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CONVENTION CONCERNING THE PROTECTION OF THE WORLD CULTURAL
AND NATURAL HERITAGE

BUREAU OF THE WORLD HERITAGE COMMITTEE

Twenty-third extraordinary session
Marrakesh, Morocco
26 - 27 November 1999

**Item 4 of the Provisional Agenda: State of conservation of properties inscribed on the
World Heritage List - World Heritage and Mining**

SUMMARY

The « World Commission on Protected Areas (WCPA) Position Statement on Mining and Associated Activities in Relation to Protected Areas », which was welcomed by the IUCN Council on 27 April 1999 (see ANNEX I) was presented to the twenty-third ordinary session of the Bureau in July 1999. The Chairperson requested the World Heritage Centre to submit the WCPA Position Statement as a working document to the twenty-third session of the World Heritage Committee and its Bureau. In addition to providing a copy of the WCPA Position Statement in Annex I, this document provides a summary of past discussions and suggests a process for the development of general principles relating to World Heritage and mining.

Action by the Bureau : The Bureau may wish to review this document and recommend the Committee to:

- (a) take note of the document in light of its deliberations on threats and potential threats from mining to specific World Heritage properties,
- (b) recognise that there may possibly be additional issues and problems that are specific to the management of World Heritage sites facing ascertained and potential impacts from mining projects;
- (c) request the Centre to co-operate with interested UNESCO units, the advisory bodies, UN agencies (such as the UNEP Division of Technology, Industry and Economics in Paris), other concerned agencies and representatives from interested States Parties to the Convention, to organise a technical meeting to analyse case studies on World Heritage and mining during global events already planned for the year 2000 (e.g. the IUCN World Conservation Congress due to be held in Amman, Jordan, in October 2000), and develop recommendations for review and discussion by the twenty-fourth session of the Committee.

Background to this document

1998

At the twenty-second session of the Bureau (June 1998) the former Chairperson, Professor Francioni, recommended the establishment of an informal contact group on mining and World Heritage sites during the annual sessions of the Committee and the Bureau.

The Centre and IUCN informed the Bureau at its twenty-second extraordinary session (Kyoto, November 1998) that a dialogue with the mining industry had commenced. The Bureau noted that the Centre, IUCN and ICOMOS were invited by the International Council on Metals and the Environment (ICME) to a working session on "Mining and Protected Areas and other Ecologically Sensitive Sites" on 20 October 1998 in London, UK. The Bureau also learnt that IUCN's World's Commission on Protected Areas (WCPA) had prepared a "Draft policy on mining and protected areas"¹ which was being reviewed within the WCPA network.

The Committee at its twenty-second session (Kyoto, December 1998) noted that the Bureau's decision reflected the suggestion to establish an informal contact group on mining and World Heritage and that the WCPA "Draft Policy on Mining and Protected Areas" will be circulated. As requested by the Bureau and Committee, IUCN transmitted to the Centre the "Position Statement on Mining and Associated Activities in Relation to Protected Areas" issued by the World Commission of Protected Areas (WCPA). The WCPA Position Statement had been made available, as requested by the Bureau and Committee sessions at Kyoto (December 1998), at the twenty-third session of the Bureau as Information Document WHC-99/CONF.204/INF.14.

1999

The Bureau at its twenty-third session took note of the "WCPA Position Statement on Mining and Associated Activities in Relation to Protected Areas" (see ANNEX I). The Bureau also learnt of further initiatives, including a meeting between the Centre and UNEP staff, which was held at UNESCO Headquarters on 12 April 1999 to discuss collaboration in the field of management of World Heritage sites in relation to mining and mining tailings. The following areas of possible collaboration between UNEP's Division of Technology, Industry and Economics and the World Heritage Centre were identified:

- participation of UNEP at the forthcoming sessions of the Bureau and Committee
- participation of UNEP at meetings of the ad-hoc Study Group on Mining and World Heritage which the Chairperson of the World Heritage Committee may wish to convene
- UNEP to keep World Heritage Centre informed of its work relating to the management of mine tailings and possibly be involved in the case of DoTMana National Park, Spain
- UNEP to involve the Centre in its work relating to abandoned mine sites
- World Heritage Centre to submit an article to UNEP's journal *Industry and Environment*

¹ Renamed to: WCPA Position Statement on Mining and Associated Activities in Relation to Protected Areas

- World Heritage Centre and UNEP to develop case studies on World Heritage and mining for curriculum development and training purposes
- Information exchange and input into on-line Mineral Resources Forum

At the twenty-third session of the Bureau, the Chairperson noted that the Bureau may wish to reflect on the relevance of WCPA's Position Statement in the light of its deliberations on mining threats to specific sites, whose state of conservation were reported during the twenty-third ordinary session of the Bureau. He suggested that the WCPA Position Statement be submitted as a working document to the twenty-third session of the Committee (Marrakesh, Morocco, November/December 1999).

IUCN reported that WCPA is one of the six commissions of IUCN. It has more than 1,400 members in 140 countries. The Position Statement on Mining has been developed within the WCPA network. Mining is a key issue in many countries and this statement has been developed for the world's protected areas in general, rather than World Heritage sites specifically. However, the principles in the Position Statement are equally applicable. The aims of the statement are (a) to provide a clear position with regard to mining and protected areas and a global framework statement which recognises that clear rules are easier to understand and to defend than ones which depend too much on interpretation; (b) to provide a framework for countries to consider and adapt as needed in local circumstances; (c) to set a framework based on the IUCN protected area categories system which is focused on the objectives of protected area management. Finally, it has to be noted that mining is not considered to be compatible with any of the Categories I to IV, and for V to VI only under certain conditions. IUCN is prepared to continue consultations on this issue, including with the mining industry and its Council on Metals and the Environment (ICME).

At the meeting with the Advisory Bodies (UNESCO, Paris, 29 September 1999) a discussion took place on the Position Statement. The Director of the Division of Ecological Sciences expressed his interest in a collaboration, as this issue concerns both World Heritage sites and Biosphere Reserves. It was noted that it would simply not be possible or advisable to establish a general policy relating to mining and World Heritage. A more useful and practical approach would be to develop an analytical case by case approach leading to the derivation of general principles. IUCN recalled that the WCPA Position Statement, developed by a network of experts, was not intended to be a framework or general policy for World Heritage or Biosphere Reserves and mining. ICOMOS stated that the cultural dimensions of mining should also be considered. The protection of cultural sites whose values derive from prehistoric or historic mining activities is not the subject of this document or of any follow up activities that may be undertaken to enable the elaboration of a set of principles to guide the Committee's decision - making on ascertained and potential impacts of mining projects on World Heritage sites. Other UNESCO Divisions, such as the Division of Earth Sciences, and the Division of Engineering Sciences and Technology have also expressed an interest to contribute to the discussions on World Heritage and mining.

Action by the Bureau : The Bureau may wish to review this document and recommend the Committee to:

- (a) take note of the document in light of its deliberations on threats and potential threats from mining to specific World Heritage properties,**
- (b) recognise that there may possibly be additional issues and problems that are specific to the management of World Heritage sites facing ascertained and potential impacts from mining projects;**

(c) request the Centre to co-operate with interested UNESCO units, the advisory bodies, UN agencies (such as the UNEP Division of Technology, Industry and Economics in Paris), other concerned agencies and representatives from interested States Parties to the Convention and representatives of the mining industry, to organise a technical meeting to analyse case studies on World Heritage and mining during global events already planned for the year 2000 (e.g. the IUCN World Conservation Congress due to be held in Amman, Jordan, in October 2000), and develop recommendations for review and discussion by the twenty-fourth session of the Committee.

WCPA POSITION STATEMENT ON MINING AND ASSOCIATED ACTIVITIES IN RELATION TO PROTECTED AREAS

(Welcomed by IUCN Council on 27 April 1999)

Introduction

This position statement is put forward as a global framework statement which recognises that clear rules are easier to understand and defend than ones which depend too much on interpretation. It is considered more appropriate to provide clear global guidance in a statement such as this and leave it to countries to consider what adaptations are needed in local circumstances. This statement defines the position of IUCN's World Commission on Protected Areas (WCPA) towards mining² and associated activities in and adjacent to protected areas². WCPA is the world's largest network of protected area professionals with 1,300 members in 140 countries. This position statement acknowledged the increasing application of "best practices" environmental approaches and lower impact technology within the mining industry as well as examples of support for conservation activities. However, WCPA also notes that exploration and extraction of mineral resources can have serious long-term consequences on the environment.

WCPA has developed this position statement based on what it believes to represent best practice in respect of mining and protected areas. The guiding principle adopted in this statement is that any activity within a protected area has to be compatible with the overall objectives of the protected area. For this reason, this statement is based on the IUCN Protected Area Management Categories, which reflect management objectives focused on the protection and maintenance of biodiversity and associated natural and cultural values.

The IUCN category system is being increasingly recognised and applied around the world. A summary of the protected area categories is attached. The position statement relates to protected areas, which are one part of a spectrum of land use. This statement thus needs to be considered in the context of broader efforts on the part of the mining industry, conservation groups, governments and others to promote ecologically sustainable development on the part of the mining industry.

The process for preparing this position statement has involved: (a) preparation of a draft statement; (b) wide circulation of the draft to a range of different stakeholders; (c) consideration of comments and amendments; and (d) review by the IUCN Council before adoption by WCPA.

Position Statement

WCPA (The World Commission on Protected Areas) believes:

² The term mining in this position statement describes all forms of mineral, salt and hydrocarbon extraction

² IUCN defines (IUCN 1994) protected area as "an area of land and/or sea especially dedicated to the protection and maintenance of biological diversity, and of natural and associated cultural resources, and managed through legal or other effective means"

1. A comprehensive approach to planning should be adopted where possible to establish an adequate and representative protected area system set within the broader landscape. Assessment should be based on good science including assessments of natural and mineral values. This is particularly relevant to the establishment of new protected areas.
2. Exploration and extraction of mineral resources are incompatible with the purposes of protected areas corresponding to IUCN Protected Area Management Categories I to IV, and should therefore be prohibited by law or other effective means.
3. In Categories V and VI, exploration and minimal and localised extraction is acceptable only where this is compatible with the objectives of the protected area and then only after environmental impact assessment (EIA) and subject to strict operating, monitoring and after use restoration conditions. This should apply "best practices" environmental approaches.
4. That should exploration be permitted in category V and VI, an EIA should be required following such exploration before extraction is permitted. Approval for exploration should not imply automatic approval for extraction.
5. Proposed changes to the boundaries of protected areas, or to their categorisation, to allow operations for the exploration or extraction of mineral resources should be subject to procedures at least as rigorous as those involved in the establishment of the protected area in the first place. There should also be an assessment of the impact of the proposed change on the ability to meet the objectives of the protected area.
6. Exploration and extraction of mineral resources, and associated infrastructure, which are outside of, but negatively affecting the values for which protected areas were established should be subject to EIA procedures which consider, *inter alia*, the immediate and cumulative effects of the activity on the protected area, recommend operating and after use conditions, and ensure that the values of the protected areas are safeguarded.
7. In recognising the important contribution the mining industry can play, opportunities for co-operation and partnership between the mining industry and protected area agencies should be strongly encouraged. Collaboration with the mining industry should focus on securing respect and support for this position statement; broadening the application of best environmental practice for mining activity; and exploring areas of mutual benefit.

ANNEX

CATEGORY I **Strict Nature Reserve/Wilderness Area: protected area managed mainly for science or wilderness protection**

CATEGORY Ia **Strict Nature Reserve: protected area managed mainly for science**

Definition

Area of land and/or sea possessing some outstanding or representative ecosystems, geological or physiological features and/or species, available primarily for scientific research and/or environmental monitoring.

Objectives of Management

- to preserve habitats, ecosystems and species in as undisturbed a state as possible;
- to maintain genetic resources in a dynamic and evolutionary state;
- to maintain established ecological processes;
- to safeguard structural landscape features or rock exposures;
- to secure examples of the natural environment for scientific studies, environmental monitoring and education, including baseline areas from which all avoidable access is excluded;
- to minimise disturbance by careful planning and execution of research and other approved activities; and
- to limit public access.

Guidance for Selection

- The area should be large enough to ensure the integrity of its ecosystems and to accomplish the management objectives for which it is protected.
- The area should be significantly free of direct human intervention and capable of remaining so.
- The conservation of the area's biodiversity should be achievable through protection and not require substantial active management or habitat manipulation (c.f. Category IV).

Organizational Responsibility

Ownership and control should be by the national or other level of government, acting through a professionally qualified agency, or by a private foundation, university or institution which has an established research or conservation function, or by owners working in cooperation with any of the foregoing government or private institutions. Adequate safeguard and controls relating to long-term protection should be secured before designation. International agreements over areas subject to disputed national sovereignty can provide exceptions (e.g. Antarctica).

Equivalent Category in 1978 System

Scientific Reserve / Strict Nature Reserve

CATEGORY Ib Wilderness Area: protected area managed mainly for wilderness protection

Definition

Large area of unmodified or slightly modified land, and/or sea, retaining its natural character and influence, without permanent or significant habitation, which is protected and managed so as to preserve its natural condition.

Objectives of Management

- to ensure that future generations have the opportunity to experience understanding and enjoyment of areas that have been largely undisturbed by human action over a long period of time;
- to maintain the essential natural attributes and qualities of the environment over the long term;
- to provide for public access at levels and of a type which will serve best the physical and spiritual well-being of visitors and maintain the wilderness qualities of the area for present and future generations; and
- to enable indigenous human communities living at low density and in balance with the available resources to maintain their life style.

Guidance for Selection

- The area should possess high natural quality, be governed primarily by the forces of nature, with human disturbance substantially absent and be likely to continue to display those attributes if managed as proposed.
- The area should contain significant ecological, geological, physiogeographic, or other features of scientific, educational, scenic or historic value.
- The area should offer outstanding opportunities for solitude, enjoyed once the area has been reached, by simple, quiet, non-polluting and non-intrusive means of travel (i.e. non-motorised).
- The area should be of sufficient size to make practical such preservation and use.

Organizational Responsibility

As for Sub-Category Ia.

Equivalent Category in 1978 System

This sub-category did not appear in the 1978 system, but has been introduced following the IUCN General Assembly Resolution (16/34) on Protection of Wilderness Resources and Values, adopted at the 1984 General Assembly in Madrid, Spain.

CATEGORY II National Park: protected area managed mainly for ecosystem protection and recreation

Definition

Natural area of land and/or sea, designated to (a) protect the ecological integrity of one or more ecosystems for present and future generations, (b) exclude exploitation or occupation inimical to the purposes of designation of the area and (c) provide a foundation for spiritual, scientific, educational, recreational and visitor opportunities, all of which must be environmentally and culturally compatible.

Objectives of Management

- to protect natural and scenic areas of national and international significance for spiritual, scientific, educational, recreational or tourist purposes;
- to perpetual, in as natural a state as possible, representative examples of physiographic regions, biotic communities, genetic resources, and species, to provide ecological stability and diversity;
- to manage visitor use for inspirational, educational, cultural and recreational purposes at a level which will maintain the area in a natural or near natural state;
- to eliminate and thereafter prevent exploitation or occupation inimical to the purposes of designation;
- to maintain respect for the ecological, geomorphologic, sacred or aesthetic attributes which warranted designation; and
- to take into account the needs of indigenous people, including subsistence resource use, in so far as these will not adversely affect the other objectives of management.

Guidance for Selection

- The area should contain a representative sample of major natural regions, features or scenery, where plant and animal species, habitats and geomorphological sites are of special spiritual, scientific, educational, recreational and tourist significance.
- The area should be large enough to contain one or more entire ecosystems not materially altered by current human occupation or exploitation.

Organizational Responsibility

Ownership and management should normally be by the highest competent authority of the nation having jurisdiction over it. However, they may also be vested in another level of government, council of indigenous people, foundation or other legally established body which has dedicated the area to long-term conservation.

Equivalent Category in 1978 System

National Park

CATEGORY III Natural Monument: protected area managed mainly for conservation of specific natural features

Definition

Area containing one, or more, specific natural or natural/cultural feature which is of outstanding or unique value because of its inherent rarity, representative or aesthetic qualities or cultural significance.

Objectives of Management

- to protect or preserve in perpetuity specific outstanding natural features because of their natural significance, unique or representational quality, and/or spiritual connotations;
- to an extent consistent with the foregoing objective, to provide opportunities for research, education, interpretation and public appreciation;
- to eliminate and thereafter prevent exploitation or occupation inimical to the purpose of designation; and
- to deliver to any resident population such benefits as are consistent with the other objectives of management.

Guidance for Selection

- The area should contain one or more features of outstanding significance (appropriate natural features include spectacular waterfalls, caves, craters, fossil beds, sand dunes and marine features, along with unique or representative fauna and flora; associated cultural features might include cave dwellings, cliff-top forts, archaeological sites, or natural sites which have heritage significance to indigenous peoples).
- The area should be large enough to protect the integrity of the feature and its immediately related surroundings.

Organizational Responsibility

Ownership and management should be by the national government or, with appropriate safeguards and controls, by another level of government, council of indigenous people, non-profit trust, corporation or, exceptionally, by a private body, provided the long-term protection of the inherent character of the area is assured before designation.

Equivalent Category in 1978 System

Natural Monument / Natural Landmark

CATEGORY IV Habitat/Species Management Area: protected area managed mainly for conservation through management intervention

Definition

Area of land and/or sea subject to active intervention for management purposes so as to ensure the maintenance of habitats and/or to meet the requirements of specific species.

Objectives of Management

- to secure and maintain the habitat conditions necessary to protect significant species, groups of species, biotic communities or physical features of the environment where these require specific human manipulation for optimum management;
- to facilitate scientific research and environmental monitoring as primary activities associated with sustainable resource management;
- to develop limited areas for public education and appreciation of the characteristics of the habitats concerned and of the work of wildlife management;
- to eliminate and thereafter prevent exploitation or occupation inimical to the purposes of designation; and
- to deliver such benefits to people living within the designated area as are consistent with the other objectives of management.

Guidance for Selection

- The area should play an important role in the protection of nature and the survival of species, (incorporating, as appropriate, breeding areas, wetlands, coral reefs, estuaries, grasslands, forests or spawning areas, including marine feeding beds).
- The area should be one where the protection of the habitat is essential to the well-being of nationally or locally-important flora, or to resident or migratory fauna.
- Conservation of these habitats and species should depend upon active intervention by the management authority, if necessary through habitat manipulation (c.f. Category Ia).
- The size of the area should depend on the habitat requirements of the species to be protected and may range from relatively small to very extensive.

Organizational Responsibility

Ownership and management should be by the national government or, with appropriate safeguards and controls, by another level of government, non-profit trust, corporation, private group or individual.

Equivalent Category in 1978 System

Nature Conservation Reserve / Managed Nature Reserve / Wildlife Sanctuary

CATEGORY V Protected Landscape/Seascape: protected area managed mainly for landscape/seascape conservation and recreation

Definition

Area of land, with coast and sea as appropriate, where the interaction of people and nature over time has produced an area of distinct character with significant aesthetic, ecological and/or cultural value, and often with high biological diversity. Safeguarding the integrity of this traditional interaction is vital to the protection, maintenance and evolution of such an area.

Objectives of Management

- to maintain the harmonious interaction of nature and culture through the protection of landscape and/or seascape and the continuation of traditional land uses, building practices and social and cultural manifestations;
- to support lifestyles and economic activities which are in harmony with nature and the preservation of the social and cultural fabric of the communities concerned;
- to maintain the diversity of landscape and habitat, and of associated species and ecosystems;
- to eliminate where necessary, and thereafter prevent, land uses and activities which are inappropriate in scale and/or character;
- to provide opportunities for public enjoyment through recreation and tourism appropriate in type and scale to the essential qualities of the areas;
- to encourage scientific and educational activities which will contribute to the long term well-being of resident populations and to the development of public support for the environmental protection of such areas; and
- to bring benefits to, and to contribute to the welfare of, the local community through the provision of natural products (such as forest and fisheries products) and services (such as clean water or income derived from sustainable forms of tourism).

Guidance for Selection

- The area should possess a landscape and/or coastal and island seascape of high scenic quality, with diverse associated habitats, flora and fauna along with manifestations of unique or traditional land-use patterns and social organisations as evidenced in human settlements and local customs, livelihoods, and beliefs.
- The area should provide opportunities for public enjoyment through recreation and tourism within its normal lifestyle and economic activities.

Organizational Responsibility

The area may be owned by a public authority, but is more likely to comprise a mosaic of private and public ownerships operating a variety of management regimes. These regimes should be subject to a degree of planning or other control and supported, where appropriate, by public funding and other incentives, to ensure that the quality of the landscape/seascape and the relevant local customs and beliefs are maintained in the long term.

Equivalent Category in 1978 System

Protected Landscape

CATEGORY VI Managed Resource Protected Area: protected area managed mainly for the sustainable use of natural ecosystems

Definition

Area containing predominantly unmodified natural systems, managed to ensure long term protection and maintenance of biological diversity, while providing at the same time a sustainable flow of natural products and services to meet community needs.

Objectives of Management

- to protect and maintain the biological diversity and other natural values of the area in the long term;
- to promote sound management practices for sustainable production purposes;
- to protect the natural resource base from being alienated for other land-use purposes that would be detrimental to the area's biological diversity; and
- to contribute to regional and national development.

Guidance for Selection

- The area should be at least two-thirds in a natural condition, although it may also contain limited areas of modified ecosystems; large commercial plantations would *not* be appropriate for inclusion,
- The area should be large enough to absorb sustainable resource uses without detriment to its overall long-term natural values.

Organizational Responsibility

Management should be undertaken by public bodies with a unambiguous remit for conservation, and carried out in partnership with the local community; or management may be provided through local custom supported and advised by governmental or non-governmental agencies. Ownership may be by the national or other level of government, the community, private individuals, or a combination of these.

Equivalent Category in 1978 System

This category does not correspond directly with any of those in the 1978 system, although it is likely to include some areas previously classified as “Resource Reserves”, “Natural Biotic Areas/Anthropological Reserves” and “Multiple Use Management Areas / Managed Resource Areas”.