

**<sup>1</sup> Addressing Root Causes of Environmental and Social Impact Assessments (ESIAs) Failing to Address Cultural Heritage: The Zanzibar Workshop**

**December 1, 2022**

**Douglas, Diane L., Jeffrey H. Altschul, Gerry Wait, Ibrahima Thiaw**

**Abstract**

The Center for Collaborative Synthesis in Archaeology (CCSA), Coalition for Archaeological Synthesis (CfAS), SRI Foundation and Wenner Gren Foundation partnered with the Initiative for Sustainable Development in Africa (ISDAF), to sponsor a collaborative workshop in Zanzibar, Tanzania August 13-16, 2022. The workshop investigated the impact of insufficient coordination with Local, Indigenous and Descendant (LID) communities during the scoping, planning and development of infrastructure, and large-scale conservation projects. LID communities are rarely provided adequate opportunity to share information about tangible and intangible heritage resources that are significant to them, as well as about natural resources that they often rely upon for their survival. As a result, these resources may be destroyed by the project or the ties the LID communities had to these resources are cut off. This stems from an absence or weakness of national legislation requiring government agencies and project proponents to address tangible and intangible cultural heritage, including natural resources that are important to LID communities, in infrastructure and conservation projects. The working group determined it was imperative that government ministries, non-governmental organizations, cultural heritage specialists, sociologists and LID community members work together to establish standards and legislation that address how development projects are undertaken in East Africa.

**Introduction**

The Center for Collaborative Synthesis in Archaeology (CCSA), Coalition for Archaeological Synthesis (CfAS), SRI Foundation and Wenner Gren Foundation partnered with the Initiative for Sustainable Development in Africa (ISDAF), to sponsor a collaborative workshop in Zanzibar, Tanzania August 13-16, 2022. The Zanzibar workshop was organized by the co-founders of ISDAF—Drs. Diane L. Douglas, Jeffrey H. Altschul, Ibrahima Thiaw and Gerry Wait, with local assistance from Dr. Elgidius B. Ichumbaki of the University of Dar es Salaam, Tanzania.

The workshop investigated the impact of insufficient coordination with Local, Indigenous and Descendant (LID) communities during the scoping, planning and development of infrastructure, and large-scale conservation projects. LID communities are rarely provided adequate

---

<sup>1</sup> ISDAF examines development impacts on LID communities in order to capture a broader spectrum of disenfranchised communities than is captured through the application of International Finance Corporation Performance Standard 7 for Indigenous Peoples. Some national governments choose to not formally acknowledge the existence of Indigenous Peoples in their countries because to do so would impose additional constraints on development projects. Examining development impacts on LID communities circumvents the lack of formal recognition of Indigenous Peoples by some governments.

opportunity to share information about tangible and intangible heritage resources that are significant to them, as well as about natural resources that they often rely upon for their survival. As a result, these resources may be destroyed by the project or the ties the LID communities had to these resources are cut off.

### **The Workshop**

The program consisted of a kick-off meeting in Stone Town, Zanzibar to enable workshop participants to briefly summarize their previous work with LID communities in Africa, followed by a cultural tour of Stone Town provided by the Department of Museums and Antiquities, Zanzibar. Two days of lectures/presentations by archaeologists, anthropologists, sociologists, and forestry ecologists followed. The last day was given over to discussing how archaeologists and anthropologists can decolonize their methods to gather and report on information from LID communities regarding the protection and management of cultural and natural heritage that are important to them. We also discussed the process for improving legislation in East African countries to address more effectively cultural heritage management and coordination with LID communities during the scoping, planning and development of infrastructure, and large-scale conservation projects.

Eleven people attended the workshop in person and three participated remotely. Six were cultural heritage specialists from Uganda, including a representative from the Department of Museums and Monuments in the Uganda Ministry of Tourism, Wildlife and Antiquities, and a representative from the Uganda National Museum. Other participants included professors from the University of Dar es Salaam, Tanzania; the Archaeology Institut Fondamental d'Afrique Noire (IFAN) at the University Cheikh Anta Diop of Dakar, Senegal; Stellenbosch University, South Africa; Deutsches Archäologisches Institut (DAI), Berlin, Germany, a social scientist from Paris, France, and the founders of ISDAF. Workshop presentations and discussions were photographed and audio-taped throughout.

Day two began with presentations by Dr. Okeny and Mr. Kintu on infrastructure development projects in Uganda and by Drs. Wait and van Vlaenderen on an infrastructure development project spanning Uganda and Tanzania. The group was then split into three subgroups to discuss common themes evident in each of the projects. The first group looked into the issue of Adequacy: how to conduct adequate LID community outreach. The second group investigated Holism/Integration: how to integrate LID community outreach and cultural heritage investigations with other disciplines involved in the project (e.g., biologists, forest ecologists, geologists, hydrologists, sociologists). The third group dealt with the problem of Community: what comprises a community and how do you identify people that should be invited to participate in scoping terms of reference for projects, developing and implementing research designs, conducting baseline studies, developing management recommendations, reviewing reports and associated mitigation measures, and helping to implement mitigation measures. Each group discussion was facilitated by an ISDAfrica founder, with Dr. Altschul roaming between groups.

Break-out groups were followed by the entire group discussing five common themes and identifying action items. These themes and action items are: 1). Improve the profile of cultural heritage resources in Africa, with specific emphasis on heritage resources of interest to local communities; 2). Improve standards and legislation regarding the identification, preservation, and management of heritage resources; 3). Improve working with communities; 4). Improve how archaeology/anthropology is practiced in Africa (e.g., decolonize ethnographic and archaeological research); and 5) Develop a process for enforcing laws that protect heritage resources.

Day three began with presentations from Drs. Lüth and Geldenhuys. Dr. Luth's presentation described how Geographic Information Systems (GIS) can be used to map the locations of heritage resources and the associated GIS metadata can provide important information about each site. When shared on a platform that is open to other archaeological/anthropological researchers and practitioners, the locations of previously recorded heritage resources can quickly be plotted relative to a proposed development and the practitioner can quickly assess areas that development should avoid. These databases are most accurate and efficient when they are centrally managed by a regional government institution or museum, and are routinely updated with information on newly recorded heritage resources. Additionally, information on topography, geology, soils, water, flora and fauna can be added to the database and facilitate predictive modeling of where certain site types (surface and buried) are likely to be found. Practitioners can then ground truth the models, identify previously undocumented heritage resources and help ensure they are either avoided by a project, or that project impacts on the resource are mitigated. The group discussed the advantage of having data about known archaeological resources readily available for researchers and practitioners. The East African practitioners were keen to adopt use of a GIS for heritage resource management in their countries.

Dr. Geldenhuys' presentation described his work with LID communities in South Africa and elsewhere on the continent. Dr. Geldenhuys works with LID communities to identify how they use forest resources (e.g., for construction, furniture, crafts, foods, medicines) and then provides training on pruning and other forest management practices to help forest users maintain the health of the forest and in many instances provide them with a better harvest. His presentation highlighted the importance of working with LID communities over a long period of time to identify how forest resources are used and managed by these communities during different seasons, as well as over longer periods of time (5 to 10 years) to determine how different species recover after being harvested or cleared for slash and burn agriculture. Dr. Geldenhuys discussed how more carbon is captured by trees that are routinely harvested if the stumps remain intact, because the new growth is what captures the carbon—compared to forests that remain static. The group discussed Dr. Geldenhuys' presentation and concluded that natural and cultural resources cannot be addressed separately—they comprise a '*culture-scape*' that LID communities rely upon and value.

Day four began with a recap of the discussions from the previous three days. Next, Dr. Thiaw described how ethnography is practiced in Africa and the implications for local communities. Europeans developed modern ethnographic practices to study the lifeways of indigenous groups and report back to their governments and institutions. This information was used to “*manage*” these indigenous groups when Europeans colonized their territories.

Even today, anthropologists and archaeologists are taught the same ethnographic methods as those employed for more than a century. These intrinsically *Euro-biased* methods result in the documentation of LID communities in ways that favor development projects regardless of their impact on the affected LID communities.

In addition to bringing the biases of their professional training to the field, each practitioner brings their own personal biases, stemming from how and where they were raised. These biases affect the types of information gathered from LID communities, and how this information is collected and reported. Given that project proponents and agencies often implement their projects based on the advice of anthropologists/archaeologists, the group expressed deep concern that these biases favor project sponsors (who often pay for the cultural heritage studies) and not the best interests of the LID communities. The potential for, and appearance of, conflicts of interest were noted and discussed.

The group also recognized that most development projects do not allow sufficient time for cultural heritage specialists to establish trusting relationships with LID communities. Most often, practitioners are only provided a few days or a few weeks to gather information that should be gathered over several seasons. Consequently, current practices are not designed to provide sufficient or robust information about cultural and natural resources important to LID communities, or how these resources have been traditionally safeguarded and managed. Management recommendations and decisions are often fundamentally flawed.

The group discussed the need for cultural heritage specialists to change how they work with LID communities to accurately represent community concerns and interests. Euro-American biases embedded in ethnography, while no longer used in the direct service of colonialism, continue to favor the objectives of colonizers in the form of Environmental Impact Reports (EIRs) and Environmental and Social Impact Assessment (ESIAs). Cultural and language barriers endemic to short, impactful applied ethnography results in consultants asking questions that do not resonate with affected LID communities, are culturally inappropriate, and create needless problems and/or discord within these communities. Outsiders are likely to miss subtle cues that an interviewee is uncomfortable or upset about a line of questioning. The group noted that long-term participant observation would help them gather more meaningful information about LID communities, but also expressed concern that this information might be used by the government and developers to manipulate or harm the community. The group suggested that it is important that LID communities become involved in the development of the Terms of Reference that guide how EIRs and ESIAs are implemented, and continue to be involved during

the implementation of studies, to ensure greater community involvement throughout all phases of a project.

In an open discussion, workshop participants noted that, except for burial sites, most countries in East Africa do not recognize cultural heritage—intangible or tangible—as a resource requiring protection or management. Even if the affected LID communities raise cultural heritage as a concern during ethnographic research, the governments generally do not require identification of cultural resources beyond burials during the implementation of EIRs and ESIA. Not surprisingly, these resources are often damaged or destroyed by developments and LID communities lose access to traditional cultural/natural resources. For many LID communities, cultural resources are critical ties to land, livelihood, identity, and community. Long-term, steady employment opportunities, though promised, are rarely provided to mitigate the loss of access to cultural/natural resources and modern medicines are not made readily available or affordable to replace the traditional medicines that are no longer available. There simply is no way to mitigate destruction of places that are sacred to LID communities.

The group recognized the economic and political power imbalance at the heart of infrastructure development in Africa. Such development is primarily funded and built by foreign interests, and may be considered a new form of colonizing the continent through ownership or control of infrastructure. According to the Infrastructure Consortium of Africa (ICA 2022), there are 15 organizations that fund the majority of development projects on the continent and 7 of these are owned by North American or European countries, and 40 percent of the African Development Bank (AfDB) is controlled by foreign interests (Asian, European, North America). Further, according to DEVEX (2022), the top five infrastructure contractors working in Africa are foreign owned. The interests of LID communities, while paid lip service, are not seriously considered. By day four of the workshop, the group recognized that a priority must be establishing national legislation and safeguards for the protection of cultural heritage and natural resources that LID communities rely upon; these must be established in consultation with the LID communities to ensure their interests are adequately addressed.

## Action Points

The workshop participants identified three (3) Action Points to help preserve/manage cultural heritage resources and ensure LID communities are more thoroughly integrated in project planning, design and implementation. These are: 1. Establish Standards and Improve Legislation; 2. Raise the Profile of Cultural Heritage; and 3. Engage LID Communities.

On the afternoon of August 16, 2022 Diane L. Douglas closed the workshop.

### 1. Establish Standards and Improve Legislation

The group recognized that standards need to be established for the management of heritage resources and coordination with LID communities. For example, there are no nationwide standards guiding how cultural heritage management (CHM) is conducted in Uganda and there is no legislation requiring development projects to implement CHM. The group determined it was imperative that government, ministries, NGOs, cultural heritage specialists, sociologists and LID community members work together to establish standards and legislation that address methodology, enforcement and ESIA outcomes, including, but not limited to:

- I. Transparency. There needs to be transparency in laws and enforcement of the laws for the protection and management of cultural heritage resources.
- II. Accountability. All EIR and ESIA projects should be evaluated/audited from the initial planning to the submission of the final EIR/ESIA to ensure standards and legislation (once written) are being adequately implemented.
- III. Agreement. What is the meaning of indigenous? Who decides which indigenous groups are consulted/coordinated with on a project? Should governments allow indigenous groups to self-identify?
- IV. Adequacy.
  - a. Government representatives, consultants, project proponents and LID communities need to agree on what constitutes adequate CHM and consultation/coordination with LID communities and other stakeholders. Who measures success of CHM on EIRs and ESIA's?
  - b. CHM experts need to be involved at all levels of a project, including development of the ToR, to ensure LID communities tangible and intangible heritage resources are adequately addressed and that adequate time is allotted for studies.
    1. Cultural heritage practitioners should be involved in the development of stakeholder action plans (SAPs) and stakeholder engagement plans (SEPS) at the beginning of projects. In addition to writing technical appendices, cultural heritage practitioners must be provided an opportunity to review the cultural heritage section of ESIA's, including proposed mitigation and monitoring and reporting plans (MMRPs), environmental and social management frameworks (ESMF) and plans (ESMPs), Resettlement policy frameworks (RPFs), and resettlement action plans (RAPs) to ensure the recommendations made in their technical reports are

adequately carried forward in these policy and implementation documents. Cultural heritage practitioners must also be provided the opportunity to ensure mitigation measures carried forward in an ESIA are practical; that is, they can be implemented and are helpful to the community. LID communities should be involved in project scoping, implementation and management of cultural and natural heritage resources to ensure that resources important to them are adequately considered in the EIR and ESIA process.

2. LID communities also need to be involved in developing research designs for both archaeological investigations as well as investigations of intangible heritage resources and natural resources. This will help ensure resources of concern are adequately addressed and their traditional knowledge of these resources is integrated into the research designs. CHM specialists need to work with LID communities so that the latter can take ownership or co-management of important cultural and paleontological resources.
  3. Cultural heritage practitioners need to work with agencies and project developers to ensure reports and ESIA's are informative and understandable. The results of studies must be reported back to LID communities in a way that they can understand them. For example, the group discussed using buses or trucks containing displays about the project findings, written in local dialects, traveling to LID communities to inform them of project outcomes. Definitions and terms that LID communities understand should be used.
  4. Integration of biophysical and social-cultural studies. Standards and legislation should ensure that natural resource studies are integrated with studies of physical cultural heritage, intangible heritage, and social studies (e.g., demographics, health, economics). This approach will help ensure practitioners of each discipline are aware of how LID communities use natural resources in the study area and minimize the risk of mitigation measures for biological resources, water resources etc. adversely affecting LID communities. It would also help ensure measures for cultural heritage resources do not adversely affect protected natural resources. A coordinated/integrated approach to these studies could also help reduce project costs. Integrated teams should field test their methodologies early in the project to ensure they will work adequately. This will provide an opportunity to fine-tune the methods.
  5. Standards must recognize that sacred sites are areas, not specific points on the landscape, and that high points on the landscape are often important to communities.
- c. The group agreed that standards and legislation should ensure that the use of Chance Find Protocols are a last resort on any project, to record remains that were not located and investigated by more intentional structured investigations. Project proponents should not be allowed to build their project without conducting adequate archaeological

baseline studies, as well as predictive modeling to determine probable locations of buried archaeological resources, and conducting archaeological testing and data recovery excavations, as appropriate. When agencies defer to Chance Find Protocols, important archaeological resources are often damaged or destroyed if: (1) archaeologists are not used, (2) workers on excavators do not have the expertise to identify archaeological resources, (3) they are grading/excavating at high speeds in vehicles placing the driver several meters above the ground surface, and/or (4) equipment is moving too quickly for archaeological monitors to see the resource before it is destroyed. Chance Find protocols need to be designed so that they can successfully identify, evaluate, and mitigate cultural resources.

- d. Finally, standards need to identify how to remove Euro-American biases from CHM to favor local over national and foreign interests.

## **2. Raising the Profile of Cultural Heritage**

The group noted that cultural heritage is not addressed adequately in most EIRs and ESIA because current environmental guidelines in many countries, such as Uganda, ignore or under-value cultural heritage, or ministries requesting such studies are not empowered to effectively require the studies. To improve the situation:

- I. Cultural heritage studies should be given a chapter in the ESIA reports instead of being placed under the socio-economics section.
- II. Cultural heritage should be a key priority for consultancy firms that work on ESIA.
- III. CHM practitioners should campaign for heritage to be included in all project studies, regardless of the size of the project--to determine if there is potential to adversely affect heritage resources.
- IV. African state parties should be involved in raising the profile of cultural heritage amongst national governments.

## **3. Community Engagement**

The group noted that LID communities are not: (1) fully informed about projects and their potential impacts on the community and its heritage resources, and (2) are never informed about the outcomes of EIR and ESIA studies after a project is finished. To help address this, the group observed that standards and legislation should ensure:

- I. LID communities are fully engaged in scoping a project's ToR, developing and implementing the research design, establishing and implementing project mitigation measures, and managing heritage resources.
- II. LID communities are informed about the need for preserving archaeological and paleontological resources, and involved in deciding how these resources are preserved and managed. By involving the community in this process, they will take ownership of



helping to preserve the resource.

- III. All specialist studies (e.g., biology, water resources) are required: (1) to work with LID communities, (2) to consult with them in the development and implementation of their research designs, and (3) ensure that LID communities are involved in the active management of these resources. All specialist studies should have a sensitivity towards the heritage of communities and should engage traditional knowledge about the resources being studied.
- IV. Agencies and project proponents take the time to develop good working relationships with LID communities.
- V. The language used in EIR and ESIA reports consider the communities' ability to understand technical terms; prepare an adequate EIR/ESIA summary using local dialects, terms and definitions.
- VI. Copyright and intellectual property issues—who owns the data collected from communities? Ownership of (and therefore use of) information should be developed in consultation with LID communities.

## **Conclusion**

The 13-16 August 2022 workshop in Zanzibar, sponsored by the CCSA, CfAS, SRI Foundation and Wenner Gren Foundation and facilitated by the founders of ISDAF, investigated the root causes for the failure of many EIRs and ESIAAs to address cultural heritage, and more generally the concerns of LID communities, in East Africa. First and foremost, LID communities are not adequately consulted during any stage of the EIR or ESIA process. This stems from an absence or weakness of national legislation requiring government agencies and project proponents to address tangible and intangible cultural heritage, including natural resources that are important to LID communities, in their infrastructure and conservation projects. Currently, only burial sites must be identified and either avoided or relocated. This lack of legislation often results in development destroying sacred sites, traditional places, and natural resources. Loss of cultural and natural heritage can result in individuals, indeed entire communities, losing their sense of place or identity. When natural resources are destroyed that communities rely upon, the amount of food available for families may be severely impacted, and communities may lose access to plants they relied upon for medicines. Often modern medicines are not provided to replace traditional medicines, and when they are provided, LID community members cannot afford to buy them. When ecologists and biologists work independently of cultural heritage specialists, they may identify large areas to conserve for habitat but deny LID communities access to these areas—this can have the same socio-economic impact on LID communities as destroying those resources. The working group agreed it is critical for technical disciplines to work together on EIRs and ESIAAs rather than in separate academic silos, so they can share information and identify culturally sensitive ways of managing cultural and natural heritage.

The working group also determined that the traditional ways of collecting and presenting ethnographic data are Euro-centric. Cultural heritage specialists need to adapt how they collect information so that it more accurately represents the concerns and interests of LID

communities. Specialists need to be mindful in how the information is reported back to the communities. At present, LID communities are never informed of how the information they provided was used in the EIR or ESIA. If documents are provided to them for their review, they are technical documents written in English and with graphics, charts and tables that are appropriate only to the development community. EIR and ESIA summaries need to be prepared in local dialects and presented in a manner the LID communities can understand.

The group recognized the need for national and local governments to work more closely with LID communities—starting with involving them in the development of national legislation to guide how cultural and natural heritage is addressed in the EIR/ESIA process. Further, LID communities need to be engaged and motivated to act as partners in development planning, as well as during the scoping and implementation of EIRs and ESIA to ensure their interests are addressed in the process.

In addition to involving LID communities more extensively in the EIR/ESIA process, cultural heritage specialists also need to be involved in writing the ToRs for EIRs and ESIA. ToRs must provide sufficient time to conduct heritage studies. Additionally, specialists must be allowed to review the cultural heritage and biological resources sections of EIRs and ESIA to ensure these sections adequately represent the findings and management recommendations made in the technical reports.

The working group also observed that projects are rarely audited by international financial institutions, such as the World Bank Group. Audits need to be conducted regularly to ensure ESIA are comprehensive and that management recommendations proposed by cultural heritage specialists are appropriate, practicable and are implemented. Stronger safeguards also need to be in place to ensure national and local governments and project proponents fully engage LID communities in planning, scoping and implementation of development and conservation projects. It is also imperative they are involved in managing or co-managing their cultural and natural heritage.

The working group recognized the power imbalance between the pressure for economic development and the desire to preserve traditional lifeways and places in many East African countries. These pressures, of course, are not unique to East Africa but are manifested in different ways throughout the globe. Models exist from other developing countries that have more successfully addressed the balance of power between these two objectives. This is a discipline-wide problem that demands cooperation across national boundaries to craft legislative and regulatory language that is adapted to particular situations. Workshop participants pledged to work together as well as solicit other colleagues to join in this effort.

### **Titles of and names of presenters**

Geldenhuys, Coert. Developing Sustainable Resource Use Practices While Maintaining Traditions and Cultural Practices of Rural Users.

Kintu, James. 2022. Construction of an Irrigation Scheme in Oyam District, Northern Uganda.

Lüth, Friedrich. 2022. Geographic Information Systems (GIS) Applications in Cultural Heritage M.

Okeny, Charles. 2022. Development Projects and the Challenges of Undertaking Cultural Heritage Impact Assessments: A case of Kabaale International Airport, Hoima District.

Van Vlaenderen, Hilde and Gerry Wait. 2022. Transnational East African Energy Infrastructure Project.

### **Workshop Facilitators**

Dr. Jeffrey H. Altschul

Dr. Diane L. Douglas

Dr. Ibrahima Thiaw

Dr. Gerry Wait

### **Workshop In-person Participants**

Mr. Menya Abdmagidu

Ms. Catherine Ajiambo

Dr. Coert Geldenhuys

Dr. Elgidius Ichumbaki

Dr. Friedrich Luth

Mr. Chris Ssebuyungo

Dr. Hilde van Vlaenderen

### **Workshop Remote Participants**

Mr. James Kintu

Dr. Charles Kinyera Okeny

Mr. Dismas Ongwen

## Reference Cited

Devex 2022. Top International Contractors working in Africa. [www.devex.com](http://www.devex.com). (Accessed October 10, 2022).

Infrastructure Consortium of Africa. 2022. Primary donors in Africa. <https://www.icafrica.org/en/project-preparation/the-fund-finder/> (Accessed October 10, 2022).