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

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

**Fifth extraordinary session**

**Online**

**1 July 2022**

**DECISIONS**

**DECISION 5.EXT.COM 2**

The Committee,

1. Having examined document [LHE/22/5.EXT.COM/2](https://ich.unesco.org/doc/src/LHE-22-5.EXT.COM-2_EN.docx),
2. Recalling Rules 12 and 13 of its Rules of Procedure,
3. Elects H.E. Mr Samir Addahre (Morocco) as Chairperson of the Committee;
4. Elects Switzerland, Czechia, Panama, Republic of Korea and Botswana as Vice-Chairpersons of the Committee;
5. Elects Mr Ramiro Maurice Silva Rivera (Peru) as Rapporteur of the Committee.

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**DECISION 5.EXT.COM 3**

The Committee,

1. Having examined Documents [LHE/22/17.COM WG/Recommendations](https://ich.unesco.org/doc/src/LHE-22-17.COM_WG-Recommendations_EN.docx) and [LHE/22/5.EXT.COM/3 Rev.](https://ich.unesco.org/doc/src/LHE-22-5.EXT.COM-3.Rev-EN.docx),
2. Recalling Rule 9.3 of its Rules of Procedure as well as Article 7(e) of the Convention,
3. Further recalling Decision [16.COM 14](https://ich.unesco.org/en/Decisions/16.COM/14),
4. Adopts the agenda of its fifth extraordinary session (Online, 1 July 2022) as follows:

**Agenda**

1. Opening
2. Election of the Bureau
3. Adoption of the agenda
4. The global reflection on the listing mechanisms of the Convention and proposed revisions to the Operational Directives
5. Request by Ukraine to examine the nomination ‘Culture of Ukrainian borscht cooking’ for the Urgent Safeguarding List as a case of extreme urgency
6. Closure

**DECISION 5.EXT.COM 4**

The Committee,

1. Having examined document [LHE/22/5.EXT.COM/4](https://ich.unesco.org/doc/src/LHE-22-5.EXT.COM-4_EN.docx) and its annexes,
2. Recalling Decision [16.COM 14](https://ich.unesco.org/en/d%C3%A9cisions/16.COM/14) and document [LHE/21/16.COM 14](https://ich.unesco.org/doc/src/LHE-21-16.COM-14-EN.docx),
3. Renews its gratitude to Japan for supporting the global reflection on the listing mechanisms of the Convention;
4. Expresses its appreciation for the work of the Open-ended intergovernmental working group for having concluded on all topics entrusted to it for its Part III meeting and thanks its members for their engagement;
5. Recommends that the General Assembly revise the Operational Directives for the implementation of the Convention (as contained in Annex II below), on the basis of and reflecting the spirit of the recommendations of Part III of the Open-ended intergovernmental working group (as contained in Annex I below).

**Annex I**

**Recommendations of the Open-ended intergovernmental working group (Part III)**

**Issues linked to the annual number of files**

**Annual ceiling**

1. The annual number of nominations to the Urgent Safeguarding List, the Representative List and to the Register of Good Safeguarding Practices that can be treated in total is to be set at no more than sixty.
2. All requests for International Assistance are to be examined by the Bureau of the Committee. The requests should not exceed US$100,000, except for emergency requests.
3. Sustainable staffing requirements of the Secretariat need to be resolved for the support required to further implement the 2003 Convention. The Secretariat is to prepare a detailed proposal on the financial and human resources needed for strengthening the listing mechanisms, including the work of the evaluation system, in order to increase the annual ceiling of nominations. This proposal should be submitted for examination by the Committee for transmission to the Executive Board of UNESCO and the tenth session of the General Assembly in order to decide on the allocation of necessary resources for the sustainable staffing requirements of the Secretariat.

**Order of priorities**

1. The current system of priorities is to be continued, but an allocation will be made, on an experimental basis, to a set number within the overall ceiling to be dedicated to multinational files without affecting priority (0) and priority (i) categories, and to establish a prioritization system within the allocated multinational files quota.
2. Requests under the new procedures regarding transfer from the Urgent Safeguarding List to the Representative List are to be considered outside the annual ceiling, on an experimental basis for review at the tenth session of the General Assembly.
3. Requests under the new procedures regarding inscription on an extended or reduced basis are to be considered outside the annual ceiling, on an experimental basis for review at the tenth session of the General Assembly.

**Composition and the working methods of the Evaluation Body**

1. The composition of the Evaluation Body is to remain unchanged, keeping the global and consensus-based methodology applied to each criterion of every nomination file and in accordance with the relevant provisions as set out in the Operational Directives.

**Backlog files**

1. Backlog files older than four years are to be removed from the backlog, while inviting Member States to submit updated versions which are to be treated expeditiously within the framework of the prioritization system. It is understood that the removal from the backlog is without prejudice to the merit of the element and will not influence the outcomes of any future evaluation.

**Other issues**

**‘Revising the priority for the examination of nomination files for States Parties that did not fulfil their reporting obligations concerning the implementation of the Convention and the status of elements inscribed on the Representative List or on the Urgent Safeguarding List’**

1. The proposal to revise the priority for the examination of nomination files for States Parties that did not fulfil reporting obligations can be reconsidered at a later stage, particularly if the improvement made in the submission rates of periodic reports in the recent cycles cannot be maintained.

**‘Debating the possibility of obtaining additional information regarding nominations by using a dialogue process with accredited NGOs and communities, groups and, where appropriate, individuals concerned’**

1. The issues covered under this topic are to be incorporated in the new initiative on the broader implementation of Article 18 of the 2003 Convention, in line with Decision [16.COM 14](https://ich.unesco.org/en/Decisions/16.COM/14) (paragraph 9).

**‘Necessary procedure to examine exceptional cases’**

1. Because of the increase in the number of files to be examined by the Committee that results from an unforeseen element that could justify an accelerated processing, the working group recommends to the Committee that any exceptional cases that increase the annual ceiling shall be reviewed by the Committee after the initial discussion by the Bureau of the Committee as soon as possible, based on agreed criteria, with the understanding that this does not concern cases falling under extreme urgency foreseen under Article 17.3 of the Convention. Furthermore, the working group invites the Secretariat to recommend possible criteria to define exceptional cases.

**‘Reflections on the possibility of introducing preliminary assessment procedures to the existing upstream process’**

1. The effectiveness of the dialogue process, as recently adopted by the eighth session of the General Assembly, shall continue to be strengthened and observed.

**Annex II**

**Proposed amendments to the Operational Directives for the implementation of the Convention**

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| **I.7** | No change. |
| 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.~~Requests for all preparatory assistance shall be submitted by using Form ICH-05. Requests for International Assistance shall be submitted by using Form ICH-04~~, irrespective of the amount requested~~[[1]](#footnote-1) except for requests submitted simultaneously with nominations to the List of Intangible Cultural Heritage in Need of Urgent Safeguarding or in the context of the request to transfer an element from the Representative List of the Intangible Cultural Heritage of Humanity to the List of Intangible Cultural Heritage in Need of Urgent Safeguarding. |
| **I.8** | No change. |
| 27. | ~~On an experimental basis, t~~[[2]](#footnote-2)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[[3]](#footnote-3)~~ submitted simultaneously with nominations to the List of Intangible Cultural Heritage in Need of Urgent Safeguarding or in the context of the request to transfer an element from the Representative List of the Intangible Cultural Heritage of Humanity to the List of Intangible Cultural Heritage in Need of Urgent Safeguarding, 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. |
| 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 (including the transfer from one List to another, the extension or the reduction of an already inscribed 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;
* to approve or not to approve the International Assistance request submitted in the context of the request to transfer an element from the Representative List of the Intangible Cultural Heritage of Humanity to the List of Intangible Cultural Heritage in Need of Urgent Safeguarding, or to refer the request to the submitting State(s) for additional information;
* to approve or not to approve the International Assistance request submitted simultaneously with a nomination to the List of Intangible Cultural Heritage in Need of Urgent Safeguarding, or to refer the request to the submitting State(s) for additional information; or
* to maintain or to remove the inscribed element from the List of Intangible Cultural Heritage in Need of Urgent Safeguarding or the Representative List of the Intangible Cultural Heritage of Humanity, in case of ‘enhanced follow-up’.
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| **I.10** | No change. |
| 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 which in total is set at no more than sixty.[[4]](#footnote-4) 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, and 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~~.[[5]](#footnote-5) |
| 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:(0) files from States which had no file treated during the preceding cycle;[[6]](#footnote-6)(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; and1. files from States with the fewest elements inscribed~~,~~ and 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 submitted simultaneously with a nomination to the List of Intangible Cultural Heritage in Need of Urgent Safeguarding or in the context of the request to transfer an element from the Representative List of the Intangible Cultural Heritage of Humanity to the List of Intangible Cultural Heritage in Need of Urgent Safeguarding ~~greater than US$100,000~~ [[7]](#footnote-7)shall be approved, or whether the ~~proposal~~ request shall be referred to the submitting State(s) for additional information.
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| **I.14** | No change. |
| 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.~~International Assistance requests (including for preparatory assistance) shall not exceed US$100.000, except for emergency requests and requests submitted simultaneously with a nomination to the List of intangible Cultural Heritage in Need of Urgent Safeguarding or in the context of the request to transfer an element from the Representative List of the Intangible Cultural Heritage of Humanity to the List of Intangible Cultural Heritage in Need of Urgent Safeguarding.[[8]](#footnote-8)International Assistance requests can be submitted at any time, except for those requests that are examined and approved by the Committee for which the timetable under I.15 shall apply. Moreover, requests for preparatory assistance shall be submitted by the deadline of 31 March. |
| 49. | ~~Requests up to US$100,000, including preparatory assistance, are examined and approved by the Bureau of the Committee.~~International Assistance requests (including for preparatory assistance) up to US$100,000 and emergency requests regardless of the amount are examined and approved by the Bureau of the Committee. |
| 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.~~International Assistance requests submitted simultaneously with a nomination to the List of intangible Cultural Heritage in Need of Urgent Safeguarding or in the context of the request to transfer an element from the Representative List of the Intangible Cultural Heritage of Humanity to the List of Intangible Cultural Heritage in Need of Urgent Safeguarding are evaluated by the Evaluation Body and examined and approved by the Committee. |
| **I.15** | No change. |
| 54. | Phase 1: Preparation and submission |
| 31 MarchYear 1 | Deadline by which nominations for the List of Intangible Cultural Heritage in Need of Urgent Safeguarding (including those submitted simultaneously with International Assistance requests) and the Representative List of the Intangible Cultural Heritage of Humanity, as well as proposals for programmes, projects and activities that best reflect the principles and objectives of the Convention ~~and International Assistance requests greater than US$100,000[[9]](#footnote-9)~~ 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. |

**DECISION 5.EXT.COM 5**

The Committee

Takes note of the request that Ukraine made on 21 April 2022 to process the nomination **Culture of Ukrainian Borscht Cooking** (No. 01852) for inscription on the List of Intangible Cultural Heritage in Need of Urgent Safeguarding, as a case of extreme urgency, as foreseen under Article 17.3 of the Convention and paragraphs 1 and 32 of the Operational Directives:

Ukrainian borscht is a traditional dish that is cooked with broth combined with beetroot, sugar beet or fermented beet juice. There are many versions, and the practice entails the recipe, cooking method and occasion, according to which a certain variety is prepared. Borscht is cooked in a large pan or pot and typically served with bread or garlic buns. It is prepared primarily by women, although many men also prepare it as an everyday dish. The practice dates back centuries and is passed on within families, with children participating in the preparation. An expression of hospitality, Ukrainian borscht unites people of all ages, genders and backgrounds at the table. It is also used in ritual practices, such as in the region of Podillia, where the third day of the wedding has maintained its ritual name *do* *nevistky – na borshch*, meaning ‘visit daughter-in-law to eat borscht’. It is lauded in tales, folk songs and proverbs and viewed as a lifestyle and identity marker. The viability of the element, however, is threatened by various factors since the beginning of the armed conflict in February 2022, including the displacement of bearers from their communities of origin and from the cultural contexts necessary for the cooking and consumption of borscht in Ukraine. Moreover, destruction to the surrounding environment and traditional agriculture has prevented communities from accessing local products, such as vegetables, needed to prepare the dish. Despite these difficulties, communities across Ukraine have united around the element.

Further takes note of the procedure that the third meeting of the Bureau of the Committee established on 6 May 2022 to treat the request ([Decision 17.COM 3.BUR 3](https://ich.unesco.org/doc/src/LHE-22-17.COM_3.BUR-Decisions-EN.docx));

Considers that, from the information included in the file, the nomination satisfies the following criteria for inscription on the List of Intangible Cultural Heritage in Need of Urgent Safeguarding:

U.1: The borscht in Ukraine is a traditional dish with a long history and diverse variations. The culture of borscht cooking and consumption is widespread in all regions of Ukraine. Women and men participate equally in the practice of the element. The knowledge and skills of the element are transmitted within families, from elder members of the family to younger ones by way of cooking together. The element is also transmitted in catering establishments and educational institutions, and during borscht festivals and events held in different regions of Ukraine and abroad. Borscht performs a function of social integration and cohesion amongst all people in Ukraine. Borscht in Ukraine is an indispensable part of social events, holidays and ritual practices. The element fosters mutual respect and trust among groups of people and individuals. The element is in line with human rights instruments, the principle of mutual respect amongst communities and sustainable development.

U.2(b): The nomination file explains that the armed conflict has threatened the viability of the element. The displacement of people and bearers threatens the element, as people are unable not only to cook or grow local vegetables for borscht, but also to come together to practice the element, which undermines the social and cultural well-being of communities. As such, the transmission of the element is also threatened. The armed conflict destroys the environment (fauna and flora), which in turn, seriously threatens the diverse nature of the element. The armed conflict leads to the loss of the everyday contexts associated with practicing the element, and has significantly affected the holding of cultural events, in particular festivals dedicated to traditional food, including borscht. All of these factors justify the need for urgent safeguarding of the element as a case of extreme urgency.

U.3: The nomination file provides information on past safeguarding measures involving local, regional festivals and cultural events related to the element. The proposed safeguarding plan includes a list of key activities to address the situation of urgent safeguarding. These include efforts to monitor the situation concerning the bearers, raising awareness of the element among the general public, promotion of the element through specialized literature and festivals, etc. The safeguarding measures will be implemented in close cooperation with national, public, state and municipal institutions, as well as practitioners from all regions of Ukraine. The timetable of the activities and detailed budget breakdown were provided in the file. Nevertheless, the ability to implement the safeguarding plan is likely to be subject to the evolving nature of the armed conflict.

U.4: The nomination file as originally compiled for the Representative List demonstrated a broad involvement of bearers and stakeholders and provided evidence of free, prior and informed consent for the nomination of the element. The element is practiced in the form of public access and there are no secret aspects or restrictions on the basis of age, race or gender. The working group, involving bearers of the element, cooperated in making the film, compiling promotional materials and writing the nomination dossier. The text of the dossier was open for discussion and agreed with the bearers of the element, including the safeguarding measures. Following the outbreak of the armed conflict, communities, experts and the Ministry of Culture and Information Policy of Ukraine worked together to develop a security plan which, the inscription is expected to support.

U.5: The element was listed on the National List of Elements of Intangible Cultural Heritage of Ukraine on 13 October 2020. The inventory is maintained by the Ministry of Culture and Information Policy of Ukraine. The element was identified for inclusion on the inventory at the initiative of the NGO “Institute of Culture of Ukraine” and with the support of bearers from across Ukraine. The inventory is updated twice a year. The monitoring of the viability of the elements on the inventory is conducted by specialized cultural agencies, the NGOs concerned and the Ukrainian Centre for Cultural Research (UCCR).

U.6: The State Party made the request to inscribe the element, as a case of extreme urgency on the Urgent Safeguarding List and in reference to Article 17.3, in a letter to the Secretariat on 21 April 2022. Following the request by the Bureau of the Committee ([Decision 17.COM 3.BUR 3](https://ich.unesco.org/doc/src/LHE-22-17.COM_3.BUR-Decisions-EN.docx)), additional information was subsequently provided by the State Party on 14 and 15 June 2022, particularly with regards to criteria U.2(b) and U.6 using Form ICH-01.

Decides to inscribe **Culture of Ukrainian Borscht Cooking** on the List of Intangible Cultural Heritage in Need of Urgent Safeguarding, as a case of extreme urgency as stipulated in Article 17.3 of the Convention;

Also takes note that the culture of Borscht cooking is shared with other communities in the region, and recalls that the inscription of an element on a List of the Convention does not imply exclusivity or ownership;

Further considers that the implementation of the proposed safeguarding plan will need to be reviewed in view of the evolving context of the threats concerning the element and invites the submitting State to revise the safeguarding plan accordingly;

Further invites the submitting State to report on the viability of the element and the safeguarding situation of the element, including any adjustments to the safeguarding plan, for examination by the eighteenth session of the Committee in 2023.

1. Part III Recommendation 2 [↑](#footnote-ref-1)
2. Part III Recommendation 7 [↑](#footnote-ref-2)
3. Part III Recommendation 2 [↑](#footnote-ref-3)
4. Part III Recommendation 1 [↑](#footnote-ref-4)
5. Part III Recommendation 2 [↑](#footnote-ref-5)
6. Part III Recommendation 4 [↑](#footnote-ref-6)
7. Part III Recommendation 2 [↑](#footnote-ref-7)
8. Part III Recommendation 2 [↑](#footnote-ref-8)
9. Part III Recommendation 2 [↑](#footnote-ref-9)