STANDARDS OF INTERNATIONAL CULTURAL AND FINANCIAL INSTITUTIONS FOR CULTURAL HERITAGE PROTECTION AND MANAGEMENT

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Abstract

Cultural heritage as a component of Environmental Impact Assessment is established in the laws of nations, policies of international and regional development institutions, and good practice. In the interest of strengthening the component, the IAIA is considering formulating and disseminating Best Practice Principles. This paper discusses and provides references for standards issued by major cultural organizations and development institutions for the protection and management of cultural heritage.

Introduction

The concept of World Heritage has created an internationally shared responsibility for identification, conservation and management of the global patrimony.[i] One means of addressing this responsibility is by promulgating standards in various documents, including international and regional conventions, recommendations, charters and policies. These are consensus documents on best practice, formulated during a span of over 50 years, and intended to guide governments, non-governmental organizations and professionals in the fields of cultural heritage, environmental protection, infrastructure development and public administration. The standard-setting documents fall into two categories according to purpose: those issued by cultural heritage organizations for general protection and management; and those created by development institutions for safeguarding cultural heritage in planning and implementing infrastructure projects.

Despite the existence of standards for protection and management of cultural heritage, and the fact that cultural heritage is an established component in Environmental Impact Assessment (EIA) - together with biophysical and social factors - it is generally the weakest component.[ii] Some industrialized nations have laws, regulations and administrative structures designed to ensure that cultural heritage receives due attention in the EIA process.[iii] But in most countries, including many with extremely valuable cultural heritage resources, a communication and operational gap between the cultural and environmental authorities often results in a lack of appropriate attention to cultural heritage in EIA, SEA, and the development process in general.[iv] Paramount among the numerous reasons for this situation, is the fact that EIA has been disseminated through ministries of environment, often without the knowledge of, or consultation with, national cultural heritage authorities.[v] In an effort to improve the coverage of cultural heritage in EIA and SEA, members of the International Association for Impact Assessment (IAIA) propose drafting Best Practice Principles for consideration, and contingent on approval, for international dissemination to practitioners and others involved in the EIA and SEA processes. As part of the endeavor, this paper provides an introduction to existing standards with references to the texts, as background for a session on Cultural Heritage and Impact Assessment at IAIA08.

Standards for protection and management of cultural heritage in general

Standards for the protection and management of cultural heritage in general have been issued by a variety of institutions; foremost among these are the United Nations Educational, Scientific and

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Cultural Organization (UNESCO); the International Council on Monuments and Sites (ICOMOS); the Council of Europe (COE); and national governments.   Most of these standards pertain to material culture, often termed 'tangible' cultural heritage; however, there is increasing attention also to 'intangible' heritage, including the products and processes of artistic and creative expression.[vi]

UNESCO is foremost among international standard-setting organizations in the field of cultural heritage. Founded in 1945 as an agency of the United Nations, it includes 190 member states, with headquarters in Paris, regional offices and national committees throughout the world. The UNESCO standard-setting documents consist mainly of conventions and recommendations. Conventions are drafted by experts, agreed upon by UNESCO member states through a formal process, then signed and ratified by national governments on a voluntary basis. UNESCO conventions, while promoting international standards and cooperation, respect national sovereignty, and in order to be legally binding, their terms must be translated by member states into national law. The five UNESCO conventions regarding cultural heritage treat: armed conflict (1954); illicit trade (1970); world heritage (1972); underwater cultural heritage (2001); and intangible cultural heritage (2003). Of the five, the 'World Heritage Convention,' which provides for the designation of World Heritage Sites, is by far the most popular and widely known.

In addition to the conventions, from 1956 to 1980, UNESCO issued recommendations in order to encourage international and regional cooperation, and especially, improvement in the management of cultural heritage at the national level. The recommendations, intended as guidance for governments, also were drafted by experts, and agreed upon through a formal process by representatives of UNESCO member states.   Recommendations were issued on numerous subjects, including: international competitions in architecture and town planning (1956); accessibility of museums (1960); safeguarding the beauty and character of landscapes and sites (1962); prohibiting and preventing the illicit export, import and transfer of cultural property (1964); preservation of cultural property endangered by public or private works (1968); protection, at national level, of the cultural and natural heritage (1968); international exchange of cultural property (1976); safeguarding and contemporary role of historic areas (1976); protection of movable cultural property (1978); and safeguarding and preservation of moving images (1980).   Although these recommendations are rich in guidance for heritage conservation and management, they have suffered from inattention at both international and national levels. However, increasing concerns regarding the impact of development on both urban and rural cultural sites, most notably on World Heritage Sites, have stimulated renewed interest on the part of UNESCO and its member states in the recommendations containing standards for protecting sites and maintaining their authenticity.[vii]

ICOMOS, a non-governmental international organization comprised of cultural heritage practitioners, issues standard-setting documents in the form of charters. Founded in 1965, ICOMOS has headquarters in Paris, national committees in 110 countries, and 21 international scientific committees devoted to both technical and academic subjects. Activities of ICOMOS include a tri-annual international General Assembly, periodic committee meetings, exchange programs, publications, and other forms of information dissemination. ICOMOS serves as official advisor and evaluator for UNESCO's World Heritage Committee on cultural site nominations for the World Heritage List.

The ICOMOS charters are drafted by experts, and agreed upon by the membership through a formal process. Members of ICOMOS and other cultural heritage practitioners are expected to promote use of the charters in the profession and by governments. ICOMOS charters treat the following topics: conservation and restoration of monuments and sites (1964); historic gardens and

landscapes (1982); conservation of historic towns and urban areas (1987); protection and management of the archaeological heritage (1990); underwater cultural heritage (1996); cultural tourism (1999); historic timber structures (1999); and built vernacular heritage (1999). In addition to the charters, various ICOMOS meetings periodically issue standard-setting declarations and resolutions. National committees also may create charters; of these the Australia ICOMOS Charter for Places of Cultural Significance of 1999 (the 'Burra' Charter), is by far the most influential and widely known.[viii] It is a useful, practical guide for development proponents, as in addition to standards for protecting and managing the built environment, it includes guidance on assessing, protecting and managing landscapes and natural features with cultural significance.

Regional organizations issue standard-setting conventions for cultural heritage. Foremost among these are the COE, founded in 1949 with 36 member nations, and the Organization of American States, established in 1890 and comprising 35 member states. The COE's conventions on: architectural heritage (1985); archaeological heritage (revised in 1992); and European landscape (2000), are influential beyond the boundaries of Europe.

Standards for protection and management of cultural heritage during development
Standards for managing cultural heritage in the context of infrastructure development are contained in the policies of international and regional development institutions, and in the legislation of national governments. An early and influential framework for assessing the impact of potential development projects on cultural heritage, together with biophysical and social features, was contained in the U.S. National Environmental Protection Act (NEPA), enacted in 1969.[ix] The practice of 'impact assessment' mandated in NEPA as a necessary step in development planning has since spread throughout the world; it was embraced and disseminated by such international and regional organizations as the Organization for Economic Co-operation and Development (OECD); the European Union (EU); the World Bank; the International Finance Corporation (IFC); and more recently, by the commercial banks subscribing to the Equator Principles.

Among international finance institutions, The World Bank Group – specifically, the World Bank and the IFC – were among the first advocates for safeguarding cultural heritage in development projects. The World Bank and IFC issued similar policies for the *Management of Cultural Property in Development Projects* (OPN 11.03) in 1986, three years prior to their policies for Environmental Assessment. In 2006, the policies were revised to require that cultural heritage be assessed within the EIA process. The current policies are: the World Bank's Operational Policy 4.11 – *Physical Cultural Resources*; and the IFC's Performance Standard 8 – *Cultural Heritage*. The former is limited to 'tangible' cultural heritage, while the IFC standard includes a provision for ensuring equitable compensation to cultural groups for commercial use of their traditional knowledge and practices. The Bank's policy has influenced other multi-lateral financial institutions, particularly the regional development banks. IFC's performance standard may have even broader influence through the Equator Principles, a group of some 60 commercial banks that, as of April 2008, had signed on to use IFC's *Environmental and Social Assessment Process* and component *Performance Standards* on a voluntary basis.

In recognition of the need for methodological guidance, especially in the client countries of the World Bank and among the private sponsors who borrow from IFC, both organizations recently have produced materials for use in implementing their policies. The Bank has a guidebook designed for use by the various participants in development project planning and implementation, and IFC has a guidance note designed to serve the same purpose. In an effort to help bridge the gap between cultural heritage and environmental authorities in its client countries, the Bank has undertaken to prepare

Physical Cultural Resources Country Profiles, containing information about the type and general location of cultural heritage sites and material, the laws and administrative entities responsible for culture and environment, and a roster of cultural heritage practitioners, among other relevant information.

Conclusion

Standards and policies exist for protecting and managing cultural heritage in general, as well as in the development process, and cultural heritage is an established component of EIA and SEA. The current challenge is to improve both the incidence and quality of the cultural heritage component in impact assessment through increasing awareness and capability among both cultural heritage and impact assessment authorities and professionals, as well as among national and international, public and private development proponents. The proposed IAIA Best Practice Principles should be a valuable contribution to realizing these objectives.

Endnotes

[i] This concept is contained in many sources, perhaps most notably in the *Convention concerning the Protection of World Cultural and Natural Heritage,* adopted at Paris, 1972 and administered by UNESCO.

[ii] Jones, Carys and Paul Slinn, *Cultural Heritage and Environmental Impact Assessment in the Planarch Area of North West Europe,* Maidstone, 2006, pp. i –ii, and *passim.*

[iii] Wood, Christopher, "What has NEPA Wrought Abroad?" in Clark, Ray and Larry Canter, *Environmental Policy and NEPA: Past, Present and Future,* St. Lucie Press, Boca Raton, Florida, USA, 1997, pp. 97-107.

[iv] *Op.cit.*, pp. 107-110.

[v] Information provided to the author during consultations with respondents in client countries of the World Bank, 2000 – 2008.

[vi] The definition for 'tangible' cultural heritage used by the World Bank is similar to that of UNESCO and other cultural heritage organizations. It is: "..movable or immovable objects; sites; structures; groups of structures and natural features and landscapes that have archaeological, paleontological, historical, architectural, religious, aesthetic, or other cultural significance. They may be located in urban or rural settings, and may be above or below ground, or underwater. Their cultural interest may be at the local, provincial or national level, or within the international community." (The World Bank, Operational Policy 4.11 – *Physical Cultural Resources*, July 2006)

UNESCO's definition for 'intangible' cultural heritage is: "..the practices, representations, expressions, knowledge, skills – as well as the instruments, objects, artifacts and cultural spaces associated therewith – that communities, groups and, in some cases, individuals recognize as part of their cultural heritage. This…heritage, transmitted from generation to generation, is constantly recreated by communities and groups 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." (*Convention for the Safeguarding of Intangible Cultural Heritage*, UNESCO, October 2003)

[vii] Information from the author's interviews with staff of the World Heritage Centre at UNESCO, 2007-2008.

[viii] For the 'Burra' Charter, see: http://www.icomos.org/australia/burra.html accessed March 30, 2008.
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