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

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

**Tenth session**  
**Windhoek, Namibia**  
**30 November to 4 December 2015**

**Item 10 of the Provisional Agenda:**  
**Report of the Evaluation Body on its work in 2015**

**Summary**

At its ninth session, the Committee established an evaluation body responsible for the evaluation in 2015 of nominations to the Urgent Safeguarding List and to the Representative List, proposals to the Register of Best Safeguarding Practices and requests for International Assistance greater than US\$25,000 (Decision 9.COM 11). This document constitutes the report of the Evaluation Body, which includes an overview of the 2015 files and its working methods (Part A), observations and recommendations on a number of transversal issues (Part B) and a draft decision for the Committee's consideration (Part C).

**Decision required:** paragraph 72

1. In conformity with paragraph 27 of the 2014 Operational Directives, evaluation of nominations for inscription on the Urgent Safeguarding List and on the Representative List, proposals for the Register of Best Safeguarding Practices and requests for International Assistance greater than US\$25,000 is accomplished by a consultative body of the Committee established in accordance with Article 8.3 of the Convention, as well as Rule 20 of its Rules of Procedure, and known as the 'Evaluation Body'.
2. By its Decision 9.COM 11, the Committee established such a body at its ninth session (UNESCO Headquarters, Paris, 24 to 28 November 2014). The Evaluation Body is composed of six experts qualified in various fields of intangible cultural heritage representative of States Parties non-Members of the Committee and six accredited non-governmental organizations. They were elected by the Committee taking into consideration equitable geographical representation and their qualifications in various domains of intangible cultural heritage. The 12 members elected by the Committee, together with the country they represent in the case of experts, are:

#### **Expert representatives of States Parties non-Members of the Committee**

- EG I: Ms Amélia Maria de Melo Frazão Moreira (Portugal)
- EG II: Mr Saša Srečković (Serbia)
- EG III: Mr Víctor Rago (Bolivarian Republic of Venezuela)
- EG IV: Ms Masami Iwasaki (Japan)
- EG V(a): Mr Sidi Traoré (Burkina Faso)
- EG V(b): Mr Ahmed Skounti (Morocco)

#### **Accredited non-governmental organizations**

- EG I: Nederlands Centrum voor Volkscultuur/Dutch Centre for Folklore and Intangible Heritage
- EG II: International Council for Traditional Music (ICTM)
- EG III: Associação dos Amigos da Arte Popular Brasileira – Museu Casa do Pontal/Association of Friends of Brazilian Folk Art – Casa do Pontal Museum
- EG IV: 中国民俗学会 / China Folklore Society (CFS)
- EG V(a): The Cross-Cultural Foundation of Uganda (CCFU)
- EG V(b): The Syria Trust for Development

3. Following submission of a report on its work to the tenth session of the Committee, the present Evaluation Body shall cease to exist. A new Evaluation Body will be established each year with a system of rotation among the seats as indicated in Decision 9.COM 11, with the Committee retaining nine continuing members and electing three new members each cycle.
4. The report of the Evaluation Body consists of four working documents, as follows:
  - i. The present document ITH/15/10.COM/10 constitutes its general report with an overview of all 2015 files and its working methods (Part A); general observations and recommendations on a number of transversal issues (Part B); and a draft decision for the Committee's consideration (Part C);
  - ii. Document ITH/15/10.COM/10.a concerns nominations for inscription on the List of Intangible Cultural Heritage in Need of Urgent Safeguarding. It includes an assessment of the conformity of nominations with the inscription criteria as provided in Chapter I.1 of the Operational Directives, including an assessment of the viability of the element, and of the feasibility and sufficiency of the safeguarding plan and risks of it disappearing as provided in paragraph 29 of the Operational Directives, as well as a recommendation to the Committee to inscribe or not to inscribe the nominated element on the Urgent Safeguarding List together with corresponding draft decisions;
  - iii. Document ITH/15/10.COM/10.b concerns nominations for inscription on the Representative List of the Intangible Cultural Heritage of Humanity. It includes an

assessment of the conformity of nominations with the inscription criteria as provided in Chapter I.2 of the Operational Directives, as well as a recommendation to the Committee to inscribe or not to inscribe the nominated element on the Representative List or to refer the nomination to the submitting State(s) for additional information together with corresponding draft decisions;

- iv. Document ITH/15/10.COM/10.c concerns International Assistance requests greater than US\$25,000. It includes an assessment of the conformity of the requests with the selection criteria as provided in Chapter I.4 of the Operational Directives, as well as a recommendation to the Committee to approve or not to approve the requests together with corresponding draft decisions.
5. For this cycle no proposal to the Register of Best Safeguarding Practices was evaluated by the Evaluation Body. The nominations and requests evaluated by the Evaluation Body are available on the website of the Convention at <http://www.unesco.org/culture/ich/index.php?lg=en&pg=00704>.

#### **A. Overview of 2015 files and working methods**

6. The deadline for submission of files for the 2015 cycle was 31 March 2014 (paragraph 54 of the Operational Directives). The Operational Directives provide that ‘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’ (paragraph 33). At its eighth session in Baku (2013), the Committee determined that in the course of the 2015 cycle, a total of 50 files could be treated for the Urgent Safeguarding List, Representative List, Register of Best Safeguarding Practices and International Assistance greater than US\$25,000 (Decision 8.COM 10).
7. Applying the priorities set out in paragraph 34 of the Operational Directives to the 2015 files, the Secretariat treated a total of 50 files as follows:
  - i. 14 files submitted by States having no elements inscribed, best safeguarding practices selected or requests for International Assistance greater than US\$25,000 approved, and the 9 nominations to the List of Intangible Cultural Heritage in Need of Urgent Safeguarding (i.e., priority [i]);
  - ii. 7 multinational files (i.e., priority [ii]);
  - iii. 20 files from States having up to 7 elements inscribed, best safeguarding practices selected or requests for International Assistance greater than US\$25,000 approved (i.e., priority [iii]).
8. Eleven States (Belgium, China, Croatia, France, India, Japan, Mexico, Republic of Korea, Spain, Turkey and Viet Nam) that submitted files for the 2015 cycle could not see their files treated within the ceiling of 50 files in the 2015 cycle: they are seeing their files examined with priority in the 2016 cycle, following the principle of at least one file per submitting State during the two-year period (Decision 8.COM 10).
9. The Secretariat processed each of the 50 files and, between July and December 2014, informed the submitting State(s) of the information required to complete it (with the exception of two files initially complete). When treating the nominations for inscription on the Urgent Safeguarding List and on the Representative List, the Secretariat focused its attention exclusively on basic technical requirements. However, when treating the two requests for International Assistance, the Secretariat also indicated to submitting States when the information provided was unclear, out of place or not sufficiently detailed, in order for the files to be improved before transmitting to the Evaluation Body.
10. In the course of the process, three States decided to withdraw their files, and two files remained incomplete and consequently could not be transmitted by the Secretariat to the Evaluation Body.

11. It is in this context that the Secretariat included a nomination submitted by Saudi Arabia for inscription on the Representative List for the 2016 cycle. A previous nomination treating the same element was referred to the submitting State in November 2014 by the ninth session of the Committee, with an invitation that it resubmit it to the Committee for examination during a following cycle (Decision 9.COM 10.38). Following the submission of this nomination on 31 March 2015, taking into account that Saudi Arabia has no element inscribed on a national basis on any of the Lists of the Convention (the highest priority under paragraph 34 of the Operational Directives) and that the Evaluation Body received fewer files than initially expected (see paragraph 10), the Secretariat considered that this file might, on an exceptional basis, be examined by the Committee at its tenth session rather than at its eleventh session in 2016. After receiving detailed advice from the Secretariat on how it might complete the file submitted in March 2015, Saudi Arabia re-submitted the revised nomination on 11 May 2015, which was then transmitted to the Evaluation Body for evaluation.
12. A total of 45 files, 8 of which were multinational, were therefore completed by the submitting States in time for evaluation by the Evaluation Body, as follows:

Urgent Safeguarding List	8
Representative List	35
Register of Best Safeguarding Practices	0
International Assistance	2
Total	45

13. Among the nominations evaluated for inscription to the Urgent Safeguarding List three concern resubmissions, two nominations that were not inscribed by the Committee in 2013 and one nomination withdrawn by the submitting State after a negative recommendation by the Consultative Body in 2011. Three nominations evaluated by the Body for inscription to the Representative List were previously referred by the Committee, two in 2013 and one in 2014. One of the two International Assistance requests proposes activities for safeguarding an element nominated for inscription to the Urgent Safeguarding List in 2013.
14. The Evaluation Body met at UNESCO Headquarters in Paris on 3 and 4 March 2015 to determine its working methods and schedule. The Body elected Mr Ahmed Skounti (Morocco) to serve as its Chairperson, Ms Emily Drania Drani (the Cross-cultural Foundation of Uganda) to serve as Vice-Chairperson and Ms Naila Ceribašić (International Council for Traditional Music) to serve as Rapporteur.
15. As it had done for preceding cycles, the Secretariat established a password-protected, dedicated website through which members could consult the files together with accompanying documentation, as well as the files originally submitted and Secretariat requests for additional information. An e-mail distribution list facilitated communication among members of the Body. Every member of the Evaluation Body evaluated each file online and prepared an individual report on it explaining whether and how it responded to the applicable criteria.
16. The Evaluation Body met from 15 to 19 June 2015 to debate its recommendations on the criterion for each file. On this basis, the Rapporteur elaborated draft decisions for each file, as well as general observations and recommendations from the Body. The Evaluation Body met again from 9 to 11 September 2015 to validate draft decisions for each file and adopt the Body's reports. The resulting draft decisions presented in the four respective reports thus represent the unanimous consensus of the Evaluation Body members.

## B. General observations and recommendations

17. This part of the report tries to avoid simply reiterating the accumulated jurisprudence in treating nominations and requests, instead aiming to single out those aspects and issues that were vividly present and discussed in this cycle and, in particular, to delineate those that brought forward some new emphases and/or suggestions. Thus, after comments on the Evaluation Body's working methods and principles for evaluation, followed by an overview of submissions in the 2015 cycle, it concentrates on cross-cutting and global themes and issues that arose during the process of evaluation, and then on the issues more closely linked to specific criteria of the mechanisms under evaluation during this cycle. The observations refer frequently to the 'Aide-mémoire for completing nominations to the Representative List of the Intangible Cultural Heritage of Humanity' and the 'Aide-mémoire for completing nominations to the List of Intangible Cultural Heritage in Need of Urgent Safeguarding', which proved to be important tools for the members of the Evaluation Body, particularly when seeking to maintain coherence with the precedents and recommendations of previous bodies and the decisions of the Committee.

### Working methods and principles for evaluation

18. ***A single body instead of two bodies.*** The Evaluation Body considers that the establishment of a single body amply demonstrated its advantages in relation to the previous two bodies: the Consultative Body and the Subsidiary Body. Not only was it easier to ensure coherency and consistency of recommendations due to the application of the same standards in the evaluation, but also the commonalities and specificities of the Convention's four mechanisms (in this cycle actually three) and each of their criteria more clearly came to the fore. This was particularly true of the relationship between the Urgent Safeguarding List and the Representative List, thus contributing to the general principles and objectives of the Convention by respecting the specific and complementary nature of each. Thanks to this new situation, the Evaluation Body proposes a single overall draft decision that covers all mechanisms.
19. ***Recommendations based on files, not the merits of the element or project intentions.*** It is important to emphasize once again, in line with the approach of the previous bodies, that the Evaluation Body based its recommendations exclusively on the analysis of the adequacy of information presented within the nomination files and requests, including appended community consents and a relevant extract of the inventory(ies), and not on the element as such and/or its merits or those of the intentions of the project. Any possible prior knowledge or information that individual evaluators may have possessed about the element or project was not taken in account.
20. ***Evaluators' neutrality.*** As was the case of the two bodies that preceded, a member of the Evaluation Body did not participate in evaluation of a nomination submitted by the country if he or she was representing that country in order to secure neutrality and equity of evaluations. As a result, in the case of individual experts Ms Amélia Frazão Moreira did not participate in evaluating the submission by Portugal, and Mr Victor Rago in the submission by the Bolivarian Republic of Venezuela. The same principle was applied to files submitted by the States of domiciliation of a non-governmental organization or nationality of an NGO representative; even though that member, by definition, does not represent any country, it is considered prudent to avoid any possible conflict of interest. Thus, the Cross-cultural Foundation of Uganda did not participate in evaluating the submission by Uganda, nor did the International Council for Traditional Music participate in evaluating the submission by Slovenia.
21. ***Overall recommendations and specific feedback.*** In order to help submitting States, the Evaluation Body includes in its draft decisions specific feedback and concerns, in particular in the case of files recommended for referral but also files recommended for inscription. In certain instances, members favouring file referral were willing to join a consensus recommendation to inscribe on the condition that such additional considerations were addressed in the draft decision. Additionally, the proposed language on each criterion is

often more detailed and thus more extensive in comparison to the comments of previous bodies for a similar reason: to facilitate a possible resubmission or to credit specific virtues. Each draft decision thus constitutes a carefully composed whole, accommodating the diverse perspectives of different members but representing the consensus of the entire Evaluation Body. Once adopted by the Committee, the decision in its entirety is compulsory for the State Party. Each State Party is strongly encouraged to take into account all remarks provided by the Committee and address them in their periodic reports.

22. **Consistency of evaluation within and across files.** In its evaluation, the Body proceeded criterion by criterion. However, when assessing whether a particular criterion was satisfied, it was attentive to the overall consistency of the file as a whole, although at the same time bound by Decision 7.COM 11 according to which 'information placed in inappropriate sections of the nomination cannot be taken into consideration'. However, as explained below with particular reference to the inventory extract, information elsewhere within a file that contradicted the information in a particular section could not be ignored, as it raised doubts about the accuracy or coherency of the information presented. Furthermore, as much as possible, the Body maintained consistency between all submitted files and evaluations in previous cycles.
23. **Consistency with previous decisions of the Committee.** In the case of certain resubmitted files, the Evaluation Body encountered difficulty in reconciling the consistency of its approach to preceding decisions of the Committee considering the fact that intangible cultural heritage is constantly evolving. Inventories should be updated on a regular basis and safeguarding measures adapted to the actual circumstances. Strictly and mechanically confirming previous decisions in reference to inventorying and safeguarding measures might support the freezing of an element, due to the passage of time since the previous decision. At the same time, the Committee's jurisprudence is also evolving, and thus what may once have been undefined is undefined no longer. In particular, problems arose as a consequence of the new requirement regarding relevant extract of the inventory(ies) (see below). After a long discussion, members of the Body agreed to accept all previously approved criteria in referred files if the information provided in the resubmitted file remained unchanged, respecting decisions of the Committee as the highest authoritative organ while also adding specific recommendations and guidance on already approved criterion if needed.
24. **Consistency within multinational nominations.** Concerning multinational nominations, while recognizing the complexity of their elaboration, the Evaluation Body applied the same standard of evaluation as in the case of national nominations. Contrary to a precedent in a previous cycle where a nomination was referred for one of the submitting States while the criteria were considered satisfactory for other submitting States, the Body is of the opinion that multinational nominations, which pertain to the core of international cooperation and dialogue between cultures and communities, should be evaluated as one and the same. Thus, the lack of information regarding one or more submitting States affects the whole nomination. The Body considers that multinational nominations must demonstrate not only agreement between national authorities but also awareness and agreement of all communities concerned regarding the shared nature of the proposed element and their commitment to the multinational character of the nomination. The nomination should also demonstrate active community participation and mutual cooperation in the elaboration of safeguarding measures, and later on in their implementation. Moreover, inclusiveness of all sub-groups sharing the practice across national boundaries should not be compromised and information provided among different countries balanced as much as possible.
25. **Evaluation of argumentation/demonstration versus simple assertion.** The need to provide argumentation and demonstration instead of mere assertion has been stated frequently by previous bodies, as explained in detail in the Aides-mémoires. However, owing to its evaluation of nominations for both Lists, the Body was in a position to notice different past practices from criterion to criterion concerning the level of demonstration deemed acceptable. It appears that the customary approach to criterion R.2 allows for a more flexible approach than, for instance, concerning criterion U.2. Similarly, previous bodies exhibited

substantial flexibility over time concerning demonstration of compliance of an inventory with Articles 11 and 12 of the Convention (criterion U.5/R.5). The present availability of a relevant extract of an inventory in English or French sometimes indicates that requested compliance becomes only declarative, with no evidence of its actual implementation. Specific recommendations on how to overcome these deficiencies in submitted nominations – and consequently their evaluation – are proposed below, while for this cycle the members of the Evaluation Body agreed to follow the practices of its predecessors.

26. **Referral option.** The Evaluation Body welcomes the Committee's decision with regard to the Representative List to utilize the referral option 'in the case of information lacking in a nomination, whether it be of a technical or substantial nature' (Decision 9.COM 13.c). An unfavourable recommendation was thus applied only in case of grave issues, such as serious discrepancies with basic principles and objectives of the Convention, with one such example in the present cycle. In the case of another nomination for which all the criteria were deemed unsatisfactory, the Body nevertheless opted for referral, considering that the initiative came from community level and in order to encourage the submitting State to pay more attention to this file, which was also its first submission. Similarly, a nomination of an element from a State Party suffering severe consequences of a recent conflict was recommended for referral instead of declined, in order to give an encouraging signal to the submitting State concerning its first nomination.
27. **Creative approaches to International Assistance requests.** As regards the International Assistance mechanism, the Evaluation Body yet again faced requests lacking essential information. Given the importance of this mechanism for achieving the objectives of the Convention, the Evaluation Body considered different ways to obtain additional information and corrections in a relatively short timeframe, including substantial assistance by the Secretariat and/or by an expert, and the delegation by the Committee of its decision-making authority to the Bureau. Concrete recommendations are included in the respective draft decisions.

### Overview of files

28. **Diversity of heritage.** As was the case in previous cycles, the submitted files demonstrate the rich diversity of intangible cultural heritage expressions and practices belonging to various domains and sometimes to multiple domains of intangible cultural heritage, as well as those that demonstrate a close connection between intangible and tangible heritage, the dynamic nature of intangible cultural heritage in urban and rural contexts and the interaction between humans and the natural environment. Many illustrated a linkage of intangible cultural heritage with concerns related to sustainable development, including its usage in current economic or environmental concerns. Other nominations brought to the fore the relationship between intangible cultural heritage and organized sports, the interaction between humans and animals, and other complex subjects. Concurrently, the submitted files demonstrate a great variety of communities and groups that are involved in the transmission and enactment of intangible cultural heritage as bearers, practitioners, knowers, stakeholders and audiences, including indigenous and minority peoples, women, youth, children and otherwise neglected or disempowered groups and communities.
29. **Balance between geographical regions and upsurge of multinational nominations.** The Evaluation Body is also pleased to note that the geographical representation of the submitted files remains in balance, with each electoral group being represented by one or two files submitted to the Urgent Safeguarding List and three or more to the Representative List. An upsurge of multinational nominations to the Representative List can be seen as an expression of States' will to foster dialogue and international cooperation. One such nomination pertains to an element already inscribed on a national basis, which is in this cycle submitted for inscription on an extended multinational basis. Another nomination, national in character, relates to an element that was previously inscribed also as national by another State Party.

30. ***Imbalance between the four mechanisms.*** The Evaluation Body regrets the fact that by far the highest importance in this cycle, as in previous cycles, was given to the Representative List, while the three other mechanisms were underused. It is of the opinion that a better balance needs to be found between these mechanisms by devising new ways to promote and re-position the Urgent Safeguarding List and the International Assistance programme, and to deliberate further how to identify and disseminate best practices. A new possibility of a combined nomination to the Urgent Safeguarding List and request for International Assistance (ICH-01bis Form) will surely bring improvements, starting from the 2016 cycle. For this cycle, the Body can only express its regret that submitting States did not make the most of provision of substantial technical assistance provided by the Secretariat to support preparation of International Assistance requests.
31. ***Usage of Aides-mémoires.*** The Evaluation Body is fully aware of the unavoidable complexity of procedures required for the preparation of nominations, proposals or requests, and the disappointment of States Parties when their submissions cannot be accepted because of deficiencies in their preparation. The disappointment is often even greater for the communities, groups or individuals concerned with the nominated heritage – particularly unfortunate when the deficiencies are due to the State Party submitting the file and are often the direct result of the State's failure to involve the community as widely as possible. It regrets that the quality of submissions is still variable and that many of the deficiencies identified in previous cycles are recurrent. Therefore, it strongly encourages States Parties to take full advantage of the information and advice available in the Aide-mémoire for completing a nomination to the Urgent Safeguarding List, and corresponding Aide-mémoire for completing a nomination to the Representative List. As these documents systematically summarize lessons learnt, observations and recommendations formulated by the bodies and Committee through the years, if submitting States utilize them effectively they could have eliminated a number of common deficiencies in submitted files that the Body encountered in this cycle. In the same context, the Evaluation Body does not wish to reiterate here prior recommendations and decisions such as those concerning a lack of coherency and consistency of information and/or conflicting information, insufficient linguistic quality, unclear or vague information, misplaced information, repetition, inconsistent translation of important terms, usage of inappropriate vocabulary and expressions not favourable to dialogue, and others, even more so because, as noted above, the draft decisions pertaining to individual submissions incorporate such remarks.
32. ***Good examples of nominations.*** The Evaluation Body was pleased to encounter in this cycle several nominations that may serve as models concerning all inscription criteria. These include: Summer solstice fire festivals in the Pyrenees (Andorra, Spain and France), Copper craftsmanship of Lahij (Azerbaijan), Marimba music, traditional chants and dances from Colombia's South Pacific region and Ecuador's Esmeraldas Province (Colombia and Ecuador), Wititi dance of the Colca Valley (Peru), and Traditional knowledge and technologies relating to the growing and processing of Curagua (Bolivian Republic of Venezuela) Besides, several nominations can serve as good examples concerning various components of their elaboration, including one or more criteria, appended community consent or video. Rationales for commending these submissions are included in the respective draft decisions.

#### **Cross-cutting, global themes and issues**

33. ***Different purposes of the two lists and related criteria.*** As stipulated in the Convention and all subsequent decisions, the purpose of the Representative List is to ensure better visibility of intangible cultural heritage in general, awareness of its significance, and to encourage dialogue which respects cultural diversity, while the Urgent Safeguarding List is created 'with a view to taking appropriate safeguarding measures', and to that end, offers international recognition of specific threats facing an element and a well-elaborated safeguarding plan that adequately responds to them. These different purposes are reflected in criteria R.2, and U.2 and U.3 respectively. The Evaluation Body invites States Parties to



pay careful attention to their elaboration since otherwise, as is too often the case, the nominations fail to address the very purpose of the list to which they are submitted.

34. **Consistency in the definition of community.** As often emphasized by the Committee and previous bodies, all four mechanisms of the Convention rely on the widest possible participation of communities, groups and, where appropriate, individuals in the definition and safeguarding of intangible cultural heritage. It is therefore of utmost importance to provide a full and clear definition of the communities, groups or individuals concerned, taking into account that the information provided in various segments of the form should be consistent and mutually reinforcing, namely information provided in sections U.1-4/R.1-4, sections C and D and in the appended consent documents of the nomination files, as well as information in section A.19 in relation to sections A.11, A.22 and A.23 of the International Assistance requests.
35. **Agency of the community concerned, and its contours.** Taking into account the necessity of an active involvement of communities in safeguarding, the Evaluation Body also notes that the agency of communities concerned represents a basis on which responses to all challenges that the element may face needs to be elaborated (see below). In an increasing number of nominations the community concerned is indeed positioned as the central actor. However, the contours of the community and its internal dynamics are quite rarely described in detail, despite clear and persistent requirements concerning this issue that are also reflected in reiterating the formulation of ‘communities, groups and, if applicable, individuals concerned’. Much more often, the description implies an essentialized and monolithic conception of ‘community’ as something brought into being for the purpose of the nomination. Therefore, once again, it is important to remind States Parties to pay utmost care to providing a sufficiently detailed and comprehensive description of communities, groups or individuals, and of their contours.
36. **Communities of a selective or all-inclusive character.** The Evaluation Body came across several nominations, in particular those for the Urgent Safeguarding List, that focus on only one part of the community concerned and a limited geographic area. While this is a reasonable method that may help to maximize the success of the safeguarding plan, which can be later applied to a larger community, the selection of one sub-group or sub-community needs to be thoroughly described and explained, which is often not the case. Equally important, the larger community concerned should be aware of such a selection, and it is advisable that consent documents provided by various segments of the community also testify to their awareness of and agreement to the nomination, even if they are not the specific focus group. In general, while the narrowing of the community concerned can often be justified by specific circumstances of an element in need of urgent safeguarding, a much more thorough explanation is needed to justify such narrowing in the case of elements proposed for inclusion on the Representative List. On the other hand, in some nominations to the Representative List the community is conceived very broadly, encompassing in some cases the whole nation or population of the State Party. In such cases, similarly, it is necessary to demonstrate that the element is indeed practiced across an entire society, and that various segments of it participated in the nomination process; this ought to be demonstrated both through the description provided and, in particular, a wide range of evidence of consent given by various segments and groups.
37. **Issue of authenticity and inappropriate vocabulary.** As persistently emphasized by the Committee and the previous Bodies, inappropriate vocabulary and expressions not favourable to dialogue should be avoided. This includes terms such as ‘unique’, ‘pure’, ‘intact’, ‘original’, ‘authentic’ and ‘the property of’. In this cycle, the Evaluation Body once again frequently encountered such terms, and in order to understand their continuous usage despite repeated reminders to avoid them, it paid particular attention to specific nuances of their usage and implied meanings, focusing in particular on the term ‘authenticity’. It appears that its assessment in terms of ‘inappropriate vocabulary’ in some cases actually underestimates the seriousness of the problem. Namely, often it is not only a question of wording but of mind-set, implying negation of some basic principles of the Convention, such

as a static conception of the element versus its constant recreation, primacy given to past forms, functions and meanings versus living heritage of today, or disempowerment of communities through top-down design of safeguarding measures versus their agency. In such cases, the Body is of the opinion that submitting States need to be more explicitly reminded to stick to the ideas, principles and objectives of the Convention, and therefore addresses such misconceptions in respective draft decisions. On the other hand, in a few cases the term ‘authenticity’ pertains to the community’s own sense of identity and continuity, and as such seems to the Body to be less inappropriate. Similarly, one can pose the question if (and in which context) there is indeed a huge difference between the term ‘specific’, which is not only appropriate but also desirable in many contexts, and ‘unique’, one of the inappropriate terms. All in all, the Evaluation Body may suggest to the Committee and future Evaluation Bodies to continue reflecting on the issue of inappropriate vocabulary, paying particular attention to who employs such terms, how, in what context and with which implications.

38. ***Economic and social challenges.*** In this cycle, a significant number of nominations involved challenges related to economic and social transformations of the element, namely those pertaining to commercialization and over-commercialization, professionalization and institutionalization, festivalization and theatricalization. While in previous cycles such transformations were often presented, albeit with insufficient reflection on their challenging nature, and were sometimes also made a part of the proposed safeguarding measures, it seems that this cycle brought an opposite trend in which the submitting State largely avoided any mention of them. Thus, for instance, ‘tourism’ and related terms are used very rarely. Although, in some nominations tourism seems to figure prominently if silently as a part of the current practice and/or within plans for the future including in cases where it plays a role in sustainable development. The Evaluation Body strongly wishes to encourage submitting States to address these challenges directly, since only their thorough deliberation and resultant elaboration of appropriate safeguarding measures can contribute to the viability of the element concerned.
39. ***Community agency concerning the issue of de- and recontextualization.*** Despite possible mechanisms devised by all parties concerned from local to international levels, it appears that the above-mentioned economic and social transformations are often hard to mitigate effectively and consistently. Especially vulnerable to negative transformations appear to be social functions and cultural meanings, in particular of the elements in need of urgent safeguarding, as well as elements that traditionally incorporate economic concerns to a significant degree, such as craftsmanship, along with some performing arts, rituals and festive events. In its assessment of the adequacy of proposed safeguarding measures pertaining to such elements, the Evaluation Body relied on the evidence of community agency in their elaboration and implementation. Thus, the Body recommended favourable decisions in cases where certain alternate functions and meanings were identified by the community concerned, even if the effectiveness of such trajectories for the viability of the element concerned might seem arguable when looking from an outside and/or comparative perspective. In contrast, the Body did not recommend favourable decisions in cases where alternate functions and meanings were advocated solely by external parties such as experts, supporting non-governmental organizations or governmental agencies.
40. ***Historical perspective.*** As frequently emphasized by the Committee and evaluation bodies, the description of the element should not focus on historical aspects, but rather on an element’s current social functions and actual meanings for the communities concerned. Several nominations in this cycle failed to provide sufficient explanation concerning the current dynamics of the element, but instead focused on the state of the element in the past. Others were unclear or confusing in their usage of past and present tense. Yet another issue related to historical perspective was raised by a nomination for the Representative List. It showed a strong orientation towards historical reconstruction, while at the same time clearly demonstrating commitment of the community concerned to such an approach. Due to the latter factor, which is of utmost importance, the Body recommended inscription in this case.

Intangible cultural heritage is always, after all, a matter of living practices, which may, as in this case, revolve around the interaction of communities concerned with their history.

41. ***Relationship between intangible cultural heritage and tangible aspects or objects associated with it.*** The Evaluation Body is pleased to note that several nominations in this cycle affirm the connection between intangible cultural heritage and its tangible aspects such as cultural spaces and routes. One nomination, however, presented a challenge in this respect since the element concerned is a physical space that accommodates the enactment of other elements, while it is questionable whether it in itself constitutes an element of intangible cultural heritage. Following Article 2 of the Convention, which explicitly mentions cultural spaces associated with core manifestations of intangible cultural heritage (namely practices, representations, expressions, knowledge and skills), as well as taking into account the specificity of the cultural and social context of the State Party, the Body decided to recommend inscription. In a different way, the Body was faced with several nominations that put an emphasis on the products resulting from the enactment of the element concerned. Understandably, this relates in particular to craftsmanship, and the Body's assessment of such nominations was informed by the viewpoint and involvement of communities concerned, from one side, and the primary orientation of the safeguarding measures or plan from the other side, particularly by asking whether such measures were directed towards boosting production or to empowering craftspeople.
42. ***Nominations distinctly national in their outlook and the encouragement of dialogue among communities.*** The Body is of the view that the encouragement of dialogue among communities, as one of the basic objectives of the Convention, applies equally to relationships between States Parties and within States Parties. Therefore, stimulated by several nominations in this cycle that are distinctly national in their outlook, it discussed how to encourage greater dialogue among communities present in a single State. Echoing repeated recommendations by the Committee in the past to avoid expressions that can inadvertently lead to misunderstanding rather than cooperation when elaborating a nomination involving heritage that is shared across borders, the Evaluation Body was equally of the opinion that such considerations should apply to the national context. Submitting States should be particularly attentive to acknowledging sensitivities of all communities within their territory when elaborating a nomination that claims to encompass the whole nation or population of the country concerned.
43. ***Oral traditions and the encouragement of dialogue among communities.*** A significant number of nominations in this cycle involve oral traditions in part or in whole. While the content addressed through the enactment of such elements is more or less described in the narrative part of nominations, it is hardly accessible in the appended videos. Thus, the Evaluation Body proposes in the respective draft decisions an encouragement to States Parties to ensure translation of lyrics and verse in order to foster dialogue and mutual respect beyond national and language boundaries.
44. ***Unnecessary reference to specific countries or adjectives of nationality in the title of the element.*** The Evaluation Body took note of Decision 9.COM 10, which requests States Parties 'to avoid unnecessary reference in the titles of elements to specific countries or adjectives of nationality that may inadvertently provoke sentiments contrary to the Convention's principle of international cooperation'. The Evaluation Body was informed that the Secretariat worked with submitting States in the present cycle to adhere as closely as possible to the intent of the decision, even though their nominations were submitted before the ninth session of the Committee. This can, however, produce a consequence opposite to the intention of all parties concerned. Namely, a national reference in the title – particularly in the form of a noun and not an adjective – can actually indicate the submitting State's acknowledgment of the existence of the same element or a similar one beyond national borders, and thus the inclusion of such a reference is an expression of respect for the Convention's principle of international cooperation. Thus, the Evaluation Body wishes to emphasize that Decision 9.COM 10 relates only to *unnecessary* references, and encourage

States Parties to avoid such references while employing those that are necessary and in keeping with the Convention's principles.

45. **Usage of vernacular terms in the title of the element.** As in previous cycles, the Evaluation Body wishes to encourage submitting States to use vernacular terms in the titles of elements instead of replacing them by terms in English or French, or in an official or majority language. Yet the vernacular term may not be enough: it is advisable for the full title to be informative by adding basic characterization of the element in English or French. In one nomination during this cycle, the community wished to identify the element with a vernacular title, and the Evaluation Body requested the Secretariat to work with the submitting State to restore that term in the title of the nomination. In another case, it happened that a part of the original title in the vernacular language did not appear anywhere else in the nomination form, which is also inappropriate. States Parties are reminded to pay due attention to the titles of nomination files in terms of finding a right balance between respect for cultural specificity and the need for intercultural understanding, even more so because the title represents the most basic identification of the element.
46. **Involvement of children versus child labour.** Within this cycle, the Evaluation Body came across several nominations that provoked discussion on the involvement of children in the enactment of intangible cultural heritage. While their involvement is in general welcome and advisable, given that the transmission of knowledge and skills from elders to youth and children constitutes one of the crucial guarantees for the viability of intangible cultural heritage, the Body was less certain when it came to elements with added economic value or elements that incorporate hazards, as in the case of craftsmanship and some performing arts. The Body's concern increased in the case of nominations that did not provide sufficient information on the nature of such hazards or did not well explicate the relationship between economic issues versus social functions and cultural meanings of the element. The Body cannot offer a more general recommendation beyond those applied to individual files, along with an invitation to the Committee and future Body to continue reflecting on involvement of children in the enactment of intangible cultural heritage.
47. **Use of animals.** One of the nominations in this cycle relies on the use of animals in a traditional game. In this regard, the Evaluation Body wishes to reiterate the position of the previous Subsidiary Body, which noted that a difference should be made between the use of animals for food or ritual, on the one hand, and for entertainment or public spectacle, on the other. Practices that might be acceptable at the local or national level might generate misunderstanding when proposed for recognition at the international level. Without prejudging which practices might be acceptable and which might not, the Evaluation Body reminds States Parties to be aware that they are addressing their nominations to an international audience and ought, therefore, to take the utmost care to explain the proposed practices clearly, thoroughly and with due respect for the sensitivities of others, as the spirit of the Convention demands and as recalled in Decision 9.COM 10.
48. **Contribution of intangible cultural heritage and its safeguarding to sustainable development.** A significant number of nominations in this cycle address the contribution of intangible cultural heritage and its safeguarding to sustainable development, in particular in terms of conflict resolution, peacebuilding, environmental sustainability or enhancement of local economies. The Evaluation Body welcomes with satisfaction such nominations and included remarks, explanations and/or comments in respective draft decisions. The Body also wishes to express its encouragement to States Parties to continue elaborating submissions that elucidate various aspects of linkages between the safeguarding of intangible cultural heritage and sustainable development, thus contributing significantly to the objectives of the Convention. At the same time, submitting States are encouraged to clearly address in their nominations the compatibility of the intangible cultural heritage concerned with the sustainable use of natural resources.

### Criteria for inscription

49. **Linkages between criteria.** Each of the criteria for the Urgent Safeguarding List and the Representative List is self-contained and closely knitted with others, so that any deficiency in one section easily results in deficiencies in other sections. In particular, lack of adequate definition of the element (U.1/R.1) often does not allow an assessment of its current level of viability or threats it faces (U.2) or how the element's inscription may contribute to the purposes of the Representative List (R.2), as well as adequacy of the proposed safeguarding plan and measures (U.3/R.3). Criteria U.2 and U.3 are also closely interlinked since a feasible and sufficient safeguarding plan (U.3) can be tailored only on the basis of clear identification of specific needs for urgent safeguarding (U.2). Further, active participation of communities, groups and, if applicable, individuals in the nomination process (U.4/R.4) needs to be reflected throughout the whole file – in their basic identification (section C), the definition of the element (U.1/R.1), assessment of its viability and identification of threats (U.2), planning and design of safeguarding measures (U.3/R.3), as well as the elaboration of the inventory (U.5/R.5). Given that inventories are elaborated 'with a view to safeguarding' (Article 12) and not for the purpose of nominating elements (typically at different times), the Evaluation Body notes that where communities, groups or individuals are concerned with a nomination (e.g. criteria U.4/R.4) it need not be identical to that which concerns an inventory (criteria U.5/R.5). With that small caveat, criteria U.1 through U.4/R.1 through R.4 need to demonstrate coherency and consistency in the identification of communities, groups and individuals, which also has to be reflected in the free, prior and informed consent to the nomination.
50. In regard to International Assistance requests, the various criteria are even more interwoven one into another than in the case of the two Lists. Thus, community involvement (criterion A.1) is primarily addressed in section 19 but is of relevance in all other sections, in particular in relation to the location of the project (section 11), monitoring, reporting and evaluation (section 22), capacity-building (section 23) and sustainability after the assistance ends (section 24). To determine that 'the amount of assistance requested is appropriate' (criterion A.2), the budget is addressed in sections 5 and 18, but is closely linked with the activities (section 16) and timetable of the project (section 17). In order to demonstrate that 'the proposed activities are well conceived and feasible' (criterion A.3) it is needed to interconnect the purpose of the request (section 12), forms of assistance requested (section 13), background and rationale of the project (section 14), objectives and expected results (section 15), activities (section 16), timetable (section 17), budget (section 18), implementing organization and strategy (section 20), partners (section 21) and monitoring, reporting and evaluation (section 22).
51. **Geographical location and range of the element in section D.** The information about the geographical location and range of the element given in section D of the nomination forms (both for the Urgent Safeguarding List and for the Representative List) needs to be further described and referred to consistently throughout the nomination file, as well as linked to the definition of community, which also ought to be defined and referred to consistently throughout the file, as noted above.
52. **Identification of domain(s).** Information on the domain(s) manifested by the element, which is requested in the form of check-boxes (section E in the case of the Urgent Safeguarding List, section 1 in the case of the Representative List), often appears as relatively arbitrary, for no parallel information is provided in the narrative section U.1/R.1. Although a general tendency is to check all or almost all boxes, it also happens that clear information is provided in the narrative concerning a specific domain which is, however, not ticked. States Parties need to pay due attention to this basic identification and its correspondence with the narrative. Given that the only purpose of these check-boxes is to support classification and indexing of elements inscribed on the two lists, the Evaluation Body is of the opinion that only primary domain(s) should be checked, and the instructions should be clarified to this effect, even though the narrative may explain the pertinence of additional domains.

53. **Contribution to the purposes of the Representative List (R.2).** Criterion R.2 is at the heart of the Representative List, linked to the objective of the List to contribute to visibility of the intangible cultural heritage in general and raise awareness of its importance at the local, national and international levels, to encourage dialogue among communities, groups and individuals, and to promote respect for cultural diversity and human creativity. Therefore, States Parties should pay great attention to this criterion. The general trend, however, is inward-looking, focused on the benefits of inscription for the element itself. This remains true despite, most recently, the decision of the Committee that contributions to intangible cultural heritage in general must be demonstrated in order to consider the criterion to be satisfied (Decision 8.COM 8). For the Evaluation Body, too, this was one of the most challenging criteria. This is mostly because in this cycle a trend to provide assertion instead of demonstration was particularly strong. Relying upon information assembled from other sections of the nomination, the Body could in some instances find reason to believe that inscription may contribute to the purposes of the List. However, apart from misplaced information that prevents a nomination from enjoying ‘favourable conditions for evaluation and examination’ (Decision 7.COM 7), it is not up to the Body but to the State Party to demonstrate and explain how the inscription could contribute to the visibility of the intangible cultural heritage in general. If the State has not adequately considered this question and demonstrated how it anticipates this will happen, it is unrealistic to expect an actual contribution following inscription. For an adequate response to this criterion, the submitting State needs to clearly elucidate how the element incorporates, implies and/or speaks in favour of contributions relevant to the overall purposes of the Representative List. The information provided in section R.2 may of course refer to information that offers further evidence for its claims but is provided in greater detail in other sections of the nomination file. But if it neither provides a demonstration nor refers to facts explored in greater depth elsewhere in the file, it leaves an impression of mere assertion that cannot be accepted as adequate.
54. **Some differences between safeguarding plans and measures (U.3/R.3).** Because of the different objectives of the two Lists, the safeguarding measures in a nomination to the Representative List do not require the same scope and degree of rigour as the safeguarding plan for a nomination to the Urgent Safeguarding List. Further, although a description of broader community involved in enactment and safeguarding is always desirable, including informed and dedicated public, it is often hard to demonstrate the existence of a wider public in the case of a nomination for the Urgent Safeguarding List due to the endangerment of the element. In such cases, it may suffice to describe core bearers and practitioners, while the same scope of information would be insufficient in the case of the Representative List. Also, it is important for a nomination to the Urgent Safeguarding List to clearly identify specific threats that it is possible to mitigate or overcome, in contrast to general issues such as migration or modernization that are inherent to the transformation of a society. One cannot stop societal transformations to ensure the viability of the element as in the past, and States Parties rarely put forward any specific measures addressing these generic threats. Rather, the nomination should present measures helping the element and community to adapt to the changing socio-cultural context, but here as well, few measures are identified to strengthen a community in the face of irresistible change. Such specific and challenging requirements do not appear in the case of elements nominated to the Representative List since these elements are typically viable. Thus, also, the feasibility of the plan is of great importance and represents a great challenge for elements in need of urgent safeguarding, while safeguarding measures are less challenging for elements submitted for the Representative List.
55. **Bottom-up approaches to safeguarding (U.3/R.3).** The Evaluation Body noted in some cases top-down approaches to safeguarding that are likely to disempower concerned communities and exclude them from the nomination process and implementation of safeguarding measures. States Parties are encouraged to employ bottom-up approaches, as community participation is essential in this Convention. At the same time, the commitment of the State Party is a prerequisite for feasible and sustainable safeguarding as well, yet its commitment should not turn into omnipresence.

56. **Updating of safeguarding plans and measures (U.3/R.3).** Given that the process of evaluation of nominations spans several years or more in the case of a referred file, it happened that the proposed safeguarding measures and plans were already in the phase of implementation at the time of evaluation by the Body. While this is commendable for the State Party not to delay the safeguarding of the element regardless of the schedule of its inscription, it also presents an issue for the Body concerning a lack of actual plans after inscription. The Body suggests the Committee clarify that the safeguarding measures and plans are nevertheless supposed to include a certain period of time following the inscription, in particular as regards the Urgent Safeguarding List.
57. **Subject of consent demonstrating community participation (U.4/R.4).** No topic has received greater attention from the Committee and its bodies than that of the widest possible participation of communities, groups and, where appropriate, individuals in the nomination process. Besides the narrative description of their participation provided in section U.4.a/R.4.a, submitting States must provide evidence of their free, prior and informed consent to the nomination (U.4.b/R.4.b and the appendix), with consent being understood as a necessary but not sufficient demonstration of participation. In previous cycles, the Committee and two Bodies focused on the format of the consent, looking for diverse forms of evidence and personalized and individual expressions, as well as on the adequacy of community representatives or intermediaries, with less attention paid to the question of who, when, where and for what purpose the consent was provided. In its evaluation of the nominations submitted in this cycle, the Evaluation Body was pleased to notice a general improvement concerning the quantity of evidence provided by relevant parties concerned and its diverse formats. Yet, when paying attention to their contents, the Body often encountered difficulty in determining whether the consent was given to the actual nomination or was simply expressing the writer's support for the element itself. There was often no concrete reference to the nomination process, the resultant file and/or the role of the signatory in either the definition of the element, identification of its viability and threats or in the planning and implementation of the proposed safeguarding measures. Commonly, the documents referred to the merits of the element and support for its recognition by the international community, accompanied sometimes with notes referring to the identification of the signatory with the element and/or the way such signatory is involved in its enactment and safeguarding, or, in the case of cultural organizations, referring to their mission and activities related to the element. In one example, the evidence offered of community consent instead disclosed an understanding of the element that significantly differed and partly even contradicted the definition of the element in the file. In another such example, a part of the consent documents were provided by passers-by on the street who could not have insight into the nomination file, nor could they participate in its elaboration. In other words, the Body was quite often faced with consent documents that failed to demonstrate that they were 'informed'. Thus, it needs to remind States Parties that the free, prior and informed consent above all means 'consent to the nomination of the element', as formulated in the file, while the format it takes is of secondary importance, although the Committee has now decided that 'individualized expressions of consent are preferable over form letters, petitions or uniform evidence of consent' (Decision 9.COM 10).
58. **Informed consent to a multinational nomination.** In the case of multinational nominations, as noted above, documents offered as evidence of consent should also demonstrate an awareness of communities about the shared nature of the proposed element and their commitment to the multinational character of the nomination. Indeed, the Subsidiary Body addressed this question in 2014 and the Committee accordingly took a decision requesting submitting States 'to highlight the sense of belonging of the concerned communities, groups and individuals and to clearly demonstrate their free, prior and informed consent to the multinational nomination as it is formulated' (Decision 9.COM 10). Given that the Committee's decision was taken after the deadline for submission of nominations for the 2015 cycle, the Evaluation Body necessarily used a degree of flexibility when evaluating the present nominations, but it does propose that the Committee take note of weaknesses in this

regard where they appear, with the hope that this will reinforce awareness of the necessity – in the 2016 and subsequent cycles – for this requirement to be respected.

59. **Representative consent.** The Evaluation Body took note of the possibility for representative or proxy consent by an authority on behalf of a community. However, States Parties are encouraged to provide as much evidence of consultations and awareness of the community about such a type of consent. In general, a greater strictness regarding the adequacy of evidence of free, prior and informed consent was applied to nominations to the Urgent Safeguarding List than to those to the Representative List, including on the question of consent delegated by a community to a traditional authority.
60. **Inventorying (U.5/R.5).** The newly-introduced provision requiring a relevant extract of the inventory(ies) (Decision 8.COM 7.a and Decision 8.COM 8) proves its worth. While recalling that the identification of the various elements of intangible cultural heritage is one of the most important obligations of the States Parties as stipulated in Article 11 and 12 of the Convention, the Evaluation Body found that the extract of the inventory(ies) not only helps assessment of fulfilment of the criterion but helps to raise awareness concerning a variety of inventorying schemes and processes responsive to the specific situation of the States Parties concerned, including innovative manners of inventorying based on the widest possible participation of communities, groups and relevant non-governmental organizations. At the same time, however, the accessibility of such an extract opened up new questions that either directly or indirectly touched upon all components of the criteria. In general, as emphasized above, the Evaluation Body came to the conclusion that the customary practice in assessing this criterion has been to be inclusive towards nominations rather than exclusive, and thus flexible in terms of the requested level of demonstration. Therefore, since this is the first cycle of implementation of this new provision, the Body decided to follow the existing tendency towards inclusiveness. Yet it also wishes to explain insights gained through the comparison of relevant extracts of inventories with nomination files and with existing observations and recommendations from the Aides-mémoires, hoping that explication of these issues may help the Committee to develop a clear and coherent minimum standard for demonstrating the inclusion of an element in an inventory, which, if approved, can be implemented starting from the next cycle. These issues are as follows:

i. Correspondence between the inventory and the nomination

61. The Aides-mémoires, summarizing previous reports of the evaluation bodies and decisions of the Committee, explain the necessity for a correspondence between the information provided in the inventory and the nomination (Aide-mémoire for the Representative List, paragraph 115; corresponding passages are found in the Aide-mémoire for the Urgent Safeguarding List). The Aides-mémoires also at the same time acknowledge that ‘no single model or template of inventories exist and that multiple forms of identifying intangible heritage can be accepted’ (Aide-mémoire for the Representative List, paragraph 112). Besides, as for multinational nominations, it is ‘not necessary for each inventory to refer to the element with the same name or to contain the same information about the element’, although it is considered ‘crucial that when the inventories in questions are updated, the States concerned by the multi-national nomination must be able to coordinate themselves and to bring the information to the same level, including where appropriate mentioning the situation in other countries’ (Aide-mémoire for the Representative List, paragraph 116). When the Evaluation Body tried to put these recommendations into practice during the evaluation process in this cycle, it encountered difficulty in finding a way to reconcile needed correspondence between the inventory and the nomination, and the acceptability of multiple forms of inventories. The correspondence obviously needs to include the basic determination of the element, such as the name of the communities, groups or, if applicable, individuals concerned (section C), geographic location and range of the element (section D), and perhaps also some basic aspects concerning identification of the element (U.1/R.1). However, even when this requirement was reduced for correspondence to a bare minimum, several nominations submitted in this cycle would not satisfy the criterion due to the discrepancy of information provided in the inventory and the nomination.



62. On the other hand, the Body came across several nominations, and one in particular, that displayed a lack of correspondence between the nomination and the inventory concerning the dialogue among communities. Such a lack of correspondence seems to be significant enough not to be neglected. So it seems that the needed correspondence has to include also a correspondence in terms of basic principles and objectives of the Convention. Further, given the importance of safeguarding in the whole programme from local to international levels, as well as the reference to ‘identification with a view to safeguarding’ in Article 12 of the Convention, it is expected that the inventory serve as a useful tool for safeguarding beyond providing documentation and/or research results. If so, however, a significant number of nominations submitted in this cycle would not satisfy the criterion. Besides, the question is how such a requirement would comply with another part of Article 12 of the Convention, which entitles each State Party to act ‘in a manner geared to its own situation’. All in all, the guideline of the Committee on what constitutes an acceptable extract of the inventory in terms of its correspondence to the nomination appears advisable.
63. Based on its experience during this cycle, the Body is of the opinion that it and the Committee cannot take into account information from the inventory that provides a fuller insight into the element than the information presented in the nomination itself, due to the requirement concerning misplaced information. However, consistent with its practice on other questions, the opposite is not the case – if the information in the inventory *contradicts* the information in the nomination, then the credibility of the latter information comes into question. Another question arose during the evaluations concerning duplication of information in the inventory and the nomination, and how this might run afoul of the requirement that ‘each nomination should constitute a unique and original document’ (Decision 7.COM 11). However, the Body agreed that this type of copying should be excluded from the general prohibition against copying.

ii. Format of the inventory

64. Despite the acceptability of multiple formats, the inventory is expected to be ‘something more than a list of names of elements’ (Aide-mémoire for the Representative List, paragraph 113). The Evaluation Body applied this approach in its work but did not feel comfortable when faced with inventories that encompass just a few lines of very basic description. In other cases, the inventories looked like a compilation of information from various sources. Some resembled a research paper. One example was of an authored paper. Since there is no specific instruction on the format of inventory files and each State Party is autonomous to draw up one or more inventories in a manner geared to its own situation (Article 12 of the Convention), the Evaluation Body considered as satisfactory any format other than a simple listing or authored paper, even if it did so reluctantly. It would be welcome if the Committee could devise clearer guidelines.

iii. Inventories on levels other than national

65. The Evaluation Body came across a few inventories maintained not on national but local or regional levels. Since the Convention clearly establishes that each State Party shall draw up ‘one or more inventories of the intangible cultural heritage present in its territory’ (Article 12), such local, regional or discipline-specific inventories are satisfactory on the same basis as a ‘national’ inventory. It is to be noted that neither the Convention nor the Operational Directives refer to a ‘national inventory’ and the Committee and its evaluation bodies have been scrupulous in avoiding any such reference (except in the context of a specific inventory named as such by a particular State Party).

iv. Inventory updating

66. Article 12 of the Convention and all subsequent decisions and recommendations require the inventory to be regularly updated, and the nomination forms ask the submitting State to explain how this is done. However, despite the great importance of this provision, rarely is an adequate explanation provided on the nature and periodicity of updating. Updating the

inventory may mean the inclusion of new elements in the inventory, as the provision is understood by a few States Parties but also regularly revising information about the element concerned, together with all other elements included in the inventory. The Body recommends that the Committee clarify that updating refers to both, including regularly revising information on the evolving nature of the elements concerned, their safeguarding and the monitoring of consequences of inscription in the inventory. Such an understanding of updating is also implicated in periodic reports of States Parties on implementation of the Convention and the current status of elements inscribed on the Representative List, as well as corresponding reports on the current status of elements inscribed on the Urgent Safeguarding List.

67. Periodicity of inventorying cannot be precisely defined. In the present cycle, the extracts provided revealed that some inventories were not updated for a number of years – indeed, since the element was first included, often many years before. Yet, the great majority of nominations affirm that the inventory is regularly updated, without saying more or offering any demonstration. In this cycle, such an attestation in section U.5/R.5 concerning regular updating was taken as satisfactory, despite the fact that actual inventory extracts often do not confirm such a statement.

v. Participation of communities, groups and relevant non-governmental organizations

68. Along with regular updating, the participation of communities, groups and relevant non-governmental organizations is a fundamental requirement concerning the inclusion of the element in an inventory. Regrettably, like the former, the latter is also simply asserted with little or no demonstration. Informed by the model established for criterion U.4/R.4, the Committee could find a way to help the States Parties to more clearly demonstrate the requested participation.

vi. Data on the date of inclusion, reference, name of the inventory concerned and entity responsible for maintaining the inventory

69. The nomination forms clearly request that submitting States include within their response to section 5 the date of inclusion in the inventory, its reference, the name of the inventory concerned and the entity responsible for maintaining the inventory. While these may seem to be details, they are indispensable components of any inventory completed in compliance with the Convention, and consequently their omission raises doubts on whether the process was actually completed. As with the more substantive topics of regular updating and the participation of communities, groups and relevant non-governmental organizations, a high proportion of nominations evaluated in the present cycle did not provide the full information requested (even if some parts of it might be gleaned from the inventory extract). In the forms published for use in the 2016 cycle, the Secretariat has endeavoured to make it even clearer what information is required, and the Evaluation Body encourages its successor to exercise greater diligence in ensuring that submitting States provide the required details.

vii. Assessment of inventories for resubmitted files

70. Given that the Committee has adopted progressively more stringent requirements concerning criteria U.5/R.5, the Evaluation Body was faced with the difficult challenge of maintaining consistency with previous decisions of the Committee when evaluating files that were previously referred on criteria other than R.5. In one of those resubmitted files, the newly-required extract of the inventory reveals unmistakably that the inventory does not conform to Articles 11 and 12 of the Convention, yet since the inventory was deemed acceptable at the time of the previous examination of the file in question, the Body felt obliged to adopt the previous favourable decision of the Committee. Perhaps the Committee would wish to give explicit notice to submitting States that future Evaluation Bodies will not accept as adequate any inventories that do not satisfy the criteria and relevant decisions in effect at the time of submission, regardless of how a previous version of the nomination might have been treated.

71. **Appended video.** The Evaluation Body notes that some States Parties made commendable efforts to produce high quality and informative videos, and it encourages others to do likewise. The videos need to reflect various aspects of the element – context and environment, bearers, instruments or tools used, audiences, etc. States Parties are discouraged from providing static presentations with one long narrative which is sometimes even largely non-translated. In the case of oral traditions, translations of poetry or examples would be useful.
72. **Issues related to International Assistance requests.** Through extensive discussion on two requests for International Assistance submitted in this cycle, the Evaluation Body encountered a number of issues detected by previous Bodies and the Committee, yet it did not come up with new emphases or suggestions that may contribute to the existing jurisprudence. Observations and recommendations related to the two requests are included in the respective draft decisions. The Body was pleased to be informed by the Secretariat about a number of ways in which International Assistance could be further utilized to support States Parties in their safeguarding efforts. Article 21 of the Convention indeed offers not only the possibility of granting financial donations (Article 21 [g], the only possibility exploited so far) but can also take the form of studies concerning various aspects of safeguarding (Article 21 [a]), the provision of experts and practitioners (Article 21 [b]), the training of all necessary staff (Article 21 [c]), etc. The Secretariat should clarify these different modalities to States so that they can request the appropriate modality of the assistance they need. Other technical support like an aide-mémoire dedicated to International Assistance or the ongoing provision of experts to offer guidance in the elaboration of International Assistance requests were also welcomed by the Body.

### C. Draft Decision

73. The Committee may wish to adopt the following decision:

#### DRAFT DECISION 10.COM 10

The Committee,

1. Recalling Chapter I of the Operational Directives,
2. Having examined documents ITH/15/10.COM/10, ITH/15/10.COM/10.a, ITH/15/10.COM/10.b and ITH/15/10.COM/10.c, and the files submitted by the respective States Parties,
3. Commends the submitting States for the diversity of intangible cultural heritage presented during this cycle and congratulates in particular those submitting States having presented nominations that can serve as models for future submissions;
4. Expresses its satisfaction with the work of the newly established Evaluation Body as a single body which allows greater coherency and consistency in the evaluation across different mechanisms of the Convention and is thankful to its members for their efforts and for the quality of the present report;
5. Appreciates the assistance of the Secretariat during the work of the Evaluation Body;
6. Renews its concern that the number of nominations for inscription on the List of Intangible Cultural Heritage in Need of Urgent Safeguarding, proposal to the Register of Best Safeguarding Practices and requests for International Assistance continue to be limited;
7. Invites States Parties to pay careful attention to the different purposes of the Lists and to the associated criteria when elaborating the nomination;
8. Recalls that the purpose of the Representative List is to ensure better visibility and awareness of the intangible cultural heritage in general, and to encourage dialogue

which respects cultural diversity and therefore encourages the States Parties, when responding to criterion R.2, to clearly elucidate among the possible consequences of inscription those related to this overall purpose, while ensuring that responses to other criteria support such information;

9. Further recalls that the Urgent Safeguarding List offers international recognition of specific threats to the viability of an element and should be accompanied by a well-elaborated safeguarding plan that adequately responds to those threats for a certain period of time following the inscription;
10. Requests the Secretariat, in conformity with Decision 8.COM 5.c.1, to develop alternate, lighter ways of sharing safeguarding experiences to complement the Register of Best Safeguarding Practices;
11. Notes with appreciation the work of the Secretariat in compiling a new aide-mémoire for International Assistance making accessible the issues discussed by past Bodies and the Committee and related decisions, and reaffirms its invitation to States Parties to take full advantage of all three existing aides-mémoires when preparing future submissions;
12. Takes note that the issue of adequate description of the contours of the community persists, particularly when nominations cover both an entire country or many sub-groups but also when they concern a part of the community, and reminds States Parties of the importance of providing a sufficiently detailed and comprehensive description of the communities, groups or, if applicable, individuals concerned and their participation in the elaboration of the nomination, and be consistent in this regard throughout the file;
13. Further reminds States Parties that free, prior and informed consent above all means 'consent to the nomination of the element, as formulated in the file', instead of support for the element itself, its merits and/or its recognition by the international community;
14. Further appreciates the efforts of submitting States to address the contribution of the safeguarding of intangible cultural heritage to sustainable development, notably in terms of conflict resolution, peacebuilding, environmental sustainability, gender equality or enhancement of local economies, and encourages States Parties to continue elaborating submissions that address these aspects, thus contributing to the objectives of the Convention;
15. Welcomes the growing submission of multinational nominations and, in reference to Decision 9.COM 10, decides that such nominations must demonstrate the awareness of all stakeholders concerned regarding the shared nature of the proposed element, their commitment to the multinational character of the nomination, as well as their participation and mutual cooperation in safeguarding measures;
16. Further invites submitting States, when elaborating multinational nominations, to include all sub-groups sharing the same practices and traditions across national boundaries when appropriate, and to make use of the online tool introduced by the Secretariat to encourage multinational nominations;
17. Reiterates, as emphasized in the Decision 9.COM 10, the need to elaborate nominations with utmost care in order to avoid inappropriate expressions or vocabulary that are not in line with the spirit of the Convention or may provoke misunderstanding among communities and affect dialogue and mutual respect;
18. Acknowledges the importance of the involvement of children in the transmission and enactment of intangible cultural heritage, and calls upon future Evaluation Bodies to continue reflecting on this involvement including challenging aspects such as the issue of child labour;
19. Further Invites submitting States nominating elements that involve oral traditions to provide translation of lyrics and verse in order to achieve greater overall audience

understanding, thus encouraging dialogue and mutual respect beyond national and language boundaries;

20. Also reiterates that identification and definition of the various elements of the intangible cultural heritage are among the most important safeguarding obligations of States Parties and a prerequisite for nomination, and considers that, while each State Party is free to draw up one or more inventories in a manner geared to its own situation as stipulated in Article 12 of the Convention, the extract of the inventory provided in the nominations and the corresponding section in the nomination file should:
  - a) demonstrate that the inventory concerned relates clearly to living heritage;
  - b) demonstrate that the inventory concerned meets the requirements laid out in Article 11 of the Convention with regard to the participation of communities, groups and relevant non-governmental organizations in the elaboration and updating of the inventory, and include the demonstration of such participation;
  - c) demonstrate that the inventory concerned meets the requirements laid out in Article 12 of the Convention with regard to regular updating, indicating the periodicity and modality of updating, understood not only as adding new elements but also as revising existing information on the evolving nature of the elements already included therein;
  - d) indicate the name of the inventory concerned and the entity responsible (not necessarily at the national level) for maintaining and updating it, the date of inclusion of the element in the inventory and its reference;
  - e) contain more information than a name of the element in a list or just a few lines of description; in particular, the name of the communities, groups or, if applicable, individuals concerned, their geographic location and the range of the element should be specified and not contradict those described in the nomination form;
21. Decides that criterion R.5/U.5 will not be considered satisfied if the relevant extracts of inventories do not respect the above-mentioned guiding principles and relevant decisions in effect at the time of submission of the nominations, including previously referred files;
22. Requests the Secretariat to prepare a guideline on inventories for the States Parties, including the above-mentioned minimum standard, taking into account the past decisions of the Committee and recommendations of the bodies, and to adjust the nomination forms accordingly;
23. Further encourages the States Parties to take advantage of the combined Form ICH-01bis that allows the submission of nomination for inscription to the Urgent Safeguarding List and, simultaneously, of a request for International Assistance from the Intangible Cultural Heritage Fund to finance the proposed safeguarding plan associated to that nomination;
24. Further encourages the Secretariat to continue to offer technical assistance and other support to States Parties wishing to request International Assistance and invites States Parties to take advantage of these possibilities.