

**International Council on Mining and Metals (ICMM)
Submission to the Convention on Biological Diversity's (CBD) post-2020 framework
on mainstreaming**

ICMM welcomes the opportunity to submit comments on mainstreaming of biodiversity into industrial sectors, and to contribute to the development of both the Long-term Approach to Mainstreaming and the Post-2020 Framework. Please find below our reflections on the role of business in implementing the Framework, ICMM member lessons from experience in biodiversity management and some suggestions for global and national policy which leverages the contribution businesses can make.

A fresh approach to business and biodiversity is needed

In May of this year, the UN Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES) [published](#) findings that show, in no uncertain terms, biodiversity is declining at rates unprecedented in human history. We all depend on ecosystems for our survival, so this rapid reduction of the world's precious natural diversity is cause for great alarm. However, as the report also states, it's not too late for us to make a difference.

The imperative of conserving biodiversity is clear and we all have a responsibility to contribute, including the private sector. ICMM members recognise that they have an important role to play. As businesses who rely on the services that land and ecosystems offer, they have a vested interest in doing so.

Fundamental business action to reduce impact

ICMM members support the efforts of the Convention on Biological Diversity to mainstream biodiversity values across the mining industry and to establish a post 2020 global biodiversity framework which can enable society to reach the CBD's 2050 vision. ICMM members support a post-2020 framework which includes a small number of inspiring, clear and easily understandable headline goals which set one direction of travel for society, business and governments.

There are fundamental actions which businesses should take to avoid and address negative impacts to biodiversity resulting from their own activities, and which would contribute to the goal of reducing negative impacts from economic sectors. For example, ICMM members commit to contribute to the conservation of biodiversity, and specifically:

- Commit not to mine or explore in World Heritage sites, and design and operate their mines in a manner which does not compromise the biodiversity value of any protected area.
- Commit to implementing the mitigation hierarchy with the ambition of achieving no net loss of biodiversity.

How government can support

For these actions to be effective and mainstreamed, they need to be underpinned by an enabling and consistent regulatory environment. We must avoid piecemeal and uncoordinated legislative efforts.

To be transformative, the framework needs to level the legislative playing field whilst also enabling and inspiring innovation and collaboration for the more progressive players. It

should actively encourage coordination between nations to support consistency and collaboration around ecosystems and supply chains which are transboundary.

Leveraging businesses' contribution

The Framework should leverage what mining companies have to offer in addition to addressing their impacts.

In 2014, 85% of ICMM members were already supporting conservation beyond direct impact management. As landholders, they can be important stakeholders within regions: they can support integrated land-use planning ; they contribute to conservation through offsets and social investment; and they employ biodiversity managers on the ground who gather scientific data and increasing knowledge of species and habitats.

ICMM members work together to share knowledge, develop guidance on good biodiversity management and make collective commitments and thereby make a positive contribution to practice through leadership.

Halting biodiversity loss requires a collaborative, partnership approach. And in the post-2020 framework we have an opportunity to maximise the contribution that business can make as a partner at the local, national and global levels.

Call to build on existing experience and good practice

To ensure the post-2020 framework enhances biodiversity management by companies, it should build on established good practice. Much progress has been made in mainstreaming biodiversity in the mining industry over a number of decades:

- **Good practice guidance exists for the mining sector** which are commonly accepted and which governments and other sectors can draw on. CBD Parties should seek to build on this and focus minds on embedding and mainstreaming these. Key references include CSBI's¹ [Mitigation Hierarchy Guide](#) and [Good Practices for the Collection of Biodiversity Baseline Data guide](#).
- **Good practice biodiversity management approaches implemented by ICMM members include:**
 - Assessing the predicted impacts and risks to biodiversity of mining activities
 - Incorporating biodiversity into business and closure planning. This includes implementing the mitigation hierarchy with the ambition of achieving no net loss of biodiversity, avoiding impacts as far as possible.
 - ICMM members commit to doing so as part of their membership requirements, and will demonstrate progress through ICMM's site-level validation and reporting process.
 - Taking the wider landscape of ecosystems and stakeholder needs into consideration
 - Establishing biodiversity baselines, setting clear objectives and monitoring progress

The success of the implementation of the framework will also depend on learning from past experiences, successes and challenges. ICMM members have a track record of leadership and want to share lessons learned to help guide development of those solutions:

- **Site-specific information is essential to understanding impacts:** The mining industry is extremely varied and the factors influencing biodiversity within any particular landscape are unique, so it is difficult to generalise. Site-specific data is needed to effectively

¹ Resources on CSBI for sharing when engaging with the CBD are being developed by the CSBI steering committee and collected [here](#)

manage risks to biodiversity, as global databases are not granular enough. Companies need policies and tools which ensure appropriate site-level screening of biodiversity impacts in consultation with local stakeholders.

- **Mainstreaming within a company requires systems, a strong business case and balancing conservation goals with social risks and opportunities:** There are many business, social development and environmental systems and decision-making processes which influence land-use and impacts, and within which biodiversity needs to be considered. As suggested below, coherent regulation, national strategies and action plans support the relevant business case.
- **Respecting community rights is key:** It is important to ensure that community resource needs are considered when developing biodiversity risk mitigation strategies and applying an approach relevant to local challenges. At times, there is a tension between biodiversity and ecosystem conservation on the one hand and shorter-term livelihoods needs for local communities on the other, even when conservation supports people's livelihoods and wellbeing in the longer term.

The effective participation of indigenous peoples and local communities is essential to ensure that biodiversity conservation objectives are balanced with social and economic development objectives of host communities. It is also an important factor in successfully implementing agreed conservation actions that will endure. Collaboration and effective government policy is needed to manage pressure on biodiversity resulting from socio-economic needs.

- **There is a need for pragmatic and effective indicators, accounting frameworks and valuation methods** so that companies can demonstrate progress on achieving biodiversity commitments like no-net-loss or contributions to post-2020 targets and the SDGs, monitor performance and report in a meaningful way to external stakeholders.²

Suggestions for global and national policy

Good governance led by national governments, including industrial ministries, is essential to mainstreaming biodiversity conservation across sectors and ensuring sustainable outcomes. From experience in multiple jurisdictions, ICMM members have identified some actions governments should consider to support the delivery of good practice by the mining industry:

- **Collaborate with business**, including at the regional level or through public private partnerships to support wider-scale and longer-lasting conservation areas. Individual mining projects aren't best-placed to initiate action at a landscape-level, but when governments and producers work together larger habitats can be conserved, supporting greater biodiversity protection and avoiding the displacement of impacts from one location to another. Working together, stakeholders in a region can ensure the balance of social and conservation needs are considered and co-benefits are identified to address long-term pressures on biodiversity.
- **Actively engage the mining industry around consistent and effective policy, and management approaches:** Companies should actively engage in both national and global policy discussions and ensure alignment with operational requirements to deliver positive change. The Convention on Biological Diversity together with national

² Biopama supported Southern African Development Community Guidelines for Mainstreaming Biodiversity and Ecosystem Services in the Extractives Industry [http://www.biopama.org/media/SADC%20Extractive%20Industry%20and%20Biodiversity%20Guidelines%20\(EN\).pdf](http://www.biopama.org/media/SADC%20Extractive%20Industry%20and%20Biodiversity%20Guidelines%20(EN).pdf): table 1 'Summary of results of group work Identifying Challenges')

governments should formalise the meaningful participation of industry in their consultation and decision-making processes.

- **Enforce robust minimum requirements, encourage business integrity and best practice:** Recognising that companies can face pressures to minimise costs, this ensures that less responsible companies cannot access mineral resources without adequate consideration of biodiversity impacts.
- **Enforce stringent, consistent but balanced regulation and policy in and around areas of important biodiversity such as World Heritage sites and protected areas, including:**
 - Not allowing industrial activity in World Heritage sites
 - Consistently enforcing legislation around what activities are permitted or not in protected areas or other important areas of biodiversity.

Note that if 'no-go' commitments remain voluntary at the company level, biodiversity which has been protected or even enhanced by one company is at risk if and when these areas fall under the management of another company without such a commitment.

- **Ensure biodiversity-inclusive Environmental and Social Impact Assessment (ESIA) and Strategic Environmental Assessment requirements are comprehensively applied** to ensure strategic consideration of biodiversity on a large scale.
- **Develop and enforce consistent and cohesive environmental offset policies** with embedded biodiversity-specific components. This will provide a transparent and consistent mechanism to establish offsets when the mitigation hierarchy has been applied and residual impacts to key biodiversity values have been identified.
- **Ensure that mining offsets and avoidance zones are subject to protected area laws or equivalent and managed in perpetuity with government oversight**, even when their management is funded by companies. For instance:
 - Avoidance zones or mining tenements foregone due to biodiversity risk must be formally protected as soon as possible to prevent less responsible companies from accessing these resources.
 - Control of these areas can be handed over to conservation managers and/or community-led governance structures to enable a more sustainable and resilient conservation model. If local stakeholders support and own the conservation areas, they are more likely to remain guardians in the longer term.
 - Proclaiming offsets and avoidance zones as protected areas means they will be subject to protected area laws.
 - Overseeing their management, including holistically in the context of wider conservation goals as well as their interconnectivity with other protected areas.
- **Manage the impacts of artisanal, small-scale and medium-sized mining operations:** Large and transnational companies have a responsibility to manage impacts and contribute to conservation efforts. However, in mining and agriculture, small and medium-sized businesses may have a significant or even greater impact which falls outside of current regulation. These risks may be overlooked if the focus is only on approaches suited to the big players. For small-scale metals and minerals producers in particular, specific approaches need to be designed including legalisation and capacity building.
- **Develop capacity within government** to enhance levels of understanding and appreciation of biodiversity-related issues across government departments. Lack of capacity is often a limiting factor which has caused biodiversity programmes to stall. Developing national or sub-national business and biodiversity networks is one way to enhance understanding and to resource collaborative projects in countries.

- **Establish national level strategies and targets which businesses can contribute to:** The Global Post-2020 Framework needs to be clearly articulated in national and local level planning processes, strategies and action plans. This will encourage senior leaders to incorporate biodiversity in relevant business decision-making. It also means companies can align their efforts to broader goals including through public-private or social investment partnerships for biodiversity conservation.
- **Provide mechanisms and platforms for data-sharing by companies to enhance planning and decision-making:** National and global biodiversity databases could be improved if companies had access to mechanisms for sharing data they have collected at the local level.