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

**Expert meeting in the framework of the reflection on a broader implementation of Article 18 of the 2003 Convention for the Safeguarding of the Intangible Cultural Heritage**

**Stockholm, Sweden**

**19 to 21 April 2023**

**Background and objectives**

**Introduction**

1. The present document aims to provide background information concerning the Category VI meeting of experts (19 to 21 April 2023, Stockholm, Sweden), which has been convened to reflect on a broader implementation of Article 18 of the 2003 Convention for the Safeguarding of the Intangible Cultural Heritage.

**The Register of Good Safeguarding Practices as part of the listing system**

1. The international listing system of the 2003 Convention is composed of three mechanisms:
* The Representative List of the Intangible Cultural Heritage of Humanity (hereafter, ‘the Representative List’);
* The List of Intangible Cultural Heritage in Need of Urgent Safeguarding (hereafter, ‘the Urgent Safeguarding List’);
* The Register of programmes, projects and activities that best reflect the principles and objectives of the Convention (hereafter, ‘the Register of Good Safeguarding Practices’ or ‘the Register’).
1. The two Lists and the Register all have distinct but largely complementary objectives, as set out in Articles 16, 17 and 18 of the Convention, respectively, and as further elaborated in the Operational Directives. The Register of Good (formerly: Best) Safeguarding Practices, which is based on Article 18, is not mentioned in that article as such. It was created by the governing bodies of the 2003 Convention when they sought to find a practical solution for the implementation of Article 18 during the preparation of the first set of Operational Directives.

Article 18

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 reflects 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.
4. The idea of including the notion of ‘best practices’ in the future normative instrument appeared early on in the preparation of the Convention. It was in fact discussed in March 2002 during the second meeting of experts that UNESCO organized to prepare the drafting process of the Convention (Rio de Janeiro, Brazil, January 2002). The 2003 Convention was to be based specifically on the experience gained through the programme for the Proclamation of the Masterpieces of the Oral and Intangible Heritage of Humanity and on ‘best practices for safeguarding and protecting intangible cultural heritage’[[1]](#footnote-1). While the wording evolved during the different stages of the preparation of the Convention, the general understanding survived, and surfaced in the form of a Register of Good Safeguarding Practices when the second session of the General Assembly in 2008 approved the first of Operational Directives of the Convention.
5. The Register became operational in 2009. In the Operational Directives, the functioning of the Register was specified in paragraphs 42 to 46 and nine selection criteria were developed in paragraph 7 – which determined the structure of Form ICH-03, to be used for submitting nominations of programmes, projects and activities for selection as best practices.
6. While it was innovative for a normative instrument to include a listing mechanism for sharing good practices, the Register has been underutilized compared to the other two listing mechanisms of the Convention. The Committee has so far inscribed a total of 676 living heritage elements, practised in 140 countries. The Representative List is the most used mechanism, containing 567 elements (corresponding to 136 States Parties), while 76 elements are included in the Urgent Safeguarding List (corresponding to 40 States). Only thirty-three good practices (corresponding to thirty-one States) are so far included in the Register. Full information on each of the inscribed elements and selected good practices can be accessed through the webpage of the 2003 Convention, which provides information about the listing mechanisms: <https://ich.unesco.org/en/lists>.

**Earlier attempt: Alternate and lighter ways to share good safeguarding practices**

1. When it was understood that the Register of Good Safeguarding Practices was not functioning as expected, an attempt was made to seek ‘alternate and lighter ways’ to share good safeguarding practices, to complement the Register. Following the requests by the Committee at its eighth (Decision [8.COM 5.c.1](https://ich.unesco.org/en/Decisions/8.COM/5.c.1), paragraph 5), ninth (Decision [9.COM 9.b](https://ich.unesco.org/en/Decisions/9.COM/9.b)) and tenth (Decision [10.COM 10](https://ich.unesco.org/en/Decisions/10.COM/10), paragraph 10) sessions, the Secretariat conducted a survey[[2]](#footnote-2) in 2018.
2. The results of the survey, which were not conclusive, pointed to the following (see [here](https://ich.unesco.org/en/lighter-ways-of-sharing-ich-safeguarding-practices-00999) for the executive summary and the report of the survey):
* Good safeguarding practices are being shared in various ways, mainly at the local or country levels, followed by the regional level;
* While social media are the most frequently used channels, these modalities are not considered as a meaningful way to obtain information from others;
* There was a widely shared preference for retaining the Convention's Register but with a lighter filtering and validation mechanism through UNESCO.
1. The survey results were presented to the Committee at its fourteenth session (Decision [13.COM 5](https://ich.unesco.org/en/Decisions/13.COM/5)); document [LHE/19/14.COM 5.b](https://ich.unesco.org/doc/src/LHE-19-14.COM-5.b-EN.docx)). The Committee decided to take these outcomes into consideration in the then ongoing Global reflection on the listing mechanisms of the Convention (Decision [14.COM 5.b](https://ich.unesco.org/en/Decisions/14.COM/5.b)).

**Global reflection on the listing mechanisms of the Convention**

1. The Global Reflection on the listing mechanisms of the Convention took place from 2018 to 2022[[3]](#footnote-3); it included consultations with experts as well as a three-part meeting of an Open-ended intergovernmental working group. Above all, the Global Reflection sought to make the listing mechanisms more dynamic and fluid by better connecting the two Lists and the Register. Such change might not only make the Register more attractive but also contribute to better raising awareness about the importance of safeguarding intangible cultural heritage for the sustainable development of the communities, groups and individuals concerned, and also for the further flourishing of cultural diversity.
2. As regards the Register of Good Safeguarding Practices, the ninth session of the General Assembly formalized two concrete outcomes of the Global reflection on the listing mechanisms of the 2003 Convention (Resolution [9.GA 9](https://ich.unesco.org/en/Decisions/9.GA/9)):

a. The deletion of criterion P.9[[4]](#footnote-4): It was considered that there was no clarity regarding how to evaluate ‘the needs of developing countries’. This criterion was also seen to give the misguided impression that developed countries can provide good examples to developing countries, but not vice versa. Consequently, criterion P.9 was deleted from paragraph 7 of the Operational Directives.

b. The inclusion in the register of successful safeguarding experiences witnessed in elements inscribed on the Urgent Safeguarding List: new paragraph 39.3 of the Operational Directives opened up the possibility for the Evaluation Body to recommend – after evaluating a request to that effect – that the Committee include a safeguarding experience successfully applied for an element inscribed on the Urgent Safeguarding List in the Register. The intention was to better interconnect the Lists and the Register, to make nominations to the Urgent Safeguarding List more attractive, and to enrich the listing mechanisms with inspiring examples, without necessarily going through the usual but heavier process of selecting good practices submitted by States Parties.

1. Another outcome of the Global reflection on the listing mechanisms was that it led to a decision by the Committee (Decision [16.COM 14](https://ich.unesco.org/en/Decisions/16.COM/14); paragraph 9) to initiate a separate reflection[[5]](#footnote-5) to explore ways to more broadly implement Article 18 of the Convention. Given the complex and technical nature of the Global Reflection, and drawing upon the advice of experts and the Open-ended intergovernmental working group, the Committee considered that the Global Reflection had not yet explored the full potential of Article 18 since certain issues could not be addressed or covered in full. The idea was not only to continue discussing issues raised during the Global Reflection concerning the management of the Register of Good Safeguarding Practices, but also to pay attention to the implementation of Article 18 beyond it. The establishment of an online ‘observatory’ for example is a case in point.
2. This new round of reflections was made possible thanks to a contribution by the Kingdom of Sweden in September 2021 in the form of an additional contribution to the Regular Programme of UNESCO (document [LHE/21/17.COM/12](https://ich.unesco.org/doc/src/LHE-22-17.COM-12-FR.docxhttps%3A/ich.unesco.org/doc/src/LHE-22-17.COM-12-FR.docx)).

**New reflection on a broader implementation of Article 18 of the 2003 Convention**

1. The new reflection will be a multi-step process that is expected to continue until at least mid-2024. The timetable for the reflection process, as approved by the seventeenth session of the Committee (document [LHE/22/17.COM 10](https://ich.unesco.org/doc/src/LHE-22-17.COM-10-EN.docx); annex), includes the present gathering of experts, to be followed by a meeting of an Open-ended intergovernmental working group (which is now foreseen to take place from 4 to 6 July 2023, at the UNESCO Headquarters). The eighteenth session of the Committee (4 to 8 December 2023, Kasane, Republic of Botswana) will provide an opportunity for further, intergovernmental discussions on this topic. It may be expected that the outcomes of the reflection will require amendments to the Operational Directives, to be submitted for examination to the tenth session of the General Assembly, which will be held by mid-2024. Information concerning the reflection process will be regularly updated on a dedicated page of the 2003 Convention: <https://ich.unesco.org/en/reflection-on-a-broader-implementation-of-article-18-01302>.
2. There are numerous issues surrounding the implementation of the Register of Good Safeguarding List, while different approaches might be envisaged for better exploring its potential. For the purpose of structuring the reflection process, it will be requested that the meeting address the following three topics, as already presented to the seventeenth session of the Committee (document [LHE/22/17.COM/10](https://ich.unesco.org/doc/src/LHE-22-17.COM-10-EN.docx)).

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| * Topic 1: Improving access to and increasing the visibility of the Register of Good Safeguarding Practices
* Topic 2: Towards the creation of an ‘observatory’ for sharing good safeguarding practices
* Topic 3: Any other issues to be identified
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**Category VI meeting of experts**

1. The present meeting of experts is planned to take place at Stora Sessionssalen, National Heritage Board of Sweden (Riksantikvarieämbetet) from 19 to 21 April 2023 in Stockholm, co-hosted by the Ministry of Culture of Sweden, the Swedish National Commission for UNESCO, and the Institute of Language and Folklore (document [LHE/23/EXP ART18/INF.1.1](https://ich.unesco.org/doc/src/LHE-23-EXP_ART18-INF.1.1_EN.docx)).
2. For the present meeting, twenty-five experts were identified, as included in the list of participants (document [LHE/23/EXP ART18/INF.1.2](https://ich.unesco.org/doc/src/LHE-23-EXP_ART18-INF.1.2_EN_FR.docx)), through a call requesting that States Parties nominate appropriate experts, taking into account their profiles and experience, as well as criteria such as geographical balance and gender. Since this gathering is organized as a category VI meeting, the experts will participate in a private capacity and will not represent any particular government or organization. They are not asked to offer a unified recommendation or consensus position on the above topics (the recommendations made during the meeting will not be ascribed to any participant by name.), but to frame as clearly as possible alternative positions and their anticipated arguments and counter‐arguments. Should there be certain issues on which a consensus emerges among the experts, such will be reported, but that is not the primary objective of the present meeting.
3. It is proposed that the meeting be structured along the three aforementioned topics, – see also the agenda and timetable of the meeting (document [LHE/23/EXP ART18/1](https://ich.unesco.org/doc/src/LHE-23-EXP-ART18-1-EN.docx)). For each topic, a short plenary session will first outline the main issues to be discussed; breakout discussions will then be organized in two groups (the experts will be assigned to groups as indicated in the agenda and timetable). Specific background information for each of these topics is provided in the main working document of the present expert meeting (document [LHE/23/EXP ART 18/3](https://ich.unesco.org/doc/src/LHE-23-EXP-ART18-3-EN.docx)). The results of the work of the breakout groups on the three topics will be presented in plenary. It is expected that the results of the expert meeting will be formulated on the three reflection topics that will be presented to the Open-ended intergovernmental working group on the reflection, to be organized in July 2023.

**Annex**

**Explanatory note on the listing system of the 2003 Convention:**

1. **Procedures**: The procedures for the submission, evaluation and examination of nomination files can be found in sub-chapters I.7 to I.10 of the Operational Directives. Chapter I.15 includes the timetable for the twenty-one-month inscription cycle. Only States Parties may submit nomination files to the Lists and the Register, using the nomination forms designed specifically for that purpose.
2. **Criteria**: Submitting States shall demonstrate that their nominations satisfy the appropriate set of selection criteria. All these criteria must be met for an inscription on the Representative Lis or the Urgent Safeguarding List to take place, as set out in the Operational Directives. In the case of the Register of Good Safeguarding Practices, ‘best satisfy’, as stipulated in paragraph 7 of the Operational Directives, has to date been interpreted to mean that it is not obligatory to satisfy all the criteria.
3. **Evaluation Body**: a consultative body known as the ‘Evaluation Body’ evaluates the nomination files submitted by States Parties, as stipulated in paragraph 27 of the Operational Directives. This body is composed of twelve members: six experts in intangible cultural heritage representatives of States Parties non-members of the Committee and six accredited non-governmental organizations. Following the examination of each file, first individually and then as a group, the Evaluation Body recommends to the Committee which elements to inscribe/select or not to inscribe/select and which nominations or proposals to refer back to the submitting States for additional information.
4. **Multinational nominations**: Considering that intangible cultural heritage is often shared by communities present on the territory of more than one State and that international cooperation is one of the key objectives of the 2003 Convention, the submission of multinational nominations to the Lists and the Register is encouraged in the Operational Directives and by the decisions of the Committee and the recommendations of its Evaluation Bodies. There are currently 74 multinational elements, corresponding to 101 countries.
5. **Transfer of an element**: The global reflection on the listing mechanisms of the 2003 Convention established a procedure for the transfer of elements between the Lists. The first kind of transfer is from the Representative List to the Urgent Safeguarding List. The procedure includes the possibility of simultaneously requesting International Assistance for the implementation of the safeguarding plan. The second kind of transfer is from the Urgent Safeguarding List to the Representative List. The request is to be submitted together with the submission of periodic reports on the element inscribed on the Urgent Safeguarding List. There is also an option for the Evaluation Body to recommend, in the event of a successful transfer, that the safeguarding experience be placed on the Register of Good Safeguarding Practices (see paragraph 11.b of this document).
6. **Inscription on an extended or reduced basis**: Elements inscribed on the Lists of the Convention can be extended to other communities, groups and, if applicable, individuals, at the national and/or international level. As a result of the global reflection on the listing mechanisms of the Convention, the Operational Directives have been amended to simplify the procedures for inscription on an extended or reduced basis of national and multinational elements (see sub-chapter I.6 of the Operational Directives).
7. **Follow-up of inscribed elements**: In addition to periodic reporting, which follows a specific timeline for elements inscribed on the Representative List and the Urgent Safeguarding List, the follow-up of inscribed elements is incidentally also carried out according to the guidelines for treating correspondence concerning nominations from the public or other parties concerned, as defined by the Committee (Decision [7.COM 15](https://ich.unesco.org/en/Decisions/7.COM/15)). The global reflection on the listing mechanisms led to the establishment of a ‘two-directional system’ (depending on whether an issue is raised by the States Parties concerned or by third parties) to follow up on inscribed elements, including a procedure for an ‘enhanced follow-up’ or the removal of inscribed elements. The implementation of the listing system has so far only seen the removal of one national element (before the establishment of the formal removal procedure) as well as the partial removal of a multinational element in 2022 (Decision [17.COM 8.a](https://ich.unesco.org/en/Decisions/17.COM/8.a)), both from the Representative List.
1. International Meeting of Experts, Intangible Cultural Heritage: Priority Domains for an International Convention: Final Report (22 to 24 January 2002). [↑](#footnote-ref-1)
2. For the executive summary and the report of the survey, see [here](https://ich.unesco.org/en/lighter-ways-of-sharing-ich-safeguarding-practices-00999) [↑](#footnote-ref-2)
3. See <https://ich.unesco.org/en/global-reflection-on-the-listing-mechanisms-01164>. [↑](#footnote-ref-3)
4. Criterion P.9 : ‘The programme, project or activity is primarily applicable to the particular needs of developing countries’. [↑](#footnote-ref-4)
5. [↑](#footnote-ref-5)