

REGULATIONS
on Organization and Operation
of the National Commission
for the Safeguarding of the Intangible Cultural Heritage

Chapter I. General dispositions

Article 1. – The National Commission for the Safeguarding of the Intangible Cultural Heritage, a structure without legal personality, under the auspices of the Ministry of Culture, hereinafter referred to as the ICH National Commission is organized.

Article 2. – a) The ICH National Commission shall be composed of specialists – researchers in different fields of the intangible cultural heritage appointed by the Government Decision, at the proposal of the Ministry of Culture. It shall include a president, a vice-president, a secretary and more members.

b) The ICH National Commission shall be managed by a president and a vice-president proposed by the Ministry of Culture.

c) The president shall represent the ICH National Commission at national and international levels.

d) In case when the president of the ICH National Commission is unable to exercise his/her duties, he/she shall delegate vice-president to represent the ICH National Commission at national and international levels, having temporarily the same duties as the president has.

e) The secretary of the ICH National Commission shall carry out the whole activity of the secretariat.

Article 3. – Members of the ICH National Commission shall be assigned for a period of 5 years.

Chapter II. Duties and responsibilities

Article 4. – The ICH National Commission shall coordinate activities and programmes of identification, documentation, research, preservation, enhancement, transmission, revitalization and safeguarding of the intangible cultural heritage on the basis of cultural policies of the Ministry of Culture, provisions of the *UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage* (Paris, 17.10.2003) as well other related conventions. The ICH National Commission's activity shall be of a transparent nature.

Article 5. – The ICH National Commission shall develop the *National Strategy for the Safeguarding, Protection and Enhancement of the Intangible Cultural Heritage*. It shall comprise main actions aimed at putting into practice the provisions of the *UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage* (Paris, 17.10.2003), correspondingly those of the *Law on the Preservation of the Intangible Cultural Heritage*.

Article 6. – The ICH National Commission shall develop the methodology of identification, research, classification, inscription, enhancement and protection of elements which shall constitute the *ICH Inventory*.

Article 7. The ICH National Commission shall participate in activities of methodological training of subjects with a view to completing the ICH National Inventory.

Article 8. – The ICH National Commission shall compose the structure of the ICH National Inventory in the following way:

- a) List of disappeared elements of the intangible cultural heritage;
- b) List of elements of the Intangible Cultural Heritage in danger of disappearance;
- c) List of living elements that constitute the intangible cultural heritage (*Living Thesaurus of Heritage*) present on the territory of the Republic of Moldova.

Article 9. – The ICH Commission shall confer the honorary title of the *Living Thesaurus of Humanity* to individuals provided in the article 7, paragraph 1 of the UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage – 17.10.2003.

Article 10. – The ICH National Commission shall monitor programs of safeguarding, research, preservation, protection and enhancement of elements of the intangible cultural heritage inscribed in the Lists provided by the *UNESCO Convention for the safeguarding of the intangible cultural heritage* (Paris, 17.10.2003) according to cultural policies of the Ministry of Culture and other public institutions authorized in the field.

Article 11. – If necessary, the ICH National Commission can be organized in sub-commissions and working groups with a view to improving efficiency in achieving objectives.

Article 12. – The ICH National Commission shall be entitled:

- a) to establish criteria of identification and assessment of cultural expressions of communities;
- b) to propose standards of preservation and procedures of enhancement of cultural expressions of communities;

- c) to recommend elements of the intangible cultural heritage from the *National ICH Inventory* for their submission with a view to inscribing them on the Lists of the 2003 Convention;
- d) to cooperate with any institution, organization or individual being authorized in the field of the intangible cultural heritage in order to implement the *National Strategy for the Safeguarding, Protection and Enhancement of the Intangible Cultural Heritage* and provisions of the *Law on the Protection of the Intangible Cultural Heritage*;
- e) to propose measures of distribution of information regarding the intangible cultural heritage;
- f) to propose programs and projects of promotion of the intangible cultural heritage at local, national and international levels;
- g) to propose cooperation and partnership with all institutions authorized in the field of the intangible cultural heritage, including NGOs or any authority, organism or individual authorized in the promotion of elements of the intangible cultural heritage of the country or abroad;
- h) to propose to the Ministry of Culture and other authorized institutions certain publishing projects (guidelines, brochures, volumes, collections, anthologies, catalogues, manuals, including materials on electronic support etc.) in the field of the intangible cultural heritage;
- i) to cooperate with similar organisms from State Parties of the *UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage* (Paris, 17.10.2003);
- j) to cooperate with foreign organisms specialized in the field of the intangible cultural heritage;
- k) to submit proposals to the Government of the Republic of Moldova through the Ministry of Culture regarding the attraction of funds for programs, projects and actions in the field of the intangible cultural heritage.

Article 13. – The President has the following duties and responsibilities:

- a) to represent the ICH National Commission in relations with national and international organisms authorized in the field of the intangible cultural heritage;
- b) to coordinate the ICH National Commission's activity;
- c) to target plans and annual reports;
- d) to conceptualize programs, projects and plans in the field of the intangible cultural heritage;
- e) To develop report on the ICH National Commission's activity within 5 years.

Article 14. – Vice-president has the following duties and responsibilities:

- a) to represent the ICH National Commission in relations with national and international organisms authorized in the field of the intangible cultural heritage by delegating the President;

- b) to coordinate ICH National Commission's activities by common agreement with the President;
- c) to develop annual and perspective plan of the ICH National Commission in cooperation with the President;
- d) to draw up annual reports on the ICH National Commission's activity.

Article 15. – The ICH National Commission's secretariat shall exercise the following duties:

- a) to inform the ICH National Commission regarding the date and place of holding the session at the proposal of the President;
- b) to draw up minutes of sessions, to ensure their countersigning by the President and member-participants of the ICH National Commission; to document, in some cases, individual refusal of members to countersign decisions of the session within the minutes;
- c) to keep minutes and other documents regarding the ICH National Commission's activity;
- d) to complete and manage the ICH National Commission's Archive.

Chapter III: Operation

Article 15. – The ICH Commission shall operate according to the annual and perspective plan developed for a period of five years and approved by the Ministry of Culture.

Article 16 – The ICH National Commission shall develop and submit annual activity report to superior hierarchical bodies.

Article 17 (1). – ICH National Commission shall meet on a monthly basis, in ordinary session or, if necessary, in extraordinary session, at the request of the President with prior notice of the Secretary;

(2) Sessions of the ICH National Commissions shall be moderated by the President.

(3) In the absence of the President of the ICH National Commission, his or her duties shall be delegated to the Vice-president.

(4) Decisions shall be adopted with the vote of at least half plus one of the total number of those present; in case of equality of votes, the vote of the President shall be decisive.

(5) Decisions regarding the declaration of the Living Thesaurus of Humanity for the field of the intangible cultural heritage and for the drawing-up of the Representative List of the Intangible Cultural Heritage shall be made by means of open voting.

Article 18. – A Member shall stop being the Member of the ICH National Commission in the following situations:

- a) revocation, in case of violation of the legal provisions and the present regulations;
- b) dismissal;
- c) unmotivated absence at 3 successive sessions ;
- d) death;
- e) other situations provided by the legislation.

Article 19. – (1) The President and Members of the ICH National Commission shall be obliged to submit proposals and make decisions on the basis of the professional deontology of each of them as well as to pursue national interests regarding preservation, safeguarding and promotion of the intangible cultural heritage, these representing the base for the ICH National Commission establishment.

(2) Members shall be obliged not to prejudice public image of the ICH National Commission, in general, and of each its Members, in particular.

Chapter IV: Final dispositions

Article 20. – Members of the ICH National Commission, including the President and its Secretary that are not employed with the Ministry of Culture, shall benefit from monthly allowance representing 15% of the monthly average wage of a public officer for months within which the ICH National Commission is convened.

Article 21. – The Secretary of the ICH National Commission and/or Sub-Commission in case if he or she is the employer of the Ministry of Culture shall benefit from a monthly allowance established by the administration of the Ministry.

Article 22. – Travel expenses (transport, daily charges, accommodation) of members of the ICH National Commission, outside Chisinau or the Republic of Moldova, with a view to fulfilling the provisions of the present Regulations and other normative acts aimed at the ICH activity shall be covered by the corresponding Financial Department of the Ministry of Culture on the basis of supportive documents and provisions of the legislation in force.

Article. 23 – The present Regulations shall come into force on the date of its approval by the Government Decision, at the proposal of the Minister of Culture.