

4.100 Military activities detrimental to the environment

RECALLING Resolution 19.41 *Armed Conflict and the Environment* adopted by the 19th IUCN General Assembly (Buenos Aires, 1994), Resolution 1.75 *Armed conflict and the Environment* adopted by the 1st IUCN World Conservation Congress (Montreal, 1996), Recommendation V.15 *Peace, Conflict and Protected Areas* noted by the Vth IUCN World Parks Congress (Durban, 2003) and Resolution 3.058 *Military activities and the production, stockpiling and use of weapons that are of detriment to the environment* adopted by the 3rd IUCN World Conservation Congress (Bangkok, 2004);

FURTHER RECALLING Resolution 2.97 *A Marten's Clause for environmental protection* adopted by the 2nd IUCN World Conservation Congress (Amman, 2000), which urged all United Nations Member States to endorse the following policy: "Until a more complete international code of environmental protection has been adopted, in cases not covered by international agreements and regulations, the biosphere and all its constituent elements and processes remain under the protection and authority of the principles of international law derived from established custom, from dictates of the public conscience, and from the principles and fundamental values of humanity acting as steward for present and future generations";

REAFFIRMING the awareness expressed in the *World Charter for Nature* - adopted by the United Nations General Assembly in 1982 - that mankind is part of nature and life depends on the uninterrupted functioning of natural systems;

RECOGNIZING international instruments and provisions to protect the environment during armed conflict, referring in particular to the Geneva Conventions, the Rome Statute of the International Criminal Court, the Convention on the Prohibition of the Development, Production and Stockpiling and Use of Chemical Weapons and on their Destruction, the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction, and the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May be Deemed Excessively Injurious or to Have Indiscriminate Effects;

RECALLING Resolution 62/41 *Implementation of the Convention on the Prohibition Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction* and Resolution 62/99 *Assistance in mine action* adopted by the 62nd Session of the United Nations General Assembly (UNGA);

FURTHER RECALLING that the UN's International Law Commission continues its work on a set of 14 draft articles on the 'Effects of armed conflicts on treaties';

WELCOMING the adoption of the Convention on Cluster Munitions (Dublin, 2008); and

STRONGLY AWARE of the fact that armed conflict, the use of chemical weapons, and the use of anti-personnel mines can inflict great humanitarian harm;

The World Conservation Congress at its 4th Session in Barcelona, Spain, 5-14 October 2008:

1. URGES IUCN members to recognize, that besides being directly detrimental to the welfare of human beings, the use of chemical weapons and anti-personnel mines may cause negative impacts on fauna and flora, and limit access to land, thus disrupting the ability to cultivate crops, grow livestock, access game populations and stimulate economic activity;
2. RECOGNIZES with appreciation, those states who have undertaken the measures necessary to avoid, as far as possible the negative impacts of chemical weapons and anti-personnel mines, including through the destruction of such weapons; and
3. URGES non-party states to sign and ratify all relevant treaties, especially the newly adopted Convention on Cluster Munitions;

In addition, the World Conservation Congress, at its 4th Session in Barcelona, Spain, 5-14 October 2008, provides the following guidance concerning implementation of the IUCN Programme 2009-2012:

4. REQUESTS the Director General to:

- (a) ensure, as appropriate, that IUCN expresses its position to the representatives of states participating in negotiations pertaining to military activities detrimental to the environment; and
- (b) report to the 5th IUCN World Conservation Congress on which states are endorsing the policy laid out in Resolution 2.97 adopted by the 2nd Congress.

State and agency members of the United States refrained from engaging in deliberations on this motion and took no national government position on the motion as adopted for reasons given in the U.S. General Statement on the IUCN Motions Process.