



just before

The Voice of the NGO Community in the International Environmental Conventions

VOLUME 9, ISSUE 1
Nov. 9, 2003

AVAILABLE ON THE INTERNET AT WWW.UKABC.ORG

Polluted Parks

Simone Lovera and Abraham Baffoe, Friends of the Earth International

Ghana's Forest Reserves are seriously threatened not only by excessive illegal timber exploitation but in recent times by surface mining for gold by giant multinational mining companies.

Remarkably, the recommendations from the World Parks Congress do not explicitly reject mining in parks. Is mining becoming the Big Exception in protected area management?

Such situations are more real than people might think. After all, many governmental and non-governmental institutions responsible for park management have a much bigger concern than mining: they need money.

Such deals are nothing new: Over the recent years, many parks have been established with so-called "compensation funds" from oil and mining companies. Interesting to see how two diverse stakeholder groups, oil and mining companies and institutions involved in park management, are growing closer and closer these days.

It is hoped that the upcoming SBSTTA will practice, and not only preach, participation. This would imply not only that the recommendations highlighted on page 8 are included in the SBSTTA recommendations to the Conference of the Parties, but also that the recommendations of other Indigenous Peoples' statements, such as the Indigenous Peoples' statement to the World Parks Congress (see page 3), will be incorporated, literally, in the recommendations to the COP.

ECO CONTENTS

Table with 2 columns: Item and Page Number. Items include Polluted Parks (1), Kickoff, Protected Areas (2), Indigenous Peoples Statement, WPC (3), Talks in Cancun (4), Ecosystem Approach (7), Technology Transfer (7), Recommendations on Mining and Parks (8).

ECO has been published by the NGO (non-governmental organisation) community at most Conferences of Parties of the International Environmental Conventions. It is currently being published by the NGO community around the ninth session of the Subsidiary Body on Scientific, Technical and Technological Advice to the Convention on Biological Diversity in Montreal, Canada coordinated by Environment Liaison Centre International.

SUBMISSIONS: Welcome from all. Please give to Jessica Dempsey at NGO meeting, or email to:

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NOTICE:

NGO/IPO MEETINGS, daily, 9-10am, Level 5

Protected areas finally to kick off...

Peter Herkenrath, BirdLife International
Sheldon Cohen, The Nature Conservancy

An analysis of the national reports to the Conference of the Parties revealed that ‘...for the vast majority of Parties the most important activity to implement their commitments under the Convention is their protected areas network’ (UNEP/CBD/COP/6/INF/16). Article 8 of the Convention requires Parties to establish a system of protected areas. Somehow surprisingly, protected areas have never been the subject of an agenda item of the COP on their own. However, they feature in some of the thematic and cross-cutting programmes of work, especially in the programme of work on marine and coastal biodiversity and in the Global Plant Conservation Strategy. COP 7 in February 2004 will have protected areas as one of the main agenda items. In preparation for that, COP 6 established an Ad Hoc Technical Expert Group (AHTEG) on protected areas that met in June 2003 at Tjärnö Marine Biological Laboratory, Sweden. The group comprised not only government experts, but also those from a range of international NGOs, whose contributions were very much welcomed. During five busy days at this remote location on the Swedish coast, the group reviewed status and trends of protected areas as well as approaches to planning and managing protected areas, looked at how to finance and how to measure the effectiveness of protected areas. Finally, the AHTEG hammered out a draft Programme of Work on Protected Areas. The conclusions of the group will be considered at the SBSTTA 9 meeting in Montreal (10 – 14 November); they are available as background documents SBSTTA/9/5 and SBSTTA/9/6. The report from the AHTEG is presented as an information document.

The core product of the AHTEG, the draft programme of work (SBSTTA/9/6) follows the format first established by the programme of work on forest biodiversity, outlining programme elements, goals, activities of the Parties and the Executive Secretary, main partners and other collaborators. The programme is very comprehensive and addresses a number of issues of specific concern to civil society, amongst them the need for:

- representative systems of protected areas
- including a range of protected areas governance, including community conservation areas, private reserves and conservation easements, of importance to biodiversity
- involving all relevant stakeholders at all stages of protected areas planning and management
- policies to ensure that costs and impacts connected with protected areas, especially for indigenous and local communities, are equitably compensated
- an adequate, long-term financial support for protected area systems
- developing capacity on the local and national level.

Of particular note, the programme of work includes a number of timeframes for major actions in these areas. However, the current draft work programme does only occasionally include concrete *targets* and a number of the activities lack a time frame. Additionally, the AHTEG recommendations do not outline a process of monitoring and reviewing the progress in implementing the programme of work. Overall, this is an ambitious draft that would need support from civil society if it is not to be watered down in the process of negotiations at SBSTTA-9 and COP-7. And as with all the work programmes, civil society would need to play a crucial role to monitor and actively support its implementation.

A critical issue is the chronic underfunding of protected areas. The AHTEG estimated the annual costs for a global, representative system of protected areas to be US\$ 45 billion -- which is less than 5% of the annual agricultural and natural resources subsidies by the developed world. If protected areas should indeed become a cornerstone for achieving the 2010 target of a significant reduction in the rate of biodiversity loss, the developed countries need to pledge far more financial resources than they have ever done before, and developing countries – particularly “middle income” countries -- should consider allocating more *in-country* resources to conservation.

THE INDIGENOUS PEOPLES' DECLARATION TO THE WORLD PARKS CONGRESS

Preamble

We, the Indigenous Peoples united here in Durban, South Africa, at the Indigenous Peoples' Preparatory Conference for the World Parks Congress, held 6 to 7 September 2003, would especially like to thank our Indigenous hosts, the Khoi and the San Peoples of South Africa for welcoming us to their territory;

Recalling the international community's commitment made at Rio and Johannesburg, on Indigenous Peoples vital role in sustainable development and environmental conservation, we reaffirm our vision of a respectful relationship by all peoples towards Mother Earth and our commitment to practice this respect in our terrestrial, coastal/marine and freshwater domains. Our respect for nature must not be limited to protected areas, but must encompass the earth;

Taking into account the special relationship we have with our lands, territories and the resources therein, we reaffirm our holistic vision which strongly binds biodiversity and cultural identity and unites a people with its territory;

Affirming that Indigenous Peoples are rights-holders, not merely stakeholders;

Remembering that internationally recognized Indigenous Peoples' rights have been systematically violated in protected areas, including the right to life;

Recognizing that Indigenous Peoples' knowledge, practices and areas of conservation, as well as systems of resource management pre-date the imposition of Western and alien concepts of protected areas. The latter result in the loss of Indigenous territories, impoverishment and the degradation of nature.

Drawing attention to the fact that the current global economic model contradicts the aims of conservation and preservation of nature;

Highlighting the fact that all states have international obligations to promote Indigenous Peoples' rights and that although some states have made advances in national legislation, there is still insufficient application of these norms at the national level;

Acknowledging IUCN's positive efforts in advancing the recognition of the rights of Indigenous Peoples, including the adoption of World Conservation Congress Resolution 1.53 *Indigenous Peoples and Protected Areas* (Montreal, Canada 1996), we nevertheless call attention to the lack of implementation of these policies;

We therefore declare the following:

- 1) We reassert Indigenous Peoples' inherent right to self-determination.
- 2) We Indigenous Peoples are rights-holders and not merely stakeholders.
- 3) We call special attention to the severe problem of the forced expulsion and systematic exclusion of Indigenous Peoples from their lands and territories in the creation of protected areas in Africa, as well as in other parts of the world. We thus call for an immediate halt to these practices which result in the destruction of their livelihood and condemn this form of cultural genocide.
- 4) The ancestral and customary rights of Indigenous Peoples to their lands, territories, and natural resources must be recognized, respected and protected. In cases where our lands have been expropriated to create protected areas, these must be restituted to us and rapid, just, fair and significant compensation, agreed upon in a fully transparent, participatory and culturally appropriate manner, must be provided.
- 5) We categorically reject any protected area and conservation policy which promotes the discrimination, exclusion and/or expulsion of Indigenous Peoples from their territories and their impoverishment.

...Indigenous Peoples' Declaration cont.

- 6) In the light of these experiences, we call upon the World Parks Congress to uphold civil, political, economic, social and cultural rights in all protected area policies, programmes, projects and activities. Indigenous Peoples and local communities' best practices at the grassroots level prove that rights-based approaches to sustainable development and natural conservation are the way forward.
- 7) We urge the World Parks Congress to call for the immediate adoption of the United Nations Draft Declaration on the Rights of Indigenous Peoples within the present International Decade for the World's Indigenous Peoples.
- 8) When protected areas are to be established, the free, prior and informed consent of the Indigenous Peoples concerned must be obtained, an appropriate social and cultural impact assessment must be carried out and, most importantly, the Indigenous Peoples must at all times reserve the right to say "no".
- 9) In existing protected areas, created on Indigenous Peoples' territories, the World Parks Congress should support the rapid establishment of a legal framework to ensure culturally appropriate, full and effective participation of the Indigenous Peoples concerned in all aspects of the administration and management processes of protected areas.
- 10) Neither Indigenous Peoples, nor our lands and territories are objects of tourism development. If tourism is to benefit us it must be under our full control.
- 11) We call upon the World Parks Congress and IUCN to uphold and strengthen IUCN Amman Congress (Jordan, 2000) Recommendation 2.82 Protection and conservation of biological diversity of protected areas of the negative impacts of mining and exploration and to prohibit extractive industries in and around protected areas and to halt planned and existing extractive activities in and around World Heritage Sites.
- 12) The World Parks Congress must recognize the cultural integrity of Indigenous Peoples and ensure the integration of traditional collective management systems as a basis for the management of protected areas.
- 13) We call upon this global gathering to recognize that through the protection and promotion of Indigenous Peoples' rights and through recognizing and integrating our dynamic and holistic visions, we are securing not only our future, but the future of humanity and social and environmental justice for all.

Talks in Cancun: The Vth Ministerial of the World Trade Organisation, Cancún, Mexico

What does it mean for the environment?

Joanna Phillips, Sustainable Development Policy Officer, RSPB

Negotiations in the WTO have real impacts for environmental sustainability. This article summarises events at the recent WTO Ministerial in Cancún, and outlines key environmental issues in the WTO's agenda.

Summary of the Cancún Ministerial

The Vth Ministerial of the World Trade Organisation (WTO) (Cancún, Mexico, 10th-14th September 2003) was programmed as an opportunity to assess progress in the so-called Doha 'Development' Round of WTO negotiations. The programme and go ahead for

the Doha Round (agreed in Qatar in 2001), the Monterrey Financing for Development conference (2002) and the World Summit on Sustainable Development (Johannesburg 2002) were heralded as part of a global commitment to reduce poverty and meet the Millennium Development Goals through sustainable development. The Doha Development Agenda (DDA)¹ is aimed, in theory, at agreeing fairer and more equitable international trade rules to

¹ WTO Ministerial Declaration, Doha, 9-14 November 2001 (WT/MIN(01)/DEC/1)

meet the needs of developing and least developed countries, as well as the most powerful.

The breakdown of the talks in Cancún is now well documented². There were failures in process and approach by both the WTO and Member governments, but the central reasons for collapse were lack of real progress and member intransigence on addressing agriculture and the 'Singapore issues'³.

Despite alliances formed between India, Brazil and China along with another 19 countries (the G20+), as well as between the AU (African Union), the ACP (Africa-Caribbean-Pacific) and LDC (least developed countries), and their clear opposition to it, the revised draft text released by the WTO Secretariat on the 13th September⁴ showed little regard for developing countries' key concerns.

In addition, environmental concerns were largely overlooked. Only in the rhetoric of the Mexican President at the opening of the WTO Ministerial were fundamental environmental considerations mentioned: *"We must reaffirm our commitment with a revitalised system of multi-lateral cooperation that underlines the joint responsibility of countries to deal with the problems such as poverty unemployment and the misuse of natural resources. If the planet is our common dwelling, we are all responsible for ensuring that it shelters and protects us in the*

² For example, 'Failure of the fifth WTO Ministerial Conference in Cancun', September 2003, Agritrade and Solagral; CAFOD - Reports on website; Action Aid - Reports on website; The Economist, September 20th 2003.

³ The 'New Issues' or 'Singapore Issues', so called after the locations of the meeting where they were first raised, are Investment, Competition, transparency in government procurement, and trade facilitation.

⁴ WTO Draft Cancún Ministerial Text, Second Revision, 13 September 2003 (JOB(03)/150/Rev.2

same way; we are all responsible for reversing the marked degradation of the environment and for promoting sustained and sustainable development. It is essential for ecological consideration to be included in our economic strategy and in our development programmes."

The breakdown of the trade talks is further testimony to fundamental problems in global governance, including the contradictions among the interests of north and south, and conflicts between environmental realities and trade aspirations. For the lessons of Cancún to contribute to real reform, a shift in the focus of politics from economic growth to sustainable development is paramount.

Deconstructing the Talks in Cancun

1. Sustainable Development became 'Trade and Environment' at Cancún

One clear limitation of the talks was their failure to address the need for mutually reinforcing and supportive multilateral systems for international trade and environmental protection. Even though the Doha environmental agenda is narrow and limited in scope (DDA 'Trade and Environment' paragraphs 31-33), little progress has been made even on this.

Developed countries continued to foster a sense of mistrust and suspicion felt by many developing countries by defining a narrow environmental agenda focused on eco-labelling and influencing/controlling trade in environmental goods and services. Developing countries fail to see that this agenda addresses developing country needs and capacities or clear areas where they could benefit. Many environmental NGOs took issue with the EU's continued pressure for these issues, and particularly under an environmental banner.

The NGOs argued that these are complex areas for negotiation and that the WTO does not have the environmental competency to address them properly⁵. Opening these issues up for negotiation could negatively impact on environmental concerns. In brief, the benefits that might arise from liberalisation of environmental goods and services (EGS) are unclear. The outcome will depend crucially on the definition of 'environmental': any potential benefit of liberalisation will only be realised if Members agree on a comprehensive but truly sound definition.

Despite these expressed concerns on the part of civil society, the Negotiating Group on 'Market access for non-agricultural goods' was encouraged to work closely with the Committee on Trade and Environment Special Session. This raises concerns that negotiations may proceed on liberalising environmental goods and services.

2. MEA participation

NGO concerns were increased by the WTO's lack of progress towards policy coherence or collaboration with environmental bodies such as UNEP and MEA Secretariats. Multilateral Environmental Agreements (MEAs) such as the CBD or the Climate Change Convention, and UN bodies (e.g. UNEP, UNCTAD etc.) have very limited access to WTO discussions thus preventing the development of mutually reinforcing and supportive multilateral systems for international trade and environmental protection, that reduce potential conflict and promote sustainable development.

⁵ For further details of concerns and policy positions regarding the WTO's agenda on eco-labelling and environmental goods and services see the websites of RSPB/BirdLife International, WWF-UK, and Friends of the Earth.

Some ground was provisionally made in Cancún in that the draft text (13 September)⁶ states: "*The Committee on Trade and Environment Special Session [shall] continue to invite to its meetings, in accordance with its current practice, the secretariats of the multilateral environmental agreements invited thus far and of the United Nations Environment Programme (UNEP) and the United Nations Conference on Trade and Development.*" However, it only gives ad hoc observer status to the Committee on Trade and Environment Special Sessions and no access to other WTO Committees or negotiations where decisions may have considerable effect on the environment (e.g. agriculture, TRIPS).

3. Trade-related intellectual property (TRIPS)

Following a proposal by India, the revised draft addresses 'Doha paragraph 19', with regard to patentability of life, biodiversity and traditional knowledge (review of CBD; 27.3(b)). The September 13 Text asks the TRIPS council to continue with their work to date and calls for the General Council to report to the next session. Unfortunately, no reference is made to paragraph 32 (ii) of the Doha Development Agenda and the role of the Committee on Trade and Environment. This could serve to exclude the CBD Secretariat further from this process, as it's the CBD's ad hoc observer status is possible only through the CTE Special sessions.

4. Coherence

On 'coherence', which appears as a subheading in the 13 September Draft Ministerial Text (paragraph 29), reference is made only to the World Bank and IMF. There is no acknowledgement of, or reference to the commitments of the WSSD, which specifically

⁶ WTO Draft Cancún Ministerial Text, Second Revision, 13 September 2003 (JOB(03)/150/Rev.2

calls for "...cooperation on trade, development and environment....between the secretariats of WTO, UNCTAD, UNDP, UNEP and other relevant international environmental and developmental and regional organisations".

5. Technical Cooperation and capacity building

Economic dominance is further highlighted in the paragraph on 'Technical cooperation', which fails to recognise technical cooperation and capacity building programmes with UNEP and UNDP. There is no acknowledgement that the WTO does not have the core abilities to address environmental issues and needs to work cooperatively and transparently with those who do. This is likely to exacerbate developing country concerns over environmental protectionism, and could lead to a 'race to the bottom' with regard to environmental standards.

6. Trade liberalisation - unchecked

Paragraph 51 of the DDA calls for sustainable development to be appropriately reflected. There has been no progress on this. A few countries, including the EU and Canada, are in the process of carrying out integrated impact assessments, but they are in their infancy and it is difficult to see how they are influencing or will influence the countries' decision making in the Doha Round. The primacy of free trade has not been questioned.

7. Where it stands now

The only tangible outcome of the Cancún meeting is a brief Ministerial Statement in which Members agree to convene a General Council meeting at the Senior Officials level by 15

December. The 13 September Draft Ministerial Text has uncertain status although some members, such as the US and the EU, are calling for it to be the basis for revived negotiations. Members are currently awaiting guidance from the next General Council session, which was to be held on 20-22 October. In the meantime, all negotiating sessions for agriculture and non-agricultural market access have been cancelled.

In the next few months, agriculture is likely to become the most pressing issue, as the 'peace clause', under which WTO members have agreed not to challenge agricultural subsidies in the WTO, is set to expire by the end of the year. While Members of the G-20+ group of developing countries see the expiration of the 'peace clause' as an important influence on negotiations, others, such as the EU and the US, who have benefited from the 'peace clause', consider its renewal as a precondition for continuing negotiations.

Whilst the short-term priority should be getting the multilateral negotiations back on track towards a real development round, this is also an opportunity to take stock and reflect on the bigger picture of where trade should and could sit in the global governance structure. This review should be linked to the current UN Reform process, and must reflect the need for human well-being, security, equity, sustainable development and environmental protection. To achieve this, governments need to have the interests of their whole populations at heart, and to recognise that well-being and economic growth are not necessarily synonymous.

Yummy Lunch...and a most interesting SIDE EVENT..... on Tuesday, 1.15 -2.45pm

"Key Biodiversity areas: identifying priority sites for conservation"

Proudly Presented by BirdLife International, Conservation International, and Plantlife.

Room 5, Level 3

L'Approche Ecosystémique et la mise en pratique de la Convention sur la Diversité Biologique

Laurent Ntahuga

L'Approche Ecosystémique est cette nouvelle voie que préconisent les spécialistes de la Convention sur la Diversité Biologique (CDB) pour promouvoir la réalisation de la Convention dans les pays signataires et au delà. Cette méthodologie, dont on parle de plus en plus, et qui sera à l'ordre du jour de la neuvième réunion de l'Organe Subsidaire chargé de fournir des Avis Scientifiques, Techniques et Technologiques de la CDB, est un ensemble de 12 principes qui ont été mis sur pied par un groupe d'experts en conservation en 1998 au Malawi (Afrique) au cours d'un séminaire de la CDB.

Depuis cette année, les Principes du Malawi, ou Approche Ecosystémique de la CDB ont subi une toilette importante notamment en essayant de les rendre plus pragmatiques et plus proches de l'homme, qu'ils doivent servir, en se référant à la pratique du terrain. Après tout, ils ont été conçus comme étant un instrument de travail du conservateur avant même d'être celui du décideur.

Le défi actuel de cette nouvelle approche à la mise en pratique de l'esprit de la Convention, auquel nous croyons nous tous, est que toutes les parties contractantes lui donnent priorité. Les pays du Sud, qui

détiennent la grande partie des richesses de la biodiversité, devraient l'essayer de plus en plus dans leurs préoccupations quotidiennes de protection de la Nature et de lutte contre la pauvreté, car conserver nos ressources biologiques, c'est nous garantir du lendemain et des chances pour batailler avec succès contre la pauvreté. Ceux du Nord, plus nantis, devraient abandonner leur habitude de tergiverser, et presque faire chanter les pays en voie de développement, avant de débloquer les deniers nécessaires pour traduire la théorie de la gestion rationnelle des ressources de la biodiversité dans la pratique.

Voilà le double défi de l'Approche Ecosystémique, un instrument supplémentaire pour aider l'homme du vingt-et-unième siècle à gérer et utiliser durablement ses ressources naturelles, sans quoi il débouchera tôt ou tard à la catastrophe écologique généralisée.

Dans les pays du Sud, forêts et savanes sont détruites à des vitesses irrémédiables et incompatibles avec nos intérêts et ceux des générations futures. Faut-il continuer sur cette lancée sans issue réelle ou alors tenter celle de l'Approche Ecosystémique? Essayez, et vous me direz!

More **Boldness** on **Technology Transfer**

Rich Blaustein

In preparation for COP VII, the 9th Meeting of SBSTTA will focus on technology transfer and protected areas. It is exceptionally commendable that an international environmental agreement has given priority to technology transfer. Yet, while the CBD Secretariat and the June 2003 Trondheim Norway/UN Conference on Technology Transfer and capacity building have worked exceptionally hard and thoughtfully on the issue, the CBD's draft program offered for discussion at this SBSTTA needs dramatic strengthening.

In particular, this draft program does not extend and build from the SBSTTA II and COP III review of Technology Transfer and does not go far enough into action. The present draft program should have more confidence in its ability to overcome intellectual property obstacles; should set in action immediate pilot projects; and it should forthrightly conceptualize ideas for regional networks and private sector contributions, making ready for fuller specifications at COP VII. Perhaps, most importantly, the draft of proposals for technology transfer should be better linked in a methodical manner with the CBD's 5 thematic programs and key cross cutting issues such as invasive species.

The CBD reviewed technology transfer in the mid 90s. In that early review many gaps in capacity and institutional linkages were acknowledged, but there was a clear sense of the potential to link biodiversity-related technology transfer and biodiversity-derived technologies to development. The current SBSTTA list of technologies pertinent for biodiversity technology transfer is extensive (see UNEP/CBD/SBSTTA9/INF/13), but lacks a bold articulation of the nexus of biodiversity, technology transfer, and development.

For example the industrial processes, ingredients, and goods that are derived from biodiversity offer much potential for sustainable development. Andrew Beattie and Paul R. Ehrlich discuss many of the industrial

...cont. p 8

...Technology Transfer cont.

applications incorporating biodiversity components in their 2001 book "Wild Solutions: How Biodiversity is Money in the Bank". These applications encompass such diverse fields as mining, synthetics, and design. A separate section in the present SBSTTA list of technologies for bio-industrial goods and processes would have been a most helpful addition. Similarly, although there is mentioning genetic technologies, there should have been more expounding of the "high technologies" mentioned in the COP III review, such as "DNA hybridization, DNA fingerprinting, and allozyme analysis". When developing countries have access to these and other complex technologies they can better estimate for themselves which choices of technology adaptation are best for their societies and futures, and the CBD should play the leading role in facilitating this. Thus SBSTTA must offer an innovative map for CBD technology transfer pilot initiatives, beyond a simple listing of biodiversity-related technologies.

For example, with the close working relationship of the CBD and the Global Invasive Species Programme (GISP), a pilot project on technology transfer to help developing countries acquire or develop technology suited to their own particular invasive species needs could be initiated in the near future. This pilot project could also examine institutional linkages that would facilitate the development of anti-pest technologies in the developing world. Here the pilot project would successfully integrate the CBD cross cutting issue of invasive species with the CBD thematic work program of agricultural biodiversity, and make use of GISP vision and expertise on this issue.

The conceptualization of this SBSTTA's and the upcoming COP's technology transfer goals needs to be more fully linked primarily to the CBD's five thematic programmes. Future indicative lists of technologies should be specifically set in correspondence to these programmes. A table or other form of exposition organized under the five areas of marine and coastal biodiversity, agricultural biodiversity, forest biodiversity, inland waters, and dry and sub-humid lands would be an indispensable initiation of needs assessments as well as technology transfer awareness. The technology transfer conceptualized under the five thematic work programs is indispensable and further promotes the operational success of the CBD.

Much can be done and needs to be done at this SBSTTA to ensure that the CBD technology transfer program is a success and makes a difference. For example,

- a re-articulation of the link between biodiversity-related technologies and development;
 - the preparation and initiation of pilot projects and institutional arrangements; and
 - the expediting and further linking of the draft programme with the five thematic work programs
- Strengthening and expediting the CBD's technology transfer program is integral for achieving the WSSD mandated goal of significant reduction of biodiversity loss by 2010.

No Mining in Parks: Recommendations from an open letter to the Director-General of IUCN protesting against IUCN's dialogue with the International Council on Mining and Metals

See : <http://www.walhi.or.id/English/campaign/iucn-letter.html> for the full letter and the list of NGOs/IPOs who signed the letter.

- Mining must be prohibited in all protected areas, not considered on a 'case by case' basis.
- Halt planned and existing mining operations in World Heritage Areas, and operations that are adjacent to or impact these areas.
- The mining industry must not play a role in the categorization or definition of boundaries of protected areas, as the mandate for such decisions rests with communities and their representatives, not commercial interests.
- Mineral exploration before a protected area is declared is unnecessary and inappropriate. Mineral exploration activities cause environmental and social impacts.
- Indigenous peoples have the rights specified in the UN Draft Declaration for the Rights of Indigenous Peoples which includes the right to free prior informed consent regarding all developments on their lands including both proposals to mine and the declaration and management of protected areas.
- Communities have the right to be consulted and involved in protected areas declaration and management and the right to define their own development on the basis of sustainability and therefore have the right to affirm or reject any proposed mineral project that will affect them.
- Communities and their governments have the right to implement environmental laws in support of protected areas, and to exclude mineral companies without fear of sanctions under international tribunals or trade agreements.