previously financed activities, if any, in line with all regulations and any conditions applied thereto.

### **I.5 Multi-national files**

13. States Parties are encouraged to jointly submit multi-national nominations to the List of Intangible Cultural Heritage in Need of Urgent Safeguarding and the Representative List of the Intangible Cultural Heritage of Humanity when an element is found on the territory of more than one State Party.
14. The Committee encourages the submission of subregional or regional programmes, projects and activities as well as those undertaken jointly by States Parties in geographically discontinuous areas. States Parties may submit these proposals individually or jointly.

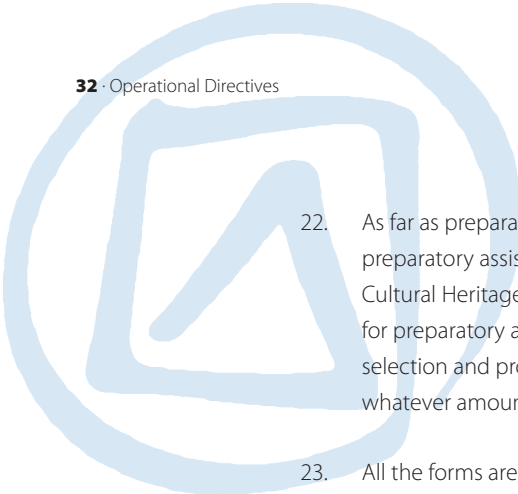
15. States Parties may submit to the Committee requests for International Assistance jointly submitted by two or more States Parties.

## **I.6 Inscription on an extended or reduced basis**

16. The inscription of an element on the List of Intangible Cultural Heritage in Need of Urgent Safeguarding or on the Representative List of the Intangible Cultural Heritage of Humanity can be extended to other communities, groups and, if applicable, individuals at the national and/or international level upon the request of the State(s) Party(ies) in whose territory(ies) the element is present, with the consent of the concerned communities, groups and, if applicable, individuals.
17. The inscription of an element on the List of Intangible Cultural Heritage in Need of Urgent Safeguarding or on the Representative List of the Intangible Cultural Heritage of Humanity can be reduced at the national and/or international level if the State(s) Party(ies) in whose territory(ies) the element is present so request(s), with the consent of the concerned communities, groups and, if applicable, individuals.
18. The State(s) Party(ies) concerned submit(s) a new nomination showing that the nomination, as extended or reduced, satisfies all of the required criteria for inscription. Such a nomination shall be submitted according to the established procedures and deadlines for nominations.
19. In the event that the Committee decides to inscribe the element on the basis of the new nomination file, the new inscription shall replace the original inscription. In the event that the Committee, on the basis of the new nomination file, decides not to inscribe the element, the original inscription shall remain intact.

## **I.7 Submission of files**

20. Form ICH-01 is used for the nominations to the List of Intangible Cultural Heritage in Need of Urgent Safeguarding, ICH-02 for the Representative List of the Intangible Cultural Heritage of Humanity, ICH-03 for the proposals of programmes, projects and activities that best reflect the principles and objectives of the Convention.
21. States Parties may request preparatory assistance for the elaboration of nomination files to the List of Intangible Cultural Heritage in Need of Urgent Safeguarding and for the elaboration of proposals of programmes, projects and activities that best reflect the principles and objectives of the Convention.

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22. As far as preparatory assistance is concerned, Form ICH-05 is used for requests for preparatory assistance to elaborate a nomination for inscription on the List of Intangible Cultural Heritage in Need of Urgent Safeguarding, and Form ICH-06 is used for requests for preparatory assistance to elaborate a proposal of a programme, project or activity for selection and promotion by the Committee. All other requests for International Assistance, whatever amount is requested, shall be submitted using Form ICH-04.
  23. All the forms are available at <http://www.unesco.org/culture/ich> or on request from the Secretariat. The files shall include only the information requested in the forms.
  24. Submitting States Parties shall involve the communities, groups and, where applicable, individuals concerned in the preparation of their files.
  25. A State Party may withdraw a file it has submitted at any time prior to examination by the Committee, without prejudice to its right to benefit from International Assistance under the Convention.

## I.8 Evaluation of files

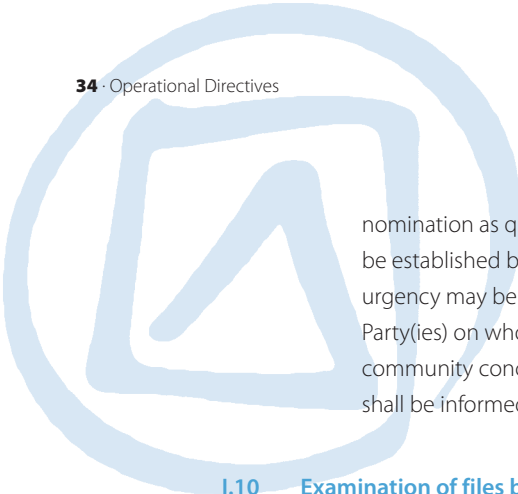
26. Evaluation includes assessment of the conformity of the nomination, proposal or International Assistance request with the required criteria.
27. On an experimental basis, the evaluation of nominations for inscription on the List of Intangible Cultural Heritage in Need of Urgent Safeguarding and on the Representative List of the Intangible Cultural Heritage of Humanity, of proposed programmes, projects and activities that best reflect the principles and objectives of the Convention and of International Assistance requests greater than US\$100,000 shall be accomplished by a consultative body of the Committee established in accordance with Article 8.3 of the Convention, to be known as the 'Evaluation Body'. The Evaluation Body will make recommendations to the Committee for its decision. The Evaluation Body shall be composed of twelve members appointed by the Committee: six experts qualified in the various fields of the intangible cultural heritage representatives of States Parties non-Members of the Committee and six accredited non-governmental organizations, taking into consideration equitable geographical representation and various domains of intangible cultural heritage.



28. The duration of office of a member of the Evaluation Body shall not exceed four years. Every year, the Committee shall renew one quarter of the members of the Evaluation Body. At least three months prior to the opening of the session of the Committee, the Secretariat shall inform the States Parties within each Electoral Group with a vacant seat to be filled. Up to three candidatures shall be sent to the Secretariat by the Chairperson of the Electoral Group concerned at least six weeks prior to the opening of the session. Once appointed by the Committee, the members of the Evaluation Body shall act impartially in the interests of all the States Parties and the Convention.
29. For the List of Intangible Cultural Heritage in Need of Urgent Safeguarding, each evaluation shall include assessment of the viability of the element and of the feasibility and sufficiency of the safeguarding plan. It shall also include assessment of the risk of its disappearing, due, *inter alia*, to the lack of means for safeguarding and protecting it, or to processes of globalization and social or environmental transformation.
30. The Evaluation Body shall submit to the Committee an evaluation report that includes a recommendation:
- to inscribe or not to inscribe the nominated element on the List of Intangible Cultural Heritage in Need of Urgent Safeguarding or the Representative List of the Intangible Cultural Heritage of Humanity, or to refer the nomination to the submitting State(s) for additional information;
  - to select or not to select the proposed programme, project or activity, or to refer the proposal to the submitting State(s) for additional information; or
  - to approve or not to approve the International Assistance request, or to refer the request to the submitting State(s) for additional information.
31. The Secretariat will transmit to the Committee an overview of all nominations, proposals of programmes, projects and activities and International Assistance requests including summaries and evaluation reports. The files and evaluation reports will also be made available to States Parties for their consultation.

### **I.9 Nominations to the List of Intangible Cultural Heritage in Need of Urgent Safeguarding to be processed on an extremely urgent basis**

32. In case of extreme urgency, and in conformity with Criterion U.6, the Bureau of the Committee may invite the State(s) Party(ies) concerned to submit a nomination to the List of Intangible Cultural Heritage in Need of Urgent Safeguarding on an accelerated schedule. The Committee, in consultation with the State(s) Party(ies) concerned, shall examine the



nomination as quickly as possible after its submission, in accordance with a procedure to be established by the Bureau of the Committee on a case-by-case basis. Cases of extreme urgency may be brought to the attention of the Bureau of the Committee by the State(s) Party(ies) on whose territory(ies) the element is located, by any other State Party, by the community concerned or by an advisory organization. The State(s) Party(ies) concerned shall be informed in a timely manner.

### **I.10 Examination of files by the Committee**

33. The Committee determines two years beforehand, in accordance with the available resources and its capacity, the number of files that can be treated in the course of the two following cycles. This ceiling shall apply to the set of files comprising nominations to the List of Intangible Cultural Heritage in Need of Urgent Safeguarding and to the Representative List of the Intangible Cultural Heritage of Humanity, proposals of programmes, projects and activities that best reflect the principles and objectives of the Convention and International Assistance requests greater than US\$100,000.
34. The Committee shall endeavour to examine to the extent possible at least one file per submitting State, within the limit of this overall ceiling, giving priority to:
  - (i) files from States having no elements inscribed, best safeguarding practices selected or requests for International Assistance greater than US\$100,000 approved, and nominations to the List of Intangible Cultural Heritage in Need of Urgent Safeguarding;
  - (ii) multi-national files; and
  - (iii) files from States with the fewest elements inscribed, best safeguarding practices selected or requests for International Assistance greater than US\$100,000 approved, in comparison with other submitting States during the same cycle.

In case they submit several files during the same cycle, submitting States shall indicate the order of priority in which they wish their files to be examined and are invited to give priority to the List of Intangible Cultural Heritage in Need of Urgent Safeguarding.

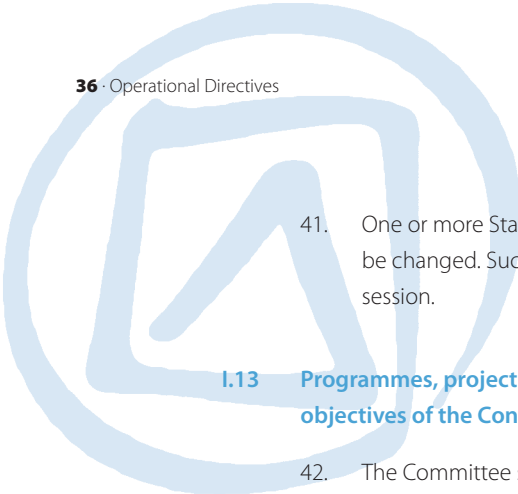
35. After examination, the Committee decides:
  - whether or not an element shall be inscribed on the List of Intangible Cultural Heritage in Need of Urgent Safeguarding or on the Representative List of the Intangible Cultural Heritage of Humanity or whether the nomination shall be referred to the submitting State(s) for additional information;

- whether or not a programme, project or activity shall be selected as a best safeguarding practice, or whether the proposal shall be referred to the submitting State(s) for additional information; or
  - whether or not an International Assistance request greater than US\$100,000 shall be approved, or whether the proposal shall be referred to the submitting State(s) for additional information.
36. Nominations, proposals or requests that the Committee decides not to inscribe, select, or approve, or to refer to the submitting State(s) for additional information, may be resubmitted to the Committee for examination during a following cycle, after having been updated and supplemented.
37. A decision by the Committee to refer a nomination, proposal or request to the submitting State(s) for additional information does not imply or guarantee that the element will be inscribed, the proposal selected or the request approved in the future. Any subsequent resubmission must fully demonstrate that the criteria for inscription, selection or approval are satisfied.

#### **I.11 Transfer of an element from one List to the other or removal of an element from a List**

38. An element may not simultaneously be inscribed on the List of Intangible Cultural Heritage in Need of Urgent Safeguarding and the Representative List of the Intangible Cultural Heritage of Humanity. 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.
39. An element shall be removed from the List of Intangible Cultural Heritage in Need of Urgent Safeguarding by the Committee when it determines, after assessment of the implementation of the safeguarding plan, that the element no longer satisfies one or more criteria for inscription on that list.
40. An element shall be removed from the Representative List of the Intangible Cultural Heritage of Humanity by the Committee when it determines that it no longer satisfies one or more criteria for inscription on that list.

#### **I.12 Modification of name of an inscribed element**

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41. One or more States Parties 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.

### **I.13 Programmes, projects and activities selected as best reflecting the principles and objectives of the Convention**

42. The Committee shall encourage research, documentation, publication and dissemination of good practices and models with international cooperation in generating safeguarding measures and creating favourable conditions for such measures that have been evolved by States Parties in the implementation of selected programmes, projects and activities, with or without assistance.
43. The Committee shall encourage States Parties to create favourable conditions for the implementation of such programmes, projects and activities.
44. In addition to the register of selected programmes, projects and activities, the Committee shall compile and make available information about the measures and methodologies used, and experiences gained, if any.
45. The Committee shall encourage research on and evaluation of the effectiveness of safeguarding measures included in the programmes, projects and activities that it has selected and shall promote international cooperation in such research and evaluation.
46. On the basis of experiences gained and lessons learned in these and other safeguarding programmes, projects and activities, the Committee shall provide guidance on best safeguarding practices and make recommendations on measures for safeguarding intangible cultural heritage (Article 7(b) of the Convention).

### **I.14 International Assistance**

47. International Assistance requests up to US\$100,000 (except requests for preparatory assistance) and emergency requests regardless of the amount can be submitted at any time.
48. The Secretariat shall assess the completeness of the request and may ask for missing information. It shall inform the requesting State(s) Party(ies) about the possible examination dates of the request.

49. Requests up to US\$100,000, including preparatory assistance, are examined and approved by the Bureau of the Committee.
50. Emergency requests, regardless of the amount are examined and approved by the Bureau of the Committee. For the purpose of determining whether a request for International Assistance constitutes an emergency request eligible to receive priority consideration by the Bureau, an emergency shall be considered to exist when a State Party finds itself unable to overcome on its own any circumstance due to calamity, natural disaster, armed conflict, serious epidemic or any other natural or human event that has severe consequences for the intangible cultural heritage as well as communities, groups and, if applicable, individuals who are the bearers of that heritage.
51. Requests greater than US\$100,000 are evaluated by the Evaluation Body described in paragraph 27 above, and examined and approved by the Committee.
52. 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.
53. The assistance will be subject to appropriate monitoring, reporting and evaluation.

### 1.15 Timetable – Overview of procedures

54. Phase 1: Preparation and submission
  - 31 March Year 0 Deadline for preparatory assistance requests for the elaboration of nominations for the List of Intangible Cultural Heritage in Need of Urgent Safeguarding and proposals for programmes, projects and activities that best reflect the objectives of the Convention (Article 18).
  - 31 March Year 1 Deadline by which nominations for the List of Intangible Cultural Heritage in Need of Urgent Safeguarding and the Representative List of the Intangible Cultural Heritage of Humanity, proposals for programmes, projects and activities and International Assistance requests greater than US\$100,000 must be received by the Secretariat. Files received after this date will be examined in the next cycle. The Secretariat posts on the website of the Convention, in their original language, files as received.



30 June  
Year 1 Deadline by which the Secretariat will have processed the files, including registration and acknowledgement of receipt. If a file is found incomplete, the State Party is invited to complete the file.

30 September  
Year 1 Deadline by which missing information required to complete the files, if any, shall be submitted by the State Party to the Secretariat. Files that remain incomplete are returned to the States Parties that may complete them for a subsequent cycle. As files revised by submitting States reach the Secretariat following its requests for additional information, they are posted online and replace the original files received. Their translations into English or French are also posted online as they become available.

55. Phase 2: Evaluation

December Year 1 to May Year 2 Evaluation of the files by the Evaluation Body.

April – June Year 2 Meeting for final evaluation by the Evaluation Body.

Four weeks prior to the session of the Committee The Secretariat transmits the evaluation reports to the members of the Committee and makes them available on-line for consultation.

56. Phase 3: Examination

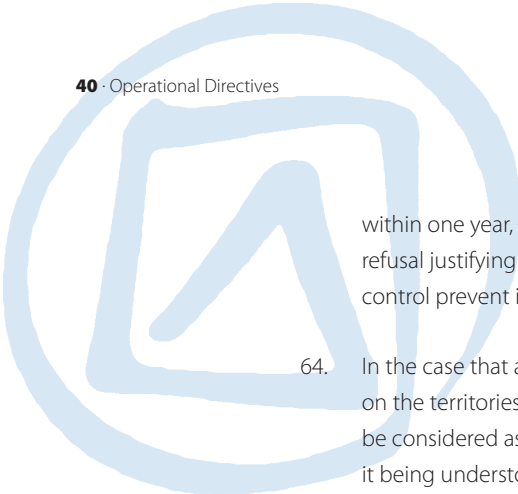
November Year 2 The Committee examines the nominations, proposals and requests and makes its decisions.

### **1.16 Incorporation of items proclaimed 'Masterpieces of the Oral and Intangible Heritage of Humanity' in the Representative List of the Intangible Cultural Heritage of Humanity**

57. In conformity with Article 31.1 of the Convention, the Committee shall automatically incorporate in the List foreseen in Article 16 of the Convention all the items that had been

proclaimed 'Masterpieces of the Oral and Intangible Heritage of Humanity' before the entry into force of the Convention, following the adoption of the present Operational Directives by the General Assembly.

58. This incorporation is enforceable upon all States having present on their territories one or several items proclaimed Masterpieces, whether or not they are party to the Convention. Concerning the States non party whose items proclaimed Masterpieces have been incorporated in the List, they shall enjoy all the rights and assume all the obligations included within the Convention as regards only those items present on their territories, on the condition that they so consent in writing, it being understood that those rights and obligations cannot be invoked or applied separately from each other.
59. All States non party having present on their territories items proclaimed Masterpieces shall be notified by the Director-General about the adoption of the present Operational Directives which require that these items be placed on an equal footing with items inscribed in the future, in conformity with Article 16.2 of the Convention, and governed by the same legal regime for monitoring, transfer from one List to the other or withdrawal, according to the modalities foreseen by these Operational Directives.
60. Through the above-mentioned notification, States non party will simultaneously be invited by the Director-General as mandated by the Committee to express, within one year, their explicit consent in writing to accept the rights and assume the obligations contained in the Convention in accordance with the modalities foreseen in paragraphs 58 and 59 above.
61. The written notification of this acceptance by the State non party shall be addressed to the Director-General acting in his capacity as Depositary of the Convention, and constitutes submission of the items proclaimed Masterpieces concerned to the full legal regime of the Convention.
62. In the case that a State non party to the Convention has refused to provide within one year written consent to accept the rights and assume the obligations under the Convention concerning items present on its territory and inscribed on the Representative List of the Intangible Cultural Heritage of Humanity, the Committee shall have the right to withdraw these items from the List.
63. In the case that a State non party to the Convention has not responded to the notification or keeps silent on its intent, or in the case of absence of an explicit indication of its consent



within one year, its silence or lack of response will be considered by the Committee as a refusal justifying the application of paragraph 62 above, unless circumstances beyond its control prevent it from notifying its acceptance or refusal.

64. In the case that an item proclaimed Masterpiece incorporated in the List is found to be on the territories of both a State Party and a State non party to the Convention, it shall be considered as benefiting from the full legal regime established by the Convention, it being understood that the State non party shall be invited by the Director-General as mandated by the Committee to consent to the obligations foreseen by the Convention. In the absence of an explicit indication of the State non party's consent, the Committee shall have the right to recommend that it refrain from undertaking any act that might harm the item proclaimed Masterpiece so concerned.
65. The Committee shall report to the General Assembly on the measures undertaken in this respect according to the modalities and formalities foreseen by the present Operational Directives.

## CHAPTER II THE INTANGIBLE CULTURAL HERITAGE FUND

### II.1 Guidelines for the use of the resources of the Fund

66. The resources of the Fund, which is managed as a special account in conformity with Article 1.1 of its Financial Regulations, shall be used primarily for granting International Assistance as described in Chapter V of the Convention.
67. The resources may further be used:
- (a) for the replenishment of the Reserve Fund mentioned in Article 6 of the Financial Regulations;
  - (b) for the support of other functions of the Committee as described in Article 7 of the Convention, including those related to the proposals mentioned in Article 18 of the Convention;
  - (c) for the costs of participation in the sessions of the Committee of representatives of developing States Members of the Committee, but only for persons who are experts in intangible cultural heritage, and, if the budget allows, on a case-by-case basis, for the costs of participation of representatives who are experts in intangible cultural heritage,



- from developing countries that are Parties to the Convention but not Members of the Committee;
- (d) for the costs of advisory services to be provided, at the request of the Committee, by non-governmental and non-profit-making organizations, public or private bodies and private persons;
  - (e) for the costs of participation of public or private bodies, as well as private persons, notably members of communities and groups, that have been invited by the Committee to its meetings to be consulted on specific matters.

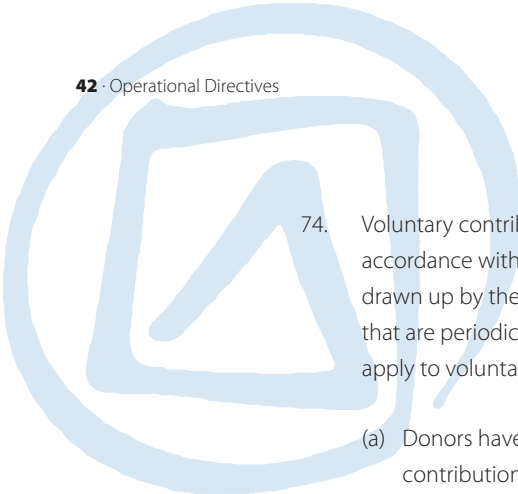
## II.2 The means to increase the resources of the Intangible Cultural Heritage Fund

### II.2.1 Donors

- 68. The Committee welcomes contributions to the Intangible Cultural Heritage Fund [‘the Fund’] aimed at reinforcing the capacities of the Committee to execute its functions.
- 69. The Committee welcomes such contributions from the United Nations and its specialized agencies and programmes, in particular the United Nations Development Programme, and from other international organizations. The Committee also encourages States Parties to the Convention and other States to provide voluntary contributions to the Fund. The Committee further welcomes contributions to the Fund from public and private bodies and individuals.
- 70. The Committee encourages the establishment of national, public and private foundations or associations aimed at promoting the objectives of the Convention, and welcomes their contributions to the Intangible Cultural Heritage Fund.
- 71. The Committee calls upon States Parties to lend their support to international fund- raising campaigns organized for the benefit of the Fund under the auspices of UNESCO.

### II.2.2 Conditions

- 72. No political, economic or other conditions which are incompatible with the objectives of the Convention may be attached to contributions made to the Fund.
- 73. No contributions may be accepted from entities whose activities are not compatible with the aims and principles of the Convention, with existing international human rights instruments, with the requirements of sustainable development or with the requirements of mutual respect among communities, groups and individuals. The Secretariat may decide to put specific cases of contributions before the Committee.

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74. Voluntary contributions to the Intangible Cultural Heritage Fund are governed in accordance with the Fund's financial regulations, the Guidelines for the use of the Fund, drawn up by the General Assembly, and the Plans for the use of the resources of the Fund that are periodically prepared by the Committee. In particular, the following provisions apply to voluntary contributions to the Fund:
- (a) Donors have no direct influence on the use that the Committee will make of their contribution to the Fund;
  - (b) No individual narrative or financial reporting is provided to the donor;
  - (c) Agreements are reached by a single exchange of letters between the Secretariat and the donor.
75. Information on the procedures to follow for providing voluntary contributions is available at [www.unesco.org/culture/ich](http://www.unesco.org/culture/ich) or by writing to [ich@unesco.org](mailto:ich@unesco.org).

### II.2.3 Benefits for donors

76. The Secretariat shall annually inform the Committee about the voluntary contributions provided to the Fund. The Committee shall provide visibility, if so wished by the donors, for these contributions. Voluntary contributions will also be made known on the website of the Convention.
77. Recognition to contributors shall be provided as follows:
- (a) Supplementary voluntary contributions by States Parties: the Secretariat publishes an updated list of States Parties, in alphabetical order, that have made supplementary voluntary contributions to the Fund, primarily through the website of the Convention. A printed version is published every two years, on the occasion of the session of the General Assembly.
  - (b) Contributions by other States, the United Nations and its specialized agencies and programmes, other international organizations and public bodies: the Secretariat publishes an updated list, in alphabetical order, of States other than States Parties, the United Nations and its specialized agencies and programmes, other international organizations and public bodies that have made contributions to the Fund, primarily through the website of the Convention. A printed version is published every two years, on the occasion of the session of the General Assembly.
  - (c) Contributions by private bodies and individuals: the Secretariat publishes an updated list, in the decreasing order of the amount of their contribution, of private bodies and

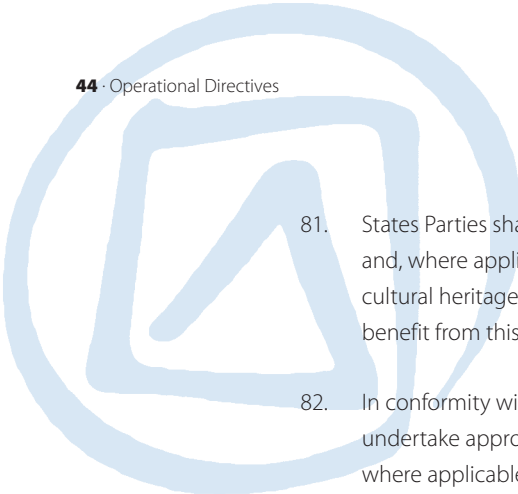
individuals that have made contributions to the Fund, primarily through the website of the Convention. A printed version is published every two years, on the occasion of the session of the General Assembly. During the 24 months following the deposit of their contribution, private contributors may promote their cooperation with the Committee in all media formats, including brochures and other publications. Materials must be reviewed and approved by the Secretariat in advance and cannot explicitly advertise contributors' products or services.

78. States Parties are encouraged to consider the possibility of recognizing private contributions to the Fund as eligible to benefit from fiscal mechanisms that motivate such voluntary financial contributions, such as tax benefits or other forms of public policy instruments defined by national law.

## CHAPTER III PARTICIPATION IN THE IMPLEMENTATION OF THE CONVENTION

### III.1 Participation of communities, groups and, where applicable, individuals, as well as experts, centres of expertise and research institutes

79. Recalling Article 11(b) of the Convention and in the spirit of Article 15 of the Convention, the Committee encourages States Parties to establish functional and complementary cooperation among communities, groups and, where applicable, individuals who create, maintain and transmit intangible cultural heritage, as well as experts, centres of expertise and research institutes.
80. States Parties are encouraged to create a consultative body or a coordination mechanism to facilitate the participation of communities, groups and, where applicable, individuals, as well as experts, centres of expertise and research institutes, in particular in:
- (a) the identification and definition of the different elements of intangible cultural heritage present on their territories;
  - (b) the drawing up of inventories;
  - (c) the elaboration and implementation of programmes, projects and activities;
  - (d) the preparation of nomination files for inscription on the Lists, in conformity with the relevant paragraphs of Chapter 1 of the present Operational Directives;
  - (e) the removal of an element of intangible cultural heritage from one List or its transfer to the other, as referred to in paragraphs 38–40 of the present Operational Directives.

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81. States Parties shall take necessary measures to raise the awareness of communities, groups and, where applicable, individuals regarding the importance and value of their intangible cultural heritage, as well as of the Convention, so that the bearers of this heritage may fully benefit from this standard-setting instrument.
  82. In conformity with the provisions of Articles 11–15 of the Convention, States Parties shall undertake appropriate measures to ensure capacity-building of communities, groups and, where applicable, individuals.
  83. States Parties are encouraged to establish and regularly update, in a manner geared to their own situation, a directory of experts, centres of expertise, research institutes and regional centres active in the domains covered by the Convention that could undertake the studies mentioned in Article 13(c) of the Convention.
  84. Among the private and public bodies mentioned in paragraph 89 of the present Operational Directives, the Committee may involve experts, centres of expertise and research institutes, as well as regional centres active in the domains covered by the Convention, in order to consult them on specific matters.
  85. States Parties shall endeavour to facilitate access by communities, groups and, where applicable, individuals to results of research carried out among them, as well as foster respect for practices governing access to specific aspects of intangible cultural heritage in conformity with Article 13(d) of the Convention.
  86. States Parties are encouraged to develop together, at the subregional and regional levels, networks of communities, experts, centres of expertise and research institutes to develop joint approaches, particularly concerning the elements of intangible cultural heritage they have in common, as well as interdisciplinary approaches.
  87. States Parties that possess documentation concerning an element of intangible cultural heritage present on the territory of another State Party are encouraged to share such documentation with that other State, which shall make that information available to the communities, groups and, where applicable, individuals concerned, as well as to experts, centres of expertise and research institutes.

88. States Parties are encouraged to participate in activities pertaining to regional cooperation, including those of category 2 centres for intangible cultural heritage that are or will be established under the auspices of UNESCO, to be able to cooperate in the most efficient manner possible, in the spirit of Article 19 of the Convention, and with the participation of communities, groups and, where applicable, individuals as well as experts, centres of expertise and research institutes.
89. Within the limit of available resources, the Committee may invite any public or private body (including centres of expertise and research institutes) as well as private persons with recognized competence in the field of intangible cultural heritage (including communities, groups, and other experts) to participate in its meetings in order to sustain an interactive dialogue and consult them on specific matters, in conformity with Article 8.4 of the Convention.

### III.2 Non-governmental organizations and the Convention

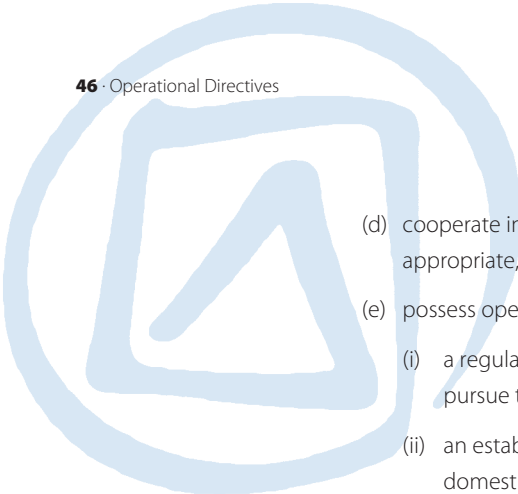
#### III.2.1 Participation of non-governmental organizations at the national level

90. In conformity with Article 11(b) of the Convention, States Parties shall involve the relevant non-governmental organizations in the implementation of the Convention, *inter alia* in identifying and defining intangible cultural heritage and in other appropriate safeguarding measures, in cooperation and coordination with other actors involved in the implementation of the Convention.

#### III.2.2 Participation of accredited non-governmental organizations

##### *Criteria for the accreditation of non-governmental organizations*

91. Non-governmental organizations shall:
  - (a) have proven competence, expertise and experience in safeguarding (as defined in Article 2.3 of the Convention) intangible cultural heritage belonging, *inter alia*, to one or more specific domains;
  - (b) have a local, national, regional or international nature, as appropriate;
  - (c) have objectives that are in conformity with the spirit of the Convention and, preferably, statutes or bylaws that conform with those objectives;



- (d) cooperate in a spirit of mutual respect with communities, groups, and, where appropriate, individuals that create, practise and transmit intangible cultural heritage;
- (e) possess operational capacities, including:
  - (i) a regular active membership, which forms a community linked by the desire to pursue the objectives for which it was established;
  - (ii) an established domicile and a recognized legal personality as compatible with domestic law;
  - (iii) having existed and having carried out appropriate activities for at least four years when being considered for accreditation.

*Modalities and review of accreditation*

- 92. The Committee asks the Secretariat to receive requests from non-governmental organizations and submit recommendations to it with regard to accrediting them and with regard to maintaining or terminating relations with them.
- 93. The Committee submits its recommendations to the General Assembly for decision, in conformity with Article 9 of the Convention. In receiving and examining such requests, the Committee shall pay due attention to the principle of equitable geographical representation based on information provided to it by the Secretariat. Accredited non-governmental organizations should abide by applicable domestic and international legal and ethical standards.
- 94. The Committee reviews the contribution and the commitment of the advisory organization, and its relations with it, every four years following accreditation, taking into account the perspective of the non-governmental organization concerned.
- 95. Termination of relations may be decided at the time of the review if the Committee deems it necessary. If circumstances require, relations may be suspended with the organization concerned until a decision regarding termination of these relations is taken.

*Advisory functions*

- 96. Accredited non-governmental organizations who, according to Article 9.1 of the Convention, shall have advisory functions to the Committee, may be invited by the Committee to provide it, *inter alia*, with reports of evaluation as a reference for the Committee to examine:

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

#### *Procedure for accreditation*

97. A non-governmental organization requesting accreditation to act in an advisory capacity to the Committee shall submit to the Secretariat the following information:
- (a) a description of the organization, including its full official name;
  - (b) its main objectives;
  - (c) its full address;
  - (d) its date of founding or approximate duration of its existence;
  - (e) the name of the country or countries in which it is active;
  - (f) documentation showing that it possesses operational capacities, including proof of:
    - (i) a regular active membership, which forms a community linked by the desire to pursue the objectives for which it was established;
    - (ii) an established domicile and a recognized legal personality as compatible with domestic law;
    - (iii) having existed and having carried out appropriate activities for at least four years when being considered for accreditation.
  - (g) its activities in the field of safeguarding intangible cultural heritage;
  - (h) a description of its experiences in cooperating with communities, groups and intangible cultural heritage practitioners.
98. Requests for accreditation shall be prepared by using the Form ICH-09 (available at [www.unesco.org/culture/ich](http://www.unesco.org/culture/ich) or on request from the Secretariat) and shall include all the information requested and only that information. Requests shall be received by the Secretariat by 30 April of odd-numbered years for examination by the Committee at its ordinary session in that same year.

99. The Secretariat shall register the proposals and keep up to date a list of non-governmental organizations accredited to the Committee.

## CHAPTER IV RAISING AWARENESS ABOUT INTANGIBLE CULTURAL HERITAGE AND USE OF THE EMBLEM OF THE CONVENTION FOR THE SAFEGUARDING OF THE INTANGIBLE CULTURAL HERITAGE

### IV.1 Raising awareness about intangible cultural heritage

#### IV.1.1 General provisions

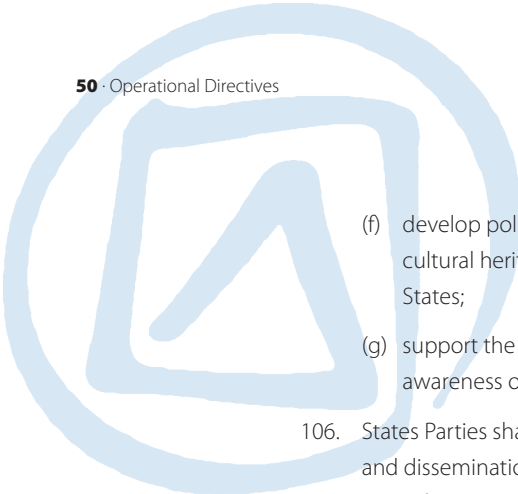
100. With a view to effectively implementing the Convention, States Parties shall endeavour, by all appropriate means, to ensure respect for the intangible cultural heritage of the communities, groups and individuals concerned, as well as raise awareness at the local, national and international levels of the importance of the intangible cultural heritage, and ensure mutual appreciation thereof.
101. When raising awareness about the importance of specific elements of intangible cultural heritage, all parties are encouraged to observe the following principles:
- (a) The intangible cultural heritage concerned responds to the definition in Article 2.1 of the Convention;
  - (b) The communities, groups and, where appropriate, individuals concerned have given their free, prior and informed consent to raise awareness about their intangible cultural heritage, and their widest possible participation in the awareness-raising actions is ensured;
  - (c) The awareness-raising actions fully respect customary practices governing access to specific aspects of such heritage, in particular secret and sacred aspects;
  - (d) The communities, groups and, where appropriate, individuals concerned shall benefit from the actions taken to raise awareness about their intangible cultural heritage.
102. All parties are encouraged to take particular care to ensure that awareness-raising actions will not:
- (a) de-contextualize or denaturalize the intangible cultural heritage manifestations or expressions concerned;



- (b) mark the communities, groups or individuals concerned as not participating in contemporary life, or harm in any way their image;
- (c) contribute to justifying any form of political, social, ethnic, religious, linguistic or gender-based discrimination;
- (d) facilitate the misappropriation or abuse of the knowledge and skills of the communities, groups or individuals concerned;
- (e) lead to over-commercialization or to unsustainable tourism that may put at risk the intangible cultural heritage concerned.

#### IV.1.2 Local and national levels

103. States Parties are encouraged to develop and adopt codes of ethics based on the provisions of the Convention and these Operational Directives, in order to ensure appropriate ways of raising awareness about the intangible cultural heritage present in their respective territories.
104. States Parties shall endeavour to ensure, in particular through the application of intellectual property rights, privacy rights and any other appropriate form of legal protection, that the rights of the communities, groups and individuals that create, bear and transmit their intangible cultural heritage are duly protected when raising awareness about their heritage or engaging in commercial activities.
105. States Parties shall endeavour, by all appropriate means, to keep the public informed about the importance of intangible cultural heritage and the dangers threatening it, as well as about the activities carried out in pursuance of the Convention. To this end, States Parties are encouraged to:
  - (a) support media campaigns and the broadcasting of intangible cultural heritage using all forms of media;
  - (b) support the organization of symposiums, workshops, public forums and seminars on intangible cultural heritage, as well as exhibitions, festivals, intangible cultural heritage days and contests;
  - (c) support case studies and field surveys, and disseminate this information;
  - (d) promote policies for the public recognition of bearers and practitioners of intangible cultural heritage;
  - (e) promote and support the establishment of community associations, and foster the exchange of information among them;

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- (f) develop policies to recognize the contribution of the manifestations of the intangible cultural heritage present in their territories to the cultural diversity and wealth of the States;
  - (g) support the development and implementation of local policies aiming at promoting awareness of intangible cultural heritage.

106. States Parties shall endeavour in particular to adopt measures to support the promotion and dissemination of the programmes, projects and activities selected by the Committee, in conformity with Article 18 of the Convention, as best reflecting the principles and objectives of the Convention.

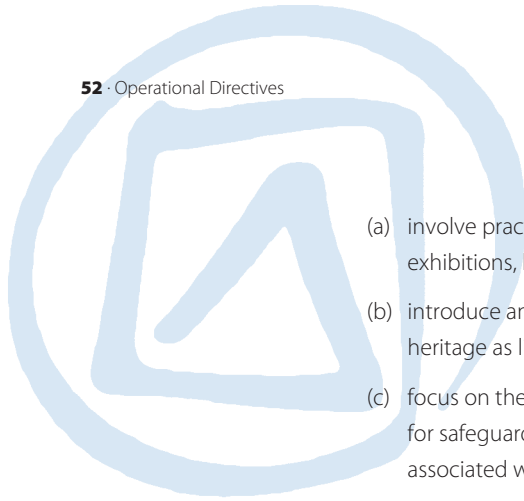
*Formal and non-formal education measures*

107. States Parties shall endeavour, by all appropriate means, to ensure recognition of, respect for and enhancement of intangible cultural heritage through educational and information programmes, as well as capacity-building activities and non-formal means of transmitting knowledge (Article 14(a) of the Convention). States Parties are encouraged, in particular, to implement measures and policies aimed at:
- (a) promoting the role of intangible cultural heritage as an instrument of integration and intercultural dialogue, and promoting multilingual education to include vernacular languages;
  - (b) teaching about intangible cultural heritage in school curricula adapted to local specificities, and developing appropriate educational and training material such as books, CDs, videos, documentaries, manuals or brochures;
  - (c) enhancing the capacities of teachers to teach about intangible cultural heritage, and developing guides and manuals to this end;
  - (d) involving parents and parent associations to suggest themes and modules for teaching intangible cultural heritage in schools;
  - (e) involving practitioners and bearers in the development of educational programmes and inviting them to explain their heritage in schools and educational institutions;
  - (f) involving youth in collecting and disseminating information about the intangible cultural heritage of their communities;
  - (g) acknowledging the value of the non-formal transmission of the knowledge and skills embedded in intangible cultural heritage;

- (h) privileging experience of intangible cultural heritage with practical methods by employing participatory educational methodologies, also in the form of games, home-tutoring and apprenticeships;
- (i) developing activities such as summer training, open-days, visits, photo and video contests, cultural heritage itineraries, or school trips to natural spaces and places of memory whose existence is necessary for expressing intangible cultural heritage;
- (j) making full use, where appropriate, of information and communication technologies;
- (k) teaching about intangible cultural heritage in universities and fostering the development of interdisciplinary scientific, technical and artistic studies, as well as research methodologies;
- (l) providing vocational guidance to youth by informing them about the value of intangible cultural heritage for personal and career development;
- (m) training communities, groups or individuals in the management of small businesses dealing with intangible cultural heritage.

*Community centres and associations, museums, archives and other similar entities*

108. Community centres and associations that are created and managed by communities themselves can play a vital role in supporting the transmission of intangible cultural heritage and informing the general public about its importance for those communities. In order to contribute to raising awareness about intangible cultural heritage and its importance, they are encouraged to:
  - (a) be used by communities as cultural spaces in which their intangible cultural heritage is safeguarded through non-formal means;
  - (b) be used as places for transmitting traditional knowledge and skills and thus contribute to intergenerational dialogue;
  - (c) serve as information centres about a community's intangible cultural heritage.
109. Research institutes, centres of expertise, museums, archives, libraries, documentation centres and similar entities play an important role in collecting, documenting, archiving and conserving data on intangible cultural heritage, as well as in providing information and raising awareness about its importance. In order to enhance their awareness-raising functions about intangible cultural heritage, these entities are encouraged to:



- (a) involve practitioners and bearers of intangible cultural heritage when organizing exhibitions, lectures, seminars, debates and training on their heritage;
- (b) introduce and develop participatory approaches to presenting intangible cultural heritage as living heritage in constant evolution;
- (c) focus on the continuous recreation and transmission of knowledge and skills necessary for safeguarding intangible cultural heritage, rather than on the objects that are associated with it;
- (d) employ, when appropriate, information and communication technologies to communicate the meaning and value of intangible cultural heritage;
- (e) involve practitioners and bearers in their management, putting in place participatory systems for local development.

#### *Communications and media*

- 110. The media can effectively contribute to raising awareness about the importance of intangible cultural heritage.
- 111. The media are encouraged to contribute to raising awareness about the importance of the intangible cultural heritage as a means to foster social cohesion, sustainable development and prevention of conflict, in preference to focusing only on its aesthetic or entertainment aspects.
- 112. The media are encouraged to contribute to raising awareness among the public at large about the diversity of intangible cultural heritage manifestations and expressions, particularly through the production of specialized programmes and products addressing different target groups.
- 113. Audiovisual media are encouraged to create quality television and radio programmes, as well as documentaries, to enhance the visibility of the intangible cultural heritage and its role in contemporary societies. Local broadcasting networks and community radios could play a major role in enhancing knowledge of local languages and culture, as well as spreading information on good safeguarding practices.
- 114. The media are encouraged to contribute to the sharing of information within communities by using their existing networks in order to support them in their safeguarding efforts, or by providing discussion forums at local and national levels.

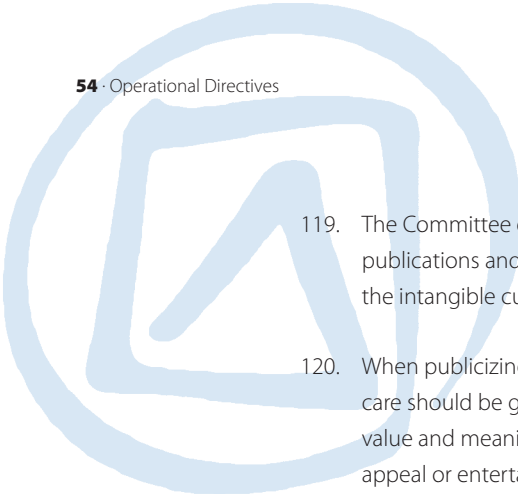
115. Information technology institutions are encouraged to facilitate the interactive exchange of information and enhance non-formal means of transmission of intangible cultural heritage, in particular by developing interactive programmes and games targeting youth.

#### *Commercial activities related to intangible heritage*

116. Commercial activities that can emerge from certain forms of intangible cultural heritage and trade in cultural goods and services related to intangible cultural heritage can raise awareness about the importance of such heritage and generate income for its practitioners. They can contribute to improving the living standards of the communities that bear and practise the heritage, enhance the local economy, and contribute to social cohesion. These activities and trade should not, however, threaten the viability of the intangible cultural heritage, and all appropriate measures should be taken to ensure that the communities concerned are their primary beneficiaries. Particular attention should be given to the way such activities might affect the nature and viability of the intangible cultural heritage, in particular the intangible cultural heritage manifested in the domains of rituals, social practices or knowledge about nature and the universe.
117. Particular attention should be paid to avoiding commercial misappropriation, to managing tourism in a sustainable way, to finding a proper balance between the interests of the commercial party, the public administration and the cultural practitioners, and to ensuring that the commercial use does not distort the meaning and purpose of the intangible cultural heritage for the community concerned.

#### **IV.1.3 International level**

118. The Committee updates and publishes annually the List of Intangible Cultural Heritage in Need of Urgent Safeguarding, the Representative List of the Intangible Cultural Heritage of Humanity and the Register of programmes, projects and activities that best reflect the principles and objectives of the Convention. In order to ensure better visibility of the intangible cultural heritage and awareness of its significance at the local, national and international levels, the Committee encourages and supports the widest possible dissemination of the Lists through formal and non-formal means, in particular by:
- (a) schools, including those belonging to UNESCO's Associated Schools network;
  - (b) community centres, museums, archives, libraries and similar entities;
  - (c) universities, centres of expertise and research institutes;
  - (d) all forms of media, including UNESCO's website.

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119. The Committee encourages the production of audiovisual and digital material, as well as publications and other promotional material such as maps, stamps, posters or stickers on the intangible cultural heritage, including the elements inscribed on the Lists.
  120. When publicizing and disseminating information on the elements inscribed on the Lists, care should be given to presenting the elements in their context and to focusing on their value and meaning for the communities concerned, rather than only on their aesthetic appeal or entertainment value.
  121. The Committee shall accompany the implementation of programmes, projects and activities that it considers best reflect the principles and objectives of the Convention by disseminating best practices using all possible means, including those referred to in paragraph 118 above of these Operational Directives.
  122. To contribute to the fullest possible visibility and raise awareness about intangible cultural heritage, the emblem of the Convention may be used in accordance with the principles and regulations established for this purpose, as laid out in paragraphs 126–150 of these Operational Directives.
  123. In order to assist the Committee in raising awareness of intangible cultural heritage, the UNESCO Secretariat shall:
    - (a) function as a clearing house for the collection, exchange and dissemination of information on intangible cultural heritage, in particular through the maintenance and update of databases, an information management system and a website;
    - (b) facilitate the exchange of information among communities and groups, civil society, non-governmental organizations, centres of expertise, research institutes and other entities with expertise or interest in the field of intangible cultural heritage;
    - (c) produce training and information material addressed to different publics to support safeguarding and awareness-raising efforts; such material should be easily reproduced and translated locally;
    - (d) organize and participate in workshops, seminars and international conferences in order to provide information about the Convention;
    - (e) coordinate efforts in raising awareness about the importance of intangible cultural heritage with the Secretariats of other UNESCO normative instruments

and programmes, as well as with other UN Agencies and Programmes and other intergovernmental organizations;

- (f) promote the importance of intangible cultural heritage in international celebrations such as International Mother Language Day or the World Day for Cultural Diversity for Dialogue and Development, and launch international campaigns aiming at raising awareness about intangible cultural heritage and increasing voluntary contributions to the Intangible Cultural Heritage Fund;
- (g) include training on intangible cultural heritage in UNESCO scholarship systems and traineeships.

## IV.2 Use of the emblem of the Convention for the Safeguarding of the Intangible Cultural Heritage

### IV.2.1 Definition

124. The emblem or logo of the Convention, which is used as its official seal, is shown below:

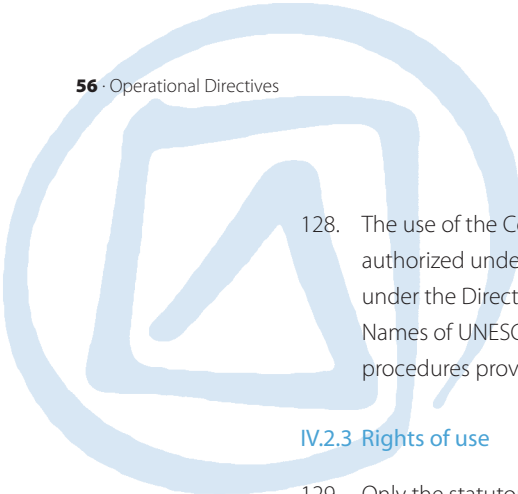


125. The Convention's emblem shall be accompanied by UNESCO's emblem and may not be used in isolation, it being understood that each of them is governed by a separate set of rules and that any use must have been authorized in accordance with each of the respective sets of rules.

### IV.2.2 Rules applicable to use of the emblem of UNESCO and the emblem of the Convention respectively

126. The provisions of the present Directives apply only to the use of the emblem of the Convention.
127. The use of UNESCO's emblem which accompanies the emblem of the Convention is governed by the Directives concerning the Use of the Name, Acronym, Logo and Internet Domain Names of UNESCO, as adopted by the General Conference of UNESCO.<sup>1</sup>

1. The most recent version of the Directives concerning the Use of the Name, Acronym, Logo and Internet Domain Names of UNESCO is found in the annex to Resolution 86 of the 34th session of the General Conference (34 C/Resolution 86) or at <http://unesdoc.unesco.org/images/0015/001560/156046e.pdf>.

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128. The use of the Convention's emblem linked to the UNESCO emblem, therefore, must be authorized under the present Directives (for the part of the Convention's emblem) and under the Directives concerning the Use of the Name, Acronym, Logo and Internet Domain Names of UNESCO (for the part of UNESCO's emblem) in accordance with the respective procedures provided under each of these Directives.

#### IV.2.3 Rights of use

129. Only the statutory organs of the Convention, i.e. the General Assembly and the Committee, as well as the Secretariat have the right to use the emblem of the Convention without prior authorization, subject to the rules set out by the present Directives.

#### IV.2.4 Authorization

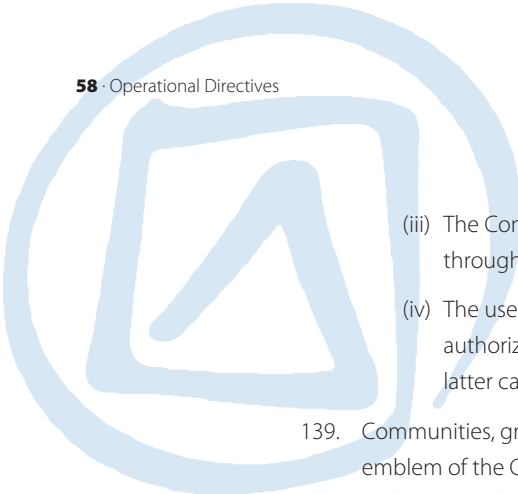
130. Authorizing the use of the emblem of the Convention is the prerogative of the statutory organs of the Convention, i.e. the General Assembly and the Committee. In specific cases as set out by the present Directives, the statutory organs empower, by delegation, the Director-General to authorize such use to other bodies. The power to authorize the use of the emblem of the Convention cannot be granted to other bodies.
131. The General Assembly and the Committee authorize the use of the emblem of the Convention by means of resolutions and decisions, notably in the case of activities carried out by official partners, global or regional prizes, and special events in the States Parties. The General Assembly and the Committee may authorize the National Commissions for UNESCO, or other duly designated authority, at the request of the State Party concerned, to use the emblem and to deal with questions relating to the use of the emblem at the national level.
132. The statutory organs of the Convention should ensure that their resolutions and decisions stipulate the terms of the authorization granted, in accordance with the present Directives.
133. The Director-General is empowered to authorize the use of the Convention's emblem in connection with patronage and contractual arrangements and partnerships, as well as specific promotional activities.
134. Any decision authorizing the use of the emblem of the Convention shall be based on the following criteria: (i) relevance of the proposed association to the Convention's purposes and objectives and (ii) compliance with the principles of the Convention.



135. The statutory organs may ask the Director-General to put specific cases of authorization before them and/or submit to them an occasional or regular report on specific cases of use and/or of authorization, notably concerning the granting of patronage, partnerships and commercial use.
136. The Director-General may decide to put specific cases of authorization before the statutory organs of the Convention.

#### IV.2.5 Criteria and conditions for the use of the emblem for the purpose of patronage

137. The use of the emblem for the purpose of patronage may be authorized for various kinds of activities such as performances, cinematographic works and other audiovisual productions, publications, congresses, meetings and conferences, the awarding of prizes, and other national and international events, as well as works that embody the intangible cultural heritage.
138. The procedures for requesting the use of the Convention's emblem for the purpose of patronage shall be provided by the Secretariat, in line with the following criteria and conditions:
  - (a) Criteria:
    - (i) Impact: use may be granted for exceptional activities likely to have a real impact on safeguarding intangible cultural heritage and to enhance significantly the Convention's visibility.
    - (ii) Reliability: adequate assurance should be obtained concerning those in charge (professional experience and reputation, references and recommendations, legal and financial guarantees) and the activities concerned (political, legal, financial and technical feasibility).
  - (b) Conditions:
    - (i) The use of the Convention's emblem for the purpose of patronage must be requested from the Secretariat at least three months prior to the first day of the period intended; the use of the Convention's emblem for the purpose of patronage is authorized in writing, and exclusively by the Director-General.
    - (ii) In the case of national activities, the decision regarding the authorization to use the Convention's emblem for the purpose of patronage is made on the basis of obligatory consultations with the State Party in whose territory the activity is held.



- (iii) The Convention must be afforded an appropriate degree of visibility, notably through the use of its emblem.
  - (iv) The use of the Convention's emblem for the purpose of patronage may be authorized to individual activities or to activities which take place regularly. In the latter case, the duration must be fixed and the authorization renewed periodically.
139. Communities, groups or, if applicable, individuals concerned are encouraged to use the emblem of the Convention with regard to their activities and special events to safeguard and promote their cultural heritage inscribed on the List of Intangible Cultural Heritage in Need of Urgent Safeguarding or the Representative List of the Intangible Cultural Heritage of Humanity, under the conditions specified in the present Operational Directives.

#### IV.2.6 Commercial use and contractual arrangements

140. Any contractual arrangement between the Secretariat and outside organizations involving commercial use of the Convention's emblem by those organizations (for example, in the framework of partnerships with the private sector or civil society, co-publication or co-production agreements, or contracts with professionals and personalities supporting the Convention) must include a standard clause stipulating that any use of the emblem must be requested and approved previously in writing.
141. Authorizations accorded under such contractual arrangements must be limited to the context of the designated activity.
142. The sale of goods or services bearing the emblem of the Convention chiefly for profit shall be regarded as 'commercial use' for the purpose of these Directives. Any commercial use of the emblem of the Convention must be expressly authorized by the Director-General, under a specific contractual arrangement. If the commercial use of the emblem is directly connected with a specific element inscribed on a List, the Director-General may authorize it after consulting the State(s) Party(ies) concerned.
143. When profit, as mentioned in the previous paragraph, is anticipated, the Director-General should ensure that the Intangible Cultural Heritage Fund receives a fair share of the revenues and should conclude a contract concerning the project, including the arrangements for provision of income to the Fund. Such contributions to the Fund shall be governed in accordance with the Financial Regulations of the Intangible Cultural Heritage Fund.

#### IV.2.7 Graphical standards

144. The Convention emblem shall be reproduced according to the precise graphical standards elaborated by the Secretariat and published on the website of the Convention, and shall not be altered.

#### IV.2.8 Protection

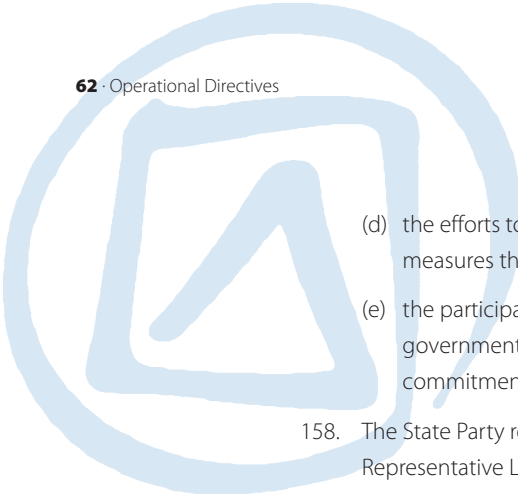
145. To the extent that the emblem of the Convention has been notified and accepted by the Paris Union Member States under Article 6*ter* of the Paris Convention for the Protection of Industrial Property, adopted in 1883 and revised at Stockholm in 1967, UNESCO has recourse to Paris Convention Member States' domestic systems to prevent the use of the emblem of the Convention where such use falsely suggests a connection with UNESCO, the Convention, or any other abusive use.
146. States Parties are invited to provide the Secretariat with the names and addresses of the authorities in charge of managing the use of the emblem.
147. Those requesting use of the emblem at the national level are encouraged to consult with the designated national authorities. The Secretariat shall inform the designated national authorities of cases of authorization.
148. In specific cases, the statutory organs of the Convention may ask the Director-General to monitor the proper use of the emblem of the Convention, and to initiate proceedings against abusive use where appropriate.
149. The Director-General is responsible for instituting proceedings in the case of unauthorized use at the international level of the emblem of the Convention. At the national level this shall be the responsibility of the relevant national authorities.
150. The Secretariat and the States Parties should closely cooperate in order to prevent any unauthorized use of the emblem of the Convention at the national level, in liaison with competent national bodies and in line with the present Operational Directives.

## CHAPTER V REPORTING TO THE COMMITTEE

### V.1 Reports by States Parties on the implementation of the Convention

151. Each State Party to the Convention periodically submits to the Committee reports on the legislative, regulatory and other measures taken for the implementation of the Convention. States Parties are encouraged to complement the data gathered on the implementation of the Convention with information provided by relevant non-governmental organizations.
152. The State Party submits its periodic report to the Committee by 15 December of the sixth year following the year in which it deposited its instrument of ratification, acceptance or approval, and every sixth year thereafter. Form ICH-10 is used for such reports, available at [www.unesco.org/culture/ich](http://www.unesco.org/culture/ich) or on request from the Secretariat. The reports shall include only the information requested in the form.
153. The State Party reports on the legislative, regulatory and other measures taken for implementation of the Convention at the national level, including:
  - (a) drawing up of inventories of the intangible cultural heritage present in its territory, as described in Articles 11 and 12 of the Convention;
  - (b) other safeguarding measures as referred to in Articles 11 and 13 of the Convention, including:
    - (i) adopting a general policy aimed at promoting the function of intangible cultural heritage in society and integrating its safeguarding into planning programmes;
    - (ii) fostering scientific, technical and artistic studies with a view to effective safeguarding;
    - (iii) facilitating, to the extent possible, access to information relating to intangible cultural heritage while respecting customary practices governing access to specific aspects of it.
154. The State Party reports on the legislative, regulatory and other measures taken at the national level to strengthen institutional capacities for safeguarding intangible cultural heritage, as described in Article 13 of the Convention, including:

- (a) designating or establishing one or more competent bodies for safeguarding its intangible cultural heritage;
  - (b) strengthening institutions for training in intangible cultural heritage management and transmission of this heritage;
  - (c) establishing documentation institutions for intangible cultural heritage and, to the extent possible, facilitating access to them.
155. The State Party reports on the legislative, regulatory and other measures taken at the national level to ensure greater recognition of, respect for and enhancement of intangible cultural heritage, in particular those referred to in Article 14 of the Convention:
- (a) educational, awareness-raising and information programmes;
  - (b) educational and training programmes within the communities and groups concerned;
  - (c) capacity-building activities for the safeguarding of the intangible cultural heritage;
  - (d) non-formal means of transmitting knowledge;
  - (e) education for the protection of natural spaces and places of memory.
156. The State Party reports on the measures taken by it at the bilateral, subregional, regional and international levels for the implementation of the Convention, including measures of international cooperation such as the exchange of information and experience, and other joint initiatives, as referred to in Article 19 of the Convention.
157. The State Party reports on the current status of all elements of intangible cultural heritage present in its territory that have been inscribed on the Representative List of the Intangible Cultural Heritage of Humanity. The State Party shall pay special attention to the role of gender and shall endeavour to ensure the widest possible participation of the communities, groups, and, where applicable, individuals concerned as well as relevant non-governmental organizations during the process of preparation of such reports, which shall address, for each element concerned:
- (a) the element's social and cultural functions;
  - (b) an assessment of its viability and the current risks it faces, if any;
  - (c) its contribution to the goals of the List;

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- (d) the efforts to promote or reinforce the element, particularly the implementation of any measures that might have been necessary as a consequence of its inscription;
  - (e) the participation of communities, groups and individuals as well as relevant non-governmental organizations in safeguarding the element and their continued commitment to its further safeguarding.

158. The State Party reports on the institutional context for the element inscribed on the Representative List of the Intangible Cultural Heritage of Humanity, including:

- (a) the competent body(ies) involved in its management and/or safeguarding;
- (b) the organization(s) of the community or group concerned with the element and its safeguarding.

159. States Parties shall respond, in a timely manner, to specific requests addressed to them by the Committee for additional information, if needed between the deadlines set out in paragraph 152 above.

## V.2 Reports by States Parties on elements inscribed on the List of Intangible Cultural Heritage in Need of Urgent Safeguarding

160. Each State Party shall submit to the Committee reports on the status of elements of intangible cultural heritage present in its territory that have been inscribed on the List of Intangible Cultural Heritage in Need of Urgent Safeguarding at its request or, in cases of extreme urgency, after consultation with it. The State Party shall endeavour to involve as broadly as possible the communities, groups and, where applicable, individuals concerned as well as relevant non-governmental organizations during the process of preparation of such reports.

161. Such reports shall normally be submitted to the Committee by 15 December of the fourth year following the year in which the element was inscribed, and every fourth year thereafter. Form ICH-11 is used for such reports, available at [www.unesco.org/culture/ich](http://www.unesco.org/culture/ich) or on request from the Secretariat. The reports shall include only the information requested in the form. At the time of inscription the Committee may on a case-by-case basis establish a specific timetable for reporting that will take precedence over the normal four-year cycle.

162. The State Party shall pay special attention to the role of gender and shall report on the current status of the element, including:

- (a) its social and cultural functions;
- (b) an assessment of its viability and the current risks it faces;


- (c) the impacts of the efforts to safeguard the element, particularly the implementation of the safeguarding plan that was submitted at the time of nomination;
  - (d) the participation of communities, groups and individuals as well as relevant non-governmental organizations in safeguarding the element and their continued commitment to its further safeguarding.
163. The State Party shall report on the institutional context for safeguarding the element inscribed on the List, including:
- (a) the competent body(ies) involved in its safeguarding;
  - (b) the organization(s) of the community or group concerned with the element and its safeguarding.
164. States Parties shall respond, in a timely manner, to specific requests addressed to them by the Committee for additional information, if needed between the deadlines set out in paragraph 161 above.

### **V.3 Receipt and processing of reports**

165. Upon receipt of reports from States Parties, the Secretariat shall register them and acknowledge receipt. If a report is incomplete, the State Party will be advised how to complete it.
166. The Secretariat transmits to the Committee an overview of all reports received four weeks prior to its session. The overview and the reports are also made available on-line for consultation.
167. Following the session at which they are examined by the Committee, reports are made available to the public for information, unless decided otherwise by the Committee in exceptional cases.

### **V.4 Reports by States non party to the Convention on elements inscribed on the Representative List of the Intangible Cultural Heritage of Humanity**

168. Paragraphs 157–159 and 165–167 of these directives shall apply fully to States non party to the Convention that have in their territories items proclaimed Masterpieces incorporated in the Representative List of the Intangible Cultural Heritage of Humanity, and that have consented to accept the rights and obligations attendant thereon.

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169. Such reports shall be submitted to the Committee by States non party by 15 December 2014, and every sixth year thereafter. Form ICH-10 is used for such reports, available at [www.unesco.org/culture/ich](http://www.unesco.org/culture/ich) or on request from the Secretariat. The reports shall include only the information requested in the form.

## CHAPTER VI SAFEGUARDING INTANGIBLE CULTURAL HERITAGE AND SUSTAINABLE DEVELOPMENT AT THE NATIONAL LEVEL

170. With a view to effectively implementing the Convention, States Parties shall endeavour, by all appropriate means, to recognize the importance and strengthen the role of intangible cultural heritage as a driver and guarantee of sustainable development, as well as fully integrate the safeguarding of intangible cultural heritage into their development plans, policies and programmes at all levels. While recognizing the interdependence between the safeguarding of intangible cultural heritage and sustainable development, States Parties shall strive to maintain a balance between the three dimensions of sustainable development (the economic, social and environmental), as well as their interdependence with peace and security, in their safeguarding efforts and shall to this end facilitate cooperation with relevant experts, cultural brokers and mediators through a participatory approach. States Parties shall acknowledge the dynamic nature of intangible cultural heritage in both urban and rural contexts and shall direct their safeguarding efforts solely on such intangible cultural heritage that is compatible with existing international human rights instruments, as well as with the requirements of mutual respect among communities, groups and individuals, and of sustainable development.
171. Insofar as their development plans, policies and programmes involve intangible cultural heritage or may potentially affect its viability, States Parties shall endeavour to:
- (a) ensure the widest possible participation of communities, groups and, where appropriate, individuals that create, maintain and transmit such heritage, and involve them actively in elaboration and implementation of such plans, policies and programmes;
  - (b) ensure that those communities, groups and, where appropriate, individuals concerned are the primary beneficiaries, both in moral and in material terms, of any such plans, policies and programmes;
  - (c) ensure that such plans, policies and programmes respect ethical considerations and do not negatively affect the viability of the intangible cultural heritage concerned or decontextualize or denaturalize that heritage;



- (d) facilitate cooperation with sustainable development experts and cultural brokers for the appropriate integration of the safeguarding of intangible cultural heritage into plans, policies and programmes, both within and outside the cultural sector.
172. States Parties shall endeavour to take full cognizance of the potential and actual impacts of all development plans and programmes on intangible cultural heritage, particularly in the context of environmental, social, economic and cultural impact assessment processes.
173. States Parties shall endeavour to recognize, promote and enhance the importance of intangible cultural heritage as a strategic resource to enable sustainable development. To that end, States Parties are encouraged to:
- (a) foster scientific studies and research methodologies, including those conducted by the communities and groups themselves, aimed at understanding the diversity of issues linked to protection of various rights of the communities, groups and individuals, connected to the safeguarding of the intangible cultural heritage;
  - (b) adopt appropriate legal, technical, administrative and financial measures, in particular through the application of intellectual property rights, privacy rights and any other appropriate forms of legal protection, to ensure that the rights of the communities, groups and individuals that create, bear and transmit their intangible cultural heritage are duly protected when raising awareness about their heritage or engaging in commercial activities.
174. States Parties shall endeavour to ensure that their safeguarding plans and programmes are fully inclusive of all sectors and strata of society, including indigenous peoples, migrants, immigrants and refugees, people of different ages and genders, persons with disabilities and members of vulnerable groups, in conformity with Article 11 of the Convention.
175. States Parties are encouraged to foster scientific studies and research methodologies, including those conducted by the communities or groups themselves and by non-governmental organizations, aimed at understanding the contributions of intangible cultural heritage to sustainable development and its importance as a resource for dealing with development problems and at demonstrating its value with clear evidence, including appropriate indicators if possible.
176. States Parties shall endeavour to ensure that inscriptions of intangible cultural heritage on the Convention's lists as provided in Articles 16 and 17 of the Convention and the selection of best safeguarding practices as provided in Article 18 of the Convention are used to advance the Convention's goals of safeguarding and sustainable development and are not

misused to the detriment of the intangible cultural heritage and communities, groups or individuals concerned, in particular for short-term economic gain.

## VI.1 Inclusive social development

177. States Parties are encouraged to recognize that inclusive social development comprehends issues such as sustainable food security, quality health care, quality education for all, gender equality and access to safe water and sanitation, and that these goals should be underpinned by inclusive governance and the freedom for people to choose their own value systems.

### VI.1.1 Food security

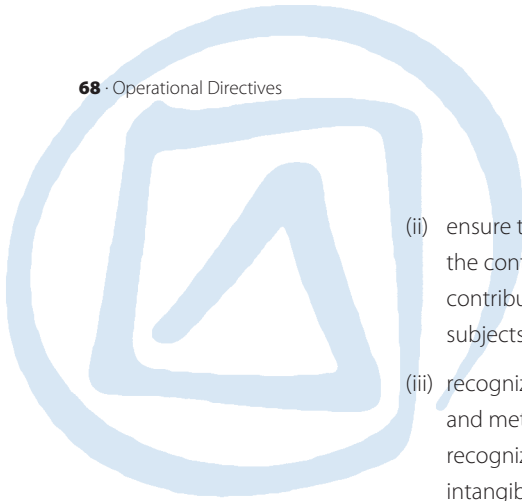
178. States Parties shall endeavour to ensure the recognition of, respect for and enhancement of those farming, fishing, hunting, pastoral, food-gathering, food preparation and food preservation knowledge and practices, including their related rituals and beliefs, that contribute to food security and adequate nutrition and that are recognized by communities, groups and, in some cases, individuals as part of their intangible cultural heritage. To that end, States Parties are encouraged to:
- (a) foster scientific studies and research methodologies, including those conducted by the communities or groups themselves, aimed at understanding the diversity of those knowledge and practices, demonstrating their efficacy, identifying and promoting their contributions to maintaining agro-biodiversity, providing food security and strengthening their resilience to climate change;
  - (b) adopt appropriate legal, technical, administrative and financial measures, including codes or other tools of ethics, to promote and/or regulate access to farming, fishing, hunting, pastoral and food gathering, food preparation and food preservation knowledge and practices, that are recognized by communities, groups and, in some cases, individuals as part of their intangible cultural heritage, as well as equitable sharing of the benefits they generate, and ensure the transmission of such knowledge and practices;
  - (c) adopt appropriate legal, technical, administrative and financial measures to recognize and respect the customary rights of communities and groups to those land, sea and forest ecosystems necessary for their farming, fishing, pastoral and food-gathering knowledge and practices that are recognized by communities, groups and, in some cases, individuals as part of their intangible cultural heritage.

### VI.1.2 Health care

179. States Parties shall endeavour to ensure the recognition of, respect for and enhancement of those health practices that are recognized by communities, groups and, in some cases, individuals as part of their intangible cultural heritage and that contribute to their well-being, including their related knowledge, genetic resources, practices, expressions, rituals and beliefs, and to harness their potential to contribute to achieving quality health care for all. To that end, they are encouraged to:
- (a) foster scientific studies and research methodologies, including those conducted by the communities and groups themselves, aimed at understanding the diversity of health care practices that are recognized by communities, groups and, in some cases, individuals as part of their intangible cultural heritage, demonstrating their functions and efficacy and identifying their contributions to meeting health care needs;
  - (b) adopt appropriate legal, technical, administrative and financial measures, in consultation with knowledge holders, healers and practitioners, to promote access to healing knowledge and raw materials, participation in healing practices, and transmission of such knowledge and practices that are recognized by communities, groups and, in some cases, individuals as part of their intangible cultural heritage while respecting customary practices governing access to specific aspects of them;
  - (c) enhance collaboration and complementarity among the diversity of health care practices and systems.

### VI.1.3 Quality education

180. Within their respective educational systems and policies, States Parties shall endeavour, by all appropriate means, to ensure recognition of, respect for and enhancement of the intangible cultural heritage in society, emphasizing its particular role in transmitting values and life skills and contributing to sustainable development, in particular through specific educational and training programmes within the communities and groups concerned and through non-formal means of transmitting knowledge. To that end, States Parties are encouraged to:
- (a) adopt appropriate legal, technical, administrative and financial measures to:
    - (i) ensure that educational systems promote respect for one's self, one's community or group, mutual respect for others and do not in any way alienate people from their intangible cultural heritage, characterize their communities or groups as not participating in contemporary life or harm in any way their image;



- (ii) ensure that intangible cultural heritage is integrated as fully as possible into the content of educational programmes of all relevant disciplines, both as a contribution in its own right and as a means of explaining or demonstrating other subjects at the curricular, cross-curricular and extra-curricular levels;
  - (iii) recognize the importance, along with innovative safeguarding methods, of modes and methods of transmitting intangible cultural heritage that are themselves recognized by communities, groups and, in some cases, individuals as part of their intangible cultural heritage, and seek to harness their potential within formal and non-formal education systems;
- (b) enhance collaboration and complementarity among the diversity of educational practices and systems;
  - (c) foster scientific studies and research methodologies, including those conducted by the communities and groups themselves, aimed at understanding the diversity of pedagogical methods that are recognized by communities, groups and, in some cases, individuals as part of their intangible cultural heritage and assessing their efficacy and suitability for integration into other educational contexts;
  - (d) promote education for the conservation and sustainable use of biodiversity and the protection of natural spaces and places of memory whose existence is necessary for expressing the intangible cultural heritage.

#### VI.1.4 Gender equality

181. States Parties shall endeavour to foster the contributions of intangible cultural heritage and its safeguarding to greater gender equality and to eliminating gender-based discrimination while recognizing that communities and groups pass on their values, norms and expectations related to gender through intangible cultural heritage and it is, therefore, a privileged context in which group and community members' gender identities are shaped. To that end, States Parties are encouraged to:
- (a) take advantage of the potential of intangible cultural heritage and of its safeguarding to create common spaces for dialogue on how best to achieve gender equality, taking into account the diverse perspectives of all stakeholders;
  - (b) promote the important role that intangible cultural heritage and its safeguarding can play in building mutual respect among communities and groups whose members may not share the same conceptions of gender;
  - (c) assist communities and groups in examining expressions of their intangible cultural heritage with regard to their impact and potential contribution to enhancing gender


- equality and to take the results of this examination into account in decisions to safeguard, practice, transmit and promote at the international level these expressions;
- (d) foster scientific studies and research methodologies, including those conducted by the communities and groups themselves, aimed at understanding the diversity of gender roles within particular expressions of intangible cultural heritage;
  - (e) ensure gender equality in the planning, management and implementation of safeguarding measures, at all levels and in all contexts, in order to take full advantage of the diverse perspectives of all members of society.

#### VI.1.5 Access to clean and safe water and sustainable water use

182. States Parties shall endeavour to ensure the viability of water management systems that are recognized by communities, groups and, in some cases, individuals as part of their intangible cultural heritage and that promote equitable access to safe drinking water and sustainable water use, notably in agriculture and other subsistence activities. To that end, States Parties are encouraged to:
- (a) foster scientific studies and research methodologies, including those conducted by the communities and groups themselves, aimed at understanding the diversity of those water management systems that are recognized by communities, groups and, in some cases, individuals as part of their intangible cultural heritage and identifying their contributions to meeting environmental and water-related development needs, as well as how to strengthen their resilience in the face of climate change;
  - (b) adopt appropriate legal, technical, administrative and financial measures to identify, enhance and promote such systems in order to respond to water needs and climate change challenges at the local, national and international levels.

#### VI.2 Inclusive economic development

183. States Parties are encouraged to acknowledge that the safeguarding of the intangible cultural heritage contributes to inclusive economic development, and to recognize in this context that sustainable development depends upon stable, equitable and inclusive economic growth based on sustainable patterns of production and consumption and requires reduction of poverty and inequalities, productive and decent employment as well as ensuring access to affordable, reliable, sustainable, renewable and modern energy for all and improving progressively resource efficiency in consumption and production.
184. States Parties shall endeavour to take full advantage of intangible cultural heritage as a powerful force for inclusive and equitable economic development, encompassing



a diversity of productive activities with both monetary and non-monetary value, and contributing in particular to strengthening local economies. To that end, States Parties are encouraged to respect the nature of that heritage and the specific circumstances of the communities, groups or individuals concerned, particularly their choice of collective or individual management of their heritage while providing them with the necessary conditions for the practice of their creative expressions and promoting fair trade and ethical economic relations.

### VI.2.1 Income generation and sustainable livelihoods

185. States Parties shall endeavour to recognize, promote and enhance the contribution of intangible cultural heritage to generating income and sustaining livelihoods for communities, groups and individuals. To that end, States Parties are encouraged to:
- (a) foster scientific studies and research methodologies, including those conducted by the communities and groups themselves, aimed at identifying and assessing opportunities that intangible cultural heritage offers for generating income and sustaining livelihoods for communities, groups and individuals concerned, with particular attention to its role in supplementing other forms of income;
  - (b) adopt appropriate legal, technical, administrative and financial measures to:
    - (i) promote opportunities for communities, groups and individuals to generate income and sustain their livelihood so that the sustainable practice, transmission and safeguarding of their intangible cultural heritage can be ensured;
    - (ii) ensure that the communities, groups and individuals concerned are the primary beneficiaries of income generated as a result of their own intangible cultural heritage and that they are not dispossessed of it, in particular in order to generate income for others.

### VI.2.2 Productive employment and decent work

186. States Parties shall endeavour to recognize, promote and enhance the contribution of intangible cultural heritage to productive employment and decent work for communities, groups and individuals. To that end, States Parties are encouraged to:
- (a) foster scientific studies and research methodologies, including those conducted by the communities and groups themselves, aimed at identifying and assessing opportunities that intangible cultural heritage offers for productive employment and decent work for the communities, groups and individuals concerned, with particular

attention to its adaptability to family and household circumstances and relation to other forms of employment;

- (b) adopt appropriate legal, technical, administrative and financial measures, including tax incentives, to:
  - (i) promote productive employment and decent work for communities, groups and individuals in the practice and transmission of their intangible cultural heritage while extending social security protection and benefits to them;
  - (ii) ensure that the communities, groups and individuals concerned are the primary beneficiaries of work opportunities involving their own intangible cultural heritage and that they are not dispossessed of it, in particular in order to create employment for others.

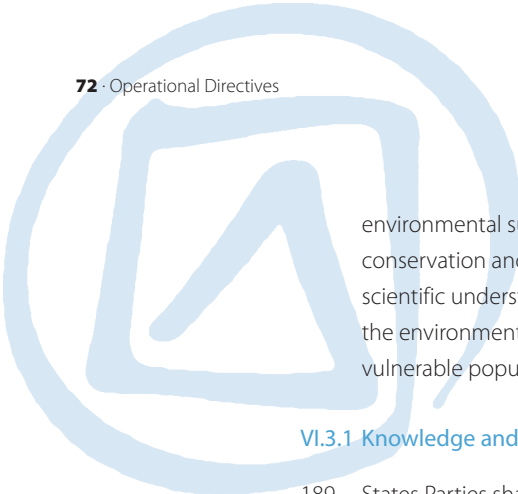
### VI.2.3 Impact of tourism on the safeguarding of intangible cultural heritage and vice versa

187. States Parties shall endeavour to ensure that any activities related to tourism, whether undertaken by the States or by public or private bodies, demonstrate all due respect to safeguarding the intangible cultural heritage present in their territories and to the rights, aspirations and wishes of the communities, groups and individuals concerned therewith. To that end, States Parties are encouraged to:

- (a) assess, both in general and in specific terms, the potential of intangible cultural heritage for sustainable tourism and the impact of tourism on the intangible cultural heritage and sustainable development of the communities, groups and individuals concerned, with particular attention to anticipating potential impact before activities are initiated;
- (b) adopt appropriate legal, technical, administrative and financial measures to:
  - (i) ensure that communities, groups and individuals concerned are the primary beneficiaries of any tourism associated with their own intangible cultural heritage while promoting their lead role in managing such tourism;
  - (ii) ensure that the viability, social functions and cultural meanings of that heritage are in no way diminished or threatened by such tourism;
  - (iii) guide the interventions of those involved in the tourism industry and the behaviour of those who participate in it as tourists.

## VI.3 Environmental sustainability

188. States Parties are encouraged to acknowledge the contribution of the safeguarding of intangible cultural heritage to environmental sustainability and to recognize that



environmental sustainability requires sustainably managed natural resources and the conservation and sustainable use of biodiversity, which in turn could gain from improved scientific understanding and knowledge-sharing about climate change, natural hazards, the environmental and natural resource limits and that strengthening resilience among vulnerable populations in the face of climate change and natural disasters is essential.

### VI.3.1 Knowledge and practices concerning nature and the universe

189. States Parties shall endeavour to ensure recognition of, respect for, sharing of and enhancement of the knowledge and practices concerning nature and the universe that are recognized by communities, groups and, in some cases, individuals as part of their intangible cultural heritage and that contribute to environmental sustainability recognizing their capacity to evolve, harnessing their potential role in the protection of biodiversity and in the sustainable management of natural resources. To that end, States Parties are encouraged to:
- (a) recognize communities, groups and individuals as the bearers of knowledge about nature and the universe and as essential actors in sustaining the environment;
  - (b) foster scientific studies and research methodologies, including those conducted by the communities and groups themselves, aimed at understanding systems of biodiversity conservation, natural resource management and sustainable resource use, that are recognized by communities, groups and, in some cases, individuals as part of their intangible cultural heritage, and demonstrating their effectiveness while promoting international cooperation for the identification and sharing of good practices;
  - (c) adopt appropriate legal, technical, administrative and financial measures to:
    - (i) promote access to and transmission of traditional knowledge concerning nature and the universe while respecting customary practices governing access to specific aspects of it;
    - (ii) conserve and protect those natural spaces whose existence is necessary for expressing the intangible cultural heritage.

### VI.3.2 Environmental impacts in the safeguarding of intangible cultural heritage

190. States Parties shall endeavour to recognize the potential and actual environmental impacts of intangible cultural heritage practices and safeguarding activities, with particular



attention to the possible consequences of their intensification. To that end, States Parties are encouraged to:

- (a) foster scientific studies and research methodologies, including those conducted by the communities and groups themselves, aimed at understanding such impacts;
- (b) adopt appropriate legal, technical, administrative and financial measures to encourage environmentally friendly practices and to mitigate any possible harmful impacts.

### VI.3.3 Community-based resilience to natural disasters and climate change

191. States Parties shall endeavour to ensure recognition of, respect for and enhancement of knowledge and practices concerning geoscience, particularly the climate, and harness their potential to contribute to the reduction of risk, recovery from natural disasters, particularly through the strengthening of social cohesion and mitigation of climate change impacts. To that end, States Parties are encouraged to:

- (a) recognize communities, groups and individuals as the bearers of traditional knowledge about geoscience, particularly the climate;
- (b) foster scientific studies and research methodologies, including those conducted by the communities and groups themselves, aimed at understanding and demonstrating the effectiveness of knowledge of disaster risk reduction, disaster recovery, climate adaptation and climate change mitigation, that are recognized by communities, groups and, in some cases, individuals as part of their intangible cultural heritage, while enhancing the capacities of communities, groups and individuals to face challenges related to climate change that existing knowledge may not address;
- (c) adopt appropriate legal, technical, administrative and financial measures to:
  - (i) promote access to and transmission of knowledge concerning the earth and the climate, that is recognized by communities, groups and, in some cases, individuals as part of their intangible cultural heritage, while respecting customary practices governing access to specific aspects of it;
  - (ii) fully integrate communities, groups and individuals who are bearers of such knowledge into systems and programmes of disaster risk reduction, disaster recovery and climate change adaptation and mitigation.

## VI.4 Intangible cultural heritage and peace

192. States Parties are encouraged to acknowledge the contribution of safeguarding of intangible cultural heritage to foster peaceful, just and inclusive societies which are based on respect for human rights (including the right to development) and free from fear and violence. Sustainable development cannot be realized without peace and security; and peace and security will be at risk without sustainable development.
193. States Parties should endeavour to recognize, promote and enhance those practices, representations and expressions of intangible cultural heritage that have peace-making and peace-building at their core, bring communities, groups and individuals together and ensure exchange, dialogue and understanding among them. States Parties shall further endeavour to fully realize the contribution that safeguarding activities make to the construction of peace.

### VI.4.1 Social cohesion and equity

194. States Parties should endeavour to recognize and promote the contribution of the safeguarding of intangible cultural heritage to social cohesion, overcoming all forms of discrimination and strengthening the social fabric of communities and groups in an inclusive way. To that end, States Parties are encouraged to give particular attention to those practices, expressions and knowledge that help communities, groups and individuals to transcend and address differences of gender, colour, ethnicity, origin, class and locality and to those that are broadly inclusive of all sectors and strata of society, including indigenous peoples, migrants, immigrants and refugees, people of different ages and genders, persons with disabilities and members of marginalized groups.

### VI.4.2 Preventing and resolving disputes

195. States Parties should endeavour to recognize, promote and enhance the contribution that intangible cultural heritage can make towards the prevention of disputes and peaceful conflict resolution. To that end, States Parties are encouraged to:
  - (a) foster scientific studies and research methodologies, including those conducted by the communities and groups themselves, aimed at demonstrating expressions, practices and representations of intangible cultural heritage as contributors to dispute prevention and peaceful conflict resolution;

- (b) promote the adoption of legal, technical, administrative and financial measures to:
  - (i) support such expressions, practices and representations;
  - (ii) integrate them into public programmes and policies;
  - (iii) reduce their vulnerability during and in the aftermath of conflicts;
  - (iv) consider them as complements to other legal and administrative mechanisms of dispute prevention and peaceful conflict resolution.

#### VI.4.3 Restoring peace and security

196. States Parties should endeavour to take full advantage of the potential role of intangible cultural heritage in the restoration of peace, reconciliation between parties, re-establishment of safety and security, and recovery of communities, groups and individuals. To that end, States Parties are encouraged to:
- (a) foster scientific studies and research methodologies, including those conducted by the communities and groups themselves, aimed at understanding how intangible cultural heritage can contribute to restoring peace, reconciling parties, re-establishing safety and security, and recovery of communities, groups and individuals;
  - (b) promote legal, technical, administrative and financial measures to integrate such intangible cultural heritage into public programmes and policies aimed at the restoration of peace, reconciliation between parties, re-establishment of safety and security, and recovery of communities, groups and individuals.

#### VI.4.4 Achieving lasting peace

197. States Parties should endeavour to recognize, promote and enhance the contribution that safeguarding the intangible cultural heritage of communities, groups and individuals makes to the construction of lasting peace. To that end, States Parties are encouraged to:
- (a) ensure respect for the intangible cultural heritage of indigenous peoples, migrants, immigrants and refugees, people of different ages and genders, persons with disabilities, and members of vulnerable groups in their safeguarding efforts;
  - (b) take full advantage of the contribution of safeguarding intangible cultural heritage to democratic governance and human rights by ensuring the widest possible participation of communities, groups and individuals;
  - (c) promote the peace-building potential of safeguarding efforts that involve intercultural dialogue and respect for cultural diversity.



# 3

## Rules of Procedure of the General Assembly of the States Parties to the Convention for the Safeguarding of the Intangible Cultural Heritage



## 3

## Rules of Procedure of the General Assembly of the States Parties to the Convention for the Safeguarding of the Intangible Cultural Heritage

Adopted by the General Assembly of the States Parties to the Convention at its first session (UNESCO Headquarters, Paris, 27 to 29 June 2006), amended at its second session (UNESCO Headquarters, Paris, 16 to 19 June 2008) and at its fifth session (UNESCO Headquarters, Paris, 2 to 4 June 2014)

### I PARTICIPATION

#### Rule 1 Participation

The representatives of all States Parties to the Convention for the Safeguarding of the Intangible Cultural Heritage (hereinafter referred to as ‘the Convention’) adopted by the General Conference on 17 October 2003, may take part, with the right to vote, in the work of the General Assembly of States Parties (hereinafter referred to as ‘the Assembly’).

#### Rule 2 Representatives and observers

- 2.1 The representatives of Member States of UNESCO not party to the Convention, of Associate Members of UNESCO and of permanent observer missions to UNESCO may participate in the work of the Assembly as observers, without the right to vote, and subject to Rule 7.3.
- 2.2 Representatives of the United Nations and organizations of the United Nations system and other intergovernmental organizations which have concluded mutual representation agreements with UNESCO, as well as observers of intergovernmental and international non-governmental organizations invited by the Director-General, may participate in the work of the Assembly, without the right to vote, and subject to Rule 7.3.

## II ORGANIZATION OF THE ASSEMBLY

### Rule 3 Election of officers

The Assembly shall elect a Chairperson, (a) Vice-Chairperson(s) and a Rapporteur.

### Rule 4 Duties of the Chairperson

- 4.1 In addition to exercising the powers which are conferred upon him/her elsewhere by the present Rules, the Chairperson shall open and close each plenary meeting of the Assembly. He/She shall direct the discussions, ensure observance of these Rules, accord the right to speak, put questions to the vote and announce decisions. He/She shall rule on points of order and, subject to the present Rules, shall control the proceedings and the maintenance of order. He/She shall not vote, but he/she may instruct another member of his/her delegation to vote on his/her behalf.
- 4.2 Should the Chairperson be absent during a meeting, or any part thereof, he/she shall be replaced by a Vice-Chairperson. The Vice-Chairperson acting as Chairperson shall have the same powers and duties as the Chairperson.

## III CONDUCT OF BUSINESS

### Rule 5 Public nature of meetings

Meetings shall be held in public unless decided otherwise by the Assembly.

### Rule 6 Quorum

- 6.1 A quorum shall consist of a majority of the States referred to in Rule 1 and represented at the Assembly.
- 6.2 The Assembly shall not decide on any matter unless a quorum is present.

### Rule 7 Order and time-limit of speakers

- 7.1 The Chairperson shall call upon speakers in the order in which they signify their wish to speak.
- 7.2 For the convenience of the discussion, the Chairperson may limit the time to be allowed to each speaker.



7.3 The consent of the Chairperson must be obtained whenever an observer wishes to address the Assembly.

#### **Rule 8**    **Points of order**

- 8.1 During a discussion, any delegation may raise a point of order; such a point of order shall be immediately decided upon by the Chairperson.
- 8.2 An appeal may be made against the ruling of the Chairperson. Such an appeal shall be put to the vote immediately and the Chairperson's ruling shall stand, unless overruled by a majority of the delegations present and voting.

#### **Rule 9**    **Procedural motions**

- 9.1 During a discussion, any delegation may move the suspension or adjournment of the meeting or the adjournment or closure of the debate.
- 9.2 Such a motion shall be put to the vote immediately. Subject to Rule 8.1, such motions shall have precedence in the following order over all other proposals or motions before the meeting:
- (a) suspension of the meeting;
  - (b) adjournment of the meeting;
  - (c) adjournment of the debate on the question under discussion;
  - (d) closure of the debate on the question under discussion.

#### **Rule 10**    **Working languages**

- 10.1 The working languages of the Assembly shall be Arabic, Chinese, English, French, Russian and Spanish.
- 10.2 Speeches made at the Assembly in one of the working languages shall be interpreted into the other languages.
- 10.3 Speakers may, however, speak in any other language, provided that they make their own arrangements for interpretation of their speeches into one of the working languages.

### **Rule 11 Resolutions and amendments**

- 11.1 Draft resolutions and amendments may be proposed by the participants referred to in Rule 1 and shall be transmitted in writing to the Secretariat of the Assembly, which shall circulate copies to all participants.
- 11.2 As a general rule, no draft resolution or amendment shall be discussed or put to the vote unless it has been circulated reasonably in advance to all participants in the working languages of the Assembly.

### **Rule 12 Voting**

- 12.1 The representative of each State referred to in Rule 1 shall have one vote in the Assembly.
- 12.2 Subject to the provisions of Rules 6.2 and 17, decisions shall be taken by a majority of the States present and voting, except for the provisions of Rule 12.3.
- 12.3 The decision concerning the amount of the contributions, in the form of a uniform percentage applicable to all States which have not made the declaration referred to in paragraph 2 of Article 26 of the Convention, shall be determined by a majority vote of the States Parties present and voting which have not made the above-mentioned declaration.
- 12.4 For the purpose of the present Rules, the expression 'States present and voting' shall mean States casting an affirmative or negative vote. States abstaining from voting shall be regarded as having not voted.
- 12.5 Voting shall normally be by show of hands, except for the election of members of the Intergovernmental Committee for the Safeguarding of the Intangible Cultural Heritage (hereinafter referred to as 'the Committee').
- 12.6 When the result of a vote by show of hands is in doubt, the Chairperson may take a second vote by roll-call. A vote by roll-call shall also be taken if it is requested by not less than two delegations before the voting takes place and for the decision mentioned in Rule 12.3.
- 12.7 When an amendment to a proposal is moved, the amendment shall be voted on first. When two or more amendments to a proposal are moved, the Assembly shall first vote on the amendment deemed by the Chairperson to be furthest removed in substance from the original proposal, and then on the amendment next furthest removed therefrom and so on, until all the amendments have been put to the vote.

- 12.8 If one or more amendments are adopted, the amended proposal shall then be voted upon as a whole.
- 12.9 A motion is considered an amendment to a proposal if it merely adds to, deletes from or revises part of that proposal.

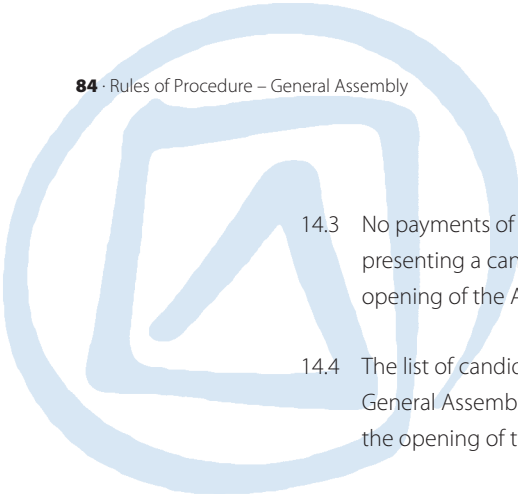
#### IV ELECTION OF MEMBERS OF THE INTERGOVERNMENTAL COMMITTEE FOR THE SAFEGUARDING OF THE INTANGIBLE CULTURAL HERITAGE

##### Rule 13 Geographical distribution

- 13.1 The election of Members of the Committee shall be conducted on the basis of the electoral groups of UNESCO, as determined by the UNESCO General Conference at its most recent session, it being understood that 'Group V' shall consist of two separate groups for the African and Arab States.
- 13.2 (i) The seats in the Committee composed of 18 Members shall be distributed among electoral groups in proportion to the number of States Parties from each group, provided that, after such distribution, at least two seats have been attributed to each group.
- (ii) Once the number of States Members of the Committee reaches 24, the seats shall be distributed at each election among electoral groups in proportion to the number of States Parties from each group, provided that, after such distribution, at least three seats have been attributed to each group.

##### Rule 14 Procedures for the presentation of candidatures to the Committee

- 14.1 The Secretariat shall ask all States Parties, three months prior to the date of the election, whether they intend to stand for election to the Committee. States Parties are requested to send their candidature to the Secretariat at least six weeks prior to the opening of the Assembly.
- 14.2 At least four weeks prior to the opening of the Assembly, the Secretariat shall send to all States Parties the provisional list of candidate States Parties, indicating the electoral group to which they belong and the number of seats to be filled in each electoral group. The Secretariat shall also provide information on the status of all compulsory and voluntary contributions to the Fund for the Safeguarding of the Intangible Cultural Heritage made by each of the candidates. The list of candidatures will be revised as necessary.

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- 14.3 No payments of compulsory and voluntary contributions to the Fund (for the purpose of presenting a candidature to the Committee) will be accepted later than a week before the opening of the Assembly.
- 14.4 The list of candidatures shall be finalized three working days prior to the opening of the General Assembly. No candidature will be accepted in the three working days preceding the opening of the Assembly.

### **Rule 15 Election of Members of the Committee**

- 15.1 The election of Members of the Committee shall be conducted by secret ballot except that, where the number of candidates within geographical distribution is the same as or less than the number of seats to be filled, the candidates shall be declared elected without the need to hold a ballot.
- 15.2 Before the election begins, the Chairperson shall appoint two tellers from among the delegates present; he/she shall hand to them the list of States Parties entitled to vote and the list of candidate States Parties. He/She shall announce the number of seats to be filled.
- 15.3 The Secretariat shall prepare for each delegation having the right to vote an envelope without any distinguishing mark and separate ballot papers, one for each of the electoral groups. The ballot paper for each electoral group shall bear the names of all the candidate States Parties in that electoral group.
- 15.4 Each delegation shall cast its vote by encircling the names of those States for which it desires to vote.
- 15.5 The tellers shall collect from each delegation the envelope containing the ballot papers and shall count the votes, under the supervision of the Chairperson.
- 15.6 The absence of any ballot paper in the envelope shall be considered an abstention.
- 15.7 Ballot papers on which more names have been circled than there are seats to be filled as also those containing no indication as to the intention of the voter shall be considered invalid.
- 15.8 The counting of the votes for each electoral group shall take place separately. The tellers shall open the envelopes, one by one, and shall sort the ballot papers into electoral groups. The votes cast for the candidate States Parties shall be entered on lists prepared for that purpose.

- 15.9 The Chairperson shall declare elected those candidates who obtain the greatest number of votes up to the number of seats to be filled. If two or more candidates obtain the same number of votes, and, as a result, there are still more candidates than seats to be filled, there shall be a second secret ballot restricted to those candidates who obtained the same number of votes. If in the second ballot two or more candidates obtain the same number of votes, the Chairperson shall draw lots to decide the elected candidate.
- 15.10 When the counting of the votes is completed, the Chairperson shall announce the results of the ballot separately for each of the electoral groups.

## V SECRETARIAT OF THE ASSEMBLY

### Rule 16 Secretariat

- 16.1 The Director-General of UNESCO or his/her representative shall participate in the work of the Assembly, without the right to vote. He/She may, at any time, make either oral or written statements to the Assembly on any question under discussion.
- 16.2 The Director-General of UNESCO shall appoint an official of the Secretariat of UNESCO to act as Secretary to the Assembly, and other officials who shall together constitute the Secretariat of the Assembly.
- 16.3 (i) The Secretariat shall receive, translate and distribute, in the six working languages and at least thirty days before the opening of the session of the Assembly, all official documents.
- (ii) It shall arrange for the interpretation of the discussions and also perform all other duties necessary for the proper conduct of the work of the Assembly.

## VI ADOPTION, AMENDMENT AND SUSPENSION OF THE RULES OF PROCEDURE

### Rule 17 Adoption

The Assembly shall adopt its Rules of Procedure by a decision taken in plenary meeting by a majority of the representatives of States present and voting.

**Rule 18**   **Amendment**

The Assembly may amend these Rules of Procedure by a decision taken in plenary meeting by a two-thirds majority of the representatives of States present and voting.

**Rule 19**   **Suspension**

The General Assembly may suspend the application of any of these Rules of Procedure, except when they reproduce provisions of the Convention, by a decision taken in plenary meeting by a two-thirds majority of the States Parties present and voting.

# 4

## Rules of Procedure of the Intergovernmental Committee for the Safeguarding of the Intangible Cultural Heritage





## 4

## Rules of Procedure of the Intergovernmental Committee for the Safeguarding of the Intangible Cultural Heritage

Adopted by the Intergovernmental Committee for the Safeguarding of the Intangible Cultural Heritage at its first session (Algiers, Algeria, 18 to 19 November 2006), amended at its second extraordinary session (Sofia, Bulgaria, 18 to 22 February 2008), at its third session (Istanbul, Turkey, 4 to 8 November 2008), at its fifth session (Nairobi, Kenya, 15 to 19 November 2010), at its eighth session (Baku, Azerbaijan, 2 to 7 December 2013) and at its tenth session (Windhoek, Namibia, 30 November to 4 December 2015)

### I MEMBERSHIP

#### Rule 1 The Intergovernmental Committee for the Safeguarding of the Intangible Cultural Heritage (Article 5 of the Convention)

The Intergovernmental Committee for the Safeguarding of the Intangible Cultural Heritage, known as the 'Intangible Heritage Committee' and hereinafter referred to as the 'Committee', is composed of the States Parties to the Convention elected in accordance with Article 5 of the Convention for the Safeguarding of the Intangible Cultural Heritage, hereinafter referred to as the 'Convention'.

### II SESSIONS

#### Rule 2 Ordinary and extraordinary sessions

- 2.1 The Committee shall meet at least once a year in ordinary session.
- 2.2 The Committee shall meet in extraordinary session at the request of at least two-thirds of the States Members.

### Rule 3 Convocation

- 3.1 Sessions of the Committee shall be convened by the Chairperson of the Committee, hereinafter referred to as 'the Chairperson', in consultation with the Director-General of UNESCO, hereinafter referred to as 'the Director-General'.
- 3.2 The Director-General shall inform the States Members of the Committee of the date, place and provisional agenda of each session, not fewer than sixty days in advance in the case of an ordinary session and, if possible, not fewer than thirty days in advance in the case of an extraordinary session.
- 3.3 The Director-General shall, at the same time, inform the States, organizations and individuals mentioned in Rules 6, 7 and 8 of the date, place and provisional agenda of each session.

### Rule 4 Date and place of the session

- 4.1 The Committee shall determine at each session, in consultation with the Director-General, the date and place of the next session. The Bureau may, if necessary, modify the date and/or place, in consultation with the Director-General.
- 4.2 Any State Member of the Committee may invite the Committee to hold an ordinary session in its territory.
- 4.3 In determining the place of the next ordinary session, the Committee shall give due regard to the need to ensure an equitable rotation among the different regions of the world.

## III PARTICIPANTS

### Rule 5 Delegations

- 5.1 Each State Member of the Committee shall be represented by one delegate, who may be assisted by alternates, advisers and experts.
- 5.2 States Members of the Committee shall choose as their representatives persons who are qualified in the various fields of the intangible cultural heritage (Article 6.7 of the Convention).
- 5.3 States Members of the Committee shall transmit to the Secretariat in writing the names, designations and qualifications of their representatives.

- 5.4 In order to ensure a fair representation within the Committee of the various geographical areas, the Committee shall allocate in its budget a sum intended to cover the cost of participation, in its sessions and in meetings of its Bureau, of representatives of developing States Members, but only for persons who are experts in intangible cultural heritage. If the budget allows, developing countries that are parties to the Convention but not members of the Committee may also receive assistance; such assistance shall be granted to experts in intangible cultural heritage only.
- 5.5 Requests for assistance to participate in Bureau and Committee meetings should reach the Secretariat at least four weeks before the session concerned. Such requests shall be considered within the limits of available resources, as decided by the Committee, in increasing order of GNP per capita of each State Member of the Committee. As a rule, the Intangible Cultural Heritage Fund shall not finance more than one representative per State.

#### **Rule 6 Organizations acting in an advisory capacity to the Committee**

Non-governmental organizations with recognized competence, which have been accredited for this purpose by the General Assembly in accordance with the criteria that it has established (Article 9.1 of the Convention), may attend the meetings of the Committee in an advisory capacity.

#### **Rule 7 Invitations for consultation**

The Committee may at any time invite to its sessions any public or private bodies, as well as private persons, with recognized competence in the various fields of the intangible cultural heritage, in order to consult them on specific matters (Article 8.4 of the Convention).

#### **Rule 8 Other participants**

- 8.1 States Parties to the Convention which are not Members of the Committee may attend its sessions as observers.
- 8.2 States not party to the Convention which are Member States of UNESCO or of the United Nations, Associate Members of UNESCO, Permanent Observer Missions to UNESCO, representatives of the United Nations and organizations of the United Nations system may attend the sessions of the Committee as observers.
- 8.3 The Committee may authorize intergovernmental organizations other than those referred to in Rule 8.2, as well as public or private bodies and private persons, with recognized competence in the various fields of intangible cultural heritage, to attend its future sessions as observers, upon their written request. The Committee may authorize such institutions,

organizations or private persons to attend a single session or several of its sessions, without prejudice to its right to limit the number of representatives per organization or institution.

8.4 The Director-General shall invite any entity whose participation has been authorized by the Committee in conformity with Rules 8.2 and 8.3.

8.5 Public meetings of the Committee shall be open to the public, as an audience, within the limitations of available space.

## IV AGENDA

### Rule 9 Provisional agenda

9.1 The Director-General shall prepare the provisional agenda of the sessions of the Committee (Article 10.2 of the Convention).

9.2 The provisional agenda of an ordinary session of the Committee shall include:

- (a) all questions that the Committee, at previous sessions, has decided to place thereon;
- (b) all questions proposed by States Members of the Committee;
- (c) all questions proposed by States Parties to the Convention which are not Members of the Committee;
- (d) all questions proposed by the Director-General.

9.3 The provisional agenda of an extraordinary session shall include only those questions for the consideration of which the session has been convened.

### Rule 10 Adoption of the agenda

The Committee shall adopt at the beginning of each session its agenda for that session.

### Rule 11 Amendments, deletions and new items

The Committee may amend, delete or add items to the agenda so adopted if so decided by a two-thirds majority of the Members present and voting.

## V BUREAU

### Rule 12 Bureau

- 12.1 The Bureau of the Committee shall consist of the Chairperson, one or more Vice-Chairpersons and a Rapporteur, in conformity with the principle of equitable geographical representation.
- 12.2 The Bureau shall coordinate the work of the Committee and fix the dates, times and order of business of meetings. It shall exercise as well the tasks foreseen in the Operational Directives and any other task assigned by the Committee through its own decisions. The other members of the Bureau shall assist the Chairperson in carrying out his duties.
- 12.3 The Bureau, convened by its Chairperson, shall meet as frequently as it deems necessary. Between the sessions of the Committee it shall meet at UNESCO Headquarters. The Bureau may, if the chairperson deems it appropriate, consult by correspondence, including electronic consultation.
- 12.4 Meetings shall be open to Committee Members and States Parties as observers, unless decided otherwise by the Bureau. Observers may address the Bureau only with the prior consent of the Chairperson.

### Rule 13 Elections

- 13.1 The Committee, at the end of each ordinary session, shall elect, from among those Committee Members whose term continues through the next ordinary session, a Chairperson, one or more Vice-Chairpersons and a Rapporteur who shall remain in office until the end of that session.
- 13.2 In case of an extraordinary session, the Committee shall elect a Chairperson, one or more Vice-Chairpersons and a Rapporteur who shall remain in office until the end of that session.
- 13.3 The Chairperson, the Vice-Chairpersons and the Rapporteur shall be eligible for immediate re-election for a second term of office, provided that the country that each represents continues to be a State Member of the Committee at least until the end of the new term of office.

- 13.4 In electing the Bureau, the Committee shall have due regard to the need to ensure equitable geographical representation and, inasmuch as possible, a balance among the various fields of the intangible cultural heritage.

#### **Rule 14**    **Duties of the Chairperson**

- 14.1 In addition to the powers conferred upon him elsewhere by these Rules, the Chairperson shall open and close each plenary meeting of the Committee. He shall direct the discussions, ensure observance of these Rules, accord the right to speak, put questions to the vote and announce decisions. He shall rule on points of order and, subject to these Rules, shall see to the smooth conduct of the proceedings and the maintenance of order. He shall not vote, but he may instruct another member of his delegation to vote on his behalf. He shall exercise all other duties entrusted to him by the Committee.
- 14.2 A Vice-Chairperson acting as Chairperson shall have the same powers and duties as the Chairperson.
- 14.3 The Chairperson or Vice-Chairperson(s) of a subsidiary body of the Committee shall have the same duties in regard to the bodies over which they are called upon to preside as the Chairperson or the Vice-Chairperson(s) of the Committee.

#### **Rule 15**    **Replacement of Chairperson**

- 15.1 If the Chairperson is unable to act at any session of the Committee or Bureau, or part thereof, his functions shall be exercised by a Vice-Chairperson.
- 15.2 If the Chairperson ceases to represent a State Member of the Committee or is for any reason unable to complete his term of office, he shall be replaced by a Vice-Chairperson, after consultation within the Committee, for the remainder of the term of office.
- 15.3 The Chairperson shall abstain from exercising his functions for all issues relating to an element of the intangible cultural heritage present in the territory of the State Party of which he is a national.

**Rule 16 Replacement of the Rapporteur**

- 16.1 If the Rapporteur is unable to act at any session of the Committee or Bureau, or part thereof, his functions shall be exercised by a Vice-Chairperson.
- 16.2 If the Rapporteur ceases to represent a State Member of the Committee or if he is for any reason unable to complete his term of office, he shall be replaced by a Vice-Chairperson, after consultation within the Committee, for the remainder of the term of office.

**VI CONDUCT OF BUSINESS****Rule 17 Quorum**

- 17.1 At plenary meetings, a quorum shall consist of a majority of the States Members of the Committee.
- 17.2 At meetings of subsidiary bodies, a quorum shall consist of a majority of the States which are members of the bodies concerned.
- 17.3 Neither the Committee nor its subsidiary bodies shall decide on any matter unless a quorum is present.

**Rule 18 Public meetings**

Meetings shall be held in public unless decided otherwise by the Committee. This rule may not be suspended by the Bureau.

**Rule 19 Private meetings**

- 19.1 When in exceptional circumstances, the Committee decides to hold a private meeting, it shall determine the persons who, in addition to the representatives of the States Members, shall be present.
- 19.2 Any decision taken by the Committee at a private meeting shall be presented in written form at a subsequent public meeting.

- 19.3 At each private meeting, the Committee shall decide whether the summary record and working documents of that meeting shall be published. Documents resulting from private meetings shall be made public after a period of twenty years.

#### **Rule 20 Ad hoc consultative bodies**

- 20.1 The Committee may establish, on a temporary basis, whatever ad hoc consultative bodies it deems necessary to carry out its task (Article 8.3 of the Convention).
- 20.2 It shall define the composition and the terms of reference (including mandate and duration of office) of such ad hoc consultative bodies at the time of their establishment.
- 20.3 Each ad hoc consultative body shall elect its Chairperson and, if necessary, its Rapporteur.
- 20.4 In appointing members of ad hoc consultative bodies, due regard shall be given to the need to ensure an equitable representation of the different regions of the world.

#### **Rule 21 Subsidiary bodies**

- 21.1 The Committee may establish such subsidiary bodies as it deems necessary for the conduct of its work.
- 21.2 It shall define the composition and the terms of reference (including mandate and duration of office) of such subsidiary bodies at the time of their establishment. These bodies may only be composed of States Members of the Committee.
- 21.3 Each subsidiary body shall elect its Chairperson and, if necessary, its Vice-President(s) and its Rapporteur.
- 21.4 In appointing members of subsidiary bodies, due regard shall be given to the need to ensure an equitable representation of the different regions of the world.

#### **Rule 22 Order and time-limit of speeches**

- 22.1 The Chairperson shall call upon speakers in the order in which they signify their wish to speak.



- 22.2 The Chairperson may limit the time allowed to each speaker if circumstances make this desirable.
- 22.3 The representatives of organizations, individuals and observers referred to in Rules 6, 7, 8.1, 8.2 and 8.3 may address the meeting with the prior consent of the Chairperson.
- 22.4 Representatives of a State Party, whether or not a Member of the Committee, shall not speak to advocate the inclusion in the lists mentioned in Articles 16 and 17 of the Convention of an item of the intangible cultural heritage nominated by that State or to endorse a request for assistance submitted by that State, but only to provide information in reply to questions raised. This provision applies to all observers mentioned in Rule 8.

### **Rule 23** Text of proposals

At the request of any Member of the Committee, supported by two other Members, discussion of any substantive motion, resolution or amendment shall be suspended until the text is circulated in the working languages to all Committee Members present.

### **Rule 24** Division of proposals

Part of a proposal shall be voted on separately if a Member of the Committee requests that the proposal be divided. Those parts of a proposal which have been approved in separate vote shall then be put to a vote as a whole. If all the operative parts of the proposal have been rejected, the proposal shall be considered to have been rejected as a whole.

### **Rule 25** Voting on amendments

- 25.1 When an amendment to a proposal is moved, the amendment shall be voted on first. When two or more amendments to a proposal are moved, the Committee shall first vote on the amendment deemed by the Chairperson to be furthest removed in substance from the original proposal, and then on the amendment next furthest removed therefrom and so on, until all the amendments have been put to the vote.
- 25.2 If one or more amendments are adopted, the amended proposal shall then be voted upon as a whole.
- 25.3 A motion is considered an amendment to a proposal if it merely adds to, deletes from or revises part of that proposal.

### **Rule 26**   **Voting on proposals**

If two or more proposals relate to the same question, the Committee shall, unless it decides otherwise, vote on the proposals in the order in which they have been submitted. The Committee may, after each vote on a proposal, decide whether to vote on the next proposal.

### **Rule 27**   **Withdrawal of proposals**

A proposal may be withdrawn by its proposer at any time before voting on it has begun, provided that the proposal has not been amended. A proposal withdrawn may be reintroduced by another State Member of the Committee.

### **Rule 28**   **Points of order**

28.1 During a discussion, a State Member may rise to a point of order and the point of order shall be immediately decided by the Chairperson.

28.2 An appeal may be made against the ruling of the Chairperson. Such appeal shall be put to the vote immediately and the Chairperson's ruling shall stand unless overruled.

### **Rule 29**   **Procedural motions**

During the discussion of any matter, a State Member of the Committee may propose a procedural motion: suspension or adjournment of the meeting, adjournment of the debate or closure of the debate.

### **Rule 30**   **Suspension or adjournment of the meeting**

During the discussion of any matter, a State Member of the Committee may move the suspension or adjournment of the meeting. Any such motions shall be put to the vote immediately and without discussion.

### **Rule 31**   **Adjournment of debate**

During the discussion of any matter, a State Member of the Committee may move the adjournment of the debate on the item under discussion. On moving the adjournment the State Member shall indicate whether he moves the adjournment sine die or to a particular time which he shall specify. In addition to the proposer of the motion, one speaker may speak in favour of, and one against, the motion.

**Rule 32 Closure of debate**

A State Member of the Committee may at any time move the closure of the debate, whether or not any other speaker has signified his wish to take part in the discussion. If application is made for permission to speak against the closure, it may be accorded to not more than two speakers. The Chairperson shall then put the motion for closure to the vote and, if the Committee is in favour of the motion, the Chairperson shall declare the closure of the debate.

**Rule 33 Order of procedural motions**

Subject to Rule 28, the following motions shall have precedence, in the following order, over all other proposals or motions before the meeting:

- (a) suspension of the meeting;
- (b) adjournment of the meeting;
- (c) adjournment of the debate on the question under discussion;
- (d) closure of the debate on the question under discussion.

**Rule 34 Decisions**

34.1 The Committee shall adopt such decisions and recommendations as it may deem appropriate.

34.2 The text of each decision shall be adopted at the end of the discussion of the agenda item.

## VII VOTING

**Rule 35 Voting rights**

Each State Member of the Committee shall have one vote in the Committee.

**Rule 36 Conduct during voting**

After the Chairperson has announced the beginning of voting, no one shall interrupt the voting except a State Member of the Committee on a point of order in connection with the actual conduct of the voting.

### **Rule 37** Simple majority

Except where otherwise specified in these Rules, all decisions of the Committee shall be taken by a simple majority of the States Members present and voting.

### **Rule 38** Counting of votes

For the purposes of these Rules, the expression 'States Members present and voting' shall mean States Members casting an affirmative or negative vote. States Members abstaining from voting shall be regarded as not voting.

### **Rule 39** Conduct of voting

39.1 Voting shall normally be by a show of hands.

39.2 If there is any doubt concerning the result of a vote by a show of hands, the Chairperson may take a second vote by roll-call.

39.3 A vote by roll-call shall also be taken if it is requested by two or more States Members of the Committee before the voting begins.

#### **A** A decision by secret ballot

39.4 A decision shall be voted on by secret ballot whenever two or more States Members shall so request. The vote by secret ballot shall prevail over any other proposed voting conduct.

39.5 Before the vote begins, the Chairperson shall appoint two tellers from among the delegates present to scrutinize the votes cast.

39.6 When the counting of the votes is completed and the tellers have reported to the Chairperson, he shall announce the results of the ballot bearing in mind that the voting will be recorded as follows:

From the total number of States Members of the Committee will be deducted:

- (a) the number of States Members of the Committee absent, if any;
- (b) the number of blank ballot papers, if any;
- (c) the number of invalid ballot papers, if any.

The remaining number will constitute the number of votes recorded.

**B Elections of the members of ad hoc consultative bodies and subsidiary bodies by secret ballot**

- 39.7 Elections shall be conducted by secret ballot except that, where the number of candidates within geographical distribution is the same as or less than the number of seats to be filled, the candidates shall be declared elected without the need to hold a ballot.
- 39.8 Before the election begins, the Chairperson shall appoint two tellers from among the delegates present; he shall hand to them the list of candidates. He shall announce the number of seats to be filled.
- 39.9 The Secretariat shall prepare for each State Member of the Committee an envelope without any distinguishing mark and separate ballot papers, one for each of the electoral groups. The ballot paper for each vacant seat or electoral group shall bear the names of all the candidates in that electoral group.
- 39.10 Each State Member of the Committee shall cast its vote by encircling the names of those candidates for which it desires to vote.
- 39.11 The tellers shall collect from each State Member of the Committee the envelope containing the ballot papers and shall count the votes, under the supervision of the Chairperson.
- 39.12 The absence of any ballot paper in the envelope shall be considered an abstention.
- 39.13 Ballot papers on which more names have been circled than there are seats to be filled as well as those containing no indication as to the intention of the voter shall be considered invalid.
- 39.14 The counting of the votes for each electoral group shall take place separately. The tellers shall open the envelopes, one by one, and shall sort the ballot papers into electoral groups. The votes cast for the candidate shall be entered on lists prepared for that purpose.
- 39.15 The Chairperson shall declare elected those candidates who obtain the greatest number of votes up to the number of seats to be filled. If two or more candidates obtain the same number of votes, and, as a result, there are still more candidates than seats to be filled, there shall be a second secret ballot restricted to those candidates who obtained the same

number of votes. If in the second ballot two or more candidates obtain the same number of votes, the Chairperson shall draw lots to decide the elected candidate.

- 39.16 When the counting of the votes is completed, the Chairperson shall announce the results of the ballot separately for each of the electoral groups.

## VIII SECRETARIAT OF THE COMMITTEE

### Rule 40 The Secretariat

- 40.1 The Committee shall be assisted by the UNESCO Secretariat (Article 10.1 of the Convention).
- 40.2 The Director-General or his representative shall participate in the work of the Committee and of the ad hoc consultative and subsidiary bodies, without the right to vote. He may at any time make either oral or written statements on any question under consideration.
- 40.3 The Director-General shall appoint an official of the Secretariat of UNESCO to act as Secretary to the Committee, and other officials who shall together constitute the Secretariat of the Committee.
- 40.4 The Secretariat shall receive, translate and distribute all official documents of the Committee and shall arrange for the interpretation of the discussions, as provided in Rule 43.
- 40.5 The Secretariat shall perform all other duties necessary for the proper conduct of the work of the Committee.

## IX WORKING LANGUAGES AND REPORTS

### Rule 41 Working languages

- 41.1 The working languages of the Committee shall be English and French. Every effort shall be made, including through extrabudgetary funding, to facilitate the use of the other official languages of the United Nations as working languages. Separately, the host country may facilitate the use of its own language(s).

- 41.2 Statements made at a meeting of the Committee in one of the working languages shall be interpreted into the other language.
- 41.3 Speakers may, however, speak in any other language, provided they make their own arrangements for interpretation of their statements into one of the working languages.
- 41.4 The documents of the Committee shall be issued simultaneously in English and French.

#### **Rule 42**    **Deadline for distribution of documents**

The documents relating to the items on the provisional agenda of each session of the Committee shall be distributed to the Members of the Committee in the two working languages at the latest four weeks before the beginning of the session. They shall be provided in electronic form to accredited organizations, the public or private bodies and private persons invited to the session and to States Parties which are not members of the Committee.

#### **Rule 43**    **Reports of the sessions**

At the end of each session, the Committee shall adopt its report in the form of a list of decisions. This shall be published in the two working languages in the month that follows the closure of the said session.

#### **Rule 44**    **Summary record**

The Secretariat shall prepare a summary record of the Committee's meetings, for approval at the opening of the next session.

#### **Rule 45**    **Communication of documentation**

The list of decisions and the final summary record of the debates in public meetings shall be transmitted by the Director-General to the Members of the Committee, all States Parties to the Convention, accredited organizations and the public or private bodies and private persons invited to the session.

#### **Rule 46**    **Reports to the General Assembly of the States Parties and to the General Conference of UNESCO**

- 46.1 The Committee shall submit a report on its activities and decisions to the General Assembly of the States Parties at each of its ordinary sessions and bring it to the attention of the General Conference of UNESCO at each of its ordinary sessions (Article 30.2 of the Convention).

46.2 The Committee may authorize its Chairperson to submit these reports on its behalf.

46.3 Copies of these reports shall be sent to all States Parties to the Convention.

## X ADOPTION, AMENDMENT AND SUSPENSION OF THE RULES OF PROCEDURE

### Rule 47 Adoption

The Committee shall adopt its Rules of Procedure by a two-thirds majority of the Members present and voting (Article 8.2 of the Convention).

### Rule 48 Amendment

The Committee may amend these Rules of Procedure, except when they reproduce provisions of the Convention, by a decision taken in plenary meeting by a two-thirds majority of the States Members present and voting, provided the proposed amendment has been included in the agenda of the session in accordance with Rules 9 and 10.

### Rule 49 Suspension

The Committee may suspend the application of any of these Rules of Procedure, except when they reproduce provisions of the Convention, by a decision taken in plenary meeting by a two-thirds majority of the States Members present and voting.



# 5

## Financial Regulations of the Special Account for the Fund for the Safeguarding of the Intangible Cultural Heritage



## 5

## Financial Regulations of the Special Account for the Fund for the Safeguarding of the Intangible Cultural Heritage

### Article 1 Establishment of the Intangible Heritage Special Account

- 1.1 Article 25 of the Convention for the Safeguarding of the Intangible Cultural Heritage (hereinafter referred to as the 'Convention') establishes a Fund called the Fund for the Safeguarding of the Intangible Cultural Heritage (hereinafter referred to as the 'Fund'). Given the multi-donor nature of the Fund, it will be managed as a Special Account.
- 1.2 In accordance with Article 6.6 of the Financial Regulations of UNESCO, there is hereby created a Special Account for the Fund for the Safeguarding of the Intangible Cultural Heritage (hereinafter referred to as the 'Special Account').
- 1.3 The following regulations shall govern the operation of the Special Account.

### Article 2 Financial period

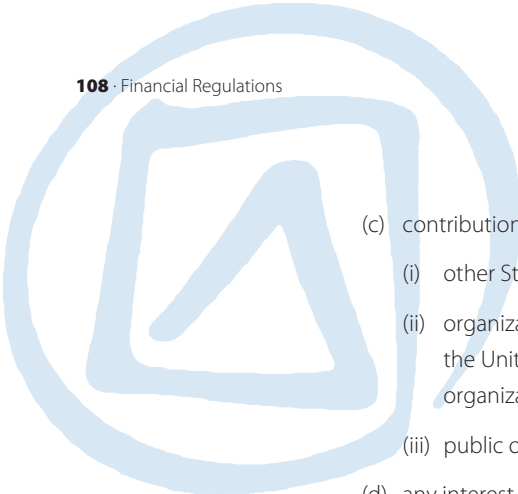
The financial period shall correspond to that of UNESCO.

### Article 3 Purpose

The purpose of this Special Account shall be to receive contributions from the sources indicated in Article 4.1 below and to make payments therefrom, to assist in the safeguarding of intangible cultural heritage in accordance with the terms of the Convention and the present Regulations.

### Article 4 Income

- 4.1 In accordance with Article 25.3 of the Convention, the income of the Special Account shall consist of:
  - (a) contributions made by States Parties to the Convention, in accordance with its Article 26;
  - (b) funds appropriated for this purpose by the General Conference of UNESCO;

- 
- (c) contributions, gifts or bequests which may be made by:
    - (i) other States;
    - (ii) organizations and programmes of the United Nations system, particularly the United Nations Development Programme, as well as other international organizations;
    - (iii) public or private bodies or individuals;
  - (d) any interest due on the resources of the Special Account;
  - (e) funds raised through collections, and receipts from events organized for the benefit of the Special Account;
  - (f) any other resources authorized by the Committee.

4.2 As stipulated in Article 26.1 of the Convention, the contributions of States Parties which have not made the declaration referred to in Article 26.2 of the Convention shall be made according to the uniform percentage determined by the General Assembly of the States Parties to the Convention.

#### **Article 5 Expenditure**

- 5.1 In accordance with Article 25.4 of the Convention, the use of the resources of the Special Account by the Committee shall be decided on the basis of guidelines laid down by the General Assembly.
- 5.2 The Special Account shall be debited with the expenditure relating to its purpose as described in Article 3 above, including direct administrative expenses specifically relating to it.
- 5.3 Expenditure shall be made within the limits of funds available.

#### **Article 6 Reserve Fund**

Within the Special Account there shall be established a reserve fund to meet requests for assistance in cases of extreme urgency, as foreseen in Article 17.3 and 22.2 of the Convention. The amount of the reserve shall be determined by the Committee.

**Article 7**   **Accounts**

- 7.1 The UNESCO Comptroller shall maintain such accounting records as are necessary.
- 7.2 Any unused balance at the end of a financial period shall be carried forward to the following financial period.
- 7.3 The accounts of the Special Account shall be presented for audit to the External Auditor of UNESCO, together with the other accounts of the Organization.
- 7.4 Contributions in kind shall be recorded outside the Special Account.
- 7.5 The accounts shall be submitted by the Director-General to the General Assembly of the States Parties to the Convention.

**Article 8**   **Investments**

- 8.1 The Director-General may make short-term investments of sums standing to the credit of the Special Account.
- 8.2 Interest earned on these investments shall be credited to the Special Account.

**Article 9**   **General provision**

Unless otherwise provided in these Regulations, the Special Account shall be administered in accordance with the Financial Regulations of UNESCO.



# 6

## Ethical Principles for Safeguarding Intangible Cultural Heritage





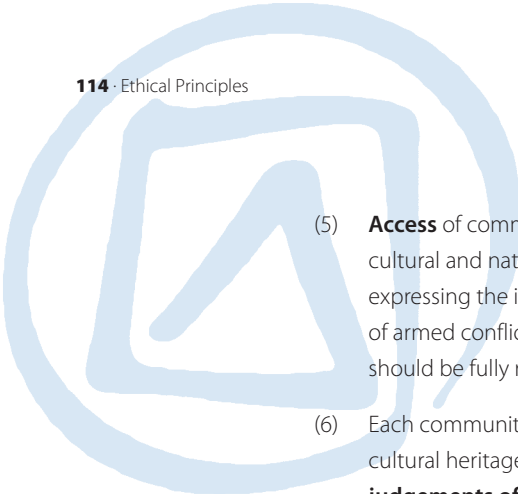
## 6

## Ethical Principles for Safeguarding Intangible Cultural Heritage

Adopted by the Intergovernmental Committee for the Safeguarding of the Intangible Cultural Heritage at its tenth session (Windhoek, Namibia, 30 November to 4 December 2015)

The Ethical Principles for Safeguarding Intangible Cultural Heritage have been elaborated in the spirit of the 2003 Convention for the Safeguarding of the Intangible Cultural Heritage and existing international normative instruments protecting human rights and the rights of indigenous peoples. They represent a set of overarching aspirational principles that are widely accepted as constituting good practices for governments, organizations and individuals directly or indirectly affecting intangible cultural heritage in order to ensure its viability, thereby recognizing its contribution to peace and sustainable development. Complementary to the 2003 Convention for the Safeguarding of the Intangible Cultural Heritage, the Operational Directives for the Implementation of the Convention and national legislative frameworks, these Ethical Principles are intended to serve as a basis for the development of specific codes of ethics and tools adapted to local and sectoral conditions.

- (1) Communities, groups and, where applicable, individuals should have the **primary role** in safeguarding their own intangible cultural heritage.
- (2) The **right of communities, groups and, where applicable, individuals** to continue the practices, representations, expressions, knowledge and skills necessary to ensure the viability of the intangible cultural heritage should be recognized and respected.
- (3) **Mutual respect** as well as a respect for and mutual appreciation of intangible cultural heritage, should prevail in interactions between States and between communities, groups and, where applicable, individuals.
- (4) All interactions with the communities, groups and, where applicable, individuals who create, safeguard, maintain and transmit intangible cultural heritage should be characterized by **transparent** collaboration, dialogue, negotiation and consultation, and contingent upon their **free, prior, sustained and informed consent**.

- 
- (5) **Access** of communities, groups and individuals to the instruments, objects, artefacts, cultural and natural spaces and places of memory whose existence is necessary for expressing the intangible cultural heritage should be ensured, including in situations of armed conflict. Customary practices governing access to intangible cultural heritage should be fully respected, even where these may limit broader public access.
  - (6) Each community, group or individual should assess the value of its own intangible cultural heritage and this intangible cultural heritage should **not be subject to external judgements of value or worth**.
  - (7) The communities, groups and individuals who create intangible cultural heritage should **benefit from the protection** of the moral and material interests resulting from such heritage, and particularly from its use, research, documentation, promotion or adaptation by members of the communities or others.
  - (8) The **dynamic and living nature of intangible cultural heritage** should be continuously respected. Authenticity and exclusivity should not constitute concerns and obstacles in the safeguarding of intangible cultural heritage.
  - (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.
  - (10) Communities, groups and, where applicable, individuals should play a significant role in determining what constitutes **threats to their intangible cultural heritage** including the decontextualization, commodification and misrepresentation of it and in deciding how to prevent and mitigate such threats.
  - (11) **Cultural diversity** and the identities of communities, groups and individuals should be fully respected. In the respect of values recognized by communities, groups and individuals and sensitivity to cultural norms, specific attention to **gender equality, youth involvement and respect for ethnic identities** should be included in the design and implementation of safeguarding measures.
  - (12) The safeguarding of intangible cultural heritage is of **general interest to humanity** and should therefore be undertaken through cooperation among bilateral, subregional, regional and international parties; nevertheless, communities, groups and, where applicable, individuals should never be alienated from their own intangible cultural heritage.

# 7

## Annexes



## 7.a

Model Instrument of  
Ratification/Acceptance/Approval\*

WE .....  
 (NAME OF HEAD OF STATE or GOVERNMENT or MINISTER FOR FOREIGN AFFAIRS)  
 of .....  
 (COUNTRY)

Having seen and examined UNESCO's Convention for the Safeguarding of the Intangible Cultural Heritage (2003),

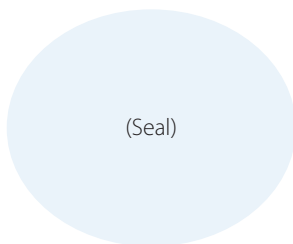
By virtue of the powers vested in us, have approved it and do approve it in its entirety and in each part, in accordance with the provisions therein contained,

Declare that we ratify/accept/approve the said Convention in accordance with Articles 32 and 33 thereof, and vow that it shall be scrupulously observed,

IN WITNESS WHEREOF we have deposited this instrument of ratification/acceptance/approval, to which we have affixed our seal.

Done at (*place*).....

On (*date*).....



.....  
 (*Signed*)

HEAD OF STATE or  
 HEAD OF GOVERNMENT or  
 MINISTER FOR FOREIGN AFFAIRS

\* Those States and territories stipulated in Article 33 of the Convention for the Safeguarding of the Intangible Cultural Heritage, and only they, may 'adhere' to the Convention.

# 7.b

## Voluntary contributions to the Fund for the Safeguarding of the Intangible Cultural Heritage

States wishing to make voluntary contributions in excess of compulsory contributions under Article 26 of the Convention, as well as any public or private entity wishing to make a contribution to the Fund, may opt for three different ways:

**Contributions earmarked for specific purposes:** to support projects, provided that they are approved by the Intergovernmental Committee. States opting for this modality are invited to inform the Secretariat through a letter of intent three months prior to the Committee meeting at which they wish their proposal to be examined.

**Contributions to the sub-fund:** used exclusively for enhancing the human capacities of the Secretariat, in accordance with Resolution 3.GA 9.

**Unrestricted contributions:** used according to the Plan for the use of resources of the Fund that is approved every two years by the General Assembly of the States Parties.

Sample letters of contribution can be downloaded at

**<http://www.unesco.org/culture/ich>**. Donors wishing to make voluntary contributions are invited to contact the Secretariat at any time.

## 7.C

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

Session	Date	Location
First session	27 to 29 June 2006	UNESCO Headquarters, Paris
First extraordinary session	9 November 2006	UNESCO Headquarters, Paris
Second session	16 to 19 June 2008	UNESCO Headquarters, Paris
Third session	22 to 24 June 2010	UNESCO Headquarters, Paris
Fourth session	4 to 8 June 2012	UNESCO Headquarters, Paris
Fifth session	2 to 4 June 2014	UNESCO Headquarters, Paris
Sixth session	30 May to 1 June 2016	UNESCO Headquarters, Paris



## Sessions of the Intergovernmental Committee for the Safeguarding of the Intangible Cultural Heritage

Session	Date	Location
First session	18 to 19 November 2006	Algiers, Algeria
First extraordinary session	23 to 27 May 2007	Chengdu, China
Second session	3 to 7 September 2007	Tokyo, Japan
Second extraordinary session	18 to 22 February 2008	Sofia, Bulgaria
Third extraordinary session	16 June 2008	UNESCO Headquarters, Paris
Third session	4 to 8 November 2008	Istanbul, Turkey
Fourth session	28 September to 2 October 2009	Abu Dhabi, United Arab Emirates
Fifth session	15 to 19 November 2010	Nairobi, Kenya
Sixth session	22 to 29 November 2011	Bali, Indonesia
Fourth extraordinary session	8 June 2012	UNESCO Headquarters, Paris
Seventh session	3 to 7 December 2012	UNESCO Headquarters, Paris
Eighth session	2 to 7 December 2013	Baku, Azerbaijan
Ninth Session	24 to 28 November 2014	UNESCO Headquarters, Paris
Tenth Session	30 November to 4 December 2015	Windhoek, Namibia





## Forms

All forms are available at [www.unesco.org/culture/ich/en/forms/](http://www.unesco.org/culture/ich/en/forms/)

		<b>Deadline</b>
<b>List of Intangible Cultural Heritage in Need of Urgent Safeguarding</b>		
Contact: <a href="mailto:ich-nominations@unesco.org">ich-nominations@unesco.org</a>		
ICH-05	Financial assistance requests for preparing nomination files for the List of Intangible Cultural Heritage in Need of Urgent Safeguarding	31 March
ICH-01	Nomination form	31 March
ICH-01bis	Nomination form combined with an International Assistance request	31 March
<b>Representative List of the Intangible Cultural Heritage of Humanity</b>		
Contact: <a href="mailto:ich-nominations@unesco.org">ich-nominations@unesco.org</a>		
ICH-02	Nomination form	31 March
<b>Programmes, Projects and Activities that best reflect the principles and objectives of the Convention</b>		
Contact: <a href="mailto:ich-nominations@unesco.org">ich-nominations@unesco.org</a>		
ICH-06	Financial assistance requests for preparing proposals of programmes, projects or activities	31 March
ICH-03	Proposal form	31 March
<b>International Assistance</b>		
Contact: <a href="mailto:ich-nominations@unesco.org">ich-nominations@unesco.org</a>		
ICH-04	International Assistance requests	
	International Assistance requests up to US\$100,000	at any time
	International Assistance requests of more than US\$100,000	31 March
	Emergency assistance requests	at any time

**Deadline****Non-governmental organizations**Contact: [ich-ngo@unesco.org](mailto:ich-ngo@unesco.org)

ICH-09	Accreditation requests by non-governmental organizations to provide advisory services to the Committee	30 April of odd-numbered years
ICH-08	Report by a non-governmental organization accredited to act in an advisory capacity to the Committee on its contribution to the implementation of the Convention	15 February

**Periodic reporting**Contact: [ich-reports@unesco.org](mailto:ich-reports@unesco.org)

ICH-10	Report on the measures taken for the implementation of the Convention, including reports on the current status of all elements of ICH inscribed on the Representative List	15 December every sixth year after deposit of instrument of ratification*
ICH-11	Report on the status of an ICH element that has been inscribed on the Urgent Safeguarding List	15 December every fourth year after inscription of the element

**Annexes**

ICH-04- Timetable and Budget	Timetable and budget to be submitted with forms ICH-01bis and ICH-04
ICH-07	The Cession of Rights and Register of Documentation form (ICH-07) should be submitted with nomination forms ICH-01, ICH-01bis, ICH-02 and ICH-03

\* A State non party to the Convention that has in its territory items proclaimed Masterpieces incorporated in the Representative List and that has consented to accept the rights and obligations attendant thereon shall report to the Committee on those elements in 2014 and every sixth year thereafter.





United Nations  
Educational, Scientific and  
Cultural Organization



Intangible  
Cultural  
Heritage

### **Intangible Cultural Heritage Section**

Division for Creativity

Culture Sector

UNESCO

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Tel.: +33 1 45 68 43 95

E-mail: [ich@unesco.org](mailto:ich@unesco.org)

[www.unesco.org/culture/ich](http://www.unesco.org/culture/ich)