



BP 4.11 - Physical Cultural Resources

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BP 4.11 June, 2006

OP and BP 4.11 are based on Revised Draft Operational Policy/Bank Procedure 4.11: Physical Cultural Resources - Issues and Proposals (R2006-0049), approved by Executive Directors on April 17, 2006. OP and BP together replace OPN 11.03, Management of Cultural Property in Bank-Financed Projects, dated September 1986. OP and BP 4.11 apply to all investment projects for which a Project Concept Review takes place on or after April 15, 2006. OP and BP 4.11 should be read in conjunction with OP/BP 4.01, Environmental Assessment. Questions may be addressed to the Senior Adviser, Quality Assurance and Compliance Unit.

Introduction

1. Physical cultural resources may not be known or visible; therefore, it is important that a project's potential impacts on physical cultural resources be considered at the earliest possible stage of the project planning cycle.

Physical Cultural Resources within Environmental Assessment

2. The task team (TT) advises the borrower on the provisions of <u>OP 4.11</u> and their application as an integral part of the Bank's environmental assessment (EA) process as set out in <u>OP/BP</u> 4.01, *Environmental Assessment*. The steps elaborated below follow the project cycle processes of screening, developing terms of reference (TORs) for the EA, preparing and reviewing the EA report, and project appraisal, supervision and evaluation.

Environmental Screening

- 3. As part of the environmental screening process, the TT determines whether the project (a) will involve significant excavations, demolition, movement of earth, flooding or other environmental changes; or (b) will be located in, or in the vicinity of, a physical cultural resources site recognized by competent authorities of the borrower; or (c) is designed to support management of physical cultural resources. If the project has any of the characteristics set out in (a) or (b), it is assigned to either Category A or B, in accordance with OP 4.01, Environmental Assessment. If the project has the characteristic set out in (c), it is normally assigned to either Category A or B. The procedures set out below are followed for all projects so categorized.1
- 4. The TT requests that the borrower inform the Bank of the relevant requirements of its legislation and of its procedures for identifying and mitigating potential impacts on physical cultural resources, including provisions for monitoring such impacts, and for managing chance finds.

Terms of Reference for the EA

- 5. The TT advises and assists the borrower, as necessary, in drafting the TORs for the physical cultural resources component of the EA. In preparing the TORs, the borrower identifies the likely major physical cultural resources issues, if any, to be taken into account in the EA. This identification of the possible presence of physical cultural resources is normally conducted on-site, in consultation with relevant experts and relevant project-affected groups.
- 6. The TORs propose spatial and temporal boundaries for the on-site collection of baseline data on physical cultural resources potentially affected by the project, and specify the types of expertise required for the physical cultural resources component of the EA.

Consultation

7. Since many physical cultural resources are not documented, or protected by law, consultation is an important means of identifying such resources, documenting their presence and significance, assessing potential impacts, and exploring mitigation options. Therefore, the TT reviews the mechanisms established by the borrower for consultation on the physical cultural resources aspects of the EA, in order to ensure that the consultations include meetings with project-affected groups, concerned government authorities and relevant non-governmental organizations.

Baseline and Impact Assessment

8. The TT ensures that the physical cultural resources component of the EA includes (a) an investigation and inventory of physical cultural resources likely to be affected by the project; (b) documentation of the significance of such physical cultural resources; and (c) assessment of the nature and extent of potential impacts on these resources.

Mitigating Measures

9. When the project may have adverse impacts on physical cultural resources, the EA includes appropriate measures for avoiding or mitigating these impacts.

Capacity Assessment

- 10. The EA assesses the borrower's capacity for implementing the proposed mitigating measures and for managing chance finds, and where appropriate, recommends capacity building measures.

 Management Plan
- 11. The EA involves the preparation of a physical cultural resources management plan³ that includes (a) measures to avoid or mitigate any adverse impacts on physical cultural resources; (b) provisions for managing chance finds⁴; (c) any necessary measures for strengthening institutional capacity for the management of physical cultural resources; and (d) a monitoring system to track the progress of these activities.

Review

12. When reviewing the findings and recommendations of the EA, the TT discusses with the borrower the physical cultural resources components of the EA, including the physical cultural resources management plan, and determines whether these components provide an adequate basis for processing the project for Bank financing.

Disclosure

13. The TT consults with the borrower and persons with relevant expertise on whether disclosure of the findings of the physical cultural resources component of the EA would jeopardize the safety or integrity of any of the physical cultural resources involved. In addition, the TT consults the borrower to determine whether disclosure could endanger the source of information regarding the physical cultural resources. In such cases, sensitive information relating to these particular aspects, such as the precise location or value of a physical cultural resource, may be omitted from the EA report.⁵

Project Appraisal

- 14. As appropriate, the appraisal team includes relevant physical cultural resources expertise.
- 15. During appraisal, the TT ensures that the findings and recommendations of the physical cultural resources components of the EA, including the physical cultural resources management plan, are adequately reflected in project design, and are recorded in the Project Appraisal Document (PAD).
- 16. The TT ensures that the estimated cost of implementing the physical cultural resources management plan is included in the project budget.

Supervision and Evaluation 6

- 17. For projects in which the physical cultural resources management plan incorporates provisions for safeguarding physical cultural resources, supervision missions include relevant expertise to review the implementation of such provisions.
- 18. During project supervision, the TT monitors the implementation of the physical cultural resources management plan, including provisions for the treatment of chance finds. The TT also ensures that chance finds procedures are included in procurement documents, as appropriate. The TT monitors the treatment of any chance finds and any other impacts on physical cultural resources that may occur during project implementation, and records relevant findings in the Implementation Status and Results Reports (ISRs).
- 19. Implementation Completion Reports (ICRs) assess the overall effectiveness of the project's physical cultural resources mitigation, management, and capacity building activities, as appropriate. I

Capacity Building

20. The TT reviews the need, if any, for enhancement of the borrower's capacity to implement this policy, particularly in respect of information on physical cultural resources, on-site training, institutional strengthening, inter-institutional collaboration, and rapid-response capacity for handling chance finds. The TT then considers the need for such capacity enhancement, including project components to strengthen capacity. When the needs extend beyond the scope of the project, the TT draws the attention of the relevant Country Director to the possibility of including such capacity building within the overall country assistance program.

For definitions of project categories A and B, see OP 4.01, *Environmental Assessment*, paragraph 8.

2. For the purposes of this policy, chance finds are defined as physical cultural resources encountered unexpectedly during project implementation.

3.

If there is an Environmental Management Plan, it incorporates the physical cultural resources management plan. See OP 4.01, Environmental Assessment, Annex C.

If a chance find occurs for a project that does not require an EA report, the borrower will prepare a timely chance find management plan, satisfactory to the Bank.

See The World Bank Policy on the Disclosure of Information, 2002.

6. See OP/BP 13.05, Project Supervision.

See OP/BP 13.55, Implementation Completion Reporting.

8. See OP 4.01, Environmental Assessment, paragraph 13.

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