Scope of application

This safeguard applies when WWF’s place-based activities (hereafter ‘activities’) may involve access restrictions or the resettlement of people and/or communities. WWF regularly engages in on-the-ground conservation where access restrictions or resettlement are imposed by a governing authority or another party. In these situations, fulfilling the requirements of this safeguard will become the responsibility of this party as a condition for WWF’s engagement.

For purposes of this safeguard, access restrictions and resettlement are defined as follows:

- **Access restriction** means the loss and/or limitation (i) of physical access to or (ii) of use of land/sea, natural resources, and cultural heritage either on a permanent or temporary/seasonal basis. Such restrictions may impact negatively on the economic, social, cultural and environmental benefits that people accrue from these resources or areas.
- Should the access restrictions include the physical relocation of people and/or communities to a new place whereby their housing, assets, and infrastructure (both individual and communal) are re-established, it is referred to as **resettlement**.

Objectives

The objectives of this safeguard are to:

- Identify and avoid adverse impacts from access restrictions (and if applicable, resettlement) and where avoidance is not achieved, minimise adverse impacts and respond to residual impacts through the identification and design of appropriate and proportionate mitigation measures;
- Respect, in relation to access restriction (and if applicable, resettlement), the right of potentially affected people and communities to information and participation;
Avoid resettlement where there is no documentation of mutually accepted good-faith negotiation and informed consent of the affected people and communities based on their free will and choice, or the Free, Prior and Informed Consent (FPIC) of Indigenous Peoples.

Requirements

When the Safeguards Screening determines that this safeguard applies, the following is required. Efforts to fulfil these requirements must be proportionate to the potential adverse impacts and WWF’s role with respect to the impacts.

1. Prior to the implementation of activities that lead to access restriction (and if applicable, resettlement), an assessment has been carried out that includes analysis of:
   a. WWF’s role and contribution with respect to the planned access restrictions (and if applicable, resettlement);
   b. Tenure regimes, i.e. formal and informal rules that regulate access to, use of, and control over areas (land, forest, waters) and resources, including customary and collective or communal forms of land tenure;
   c. Potentially affected people and communities, their legal and customary rights, their relationships to the affected areas and resources;
   d. All potential adverse impacts on the affected people and communities. This should include impacts on tenure regimes, livelihoods, culture, social organisation and social cohesion (differentiating, where applicable, between rights-holders and others, women and men, Indigenous Peoples and people who may be in vulnerable situations. These may include for example persons with disabilities, children, ethnic minorities or landless, elderly or displaced persons).
   e. All feasible alternatives and measures to avoid access restrictions (and if applicable, resettlement).
2. Affected people and communities must be consulted in a culturally appropriate way during the safeguards process and be enabled to participate actively and effectively in decision-making processes relevant to them in the context of the activities. When the affected communities include Indigenous Peoples\(^1\) their right to FPIC must be respected.

3. Resettlement activities are supported only when they are justifiable and lawful and where there is documentation of mutually accepted good-faith negotiation and informed consent of the affected people and communities based on their free will and choice. Resettlement must not take place without the Free, Prior and Informed Consent (FPIC) of Indigenous Peoples.

4. In cases where the community owns and/or uses the resources collectively and decides to restrict access to these resources, WWF will only support such activities when the decision-making process is inclusive, i.e. vulnerable community members participate in this process and their interests and concerns are being addressed appropriately.

5. Where all feasible alternatives have been exhausted and adverse impacts cannot be avoided, measures to minimise and respond to these impacts must be identified. Mitigation measures must be fair and meaningful to affected people and communities, responding to the potential impacts.

6. Mitigation measures responding to potential adverse impacts related to access restriction or resettlement should:

   a. Specify actions to assist affected people and communities to improve or at least restore their livelihoods, in real terms, including assistance to re-establish commercial or subsistence activities, activities aimed at capacity-building and strengthening local institutions, and at enhancing social services (e.g., health and education);

\(^1\) See also the Safeguard on Indigenous Peoples to identify to whom this may apply.
b. Detail the approach for responding to loss of assets and for loss of access to assets;
c. Take into account the cultural and spiritual relationship between people and nature, and identify activities to sustain that relationship;
d. Specify a process to address potential conflicts;
e. Describe arrangements for implementing and monitoring mitigation measures.

7. Where WWF funds or supports a government agency or other third party to carry out activities that may lead to access restriction or resettlement, WWF expects this party to fully observe safeguards requirements in such activities, including with respect to the rights of the affected people and communities. WWF reserves the right to withdraw support if its safeguards requirements are not met.

**Relationship to other safeguards**

WWF maintains a list of excluded activities as part of the ESSF. It includes:

- *Involuntary resettlement*

Where activities may involve restricting access to or use of cultural heritage, WWF will apply this safeguard alongside the WWF Safeguard on Cultural Heritage.

Where activities may involve access restriction or resettlement of Indigenous Peoples, WWF will apply this safeguard alongside the WWF Safeguard on Indigenous Peoples.