



# Exclusion List

LLF ESMS Annex B

## ACRONYMS AND ABBREVIATIONS

Name	Description
EIA	Environmental Impact Assessment
EU	European Union
FPIC	Free, Prior, and Informed Consent
ILO	International Labor Organization
LLF	Legacy Landscapes Fund
UN	United Nations
WB ESS	World Bank Environmental and Social Standards
WHO	World Health Organization

## DOCUMENT HISTORY

Version	Revision	Prepared by	Reviewed by	Approved by	Date	Comments

The Legacy Landscapes Fund's (herein referred as "LLF") mission is to safeguard biodiversity by promoting nature conservation and the preservation of ecosystem services in globally significant conservation areas, while working with local communities and respecting their rights and needs.

The exclusion list of the LLF is based on the internationally recognized best practices exclusion lists.

LLF will not finance any activities that involve the following:

1. Infrastructure and equipment that a) could imply the impairment of areas particularly worthy of environmental protection, especially those that are legally protected, proposed for protection, or identified as high-conservation value<sup>1</sup>, or b) would be considered defense dual-use investments that could be used for both conservation and military purposes.
2. Any extractive industry prospection, exploration and extraction activities in the coal, oil, gas and mining sector as well as related transport means and infrastructure.
3. Commercial logging operations in primary tropical moist forest.
4. The conversion of natural or high conservation value forests into plantation as well as the purchase of logging equipment for this purpose.
5. Production or trade in wood or other forestry products other than from sustainably managed forests.
6. The unsustainable harvesting of natural resources -animals, plants, timber and/or non-timber forest products (NTFPs).
7. Interventions to protect specific species or habitat types (e.g., deserts, forests) without reference to landscape connectivity<sup>2</sup>.
8. Introduction of, or increased competitiveness of, invasive species;
9. Unsustainable or destructive fishing methods in inland waterbodies, e.g., blast fishing.
10. Production and purchase of and trade in weapons and munitions<sup>3</sup> or critical components thereof.
11. Production or trade in any product or activity deemed illegal under host country laws or regulations, subject to national or international phase-out or prohibition regulations or to an international ban, for example:
  - a) certain pharmaceuticals, pesticides, herbicides and other toxic substances (under the Rotterdam Convention, Stockholm Convention and WHO "Pharmaceuticals: Restrictions in Use and Availability"),
  - b) ozone depleting substances (under the Montreal Protocol),
  - c) polychlorinated biphenyls (PCBs),
  - d) protected wildlife or wildlife products (under Convention on International Trade in Endangered Species of Wild Fauna and Flora [CITES] / Washington Convention),
  - e) prohibited transboundary trade in waste (under the Basel Convention).
12. Harmful or exploitative forms of forced labor<sup>4</sup> or harmful child labor<sup>5</sup> as defined by ILO conventions.

---

<sup>1</sup> This does not include small scale needed infrastructure in or around protected areas, such as research or staff camps, access roads or ranger stations that depending on their scope undergo an EIA.

<sup>2</sup> Landscape connectivity is the degree to which the landscape facilitates or impedes movement among resource patches. Landscape connectivity thus combines a description of the physical structure of the landscape with an organism's response to that structure (Taylor, Philip & Fahrig, Lenore & With, Kimberly. (2006). Landscape connectivity: A return to the basics. 10.1017/CBO9780511754821.).

<sup>3</sup> The restriction does not apply to field or bush knives, machetes and other essential field or safety gear provided to rangers. Equipment needed for research, one health related activities or translocation of wildlife is also permitted.

<sup>4</sup> "Forced labour" means all work or service, not voluntarily performed, that is extracted from an individual under threat of force or penalty.

<sup>5</sup> "Harmful child labour" means the employment of children that is economically exploitive, or is likely to be hazardous to, or to interfere with, the child's education, or to be harmful to the child's health, or physical, mental, spiritual, moral, or social development. Employees must be at least 15 years of age, as defined in the ILO's Declaration on the Fundamental Principles and Rights at Work (C138 – Minimum Age Convention, Article 2), unless local laws require compulsory school attendance or a minimum working age. In such circumstances, the highest age requirement must be used.

13. Activities that infringe on the rights of indigenous peoples (IP)<sup>6,7</sup>
14. Activities that could result in the exploitation of and access to outsiders to the lands and territories of indigenous peoples living in voluntary isolation and initial contact.
15. Activities that would result in the involuntary physical displacement or forced evictions of people from their households, communities, territories, customary and ancestral domains. This does not include evictions related to clearly destructive, unsustainable and illegal use practices that are carried out in accordance with host country laws and in full accordance with basic principles of a due process as described by the UN Basic Principles and Guidelines on Development-based Evictions and Displacement.
16. Any activity leading to an irreversible modification or significant displacement of an element of culturally critical heritage<sup>8</sup>, or the use of any intangible cultural heritage without the FPIC of the communities who it belongs to.
17. Activities for the promotion of private sector commercial gain without links to community benefits, conservation, and development.

Moreover, in accordance with international best practices exclusion lists, LLF will not fund programs that involve activities listed below. LLF recognizes that the following activities are very unlikely in the conservation programs; however, these are also excluded from LLF fundings:

1. Production, use of, trade in, distribution or activities involving radioactive material. This does not apply to the procurement of medical equipment, quality control equipment or other application for which the radioactive source is insignificant and/or adequately shielded.
2. Production, use of, trade in, distribution or activities involving unbound asbestos. This does not apply to the purchase or use of cement linings with bound asbestos and an asbestos content of less than 20%.
3. Production, use of, trade in, distribution or activities involving alcoholic beverages (excluding beer and wine), tobacco, gambling, casinos, and equivalent enterprises.
4. Prospection, exploration and mining of coal; land-based means of transport and related infrastructure essentially used for coal; power plants, heating stations and cogeneration facilities essentially fired with coal, as well as associated stub lines.
5. Non-conventional prospection, exploration, and extraction of oil, such as from bituminous shale, tar sands or oil sands.
6. Other extractive sector activities at the discretion of LLF.

Furthermore, LLF does not offer financing for projects companies, activities, or individuals subject to United Nations (UN) or European Union (EU) sanctions. LLF will therefore not fund any sector or any service subject to an embargo by the UN, EU and/or its funders in a particular country.

---

<sup>6</sup> The term "Indigenous Peoples" is used in a generic sense to refer to a distinct social and cultural group possessing the following characteristics in varying degrees as per WB ESS7: Self-identification as members of a distinct indigenous cultural group and recognition of this identity by others; Collective attachment to geographically distinct habitats or ancestral territories in the project area and to the natural resources in these habitats and territories; Customary cultural, economic, social, or political institutions that are separate from those of the dominant society or culture; An indigenous language, often different from the official language of the country or region.

<sup>7</sup> LLF is aware that in some countries, national legislation and protected area regulations are not fully aligned with international IP rights. LLF supports globally significant conservation areas, that commit to use leverage and/or mitigate (according to the form of involvement under the UNGP Guiding Principles on Business and Human Rights) any potential non-respect with regards to IP rights, including an assessment and development of a full documented FPIC and fulfilment of other special requirements as defined in World Bank ESS7.

<sup>8</sup> "Critical cultural heritage" means any heritage element recognised internationally or nationally as being of historical, social and/or cultural interest.