

No. 54757*

**Peru
and
United Nations Educational, Scientific and Cultural Organization**

Agreement between the Government of the Republic of Peru and the United Nations Educational, Scientific and Cultural Organization concerning the Regional Centre for the Safeguarding of the Intangible Cultural Heritage of Latin America (CRESPIAL) in Cusco, Peru. Paris, 21 July 2014

Entry into force: *22 January 2015 by notification, in accordance with article 17*

Authentic texts: *English and Spanish*

Registration with the Secretariat of the United Nations: *Peru, 6 November 2017*

**No UNTS volume number has yet been determined for this record. The Text(s) reproduced below, if attached, are the authentic texts of the agreement /action attachment as submitted for registration and publication to the Secretariat. For ease of reference they were sequentially paginated. Translations, if attached, are not final and are provided for information only.*

**Pérou
et
Organisation des Nations Unies pour l'éducation, la science et la culture**

Accord entre le Gouvernement de la République du Pérou et l'Organisation des Nations Unies pour l'éducation, la science et la culture concernant le Centre régional pour la sauvegarde du patrimoine culturel immatériel de l'Amérique latine (CRESPIAL) à Cusco (Pérou). Paris, 21 juillet 2014

Entrée en vigueur : *22 janvier 2015 par notification, conformément à l'article 17*

Textes authentiques : *anglais et espagnol*

Enregistrement auprès du Secrétariat de l'Organisation des Nations Unies : *Pérou,
6 novembre 2017*

**Aucun numéro de volume n'a encore été attribué à ce dossier. Les textes disponibles qui sont reproduits ci-dessous sont les textes originaux de l'accord ou de l'action tels que soumis pour enregistrement. Par souci de clarté, leurs pages ont été numérotées. Les traductions qui accompagnent ces textes ne sont pas définitives et sont fournies uniquement à titre d'information.*

[ENGLISH TEXT – TEXTE ANGLAIS]

AGREEMENT

BETWEEN

THE GOVERNMENT OF THE REPUBLIC OF PERU

AND

THE UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION

**CONCERNING THE REGIONAL CENTRE FOR THE SAFEGUARDING
OF THE INTANGIBLE CULTURAL HERITAGE OF LATIN AMERICA (CRESPIAL)
IN CUSCO, PERU**

**UNESCO House
21st July 2014**

**AGREEMENT
BETWEEN
THE GOVERNMENT OF THE REPUBLIC OF PERU
AND
THE UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION
CONCERNING THE REGIONAL CENTRE FOR THE SAFEGUARDING
OF THE INTANGIBLE CULTURAL HERITAGE OF LATIN AMERICA (CRESPIAL)
IN CUSCO, PERU**

The Government of the Republic of Peru on the one hand,

and

the United Nations Educational, Scientific and Cultural Organization on the other hand,

Taking into consideration the Final Declaration of the Thirteenth Ibero-American Summit of Heads of State and Government, Santa Cruz de la Sierra, Bolivia, November 2003,

Recalling the Convention for the Safeguarding of the Intangible Cultural Heritage adopted by the General Conference of UNESCO on 17 October 2003,

Further recalling 37 C/Resolution 42 of the General Conference of UNESCO which aims to pursue advocacy for the role of culture as an enabler and driver of sustainable development with the view to integrating culture in the post-2015 development agenda and to strengthen the legal, policy and institutional environments that promote living heritage and creativity and support the diversity of cultural expressions,

Considering that the Director-General has been authorized by the Executive Board (Decision 194EX/17 Part IV) to renew the agreement that the General Conference authorized her to sign with the Government of the Republic of Peru (33 C/Resolution 46), in conformity with the draft that was submitted to it,

Further considering that the present Agreement constitutes a continuation of the Agreement between the United Nations Educational, Scientific and Cultural Organization and the Government of the Republic of Peru on the establishment and operation of the Regional Centre for the Safeguarding of the Intangible Cultural Heritage of Latin America in Cusco of 22 February 2006, its Addendum No. 1 of 11 July 2012 and its Addendum No. 2 of 17 February 2014,

Desirous of defining the terms and conditions governing the framework for cooperation with UNESCO that shall be granted to the Regional Centre for the Safeguarding of the Intangible Cultural Heritage of Latin America in this Agreement,

HAVE AGREED AS FOLLOWS:

Article 1 – Definitions

1. In this Agreement, "UNESCO" refers to the United Nations Educational, Scientific and Cultural Organization.
2. "Government" means "the Government of the Republic of Peru".

3. "CRESPIAL" or "Centre" means the Regional Centre for the Safeguarding of the Intangible Cultural Heritage of Latin America.
4. "Convention" means the Convention for the Safeguarding of the Intangible Cultural Heritage adopted by the General Conference of UNESCO in October 2003.
5. "Participating States" means the States that have acceded to the Centre before the entry into force of this Agreement and those who send to the Director of the Centre a notification to this effect, in accordance with Article 13.2 of the present Agreement.
6. "Region" means the countries of Latin America.

Article 2 – Establishment

The Government shall agree to take, in the course of the year 2014, any measures that may be required for the operation in Peru of CRESPIAL as a centre under the auspices of UNESCO, located in the city of Cusco, as provided for under this Agreement.

Article 3 – Purpose of the Agreement

The purpose of this Agreement is to define the terms and conditions governing collaboration between UNESCO and the Government and also the rights and obligations stemming therefrom for the parties.

Article 4 – Legal status

- 4.1 The Centre shall be independent of UNESCO.
- 4.2 The Government shall ensure that the Centre enjoys within its territory the functional autonomy necessary for the execution of its activities and the legal capacity:
 - to contract,
 - to institute legal proceedings;
 - to acquire and dispose of movable and immovable property.

Article 5 – Constitutive Act

The constitutive act of the Centre must include provisions describing precisely:

- a) the legal status granted to the Centre, within the national legal system, the legal capacity necessary to exercise its functions and to receive funds, obtain payments for services rendered, and acquire all means necessary for its functioning;
- b) a governing structure for the Centre allowing UNESCO representation within its governing body.

Article 6 – Functions and objectives

- 6.1 The Centre will aim at contributing to the achievement of UNESCO's strategic objectives and the expected results of its programme in relation to the lines of action in the field of intangible cultural heritage and its safeguarding in Latin America, in particular to:
 - a) promote the safeguarding of intangible cultural heritage at national and regional level, through the effective implementation and monitoring of the Convention for the

Safeguarding of the Intangible Cultural Heritage and other relevant international instruments in this field as well as exchange, cooperation and sharing of experiences in this field in the Region;

- b) consolidate and strengthen institutional capacities for safeguarding intangible cultural heritage in the Region;
- c) promote respect for the purposes and the proper use of the mechanisms of the Convention as well as the substantive inclusion of communities in safeguarding.

6.2 The functions of the Centre shall be to:

- a) encourage participating States to adopt policies, legislative and administrative provisions referred to in Article 13 of the Convention;
- b) organize activities to consolidate and strengthen national capacities in the Region in the areas of identification, documentation, inventory making and safeguarding the intangible cultural heritage present in their territories in accordance with the UNESCO's global strategy in this field;
- c) organize and promote cooperation between institutions and networks of professionals in its participating States in the area of exchanging experiences, knowledge and skills in particular in relation to intangible cultural heritage practised in two or more of these States;
- d) contribute to a better understanding of the Convention and its mechanisms at the local, national and regional level, promote regional activities raising awareness of the importance of intangible cultural heritage and provide tools and methodologies for inclusion of communities in safeguarding.

Article 7 – Governing Board

7.1 The Centre shall be guided and overseen by a Governing Board (or comparable body) and include:

- a) a representative of the Government or his/her appointed representative;
- b) representatives of Member States, which have sent to the Centre notification for membership, in accordance with the stipulations of Article 13.2 and have expressed interest in being represented on the Board;
- c) a representative of the Director-General of UNESCO.

7.2 The Governing Board shall:

- a) approve the long-term and medium-term programmes of the Centre;
- b) approve the annual work plan of the Centre, including the staffing table;
- c) examine the annual reports submitted by the Director of the Centre, including biennial self-assessment reports of the Centre's contribution to UNESCO's programme objectives;
- d) examine the periodic independent audit reports of the financial statements of the Centre and monitor the provision of such accounting records necessary for the preparation of financial statements;