



Development Bank of Namibia

Expect more.

DBN PS8-CULTURAL HERITAGE STANDARD

Contents

a) Version Control.....	2
1. DEFINITIONS, TERMS & ABBREVIATIONS	3
2. BACKGROUND	3
3. SCOPE	4
4. INTENT	4
5. PLANNING	5
6. IMPLEMENTATION AND OPERATION.....	6
7. PERFORMANCE MANAGEMENT	7
8. REVIEW	8
9. GENERAL REFERENCES FOR STANDARD METHODS.....	8
10. BOARD APPROVAL OF STANDARD	9

a) Version Control

The table below serves to track the key revisions made to this document for change control purposes.

Date	Version	Change Description	Author/Editor
08/02/2016	0.01	Initial Draft for first review	Manager: Environment & Social Development
24/04/2016	0.02	Initial Review	Head: Risk and Compliance –John Jacobs
23/05/2016	0.03	2 nd Review	Risk and Compliance Committee
23/05/2016	0.04	Departmental Review	Audit Risk and Compliance
10/10/2016	0.05	Second Review	Senior Manager: Risk and Compliance –Saima Nimengobe
07/11/2016	1.00	DBN Board Approval	Chairperson: DBN Board of Directors
10/01/2019	2.00	Change logo on first page	Manager: Environment & Social Development

1. DEFINITIONS, TERMS & ABBREVIATIONS

DBN	Development Bank of Namibia
ESIA	Environmental and Social Impact Assessment
ESMS	Environmental, and Social Management System
ESMP	Environmental and Social Management Plan
CHANCE FIND	Cultural heritage finds made during a project's construction and/or operation phases
CLIENT/CUSTOMER	The legally authorised and registered entity that obtained or is applying for funding from DBN to implement a project
CULTURAL HERITAGE	Is the legacy of physical artefacts and intangible attributes of a group or society that are inherited from past generations, maintained in the present and bestowed for the benefit of future generations

2. BACKGROUND

The International Finance Corporation (IFC) Performance Standards are an international benchmark for identifying and managing environmental and social risk and has been adopted by many organizations as a key component of their environmental and social risk management.

IFC's Environmental, Health, and Safety (EHS) Guidelines provide technical guidelines with general and industry-specific examples of good international industry practice to meet IFC's Performance Standards.

In many countries, the scope and intent of the IFC Performance Standards is addressed or partially addressed in the country's environmental and social regulatory framework

DBN recognises that cultural heritage is about far more than 'stones and bones' from the past and, recognizes the importance of cultural heritage for current and future generations. It includes a wide variety, and incorporating all the aspects, of a community's past and present that it identifies as a reflection and expression of its constantly evolving values, beliefs, knowledge and traditions and which it considers valuable, and desires to sustain and transmit to future generations.

The objective of this Standard is to outline DBN client's responsibilities in terms of cultural heritage management, involving the actions taken to identify, assess, decide and enact decisions regarding the impact on cultural heritage associated with operations supported by the DBN.

In pursuing its aim of protecting and conserving cultural heritage, the DBN promotes best practice principles of cultural heritage impact assessment and management that are based on the applicable legal instruments and international conventions and, such as:

- National Heritage Act of Namibia (No. 27 of 2004)
- The National Monuments Act of Namibia (No. 28 of 1969) as Amended until 1979
- Environmental Management Act, No 7 of 2007

- Convention concerning the Protection of the World Cultural and Natural Heritage, 1972
- (UNESCO World Heritage Convention);
- World Heritage Convention, 1975

3. SCOPE

The applicability of this Standard is established during the environmental and social impacts and risks identification process if, as an outcome of the process, it is identified that, during the project life-cycle, the project is likely to affect irreplaceable cultural heritage.

The requirements of this Standard apply to cultural heritage regardless of whether or not it has been legally protected or previously disturbed. The DBN recognises that sites or objects representing cultural heritage value or significance could be uncovered in unexpected locations, during the actual implementation of an approved operation.

Therefore, an operation might be subject to the provisions of this Standard if it:

- involves significant excavations, demolitions, movement of earth, flooding or other changes in the physical environment;
- is located in, or in the vicinity of, a cultural heritage site recognised in Namibia or;
- may have an adverse impact on the culture, knowledge and practices of local and indigenous communities.

The applicability of this Standard in other cases will be determined by the DBN during the environmental and social risks and impacts identification process. If applicable, the DBN will agree with the promoter how the requirements of this Standard will be addressed and managed as part of the client/customers overall environmental and social management plan as described in the DBN Environmental and Social Management System Standard.

Failure to comply with the implementation of this standard requirement will be treated as an Event of Default. A no Event of Default will occur if the failure to comply is capable of remedy and is remedied within timeframes as stipulated in the DBN Term Loan Facility Agreement with the client/customer.

4. INTENT

The intent of this standard is to ensure the safeguarding of unique and irreplaceable cultural heritage and guiding client/customers to integrate cultural heritage management into their operations so as to avoid or mitigate the adverse impacts of their projects/activities on cultural heritage.

5. PLANNING

- 5.1. In applying this Standard, the promoter will undertake a cultural heritage impact assessment and develop management measures, by applying the following key concepts:
- value-added assessment in identifying, predicting, evaluating and communicating the probable effects of the operation on the cultural life, institutions and resources of communities;
 - integrity, authenticity, protection and management as integral part of the impact assessment;
 - preservation is important irrespective of the level of the impact identified;
 - effective management is important in the implementation phase as if it is not well managed, it can delay or even prevent project development;
 - fit for purpose cultural heritage management work must be adapted to suit the needs of each individual situation characterised by the cultural heritage context and the operation type and risks;
 - cultural heritage management needs to be integrated across the project management systems (including ancillary/associated facilities), procedures and practices at every site;
 - sound cultural heritage management is integral to relationships with communities.
 - If the promoter values what they value, then communities are more likely to support the project
- 5.2. The relationship can also include working with communities to protect and enhance their culture and its practices by managing change by considering that cultural heritage is not static and considering that effective cultural heritage management can have wider economic, social and environmental benefits.
- 5.3. In undertaking a cultural heritage impact assessment and management, which in the ideal case should be carried out as part of the ESIA process, the promoter will seek to actively protect culturally significant places, objects and practices in relation to the threats they face from a wide range of cultural or natural causes, resulting in the documentation, conservation, alteration or even loss of cultural heritage.
- 5.4. At the earliest point in time of the environmental and social appraisal, the promoter will identify if any elements of cultural heritage is likely to be adversely affected by the project and assess the likelihood of any chance finds.
- 5.5. The promoter will work with communities, government agencies and relevant stakeholders to identify, and manage places, objects and practices of cultural significance as stipulated in the DBN Environmental and Social Management System Standard.
- 5.6. If, as an outcome of the screening process, it is deemed necessary to carry out an impact assessment, the promoter will use qualified and experienced cultural heritage specialists to study the cultural resources and to fully characterise the risks and impacts, consistent with a precautionary approach and reflecting the concerns of relevant stakeholders.

- 5.7. The scope of the study will be on a case-by-case basis, either as part of the overall environmental and social impact assessment in accordance with national laws and regulations and the DBN Environmental and Social Management System Standard, or separately.

6. IMPLEMENTATION AND OPERATION

- 6.1. The promoter or their consultants will be responsible for locating and designing the project so as to avoid significant damage to cultural heritage. If potential impacts are identified at the early stages of project development, preference should be given to avoiding adverse impacts during the design and site selection phases and where necessary, appropriate mitigation and monitoring requirements agreed and implemented.
- 6.2. Where impacts cannot be avoided, the promoter will assess potential impacts and, if necessary, implementing mitigation measures and/or any required changes in design, if applicable, providing information, at least on:
- proposed project and reasonable alternatives that were studied during the project preparation phases;
 - definition of the baseline conditions with a focus on the need for a clear understanding of all heritage values;
 - identification and definition, as well as investigation of the likely significant impacts through the implementation of an assessment against the relevant values (why the places, objects and/or practices are important), attributes (which are the things that embody the values) and policies (which are the conservation objectives of the values);
 - consideration of the indirect and cumulative impacts;
 - recommendation of new alternatives as needed and feasible; and,
 - development of mitigation measures
- 6.3. Based on the results of the field surveys, expert assessment of the significance of cultural heritage, requirements of national legislation and relevant international conventions, as well as on the results of consultations with affected communities, the promoter will be required to develop appropriate mitigation measures in order to reduce and mitigate any adverse impacts on the cultural heritage, along with the implementation schedule and required budget for such measures.
- 6.4. The proposed mitigation measures will be part of the overall clients/customers environmental and social management plan. The promoter will also ensure that trained and qualified personnel are available to oversee the implementation of mitigation measures, and that any contractors working on the project have the necessary skills and expertise and are managed and monitored in accordance with the requirements included in the DBN Environmental and Social Management System Standard.

- 6.5. The assessment and mitigation of impacts on cultural heritage will be conducted in accordance with relevant provisions of national and/or local laws, regulations and protected area management plans, national obligations under international laws and internationally accepted good practice, as indicated in the background to this Standard.
- 6.6. The promoter will ensure that provisions for managing chance finds, defined as physical cultural heritage encountered unexpectedly during project implementation, are in place. Such provisions shall include notification of relevant competent bodies of found objects or sites; alerting project personnel to the possibility of chance finds being discovered; and fencing-off the area of finds to avoid any further disturbance or destruction.
- 6.7. The promoter will not disturb any chance finds until an assessment by a designated and qualified specialist is made and actions consistent with national legislation and this Standard are identified.
- 6.8. Where a project may affect cultural heritage, the promoter will consult with affected communities who use or have used the cultural heritage within living memory for longstanding cultural purposes to identify cultural heritage of importance, and to incorporate into the clients/customers decision-making process and the views of the affected communities on such cultural heritage.
- 6.9. Where a project proposes to use the cultural resources, knowledge, innovations, or practices of local communities embodying traditional lifestyles for commercial purposes, the promoter will inform these communities of:
- their rights under national law;
 - the scope and nature of the proposed commercial development; and
 - the potential consequences of such development
- 6.10. The promoter will proceed with such commercialisation only when he/she enters into a good faith negotiation with the affected local communities embodying traditional lifestyles, documents their informed participation and the successful outcome of the negotiation and, provides for fair and equitable sharing of benefits from commercialisation of such knowledge, innovation, or practice, consistent with their customs and traditions.

7. PERFORMANCE MANAGEMENT

- 7.1. The promoter is responsible for planning and implementing, monitoring, evaluating and updating cultural heritage management procedures by;
- 7.2. Developing cultural heritage management procedures and systems appropriate to the operational and cultural heritage context and ensuring that cultural heritage management considerations are integrated into all relevant operational plans and procedures, such as ground

disturbance permit systems, human resources policies, health and safety procedures and environmental and social management programmes.

- 7.3. Contributing to the socioeconomic development of the region by effectively implementing cultural heritage programmes;
- 7.4. Setting targets and indicators to monitor the impact of the operation on cultural places, objects and practices, and the overall performance of the cultural heritage management system.
- 7.5. Using the results of cultural heritage management system audits and grievance mechanisms to continually improve performance;
- 7.6. Developing participatory monitoring and evaluation processes that include promoter employees, heritage experts, the community and the custodians of the heritage; and,
- 7.7. Reporting and communicating on the project's cultural heritage plan and disclosing the cultural heritage management outcomes.

8. REVIEW

The principles contained in this standard will be reviewed on an annual basis to facilitate improvement.

9. GENERAL REFERENCES FOR STANDARD METHODS

- National Heritage Act of Namibia (No. 27 of 2004)
- The National Monuments Act of Namibia (No. 28 of 1969) as Amended until 1979
- Environmental Management Act, No 7 of 2007
- Convention concerning the Protection of the World Cultural and Natural Heritage, 1972
- (UNESCO World Heritage Convention);
- World Heritage Convention, 1975
- Performance Standard 8, Cultural Heritage, IFC, January 1, 2012
- African Development Bank Group Integrated Safeguards System (ISS) - Approved 17 Dec 2013
- European Investment Bank (EIB) Environmental and Social Handbook, Environment, Climate and Social Office Projects Directorate, Version 9.0 of 02/12/2013

10. BOARD APPROVAL OF STANDARD



12 Daniel Munamava Street, Windhoek • PO Box 235, Windhoek, Namibia • Tel: +264-61-290-8000 • Fax: +264-61-290-8049
5626 Main Road, Trade Fair Grounds, Ongwediva • PO Box 3226, Ongwediva, Namibia • Tel: +264-65-236-130 • Fax: +264-65-236-126
206 Sam Nujoma Drive, Erf 735, Central Business District, Walvis Bay • PO Box 4514, Walvis Bay, Namibia Tel: +264-64-220-624 • Fax: +264-64-221-857
E-mail: info@dbn.com.na • Web: www.dbn.com.na

EXTRACT OF THE UNAPPROVED ORDINARY BOARD MINUTES OF THE BOARD OF DIRECTORS' MEETING HELD ON 7 NOVEMBER 2016 AT 12 DANIEL MUNAMAVA STREET, WINDHOEK, NAMIBIA

"7. RISK, COMPLIANCE AND POLICIES

7.1 The Board reviewed and approved without any amendments thereto the following environmental standards,

- 7.1.1 Environmental and Social Management System Standard
- 7.1.2 Occupational Health and Safety, Public Health and Security Standard
- 7.1.3 Rights and Interests of Indigenous People Standard
- 7.1.4 Stakeholder Engagement Standard
- 7.1.5 Labour and Working Conditions Standard
- 7.1.6 Land Acquisition and Involuntary Resettlement Standard
- 7.1.7 Cultural Heritage Standard
- 7.1.8 Emergency Prevention, Preparedness and Response Standard
- 7.1.9 Pollution Prevention and Control Standard
- 7.1.10 Biodiversity and Ecosystems Standard
- 7.1.11 Greenhouse Gas Emissions and Climate Change Standard

Company Secretary

R Brusa

14 December 2016