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

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

**Ninth session**

**UNESCO Headquarters, Room I**

**5 to 7 July 2022**

**Item 8 of the provisional agenda:**

**Endorsement of the procedure followed for the inscription of ‘Joumou soup’, submitted by Haiti, on the Representative List of the Intangible Cultural Heritage of Humanity**

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| **Summary**Haiti requested that the nomination ‘Joumou soup’ be examined for inscription on the Representative List on an accelerated basis under the 2021 cycle, following back-to-back natural disasters. The present session of the General Assembly is requested to endorse the exceptional procedure applied by the sixteenth session of the Committee to inscribe the element on the Representative List.**Decision required:** paragraph 11 |

**Background**

1. The sixteenth session of the Committee in December 2021 examined, on an accelerated basis and as an exceptional case, the nomination ‘Joumou soup’ submitted by Haiti for inscription on the Representative List of the Intangible Cultural Heritage of Humanity (hereafter the ‘Representative List’). Haiti requested the nomination to be examined under the 2021 cycle - rather than under the 2022 cycle as was originally intended - following back-to-back natural disasters that struck the country in August 2021 in a context of broad social and political turmoil that the people of Haiti were confronted with (document [LHE/21/16.COM/19](https://ich.unesco.org/doc/src/LHE-21-16.COM-19-EN.docx)).
2. The nomination file indicated that the practices related to ‘Joumou soup’ are a symbol of Haiti's freedom gained after independence and that it is an inclusive element with which all segments of Haitian society identify. As Haiti's first nomination file for inscription on the Lists of the 2003 Convention, the national authorities of Haiti expected that the inscription would provide a sign of hope and encouragement to the people of Haiti as they strive to recover from exceptionally challenging circumstances.

**Steps followed for the inscription of ‘Joumou soup’**

1. The following steps were followed to process the request.

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| 25 March 2021 | The nomination ‘Joumou soup’ was submitted by Haiti, using Form ICH-02, for examination by the seventeenth session of the Committee in 2022, for possible inscription on the Representative List. |
| 10 August 2021 | The Secretariat processed the nomination within the framework of a technical completeness check (paragraph 54 of the Operational Directives) and requested the national authorities of Haiti to submit additional information to complete the nomination. |
| 23 August 2021 | The Secretariat received a letter by Haiti requesting that the nomination be examined on an accelerated basis, by the sixteenth session of the Committee, instead of by its seventeenth session. |
| 25 August 2021 | Following the additional information submitted by Haiti, the Secretariat considered that the nomination was technically complete. |
| 14 September 2021 | The Secretariat drew the attention of the 2021 Evaluation Body members to this nomination during their September meeting, requesting the evaluation of the file on an exceptional basis. It was made clear that such an evaluation should take place under the same conditions and with the same observance of the inscription criteria and methodology as for any other file. |
| 16 September 2021 | After internal consultations, the members of the Evaluation Body agreed to evaluate the nomination file, with the understanding that their evaluation would be without prejudice to the decision to be made by the Committee, on whether or not to consider the nomination during its sixteenth session in December 2021 (as also stated in the letter submitted on 2 November 2021 by the Chairperson of the Evaluation Body). |
| 14 September to 13 October 2021 | The members of the Evaluation Body individually assessed the file using the online interface. |
| 14 October 2021 | During an online meeting, the Evaluation Body undertook a collective assessment of the file, against each of the required criteria for inscription in order to arrive at a collective recommendation. |
| 28 October 2021 | On the basis of a draft prepared by the Rapporteur, the Evaluation Body finalized the draft decision through electronic consultation; the recommendation was to inscribe the element on the Representative List. |
| 2 December 2021 | The Secretariat included the matter on the provisional agenda prepared pursuant to Rule 9 of the Rules of Procedure; Haiti's request was included under item 19, ‘Other business’ and the corresponding document [LHE/21/16.COM/19](https://ich.unesco.org/doc/src/LHE-21-16.COM-19-EN.docx) was published. |
| 3 December 2021 | The Secretariat further drew the attention of the Bureau to Haiti's request. The Secretariat informed the Bureau about Haiti's request and of the processing of the nomination file, as set forth above. |

**Procedure proposed to the 16.COM**

1. The following considerations, developed by the Secretariat in consultation with UNESCO’s Office of International Standards and Legal Affairs, were brought to the attention of the sixteenth session of the Committee:
	1. Article 7(g) of the Convention includes, amongst the functions of the Committee, to ‘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 […] inscription on the lists and proposals mentioned under Articles 16, 17 and 18 […]’. The prerogative to decide on the inscription of an element on the Representative List thus lies with the Committee, which draws its authority directly from the Convention.
	2. The procedure for evaluating and examining nominations, and in particular its timetable, is laid out in the Operational Directives (paragraphs 54 to 56), which have been approved by the General Assembly. In this regard, it bears recalling Article 7(e) of the Convention pursuant to which the Committee ‘prepare[s] and submit[s] to the General Assembly for approval operational directives for the implementation of this Convention.’
2. In other words, under the provisions of the Convention, the Committee is vested with the authority to examine a request for inscription and decide thereon, on the basis of procedures foreseen in the Operational Directives, which are prepared by the Committee and approved by the General Assembly.
3. Following from the above, it was proposed that should the Committee consider that the exceptional circumstances highlighted by Haiti warrant the examination of the nomination of ‘Joumou soup’ on a fast-track basis by the sixteenth session in 2021, it might decide to examine and, if the conditions were considered fulfilled, to inscribe the element in the Representative List. Insofar as the inscription would have taken place in circumstances that were not foreseen in the Operational Directives, the procedure followed by the Committee and its decision to inscribe would nevertheless require the endorsement of the General Assembly, which might take place at the ninth session. While the Committee's decision to inscribe the nomination would take place at the sixteenth session of the Committee, the inscription would remain subject to such General Assembly's endorsement.
4. On this basis, the sixteenth session of the Committee decided (Decision [16.COM 19](https://ich.unesco.org/en/Decisions/16.COM/19)) to inscribe ‘Joumou soup’ on the Representative List. When doing so the Committee recognized ‘the pertinence of the Operational principles and modalities for safeguarding intangible cultural heritage in emergencies for this case’, and considered that ‘the request for this nomination to be examined on an accelerated basis can be responded to positively on compassionate grounds and on an exceptional basis’. At the same time, it noted that this inscription occurred on an exceptional basis with respect to procedures and:

a) requested that the Secretariat bring this decision to the attention of the present session of the General Assembly for its endorsement of the procedure followed, and

b) invited the Open-ended intergovernmental working group in the framework of the global reflection on the listing mechanisms of the 2003 Convention (hereafter the ‘working group’) to examine the procedure for exceptional cases.

**a. Considerations on the procedure followed for the inscription**

1. The request by Haiti was treated under the same substantive requirements as for any other nomination file. In particular it benefitted from the full assessment by the Evaluation Body that was undertaken under the same conditions applied to assess other nomination files in the 2021 cycle. The Evaluation Body considered that the nomination satisfied all criteria necessary for the inscription on the Representative List.
2. As the Committee underlined, this case highlights the important role that listing mechanisms can play in emergency situations by promoting and enhancing the visibility of elements that contribute to preparing for, responding to, and recovering from the effects of natural disasters. For this particular case, the General Assembly may wish to affirm, as did the sixteenth session of the Committee (Decision [16.COM 19](https://ich.unesco.org/en/Decisions/16.COM/19), paragraph 3), the relevance of the Operational principles and modalities for safeguarding intangible cultural heritage in emergencies, adopted by its eighth session. The document stresses that the safeguarding of intangible cultural heritage has a dual role to play in the context of emergencies: on the one hand, intangible cultural heritage can be directly threatened by emergencies, and on the other hand, it can effectively help communities prepare for, respond to and recover from emergencies. The operational principles and modalities furthermore noted that ‘[t]he listing mechanisms under the Convention may provide an opportunity for promoting and enhancing the visibility of elements that contribute to preparing for, responding to and recovering from the effects of natural disasters […]’.

**b. Considerations on the procedure for exceptional cases**

1. Following the invitation made by the sixteenth session of the Committee, the Open-ended intergovernmental working group in the framework of the global reflection on the listing mechanisms of the 2003 Convention (or the ‘working group’) discussed this matter during its Part III meeting on 25 and 26 April 2022. The present session of the General Assembly will examine the recommendations of the working group’s three-part meeting under item 9. More information, including the working group’s specific recommendation on this topic, can be found in document [LHE/22/9.GA/9](https://ich.unesco.org/doc/src/LHE-22-9.GA-9-EN.docx).
2. The General Assembly may wish to adopt the following resolution:

DRAFT RESOLUTION 9.GA 8

The General Assembly,

1. Having examined document LHE/22/9.GA/8,
2. Recalling Decision [16.COM 19](https://ich.unesco.org/en/Decisions/16.COM/19), whereby the Committee decided to inscribe ‘Joumou soup’ on the Representative List of the intangible Cultural Heritage of Humanity, and document [LHE/21/16.COM/19](https://ich.unesco.org/doc/src/LHE-21-16.COM-19-EN.docx),
3. Expresses its solidarity with Haiti and its people, affirms that the 2003 Convention provides an opportunity for promoting and enhancing the visibility of elements that contribute to preparing for, responding to, or recovering from the effects of natural disasters and recognizes the relevance of the Operational principles and modalities for safeguarding intangible cultural heritage in emergencies for this case;
4. Takes note of the steps followed to treat the request made by Haiti including the full assessment by the Evaluation Body, while considering that the request was made under a multitude of factors, including back-to-back natural disasters that hit the country in a context of broad social and political turmoil;
5. Endorses the procedure followed for the inscription of ‘Joumou soup’, as part of the 2021 cycle, on the Representative List of the Intangible Cultural Heritage of Humanity.