



United Nations
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Intangible
Cultural
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**CONVENTION FOR THE SAFEGUARDING OF THE
INTANGIBLE CULTURAL HERITAGE**

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

**Eleventh session
Addis Ababa, Ethiopia
28 November to 2 December 2016**

**Item 15 of the Provisional Agenda:
Intangible Cultural Heritage in emergencies**

Summary

In recent times UNESCO has been increasingly called upon to respond to emergencies in the field of culture and has developed a strategy to this end. The present item is submitted to the consideration of the Committee in order to discuss the role of the 2003 Convention as part of the UNESCO's Culture Sector in response to such situations.

Decision required: paragraph 15

Background

1. Over the past years, cultural heritage in all its forms has been increasingly affected by situations of emergencies, while at the same time demonstrating its power for reconciliation and resilience. Emergencies are often accompanied by loss of tangible and intangible cultural heritage and threats to cultural diversity. UNESCO has been progressively called upon to respond to calls for assistance in such situations and has taken important decisions in this regard. The notion of 'emergencies' is to be understood including both conflict and natural disasters.
2. Regarding conflicts, UNESCO's General Conference, at its 38th session in November 2015, adopted the strategy for reinforcing UNESCO's action for the protection of culture and the promotion of cultural pluralism in the event of armed conflict ([38 C/Resolution 48](#)). The strategy aims to serve as a coordinated mechanism to provide a comprehensive response to threats and damages affecting culture in emergency situations on the basis of the Organization's Culture Conventions. A dedicated action plan to operationalize the strategy has been prepared in consultation with Member States and will be further discussed and examined by UNESCO's Executive Board at its 201st session in Spring 2017 ([Decision 200 EX/5](#)) after a new round of open consultation. In parallel, during the General Assembly of the 2003 Convention at its sixth session in May/June 2016, Greece made a statement requesting enhanced cooperation with the other Conventions and inviting the Secretariat to 'facilitate further deliberations and elaboration on the value of intangible cultural heritage and its safeguarding in cases of armed conflict and its role for reconciliation'. Moreover, echoing the reports of the Special Rapporteur in the field of cultural rights to the Human Rights Council ([A/HRC/31/59](#)) and to the UN General Assembly ([A/71/317](#)), the Human Rights Council in a recent Resolution on Cultural rights and the protection of cultural heritage ([A/HRC/33/L.21](#), September 2016) recognized that 'damage to cultural heritage, both tangible and intangible, of any people constitutes damage to the cultural heritage of humanity as a whole' and called for 'the identification of innovative ways and best practices, at the national, regional and international levels [...] for the prevention and mitigation of damage caused to cultural heritage, both tangible or intangible'. Conscious of the importance of the developments on the related subject under other normative instruments of UNESCO in the field of culture, the Joint meeting of the Chairpersons of the Culture Convention Committees, which took place in September 2016, provided a forum for sharing preliminary information among the Conventions on this subject.
3. As regards natural disasters, the [Sendai Declaration](#) and its [Framework 2015-2030](#), which was adopted by the [Third United Nations World Conference on Disaster Risk Reduction](#) (Sendai, Japan, March 2015), constitutes a landmark approach, recognizing the role of traditional knowledge and practices as well as the role of their bearers in the development and implementation of disaster risk reduction plans and mechanisms, as a complement to research-based knowledge, including in the area of early warning. Concerning the post-disaster phase, the UN-EU-World Bank [Post-Disaster Needs Assessment \(PDNA\)](#) mechanism has included since 2014 a dedicated chapter on culture, including intangible cultural heritage, as one of the 12 possible sectors of intervention, such areas of intervention as education, infrastructure, and sanitation.
4. In light of the above recent developments, the present item is submitted to the consideration of the Committee in order to discuss the place and role of intangible cultural heritage in situations of emergencies against the background of the normative framework of the Convention.

The normative framework of the 2003 Convention

5. With reference to Article 11 of the text of the 2003 Convention, States Parties have the obligation to take the necessary measures to ensure the safeguarding of the intangible cultural heritage present in their territory. This provision applies in all contexts, including emergencies. In so doing States Parties shall endeavour to ensure the widest possible participation of communities, in conformity with Article 15.
6. The Committee and the General Assembly of the Convention have already discussed issues related to emergencies on different occasions and refined the normative framework of the Convention on this matter. Firstly, at its fifth session in 2010, the Committee reflected on the definition of 'emergency' and discussed cases when International Assistance requests could be qualified as 'emergency requests' and when they could be the subject of expedited evaluation as foreseen in Article 22.2. By [Decision 5.COM 10.2](#), the Committee states that an emergency shall be considered to occur 'when a State Party cannot overcome on its own an insurmountable circumstance due to a calamity, a natural or environmental disaster, an armed conflict, a serious epidemic or any other natural or human event which has catastrophic consequences for the intangible cultural heritage as well as communities, groups and, if applicable, individuals who are the bearers of this heritage'. The General Assembly approved amendments to the Operational Directives accordingly at its fifth session in 2014 (Chapter I.14 International Assistance, paragraph 50).
7. So far only three requests for emergency assistance have been submitted and granted in the framework of the Convention's International Assistance mechanism, at a time when the world continues to be affected by natural disasters and conflicts: Mali (US\$307,307; [Decision 8.COM 3.BUR 4](#)), Côte d'Ivoire (US\$299,972; [Decision 10.COM 1.BUR 2.1](#)) and Vanuatu (US\$23,908; [Decision 10.COM 1.BUR 2.2](#)). The experience shows however, that although this type of request follows an expedited process outside the normal 18-months cycle, through direct submission at any time to the Bureau, the elaboration phase can be rather lengthy because of the need to demonstrate that the required criteria are met in an appropriate manner. Even though a support system for providing technical assistance was put in place by the Secretariat, such as the technical assistance which benefited Côte d'Ivoire, the special provision for emergency assistance can currently only be effective in supporting States Parties in the post-emergency phase, rather than as a rapid emergency response mechanism.
8. Paragraph 32 of the Operational Directives, with reference to Article 17.3 of the Convention, indicates another means of responding to certain situations of extreme urgencies that have not yet been used. This paragraph states that 'in case of extreme urgency, and in conformity with Criterion U.6, the Bureau of the Committee may invite the State(s) Party(ies) concerned to submit a nomination to the List of Intangible Cultural Heritage in Need of Urgent Safeguarding on an accelerated schedule. [...] Cases of extreme urgency may be brought to the attention of the Bureau of the Committee by the State(s) Party(ies) on whose territory(ies) the element is located, by any other State Party, by the community concerned, or by an advisory organization. [...]'.
 9. In 2015, the Committee at its tenth session adopted a new chapter of the Operational Directives on safeguarding intangible cultural heritage and sustainable development at the national level, which includes provisions related to the contribution of intangible cultural heritage safeguarding in the context of natural disasters and climate change (Chapter VI.3 on environmental sustainability). Chapter VI.4 on intangible cultural heritage and peace includes provisions concerning the mobilization of intangible cultural heritage and its bearers for the prevention of disputes, peaceful conflict resolution and restoration of peace and security. At the same session, the Committee endorsed a set of twelve Ethical Principles for Safeguarding Intangible Cultural Heritage ([Decision 10.COM 15.a](#)). The fifth point of the principles states that 'access of communities, groups and individuals to the instruments, objects, artefacts, cultural and natural spaces and places of memory whose existence is necessary for expressing the intangible cultural heritage should be ensured, including in situations of armed conflict. [...]'.

The role of intangible cultural heritage and of the 2003 Convention

10. As stipulated in Article 2 of the Convention, intangible cultural heritage, ‘transmitted from generation to generation, is constantly recreated by communities and groups in response to their environment, their interaction with nature and their history, and provides them with a sense of identity and continuity’. In situations of emergencies, intangible cultural heritage can be directly affected and threatened while it can also be a source of resilience and recovery. It therefore seems necessary, when considering the operationalization of the Convention in the context of emergencies, to take a separate approach for each of these two dimensions: how is intangible cultural heritage itself disrupted and threatened under such circumstances and what can be done for its safeguarding, and on the other hand how can intangible cultural heritage be promoted, safeguarded or supported, as a critical means for rebuilding social cohesion, fostering reconciliation and/or facilitating recovery for communities confronted with situations of emergencies.
11. Recognizing this dual approach to the issue of intangible cultural heritage in the context of emergencies, the 2003 Convention can provide valuable tools for intervening in both preparation for and recovery from such situations. In the case of conflict situations, intangible cultural heritage practices and expressions can be important vehicles for conflict prevention and resolution as well as for reconciliation. Ensuring the viability of such practices can reinforce peacebuilding and social cohesion. The emergency International Assistance received by Mali and Côte d’Ivoire both focused on community-based inventories in the areas affected by conflict as a means to reinforce awareness of and respect for inclusive and pluralistic identities in view of achieving peaceful coexistence. In the field of disaster risk reduction, building on traditional knowledge systems can strengthen disaster risk management as well as recovery strategies that include the participation of the communities concerned. In a context of rapid environmental change, these adaptation strategies that have proven successful take on a new importance.
12. Particular attention should be paid to displaced persons. Whether as a result of conflicts, natural disasters or the effects of climate change, displacement often results in the loss of cultural references. It can also deprive people of the possibility to enact their practices and expressions, thus denying them the enjoyment of their cultural rights. Moreover the disruption or suppression of intangible cultural heritage practice and transmission during emergencies may have serious, and broad, consequences for communities, including depriving a community of its sense of continuity and identity as well as a primary source of livelihood. It is therefore very important to ensure that displaced persons can continue to practice their intangible cultural heritage.
13. Considering all of the above and in accordance with the general safeguarding provisions of the Convention, it is critical that it be the concerned communities, as the bearers and primary safeguarding actors, who are the ones to identify how the conflict or the disaster situation has affected their intangible cultural heritage as well as how they might draw on their intangible cultural heritage as a resource for addressing the multiple challenges they face. In cases where the mobilization of experts is called for, it should be to facilitate, but not replace, those identifications by the communities, groups or individuals.
14. The preceding paragraphs provide some preliminary considerations on the possible multifaceted role of intangible cultural heritage and the mechanisms of the Convention in the framework of UNESCO interventions in the case of emergencies to serve as a basis for opening-up the discussion of the Committee on this subject matter. Recognizing that the experience of the Secretariat in emergencies in the framework of the 2003 Convention remains somewhat limited so far, further reflection is needed to understand the full potential of intangible cultural heritage in such settings and to identify the types of interventions that could be undertaken in such situations in accordance with the Convention.
15. The Committee may wish to adopt the following decision:

DRAFT DECISION 11.COM 15

The Committee,

1. Having examined document ITH/16/11.COM/15,
2. Recalling its Decision [5.COM 10.2](#),
3. Further recalling Article 11 of the Convention, Chapter VI.3 and Chapter VI.4 of the Operational Directives, as well as the fifth point of the Ethical Principles for Safeguarding Intangible Cultural Heritage,
4. Takes note of the strategy for reinforcing UNESCO's action for the protection of culture and the promotion of cultural pluralism in the event of armed conflict adopted in 2015 by the General Conference of UNESCO at its thirty-eighth session (38 C/Resolution 48);
5. Expresses its profound sympathy and compassion to those affected by situations of emergencies, while paying respect to communities, groups and individuals deploying incommensurable efforts to safeguard and maintain the practice and transmission of their intangible cultural heritage in such difficult contexts;
6. Recognizes the dual nature of intangible cultural heritage in emergencies, whereby on the one hand its viability can be directly threatened, and on the other hand its mobilization as a powerful leverage for resilience and recovery can be of significant benefit to affected populations;
7. Calls upon States Parties, with reference to the above-mentioned Ethical Principles, as well as in respect of their obligations as regards Articles 11 and 15, to ensure access of communities, groups and individuals, including displaced persons, to the extent possible, to the instruments, objects, artefacts, cultural and natural spaces and places of memory whose existence is necessary for expressing the intangible cultural heritage;
8. Invites States Parties in emergencies to submit emergency requests for International Assistance, as they deem appropriate and requests the Bureau of the Committee and the Secretariat to facilitate expedient response to requests for assistance in case of extreme urgencies;
9. Encourages the Secretariat to continue gathering knowledge and gaining experience on the role of communities in both safeguarding their intangible cultural heritage at risk in emergencies and mobilizing it as a tool for preparedness, resilience, reconciliation and recovery;
10. Decides to continue the discussion on this issue at its next session in 2017 with a view to exploring more operational modalities for the implementation of the principles of the 2003 Convention in situations of emergencies.