

Tangible Cultural Heritage In Land Access & Resettlement

A briefing note from SRA

Definition

“Tangible cultural heritage resources” can be defined as: “a unique and often non-renewable resource that possesses cultural, scientific, spiritual, or religious value and includes moveable or immovable objects, sites, structures, groups of structures, natural features, or landscapes that have archaeological, paleontological, historical, architectural, religious, aesthetic, or other cultural value” (IFC Performance Standard 8). Common examples at many projects include graves / cemeteries, shrines, sacred natural features, and religious structures.

Key Considerations

Informed Consultation and Participation

Ensure that all cultural heritage mapping, assessment and mitigation planning benefits from a thorough process of “informed consultation and participation” with local stakeholders, including traditional, spiritual and religious leaders as appropriate. Ideally, such collaboration should take place within the framework of a multi-stakeholder committee. Understand that securing the Free, Prior and Informed Consent of local stakeholders may also be required (e.g., in situations where significant impacts on critical cultural heritage for Indigenous Peoples may occur).

Expert Involvement

Involve suitably qualified national and international specialists throughout the assessment process. Similar to local stakeholder participation, expert involvement is essential to the accurate identification and characterization of cultural heritage resources, the evaluation of potential impacts, and the planning of appropriate treatment and mitigation for any sites of potential significance that may be affected.

Compliance with International Standards

In addition to national laws and regulations, be aware that there are significant international conventions and performance standards relating to the treatment of cultural heritage resources, including the Convention Concerning the Protection of the World Cultural and Natural Heritage and IFC Performance Standard 8.

Respect and Understanding

Ensure that project planning and implementation proceed with a detailed understanding of and respect for local cultural norms and traditions. This will assist proponents in avoiding potential impacts on cultural heritage, for example by re-siting certain facilities or re-scheduling particular activities. It will also help in minimizing or otherwise managing those that are still likely to occur.

Sensitivity and Empathy

Act with sensitivity and empathy, as potential impacts on cultural heritage resources, including for example the identification, survey or displacement of shrines, graves or cemeteries, are often highly emotive topics. Depending on the community, it may be appropriate to discuss this topic within the “main” consultation or negotiations forum established for the project, or instead refer it to a smaller group of representatives for more focused discussion.

Chance Find Procedures

Ensure clear procedures are in place and agreed with local stakeholders to guide situations in which tangible cultural heritage resources are encountered during construction or other site activities that were not previously identified. Such procedures may include an immediate work stoppage, protection of the site from further degradation, undertaking appropriate investigations and assessments, and development of appropriate management of the resource before activities resume.



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Key Steps in the Management Process

- **Undertake a Comprehensive Inventory** - Use participatory mapping to identify all tangible cultural heritage resources in the project area in collaboration with traditional leaders, opinion leaders, and other local community representatives. Complement this work with review of more formal, published cultural heritage inventories that might be available at national or regional institutions.
- **Assess Potential Impacts** - Assess the above baseline against the proposed project and identify any potential impacts, working with local stakeholders. Review whether / how disturbance can be avoided altogether, resources preserved in situ, and community access and use maintained, through for example project redesign. If impacts are unavoidable, evaluate how they could be minimized to an acceptable level. If still necessary, consider then how to relocate and reestablish affected resources elsewhere. Finally, as a last resort, consider ways of compensating for lost resources. (Note, however, that negotiating appropriate compensation in monetary terms is complicated in practice and may not always be feasible.)
- **Develop Detailed Mitigation Plans** - As the assessment progresses, work with local stakeholders to prepare detailed management plans that address any impacts that cannot be avoided entirely in order to work through necessary details, demonstrate feasibility, and address concerns. Be sure to consider future approval processes, as many countries have significant permitting requirements for cultural heritage-related mitigation (e.g., grave relocation).
- **Prepare Relevant Management Plans** - Document agreed mitigation plans and procedures in a Cultural Heritage Management Plan, or in a relevant section of the Resettlement Action Plan or Livelihood Restoration Plan, as appropriate. Plans should consider opportunities to protect, enhance, and celebrate cultural heritage, beyond merely minimizing and mitigating impacts. Ensure appropriate public disclosure, above and beyond ongoing engagement processes, well ahead of any impacts.

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About Us

SRA helps our clients acquire the land they need – on time and on budget. We work collaboratively with our clients' teams and affected communities to identify, assess and manage displacement impacts in a practical, responsible and sustainable manner.

SRA's experienced team:

- Has managed hundreds of land access and resettlement projects around the world
- Has a track record of realising win-win-win solutions for our clients, communities, and host governments
- Applies international standards and best practices in a pragmatic, innovative and locally appropriate manner
- Is results-oriented and hands on, working largely at project sites with clients and other stakeholders
- Are well recognised thought leaders in the field, co-authoring a well-known guide and publishing a popular Insight Series.