

TEHRAN ICH CENTRE

**Regional Research Centre for Safeguarding Intangible Cultural Heritage in West and Central Asia
Under the Auspices of UNESCO (Category II)**

CONSTITUTION

**Submitted to the 1st Meeting of the Governing Council, Tehran ICH Centre
(6 & 7 November 2012, Tehran, Islamic Republic of Iran)**

English Translation

ARTICLE 1 INTRODUCTION

(Adopted: November 6th, 2012)

Properly safeguarded and promoted cultural heritage enjoys the potential to reinforce peaceful co-existence and rapprochement among varied cultures through encouraging mutual inter-cultural understanding and respect for cultural diversity. The outcomes will include, among others, peace and sustainable development virtually at the international level.

The unending trend of drastic developments in the domains of media and technology continues to exert negative impacts on cultural heritage; though the same trend has its own positive effects, even in the same domain, too. In the face of the increasing popularity of world media, the Intangible Cultural Heritage will, no doubt, prove as more vulnerable due to its live nature, to the extent that its endurance, coherence, and survival will be endangered. Regarding the mentioned facts, the world community, headed by UNESCO, has highlighted in its agenda the issues of safeguarding Intangible Cultural Heritage and preserving Cultural Diversity through planning and executing a number of novel strategies.

The enactment, in 2003, of the Convention for the Safeguarding of the Intangible Cultural Heritage (hereinafter, the "2003 Convention") defined the field with a determining turning point. The execution of the Convention message, however, requires full-fledged commitment on the part of the Member States, local societies, as well as the world community. On these same lines, UNESCO continues to reiterate the issues of collaboration of nations and cooperation of states to promote the 2003 Convention, especially in relation to their shared Intangible Cultural Heritages.

The West and Central Asia (hereinafter, called "the Region") constitutes a geographical territory that encompasses rich shared historical and cultural backgrounds. Collaborations of the region's states shall promote identification, documentation, research, inscription, and revitalization, as well as awareness-raising and capacity-building, and, on the whole, safeguarding of the mentioned shared Intangible Cultural Heritages.

Empowered as per Resolution 34C/DR12, whereby the Islamic Republic of Iran (hereinafter, "the Government") was granted, by the 34th Session of the General Conference of UNESCO, the permission to establish, on its territory, a Regional Research Centre for Safeguarding Intangible Cultural Heritage in West and Central Asia Under the Auspices of UNESCO (Category II) (Hereinafter, "the Centre"), the related legal and official proceedings were followed by the Government of Iran and UNESCO.

Edited based upon the Agreement concluded, on 28 April 2010, between the Government, represented by the Vice President and Chairman to the Iranian Cultural Heritage, Handicrafts and Tourism Organization (hereinafter, called "ICHHTO"), on the one hand, and Director General of UNESCO, on the other, "regarding the Establishment, in Tehran, of a Regional Research Centre for Safeguarding Intangible Cultural Heritage in West and Central Asia Under the Auspices of UNESCO (Category 2)" (hereinafter, called "the Agreement") the present text consists of the Constitution of the Regional Research Centre for Safeguarding Intangible Cultural Heritage in West and Central Asia Under the Auspices of UNESCO (Category II).

ARTICLE 2 OBJECTIVES

(Adopted: November 6th, 2012)

The following define the Centre with its objectives:

- A. To promote the 2003 Convention and its implementation in West and Central Asia;
- B. To strengthen capacities and cooperation in the Region for identifying, inventorying, documenting and studying Intangible Cultural Heritage in order to contribute to its safeguarding;
- C. To further and coordinate scientific and technical studies aimed at developing, managing and evaluating safeguarding measures for Intangible Cultural Heritage present in the Region; and
- D. To reinforce capacities in States of the Region that are Parties to the 2003 Convention for actively participating in its implementations on the regional and international levels, in particular concerning shared intangible cultural heritage elements present in the territories of two or more States concerned.

ARTICLE 3 FUNCTIONS

(Adopted: November 6th, 2012)

The following constitute the Functions of the Centre:

- (a) to create and keep up to date an automated information system registering and linking governmental and non-governmental institutions, research, educational and information institutions, community organizations and individual experts involved in the safeguarding of intangible cultural heritage in the States of the Region that have expressed the wish to cooperation through the Centre;
- (b) to gather and disseminate information on legal, administrative, financial and other measures taken by the States participating in the Centre with a view to safeguarding the intangible Cultural heritage present in their territory;
- (c) to gather and disseminate information on safeguarding activities in the States participating in the Centre;
- (d) to organize workshops and conferences in order to develop research methodologies and further studies concerning the safeguarding of intangible cultural heritage as advocated in Article 13 of the 2003 Convention, including studies concerning the development of tourism that does not impair the

viability of the intangible heritage, while being respectful of customary practices governing the access to this heritage;

(e) to organize workshops and seminars to identify and promote good safeguarding practices, and assist States Parties to the 2003 Convention that participate in the Centre to build their capacity to prepare files proposing such practices to the Intergovernmental Committee for the Safeguarding of the Intangible Cultural Heritage established under the 2003 Convention (hereinafter referred to as "the Intergovernmental Committee") for selection and further dissemination, as foreseen under Article 18 of the Convention;

(f) while maintaining a network of representatives of cultural communities, to coordinate activities aimed at awareness-raising and capacity-building among holders and practitioners of intangible cultural heritage, as advocated in the Operational Directives for the implementation of the Convention, so as to allow them to participate actively, in the sense of Articles 2, 11 and 15 of the Convention, in the identification, inventorying and managing of their intangible cultural heritage;

(g) to organize workshops and seminars focusing on building capacities, in States Parties to the 2003 Convention that participate in the Centre, for drafting nomination files for inscription on the two lists of the 2003 Convention and for drafting requests and reports for submission to the Intergovernmental Committee, in particular concerning shared intangible Cultural heritage elements present in the territories of two or more of the States participating in the Centre;

(h) to cooperate and exchange information with other category 2 centres in and beyond Asia that are active in the field of safeguarding intangible cultural heritage;

(i) to inform the Intergovernmental Committee and the Secretariat of the 2003 Convention about relevant activities in the Region and to assist as appropriate in the implementation of the 2003 Convention.

ARTICLE 4 **LEGAL STATUS**

(Adopted: November 6th, 2012)

The Centre shall enjoy the status of an autonomous international institution affiliated to UNESCO as a Category II centre, under the auspices of UNESCO. This enables it to enter relations with the states on the Region and, where appropriate, other states, according to the existing shared cultural heritage backgrounds to create the ground for mutual cooperation.

While keeping its autonomy, the Centre shall remain related to ICHHTO, shall be based in Tehran, Capital of the Islamic Republic of Iran, and, within the framework of the laws and regulations of the Government,

shall endeavor to enjoy the legal status it deserves and utilize the potentials it needs to materialize its objectives and perform its duties. While remaining respectful to the Iranian National Law, the Centre shall enjoy the legal authority and autonomy for the execution of its activities and the legal capacity to:

- A) Contract
- B) Institute legal proceedings,
- C) Acquire and dispose of movable and immovable property.

ARTICLE 5 ORGANIZATION

(Adopted: November 6th, 2012)

The Centre shall enjoy the existence of the following as its organizational administrations:

5.1. Governing Council

The Centre shall be guided and supervised by its Governing Council, composed of the following as its members:

- a. A Representative of ICHHTO,
- b. Representatives of two Member States to the Centre (One representative from each state),
- c. A Representative of the Director General of UNESCO,
- d. A Representative of the Iranian National Commission for UNESCO,
- e. Three prominent experts in the field of Intangible Cultural Heritage from the Region.

5.1.1 The members of the Governing Council shall be assigned for periods of four years.

5.1.2. In the Course of its first meeting, the Governing Council is required to elect its own Chairperson for a period of four years, through voting.

5.1.3. Proposals on election of a new Chairperson prior to the termination of the mentioned 4-year period shall win 2/3 of the votes of the Members of the Governing Council.

5.1.4. The Chairperson of the Governing Council is authorized to issue the Director of the Centre's order of action/letter of appointment, after he/she has been elected through voting by the Members of the Governing Council, in the course of one of their meetings (Cf. 5.3).

5.1.5. The Governing Council is authorized to invite more representatives from other states to its meetings.

5.1.6. The Governing Council shall, also, enjoy the authority to invite representatives of the local communities nominated by its Member States, as well as more prominent experts in the field of Intangible Cultural Heritage, to follow its specialized agenda.

5.1.7. The presence of the invited sides mentioned under 5.1.4 and 5.1.5 in the meetings of the Governing Council is, solely, to satisfy consultation needs; they shall enjoy no rights to vote.

5.1.8. Duties of the Governing Council

The Governing Council of the Centre shall hold its *Ordinary Meetings* on regular basis, at least once every calendar year. It shall meet in an extraordinary session if summoned by its Chairperson either on his/her own initiative or at the request of the Director-General of UNESCO or of two thirds of its members.

5.1.8.1. The Governing Council of the Centre shall be responsible for the following duties:

- (a) Adopt its own rules of procedure;
- (b) Elect its own Chairperson;
- (c) Approve the Centre's Strategy and Long-term and Medium-term Programmes;
- (d) Approve the Annual Work Plan and Budget of the Centre;
- (e) Approve the structure and human resources of the Secretariat (Staffing Table);
- (f) Examine the annual reports submitted by the Director of the Centre;
- (g) Issue the Rules and Regulations to determine the Financial, Administrative and Personnel Management Procedures of the Centre;
- (h) Elect the members of the Centre's Executive Board, appoint the Director of the Centre, as well as elect the Centre's expert/consultative committees (under the condition that such committees are established);
- (i) Decide on the participation of regional intergovernmental organizations, and international organizations in the work of the Centre, while taking into account existing and future agreements between States and institutions.

5.2. EXECUTIVE BOARD

In order to ensure the effective running of the Centre between the sessions of the Governing Council, a standing Executive Board shall be established with five members elected and assigned by the Governing Council. The Executive Board shall hold its meetings two times a year.

5.2.1. The Executive Board shall function according to the Executive Board's Rules of Procedure to be drafted by the Secretariat in the course of the first year following the first Meeting of the Governing Council (Cf. 5.4), and approved by the same Executive Board during its First Meeting.

5.2.2. The composition of the Executive Board shall be determined through the Executive Board's Rules of Procedure.

5.2.3. In the Course of its first Meeting, the Governing Council shall elect and assign its representatives to the Executive Board for the first year, who will function as Interime Members of the Executive Board for the period of one year prior to the compilation and approval of the Centre's Rules of Procedure.

5.2.4. The Executive Board's Rules of Procedure will determine the procedure of electing and/or re-electing the Members of the same.

5.2.5. Duties of the Executive Board

The Executive Board of the Centre shall:

- (a) supervise the execution of the Centre's approved programmes and activities,
- (b) examine the Centre's projects and budget, as well as drafts of the decisions of the Governing Council, to make recommendations to the Governing Council concerning the Strategy and the Long-term and Medium-term Programmes of the Centre.

5.3. DIRECTORSHIP

The Director of the Centre shall be appointed for a period of four years, after winning 2/3 of the positive votes of the members of the Governing Council in one of its meetings.

5.3.1. Having for the appointment been confirmed through an order of action/a letter of appointment issued by the Chairperson of the Governing Council, the Director of the Centre shall be authorized to open an account at one of the accredited banks in the Islamic Republic of Iran, to take the necessary measures, according to the related national rules and regulations, to transfer the Centre's budget into the mentioned account.

5.3.2. All of the financial documents of the Centre shall become binding when signed by the Director of the Centre and, also, the Chief of the Financial and Human Resources Affairs Section of the Centre (Cf. the Staffing Table Document: 2.4.2.2.2).

5.3.3. The Governing Council may re-appoint the same person as the Director of the Centre for consecutive periods of office.

5.3.4. Proposals on appointment of a new Director prior to the termination of the mentioned 4-year period shall win 2/3 of the votes of the Members of the Governing Council in the course of one of its meetings.

5.3.3. Duties of the Director

The Director of the Centre shall be authorized to:

- (a) Identify and assign competent personnel needed for proper functioning of the Centre's Secretariat (Cf. 5.4),
- (b) Direct the Centre's Secretariat,
- (c) Direct the undertakings of the Secretariat according to the Work Plan and Budget approved by the Governing Council, as supervised by the Executive Board and the Governing Council of the Centre,
- (d) Submit the draft proposals on the Work Plan and Budget of the Centre to the Governing Council,
- (e) Draft the agenda of the Meetings of the Governing Council/Executive Board, with the assistance of the Executive Board, as well as draft other possible documents or amendment to the existing documents as may be required in preparations of the Governing Council meetings.

5.4. SECRETARIAT

The Centre enjoys the existence, within its organizational chart, of a permanent Secretariat consisting of such staff as is necessary for its proper functioning. The Secretariat shall be directed by the Centre's Director.

5.4.1. Duties of the Secretariat

The Secretariat of the Centre shall be responsible for:

- (a) assisting the Director in drafting the Centre's documents and procedures for submission to the Governing Council;
- (b) assisting the Director in drafting the Centre's Programmes and Budget for submission to the Governing Council;
- (c) assisting the Director in drafting the agenda's for the Governing Council and the Executive Board's meetings, as well as in drafting their reports;
- (d) assisting the Director in drafting for submission of proposals on establishment of Expert/Consultative Committees to the Governing Council, in line with the overall strategy of shifting the execution of projects to expert bodies to encourage capacity-building among local communities;
- (e) assisting the Director in coordinating the affairs among the Centre's Expert/Consultative Committees, as well as between them and the Centre, and editing the related reports for submission to the Centre's Governing Council.

5.5. EXPERT/CONSULTATIVE COMMITTEES

Considering the vast domain of the Intangible Cultural Heritage and the hoard of manifestations thereof, also to materialize the spirit of the 2003 Convention that emphasizes the involvement of the local communities and non-governmental organizations in the related safeguarding campaigns, the majority of the technical and executive commitments of the Centre shall be performed in line with the overall "out-sourcing strategy" which requires bodies outside the Centre to be involved. On these same lines, the Centre shall function as a Secretariat to create harmony in this regard, and to trigger proper functioning of the bodies which shall collaborate with it.

Consequently, the Centre undertakes to establish Expert/Consultative Committees on various domains of the Intangible Cultural Heritage to improve its functions and programmes. Having done this, the Secretariat shall function as a medium linking the Expert/Consultative Committees together, on the one hand, and with the Executive Board and the Governing Council, on the other.

The themes and compositions of the mentioned Expert/Consultative Committees shall be determined based on proposals by the Director of the Centre, and approval of the Chairperson of the Governing Council.

ARTICLE 6 FINANCING

(Adopted: November 6th, 2012)

6.1. The Government undertakes to provide the Centre with a yearly budget of 500,000 US\$, for the starting years following establishment, as asserted through the Agreement it has concluded, to this effect, with UNESCO.

6.2. The yearly amounts of budget for the periods to follow the starting years shall be determined according to the agreement signed with UNESCO.

6.3. The Centre is allowed to benefit from financial supports granted by Member States and/or various national, regional and international bodies and/or non-governmental organizations and institutions, and/or real and legal entities/bodies.

6.4. The Governing Council shall be the sole body authorized to make decisions on the methods of allocating and spending the mentioned amounts of money.

6.5. Proposals on the kinds of financial contributions by States Members to the Centre shall constitute an agenda for the Meetings of the Governing Council.

ARTICLE 7

COLLABORATION WITH UNESCO

(Adopted: November 6th, 2012)

UNESCO and the Centre shall remain collaborating with each other as far as their related authorizations and duties will permit. To this effect, the following contributions are foreseen:

7.1. CONTRIBUTION OF UNESCO

7.1.1. UNESCO shall provide assistance in the form of technical contributions for the activities of the Centre in accordance with the strategic goals and objectives of UNESCO.

7.1.2. UNESCO undertakes to:

- (a) provide the assistance of its experts in the specialized fields of the Centre;
- (b) include the Centre in various programmes that it implements and in which the participation of the latter seems beneficial to UNESCO's and the Centre's objectives;
- (c) engage in temporary staff exchanges when appropriate, whereby the staff concerned will remain on the payroll of the dispatching organizations;
- (d) provide the Centre with relevant information on its programmes related to intangible cultural heritage.

7.1.3. In the cases listed above, such assistance shall not be undertaken except within the provisions of UNESCO's programmes and budget.

7.2. CONTRIBUTION OF THE GOVERNMENT

In the national Annual Budget Law of the Islamic Republic of Iran a separate budget index will be created for the Centre. The Government shall provide, through the intermediary of the Iranian Cultural Heritage, Handicrafts and Tourism Organization, all the resources, either financial or in kind, needed for the administration and proper functioning of the Centre, including the resources needed for the staff of the Centre, for its premises, for the organization of activities of the Centre and for the organization of the meetings of the Governing Council and Executive Board. For the initial years an amount equivalent to at least US \$500,000 will be made available per year.

ARTICLE 8

GEOGRAPHY

(Adopted: November 6th, 2012)

Considering the impossibility of delimiting the Intangible Cultural Heritage within the official political borders of countries, due to its dynamic nature which contributes to its continuous propagation, the Centre

will devote its activities to the geographical territory on which the, so called, West and Central Asian Culture exists.

Consequently, the West and Central Asian region, as asserted in the available UN documents, and their immediate neighbourhood, bearing cultural communalities, will constitute the geographical territory of the Centre's activities.