

Technical Standard – Cultural Heritage

Vedanta Resources Plc


Sustainability Governance System

Technical Standard
Cultural Heritage

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Standard Title:	Cultural Heritage	Date of Revision	30/01/2021
Standard:	VED/CORP/SUST/TS 1	Revision:	v.3

Document Issue and Revision History		
DATE	REVISION NUMBER	CHANGE SUMMARY
30/09/2011	1	Initial issue.
03/07/2014	2	Revised version issued.
30/01/2021	3	Signatory Updated.

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1. INTRODUCTION

The purpose of this Technical Standard is to establish the programme design, risk management controls and supporting information, to ensure the preservation and protection of cultural heritage by avoiding, reducing, and in some cases compensating the adverse impacts that projects might cause to cultural heritage.

2. SCOPE

The guidance in this Technical Standard is mandatory and applies to all Vedanta operations and managed sites. The Standard applies to all new projects and is applicable to the entire operation lifecycle (including exploration and planning, evaluation, operation and closure).

3. DEFINITIONS

Definitions of key terms used in this document are shown in the following table.

Term	Definition
Chance Find	A previously unknown tangible cultural heritage resource encountered during any part of a project lifecycle. Most commonly these are archaeological sites found during construction or surface clearing.
Critical Cultural Heritage	Consists of (i) the internationally recognized heritage of communities who use, or have used within living memory the cultural heritage for long-standing cultural purposes; and (ii) legally protected cultural heritage areas, including those proposed by host governments for such designation.
Cultural Heritage	Tangible or in some cases intangible culture that represents the past history or surviving beliefs or knowledge of traditional peoples. This Technical Standard employs the definitions applied by the IFC Performance Standard 8 for Cultural Heritage. Additional related guidance can be found in the accompanying Guidance Notes for Performance Standard 8.
Cultural Heritage Management Plan (CHMP)	A Cultural Heritage Management Plan (CHMP) is a comprehensive document that describes management measures, including reporting requirements, that are in place in a project or facility to address the specific cultural heritage protection needs that have been identified according to the requirements of this Cultural Heritage Technical Standard. The CHMP will be a part of the project or facility's Environmental and Social Management Plan.
ICMM (International Council on Mining and	The International Council on Mining and Metals (ICMM) was established in 2001 and seeks to drive performance improvement

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Term	Definition
Metals)	through its members which comprise 20 mining and metals companies as well as 30 national and regional mining associations and global commodity associations.
IFC (International Finance Corporation)	Member of the World Bank that finances and provides advice to private sector ventures and projects in developing countries.
Intangible cultural heritage	Intangible forms of cultural heritage include cultural resources, knowledge, innovations, and/or practices of indigenous or local communities embodying traditional lifestyles. These are of concern only if the project intends to use the cultural heritage – such as using cultural resources, knowledge, innovation and/or practices such as using traditional techniques or practices - for commercial development ¹ .
Lifecycle	The phases of a Vedanta mining project including exploration and planning, evaluation, operation and closure.
Operation(s)	A location or activity that is operated by a Vedanta Company and is part of the Vedanta Group. Locations could include mines, refineries, ports or transportation activities, wind farms, oil and gas development sites, offices including corporate head offices and research and development facilities.
Replicable Cultural Heritage	Archaeological or historical sites can be considered replicable if the particular eras, cultural values, or scientific information they represent or contain are well represented by similar sites or structures.
Non-Replicable Cultural Heritage	Tangible forms of cultural heritage related to past or present peoples that are unique or relatively unique for the period they represent or are unique or relatively unique in linking several periods in the same site.
Stakeholders (cultural heritage)	In the context of cultural heritage, stakeholders may include: historical or traditional users and owners of heritage; indigenous peoples; traditional communities embodying traditional lifestyles; ministries of archaeology, culture or similar national or heritage institutions; national and local museums; cultural institutes and universities, and civil society concerned with the cultural heritage or historical preservation, areas of environmental or scientific or environmental interest affected indigenous peoples, and religious groups for whom the cultural heritage is traditionally sacred.
Tangible cultural heritage	Tangible cultural heritage is a unique and non-renewable resource that possesses cultural, scientific, spiritual, or religious value and

¹ This Technical Standard does not include Paragraph 16 of PS8, which addresses the equitable sharing of benefits from the use of cultural heritage. This is because Vedanta does not use cultural in its business activities.

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Term	Definition
	includes moveable or immovable objects, sites, structures, groups of structures, marked and unmarked grave sites, natural features, or landscapes that have archaeological, paleontological, historical, architectural, artistic, religious, aesthetic, or other cultural value. These also include natural features that embody cultural values, such as sacred groves, rocks, lakes, springs and waterfalls.
Vedanta Company	A subsidiary of Vedanta Group either fully or majority owned that has its own management structure (e.g. Hindustan Zinc Limited, Vedanta Aluminium Limited, Sterlite Industries limited, etc.)

4. PROGRAMME REQUIREMENTS

All Vedanta subsidiary companies and operations are required to follow the requirements listed below with regards to the mechanisms for identifying, evaluating, preserving and protecting cultural heritage that may be impacted by a proposed Vedanta activity or operation.

4.1. General Requirements

- a) All Vedanta operations shall create, implement and maintain arrangements to perform an international standard cultural heritage impact assessment (as part of a wider ESIA) for every potential new project and expansion of existing operations, and as part of business decision-making.
- b) Vedanta shall strive at every stage from project screening through to execution to protect tangible and intangible cultural heritage from the potential adverse impacts of its activities and to support its preservation.
- c) Project planning and engineering staff shall be fully consulted regarding all baseline assessments as their plans and knowledge regarding project design will provide critical input for the survey process.
- d) Appropriate government agencies (Ministry of Culture, National Museum etc.) shall be informed at the start of cultural heritage surveys in order to gain access to government heritage archives and to understand government protection standards, priorities and survey requirements. In some cases, survey may require interviews with knowledgeable local people. In the case that project confidentiality is a concern, initial surveys can be done without consultation, recognizing that in no situation can invasive survey work, such as archaeological testing be performed without formal government permission.
- e) Prior to commissioning a cultural heritage survey Vedanta shall identify all formal permitting requirements that may exist and shall ensure that all necessary arrangements are put in place to obtain a permit and to ensure compliance with this permit.

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- f) Vedanta shall ensure that both the surveys and the individuals performing such studies meet any specific requirements imposed by the national heritage authority and any relevant international standards as may exist.

4.2. Cultural Heritage Assessment

- a) The scope of the assessment will depend on the nature and scale of the project and sensitivities in terms of cultural heritage but in any case, shall include:
 - Cultural heritage feasibility study
 - Desktop study and consultations;
 - Baseline survey;
 - Impact assessment;
 - Reporting, and
 - Development and implementation of a cultural heritage management plan.

4.2.1. Cultural Heritage Feasibility Study

- a) It is good practice to identify any potential cultural heritage issues before the start of the ESIA where possible to identify any issues of significant concern such as project cost and design constraints that may present limitations for the ongoing feasibility of the project.

4.2.2. Desktop Study and Consultations

- a) A desktop study shall be undertaken once the decision has been made that the project is feasible and will be undertaken to identify existing known and potential undiscovered cultural heritage.
- b) Vedanta shall ensure that the desktop survey considers the following:
 - Literature review – the extent will depend on the sensitivity of the cultural heritage associated with the project's area of influence that may be impacted. The review shall consider a variety of sources including national heritage archives, published journals, existing assessments and studies in the project site and its area of influence, web-based information, protected area management plans.
 - Initial desktop analysis – includes consideration of existing spatial data and landscape mapping particularly for critical cultural heritage. The analysis shall consider satellite imagery or aerial photographs, topographical mapping, protected area maps.
- c) Vedanta shall make the necessary arrangements for undertaking direct engagement with stakeholders including Affected Communities. This may involve the appointment of social

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and other specialists. As cultural heritage is not always documented or protected by law, this engagement may be critical for identifying it, documenting its presence and significance, assessing potential impacts to it, and exploring mitigation options. Stakeholder engagement shall be planned and managed in accordance with the *Stakeholder Engagement Technical Standard*.

4.2.3. Baseline Survey

- a) A baseline cultural heritage survey shall be undertaken during the project screening phase for all new potential projects to collect data on current (i.e. pre-development) cultural heritage attributes as this information may determine whether or not a proposed project should go ahead to the planning and development phases.
- b) The survey may involve multi-phased desktop and field investigations where follow-up work is required to the information provided by earlier phases of investigation.
- c) The survey shall record sufficient details of tangible cultural heritage of all forms (e.g. archaeological sites, monuments etc.) and of all ages and cultural affiliations, recognising that differing cultural heritage types may have different stakeholders, e.g. scientific and traditional, national and local.

4.2.4. Risks and Impacts Identification Process

- a) The risks and impacts identification process will adopt the same form as that for the overarching ESIA process and reference shall be made to the *Conducting ESIA to International Standards Technical Standard*.
- b) Vedanta shall strive to ensure at every stage from project screening through to execution that the potential impacts to cultural heritage are avoided.
- c) Where avoidance is not possible, and because cultural heritage is non-renewable, Vedanta shall strive to adopt 'preservation-in-place' over removal.
- d) The impact avoidance and reduction measures shall be included in the Cultural Heritage Management Plan and shall be reviewed and updated regularly as Vedanta progresses through the project phases.
- e) The following cultural heritage risks and impacts shall be considered:
 - Cultural heritage baseline conditions in the project's area of influence including the presence of critical cultural heritage as well as the distinction between replicable and non-replica cultural heritage;
 - An analysis of project alternatives in relation to the baseline conditions to determine potential impacts;
 - Project-related short and long term, direct, indirect and residual impacts on the cultural heritage identified in the literature review and baseline studies;

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- The range of relevant threats to cultural heritage;
 - Proposed impact mitigation measures in accordance with the mitigation hierarchy as described in the *Conducting ESIA to International Standards Technical Standard*.
- f) The scoping of the risks and impacts identification process is a continuous process and is intended to be so that it can be changed to reflect the changing needs of the project and as a result of new information becoming available.

4.3. Cultural Heritage Management Plan

- a) A Cultural Heritage Management Plan (CHMP) shall be prepared that details the impact management arrangements (where impact cannot be avoided), an action plan for implementing the protection and preservation arrangements and any necessary monitoring requirements.
- b) The CHMP will be developed in consultation with the appropriate government agency(s) or national heritage authority and stakeholders from affected communities to ensure their views and concerns are adequately addressed;
- c) The CHMP shall detail the arrangements for the periodic internal and external reporting (as required) of the impact management activities.
- d) The CHMP shall be integrated into the Company or Project Environmental and Social Management Plan.
- e) Compliance with the CHMP and the development of additional sub-plans and procedures shall be a project commitment of Vedanta, its contractors and their subcontractors.
- f) Impact reduction measures for replicable cultural heritage shall be considered in the following order of priority: avoidance through changes to the project design; preservation in place; introduction of special construction and operational procedures to minimize impacts; and compensatory mitigation measures (such as rehabilitation and restoration of cultural heritage if possible where disturbance has occurred).
- g) Impact reduction measures for non-replicable cultural heritage shall be considered in the following order of priority: avoidance through changes to the project design and preservation in place. Vedanta shall not impact or remove any non-replicable cultural heritage unless: there are no technically or financially feasible alternatives; the overall positive impacts of the project outweigh the negative impacts resulting from removal or impact; removal or mitigation methods are developed in consultation with stakeholders to ensure the best available technique(s) is used.
- h) Vedanta will not impact or remove, significantly alter, or damage critical cultural heritage. However, in exceptional cases where all other financial or technical alternatives are not feasible, Vedanta will use a process of Informed Consultation and Participation as outlined in

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the IFC Performance Standards² to engage affected stakeholders and incorporate their views into the decision-making process.

- i) Opportunities to promote and enhance the conservation of cultural heritage of a protected area shall be considered as appropriate.
- j) Vedanta shall ensure that the CHMP contains suitable arrangements for dealing effectively with chance finds (refer to 4.7 below).
- k) If the project has the potential to restrict or prevent community access to a cultural heritage site(s), the CHMP will contain a plan for ensuring continued stakeholder access or provide an alternative access route to the site(s) throughout the project lifecycle.
- l) The action plan for the protection and preservation arrangements shall include the following:
 - Definition of the agreed goal(s), objectives and targets;
 - Costs of the various protection arrangements;
 - Description of the required actions; completion indicators; responsibilities and accountabilities, and
 - Monitoring timeframes and mechanisms.
- m) The monitoring arrangements shall consider the following:
 - Mechanisms for monitoring the effectiveness of management actions,
 - Maintenance and monitoring of specific controls such as preservation activity, and
 - Arrangements for adapting management and mitigation responses as necessary to accommodate changes.
- n) The plan shall be a project specific and practical document that forms the basic guidance for implementing this Technical Standard in the context of a particular project or operational unit that is owned or operated by Vedanta.

4.4 Chance Finds

- a) Vedanta shall ensure that a project-specific procedure is prepared and implemented that details the actions to take in the event that a previously unknown cultural heritage resource is identified at any time during the project from exploration through to construction, operation and closure.
- b) The 'Chance Find' procedure shall include the following provisions:

² Details of the Informed Consultation and Participation process can be found in paragraph 31 of Performance Standard 1: Assessment and Management of Environmental and Social Risks and Impacts in the "IFC Performance Standards on Environmental and Social Sustainability."

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- contracting appropriate expert staff or contractors to direct and oversee the procedure;
- staff induction and refresher training in the recognition of cultural heritage;
- roles and responsibilities of project staff;
- prohibition of the personal removal or use of artefacts encountered by project operations, including chance finds;
- provisions and protocols for stopping work in the area of a potential chance find and temporarily restricting access to the area around the find until it is assessed by a competent professional;
- specific technical criteria for stopping work based on the type of chance finds encountered;
- response times required from both project staff, and any relevant heritage authority;
- agreed consultation procedure;
- record keeping process;
- procedure and criteria for confirmation and evaluation of finds;
- chain of custody instructions for movable finds; and
- consideration of alternative siting or design of the project.

4.5 Disclosure

- a) The information gathered during each stage of the assessment as well as the CHMP can be directly included in the ESIA and any related assessments or can be captured in a standalone report that is appended to the ESIA disclosure report. The most appropriate reporting style is project-specific, and a decision shall be made on the basis of the particular project requirements.
- b) Reporting considerations included in *Conducting ESIA to International Standards Technical Standard* shall be referred to.
- c) It should be noted that many countries prohibit the public disclosure of the locations of archaeological sites as protection against looting and unauthorized excavation. This restriction only applies to the locations of sites not the existence and detailed characteristics of a site. However, where such disclosure would jeopardize the safety or integrity of the physical cultural resources involved sensitive information relating to these particular aspects shall be omitted from the Assessment's public documentation.

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5. ROLES AND RESPONSIBILITIES

Vedanta Resources, subsidiaries, businesses, operations and sites shall ensure that roles and responsibilities for implementing and complying with this Standard are allocated. Key responsibilities shall be included in job descriptions, procedures and/or other appropriate documentation.

6. COMPLIANCE AND PERFORMANCE

Each Vedanta operation shall ensure they comply with the requirements of this standard. Performance against meeting the requirements of this Standard shall be assessed periodically, documented and, where required, reported to Vedanta Group. The assessment of performance shall include setting and reporting on key performance indicators (KPIs) where these have been established at Vedanta Group, Company or local level. The evaluation of performance shall include, as a minimum, confirmation that:

- A cultural heritage assessment is undertaken as part of the overarching ESIA for all potential projects.
- A Cultural Heritage Management Plan is prepared and implemented for every project.
- Stakeholder engagement must be included as an essential component of the assessment and involves Affected Communities where they exist within the project area.
- The competence and credibility of all specialists (internal and external) that contribute to the cultural heritage assessments and impacts management must be able to present evidence (such as training, certification, etc) to demonstrate this.
- The data and findings of the impact assessment and management plan must be disclosed formally either as standalone reports or within the ESIA disclosure report and in a manner and form that is accessible to all stakeholders.
- Clear and transparent evidence of the adoption of the mitigation hierarchy must be available to support the proposed impacts management arrangements.
- All management and monitoring arrangements must be actively maintained and implemented, and documentary evidence kept demonstrating this.

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7. SUPPORTING INFORMATION

Reference	Description
World Heritage List (from the Convention Concerning the Protection of the World Cultural and Natural Heritage)	List forming part of the cultural and natural heritage which the World Heritage Committee considers as having outstanding universal value. http://whc.unesco.org/pg.cfm?cid=31
Convention on the Safeguarding of Intangible Cultural Heritage (UNESCO, 2003)	Ensures the safeguarding of international cultural heritage and to strengthen solidarity and cooperation at regional and international levels in this field. http://unesdoc.unesco.org/images/0013/001325/132540e.pdf
Convention Concerning the Protection of the World Cultural and Natural Heritage (UNESCO, 1972)	Establishes a system of collective identification, protection, and preservation of cultural and natural heritage and to provide both emergency and long-term protection for cultural and natural heritage. http://whc.unesco.org/world_he.htm
World Bank - Cultural Heritage Country Files	These are data files now in place with the World Bank. They contain valuable information for clients who are in the initial phases of project development and are concerned with possible heritage issues and constraints in the host country. The files contain existing, readily available technical and contact information, and a checklist of additional information that should be obtained.
ICMM (International Council of Mining and Metals)	The ICMM has recently produced and published a good practice guidance document 'Indigenous Peoples and Mining' which whilst it is written for indigenous peoples and therefore may not be relevant to all projects, contains useful guidance and references to cultural heritage. The ICMM has also produced many other best practice documents on a range of health, safety, environment and community issues relating to mining. http://www.icmm.com/library
International Finance Corporation Performance Standards Guidance Notes	The IFC has published Guidance Notes to guide the implementation of the full range of performance standards. These are available on the website. The guidance is currently being updated and draft versions are available however these have not yet been finalised and formally published. http://www.ifc.org/ifcext/sustainability.nsf/Content/PerformanceStandards

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8. REVIEW

This Technical Standard shall be periodically audited and reviewed to determine its accuracy and relevance with regard to legislation, education, training and technological changes. In all other circumstances, it shall be reviewed no later than 12 months since the previous review.

9. RELATED DOCUMENTATION

A summary of the references and supporting documents relevant to this document is provided in the following table.

Doc. Ref.	Document name
	Vedanta Code of Conduct
TS 05	Stakeholder Engagement
TS 08	Conducting ESIAs to International Standards