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IUCN World Heritage Advice Note: Mining and Oil/Gas Projects

The purpose of this Advice Note is to provide guidance on IUCN's position on mineral and oil/gas exploration and exploitation within or affecting natural and mixed World Heritage Sites.

The global importance of natural World Heritage Sites

Natural World Heritage Sites are internationally recognized as the world's most important natural areas. The UNESCO World Heritage Convention, ratified by 187 countries, provides a unique framework for securing the conservation of these exceptional places, recognized as being of Outstanding Universal Value (OUV) to humanity. World Heritage Sites include many household names of conservation such as the Serengeti, Galapagos Islands, the Grand Canyon and the Great Barrier Reef, and are often a last refuge for species threatened with extinction, such as the Mountain Gorilla, Giant Panda and Orangutan. There are more than 200 natural World Heritage Sites covering over 260 million hectares, which equates to less than 1 % of the Earth's surface and over 10% of the 130,000 protected areas worldwide. Natural World Heritage Sites represent a commitment to future generations that the international community has a duty to uphold, as embodied in Article 6(1) of the World Heritage Convention which states that "...such heritage constitutes a world heritage for whose protection it is the duty of the international community as a whole to cooperate."

Mineral and oil/gas projects affecting natural World Heritage Sites

World Heritage Sites are designated as being of Outstanding Universal Value in accordance with strict criteria, conditions of integrity, and requirements for protection and management, as defined under the *Operational Guidelines*¹ to the Convention. The World Heritage Committee, which is the decision making body of the World Heritage Convention, has long held the position that mineral and oil/gas exploration and exploitation is incompatible with World Heritage status. IUCN's position is that mineral and oil/gas exploration and exploitation (including associated infrastructure and activities) is incompatible with the Outstanding Universal Value of World Heritage Sites and should not be permitted within these sites. Mineral and oil/gas exploration and exploitation outside World Heritage Sites should not, under any circumstances, have negative impacts on their Outstanding Universal Value.

IUCN also has a clear position on mineral resources and protected areas, as defined by its Members². This position is embodied in a range of IUCN Congress Resolutions including Resolution 2.82³, approved during the IUCN World Conservation Congress held in Amman, Jordan in 2000⁴ (which states that all exploration and extraction of mineral resources in protected areas corresponding to IUCN Protected Areas Management Categories I to IV should be prohibited by law, and that such projects in Category V and VI sites should undergo thorough Environmental Impact Assessments (EIA). The World Commission on Protected Areas (WCPA) has also prepared a 'Position Statement on Mining and Associated Activities in Relation to Protected Areas'⁵, which reflects IUCN's position.

¹ <http://whc.unesco.org/en/guidelines>

² IUCN is the world's oldest and largest global environmental network - a democratic membership union with more than 1,000 government and NGO member organizations, and almost 11,000 volunteer scientists in more than 160 countries.

³ 2nd IUCN World Conservation Congress Proceedings <http://data.iucn.org/dbtw-wpd/edocs/WCC-2nd-003.pdf>

⁴ The World Conservation Congress is the world's largest and most important environmental congress event and brings together the governmental and non-governmental members of the International Union for the Conservation of Nature.

⁵ The WCPA Position statement on Mining can be found in Annex 1 of Document **WHC-99/CONF.209/20** on World Heritage and Mining <http://whc.unesco.org/archive/1999/whc-99-conf209-20e.pdf>

In applying its position, IUCN considers the following points:

1. On numerous occasions, the World Heritage Committee has stated that mineral and oil/gas exploration and exploitation within or affecting a World Heritage Site are incompatible with its World Heritage status, and has considered that these activities can constitute a basis for inscription on the List of World Heritage in Danger, in accordance with Paragraph 180 of the *Operational Guidelines* to the Convention. A selection of recent relevant decisions is included in Annex 1.
2. The Committee's position is in line with the International Council on Mining and Metals' (ICMM⁶) [International Position Statement on Mining and Protected Areas](#)⁷, and the positions of industry leaders such as [Shell](#)⁸, and that of international investment companies such as [JP Morgan](#)⁹. The Committee has frequently taken these industry lead positions as benchmarks for its decisions.
3. In accordance with Paragraph 172 of the *Operational Guidelines* to the Convention, all development projects which may affect the Outstanding Universal Value of a World Heritage Site (including mineral and oil/gas exploration and exploitation projects and associated infrastructure) should be submitted by State Parties to the World Heritage Committee before a decision on their implementation is taken.
4. All proposals for mineral and oil/gas exploration and exploitation (including associated infrastructure) which may affect a World Heritage Site, but are located outside its boundaries, should be subject to an appropriate and rigorous appraisal process, such as an Environmental and Social Impact Assessment (ESIA), prior to considering whether to grant consents and licenses. These appraisal processes should respect the highest international best-practice standards, including, but not limited to:
 - Specifically assessing the likely effects of the proposal(s) on the site's Outstanding Universal Value, including direct, indirect and cumulative effects;
 - Identifying and evaluating alternatives, to determine least damaging options;
 - Being publicly disclosed and subject to thorough public consultation; and
 - Proposing an environmental management plan detailing operating, monitoring and restoration conditions.
5. Boundary modifications to World Heritage Sites, as defined in the *Operational Guidelines* to the Convention, should not be proposed for the purpose of facilitating mineral and oil/gas exploration and exploitation projects, and/or associated infrastructure, within or affecting a site. Any proposed changes to the boundaries of a World Heritage Site should be subject to procedures at least as rigorous as those involved in the nomination of the Site, as required under the *Operational Guidelines* to the Convention.

Information on mining and oil/gas projects affecting natural World Heritage Sites

A list of all natural World Heritage Sites is available through the [UNESCO World Heritage Centre website](#)¹⁰ and additional information is also available on the [IUCN World Heritage Programme website](#)¹¹. IUCN welcomes dialogue with all stakeholders on proposals for mineral and oil/gas exploration and exploitation projects that could potentially affect natural World Heritage Sites, including early discussion with developers and licensing authorities. Any information on mining and World Heritage is appreciated by IUCN and can be treated as confidential when required. For more information please contact the IUCN World Heritage Programme: whconservation@iucn.org.

⁶ The International Council on Mining and Metals (ICMM) brings together major mining companies throughout the world

⁷ <http://www.icmm.com/our-work/sustainable-development-framework/position-statements>

⁸ http://www.shell.com/home/content/environment_society/environment/biodiversity/protected_areas/

⁹ http://www.jporganchase.com/corporate/Corporate-Responsibility/document/JPMC_ESRA_Position.pdf

¹⁰ <http://whc.unesco.org/>

¹¹ <http://www.iucn.org/worldheritage/>

Annex 1: Examples of recent World Heritage Committee decisions on mining and oil/gas exploration and exploitation taken at its 34th session, Brasilia, 2010

Virunga National Park (Democratic Republic of the Congo) – Decision 34 COM 7A.4

Reiterates its concern with regard to the envisaged oil prospecting projects overlapping the property, recalls its position regarding the incompatibility of oil exploration and exploitation in respect of World Heritage status, and also urges the State Party not to authorize any project of prospection or oil exploitation.

Comoé National Park (Côte d'Ivoire) - Decision 34 COM 7A.2

Reiterates its utmost concern about the granting of mining exploration licenses covering the property, urges the State Party to take the necessary steps to ensure the withdrawal of these licenses, and calls upon the holders of any concessions to respect international standards, in line with the international position statement of the International Council of Mining and Metals (ICMM) of not undertaking these activities in World Heritage properties;

Mount Nimba Strict Nature Reserve (Côte d'Ivoire and Guinea) – Decision 34 COM 7A.3

Notes the delay experienced by SMFG (Société des Mines de Fer de Guinée) in conducting an Environmental and Social Impact Study, due to the delay in the implementation of the mining project, and reiterates its request to ensure that the Environmental and Social Impact Study be conducted in accordance with the highest international standards and quantify the potential impact of planned mining on the property, in close consultation with all the stakeholders, and to submit all intermediate results to the World Heritage Committee;

Expresses its concern that the State Party of Côte d'Ivoire has not yet confirmed that all mining concessions have in fact been revoked within the property as requested by the World Heritage Committee since its 32nd session, and emphatically reiterates this request;

Dja Wildlife Reserve (Cameroon) – Decision 34 COM 7B.1

Expresses its deep concern as regards the conclusions of the World Heritage Centre/IUCN mission that considers that the Outstanding Universal Value of the property is threatened by a progressive erosion of its biodiversity due to increased poaching, as well as by the negative impact of the commencement of mining activities of the GEOVIC Company, the development of forestry exploitation, and the encroachment of agriculture around the property;

Requests the State Party to review the Environmental and Social Impact Study (ESIS) based on the final technical feasibility study prepared by the GEOVIC Company, and to submit an Environmental and Social Management Plan to mitigate the direct and indirect negative impacts of the mining project;

Urges the State Party to suspend the implantation work for the GEOVIC mining activity until the conclusion of the new ESIS and also requests the State Party to control the validation of these documents by the different stakeholders and to inform the World Heritage Centre by 1 December 2010;

Selous Game Reserve (United Republic of Tanzania) – Decision 34 COM 7B.3

Also expresses its utmost concern about the weakening of the legal protection of the property by the 2009 Wildlife Act, which allows for the prospection and mining of oil, gas and uranium inside Game Reserves and reiterates that any decision to go forward with oil exploration inside the property would constitute a clear case for inscribing Selous Game Reserve on the List of World Heritage in Danger;

Also urges the State Party to enact specific legislation to prohibit the prospection and mining of oil, gas and uranium inside the Selous Game Reserve on the basis of its status as a World Heritage property;

Reiterates its request to the State Party to inform the World Heritage Centre of all planned activities within and in the vicinity of the property which could impact its Outstanding Universal Value, including dam and mining projects, and provide an Environmental Impact assessment before taking a decision on these projects;

Three Parallel Rivers of Yunnan Protected Areas (China) – Decision 34 COM 7B.12

Notes with great concern that legal mining that predates the inscription of the property is taking place within the Hongshan sub-unit of the property, and that additional areas are subject to mining licenses, and further requests the State Party to take all necessary steps to ensure that mining does not take place within the boundaries of the property, and to not permit any further expansion of mining production in the property;

Virgin Komi Forests (Russian Federation) – Decision 34 COM 7B.25

Strongly regrets that the State Party appears to have licensed a significant open cast gold mining operation within the World Heritage property, and has also excised other areas from protected status, and also regrets that the State Party did not take into account the previous requests of the World Heritage Committee in taking these actions;

Strongly urges the State Party of the Russian Federation to take all necessary steps, with provincial and local government as appropriate, to immediately halt mining activities within the property;

Calls on all companies holding licenses for mining in the World Heritage property, with the support of their investors, to not proceed with mining activities, in line with the international position statement of the International Council on Mining and Metals (ICMM) of not undertaking these activities in World Heritage properties, as also endorsed by the World Heritage Committee;

Alejandro de Humboldt (Cuba) – Decision 34 COM 7B.33

Notes with appreciation the confirmation provided by the State Party that at present no mining is planned in the property, but considers that the continued existence of mining concessions if activated would be considered a threat to the property, as per Paragraph 180 of the Operational Guidelines;

Reiterates its request to the State Party to make a clear and unequivocal commitment to eliminate the mining concessions granted within the boundaries of the property (in line with the international position statement of the International Council of Mining and Metals (ICMM) of not undertaking these activities in World Heritage properties), and those in its periphery, that could seriously and irreversibly affect its Outstanding Universal Value, including the conditions of integrity, if activated;

Belize Barrier Reef System (Belize) - Decision 34 COM 7A.13

Expresses its serious concern about oil concessions reportedly granted within the marine area of the property, notes that any decision to go forward with oil exploration would be incompatible with World Heritage status, and urges the State Party to enact legislation to prohibit oil exploration within the Belize Barrier Reef System on the basis of its status as a World Heritage property;