



SOCIETY FOR AMERICAN ARCHAEOLOGY

September 14, 2014

Dr. Jonathan Renshaw
Inter-American Development Bank
1300 New York Avenue, NW
Washington, D.C. 20577

Dear Dr. Renshaw,

Below are the comments of the Society for American Archaeology (SAA) on the draft guidance note, “Cultural Heritage in IDB Projects.” We have provided our comments in two sections: general and specific.

General

We found the document well written and quite informative. With some additions and reorganization, the guidance note will provide extremely helpful guidance for bank managers and private and public sector borrowers.

Our main concern is that the introductory sections are too long (pages 1-12) and that the meat of the document, which advises the manager and borrower what to actually do about cultural heritage (pages 12-26) are somewhat confusing and poorly organized. To remedy these problems, we suggest you begin the document with an executive summary that helps the manager understand how the document is organized, provides a very brief description of what they must know to do their jobs, and gives them a checklist of what to do about cultural heritage. Although such a checklist may mean that managers do not read the entire guidance note, it will provide them with a “cheat” sheet to know if they complied with bank policy. The checklist should be something like the following

Checklist for Cultural Heritage Compliance on IDB Projects

1. *Project Feasibility Stage: Do we have a cultural heritage problem?*
 - a. Did you hire an accredited or certified archaeologists or suitable cultural heritage professional or team?
 - b. Did you define a project area that encompassed all potential impacts—direct, indirect, and cumulative—of the project?
 - c. Did you ask the Ministry of Culture if there were known cultural heritage resources in the project area?
 - d. Did you ask other national cultural heritage regulatory bodies (e.g., INAH in Mexico; IPHAN in Brazil) if there were known cultural heritage resources in the project area?
 - e. Did you ask national (e.g., Sociedade de Arqueologia Brasileira) and international professional societies (e.g., the Society for American Archaeology) if there were known cultural heritage resources in the project area?
 - f. Did you check national archaeological databases?

- g. Did you ask local and descendant communities if they had any historical or sacred sites in the project area?
 - h. Did your consultant prepare a report outlining the likelihood of sensitive cultural heritage resources in the project area, including, if feasible, a predictive model of heritage resources locations, with recommendations for future identification, evaluation, and consultation efforts?
2. *Project Preparation and ESIA Stage: Where are the heritage resources and what do we do about them?*
- a. Did a qualified heritage expert prepare an inventory or survey plan?
 - i. Was the plan approved by the national regulatory agency?
 - ii. Was the plan approved by local and descendant communities?
 - b. Did you develop a heritage resources evaluation program?
 - i. Was the plan approved by the national regulatory agency?
 - ii. Was the plan approved by local and descendant communities?
 - c. Did you execute the survey and evaluation programs?
 - d. Was a survey and evaluation report completed?
 - i. Was the report approved by the regulatory agency?
 - ii. Was the report distributed for comment to professional societies and local/descendant communities?
3. *Project Implementation Stage: How are we mitigating cultural heritage issues?*
- a. Was a cultural heritage management plan (CHMP) completed?
 - i. Was the CHMP approved by the national regulatory agency?
 - ii. Was the CHMP approved by local and descendant communities?
 - b. Was the CHMP implemented?
 - c. Were all reports completed, filed with the appropriate agency, and approved?
 - d. Were all project materials, including project notes, photographs, maps, artifacts, and digital materials properly curated?
 - e. Were local and descendant communities provided the opportunity to comment on the results and were their comments incorporated in the final report?
 - f. Was the professional heritage community provided the opportunity to comment on the results and were their comments incorporated in the final report?

We know this may seem excessive, but our concern is that managers and borrowers may still be shaking their heads a bit after reading the guidance note as currently written about what exactly they are supposed to do. The checklist, then, should be exhaustive even if each step is pretty simple and straightforward.

Another general concern we have is the treatment of Latin America as a unit. There are some countries for which the guidelines will pose no problem to implement (e.g., Brazil, Mexico, and Argentina). There are other countries for which the guidelines are problematic because statements such as, “consult with the Ministry of Culture,” will not achieve the preservation outcome that the bank desires. Put simply, it is fine to consult with the Ministry of Culture about archaeological sites in a region, but if a national database of such sites does not exist, it really will not do much good. We understand the political delicacy involved. One solution that might work would be to have all major projects (defined as those that all stakeholders believe will have clear negative consequences on cultural heritage) reviewed by an independent peer review panel. This may surprise you, but this approach is often adopted in countries with strong heritage infrastructure, such as the United States, when stakeholders believe that regulators will not have the time and/or experience to properly evaluate project impacts.

Specific

Pages 1-5. We thought these were well written and informative. No changes.

Page 5. Attributes of Cultural Heritage. We would add another bullet for “scientific importance.” There are plenty of archaeological sites that are neither unique nor irreplaceable, but still extremely significant for addressing scientific problems. You should also bring up and define what the bank means by cultural landscape in this bullet. To evaluate sites adequately, they must be put into their proper context. Generally, this means placing them in time and space in relation to other cultural features. Since you use the term landscape (both in reference to cultural and natural resources) in various places throughout the document you really need to tell the manager/borrower what you mean by it and why it is important to look outside the immediate archaeological site area in order to evaluate a resource’s importance.

Throughout. The term “site.” You need to be careful when you use this term. We were often confused about whether you were speaking about a cultural heritage resource, such as an archaeological site, or a bank project site.

Page 11. Project Identification, 2nd paragraph. “...the proponent and/or project team may require support from a qualified cultural heritage professional and may have to consult with the local and/or national cultural heritage authorities.” We suggest changing “may” to “must.” This is one of those times in the process that you really should not be ambiguous.

Pages 11-12. Project Development and Appraisal. This section rambles a little and does not really seem to make the point. In essence, any bank project of any size and scope needs to ASSUME that the project will have negative impacts of important cultural heritage resources. It is the proponents’ job to make the case that the situation is otherwise (i.e., has no potential cultural heritage impacts), not the other way round. This section sort of says that, but in a roundabout way. Just say it strongly and clearly.

Pages 12-21 Approaches to Identification and Assessment of Impacts. We found this entire section confused and poorly organized. Lots of the material is quite good, but it is organized in a way that does not really make sense. We think it could be reorganized and condensed as follows:

1. The first question that you need to answer is, “are there heritage sites in the project area?” To answer it:
 - a. Hire a certified or registered archaeologist. Such an archaeologist is identified by being:
 - (a) certified by or registered with the Ministry of Culture of the country(ies) in question;
 - (b) certified by or registered with the national cultural heritage regulatory agency(ies); or
 - (c) is listed in and/or accredited by the Register of Professional Archaeologists, Institute of Archaeologists, or some other international certification body.
 - b. Assume that there are heritage resources to be found. Much of the page 13 is good but it does not reach the punchline that you just have to suck it up and develop a survey plan to find the sites. The survey plan should be prepared by an archaeologists meeting the criteria listed in (a) above and the plan should be based on existing databases, discussions with the scientific community, discussions with local communities, and predictive models (which may have to develop).
 - c. The survey plan must be approved by the regulatory agency as well as local communities. Often the latter will request that locals are hired (and, if necessary, trained) as members of the survey crew, which to the extent possible should be accommodated.
 - d. The survey plan must be implemented.

2. The second question to answer is: which heritage sites are important? To answer this question:
 - a. You need a qualified professional (see (a) above) to write an evaluation plan that includes context (placing the sites in time and place), identifying appropriate research questions, and advancing methods that determine if the sites are worth intensive excavation.
 - b. The evaluation plan must be approved by the regulatory agency as well as local communities. Often the latter will request that locals are hired (and, if necessary, trained) as members of the evaluation crew, which to the extent possible should be accommodated).
 - c. The evaluation plan must be implemented.
3. You then need to present the survey and evaluation results in a report as described on pages 21-22. This report, if necessary, can include a cultural heritage management plan (CHMP), but that document can be developed separately as you state.

Page 24. Rescue or Salvage Excavation or Data Recovery. The placement of rescue and salvage excavation with data recovery is a mistake in our opinion. Data recovery is a carefully conceived process that follows the steps we outlined above for inventory and evaluation. You hire a consultant; the consultant writes a data recovery plan that is approved by all stakeholders before being implemented. Rescue archaeology is an unplanned process that is best described under the section on chance-finds. It needs to be reiterated that one of the main goals of the IDB cultural heritage guidance is to AVOID rescue or salvage situations because they are expensive, time consuming, and rarely result in the quality of archaeological research that is yielded by data recovery.

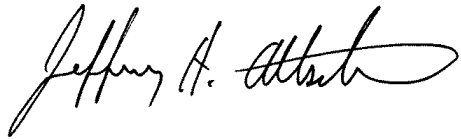
The data recovery section needs to emphasize two points that are mentioned but need to be expanded. The first is that data recovery is not complete at the end of fieldwork. In fact, from an archaeological standpoint, the project is probably less than 50% complete. Artifact and sample processing, analysis, interpretation and synthesis, report preparation, collection preparation and management, curation of all project materials and collections, and public products all are yet to be completed. These are integral parts of data recovery.

The second point is that all project reports and materials must be made available to the profession. Of course all documents prepared under permits must be supplied to the appropriate government agencies and all project materials must be curated to professional standards and housed at a repository meeting accepted standards (e.g., 36CFR79 “Curation of Federally-Owned and Administered Archeological Collections” in the United States). In addition, all reports should be properly archived in a trusted digital repository such as tDAR or the Archaeological Data Service (ADS).

Page 28. Annex A National Laws and Guidelines. We understand you are reluctant to provide contact information since these change often and unexpectedly. However, we think the bank needs to say something like, “contact the IDB staff for current points of contact at the regulatory agencies listed below”. If you don’t feel you can support this activity and you feel comfortable with delegating the responsibility, you can have them contact the SAA for this information.

Please let me know if you have any questions or would like to discuss my comments. I will be available after September 26, 2014 and will be sure to make enough time available to help in any way I can. I want to thank you again for allowing the SAA to comment on the IDB guidance note for cultural heritage. It's an excellent document, which will serve an important need for years to come.

Sincerely,

A handwritten signature in black ink, reading "Jeffrey H. Altschul". The signature is written in a cursive style with a large, sweeping flourish at the end.

Jeffrey H. Altschul, Ph.D., RPA
President, Society for American Archaeology