

Factsheet: Proposed¹ Environmental and Social Standard 8:

Cultural Heritage

What is the proposed ESS8 about?

ESS8 is proposed to apply to all projects that are likely to have adverse impact on cultural heritage and, if approved, would always apply in projects that involve significant earthworks and other changes in the physical environment or where the project is located in a recognized cultural heritage site. It would require projects to adopt a chance find procedure, together with other internationally recognized procedures for the protection of cultural heritage. ESS8 would require that all relevant stakeholders are identified and consulted about cultural heritage. ESS8 identifies different types of cultural heritage, and sets out specific proposed requirements where cultural heritage could be used by the project for commercial purposes.

Under the proposed World Bank Environmental and Social Policy, the World Bank's responsibilities would include reviewing the assessments conducted by the Borrower; assisting the Borrower in developing measures and actions required for the project to comply with ESS6; and agreeing with the Borrower on the measures and actions they would take in the Environmental and Social Commitment Plan (ESCP). Throughout implementation, the World Bank would monitor the environmental and social performance and provides support and capacity building, as needed, in accordance with the legal agreement, including the ESCP.

What's new?

- **Broader objectives:** The proposed ESS8 aims to protect cultural heritage from the adverse impacts of project activities and support its preservation; to address cultural heritage as an integral aspect of sustainable development; and to promote the equitable sharing of benefits from the use of cultural heritage.
- **Inclusion of Intangible cultural heritage:** The scope of application of the proposed ESS8 includes intangible cultural heritage insofar as it relates to a physical component of a project.
- **Enhanced consultation with affected communities:** If approved, the environmental and social assessment would identify all relevant stakeholders for cultural heritage that are known to exist or likely to be encountered during the project life-cycle. The Borrower would carry out meaningful consultations with stakeholders in order to identify cultural heritage that may be affected by the project; assign value to cultural heritage affected by the project; develop an understanding of the potential risks and impacts; and explore avoidance and mitigation options. The Borrower, in consultation with the Bank, project affected parties and cultural heritage experts, would determine whether disclosure of information regarding cultural heritage would compromise or jeopardize the safety or integrity of the cultural heritage or would endanger sources of information. In such cases, sensitive information may be omitted from public disclosure.
- **Adoption of the concept of stakeholders' access:** Where the Borrower's project site contains cultural heritage or prevents access to previously accessible cultural heritage sites, the Borrower would, based on consultations with users of the site, allow continued access to the cultural site, or will provide an alternative access route. Continuing access would be designed taking into account health, safety and security considerations.
- **Requirements on commercialization of cultural heritage:** Where a project intends to use cultural heritage, including knowledge, innovations or practices of local communities, for commercial purposes, under the

¹ The content of the proposed Standard is for consultation purposes. It has not been endorsed by the Executive Directors of IBRD/IDA. The Board of Executive Directors will make the final decision on the content.

To review the proposed framework, including the full text of all ten standards, and provide feedback, please visit <http://consultations.worldbank.org/consultation/review-and-update-world-bank-safeguard-policies>

proposed Standard the Borrower would inform the affected communities of: (a) their rights under national law; (b) the scope and nature of the commercial development and the potential impacts; and (c) the potential consequences of such development and impacts. The Borrower would not proceed with the project unless it: (a) carries out meaningful consultation as described in ESS10; (b) provides for fair and equitable sharing of benefits from commercialization of such cultural heritage, consistent with customs and traditions of the affected communities; and (c) identifies mitigation measures according to the mitigation hierarchy.

What stays the same?

- This proposed ESS incorporates the provisions of the current World Bank policy on [Physical Cultural Resources](#).