

RES 3.072 Legal aspects of the sustainable use of soils

RECALLING that one of the objectives of the International Union for the Conservation of Nature and Natural Resources (IUCN) since its founding in 1948 was the establishment of laws and treaties for the protection of nature;

RECOGNIZING the important contributions made by IUCN since 1965 towards establishing the field of environmental law;

NOTING the significant and substantial work done by the IUCN Environmental Law Programme (ELP), through the Commission on Environmental Law's Specialist Group on Sustainable Use of Soil in implementing Resolution 2.59 *Legal aspects of the sustainable use of soils* adopted by the 2nd World Conservation Congress (Amman, 2000), in cooperation with the soil science community, for the improvement of environmental law and policy for the sustainable use of soils, particularly in regard to the ecological functions of soil for the conservation of biodiversity and the maintenance of human life, including:

(a) Publication of IUCN Environmental Policy and Law Paper (EPLP) No. 45 – *Legal and Institutional Frameworks for Sustainable Soils*;

(b) Publication in 2004 of EPLP No. 52 – *Drafting Legislation for Sustainable Soils: A Guide*;

(c) Communicating widely the outcomes of the IUCN ELP Sustainable Use of Soil programme among the international environmental law and soil-science communities and receiving substantial support and encouragement for the introduction of a global instrument for the sustainable use of soil; and

(d) Having undertaken the necessary preliminary investigation work to now proceed to the preparation of various options for an international instrument for the sustainable use of soil; and

ACKNOWLEDGING that a specific global environmental law instrument for the sustainable use of soils is now justified;

The World Conservation Congress at its 3rd Session in Bangkok, Thailand, 17–25 November 2004:

1. REQUESTS the IUCN Director General to work with IUCN members to prepare outlines of the various options for a global legal instrument for the sustainable use of soils, as set out in Section 5 of EPLP No. 45, to be considered for implementation by IUCN;

2. REQUESTS the IUCN Director General to continue the effective communication of the outcomes of the Sustainable Use of Soil programme among the environmental law and soil-science communities and to prepare further legal guidelines and explanatory material on the ecological needs of soil and their ecological functions for the conservation of biodiversity and the maintenance of human life, as necessary to support the introduction of a global instrument for sustainable use of soil; and

3. REQUESTS the IUCN Director General to continue efforts with interested and desirous countries for the development of national legislation for sustainable use of soil, in particular working with developing nations on the improvement and reform of their national soil legislation, contributing to institutional capacity building and assisting in the development of national environmental policy and strategies.

The Department of State, United States, provided the following statement for the record:

State and agency members United States voted against this motion.