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| EXCERPTS FROM THE REPORT OF THE WORLD HERITAGE COMMITTEE (Twenty-fourth Session, Cairns, Australia, 27 November to 2 December 2000) | |

As populations grow and the pressure of development increases around the globe, it is not surprising that resource sectors such as the mining industry are coming more and more into contact with protected areas, including those with international recognition, such as World Heritage sites.

The World Heritage Committee has a long history of grappling with issues related to mining and World Heritage sites, both existing and proposed. A string of well-publicized and controversial interactions between mining and World Heritage sites in places such as Yellowstone (USA), Doñana (Spain) and Kakadu (Australia) has heightened the need to address co-existence issues and provide guidance.

At its 23rd session in 1999 in Marrakesh, the World Heritage Committee discussed the threats or potential threats of mining to World Heritage sites. At the same time, however, it was recognized that poverty within local communities could result in significant impacts on World Heritage sites and that one way to address poverty alleviation and conservation objec-

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i) INTRODUCTION

The 1999 World Heritage Committee (Marrakesh, Morocco, November 1999) considered the issue of mining and protected areas. It decided, *inter alia*, to request that a technical meeting be held to analyze case studies on World Heritage and mining and to develop recommendations for review and discussion by the 24th session of the Committee.

Following from this direction, IUCN and the International Council on Metals and the Environment (ICME) jointly organized a workshop on World Heritage and Mining, which was held in Gland, Switzerland (at the IUCN Headquarters) from 21 to 23 September 2000. This workshop involved representatives from UN agencies (UNEP and

states that: "Whilst fully respecting the sovereignty of States, State Parties recognize that such heritage constitutes a world heritage for whose protection it is the duty of the international community as a whole to cooperate." Thus, IUCN considers that the exploration and extraction of mineral resources and associated activities are incompatible with the values for which World Heritage sites were established and managed, and in principle should not be permitted.

The ICOMOS position is that World Heritage cultural sites (and more particularly cultural landscapes) and mixed sites (those inscribed under both cultural and natural criteria) are by definition of outstanding value. They contain tangible and intangible manifestations of human cultural heritage of global significance, and it is therefore imperative that the integrity of these sites be protected and preserved for the benefit of all humankind. For these reasons, ICOMOS considers the exploration or exploitation of mineral resources within World Heritage sites may jeopardize the values for which they have been inscribed on the World Heritage List.

The UNESCO position is to emphasize the fundamental principles of the Convention to protect and conserve sites of outstanding universal value. Guidance on the conservation process is given by the Operational Guidelines for the Implementation of the World Heritage Convention. As a result, UNESCO believes that it is essential to uphold the integrity of sites on the World Heritage List and thus ensure that the values for which they are inscribed are maintained.

From the standpoint of industry participants, there is growing recognition that conservation goals cannot be divorced from economic development. Responsible mining can contribute to biodiversity conservation and broader sustainable development objectives, including poverty alleviation. Industry respects legally designated protected areas and acknowledges that exploration and mining activities should not put at risk the characteristics and values forming the basis of the listing of an area as a World Heritage site. However, it is believed that as technology and societal priorities change, the option of re-evaluating existing boundaries should be preserved.

The workshop agreed, however, in relation to the issue of the identification of future World Heritage sites. In this situation, a comprehensive approach to planning should be adopted within a commitment to economic, social and environmental considerations. This should recognize the complex relationship between economic development, biodiversity and

cultural heritage considerations and the role of protected areas, including World Heritage sites. All protected areas should be established as part of an adequate and representative system, set within the broader landscape, and assessment should be based on the principles of sustainable development and sound scientific assessment of natural and mineral values. This is particularly relevant to the establishment of new World Heritage sites.

Robust, Adequately Resourced Institutions and Processes:

There should be clear processes and responsibilities in respect of areas of possible conflict. This requires appropriate regulations, security of tenure, effective World Heritage management capacity, enforcement, conflict resolution procedures and the timely sharing of information. Where needed, systems should be established to build capacity within all stakeholder groups (industry, institutions, NGOs, etc).

Best Practice: All relevant activities should be characterized by the use and sharing of best practice in respect of: science and technology, adaptive management, transboundary cooperation, assessment of societal benefits, stakeholder consultation, comprehensive risk assessment and thorough emergency preparedness—all reflecting local environmental and social circumstances.

Independent Review: All activities involving the parties should be open to independent review and to reporting on performance without fear or favour.

Acknowledgement of Uniqueness: Notwithstanding the above, every World Heritage site and every mining operation is different, and specific arrangements must be sensitive to this.

iv) RECOMMENDATIONS

The meeting put forward the following recommendations to various key actors.

WORLD HERITAGE COMMITTEE AND STATE PARTIES are invited to note these findings:

- Mining and conservation specialists are encouraged to work together, taking into account the unique aspects of mining (e.g. mineral potential, deposits) and the unique values and conditions of World Heritage sites; each case needs to be carefully considered, taking account of the conditions and integrity under the World Heritage Convention.
- Early in the nomination process, relevant national and local government ministries and agencies, all affected stakeholders and independent third parties should be identified and an open, transparent and effective communication mechanism established, including conflict resolution mechanisms.
- An open and transparent multi-disciplinary/science-based approach should be adopted for determining boundaries for World Heritage sites—one that protects World Heritage values and takes into account ecological, cultural and

mineral and other economic values, as well as socio-economic factors.

- Tentative lists of potential World Heritage sites should be made public to all stakeholders to encourage input of views and information.
- An effective flow of information should be assured between the UNESCO World Heritage Centre, IUCN and ICOMOS regarding mining-related activities and World Heritage sites prior to designation, in compiling state of conservation reports and during/after emergency situations.
- Regarding the evaluation of new nominations, the Advisory Bodies should ask State Parties to confirm that all affected stakeholders, including the mining industry, have been consulted.
- Given that World Heritage and mining issues are often polarized, there is a need to protect the process of World Heritage nomination and the state of conservation evaluations.
- If a mine is operating near a World Heritage site, facilities should be designed, operated and closed in consideration of World Heritage values and should contribute to the conservation of those values.
- Education and awareness programs are required so that local communities understand the importance and the values of World Heritage sites and can benefit from the presence of such areas.

WORLD HERITAGE MANAGEMENT AGENCIES should

- clarify and communicate roles and responsibilities regarding World Heritage sites
- put monitoring programs in place, as well as emergency preparedness and response plans, all with effective indicators, to ensure that the integrity of World Heritage values is not threatened by mining, agricultural, tourism or other activities, and to deal with incidents
- endeavour to link protected areas planning with broader regional land use planning, so that protected areas are seen as an integral element of their region
- increase awareness about mining and recognize that mining companies may be key stakeholders
- establish communication mechanisms with all affected stakeholders

- work with mining companies in order to integrate their environmental management and community development programs into the overall management objectives of World Heritage sites

MINING INDUSTRY

The mining industry has the potential to make significant contributions as follows:

a) In respect of World Heritage Protection/Conservation, it can:

- undertake assessments of unique biodiversity, increase scientific understanding of ecosystems and contribute to the conservation of flora and fauna affected by exploration, extraction and processing activities
- support research to expand scientific knowledge and develop improved technologies to protect the environment, and promote the international transfer of technologies that mitigate adverse environmental effects
- assist in the development of ecotourism
- contribute to government capacity in World Heritage management and support site management programs
- contribute to the promotion of the World Heritage Convention and sites through building awareness

b) In respect of Environmental Management and Protection, it can:

- encourage all those involved in the mining industry to better understand ecosystem management and adopt these principles
- work with governments and other relevant parties in developing sound, economic and equitable environmental standards and clear decision-making procedures, based on reliable and predictable criteria
- comply with all applicable environmental laws and regulations and, in jurisdictions where these are absent or inadequate, apply cost-effective technologies and management practices to ensure the protection of the environment and worker and community welfare
- conduct environmental assessments of exploration, infrastructure development, mining or processing activities, including secondary effects, and plan and conduct the design,

development, operation, remediation and closure of any facility in a manner that optimizes the economic use of resources while reducing adverse environmental and community impacts to acceptable levels

- employ risk management strategies and best practices that take account of local cultures and economic and environmental circumstances in the design, construction, operation and decommissioning (of mines), including the handling and disposal of hazardous materials and waste
- ensure that adequate financial resources or surety instruments are in place to meet the requirements of remediation and closure plans
- implement effective management systems, conduct regular reviews and act on the results
- develop, maintain and test emergency plans and response procedures in conjunction with the provider of emergency services, relevant authorities and local authorities to deal adequately with any emergency
- at the initial phases of mining projects, develop closure concepts and/or plans that address environmental and community-related issues as well as World Heritage values, in consultation with appropriate stakeholders
- encourage governments to establish communication mechanisms that will promote dialogue among local communities and other affected organizations, facilitate the provision of expert advice and serve in a regular planning and/or oversight capacity and establish effective processes for conflict resolution

c) In respect of Community Development, it can:

- assess the social, cultural, environmental and economic impacts of proposed activities and engage with local communities and other affected organizations in the design of community development strategies, including such a strategy for mine closure
- contribute to, and participate in, the social, economic and institutional development of communities, and encourage the establishment of sustainable local and regional economic activities

- in cooperation with international agencies, public interest groups and national governments, contribute to the development of local government capacity as well as to plans to address secondary impacts created by mining activity
- mitigate, to the greatest practical extent, adverse effects on communities by activities related to exploration, extraction and closure

OTHER INSTITUTIONS

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ANNEX B: WORKSHOP PROGRAM

September 21, 2000 – Chair David Sheppard IUCN

9:00 to 9:10 Welcome and Introductions — Maritta Koch-Weser, Director-General, IUCN and Dr. Irwin Itzkovitch, ICME

LIST OF ACRONYMS

ICOMOS – International Council of Monuments and Sites

MMSD – Mining Minerals and Sustainable Development project

UN/DESA – United Nations Department for Economic and Social Affairs

UNEP – United Nations Environment Programme

UNEP-WCMC – United Nations Environment Programme - World Conservation Monitoring Centre

UNESCO – United Nations Educational, Scientific and Cultural Organization

WCPA – World Commission on Protected Areas

WPC – World Parks Congress