

EXTENDED CONTENTS

<i>Acknowledgements</i>	xii
<i>List of abbreviations</i>	xiii
<i>Table of cases</i>	xvi
<i>Table of legislation</i>	xviii
1 AN INTRODUCTION TO UNESCO'S 2003 CONVENTION	
A. HISTORICAL REVIEW: FROM THE 1970S TO 2003	1.03
B. A BRIEF OVERVIEW OF THE CONVENTION	1.09
C. UNDERSTANDING THE WIDER CONTEXTS OF THE 2003 CONVENTION	1.15
1. The Human Rights Context	1.18
2. The Sustainable Development Context	1.22
3. Taking a Participatory Approach	1.24
4. A Cultural or an Intellectual Property Approach?	1.26
D. AN EVOLVING PICTURE OF SAFEGUARDING	1.28
2 SETTING OUT THE CONTEXT AND OBJECTIVES	
A. THE PREAMBLE: A BRIEF COMMENTARY	2.03
B. INTRODUCING THE OVERALL RESULTS FRAMEWORK TO THE 2003 CONVENTION	2.24
C. ARTICLE 1 – PURPOSES OF THE CONVENTION	2.30
3 DEFINING KEY TERMS	
A. A BRIEF HISTORICAL REVIEW AND QUESTIONS OF TERMINOLOGY	3.02
B. ANALYSIS OF ARTICLE 2	3.09
1. Paragraph 1 – Definition of ICH	3.09
2. Paragraph 2 – The Domains	3.18
(a) Oral traditions and expressions, including language as a vehicle of the ICH	3.23
(b) The performing arts	3.26
(c) Social practices, rituals and festive events	3.29
(d) Knowledge and practices concerning nature and the universe	3.35
(e) Traditional craftsmanship	3.37
3. Paragraph 3 – Definition of Safeguarding	3.40
4. Paragraphs 4 and 5 – States Parties	3.47
4 THE ORGANS OF THE CONVENTION AND THE SECRETARIAT	
A. ORGANS OF THE CONVENTION	4.02
1. General Assembly of States Parties	4.02
2. Intergovernmental Committee	4.07
B. SECRETARIAT AND THE DIRECTOR-GENERAL OF UNESCO	4.19
5 TAKING A PARTICIPATORY APPROACH	
A. INTRODUCTION	5.01
B. PARTICIPATION IN THE 2003 CONVENTION	5.09
1. Background to its Development	5.09

2.	Identifying the Main Actors in the 2003 Convention	5.12
C.	PARTICIPATION AT THE NATIONAL LEVEL	5.16
D.	PARTICIPATION AT THE INTERGOVERNMENTAL LEVEL	5.30
1.	Comparison with Other Treaty Frameworks	5.33
(a)	A question of representation	5.38
6	SETTING THE POLICY FRAMEWORK	
A.	PROMOTING THE FUNCTION OF ICH IN SOCIETY	6.01
1.	Evaluating the Effectiveness of the Policy Framework	6.04
B.	SAFEGUARDING ICH AND SUSTAINABLE DEVELOPMENT	6.10
1.	Sustainable Development in Periodic Reporting	6.15
C.	INTEGRATING ICH SAFEGUARDING MEASURES INTO CULTURAL AND OTHER POLICIES	6.24
1.	Cultural Policies	6.26
2.	Other Areas of Policy-making	6.29
3.	Participation in Policy-making	6.34
7	NATIONAL INSTITUTIONAL AND LEGISLATIVE FRAMEWORK AND DEVELOPING CAPACITIES	
A.	INSTITUTIONAL AND LEGISLATIVE FRAMEWORK FOR SAFEGUARDING	7.01
1.	Establishing and Strengthening Competent Bodies	7.05
(a)	Types of institutional arrangements	7.06
(b)	Operating at different administrative levels	7.09
2.	Legislative Context	7.11
(a)	Involving non-governmental actors in implementing actions	7.18
B.	DEVELOPING INSTITUTIONAL AND COMMUNITY (GROUP AND INDIVIDUAL) CAPACITIES	7.22
1.	Formal Capacity-building Training	7.27
2.	Non-formal Training in and by Communities and Groups	7.32
8	FROM IDENTIFICATION AND INVENTORYING TO RESEARCH AND DOCUMENTATION	
A.	INTRODUCTION	8.01
B.	IDENTIFICATION AND INVENTORYING	8.04
C.	INVENTORYING UNDER THE 2003 CONVENTION	8.08
1.	Diversity of Inventorying Approaches	8.10
2.	Practical Aspects of the Inventorying Process	8.14
(a)	How inventories are ordered	8.14
(b)	Inscription criteria	8.17
(c)	Assessing viability	8.19
(d)	Format	8.22
(e)	Updating	8.25
3.	The Quality of the Inventorying Process	8.27
(a)	Inclusive participation by communities and NGOs	8.28
(b)	Respecting diversity	8.32
D.	RESEARCH AND DOCUMENTATION	8.35
1.	Funding for Research	8.40
2.	Documentation Institutions	8.43
3.	Ensuring Access to Documentation	8.46
E.	DIGITIZATION OF ICH FOR OTHER PURPOSES	8.54
F.	CONCLUSION	8.57
9	EDUCATIONAL PROGRAMMES AND TRANSMISSION	
A.	ARTICLE 14 ON EDUCATIONAL PROGRAMMES AND TRANSMISSION	9.01
B.	IMPLEMENTING ARTICLE 14 – EDUCATION AND TRANSMISSION	9.10

1.	Indicator 4	9.11
2.	Indicator 5	9.22
3.	Indicator 6	9.28
4.	Indicator 12	9.34
C.	ICH, EDUCATION AND THE SUSTAINABLE DEVELOPMENT GOALS	9.40
10	INTERNATIONAL LISTING MECHANISM	
A.	INTRODUCTION	10.01
B.	DRAFTING HISTORY	10.03
C.	ARTICLES 16 AND 17: REPRESENTATIVE LIST AND URGENT SAFEGUARDING LIST	10.09
1.	Article 16 – Representative List of the Intangible Cultural Heritage of Humanity	10.09
(a)	Paragraph 1	10.09
(b)	Paragraph 2	10.10
2.	Article 17 – List of Intangible Cultural Heritage in Need of Urgent Safeguarding	10.12
(a)	Paragraphs 1 and 2	10.12
(b)	Paragraph 3	10.13
D.	INCORPORATING ‘MASTERPIECES’ INTO THE REPRESENTATIVE LIST	10.15
1.	Article 31: Paragraphs 1 and 2	10.16
2.	Article 31: Paragraph 3	10.20
E.	OPERATION OF THE LISTING MECHANISMS FROM 2008 TO 2021	10.21
1.	Evaluation Bodies	10.21
2.	Submission Procedure	10.24
3.	Limiting and Prioritizing Nominations	10.28
4.	Criteria for Inscription	10.29
5.	Multinational Nominations	10.45
F.	FOLLOW-UP ON INSCRIBED ELEMENTS	10.46
G.	CHALLENGES AND POSSIBLE RESPONSES	10.52
11	INTERNATIONAL COOPERATION AND ASSISTANCE, THE ICH FUND AND IDENTIFYING GOOD PRACTICES	
A.	INTRODUCTION	11.01
B.	INTERNATIONAL COOPERATION AND ASSISTANCE (ARTS 19–24)	11.03
1.	International Cooperation (Art. 19)	11.05
2.	International Assistance	11.07
(a)	Purposes of international assistance (Art. 20)	11.07
(b)	Forms of international assistance (Art. 21)	11.10
(c)	Conditions for granting international assistance (Art. 22)	11.15
(d)	Requests for international assistance (Art. 23)	11.20
(e)	Role of beneficiary States Parties (Art. 24)	11.22
(f)	Selection criteria	11.25
(g)	Projects supported through international assistance	11.30
C.	THE INTANGIBLE HERITAGE FUND (ARTS 25–28)	11.36
1.	Technical Modalities and Specific Uses of the Fund	11.37
2.	Nature and Resources of the Fund	11.38
3.	Contributions of States Parties to the Fund	11.40
D.	PROGRAMMES, PROJECTS AND ACTIVITIES FOR SAFEGUARDING (ART. 18)	11.44
1.	Article 18: Paragraphs 1 and 2	11.45
2.	Article 18: Paragraph 3	11.46
3.	The Register of Good Safeguarding Practices	11.47
(a)	Selection criteria	11.48
(b)	Future of the Register and lighter ways of sharing safeguarding experiences	11.51
12	PERIODIC REPORTING BY STATES PARTIES	
A.	INTRODUCTION TO PERIODIC REPORTING	12.01
B.	REPORTING UNDER THE 2003 CONVENTION	12.06

1.	Periodic Reporting on National Implementation and RL Inscribed Elements (2010–18)	12.08
2.	Reporting on the Status of USL Inscribed Elements	12.11
C.	UPDATING THE PERIODIC REPORTING PROCESS	12.13
1.	Developing a Results-based Evaluation Framework	12.13
2.	Aligning Periodic Reporting with the ORF	12.21
3.	The Online Periodic Reporting Tool	12.24
D.	SOME CONCLUDING THOUGHTS	12.32
13	A WIDER CONTEXT: INTERACTIONS WITH OTHER INTERNATIONAL TREATIES AND FRAMEWORKS	
A.	INTERACTIONS WITH OTHER AREAS OF INTERNATIONAL LAW	13.01
1.	Intellectual Property Protection Regime	13.05
2.	Environmental Protection Law	13.09
	(a) The 1972 World Heritage Convention – protecting natural heritage	13.10
	(b) Environmental conservation treaties	13.11
3.	Human Rights Law	13.15
4.	Indigenous Peoples’ Rights	13.20
B.	REGIONAL AGREEMENTS AND ARRANGEMENTS	13.25
1.	Africa	13.26
2.	The Americas	13.27
3.	Europe	13.28
4.	Southeast Asia	13.29
5.	Sub-regional Groupings	13.30
C.	INTERNATIONAL AND REGIONAL HUMAN RIGHTS JURISPRUDENCE	13.32
1.	Human Rights Committee	13.34
2.	Regional Courts and Commissions	13.36
3.	UNESCO Committee on Conventions and Recommendations	13.41
14	CONCLUSIONS: ASSESSING 20 YEARS OF OPERATION AND LOOKING FORWARD	
A.	THE INTERDISCIPLINARY CHARACTER OF REGULATING ICH	14.03
B.	A FLEXIBLE TREATY MODEL	14.08
C.	SOME CHALLENGES AND ACHIEVEMENTS	14.10
D.	FURTHER REFLECTIONS	14.17
E.	LOOKING TOWARDS THE FUTURE	14.21

Index	420
-------	-----