

From: JR Welch
To: [World Bank ESF Implementation](#)
Subject: Comment on World Bank's revised-proposed ESS 8 Guidance Notes for cultural heritage
Date: Friday, December 08, 2017 5:23:26 PM

Dear Madames & Sirs:

In response to the call for public comments I have reviewed the ESS 8 Guidance Notes for Cultural Heritage. I offer the following.

1. The 4th objective (page 2) is "*To promote the equitable sharing of benefits from the use of cultural heritage.*" It occurs to me that the Notes should explicitly include consumptive use, as in the removal or destruction of cultural heritage in the course of project activities. This may be embedded in other ESS elements, but I could not find clear guidance here.

2. At the very top of page 3 and end of GN6.2 I read "preparation and implementation of projects can result in the discovery of previously unknown tangible and intangible cultural heritage." Reading further, I see general guidance for CRMPs and suggested engagements with cultural heritage experts. What I do not find here or elsewhere is clear and detailed guidance or standards for surveys or specific requirements to engage experts or for their qualifications. At or near GN5.1, it seems obvious that all considerations of cultural heritage significance, integrity, and treatment should include input from recognized cultural heritage professionals with subject matter expertise.

3. GN 11.3 requires a definition of "internationally accepted practice" and explicit inclusion of training as part of chance finds procedures.

4. GN 12 should leave no room for discretion in the borrower obligation to hire a CH professional with subject matter expertise, recognized as a Registered Professional Archaeologist or through comparable accreditation.

5. Atop page 7 at 13(a) is guidance for borrower consultations to include "*individuals and communities within the country who use or have used the cultural heritage within living memory.*" In my experience this should be broadened to include individuals and communities who use or have used **the project area** or the cultural heritage (a 3-word insertion). Again, this may well be satisfied elsewhere or embedded in practice, but seems worth making

explicit here and wherever else it is necessary to avoid the possibility of needless limitations on community engagement.

6. The final issue regards confidentiality. I am concerned that the guidance is overly broad and untethered to professional ethical coda. As written it appears subject to abuse by a borrower, a host government, or an expert to mask sloppy, incomplete or inconsequential cultural heritage consultations, identification surveys, assessment, protection, etc. It would seem to me to be useful to establish the criteria and standards for allowing borrowers to protect sensitive commercial or cultural data (the obvious examples being site location data, community CH consultant identities), as well as the ethical principles that obligate heritage professionals to share.

Thank you for the opportunity to comment.

Respectfully submitted,

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<http://www.sfu.ca/rem/people/profiles/welch.html>

<http://www.uapress.arizona.edu/Books/bid2593.htm>

<http://www.lcoastpress.com/book.php?id=488>

<http://www.amazon.com/Kinishba-Lost-Found-Contemporary-Perspectives/dp/1889747920>

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"Conformity may give you a quiet life; it may even bring you to a University Chair. But all change in history, all advance, comes from the nonconformists." -A.J.P. Taylor, historian (1906-1990)

Thank you.

