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

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

**Seventh session**

**UNESCO Headquarters, Room II**

**4 to 6 June 2018**

**Item 13 of the Provisional Agenda:**

**Revision of the Rules of Procedure of the General Assembly**

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| **Summary**In accordance with the 38 C/Resolution 101 of the General Conference of UNESCO, the General Assembly of States Parties to the 2003 Convention, at its sixth session examined the follow-up to the recommendations of the External Auditor’s report (document 38 C/23). By its Resolution 6.GA 11, the General Assembly invited the States Parties to propose modifications to its Rules of Procedure and requested the Secretariat to prepare a working document reflecting the proposals received and to present it at its seventh session. The Annex to this document contains the proposals received from the States Parties.**Decision required:** paragraph 5 |

1. At its thirty-eighth session in 2015, by its 38 C/Resolution 101, the General Conference of UNESCO invited all intergovernmental programmes, committees and organs of the Conventions to inscribe, in 2016 if feasible, an item on their agenda concerning the follow-up to the recommendations of the External Auditor’s report (document 38 C/23), to improve their governance through concrete measures. By the same resolution, the General Conference established an Open-Ended Working Group on Governance, Procedures and Working Methods of the Governing bodies of UNESCO with the objective to harness the potential for greater synergy, harmonization, efficiency and impact.
2. In accordance with the General Conference’s aforementioned resolution, the General Assembly of States Parties of the 2003 Convention at its sixth session in 2016 deliberated on the follow-up to the recommendations of the External Auditor’s report. Consequently, the Assembly invited States Parties to propose modifications to its Rules of Procedure and requested the Secretariat to prepare a working document reflecting the proposals received and to present it at the seventh session of the General Assembly ([Resolution 6.GA 11](https://ich.unesco.org/en/Resolutions/6.GA/11)). Following a reminder letter sent in September 2016, the Secretariat received proposals from **Chile, Czechia, Ecuador, Mexico, Niger and Palestine**. **Qatar** notified the Secretariat in writing that it had no amendments to propose.
3. The proposals communicated to the Secretariat by those States Parties are reflected in the Annex of this document. Other general proposals on the Rules of Procedure of the General Assembly that do not concern a specific rule are also found in the Annex.
4. In parallel to this process, the Open-Ended Working Group on Governance, Procedures and Working Methods of the Governing bodies of UNESCO met on several occasions during 2016 and 2017 and produced a set of recommendations endorsed by the General Conference of UNESCO as amended by the APX Commission in document 39 C/70. In the same vein as Resolution 6.GA 11, the recommendations 66 and 96 of that group have also called for harmonization of the rules and procedure of the international and intergovernmental bodies. At the same time, other recommendations made by that Open-Ended Working Group may require amendments to the Rules of Procedure of the General Assembly other than those proposed as a result of the [Resolution 6.GA 11](https://ich.unesco.org/en/Resolutions/6.GA/11) (see document [ITH/18/7.GA/12](https://ich.unesco.org/doc/src/ITH-18-7.GA-12-EN.docx)). In light of this, the proposals and recommendation of the two processes should be coordinated to produce one set of proposed amendments to the Rules of Procedure.
5. The General Assembly may wish to adopt the following resolution:

DRAFT RESOLUTION 7.GA 13

The General Assembly,

1. Having examined document ITH/18/7.GA/13 and its Annex,
2. Recalling Resolution [6.GA 11](https://ich.unesco.org/en/Resolutions/6.GA/11) and Decision [12.COM 13](https://ich.unesco.org/en/Decisions/12.COM/13),
3. Further recalling the 39 C/Resolution 87,
4. Takes note of the proposals submitted by the States Parties;
5. Takes further note of document ITH/18/7.GA/12;
6. Requests the Secretariat to review the amendments to the Rules of Procedure submitted by States Parties together with the relevant recommendations of Open-Ended Working Group on Governance, Procedures and Working Methods of the Governing bodies of UNESCO and in consultation with States Parties submit a revised set of draft amendments for examination by the eighth session of the General Assembly.

**ANNEX**

**Responses to the Resolution 6.GA 11**

|  | **Rules of Procedure** |  | **Proposed amendments** |
| --- | --- | --- | --- |
| **I** | **PARTICIPATION** |  |  |
| **Rule 1** | **Participation** | **Rule 1** | [No change.] |
| **Rule 2** | **Representatives and observers** | **Rule 2** | [No change.] |
| 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. | 2.1 | The representatives of Member States of UNESCO not [Czechia: part~~y~~**ies**] 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. | 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 [Czechia: **and other representatives or observers**] invited by the Director-General, may participate in the work of the Assembly, without the right to vote, and subject to Rule 7.3. |
| **(new)** |  | **2.3** | [Chile: **Organizations and/or groups of bearers and experts of intangible cultural heritage recognized by each Member State and selected for participation under rules specific to each State may participate in the work of the Assembly as observers, without right to vote, and subject to Rules 7.3.**] |
| **II** | **ORGANIZATION OF THE ASSEMBLY** |  |  |
| **(new)** |  | **Rule 2bis** | [Czechia: **Convening of the Assembly**][Palestine: **The Assembly**] |
|  |  |  | [Czechia: **The Assembly shall be convened in ordinary session every two years. At the request of a majority of States Parties, the Director General shall convene an extraordinary session of the Assembly.**] |
|  |  |  | [Palestine: **The Assembly of States Parties shall be convened every two years.**] |
| **(new)** |  | **Rule 2ter** | [Czechia: **Provisional agenda**] |
|  |  | **2ter.1** | [Czechia: **The Provisional Agenda of an ordinary session of the Assembly may include:**1. **Election of half of the membership of the Intergovernmental Committee for the Safeguarding of the Intangible Cultural Heritage (hereafter referred to as *the Committee*).**
2. **Any question required by the Convention and the present Rules;**
3. **Any question the inclusion of which has been decided by the Assembly at a previous session;**
4. **Any question referred by the Committee;**
5. **Any question proposed by Parties of the Convention;**
6. **Any question proposed by the Director General.**]
 |
|  |  | **2ter.2** | [Czechia: **The provisional agenda for an extraordinary session shall include those questions for which the session has been convened.**] |
| **Rule 3** | **Election of officers** | **Rule 3** | **Election of ~~officers~~** [Czechia: **the Members of the Bureau**] or [Palestine: **the Bureau**] |
|  | The Assembly shall elect a Chairperson, (a) Vice-Chairperson(s) and a Rapporteur. |  | [Czechia: The Assembly shall elect a Chairperson, **one or more** ~~(a)~~ Vice-Chairperson~~(~~s~~)~~ and a Rapporteur**, in conformity with the principle of equitable representation of the electoral groups of UNESCO, who shall together constitute its Bureau. Their term of office will run from the Assembly in which they are elected until the next session of the Assembly, when a new Bureau will be elected. Its function is to co-ordinate the work of the Assembly**.] |
|  |  | **3.1** | The Assembly shall elect a Chairperson, (a) Vice-Chairperson(s) and a Rapporteur. |
| **(new)** |  | **3.2** | [Palestine: **The Bureau of the Assembly shall consist of the Chairperson, the Vice-Chairpersons and the Rapporteur. The Bureau shall co-ordinate the work of the Assembly and fixes the dates, hours and order of business of meetings. The Vice-Chairpersons and the Rapporteur shall assist the Chairperson in carrying out his duties.**] |
| **(new)** |  | **3.3** | [Palestine: **The bureau shall remain in office until the beginning of the following session and it shall meet as frequently as deemed necessary.**] |
| **(new)** |  | **Rule 3bis** | **Subsidiary bodies** |
|  |  |  | [Palestine: **The Assembly may establish such working groups as are necessary for the conduct of its work. Each of these bodies shall elect its Chairperson and its Rapporteur.**] |
| **Rule 4** | **Duties of the Chairperson** | **Rule 4** | [No change.] |
| 4.1 |  | 4.1 | [No change.] |
| 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. | 4.2 | Should the Chairperson be absent during a meeting, or any part thereof, he/she shall be replaced by [Czechia: ~~a~~ **one of the**] Vice-Chairperson. The Vice-Chairperson acting as Chairperson shall have the same powers and duties [Niger: **but also the same obligations**] as the Chairperson. |
| **(new)** |  | **4.3** | [Palestine: **The Chairpersons and Vice-Chairpersons of the working groups have the same duties as far as the bodies which they are chairing are concerned.**] |
| **III** | **CONDUCT OF BUSINESS** |  |  |
| **Rule 5** | **Public nature of meetings** | **Rule 5** | [No change.] |
| **Rule 6** | **Quorum** | **Rule 6** | [No change.] |
| 6.1 | A quorum shall consist of a majority of the States referred to in Rule 1 and represented at the Assembly. | 6.1 | [Chile: **The Assembly shall continue its work with the States Parties referred to in Rule 1 with voting rights that are present, without requiring a minimum number of participants for forming a quorum.**] |
| 6.2 | The Assembly shall not decide on any matter unless a quorum is present. | 6.2 | [Chile: **Decisions shall be taken by a simple majority of the States Parties with the right to vote referred to in Rule 1 that are present and voting.**] |
| **Rule 7** | **Order and time-limit of speakers** | **Rule 7** | [No change.] |
| 7.1 | The Chairperson shall call upon speakers in the order in which they signify their wish to speak. | 7.1 | [No change.] |
| 7.2 | For the convenience of the discussion, the Chairperson may limit the time to be allowed to each speaker. | 7.2 | For the convenience of the discussion, the Chairperson may limit the time [Niger: **from the beginning**] to be allowed to each speaker. |
| 7.3 | The consent of the Chairperson must be obtained whenever an observer wishes to address the Assembly. | 7.3 | [No change.] |
| **Rule 8** | **Point of order** | **Rule 8** | [No change.] |
| **Rule 9** | **Procedural motions** | **Rule 9** | [Palestine: Rule 9 proposed to be moved to come after the Rule 10 ‘Working languages’ and before the Rule 11 ‘Resolutions and amendments’, without amendments on the Rule itself] |
| **Rule 10** | **Working languages** | **Rule 10** | [No change.] |
| **Rule 11** | **Resolutions and amendments** | **Rule 11** | [Palestine: **Draft 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. | 11.1 | Draft resolutions [Palestine: ~~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. | 11.2 | As a general rule, no draft resolution [Palestine: ~~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 [Czechia: ~~Assembly~~ **Secretariat (English or French)**]. [Chile: **Reasonable is understood to be 60 days before the opening of the General Assembly.**] |
| **(new)** |  | 11.3 | [Czechia: **At the end of each session, the Assembly shall adopt the list of resolutions that shall be published and distributed to the States Parties within one month of the closure of the session and in the official languages.**] |
| **Rule 12** | **Voting** | **Rule 12** | [No change.] |
| 12.1- 4 |  | 12.1- 4 | [No change.] |
| 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”). | 12.5 | [Czechia: 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. | 12.6 | [No change.] |
| **(new)** |  | **12.6bis** | [Czechia: **After the Chairperson has announced the beginning of voting, no one shall interrupt the voting except on a point of order in connection with the actual conduct of the voting.**] |
| 12.7- 9 |  | 12.7- 9 | [No change.] |
| **(new)** |  | **Rule 12bis** | [Czechia: **Term of office of the Members of the Committee**] |
|  |  |  | [Czechia: **The States Members of the Committee shall be elected for a term of office of four years. A State Member of the Committee should/may not be elected for two consecutive mandates. The election of the Committee shall obey the principles of equitable geographical representation and rotation.**] |
| **IV** | **ELECTION OF MEMBERS OF THE INTERGOVERNMENTAL COMMITTEE FOR THE SAFEGUARDING OF THE INTANGIBLE CULTURAL HERITAGE** |
| **Rule 13** | **Geographical distribution** | **Rule 13** | [Ecuador: Rule 13 and Rule 15 proposed to be integrated by moving Rule 13 within the Rule that corresponds to the election of the Committee.] |
| 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. | 13.1 | [No change.] |
| 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. | 13.2 | [Czechia: ~~(i)~~ The seats in the Committee composed of **24**~~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~~ **three** seats ~~have been~~ **would be** 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** | **Rule 14** | [Ecuador: (a) a new Rule to be added specifying the mechanisms and the interval of presenting a candidature to the Committee after completing a mandate; (b) another new Rule to be added promoting the election of one State that has never served in the Committee before] |
| 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. | 14.1 | [No change.] |
| 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. | 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. [Chile: (moved from the Rule 14.4) The list of candidatures shall be finalized three working days prior to the opening of the General Assembly**, in accordance with Rule 14.1**. No candidature will be accepted ~~in the three working days preceding the opening of the Assembly~~ **after this deadline**.] |
| 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. | 14.3 | [Ecuador: The deadline for payment of compulsory and voluntary contributions to the Fund should coincide with the date the list will be finalized (three days prior to 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. | 14.4 | [Chile: move to 14.2] |
| **Rule 15** | **Election of Members of the Committee** | **Rule 15** | [No change.] |
| **V** | **SECRETARIAT OF THE ASSEMBLY** |  |  |
| **Rule 16** | **Secretariat** | **Rule 16** | [No change.] |
| 16.1-2 |  | 16.1-2 | [No change.] |
| **(new)** |  | **16.2bis** | [Palestine: **The Secretariat shall prepare, in consultation with the Bureau, the provisional agenda of the sessions of the meeting. The provisional agenda of an ordinary session of the meeting shall include:****(a) all questions, the inclusion of which has been decided by the meeting at previous sessions;****(b) all questions proposed by States Parties to the Convention;****(c) all questions proposed by the Director.**] |
| 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. | 16.3 | [Palestine: ~~(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.[Palestine: ~~(ii)~~ **16.4**] [Czechia: ~~It~~ **The Secretariat**] shall arrange for the interpretation of the discussions and also perform all other duties necessary for the proper conduct of the work of the Assembly.[Czechia: **(iii) The Secretariat shall prepare a summary record of the Assembly’s session, for approval at the opening of the next session.**] |
| **VI** | **ADOPTION, AMENDMENT AND SUSPENSION OF THE RULES OF PROCEDURE** |
| **Rule 17** | **Adoption** | **Rule 17** | [Palestine: deletion] |
|  | The Assembly shall adopt its Rules of Procedure by a decision taken in plenary meeting by a majority of the representatives of States present and voting. |  | The Assembly shall adopt its Rules of Procedure by a decision taken in plenary meeting by a [Czechia: **simple**] majority of the representatives of States present and voting. |
| **Rule 18** | **Amendment** | **Rule 18** | [No change.] |
|  | The Assembly may amend these Rules of Procedure by a decision taken in plenary meeting by a two-thirds majority of the representatives of States present and voting. |  | The Assembly may amend these Rules of Procedure by a decision taken in plenary meeting [Chile: ~~by a two-thirds majority of the representatives of States present and voting~~]. |
| **Rule 19** | **Suspension** | **Rule 19** | [Ecuador: Specify the grounds on which the application of the Rule of Procedure could be suspended; as well as specify the suspension mechanism.] |
|  | The General Assembly may suspend the application of any of these Rules of Procedure, except when they reproduce provisions of the Convention, by a decision taken in plenary meeting by a two-thirds majority of the States Parties present and voting. |  | The General Assembly may suspend the application of any of these Rules of Procedure, except when they reproduce [Niger: **certain**] provisions of the Convention, by a decision taken in plenary meeting [Chile: ~~by a two-thirds majority of the States Parties present and voting~~]. |
|  | **Other comments** |  |  |
|  | Chile: Add financial assistance for participation to the General Assembly as foreseen in the text of the ConventionMexico: The General Assembly should apply the principle of geographical distribution and equitable rotation in the procedure for electing the members of the Intergovernmental Committee, based on the electoral groups established by UNESCO (Article 6 of the Convention)Palestine: To be coherent with other UNESCO cultural conventions, notably 1954 Hague Convention and 1970 Convention, there are four areas to be further discussed: (1) The number of vice-chairperson(s), (2) Procedural motions, (3) Time limit for submission of draft amendments or resolutions, and (4) Time limit for distribution of working documents. |