



EDITORIAL ESSAY: OTHER EFFECTIVE AREA-BASED CONSERVATION MEASURES: FROM AICHI TARGET 11 TO THE POST-2020 BIODIVERSITY FRAMEWORK

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DEVELOPMENT OF GUIDANCE ON OECMS

At the 10th Conference of the Parties to the Convention on Biological Diversity (COP 10/CBD), Parties agreed to the Strategic Plan for Biodiversity (2011–2020) with twenty Aichi Biodiversity Targets. Among these, Aichi Target 11 states that:

By 2020, at least 17 per cent of terrestrial and inland water, and 10 per cent of coastal and marine areas, especially areas of particular importance for biodiversity and ecosystem services, are conserved through effectively and equitably managed, ecologically representative and well connected systems of protected areas and **other effective area-based conservation measures**, and integrated into the wider landscapes and seascapes. (CBD, 2010. Emphasis added).

This marks the first appearance of the term ‘other effective area-based conservation measures’ (OECMs) in international law. Over the following four years, discussions began within CBD fora and across other networks about how best to apply this new term in practice (see, for example, Lopoukhine & Dias, 2012; IUCN, 2012a; IUCN, 2012b; Woodley et al., 2012; CBD, 2013; CBD, 2014). Following a call to use the opportunity to innovate on existing conservation models (Jonas et al., 2014), the IUCN’s World Commission on Protected Areas (WCPA) established a Task Force in 2015 to develop guidance for IUCN

members and CBD Parties on the definition and application of the concept of ‘other effective area-based conservation measures’.

Today the WCPA Task Force has over 100 members globally. It convened three technical workshops in 2016–2017 and developed a first draft of *Guidelines for Recognising and Reporting OECMs*, for comment and field trial in April 2017. This resulted in a second draft that was circulated to Task Force members and all CBD National Focal Points in October 2017. In light of comments received, a revised draft was submitted to the Secretariat of the CBD in January 2018 in advance of workshops convened by the Secretariat to give effect to Decision XIII/2.

Those draft Guidelines proposed the following definition for an OECM:

A geographically defined space, not recognised as a protected area, which is governed and managed over the long-term in ways that deliver the effective *in-situ* conservation of biodiversity, with associated ecosystem services and cultural and spiritual values. (IUCN-WCPA, 2018).

The CBD Secretariat hosted two expert workshops in February 2018, held simultaneously, one focused solely on OECMs and a second on marine protected areas and

OECMs as they relate to coastal and marine areas (CBD, 2018). The outcome of those deliberations was a revised draft definition of an OECM and draft report on voluntary guidance for its application, to be considered at the 22nd meeting of the CBD's Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA 22) in July 2018. The revised draft definition states that an OECM is:

A geographically defined area, other than a Protected Area, which is governed and managed in ways that achieve positive and sustained outcomes for the *in-situ* conservation of biodiversity, with associated ecosystem services and cultural and spiritual values. (CBD, 2018).

Recommendations from SBSTTA 22, including guidance on OECMs, will be forwarded to CBD Parties for consideration at COP 14 (November 2018). In accordance with the request by COP 13, IUCN WCPA plans to elaborate the Guidelines to provide further guidance to Parties, including case studies and capacity development for implementation.

OECM FUNDAMENTALS

While there are small differences between the draft IUCN and CBD definitions, the essence of both definitions remains the same. The draft IUCN Guidelines set out that the core distinction between a protected area (Dudley, 2008) and an OECM is that whereas protected areas must have conservation as the primary objective of management, OECMs are defined by outcomes rather than objectives (i.e. an OECM must *deliver* the effective *in-situ* conservation of biodiversity, regardless of the area's management objectives). The CBD defines '*in-situ* conservation' as "the conservation of ecosystems and natural habitats and the maintenance and recovery of viable populations of species in their natural surroundings and, in the case of domesticated or cultivated species, in the surroundings where they have developed their distinctive properties." (CBD, 1992).

The draft Guidelines also describe three approaches that can lead to OECMs, recognition of which would consent of the relevant governance authority. First are areas where conservation is the primary management objective (primary conservation) that may meet all elements of the IUCN definition of a protected area, but are not currently recognised or reported as protected areas – see Table 1 for some examples. Where such areas meet the criteria of a protected area according to the IUCN definition, IUCN recommends that these areas should be recognised and reported as protected areas (e.g. many Privately Protected Areas). Second are areas where conservation is an outcome of management but is a secondary management objective (*secondary*

conservation). Third are areas that deliver conservation outcomes as a by-product of management activities even though biodiversity conservation is not a management objective at all (*ancillary conservation*) (IUCN-WCPA, 2018). Notwithstanding these differences, like protected areas, OECMs can be governed across the full suite of IUCN's four governance types. The OECM matrix, akin to the IUCN matrix of management categories and governance types, sets out the relationship between governance types and the three kinds of OECMs, providing illustrative examples of each (see Table 1).

CORE ELEMENTS

While the process of agreeing upon a definition and related guidance is ongoing, a review of the IUCN draft guidelines and CBD draft voluntary guidance reveals a number of core elements on which international consensus is developing. We provide commentary on a number of the most significant elements below.

Geographically defined space

This implies a spatially-defined area with agreed and demarcated boundaries, which can include land, inland waters, marine and coastal areas or any combination of these. In exceptional circumstances, boundaries may be defined by physical features that move over time, such as river banks, the high-water mark or extent of sea ice. While the size of OECMs may vary, they should be of sufficient size to achieve the long-term *in-situ* conservation of biodiversity, including all species or ecosystems for which the site is important, whether these are highly restricted species or habitats of more wide-ranging species.

Not a protected area

Areas that are already designated as protected areas or lie within protected areas should not also be recognised or reported as OECMs. While protected areas and OECMs are mutually exclusive at any point in time (Figure 1), both protected areas and OECMs have value for biodiversity conservation and can be counted towards fulfilling Target 11.

Governed and managed

Governed implies that the area is under the authority of a specified entity, or an agreed upon combination of entities (Dudley, 2008; Borrini-Feyerabend et al., 2013) – see Table 1. The areas should be actively managed; 'management' can include a deliberate decision to leave the area untouched. The governance and management should be equitable and reflect human rights norms recognised in international and regional human rights instruments and in national legislation, including relating to gender equity. Upholding the principle of

Table 1. The OECM matrix illustrates the relationship between IUCN governance types and the three kinds of OECMs, with illustrative examples (based on Jonas et al., 2017). The examples assume that the governance authorities have decided to recognise and report their areas as OECMs, including where relevant by providing their free, prior and informed consent for recognition as an OECM.

Governance types	Governments (at various levels)	Private individuals, organisations and companies	Indigenous peoples and/or local communities	Shared governance
Conservation priority				
Primary conservation	E.g. permanently protected areas of forest, such as old-growth, primary or other high-biodiversity value forests, which are protected from both forestry and non-forestry threats by government agencies.	E.g. privately conserved areas, which are managed with a specific conservation objective but which are not recognised as protected areas under national legislation, such as Harapan Rainforest.	E.g. territories or areas governed by Indigenous peoples and/or local communities that have a primary conservation objective and deliver the <i>in-situ</i> conservation of biodiversity, but where the governing body wishes the territories or areas to be recognised and reported as OECMs, rather than as protected areas.	E.g. areas under shared governance which meet the IUCN definition but are not currently recognised as protected areas.
Secondary conservation	E.g. watersheds or other areas managed primarily for water resource management or ecosystem services that also result in the <i>in-situ</i> conservation of biodiversity. Urban or municipal parks managed by government agencies primarily for public recreation but which are large enough and sufficiently natural to also effectively achieve the <i>in-situ</i> conservation of biodiversity (e.g. wild grassland, wetlands) and which are managed to maintain these biodiversity values.	E.g. privately owned lands and waterways managed for reasons primarily other than conservation, though conservation may be an additional objective. E.g. excluded use zones of lands/waters protecting industrial infrastructure.	E.g. territories and areas managed by Indigenous peoples and/or local communities (or sections of these areas) to maintain natural or near-natural ecosystems, with low levels of use of natural resources practised on a sustainable basis and in a way that does not degrade the areas' biodiversity.	E.g. areas under shared governance where conservation is a subsidiary objective.
Ancillary conservation	E.g. military lands and waters, or portions of military lands and waters that are managed for the purpose of defence, but also achieve the effective conservation of biodiversity in the long-term.	E.g. privately-managed coastal and marine areas protected for reasons other than conservation, but that nonetheless achieve the <i>in-situ</i> conservation of biodiversity.	E.g. sacred natural sites with high biodiversity values that are protected and conserved long-term for their associations with one or more faith groups.	E.g. areas under shared governance without a conservation objective but managed in ways that result in long-term conservation.

free, prior and informed consent (FPIC) will be especially important in the run up to 2020 (the deadline for CBD Parties to achieve the Strategic Plan and Aichi Targets), when state agencies will be under pressure to meet Target 11 and may be tempted to report ICCAs as OECMs without due process (Jonas et al., 2017).

Positive biodiversity outcomes and effective *in-situ* conservation

Given the explicit link in Target 11 between OECMs and biodiversity conservation outcomes, it is implicit that OECMs must achieve the effective and sustained *in-situ* conservation of biodiversity (as defined by the CBD) (i.e. the biodiversity outcomes should continue 'long-term'). Positive conservation outcomes may arise from strict protection or certain forms of sustainable management consistent with the CBD definitions of '*in-situ* conservation' and 'biodiversity'.

Long-term

While the draft IUCN and CBD definitions differ slightly in the wording in this regard, the guidance underscores that the conservation outcome must be 'long-term' and therefore is expected to be ongoing. Short-term or temporary management strategies will be unlikely to support effective conservation outcomes and areas with short-term restrictions therefore fail to qualify as an OECM.

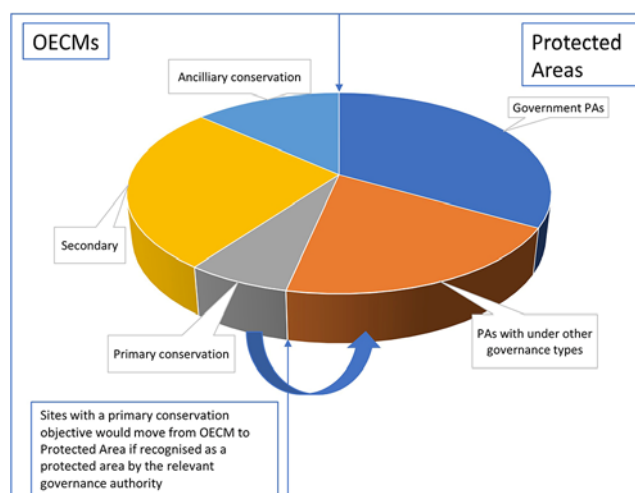


Figure 1. The relationship between OECMs and protected areas (Note: sizes of segments are illustrative only and not based on actual data)

Recognition

The recognition of an OECM should be on a case-by-case basis and not based on classes of areas. State agencies or others can identify classes of 'potential OECMs' but should not designate these *en bloc* without assessing each case individually. In this regard, the best available scientific information, including Indigenous and local knowledge, should be used for recognising OECMs, delimiting their location and size, informing management approaches and measuring performance.

Box 1: OECMs Protecting Biodiversity

OECMs will effectively protect one or more of the following elements of native biodiversity:

- Rare, threatened or endangered species and habitats, and the ecosystems that support them, including species and sites identified on the IUCN Red List of Threatened Species, Red List of Ecosystems, or national equivalents.
- Representative natural ecosystems.
- High level of ecological integrity or ecological intactness, which are characterised by the occurrence of the full range of native species and supporting ecological processes. These areas will be intact or be capable of being restored under the proposed management regime.
- Range-restricted species and ecosystems in natural settings.
- Important species aggregations, including during migration or spawning.
- Ecosystems especially important for species life stages, feeding, resting, moulting and breeding.
- Areas of importance for ecological connectivity or that are important to complete a conservation network within a landscape or seascape.
- Areas that provide critical ecosystem services, such as clean water and carbon storage, in addition to *in-situ* biodiversity conservation.
- Species and habitats that are important for traditional human uses, such as native medicinal plants.

In this context, an intensively-managed farm with a small proportion of the original native plants and birds will likely not be an OECM. Conversely, an area of native grassland, dominated by native plants, and having healthy populations of a large variety of native birds and mammals, might well be an OECM if a lower-intensity management and governance regime ensures these outcomes over the long-term. Just as for protected areas, there may be instances where an OECM is especially important for protecting a particular threatened species by protecting the entire ecosystem.

LOOKING AHEAD: OPPORTUNITIES AND CHALLENGES

Protected areas provide the foundation of national biodiversity conservation strategies and delivery of Target 11 (Lopoukhine & Dias, 2012; Woodley et al., 2012), but there are many areas outside national and regional protected area networks that also contribute to the effective *in-situ* conservation of biodiversity. There are several potential benefits of recognising OECMs within broader landscapes and seascapes and as complementary to systems of protected areas (Jonas et al., 2014; MacKinnon et al., 2015; IUCN-WCPA, 2016a, 2016b, 2017; Juffe-Bignoli et al., 2016; Diz et al., 2017; Jonas et al., 2017; Laffoley et al., 2017). Recognition of OECMs provides the opportunity to engage and support new stakeholders and more equitable partnerships in global conservation efforts, highlighting the diversity of contributions to conservation globally; increases opportunities for enhancing and increasing ecological representation within conservation networks; enables enhanced recognition and increased protection of areas of high biodiversity significance; improves connectivity across landscapes and seascapes; and can contribute to improved management and restoration of areas that could usefully support long-term *in-situ* conservation of biodiversity. For example, preliminary findings from a study by BirdLife International of Key Biodiversity Areas (KBAs) in 10 countries shows that around 80 per cent of the 754 unprotected KBAs were at least partly covered by one or more potential OECMs and over half were wholly covered (P. Donald, pers. comm.). The *Protected Planet Report* draws attention to these opportunities, stating that: “In the long-term, OECMs could have the potential to contribute greatly to elements such as representativeness and connectivity, and to contribute to conservation in important places such as Key Biodiversity Areas (KBAs), especially in cases where protected areas are not an option” (UNEP-WCMC & IUCN, 2016).

As with any new framework, there will likely be challenges for interpretation and implementation. Anticipating and addressing them proactively will lessen any potential negative effects. OECM-related challenges may include some of the following considerations.

Classifying efforts against appropriate Aichi Targets

As national governments intensify efforts to achieve the 2020 targets, it is important to ensure that areas identified as potential OECMs achieve their objectives through the *in-situ* conservation of biodiversity consistent with Target 11 criteria. Other area-based

measures, more consistent with improving forms of sustainable use, should be attributed against other targets. For example, many fisheries closures apply to specific geographic areas for a limited time period and therefore are more appropriately attributed to Aichi Target 6 (Laffoley et al., 2017). Similarly, many forestry management measures might best be considered as contributions to Aichi Target 7, which calls for areas under forestry to be managed sustainably by 2020. Industrial forestry and fishing areas should not count as OECMs.

Local-level management and governance of OECMs

The management and governance authorities of potential OECMs will need to have the capacity to identify the full range of key biodiversity attributes for which the site qualifies and demonstrate effective and enduring *in-situ* conservation of biodiversity, among other requirements. This will require investment in two-way capacity building at the local level focusing on local needs. It will also require all rights- and stakeholders – including Indigenous peoples and local communities – being centrally involved in the development and implementation of (sub-)national OECM-related laws, policies, procedures and institutional arrangements (Jonas et al., 2017).

Implementing agencies

Government, conservation and other implementing agencies are often under-resourced and understaffed. Adding another complex framework to their daily workload is likely to exacerbate any existing strains. Ensuring support and capacity building for relevant agencies to work with the OECM designation is important.

Recording OECMs in the World Database on Protected Areas

The World Database on Protected Areas (WDPA), managed by the UN Environment World Conservation Monitoring Centre (UNEP-WCMC) and IUCN, contains over 230,000 protected area records (UNEP-WCMC & IUCN, 2017). Area-based measures that are found to qualify as protected areas or OECMs should be reported to the WDPA. The WDPA is updated on a monthly basis and made available and downloadable online through the Protected Planet platform. UNEP-WCMC uses data in the WDPA to measure progress against international conservation goals, such as Target 11. Ensuring that countries apply the final guidelines on OECMs rigorously and are therefore reporting bona fide OECMs



Historic wreck sites which are fully protected can qualify as OECMs and provide an undisturbed environment for marine wildlife to flourish
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will be an important issue that requires attention and relevant capacity building.

Funding

Financial support for existing protected areas and new protected areas is limited. Additional funds will be required to build capacity to enhance management, monitor biodiversity outcomes and/or to provide support to OECMs. It will be important that institutional and private funders make available 'new and additional' financial resources to support this work appropriately.

Engaging public support and the broader community

The term 'other effective area-based conservation measures' is a political construct and not at all user friendly. A more approachable term will likely ensure the engagement of a diverse coalition of interested parties. Related initiatives and statements, such as in the Promise of Sydney and the New Social Compact (IUCN, 2014a, 2014b), reference 'protected and conserved areas' without specifying the exact meaning of 'conserved areas'. A discussion about this issue in the run up to COP 15 would be useful.

CONCLUSIONS AND RECOMMENDATIONS

OECMs offer a significant opportunity to recognise *de facto* conservation that is taking place outside currently designated protected areas and being implemented by a diverse set of people, including private actors, Indigenous peoples and local communities as well as government agencies. OECMs can contribute to the conservation of biodiversity in many ways, such as: conserving important ecosystems, habitats and wildlife corridors; supporting the recovery of threatened species; maintaining ecosystem functions and securing ecosystem services; enhancing resilience against threats; and retaining and connecting remnants of fragmented ecosystems within developed landscapes. OECMs can also contribute to ecologically representative and well-connected conservation systems, integrated within wider landscapes and seascapes. In doing so, they can help countries meet their commitments under Aichi Target 11. This is particularly important as there remain severe shortcomings in the achievement of the full intent of all aspects of Target 11 (Butchart et al., 2015; UNEP-WCMC & IUCN, 2016; Bingham et al., 2017).

In developing Target 11, Parties to the CBD emphasised the important role of protected areas as a conservation

tool but also recognised that achieving the target in terms of coverage and ecological representation would require recognition of other areas achieving effective conservation beyond the existing protected area estate (Lopoukhine & Dias, 2012; Woodley et al., 2012). As we approach the negotiation of the post-2020 biodiversity targets, Parties have an opportunity to increase significantly both coverage and ecological representation through 'systems of protected areas and other effective area-based conservation measures' but should not include areas that do not contribute to the aims of Target 11. In the post-2020 Biodiversity Framework, much greater attention must be paid to ensuring that the full scope of Target 11 is achieved and that both protected areas and OECMs are delivering their respective outcomes. In that context, it may be important to consider the elaboration of separate numeric targets for OECMs and protected areas. Protected areas are a proven conservation tool and the conditions for their successes are increasingly well documented. OECMs, on the other hand, are a new concept at the international level and will represent a novel national-to-local form of legal recognition (notwithstanding the fact that the areas 'recognised and reported' as OECMs will frequently not be 'new'). Maintaining the full value of OECMs is likely to require substantial efforts to build capacity to identify, monitor and maintain their biodiversity values. OECMs provide an exciting opportunity to expand the conservation estate but we must be wary of any tendency to inflate conservation totals by counting as OECMs areas of sustainable management that do not meet the criteria, including areas of industrial forestry and fishing.

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