

SPECIAL REPORT

**Challenges of implementation compliance on UNESCO
Inscribed element – ICH file No. 00911 in the context of
the general management of Convention’s activities in
Uganda.**

11th February, 2024

Prepared by:

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Submitted to:

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2. Mr. Aggrey David Kibenge, Permanent Secretary, MGLSD – Kampala, Uganda
3. Ms. H.E Doreen Ruth Amule, Permanent Delegate of Uganda to UNESCO, Paris - France
4. Ms. Juliana Naumo Akoryo, who doubles as Director of Gender and Community Development in the Ministry of Gender, Labour and Social Development and Director CCFU NGO, Kampala - Uganda.
5. Dr. Dominic Lali Mundrugo – Ogo who doubles as Assistant Secretary General of Uganda National Commission for UNESCO and Vice Chairperson of CCFU NGO, Kampala - Uganda
6. Ms Barbra Babweteera, the Executive Director, CCFU, Kampala - Uganda
7. Daniel Kaweesi, Program Officer, Communication and Information – UNATCOM, Kampala - Uganda
8. Mr. Timothy Curtis, Secretary, Convention for Safeguarding of the Intangible Cultural Heritage – UNESCO, Paris - France.
9. Hon. Kabahenda Flavia Rwabuhoro, Chairperson, Committee on Gender, Labour and Social Development – Parliament of the Republic of Uganda, Kampala – Uganda.
10. Mr. Augustine Byabasaija, Community leader, **Banyabindi**– Kasese district, Uganda
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1.0 Coverage and scope of this report

This report is focused on the handling of file No. 00911 – *Koogere Oral Tradition of Basongora, Banyabindi and Batooro peoples* which was inscribed on UNESCO's urgent safeguarding list in 2015. This is handled in the context of the general management of implementation of Intangible Cultural Heritage Convention in Uganda. The report demonstrates the disregarded statutory role of the State Party in enabling implementation of post-inscription measures, discusses the responsible influencing factors, implications on the effectiveness and viability of the convention in the country, makes recommendations and forecasts the next step available for the communities should this same report generate no corrective response as has been the case with all preceding inquiries.

1.1 Summary of issues explored by this report and which need answers

1. Was the statutory role of State Party in implementation of file No. 00911 specifically helping communities access the required funding, executed? If not, why?
2. Are the two consecutive decisions of UNESCO IGC on file No. 00911 respected and implemented by the State Party? If not, why?
3. Can the State Party convincingly demonstrate that priority setting at national level in submitting requests to UNESCO fund since 2017 which left out implementation of measures of USL inscribed element No. 00911 complied with Operational Directives No. 1.4 on priority setting on the use of the Convention's fund?
4. When State Party officials demand communities to elaborate reports for submission to UNESCO on a file they have disregarded the statutory role of the State Party of enabling the communities' access funding to implement, they expect reports on what and to serve what purpose?
5. What is the rationale of prioritizing a program of 'promoting' inscribed elements when inscription file No. 00911 on Urgent Safeguarding List, has not yet been rescued from critical threats, 8 years after inscription and who provided Prior, Free, Informed and Sustained consent for at least 40% of the elements mentioned in promotion project No. 01534?
6. Is Cross Cultural Foundation of Uganda (CCFU) a non-state actor or State Party institution in regard to matters of implementing the Convention in the country, since the decision makers of the State Party on the Convention specifically Ms. Juliana Naumo Akoryo (Ministry - MGLSD) and Dr. Dominic Lali Mundrugo – Ogo (UNATCOM) were recruited as its Directors?
7. Ms. Juliana Naumo Akoryo who is a lead decision maker of the State Party submissions and endorsements to UNESCO's Evaluation Body and fund at the same time a Director of CCFU NGO, can she afford to make fair and legitimate decisions where CCFU is competing with other non-state actors in the country on the opportunities of the Convention?
8. Did Ms. Juliana Naumo Akoryo doubling as CCFU NGO Director and State Party decision maker in submitting request to UNESCO, apply objective judgment,

guided by the statement of priorities in the Convention's Operational Directives while submitting three consecutive requests all in favor of CCFU and its affiliate - UCOMA against pending statutory actions on element No. 00911 Inscribed on Urgent Safeguarding List?

9. How was the State Party endorsement of CCFU in 2022 to a 4 year term to UNESCO's Evaluation Body, where it has predominantly been since 2012, fair, legitimate and transparent and how does it demonstrate UNESCO's principles of equitable and rotational participation in all its bodies and organs?
10. How would the secretariat of the Convention continuously approve almost every year supplementary funding for projects that are out of the priority as defined by Operational Directives and for a State Party that has disregarded decisions of IGC concerning its own inscribed element and how does this enhance focus and coherence that create impact?
11. Can Uganda's periodic report 2023 on the implementation of the Convention be adopted as positive where statutory implementation of measures on an inscribed element on Urgent Safeguarding list have been abandoned, UNESCO's decision disregarded and yet funding is requested and granted almost every year from the Convention's fund to largely support less priority projects implemented by one actor where the decision maker representing a State Party is at the same time a Director?

1.2 Introduction

We are aware that the second status report of the element file No. 00911 was due by 15th December, 2023 and the country was preparing the periodic report for overall implementation of the convention. We re-emphasize that we failed to understand how Ms. Juliana Naumo Akoryo of the Ministry of Gender, Labour and Social Development and Uganda National Commission for UNESCO team, applied the statutory role of State Party in handling post inscription implementation on file No. 00911. We hoped that elaboration of periodic report for overall implementation of the convention in the country, would provide stakeholder discussion mechanisms, where we would raise those questions. But unfortunately, elaboration of report ended up a mere exercise of desk filling of the template and hence resorting to this method to raise the concerns nevertheless.

1.3 Disregarding State Party statutory role in enabling implementation of measures on UNESCO inscribed element No. 00911 and yet demanding positive reports from communities.

By UNESCO decision [10.COM 10.a.8](#) that element was inscribed in 2015 on urgent safeguarding list with a set of measures to be implemented immediately thereafter. In the terms, the State Party was committed to facilitate access to funding either by availing funding from its own and other sources and/or by submitting a request for supplementary funding from UNESCO's designated international assistance fund (*Annex 1 – Inscription decision and certificate*). To date, this role of the State Party has not been performed 8 years after inscription and no any advice on what to expect but only

demand reports for submission to UNESCO. Submitted community developed proposal and several inquiries have never been responded to.

1.4 The State Party deviating from priorities of the UNESCO fund for implementation of the convention in submission of requests to the fund.

Article 20 and Operational Directives 1.4 of the convention, arranges the priorities for the UNESCO fund to guide State Parties in setting their own priorities at national level for submitting requests to the fund and implementing safeguarding projects on the elements inscribed on urgent safeguarding list is **priority number one** (*Annex 2 – Extract from the text of the Convention Article 20 and Operational Directives 1.4*).

When a State Party submits requests to UNESCO fund, which fall under the lower priorities, the assumptions are that either there is no pending project on the upper priority like implementing measures on elements inscribed on Urgent Safeguarding List or the State Party has provided alternative sources of support to such priority actions. In this case, no alternative source is provided, UNESCO's supplementary funding is pursued annually for lower priority targets. In a logical, focused, informed and legitimate implementation of the convention, one cannot allocate resources to a project that is just relevant or related to ICH before implementing pending projects on elements inscribed on urgent safeguarding list because such elements already attest and symbolize the reality and viability of the convention and supporting communities to implement agreed measures is a statutory obligation under the Convention.

We note that, in the past 5 years, Uganda prioritized consecutively 3 projects; 01310 (2017) - CCFU, 01534 (2019) – CCFU/UCOMA, 02160 (2023) – CCFU for the UNESCO fund. All these projects fall under priority No. 3 in the Convention's Operational Directives (project concepts that maybe relevant to ICH). In the same period Uganda shelved a community proposal on UNESCO file No. 00911 which fall under priority one for the fund and where Uganda is already internationally committed with a schedule of statutory reporting on progress since 2015.

Under the Convention's text, its Operational Directives and IGC subsequent decisions, it is very difficult one to understand or the executing officers of UNESCO and the State Party to explain, how measures of an element inscribed on Urgent Safeguarding List failed to be implemented due to lack of any funding support in a State Party which even gets approvals of supplementary funding from the Convention's fund almost every year.

1.5 Specific UNESCO invitation to submit funding request of file No. 00911 disregarded in favor of non-priority projects

While examining the subsequent status report of the element in 2020, 5 years after inscription, UNESCO noted the delayed effective implementation and encouraged the State Party to explore sources of funding including specifically inviting it to submit request to UNESCO fund for this particular file (*Annex 3 – The ignored UNESCO 2nd decision on file No. 00911*). This invitation was also disregarded in order to maintain

the submission slots for the non-priority projects up to the latest request submitted in 2023 as indicated in 1.4 paragraph 3 above. This demonstrates setting aside UNESCO's statutory decisions on elements inscribed on urgent safeguarding list in favor of non-priority project concepts in submitting requests to the Convention's Fund. This trend has led to abandoning implementation measures on inscribed elements and hence overturning the focus and impact of the implementation of the Convention in the country.

1.6 A case study demonstrating tragic loss of focus in allocating resources for implementation of the Convention at national level

As a proposal to implement measures on the element file No. 00911, inscribed on Urgent Safeguarding List in 2015, being shelved in 2019, the State Party was instead submitting to UNESCO fund a project on promoting inscribed elements because they are not visible. This project was implemented by CCFU close affiliate - Uganda Community Museums Association (UCOMA) which only recently evolved into a legally independent organization from a program of CCFU.

Projects file No. 01534 (2019) – Strengthening capacity of community museums to promote inscribed intangible cultural heritage elements.

This means, we are abandoning implementation of required urgent safeguarding measures to rescue viability of threatened and inscribed elements in favor of investing in promoting their inscription per se. Communities which are disappointed by unfulfilled commitments to re-enforce their limited capacity to rescue their heritage, are instead receiving implementers talking about promoting inscription of which objectives and purpose was abandoned.

In regard to this element, one can ask endless questions. What is it that was promoted by that project? What purpose did that promotion serve? Who provided the free, prior, informed and sustained consent to a group which is external to the concerned communities to promote the inscription of their element which is deprived of its promised statutory support to implement critical rescue measures? How did that promotion contribute to the overall logic and built up of impact of the implementation of the Convention in the country?

As Engabu Za Tooro (Tooro Youth Platform for Action), we are a Designated Competent Agency, Contact and Facilitator of 40% of all elements inscribed in Uganda under the 2003 UNESCO Convention, but we are not aware of such program designed to promote inscribed elements in Uganda. Even when we read it on UNESCO website, we only wait for the donor and the implementer to guide us to understand their rationale in the context of implementation of the Convention and especially on abandoned terms of inscription of file No. 00911.

This loss of focus distort and overturn the process of building impact for the Convention in the country and its dramatic nature suggests extraneous interference in decision making structures. Decision makers and emerging project concepts ought to observe the logic of implementation of the Convention as contained in the statement of priorities in Operational Directives otherwise they serve a disruptive role.

1.7 Introducing practices that destroy viability and credibility of the convention

When UNESCO periodic reports for file No. 00911 are due, the State Party officials who shelved funding proposal for that file, pass on the reminders to the already disappointed communities, instructing them to invest in elaborating reports on nothing done beyond their very limited self-help endeavors. Any attempt to present the reality of no expected support was extended and therefore no formal implementation was done, is deemed as blackmailing the State Party and threatened to be punished. These instructions and threats are delivered through numerous informal communications by Mr. Daniel Kaweesi – Program Officer, Communication and Information – UNATCOM and their evidence are available on record.

These practices turn the expressed intentions of the inscription and the convention itself into a fraud and another burden on the affected communities where two of the three are indigenous minorities (Basongora and Banyabindi) who are already living under severe stress as a result of historical and structural exclusion and deprivation.

1.8 Entrenching unfair systems and drivers of bad practices in national implementation of the convention

In attempt to understand the possible influencing factors in prioritization breakdown, we noted that all three consecutive funding submissions made at the expense of legitimate priorities belong to one NGO – The Cross Cultural Foundation of Uganda (CCFU) and its subsidiary Uganda Community Museums Association (UCOMA) and around the start of that priority setting diversion from Operational Directives, it is noted that the same NGO adopted the State Party official Ms. Juliana Naumo Akoryo who makes the submission decisions to UNESCO fund and endorsement for adoption on Evaluation Body as its Director, in addition to Dr. Dominic Lali Mundrugo – Ogo who also doubles as Vice Chairperson of Cross Cultural Foundation of Uganda (CCFU) NGO and Assistant Secretary General of Uganda National Commission for UNESCO (UNATCOM)(*Annex 4 – Extract from CCFU website showing its Directors*).

When decision makers on matters of the convention in the country from both responsible State Party institutions (Ministry – MGLSD and UNATCOM) are at the same time Directors of CCFU NGO, does CCFU then stand as a State Party institution or non-state actor? Where the State Party has a role of endorsement and selection for UNESCO calls or submissions and joining Evaluation Body which are open to non-state actors and where CCFU has interest, is objective judgment possible? Can someone who is informed about this state of affairs offer to participate in such calls or submissions and respect, as credible, the results of such selection processes?

Ingredients of conflict of interests are defined in multiple policy instruments at national and international levels and effects of undeclared conflict of interests in managing public affairs, are universally known. Therefore, by all definitions all submissions and endorsements to UNESCO fund and Evaluation Body respectively taken by Ms. Juliana Naumo Akoryo on behalf of State Party and while at the same time she is a Director of CCFU NGO, are a fraud and indeed all of them were in favor of CCFU regardless of any operational and policy guidelines, UNESCO principles and standard practice. This explains the current crisis in statutory procedures with its resultant stress which is affecting communities and UNESCO secretariat.

We however contend that initially, Uganda submissions to the UNESCO fund followed legitimate priorities, which then enabled five well prioritized projects on national inventorying, nominations on urgent safeguarding list and implementing the resultant inscriptions, four of which were implemented by the ministry itself until the apparent 'partnership' between the State Party decision maker on the Convention Ms. Juliana Naumo Akoryo and CCFU which tilted the submissions to the fund from legitimate priorities which are reflecting the stage of national implementation of the convention to aligning UNESCO funding with program focus and fundraising needs of CCFU. The core functions and basement of the Convention identify concrete cultural elements and handle them through inventorying, nominations, inscriptions and resultant safeguarding projects which cannot be abandoned half way in favor of secondary actions and maintain coherence in overall implementation of the convention in the country. Apparently, CCFU didn't have programs and operational convenience to dive into these core areas which are defining implementation stage of the Convention in the country and hence recruit and compromise national decision makers on the Convention and drifted the UNESCO funding focus to projects built around superficial concepts on culture like promoting inscriptions of which implementation of rescue measures are abandoned.

The argument that recruitment of the staff of the Ministry to CCFU NGO was only accidental and dictated by the internal policies of the NGO is escapist. As a professional organization, well knowing principles of good governance and public accountability and the department of culture in the Ministry having over 10 senior staff members, why target the one who makes funding and endorsement decisions for UNESCO where your NGO competes with others? The populist argument that decision makers were obstructed by the sentiments of balancing participation of all relevant organizations in the country is only diversionary. Gulu Theatre Artists was accredited in 2012, it has never been supported to submit any nomination, proposal neither join Evaluation Body. But, UCOMA, an affiliate of CCFU was accredited alongside a submitted project proposal which has been even technically dismissed as poorly conceived, designed and is causing programmatic disruption in overall implementation of the Convention. Argument of limited capacity is equally wrong. Capacity is not built through permanent exclusion.

The only explanation is the compromised objectivity established around relationship between the State Party decision maker and CCFU.

This apparent 'partnership' between CCFU and Ms. Juliana Naumo Akoryo has not only adversely affected project funding prioritization but also has guaranteed unfair advantage in all other convention's opportunities where CCFU is supposed to compete with other non-state actors from Uganda and where UNESCO relies on endorsement or recommendation of the State Party for a final decision. A case in point is that, while UNESCO works on a principle of rotational and equitable participation in all its organs and bodies and administered through open and transparent processes, CCFU has exclusively maintained slots which are open to Uganda on Evaluation Body since 2012 with the current 4 years' term which started in 2022, being achieved through a fraudulent endorsement process and which severely flouted the Convention's established operational principles, standards and best practices. Receipts of other applications were not acknowledged until CCFU is endorsed without being compared with any other applicant and sending signals to UNESCO that there was no any other expression of interest by the deadline. Even if the UNESCO executing officers themselves were to be asked that since UNESCO operates on principles of equitable and rotational participation, in your records you have several accredited NGO's from Uganda, what explains one of the NGO remaining on the Evaluation Body for over a decade?

This entrenched system, not only wastes resources of uninformed participants but also constrains broader participation, inclusive capacity development and undermine effective implementation of the Convention in the country.

We note that with UNESCO – Inscribed elements on Urgent Safeguarding List remaining unimplemented, 8 years after inscription and undermining, at national level, the internationally established prioritization of resources for the implementation of the convention, Uganda's national report on overall implementation of the Convention 2023 cannot pass as positive until these weaknesses are addressed.

1.9 Specific causes and effects of explored practices and generating associated administrative and policy reflections

Failure to implement provisions of inscription on an element affect the relevance and viability of the Convention in a structural manner since inscription mechanisms are the pillars that define the Convention. Through along process of identification, inventorying, nomination, evaluation and IGC examination a lot of time and financial resources are invested by communities, State Party and UNESCO and yet the final intended impact is still in process. This built up process of impact cannot be overturned after inscription by any individual who maybe calculating short term individual interests. The Convention's system constituted by various stakeholders must be strong enough to assert the intended authority and impact of inscription. The experience of handling this element demonstrates in attitude and practice, attempts to reduce the meaning of inscription to

an output of merely profiling the element on UNESCO website and then utilize the Convention's funds to any activity that serve the convenience of the decision maker. In case of adverse interference in the core process of impact building, experts and scholars of the Convention must research, document, analyze and publish to inform decision and policy making processes. Therefore, in this particular case efforts are volunteered to identify the factors that played and analyze causes and effects of specific practices to generate possible administrative and policy reflections which lay a foundation for a possible Policy Brief to be proposed to the governance organs of the Convention.

The handling of this element is now a subject of study for concerned experts and scholars of the Convention. The most startling contradiction is failure to implement statutory measures on the basis of lack of funding in a State Party that is receiving supplementary funding approvals from the Convention's fund almost every year. What are those ICH projects that take priority over measures of an element inscribed on Urgent Safeguarding List? The following practices are highlighted;

1. Disregarding decisions of Intergovernmental Committee on Inscribed elements at the same time pursuing funding approvals for non priority actions, turns the Convention into a joke and a target for opportunistic exploitation. The programmatic effect is lost implementation coherence, focus and therefore impact of the Convention at national level. The policy and administrative causes are that there are neither intentions nor mechanisms at neither State Party nor UNESCO secretariat level to crosscheck status of implementation of any pending UNESCO statutory decisions with the State Party as part of the due diligence before entering subsequent funding contracts. This creates a gap which opportunistic interests can exploit to thrive without being detected. The UNESCO secretariat entering intergovernmental allocation contracts on behalf of Intergovernmental Committee with the State Party which has disregarded the decisions of the same Intergovernmental Committee, is a contradiction and doesn't guarantee focus and coherence that generate the desired impact of implementation of the Convention.

In the absence of crosschecking at funding approval level, the next opportunity comes at the element's specific and general national periodic reporting level after 4 and 6 years respectively. However, unlike in project reports where reporting process is rigorous and the narrative is accompanied with samples of deliverables, periodic reports have a big risk of being generated as mere cover-up and public relations documents in any State Party where vigilance in enforcing good governance practices may be weak. The individual State Party officials, who may wish to circumvent the established priorities for their individual reasons, will remain with what it takes to extract periodic reports from vulnerable communities with the content they want or doctor the documents before transmitting them to UNESCO.

While impact is our shared and supreme aspiration, UNESCO may not take it for granted that pursuing impact is a supreme driver in every individual actor or that every country necessarily has effective mechanisms to guarantee the supremacy of the pursuing impact at every stage. Therefore, some countries need more support from international cooperation to enforce compliance to priorities for the good of their own states. Instituting periodic external evaluation especially to states that utilize international assistance mechanism could be introduced to re-enforce periodic reporting mechanisms. Equally, a mechanism could be established which allow general stakeholders to react to periodic reports which are submitted by the State Party and published on UNESCO website in order to neutralize information which may not represent reality on ground.

2. There was flouting of the relevant Operational Directives on funding priorities by commission at State Party level in submitting requests and by omission at Secretariat level in approving requests. This created immediate contradiction that statutory implementation of measures on element Inscribed on Urgent Safeguarding List, is abandoned on account of lack of funding as supplementary funding from the Convention's fund is continuously advanced to State Party on less priority targets. This is intensified by project No. 01534 which presents multiple contradictions and field clashes. Promoting the act of inscription per se when rescue measures of one of those elements inscribed are not implemented. Promoting inscription of elements without consent of stakeholders of at least 40% of those elements targeted. The effect remains promoting incoherence, field clashes and loss of focus which certainly overturn the intended impact of the implementation of the Convention.

After 4 years when Operational Directives are able to catch up, their flouting is causing stress and loss of time at community, State Party and UNESCO secretariat levels. The secretariat is waiting for periodic reports and extending deadlines after deadlines. Communities are telling the State Party, "Eight years since Inscription, we have never received the State Party statutory support to enable us do more than we can afford ourselves and that is the simple report we have" The State Party knowing it has been receiving supplementary funding from the Convention's fund for less priority targets cannot justify lack of funding to implement statutory measures and submit such a report to UNESCO. The initial plan of the State Party officials to coerce communities and extract cover up reports in the form they want, has backfired as communities backed up by experts cannot succumb and hence a crisis in statutory procedures.

When interviewing Ms Barbra Babweteera (14th December, 2023), the Executive Director, CCFU on how CCFU manages to access the Convention's funding almost every year when communities with elements inscribed on Urgent Safeguarding List are eight years stuck and only pressurized to develop reports on nothing

done, she answered "We target small amounts of up to US\$ 100,000 which anybody can get at anytime for any activity proposed" This response of course is false but gives points for reflection especially for the secretariat procedures for approving requests under that mechanism. It is not anybody to easily access but someone who has intentions and capacity to recruit and compromise objectivity of the responsible person at State Party level and then misuse the laxity and trust of unsuspecting approval procedure at the secretariat. There is a silent and false assumption that because the funding approval doesn't go to rigorous cycle of assessment therefore, it's not subject to statutory priorities and IGC pending decisions yet it ultimately gives the same results like the cycle based approval process. You defeat the disadvantage of requesting for smaller amounts by increasing the frequency and turnover of submissions which don't bear any restrictions. This mechanism therefore provides an opportunity to bypass legitimate scrutiny and yet achieve the same result or even better than the cycle based mechanism.

A strengthened due diligence system should have intentions and mechanisms to inquire into the status of any pending actions on higher priorities like implementing urgent safeguarding measures in the State Party before granting funding approvals on actions at the lower priority levels. Such mechanisms could even include a question on the application form itself. Implementation of the Convention at State Party level is a homogenous process where actions and projects should be coherently interconnected.

3. The strategy of officials of the State Party turning themselves into operatives to force communities using intimidation and informal manifestations to extract cover-up reports for submission to UNESCO is barbaric and portray the Convention in the communities as a fraud. If the State Party has not executed its statutory obligations to assist in accessing the required funding, the report from the communities should be exactly that.
4. Undeclared conflict of interest built around endorsement and submission decision making points for UNESCO funding and participating in the Evaluation Body have undermined credibility of the processes of the Convention, open participation, equitable capacity development and collective responsibility as it promoted desk-based and under cover decision making and reporting, avoiding meetings and collective discussions on issues. One cannot know when are decisions or selections made by who and based on what criteria or principles. The outputs of such governance style has been funding submissions and approvals which do not comply with Operational Directives, endorsements to Evaluation Body which severely flouts UNESCO established principles and standard practice and periodical reporting which is merely public relations exercise than an opportunity for collective assessment and planning for the future.
5. The State Party for 15 years being represented at international levels by exclusively the same officers has been a ground for breeding bad practices and constraining collective participation, vibrancy and impact of the Convention in the

country. For 15 years consistently the same officers for the two responsible State Party institutions have exclusively represented the State Party in international centers of information and knowledge for the Convention. This knowledge and information is hoarded as a tool of retaining exclusive authority or specialization in the Convention's matters with the envisioned associated individual benefits. In non transparent management style, information is indeed shared with colleagues but in half and at times false bits of information according to what one wants from the receiver like delegating peripheral tasks but not strategic ones like endorsing submissions or attending international meetings. Sharing information calculatively that you remain the only point of reference as a tool for disabling collective input in strategic decision making. We have often met officials delegated to some tasks in the field but clearly not equipped with information around strategic issues in implementation of the convention.

We have followed the Convention since its was ratified by Uganda in 2009, growing through its participatory hierarchy right from representing NGO seeking accreditation, implementing Convention's mechanisms in the country to joining its global network of facilitators, there is no country globally identified that also has consistently been represented by the same officers in the same capacity for such a period. Certainly, this cannot be an indicator of enhancing participation, vibrancy, growth and impact.

Therefore, we cannot expect vibrancy, collective participation and resultant impact in the country when these values are severely constrained within the lead institutions. On the whole, the totality of all these have certainly limited expected impact. Many of the weaknesses could be addressed by simple administrative actions while others mainly at the secretariat level, may require policy review to adapt to the unfolding challenges.

1.10 Recommendations

Responsible stakeholder institutions (State Party, UNESCO ICH and CCFU) may wish to undertake the following measures;

1. To avoid any doubt, authorities of any concerned stakeholder institution may commission an independent inquiry into the raised concerns and if the concerned institution consider them worthwhile. The key questions would be; *Was the expected role of the State Party in implementation of file No. 00911 executed? Did the State Party comply with Operational Directive 1.4 on priorities in its submitting request to UNESCO fund from 2017 to todote? Are there any indicators of undeclared conflict of interests in decision making process related to allocation of resources for implementation of the Convention in the country?*
2. Re-focus the prioritization of resources for implementation of the convention in the country and rescue the abandoned element file No. 00911 which, as of now has caused a crisis in statutory procedures and is posed to draw international attention as a case study of mishandling implementation of the convention at

national level and undermining overall viability and impact of the Convention in the country.

3. Authorities in the concerned State Party institutions may wish to address the issue of conflict of interest emanating from their officers who double as judges in the convention's calls and submissions and as Directors in CCFU NGO that is competing along with other non-state actors in the country for the same calls and submissions. UNESCO may remain informed that as long as that state of affairs obtain, informed non state actors in Uganda shall **NOT** respond to any calls or submissions where the State Party has the role of recommending or endorsing. This is not because there is no required competencies and interest but minimum grounds for civility and fair judgment do not exist.
4. For improving collective participation, shared responsibility, inclusivity, transparent and accountable operations in management of the implementation of the convention in the country, the State Party may wish to consider establishing multi-stakeholders advisory committee involving representatives of State Party institutions, accredited NGOs and other non-state actors as a consultative and feedback forum on mechanisms of implementation of the convention at national level. Otherwise, individual desk-based decision making on critical endorsements and submissions, limited collective participation and reporting which is based on mere desk filling of templates are a fertile ground for bad practices to emerge and thrive. Breaking staff exclusivity which is now 15 years old in participating in international activities of the Convention which are centers of critical knowledge and information, will go a long way to free the vibrancy, collective participation, inclusiveness and impact of the Convention in the country which is now severely constrained.
5. The Convention's secretariat may wish to establish intentions and mechanisms of crosschecking compliance with Operational Directives on priority setting at national level and status of implementation of any pending IGC decisions as part of due diligence before entering subsequent funding contracts with a State party.

1.11 Alternative actions for communities and experts should this report attract no attention

1. As it happened to several past communications (10th March, 2022, 7th January, 2021 and 15th July, 2020)(*Annex 5 – Numerous community inquiries that were ignored*), if this report doesn't attract any corrective and formal conversation and action, within 8 months from its publication date and in order for the affected communities to save themselves from endless double tragedy of disappointment resulting from betrayed commitments, combined with harassment to invest in cover up reports, the Intergovernmental Committee of the convention shall be moved through a communities' petition to provide the final direction on the file No. 00911.
2. Using this case, which appears to be globally the worst so far, experts may publish a Policy Brief on "*The challenges of compliance to Operational Directives*

in managing resources for the implementation of the Convention” and move the lessons to the policy agenda to prevent similar occurrences in future and in other countries. There is need to strengthen vigilance at different decision making levels in resource allocation to ensure strict compliance with Operational Directives.

3. Developing on this report which targets management and governance, scholars of the Convention may research further and publish for general and global audience on *"Governance issues failing impact of 2003 UNESCO Convention in Uganda"*

For God and My Country.

A handwritten signature in black ink, appearing to read 'Stephen Rwagweri', with a stylized flourish at the end.

Stephen Rwagweri

ANNEXES

Annex 1

Decision of the Intergovernmental Committee: 10.COM 10.a.8

The Committee

1. Takes note that Uganda has nominated **Koogere oral tradition of the Basongora, Banyabindi and Batooro peoples** (No. 00911) for inscription on the List of Intangible Cultural Heritage in Need of Urgent Safeguarding:

Koogere was a female chief of Busongora about 1,500 years ago. Oral tradition describes her exceptional wisdom and the prosperity of the chiefdom through a series of narratives, which form part of the collective memory of Basongora, Banyabindi and Batooro communities in Kasese. This oral tradition is an essential and inspirational part of social philosophy and folk expression. It encompasses sayings and narrations focusing on images of plenty and abundance as blessings for hard work, highlighting the importance of wisdom and evoking female magic and heroism. Practitioners and custodians of the narratives are traditionally elders, sages, storytellers, poets, musicians, artists and indigenous families living near sites associated with the story. The story is retold and sung informally around the fireplace and during collective activities such as handicrafts, cattle herding and long-distance travel, with skilled older storytellers transmitting the tradition to younger participants. Koogere storytelling thus facilitates shared actions, recreation, wisdom, learning and intergenerational transfer of information, values and skills. However, today there is increasing dominance of formal training and education, while the transmission of knowledge and skills associated with enactment of Koogere oral tradition is informal and spontaneous and thus not adapted to these new methods. Moreover, the use of the language of Koogere story – Runyakitara (Runyoro-Rutooro) is declining. Knowledge of the oral tradition is therefore decreasing rapidly with only four surviving master storytellers able to relate more than one episode of the Koogere story. The frequency of these practices is also diminishing, as other entertainment dominates the social spaces associated with enactment and transmission.

2. Decides that, from the information included in the file, the nomination satisfies the following criteria:

U.1: Pertaining to a body of narrations about the wisdom, prosperity, magical power and heroism of a great woman ruler of the ancient empire, the Koogere oral tradition conveys value, belief systems and collective memory; it is mostly enacted and transmitted spontaneously in the context of now-disappearing family evening recreation, during communal grazing, weaving and handcrafting or while traveling in a company;

U.2: Apart from groups that incorporate Koogere-related lyrics in their musical performances, only four aged masters possess broad knowledge of the element and skills required for its enactment; the practice is seriously endangered due to the disappearance of the social contexts where it generally takes place, an increasing separation of education and recreation (contrary to their amalgam embodied in the element), a declining use of indigenous languages and a general loss of understanding and affection for the story;

U.3: The safeguarding plan demonstrates a thought-out procedure of its elaboration, including active involvement of communities, groups, individuals, relevant non-governmental

organizations and other parties concerned, resulting in a feasible and sufficient safeguarding plan; the main objective is to integrate the element into contemporary society, including the introduction of new modes of transmission and professionalization of practitioners in order to reach audiences through stage performances; the budget is carefully elaborated and can serve as a model;

U.4: The nomination process involved sensitization of communities concerned about the principles underlying the Convention, their participation in the identification and definition of the element, cooperation with researchers in data gathering, contribution to discussions of threats to the element and elaboration of appropriate safeguarding measures; a wide spectrum of parties concerned with the element and its safeguarding provided their free, prior and informed consent to the nomination;

U.5: Since 2012, the element has been included in the National Inventory, which is drawn up in conformity with Articles 11 and 12 of the Convention, and maintained by the Ministry of Gender, Labour and Social Development.

3. Inscribes **Koogere oral tradition of the Basongora, Banyabindi and Batooro peoples** on the List of Intangible Cultural Heritage in Need of Urgent Safeguarding;

4. Recommends the State Party, while implementing the safeguarding plan, to take special care of the sustainability of the social functions and cultural meanings of the element for its communities.



Convention for the Safeguarding of the Intangible Cultural Heritage

The Intergovernmental Committee for the Safeguarding of the Intangible Cultural Heritage
has inscribed

*Koogere oral tradition of the Basongora, Banyabindi
and Batooro peoples*

on the List of Intangible Cultural Heritage in Need of Urgent Safeguarding
upon the proposal of Uganda

*Inscription on this List bears witness that its viability is at risk
and that safeguarding measures are elaborated to perpetuate its practice and transmission*

Date of inscription

1 December 2015

Director-General of UNESCO

Irina Borova

Annex 2

Article 20 – Purposes of international assistance

International assistance may be granted for the following purposes:

- (a) the safeguarding of the heritage inscribed on the List of Intangible Cultural Heritage in Need of Urgent Safeguarding;
- (b) the preparation of inventories in the sense of Articles 11 and 12;
- (c) support for programmes, projects and activities carried out at the national, sub regional and regional levels aimed at the safeguarding of the intangible cultural heritage;
- (d) any other purpose the Committee may deem necessary.

I.4 Eligibility and selection criteria of International Assistance requests

- 8. All States Parties are eligible to request International Assistance. International Assistance provided to States Parties for the safeguarding of intangible cultural heritage is supplementary to national efforts for safeguarding.
- 9. The Committee may receive, examine and approve requests for any purpose and for any form of International Assistance mentioned in Articles 20 and 21 of the Convention respectively, depending on the available resources. Priority is given to requests for International Assistance concerning:
 - (a) the safeguarding of the heritage inscribed on the List of Intangible Cultural Heritage in Need of Urgent Safeguarding;
 - (b) the preparation of inventories in the sense of Articles 11 and 12 of the Convention;
 - (c) support for programmes, projects and activities carried out at the national, subregional and regional levels aimed at the safeguarding of the intangible cultural heritage;
 - (d) preparatory assistance.

Annex 3

LHE/20/15.COM/Decisions – page 2

DECISION 15.COM 7.8

The Committee,

1. Having examined document [LHE/20/15.COM/7](#),
1. Recalling Chapter V of the Operational Directives and its Decision [10.COM 10.a.8](#),
2. Expresses its thanks to Uganda for submitting, on time, its report on the status of the element 'Koogere oral tradition of the Basongora, Banyabindi and Batooro peoples', inscribed in 2015 on the List of Intangible Cultural Heritage in Need of Urgent Safeguarding;
3. Takes note of the efforts of Uganda to support the transmission of the element, especially through participatory safeguarding management and active community involvement, as well as through the implementation of safeguarding activities with limited resources, such as the documentation of critical knowledge relating to the element, and the prioritization of fundraising activities for safeguarding needs;
4. Invites the State Party to continue its efforts to implement the planned safeguarding activities, to mobilize the support of national institutions for safeguarding activities, to enhance the sustained contribution of local governments and to continuously monitor the viability of the element and address threats to its safeguarding;
5. Further invites the State Party to address in its next report the issue of the declining use of the Runyakitara (Runyoro-Rutooro) language as an important carrier of the values and knowledge practised and transmitted through the Koogere oral tradition;
6. Encourages the State Party to continue its efforts to address the lack of financial resources for the safeguarding of the element by mobilizing funds at the national and local levels, and to explore other funding possibilities through international cooperation mechanisms, including International Assistance from the Intangible Cultural Heritage Fund;
7. Further encourages the State Party to develop suitable education and training measures for the sustained transmission of the diverse aspects of the element, including the knowledge and traditions associated with cultural and natural spaces;
8. Requests that the Secretariat inform the State Party at least nine months prior to the deadline of 15 December 2023 about the required submission of its next report on the status of this element.

Annex 4

12/12/2023, 03:15

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Prof. Sr. Dominica Dipio – Chairperson / Treasurer.
Associate Professor, Head of the Literature Department, Makerere University



Barbra Babweteera Mutambi – Secretary
Executive Director, CCFU

Dr. Dominic Lali Mundrugo-Ogoo – Vice Chairperson.
Asst. Secretary-General, Uganda National Commission for UNESCO



Dominique Thiange – Member
International consultant – creative and cultural industries/Eur

Arthur Mugisha – Member
Executive Director, AIMM Green and Conservation Consultant



Juliana Akoryo – Member. Ag.
Director, Gender and Community Development – Culture and Family Affairs, Ministry of Gender, Labour and

Dr. Jimmy Ssentongo Spire – Member.
Associate Dean (Research and Publication), Uganda Martyrs University



Dr. Abaliwano Joyce – Member
Lecturer, Makerere University Business School

Annex 5



ENGABU ZA TOORO

Tooro Youth Platform For Action

Accredited to offer advisory services to UNESCO (ICH Convention)

10th March, 2022

Mr. Aggrey David Kibege
The Permanent Secretary
Ministry of Gender, Labour and Social development
Kampala – Uganda.

Dear Sir,

Re: Delayed implementation of UNESCO decisions on inscribed heritage (No. 00911) “Koogere Oral Tradition of Basongora, Banyabindi and Batooro peoples”.

The above quoted heritage element was inscribed by UNESCO in 2015 with commitment to implement the associated and approved safeguarding program immediately thereafter. The core obligations of the State Party as stated in the inscription decision 10.COM 10.A.8 (Windhoek, 2015) and re-emphasized in the subsequent status review decision 15.COM 7.8 (2020) is to help the concerned communities access the required funding for the program by submitting a funding request to UNESCO itself, if not then availing funding from alternative sources of the State Party’s choice.

In the two decisions quoted above, UNESCO has consistently invited the State Party to present a funding request for implementing the program but to date the State Party has neither responded to the invitation nor availed alternative funding, instead ask communities to generate implementation reports whenever UNESCO demands them according to the established reporting schedule. The program proposal which is constantly up-to-dated by the communities self-help efforts and submitted to ministry for transmission to UNESCO or any other funding source of its choice, remain shelved at ministry level.

Our numerous requests for explanation and guidance on the issue from the ministry which we have advanced through the handling officers namely; Ms. Juliana

Naumo Akoryo of MGLSD and Mr. Daniel Kaweesi of UNATCOM have never been responded to.

This is to seek your intervention and guidance and also to inform that should this situation continue un addressed, for any next UNESCO reporting demand, communities will only narrate this story and lose interest in the inscription as they have no resources neither any further justification to elaborate reports on a program that is abandoned on paper.

We have communicated this matter in the capacity of Designated Contact and Competent Body as ascribed in the inscription file and technical representative institution for the concerned communities.

Yours faithfully,



Stephen Rwagweri

Contact/Head of the Designated Competent Body on file No. 0091 PORTAL



Attached: Two UNESCO Decisions

Copy to:

1. Minister of Gender, Labour and Social Development
2. Secretary, Uganda National Commission for UNESCO (UNATCOM)
3. Minister of Tourism, Wildlife and antiquities
4. Leaders of cultural assemblies of concerned communities
5. Members of Parliament from the concerned communities



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07th January, 2021

The Permanent Secretary
Ministry of Gender, Labour and Social Development
Kampala – Uganda

Attn: Commissioner, Culture and Family Affairs

Dear Madam

Re: Implementing UNESCO decision on inscribed element file no 00911

As contact, delegated and responsible Agency for the implementation of the agreed safeguarding measures on the above quoted UNESCO inscribed element, we draw your attention to the expected obligation in the statement of inscription.

Since inscription in 2015, there has not been any external funding to implement the measures and in the circumstance, communities have exhausted their capacity to implement within their means and elaborate program proposals and periodic reports to UNESCO.

In their 15th session of IGC in December, 2020, UNESCO adopted a decision (herewith attached) where it recognizes inadequate implementation due to lack of external funding and accordingly **encouraged the state party to explore possibilities in international mechanisms including UNESCO's Intangible Cultural Heritage Fund** (Decision 15.com 7.8 paragraph 7).

A project proposal to this effect was elaborated by the community self help funding and submitted to your ministry in March, 2020 which has mandate to submit to UNESCO. Up to today we are yet to receive a response or information on action taken on it.

It is important to note, that if the communities continue not being assisted to explore external funding sources and particularly the UNESCO designated fund, it will be difficult to elaborate any more periodic reports on the element.

Yours faithfully,

Stephen Rwagweri
Executive Director

Copy to:

1. Uganda National Commission to UNESCO
2. Uganda Permanent Delegation to UNESCO



ENGABU ZA TOORO

Tooro Youth Platform For Action

Accredited to offer advisory services to UNESCO (ICH Convention)

15th July 2020

Ms. Juliana Naumo Akoryo
Commissioner, Culture and family Affairs
Ministry of Gender, Labour and Social Development
Kampala

Dear Juliana,

Re: Matters Concerning Implementation of Safeguarding Measures of Koogere Oral Tradition-file 0911

Greetings and compliments from Engabu Za Tooro-Tooro Youth Platform for Action.

When we inquired about submitting the IAR in respect of the above file, you said you are out of office and you would find out a possible alternative available officer to submit. But immediately after that, Mr. Kaweesi e-mailed us twice raising contrary issues.

In the first e-mail he introduced an unknown vetting committee that was supposed to assess and recommend. In the second, he said UNESCO met him privately and complained of Uganda's too many benefits and that he is under instruction to block any more applications. He emphatically asserted that, he is representing MoGLSD, UNATCOM and the **Uganda Delegation in Paris and in that capacity** he is dismissing the application without giving any alternative advice on the way forward on the application and the need to implement agreed safeguarding measures on that inscribed element.

We noted that, he was not using the official e-mail address and some of the statements were verbal on phone. We requested him to communicate to us those directives and decisions officially before the UNESCO submission deadline or else we would proceed and submit ourselves though out of right procedure. He did not communicate officially and as promised, we also submitted using the spirit of your e-mail and hoping you will follow and validate the submission by sending the signed page.

We felt we need to share our reflections on what he said.

The institutions which Mr. Kaweesi says he is representing, are the very institutions which forward to us letters demanding reports on the implementation of the safeguarding measures. Therefore what he was saying if it is the official position, constitutes the challenges of implementation and therefore determine the issues in the report for IGC to debate on. **In our**

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submission letter, we introduced a direction that if, for any reasons, the submission does not stand, then the report will need to be reviewed at the stage of giving additional information in order to reflect the challenges and then IGC debates them to give a direction.

We believe Mr. Kaweesi knows that inscription on USL gives a State Party obligation to implement the agreed safeguarding measures using two funding options; *either its own resources or requesting International Assistance from the fund* and within a 4 years time frame. It is upon this commitment that UNESCO demands reports every after four years. The option implied by Mr. Kaweesi that we can silently ignore the commitment, suppress implementation demands from communities, probably fake implementation reports and move on with other mechanisms is not provided for.

The mechanisms put in place for coherent implementation of the convention are not easy for an individual to go around and elude them. If he can control submitting IAR, he cannot control the entire process of reporting. Even if we decide to withdraw in silence, it will not stop UNESCO from demanding reports which Mr. Kaweesi cannot develop without the communities.

The drive to suspend IAR mechanism in a way that will affect implementation of already entered commitments is not constructive.

The coherent nature of implementing the convention is designed in a way that any next step the state party is taking is dependent on the performance of the previous steps. This is why, when we are filling reporting or international assistance forms, we first list, for review, all other inscriptions or projects the State Party has had. How will a state party which has registered a failure to implement safeguarding measures of an element which is inscribed on Urgent safeguarding List confidently present nominations for BSL and RL?

We believe what Mr. Kaweesi is saying to frustrate implementation of safeguarding measures for an element inscribed on USL, has adverse implications on the quality of implementation of the convention in the country and also it is a breach of commitments made within international mechanisms a scenario that can embarrass the country in that international forum.

Moreover in Africa the mechanism of USL and IAR is currently where we belong most. It is elements which have successfully passed through USL and IAR that will graduate and initiate us to BSP and RL. As Africa, we are overwhelmed by dying heritage without resources to salvage it, so we cannot have resources to invest in merely visibility and networking which are the key pillars of BSP and RL mechanisms. If Mr. Kaweesi wants to portray a State party which has failed to raise resources to implement measures for an element which is internationally declared in need of urgent action, are we going to confidently present the same State Party in the same forum, affording thousands of dollars to nominate best safeguarding practices and representative elements for merely international visibility?

We believe that, the roles of the state party in managing implementation of inscription include:


- I. Offering policy and technical support and operational guidelines which **do not contradict or undermine coherent and effective implementation of the convention in the country.**
- II. Direct funding or if not possible fundraising support to ensure the measures of inscribed elements are effectively implemented. In the absence of technical and financial capacity within the communities, the State Party is supposed to provide resources even for the elaboration of ordinary reports and proposals for safeguarding the element.

This is the state party envisioned in the convention and what Mr. Kaweesi, as a technical officer, should be guiding Uganda government to reflect within the UNESCO framework.

we note that in the situation where after five years of inscription, the state party does not offer any concrete plans of helping communities to implement the measures, expensively elaborated IAR by community meager resources without State Party contribution, are thrown out by State Party officials, then, it would be natural that communities lose interest and hope in such inscriptions. The inscription which merely subjects communities to false hopes, elaborating of endless reports to entities that have not facilitated anything to report on, drives communities to expensively elaborate proposals that are only thrown out, such inscriptions make the communities and their heritage more vulnerable.

It is our hope and prayer that, these reflections will generate positive appreciation of the situation and lead us into coherent and effective implementation of the convention in the interest of everybody.

Yours faithfully,


.....
Stephen Rwagweri
Contact: file 0911