

Targeted Guidance: UNDP SES Standard 4 Cultural Heritage

SES Standard 4 seeks to ensure that Cultural Heritage is preserved, protected and promoted in project activities in a manner consistent with UNESCO Cultural Heritage conventions or other relevant national or international legal instruments (see Box).

Standard 4 applies to projects that may adversely impact Cultural Heritage, including those that are (i) located in, or in the vicinity of, a Cultural Heritage site;¹ (ii) involve significant excavations, demolitions, movement of earth, flooding, or other environmental changes; and/or (iii) proposes to utilize tangible or intangible forms of Cultural Heritage for commercial or other purposes. The Standard applies regardless of whether the affected Cultural Heritage has been legally protected or previously disturbed.

This targeted guidance² provides a brief overview on addressing Standard 4 during the project screening, assessment and management process (for more on addressing SES requirements through project screening, assessment and management, see the SES Guidance Notes on the Social and Environmental Screening Procedure, SESP, and on Social and Environmental Assessment and Management in the [SES Toolkit](#)).

It also provides links to existing guidance materials on Cultural Heritage that may be relevant for addressing various aspects of SES Standard 4. UNDP's SES Standard 4 is well aligned with the Cultural Heritage requirements of other entities; however it is necessary to ensure that the specific requirements of Standard 4 are carefully reviewed and addressed in project assessments, management planning and implementation.

Cultural Heritage is central to individual and collective identity and memory, providing continuity between the past, present and future. It reflects and expresses people's constantly evolving values, beliefs, knowledge, traditions and practices and enhances social cohesion, diversity, well-being and the quality of life; supports cultural rights by protecting the heritage of minority and indigenous groups; and fosters socio-economic regeneration.

Box. Key UNESCO conventions regarding Cultural Heritage

- [The Hague Convention \(for Protection of Cultural Property in the Event of Armed Conflict\) \(1954\)](#)
- [Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property \(1970\)](#)
- [Convention on the Protection of the World Cultural and Natural Heritage \(1972\)](#)
- [Convention for the Protection of the Underwater Cultural Heritage \(2001\)](#)
- [Convention on the Safeguarding of the Intangible Cultural Heritage \(2003\)](#)
- [Convention for the Protection and Promotion of the Diversity of Cultural Expressions \(2005\)](#)
- See also the work of the [WIPO Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore \(IGC\)](#) on protection of traditional knowledge and traditional cultural expressions
- See also the *SES 6 Indigenous Peoples Guidance Note for further conventions and international instruments regarding Cultural Heritage of Indigenous Peoples*

¹ Examples may include UNESCO World Heritage Sites, legally protected areas, including areas proposed for such designation, and areas recognized by national governments. However Cultural Heritage sites may be unknown and not visible.


² UNDP's SES Guidance Notes provide guidance for implementing UNDP's Social and Environmental Standards (SES). Targeted Guidance provides a short overview of relevant issues and includes references to existing guidance materials. The SES Guidance Notes (whether comprehensive or targeted) help to explain the relevant policy requirements of the SES; they do not set policy. In the case of any inconsistency or conflict between the Guidance Notes and the SES, the provisions of the SES prevail.




It is important to recall that the term “Cultural Heritage” not only encompasses physical objects and landscapes (‘tangible’ Cultural Heritage) but also cultural practices, representations, expressions, knowledge, and skills (‘intangible’ Cultural Heritage). SES Standard 4 defines these as follows:

- *Tangible Cultural Heritage* includes moveable or immovable objects, sites, structures, groups of structures, human settlements and natural features and landscapes that have archaeological, paleontological, historical, architectural, religious, aesthetic, or other cultural significance. Tangible Cultural Heritage may be located in any setting and in any environment (e.g. above or below ground or under water).
- *Intangible Cultural Heritage*, also referred to as living heritage, includes practices, representations, expressions, knowledge, skills—as well as the instruments, objects, artefacts and cultural spaces associated therewith—that communities/groups recognize as part of their Cultural Heritage, as transmitted from generation to generation and constantly recreated by them in response to their environment, their interaction with nature and their history and provides them with a sense of identity and continuity, thus promoting respect for cultural diversity and human creativity. This may include but is not limited to: (a) oral traditions and expressions, including language as a vehicle of the intangible Cultural Heritage; (b) performing arts; (c) social practices, rituals and festive events; (d) knowledge and practices concerning nature and the universe; or (e) traditional craftsmanship.

Cultural Heritage may be recognized and valued at the local, regional, national, or global level. Elements and features of Cultural Heritage do not need to be ancient in order to be considered Cultural Heritage and the S4 requirements do not apply an age limitation. For projects that may impact the Cultural Heritage of indigenous peoples, the requirements of Standard 6: Indigenous Peoples also apply.


Brief overview: Addressing SES Standard 4 during project screening, assessment and management

Screening	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> Screen project concept with SESP. The SESP S4 risk checklist questions ask whether the project would potentially involve or lead to: <ul style="list-style-type: none"> • activities adjacent to or within a Cultural Heritage site? (Q4.1) • significant excavations, demolitions, movement of earth, flooding or other environmental changes? (Q4.2) • adverse impacts to sites, structures, or objects with historical, cultural, artistic, traditional or religious values or intangible forms of culture (e.g. knowledge, innovations, practices)? (Note: projects intended to protect and conserve Cultural Heritage may also have inadvertent adverse impacts) (Q4.3) • alterations to landscapes and natural features with cultural significance? (Q4.4) • utilization of tangible and/or intangible forms (e.g. practices, traditional knowledge) of Cultural Heritage for commercial or other purposes? (Q4.5) <input checked="" type="checkbox"/> Per the SESP, for each question answered with “yes,” rate significance of potential risks and impacts to Cultural Heritage (and, together with all identified risks, categorize project). <p style="margin-left: 20px;">  See the section of the SESP Guidance Note on rating significance of potential social and environmental risks by estimating both the potential impact (e.g. consequences if the risk occurs) and likelihood (e.g. the chance of the risk occurring) (see Tables 2-4 for definitions and a scoring matrix). </p> <input checked="" type="checkbox"/> Identifying Cultural Heritage and understanding the values and significance that stakeholders attach to it may be a challenge. Steps should include (a) early, meaningful consultations with relevant stakeholders, including project-affected parties and national or subnational Cultural Heritage authorities; (b) reviewing available heritage inventories,
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	<p>maps, and land or coastal surveys (including UNESCO designations); and (c) analyzing national legislation and regulations for managing Cultural Heritage.</p> <p> <i>Note that while some Cultural Heritage in a country may have already been identified, and in some cases legally protected, many areas may not have been subject to Cultural Heritage surveys and therefore documentation may be relatively limited. Consequently, the preparation and implementation of projects can result in the discovery of previously unknown tangible and intangible Cultural Heritage. The assessment and management processes must also provide for further identification of project-affected Cultural Heritage.</i></p> <p> <i>Note that Cultural Heritage may have different values for different individuals or groups, regardless of whether it has been legally protected or previously identified or disturbed. For example, a local shrine may be important for traditional religious worship, but may be unknown or not considered significant by national heritage authorities</i></p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Consider the need for Cultural Heritage expertise to help with the identification process and to address potential Cultural Heritage issues in project design. <input checked="" type="checkbox"/> Where a project may affect Cultural Heritage, consider alterations in project design to avoid and minimize potential adverse impacts on Cultural Heritage. <input checked="" type="checkbox"/> Ensure that the project Stakeholder Engagement Plan includes relevant stakeholders regarding Cultural Heritage that may be affected by project activities. <input checked="" type="checkbox"/> Update Cultural Heritage issues in SESP and PRODOC for project appraisal.
<p>Assessment</p>	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> Consider direct, indirect and cumulative project-specific risks and impacts to Cultural Heritage (e.g. impacts from construction activities, excavation, dredging, flooding, vibration, changes in a watershed area, potential use of Cultural Heritage). <input checked="" type="checkbox"/> For projects with potential adverse impacts on Cultural Heritage, engage qualified and experienced Cultural Heritage experts and utilize globally recognized practices for field-study, inventorying, documentation, and protection of Cultural Heritage. Methods typically include field surveys. Over small areas, manual survey techniques may be appropriate, while for larger areas, various Cultural Heritage survey techniques and technologies (for example photogrammetry, remote sensing for cross-referencing, and comparing survey data) may be more appropriate. For intangible Cultural Heritage, identification typically involves consultations with tradition bearers and practitioners of certain cultural practices. Intangible Cultural Heritage may be documented by recording the intangible forms and collecting documents that relate to it. <input checked="" type="checkbox"/> For Moderate Risk projects: where potential risks and impacts to Cultural Heritage are limited and well understood, incorporate straightforward mitigation measures per good international practice into SESP, ProDoc and relevant project contracts (e.g. change find procedures, limitation on use of heavy equipment). Where potential Moderate Risks are less well understood, undertake targeted assessment of limited risks and impacts to Cultural Heritage. <p> <i>Note that complex Moderate Risk projects may present a range of limited risks and impacts that require several focused, targeted assessments (e.g. small-scale field survey, analysis of project impacts on a single small historic building, etc.). Also, Moderate Risk projects may need to address more than one SES standard and the various assessment and management planning measures should be coordinated.</i></p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> For Substantial or High Risk projects: ensure that the project ESIA—a scoped ESIA for Substantial Risk projects or a full ESIA for High Risk projects—includes assessment of the

	<p>potential risks and impacts to Cultural Heritage from project activities and includes any additional studies as needed. Where appropriate, such as for potential risks to World Heritage Sites or legally protected Cultural Heritage areas, undertake a Cultural Heritage Impact Assessment as part of ESIA.</p> <p>☑ Where an Environmental and Social Management Framework (ESMF, see SES Guidance Note on Social and Environmental Assessment and Management) is being prepared and potential risks and impacts regarding Cultural Heritage have been identified, ensure ESMF includes measures for further screening, assessment and management of Cultural Heritage risks and impacts once project details and sites are further elaborated.</p> <p>☞ <i>Note that required social and environmental assessments and adoption of appropriate mitigation and management measures must be completed, disclosed, and discussed with stakeholders and in place prior to implementation of any activities that may cause adverse social and environmental impacts.</i></p> <p>☑ Ensure meaningful, effective stakeholder consultations are undertaken and documented, including with relevant local and national regulatory authorities; local, national or international Cultural Heritage experts and organizations; and affected-parties, including individuals and communities who develop, have developed, use or have used the potentially affected Cultural Heritage within living memory.</p> <p>☞ <i>Documentation of consultations on Cultural Heritage usually includes the following: (a) the way in which stakeholders recognize and understand the Cultural Heritage and the values they attribute to it; (b) any issues relating to the need for confidentiality regarding the Cultural Heritage, for example, location or details of traditional use of the cultural heritage and individuals involved, as appropriate; (c) any existing or potential conflicts arising from different views regarding the Cultural Heritage; and (d) any views of affected parties and other interested parties regarding ways to address project-related risks to, and impacts on, the Cultural Heritage, including on proposed mitigation measures.</i></p> <p>☑ Where the Cultural Heritage of indigenous peoples may be affected by project activities, ensure that the requirements of the SES Standard 6 Indigenous Peoples are followed.</p>
<p>Management</p>	<p>☑ Where impacts on Cultural Heritage cannot be avoided, develop mitigation measures in accordance with the mitigation hierarchy, considering the specific characteristics of the Cultural Heritage being affected and the different values attributed to it by various stakeholders. These may include relocating or modifying the physical footprint of the project; documentation and cataloging Cultural Heritage; in situ conservation and rehabilitation; strengthening capacity of relevant authorities; establishment of a monitoring system, implementation schedule and budget for mitigation measures.</p> <p>☑ Where risks and impacts on Cultural Heritage may be significant (e.g. risks rated as High or Substantial), a Cultural Heritage Management Plan (CHMP) may need to be prepared, in consultation with relevant stakeholders, as part of the project Environmental and Social Management Plan (ESMP) (see referenced guidance below for CHMP outline)</p> <p>☑ Ensure requirements of Standard 4 are reflected in project mitigation and management measures. These include but are not limited to the following (see the referenced S4 paragraph for full details on applicable requirements; key topic highlighted; references to relevant existing guidance are listed in subsequent section):</p> <ul style="list-style-type: none"> • Ensure chance find procedures are included in plans and contracts regarding project-related construction which specify how unanticipated discoveries will be managed

(see referenced guidance below for elements of chance find procedures). A chance finds procedure is not a substitute for preconstruction surveys and analyses (S4, 8).


 *Chance finds often occur during the construction phase. Such finds include, for example, discovery of a single artifact, an artifact indicating the presence of a buried archaeological site, human remains, fossilized plant or animal remains or animal tracks, or a natural object or soil feature that appears to indicate the presence of archaeological material.*

- **Avoid restricting access** to Cultural Heritage; where this is not possible, ensure continued access, subject to overriding safety and security considerations. For example, if construction blocks a path to a worship site, a different access route and/or specified access times should be incorporated (S4, 10).
- **Withhold sensitive information** regarding Cultural Heritage if disclosure would compromise or jeopardize its safety or integrity or endanger sources of information. If project-affected communities hold the location, characteristics or traditional use of Cultural Heritage in secret, then support measures to **maintain confidentiality** and to respect customary practices (e.g. may require withholding from project documentation maps identifying sensitive areas or information that would reveal the location or nature of the Cultural Heritage or the identity of the stakeholder (S4, 11).
- Where a project proposes to **integrate and/or utilize Cultural Heritage** (tangible and intangible), engage in meaningful consultations and inform affected communities of their rights, the scope and nature of the proposed development, and the potential consequences of such integration and utilization (S4, 12).
- At times projects may seek to facilitate **commercial activities** involving Cultural Heritage. Examples of commercial use of tangible Cultural Heritage may include tourism projects that bring tourists to visit sites such as castles, churches, and temples. Commercial use of intangible Cultural Heritage may include use of traditional medicinal knowledge or other sacred or traditional techniques for processing plants, fibers, or metals. In such cases, the activities will not proceed without meaningful, effective participation of affected communities and unless good faith negotiations with affected communities result in a documented outcome that provides for fair and equitable sharing of benefits from such commercial use and appropriate mitigation and safeguarding measures (S4, 13).
- Where projects involve or affect **intangible Cultural Heritage**, ensure meaningful participation of concerned parties in identifying risks and impacts to their intangible Cultural Heritage—including its decontextualization, commodification and misrepresentation—and in determining appropriate mitigation and safeguarding measures (including identification, inventorying, documentation, research, preservation, protection, promotion, enhancement, transmission, and revitalization of the various aspects of such heritage) (S4, 14).
- Avoid adverse impacts to **legally protected Cultural Heritage areas**; comply with national or local Cultural Heritage regulations and area management plans; consult area sponsors and managers, local communities, local and national heritage authorities and other key stakeholders; and implement additional programs, as appropriate, to enhance conservation aims of those areas (S4, 15).

 *It is important to consider national legislation, regulations, and practices relating to the identification and management of Cultural Heritage, and any registers or lists of Cultural Heritage that are protected, including dedicated World Heritage sites. In some countries,*

registers are compiled and maintained at different levels of government—national, subnational, and local—with specific legal and administrative provisions.

- Where there is evidence or high probability of past human activity in the project area, undertake desk-based research and field surveys to document, map and investigate **archaeological sites and materials** and provide documentation to Cultural Heritage authorities and, with guidance on due obligations, to relevant authorities undertaking project activities. Key requirements include the following (S4, 16):
 - Determine with Cultural Heritage experts whether discovered material requires (a) documentation only, (b) excavation and documentation, or (c) conservation in place (most archaeological features are best protected by preservation in situ).
 - Any transfer of the Cultural Heritage to another location is to be conducted in consultation with and agreement of project-affected people and appropriate national partners, per good international practice.
 - Determine ownership and custodial responsibility for discovered material and until custody is transferred, ensure identification, conservation, labeling, secure storage and accessibility for study and analysis.
- Include appropriate mitigation measures for potential impacts on **built heritage** (noting that most built heritage features are best protected by preservation in situ). Ensure any transfer of Cultural Heritage to another location is conducted in consultation with and agreement of project-affected people, in accordance with good international practice. Ensure any rehabilitation maintains authenticity of form, construction materials and techniques of structures (S4, 17).
- Preserve physical and visual integrity of **landscapes and natural features** with cultural significance. Examples include sacred hills, mountains, landscapes, streams, rivers, waterfalls, caves, and rocks; sacred trees or plants, groves and forests; carvings or paintings on exposed rock faces or in caves; and paleontological deposits of early human, animal, or fossilized remains. The significance of such heritage may be localized in small community groups or minority populations (S4, 18).

 *Note that such landscapes and natural features often can only be protected by preservation in situ. In cases where natural features can physically be relocated and cannot be preserved in situ, their transfer to another location is conducted with participation and agreement of project-affected people that enables continuation of traditional practices associated with landscape elements and natural features.*

- Include measures to guard against the theft and illegal trafficking of **moveable Cultural Heritage** (e.g. books, paintings, sculptures, costumes, jewelry) (S4, 19).
- Ensure Cultural Heritage management measures/plans are integrated into project's overall monitoring plan, proportionate to the nature of the project and its social and environmental risks and impacts. Projects that raise significant Cultural Heritage issues (e.g. Substantial and High Risk projects, some complex Moderate Risk projects) should include regular supervision, site visits and consultations with Cultural Heritage authorities and local communities to ensure that the S4 requirements are being addressed.
 - Revise SESP during project implementation where (a) new information becomes available, (b) there are substantive changes to the project, or (c) changes in project context might alter the project's risk profile. If re-screening results in a higher risk profile, the revised SESP needs to be reviewed by the Project Board or a subsequent PAC and the project Risk register is updated. Additional assessment and/or management measures regarding risks and impacts to Cultural Heritage may need to be developed and implemented.
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Existing guidance materials on addressing project-related risks/impacts to Cultural Heritage

General Guidance	<ul style="list-style-type: none"> • World Bank, Guidance Note for Borrowers on ESS8: Cultural Heritage (2018) • IDB, Managing the Impacts of IDB Projects on Cultural Heritage (2015) • World Bank, Physical Cultural Resources Safeguard Policy: Guidebook (2009) • ICOMOS Open Archive on conservation and restoration of monuments, sites and landscapes • UNESCO Conventions (see Box above)
Impact Assessments	<ul style="list-style-type: none"> • IUCN, World Heritage Advice Note on Environmental Assessment (2013) • ICOMOS, Guidance on Heritage Impact Assessments for Cultural World Heritage Properties (2011).
Cultural Heritage Management Plan	<p>Indicative outline of a Cultural Heritage Management Plan (CHMP) should address the following as relevant to the project (see WB ESS8 Guidance Note):</p> <ol style="list-style-type: none"> a. A review of the legal and institutional framework applicable to cultural heritage b. Roles and responsibilities of the different project and other interested parties, for example, the Borrower, contractors, project-affected people, and cultural heritage authorities c. The steps to identify and manage cultural heritage throughout the project life cycle d. Proposed mitigation measures to be undertaken e. Steps for incorporating relevant requirements relating to cultural heritage into project procurement documents, including chance find procedures f. Implementation schedule and budget; and g. Monitoring and reporting requirements.
Chance find procedures	<p>Components of a chance finds procedure may include (WB ESS8 Guidance Note):</p> <ol style="list-style-type: none"> a. An advance survey and monitoring of ground-disturbing activities, especially in locations with a high likelihood of cultural heritage b. Steps for temporary work stoppages in the event of a potentially significant discovery c. Steps to protect chance finds from the impacts of any further project activities d. A contractor code of conduct with rules and guidance on how to address chance finds and training of contracted workers e. Steps for appropriate intervention where chance finds have been discovered f. A monitoring system for the implementation of the chance finds procedure g. Arrangements with relevant government authorities h. Arrangements with relevant indigenous authorities, where appropriate. <p>See also Annex C3 of World Bank, Physical Cultural Resources Safeguard Policy: Guidebook (2009)</p>