**Explanation of phrases, concepts and terms included in Recommendation 102/2016**

**WCC-2016-Rec-102-EN Protected areas and other areas important for biodiversity in relation to environmentally damaging industrial activities and infrastructure development**

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| Phrase | Explanation | Supplementary resources |
| “the six IUCN Protected Area Management Categories”  [Operative Para 1] | IUCN recognizes that protected areas can be classified according to their management objectives into six management categories (Categories I-VI). These range from strict protection in Category I to a situation in Category VI where low intensity uses that are compatible with the overall conservation objective may be permitted | **Reference and further guidance:**  Dudley, N. (2008) Guidelines for Applying Protected Area Management Categories, IUCN, Gland.  Link |
| “four Governance Types”  [Operative Para 1] | IUCN recognizes that the governance of protected areas varies according to whom has the authority to make decisions about protected areas. Four types are recognized, including governance by governments, governance by private actors, governance by Indigenous Peoples or local communities, and shared governance arrangements (combinations of the other three) | **Reference and further guidance:**  Borrini-Feyerabend, G., Dudley, N., Jaeger, T., Lassen, B., Broome, N. P., Phillips, A. and Sandwith, T. (2013) Governance of Protected Areas: From understanding to action, IUCN, Gland.  Link |
| Target 11 of the Strategic Plan for Biodiversity 2011-2020  [Operative Para 1] | Parties to the Convention on Biological Diversity adopted Decision X/2 regarding the Strategic Plan for Biodiversity 2011-2020 including its 20 Aichi Targets. Target 11 on Protected Areas sets the following target: “*By 2020, at least 17 per cent of terrestrial and inland water areas, and 10 per cent of coastal and marine areas, especially areas of particular importance for biodiversity and ecosystem services, are conserved through effectively and equitably managed, ecologically representative and well connected systems of protected areas and other effective area-based conservation measures, and integrated into the wider landscapes and seascapes.”* | Convention on Biological Diversity Decision X/2  Link |
| “IUCN’s existing resolutions and recommendations”  [Operative Para 1] | For completeness, the specific resolutions and recommendations that address similar topics include the following. The present Resolution seeks to collate the main principles and application of these resolutions in a more comprehensive way, without diminishing the agency of the existing suite of resolutions.  Resolution 1.51 Indigenous Peoples, Mineral and Oil Extraction, Infrastructure and Development Works (Montreal, 1996);  Resolution 2.34 Multilateral and bilateral financial institutions and projects impacting on biodiversity and natural features (Amman 2000);  Recommendation 2.82 Protection and conservation of biological diversity of protected areas from the negative impacts of mining and exploration (Amman, 2000);  Recommendation 3.087 Financial institutions and the World Commission on Dams recommendations (Bangkok, 2004);  Recommendation 4.087 Impacts of infrastructure and extractive industries on protected areas (Barcelona, 2008); Resolution 4.088 Establishing the IUCN Extractive Industry Responsibility Initiative (Barcelona, 2008); Recommendation .136 Biodiversity, protected areas, indigenous people and mining activities (Barcelona, 2008) | All of IUCN’s existing Resolutions and Recommendations can be accessed here:  Link  The resolutions referred to here are hyperlinked directly to the relevant location in the database. |
| “environmentally damaging”  [Operative Para 1] | In other words, that have a (significant) negative impact on the value or objectives of a protected area, its biological, cultural or economic value, including the components of biodiversity, the operation and productivity of ecosystem services, either *prime facie*, or as identified through an environmental impact assessment |  |
| “industrial activities and infrastructure projects”  [Operative Para 1] | The scope and application of these are defined in the preamble of the resolution as “**including** mining, oil and gas, and agriculture, and environmentally damaging infrastructure, such as dams, roads and pipelines”. The context of the phrase implies any industrial or infrastructure activity with the potential to be “environmentally damaging”. In some jurisdictions, environmental regulations prescribe activities that are the subject of regulation.  The list of activities is derived mainly from those identified in the previous resolutions, and the current resolution is intended to bring these together in one more comprehensive form. The precedents come from:  **Resolution 2.34**  extractive industries (e.g. oil, gas, mining, and timber operations) and infrastructure projects (e.g. hydroelectric projects and road building)  **Resolution 2.82**   * mining and mineral exploration activities worldwide * exploration and extraction of mineral resources   From 2010-Res-090: exploration and exploitation of unconventional fossil fuels, including, inter alia, shale gas, tight gas coal seam gas, coal liquefaction and coal gasification  **Resolution 4.087**   * a range of large-scale infrastructure projects such as major dams, energy plants, highways, ports and airports as well as from extractive industries including mining, oil and gas, industrial fishing and extensive aquaculture, and industrial logging; * activities that result in diversion, pollution and contamination, intrusion, disruption, submergence, dumping, discharge of effluents, drilling, or other processes that impair their ecological integrity |  |
| “relevant recommendations of the IUCN World Parks Congress 2014”  [Operative Para 1] | The IUCN World Parks Congress is convened by IUCN at intervals of approximately ten years. The last WPC was convened in Sydney, Australia where the Promise of Sydney was declared and recommendations regarding approaches for achieving the Promise of Sydney were compiled by 8 streams and 4 cross-cutting themes. In several instances there were calls for the adoption of “no go policies” regarding protected and conserved areas. For example, see….  The recommendations do not carry the weight of decisions, and the present resolution can be regarded as a response, in part to recommendations of the WPC. | All of the recommendations emanating from the IUCN World Parks Congress 2014 can be found here:  Promise of Sydney |
| “located in, around, or otherwise negatively affecting”  [Operative Para 1] | In this resolution, the geographic scope of concern relates to any negative impact on protected areas, and so the scope of activities is **extended beyond** activities taking place in protected areas, to those around them, or that have negative impacts on them. |  |
| “impede achievement of the Strategic Plan for Biodiversity 2011-2020 and the Aichi Targets, as well as the United Nation’s Sustainable Development Goals”  [Operative Para 2] | The Strategic Plan for Biodiversity 2011-2020 (agreed 2010) and the UN Sustainable Development Goals (SDGs) (agreed 2015) post-date the suite of IUCN resolutions referred to above. This phrase seeks to invoke the relationship between the integrity of protected areas, and avoiding negative impacts on them, with the achievement of these goals. There are several Aichi Biodiversity Targets and SDGs that depend on the integrity of protected areas for their achievement. For example, Aichi Target 12 that focuses on preventing species extinctions and improving the status of those species most in decline. Negative impacts on protected areas will reduce the likelihood of achieving the Strategic Plan, the Aichi Targets and SDGs. | Link to Strategic Plan  Link to SDG |
| “CALLS ON governments to prohibit”  [Operative Para 3] | Governments have the legal and regulatory authority to constrain activities. In this resolution, which repeats a call made in Resolution 2.82, governments are requested to prohibit these activities in protected areas. Many governments already have laws that do not allow these activities in protected areas, or that prescribe environmental impact assessment to determine whether negative impacts will occur. This clause suggests that governments should in the first instance not allow these activities at all. |  |
| “in all IUCN categories of protected area”  [Operative Para 3] | This extends the call for prohibition in Resolution 2.82 to apply to all protected areas, whatever the IUCN Category. In Resolution 2.82, the call was for prohibition in Categories I-IV, whereas for Categories V-VI, environmental impact assessment was required to determine whether the activity was compatible with the objectives of the protected area. The intention of the current operative paragraph is to strengthen the insistence that all activities that have negative impacts should be prohibited. |  |
| “to take measures to ensure that all activities are compatible with the conservation objectives of these areas”  [Operative Para 3] | This extends the a priori test of “environmentally damaging” to call for a test of **compatibility** with the objectives of a protected area. To comply with IUCN’s definition of a protected area, the area must “achieve the long-term conservation of nature with associated ecosystem services and cultural values”. The conservation objectives of any particular area can be further specified by identifying the specific components of nature and associated ecosystem services and cultural values that are being conserved. The test of compatibility would be applied to these specific objectives through the measures identified in this paragraph. |  |
| “appropriate, transparent and rigorous pre-emptive appraisal processes, such as international best practice environmental and social impact assessments, strategic environmental assessments, and appropriate regulation”  [operative para 3] | In many jurisdictions, regulations require that appraisal and assessment processes are undertaken prior to any activity being conducted, and so this is not a novel request. This paragraph sets out some examples of these, leaving it to the authorities to determine what is appropriate. Applying these processes would be the first step in determining whether there is an impact on the objectives/values of the protected area, and what the magnitude, duration and significant of the impact would be as an input into further decision-making. |  |
| “avoiding .. activities…that impact sacred natural sites”  [Operative Para 4] | IUCN defines sacred natural sites “as areas of land or water having **special spiritual significance to peoples and communities.**” (Wild and McLeod, 2008). In accordance with their spiritual beliefs, many traditional communities throughout the world have given a special status to natural sites such as mountains, volcanoes, rivers, lakes, springs, caves, forest groves, ponds, coastal waters and entire islands. The reasons for their sacredness are diverse. They may be perceived as abodes of deities and ancestral spirits; as sources of healing water and medicinal plants; places of contact with the spiritual realm, or communication with a “more-than-human” reality; and sites of revelation and transformation. They are sometimes the burial grounds of ancestors, places of pilgrimage, the locale of a temple, shrine or church, or sites associated with special events, saints and spiritual leaders. The implication is that not only is the site’s sacred value of concern, but also the values held by the custodians and stakeholders of these sites. | **Reference and further reading:**  Wild, R. and McLeod, C. (Editors) (2008). Sacred Natural Sites: Guidelines for Protected Area Managers. Best Practice Guideline Series No. 16. Gland, Switzerland: IUCN. |
| “and territories and areas conserved by indigenous peoples and local communities (ICCAs)”  [Operative Para 4] | IUCN’s governance types are associated with the main actors involved in the conservation of an area. In the case of governance by indigenous peoples and local communities, the area can be considered to be an ICCA when:   * an indigenous people or local community possesses a close and profound relation with a site (territory, area or habitat); * the people or community are the major players in decision-making related to the site and have de facto and/or de jure capacity to develop and enforce regulations * the people’s or community’s decisions and efforts lead to the conservation of biodiversity, ecological functions and associated cultural values, regardless of original or primary motivations.   It follows that the purpose is to avoid negative impacts on these areas, using the same suite of regulatory or assessment processes identified in Operative Para 3. | **Reference and further guidance:**  Borrini-Feyerabend, G. and Hill, R. (2015) ‘Governance for the  conservation of nature’, in G. L. Worboys, M. Lockwood, A.  Kothari, S. Feary and I. Pulsford (eds) Protected Area Governance  and Management, pp. 169–206, ANU Press, Canberra. |
| “noting the ICCA Registry maintained by the UNEP World Conservation Monitoring Centre”  [Operative Para 4] | The World Database on Protected Areas, managed jointly by IUCN and UNEP’s World Conservation Monitoring Centre (UNEP-WCMC), seeks to record all protected areas globally. The inclusion of ICCAs in the WDPA (through a specific ICCA Registry) is governed by a number of key considerations including whether the affected community agrees to its inclusion through the application of their “free, prior and informed consent” in accordance with the UN Declaration on the Rights of Indigenous Peoples. | Link to Registry and to WDPA |
| “not to de-gazette, downgrade or alter the boundaries”  [Operative Para 5] | The implication is that it is not appropriate to reverse the act of proclamation of a protected area, or to downgrade its protected status or its IUCN category, or alter the boundaries, e.g. by excising an area previously included within the proclaimed boundary, to facilitate the conduct of an activity that would not be allowed in the area. | Link to definitions of degazette, downgrade etc |
| “when preparing development plans and plans for infrastructure, to adopt and implement policies that restrict environmentally damaging industrial activities and infrastructure development”  [Operative Para 6] | This can be interpreted as requesting authorities to anticipate at the **planning stage** of development and infrastructure activities any future negative impacts on protected areas and to try to place such activities in areas that avoid the risk of negative impacts. In many jurisdictions, spatial development frameworks and planning processes require the specific identification of areas that are not appropriate for particular kinds of activities, and so that approved plans pre-empt the risks emerging over time. This pre-emptive avoidance can also be applied to sectoral development plans (e.g. for housing, transport, water supplies, communications) seeking to harmonize planning within and across development sectors, also ensuring that environmental impacts do not create new risks for the development sector itself (e.g. damaging a watershed through poor agricultural planning could undermine water resource management). |  |
| “or on any areas of particular importance for biodiversity and ecosystem services that are identified by governments as essential to achieving the Aichi Targets”  [Operative Paragraph 6] | Aichi Target 11 requires Parties to the Convention on Biological Diversity to conserve “areas of particular importance for biodiversity and ecosystem services” to achieve ecologically representative systems of protected areas. In many countries, conservation planning exercises and gap analyses have been conducted to identify precisely which areas are required. Through their reports to the CBD, Parties have indicated their intent to conserve these areas, often in the form of road maps for future conservation action. While these processes of proclamation are pending, this paragraph is requesting governments not to defeat their stated intent/commitments by allowing activities that would negatively impact these areas to take place. In many cases, the areas concerned are irreplaceable and cannot be substituted by locating protected areas in alternative sites. The IUCN Congress has adopted a new standard for the identification of Key Biodiversity Areas that provides definitive guidance on which areas are essential (of particular importance) for the persistence of biodiversity. Where a national analysis of KBAs has been conducted the result could be used to guide application of this request. | Link to KBA Standard |
| “CALLS ON the business community to respect all categories of protected areas as “no-go” areas”  [Operative Para 7] | As a result of IUCN Resolution 2.82 several industry bodies, companies and investment institutions have instituted voluntary “no go” commitments to avoid conducting activities in World Heritage Sites and in Protected Areas (sometimes referring only to Category I-IV protected areas). Acknowledging this contribution, this Paragraph calls on the business community to apply voluntary no-go policies more broadly, and to apply them to all categories of protected areas without exception. | Provide links to some no go commitments |
| “to withdraw from those activities in these areas, and not to conduct future activities in protected areas”  [Operative Para 7] | Taking the concept of voluntary no-go commitments a step further, the resolution calls for the voluntary withdrawal of existing activities in protected areas, and strengthens the request not to continue with or plan future activities that have negative environmental impacts on these areas. |  |
| “URGES companies, public sector bodies, financial institutions (including development banks), relevant certification bodies and relevant industry groups to not conduct, invest in or fund environmentally damaging industrial activities and infrastructure development  [Operative Para 8] | Extending the provisions of Resolution 2.34, this Paragraph further defines the kinds of institutions that should apply no-go commitments, and specifically not to invest in or fund relevant activities. Many financial and public sector bodies already apply social and environmental safeguards as part of their decision-making processes, and this Paragraph is intended to help them to define more closely which activities should not be the subject of investment. The scope of application is similarly extended beyond World Heritage Sites, and Category I-IV Protected Areas to include all protected areas, and all areas of particular importance (KBAs) |  |

**TEXT OF THE RECOMMENDATION**

**WCC-2016-Rec-102-EN Protected areas and other areas important for biodiversity in relation to environmentally damaging industrial activities and infrastructure development**

NOTING that we share a universal responsibility for protecting Earth's vitality, variety and beauty;

RECALLING the following Resolutions and Recommendations, which address the negative impacts of environmentally damaging industrial activities and infrastructure development projects in, on, or otherwise affecting protected areas: Resolution 1.51 Indigenous Peoples, Mineral and Oil Extraction, Infrastructure and Development Works (Montreal, 1996), Resolution 2.34 Multilateral and bilateral financial institutions and projects impacting on biodiversity and natural features (Amman 2000), Recommendation 2.82 Protection and conservation of biological diversity of protected areas from the negative impacts of mining and exploration (Amman, 2000), Recommendation 3.087 Financial institutions and the World Commission on Dams recommendations (Bangkok, 2004), Recommendation 4.087 Impacts of infrastructure and extractive industries on protected areas (Barcelona, 2008), Resolution 4.088 Establishing the IUCN Extractive Industry Responsibility Initiative (Barcelona, 2008) and Recommendation 4.136 Biodiversity, protected areas, indigenous people and mining activities (Barcelona, 2008);

RECALLING relevant recommendations of the IUCN World Parks Congress 2014, including the call to apply “no-go” policies to priority conservation sites for environmentally damaging industrial activities and infrastructure, the recommendation that protected areas should progress and not regress, and that a step increase is necessary in the scale of protected area investment to deliver conservation goals;

RECALLING the request by IUCN members "to assert 'No-Go Areas' for mining and other extractive industries and destructive activities threatening World Heritage Sites, and protected areas, including ICCAs and sacred natural sites and territories" (Plenary Resolution #12, 10th World Wilderness Congress, 2013);

RECOGNISING that there are six IUCN Protected Areas Management Categories and four Governance Types[[i]](https://portals.iucn.org/congress/motion/026#_edn1) and these identify activities and infrastructure consistent with IUCN’s Guidelines for Applying Protected Area Management Categories;

RECOGNISING that the concept of areas being “no-go”, or off-limits, to environmentally damaging industrial activities, including  mining, oil and gas, and agriculture, and environmentally damaging infrastructure, such as dams, roads and pipelines, is integral to conservation policy for protected areas and other sites of known importance for biodiversity and ecosystem services;

RECOGNISING the adoption of the Strategic Plan for Biodiversity 2011-2020 and its Aichi Biodiversity Targets, and the findings of Global Biodiversity Outlook 4 that the loss of biodiversity continues despite these efforts;

ALSO RECOGNISING the adoption in 2015 of the UN Sustainable Development Goals, and the essential role that protected areas and other areas of particular importance for biodiversity continue to play in achieving many of these goals;

FURTHER RECOGNISING the 2015 Paris Agreement on Climate Change, and the essential part played by protected areas and other effective area-based conservation measures to achieve climate change adaptation and mitigation;

ACKNOWLEDGING the decisions of the World Heritage Committee that environmentally damaging industrial activities and infrastructure developments are incompatible with World Heritage status, and the responsibility of States Parties to avoid negative impacts on World Heritage Sites from such activities outside their boundaries (e.g. Decisions 39COM7A.4 and 34COM7A.2);

CONCERNED by the continued rapid growth of environmentally damaging industrial activity and infrastructure development that causes irreparable damage, and that impacts directly or indirectly on protected areas and other areas of particular importance for the conservation of biodiversity identified as essential to achieving the Aichi Targets;

RECOGNISING the development of conservation-based business practices, including International Finance Corporation Performance Standard 6 on Biodiversity Conservation and Sustainable Management of Living Natural Resources; and

STRESSING that many governments still do not have adequate laws, policies and measures in place to ensure the integrity of protected areas, as well as other areas of particular importance for the conservation of biodiversity or ecosystem services essential to achieving the Aichi Targets, so that they are not compromised by environmentally damaging industrial activities and infrastructure development;

The World Conservation Congress, at its session in Hawai‘i, United States of America, 1-10 September 2016:

1. REAFFIRMS the six IUCN Protected Area Management Categories and four Governance Types (Resolution 035 Facilitating protection through the establishment of protected areas as specified by Target 11 of the Strategic Plan for Biodiversity 2011–2020, Jeju, 2012) and the importance and relevance of IUCN’s existing resolutions and recommendations regarding environmentally damaging industrial activities and infrastructure projects located in, around or otherwise negatively affecting any protected areas;

2. RECOGNISES that environmentally damaging industrial activities and infrastructure impede achievement of the Strategic Plan for Biodiversity 2011-2020 and the Aichi Targets, as well as the United Nation’s Sustainable Development Goals;

3. CALLS ON governments to prohibit environmentally damaging industrial activities and infrastructure development in all IUCN categories of protected area, and to take measures to ensure that all activities are compatible with the conservation objectives of these areas, through appropriate, transparent and rigorous pre-emptive appraisal processes, such as international best practice environmental and social impact assessments, strategic environmental assessments, and appropriate regulation;

4. FURTHER CALLS ON governments, decision makers, community and private landowners to give high priority to avoiding environmentally damaging industrial activities and infrastructure development that impact sacred natural sites and territories and areas conserved by indigenous peoples and local communities (ICCAs), noting the ICCA Registry maintained by the UNEP World Conservation Monitoring Centre. The aim is to ensure that all activities are compatible with the conservation outcomes of these areas through appropriate, transparent and rigorous pre-emptive appraisal processes, such as international best practice environmental and social impact assessments, and via free, prior and informed consent, in line with the UN Declaration on the Rights of Indigenous Peoples;

5. CALLS ON governments not to de-gazette, downgrade or alter the boundaries of all categories of protected areas to facilitate environmentally damaging industrial activities and infrastructure development;

6. CALLS ON governments and relevant authorities when preparing development plans and plans for infrastructure, to adopt and implement policies that restrict environmentally damaging industrial activities and infrastructure development that may have negative impacts on protected areas, or on any areas of particular importance for biodiversity and ecosystem services that are identified by governments as essential to achieving the Aichi Targets;

7. CALLS ON the business community to respect all categories of protected areas as “no-go” areas for environmentally damaging industrial activities and infrastructure development, to withdraw from those activities in these areas, and not to conduct future activities in protected areas; and

8. URGES companies, public sector bodies, financial institutions (including development banks), relevant certification bodies and relevant industry groups to not conduct, invest in or fund environmentally damaging industrial activities and infrastructure development within, or that negatively impact protected areas or any areas of particular importance for biodiversity and ecosystem services that are identified by governments as essential to achieving the Aichi Targets, and to make public commitments to this effect.