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OTHER EFFECTIVE AREA BASED CONSERVATION MEASURES

Executive Summary

Area-based measures are a key tool for many fisheries management and biodiversity conservation-focused strategies and actions, and are part of SDG 14 (SDG14.5). These measures are particularly strongly advocated as biodiversity conservation measures. The Convention on Biological Diversity (CBD) Aichi Biodiversity Target 11 called for countries to commit to conserving 10 percent of marine and coastal environments within marine protected areas and 'other effective area-based conservation measures' (OECMs). The challenge for many countries was how to meet their global commitments. Mainstreaming biodiversity across marine resource use sectors and Target 11's reference to OECMs provided opportunities to overcome that challenge, although many countries still were not able to meet their area-based commitments due to a lack of common understanding about what counted as an OECM before late 2018 when a definition and criteria were adopted. As Parties to the CBD negotiate the Post-2020 Global Biodiversity Framework, they have an opportunity to continue to recognize OECMs in order to help recognize that a variety of area-based management measures can deliver biodiversity benefits, including those initiated and managed by use sectors.

This information paper provides the background and scope of the OECM concept, explains why OECMs present an important opportunity for the fisheries sector and how they fit into the global fisheries management and biodiversity conservation agenda. A summary of FAO's recent work and intended future work on area-based fisheries management are also included.

I. BACKGROUND AND SCOPE OF THE OECM CONCEPT

1. The global decline of biodiversity has led to an increased desire to safeguard environmental processes and mitigate anthropogenic impacts. The intersection between sustainable use of natural resources and conservation of biodiversity is therefore crucial to achieving global Sustainable Development Goals (SDGs) and targets. Biodiversity is essential to the food security, nutrition and livelihoods of millions of people around the world. The Food and Agriculture Organization of the United Nations (FAO) has a long and well-established history of working to eradicate hunger and achieve food security worldwide. The conservation of natural resources is included in FAO's Constitution. FAO's Members have supported a number of biodiversity-related commitments through decisions of FAO's technical committees, including Committee of Fisheries (COFI). In response, FAO published the Biodiversity Mainstreaming Strategy¹ and is in the process of finalizing an action plan.

2. Fisheries have an important role to play in conserving ocean biodiversity and contributing to human well-being. The 2030 Agenda for Sustainable Development includes SDG14 which aims to reconcile the sustainable use of fisheries resources, social equity and economic development. The sustainability of natural resources becomes extremely important and involves a many actors working across different sectors given that the global population is growing and relying more and more on fisheries and aquaculture for food, nutrition and livelihood security. Within this context, improved actions and synergies at the global and regional levels are essential.

Area-based management in biodiversity conservation

3. Area-based conservation of marine resources is a key focus of many conservation-focused strategies and actions. The Parties to the CBD officially recognized the role of area-based management in biodiversity conservation through the adoption of Aichi Biodiversity Target 11 (Target 11) in 2010. Target 11 specifically captures the role of area-based conservation in marine biodiversity and calls for 10 percent of coastal and marine areas to be conserved under protected areas and other effective area-based conservation measures (OECMs) by 2020 (Decision x/2).² The UN General Assembly has reinforced this in the 2030 Sustainable Development Agenda through the adoption of Sustainable Development Goal 14.5, which includes a similar target of conservation of 10 percent coastal and marine areas.

4. These area-based conservation targets and their associated commitments spurred rapid expansion of the coverage of marine protected areas (MPAs). However, this rapid growth has inspired criticism about the effectiveness of MPAs, particularly about the adequacy of their placement, governance, management, and their social ecological values and costs^{3,4,5}. Many MPAs have been placed in politically convenient locations and not biologically significant and scientifically backed areas; the vast majority of marine species are not well covered; many are too small to offer adequate protection; and some are poorly managed, monitored, and enforced and, thus, simply "paper parks." Others are also criticized for their cost.

5. Attention has turned to Target 11's reference to OECMs, which allows for a variety of sustainable use sectors to contribute to meeting global biodiversity targets through their own area-based management initiatives, thus helping countries meet their commitments to conserving 10 percent

¹ www.fao.org/3/ca7722en/ca7722en.pdf

² www.cbd.int/decision/cop/?id=12268

³ O'Leary BC, Ban NC, Fernandez M, Friedlander AM, García-Borboroglu P, Golbuu Y, Guidetti P, Harris JM, Hawkins JP, Langlois T, et al. 2018. Addressing Criticisms of Large-Scale Marine Protected Areas. *BioScience* 68: 359–370.

⁴ Jantke K, Jones KR, Allan JR, Chauvenet ALM, Watson JEM, Possingham HP. 2018. Poor ecological representation by an expensive reserve system: Evaluating 35 years of marine protected area expansion. *Conservation Letters*: e12584.

⁵ Klein CJ, Brown CJ, Halpern BS, Segan DB, McGowan J, Beger M, Watson JEM. 2015. Shortfalls in the global protected area network at representing marine biodiversity. *Scientific Reports* 5: 17539.

of marine and coastal areas under Target 11. Meeting area-based management targets solely through reporting on MPAs should continue to be a challenge in the Post-2020 Framework. A definition, criterion, and recommendations for OECMs were formally adopted at the 14th Conference of Parties (COP) to the Convention on Biological Diversity (CBD) in November 2018. This Decision (14/8)⁶ defines Other Effective Area-Based Conservation Measures by the outcomes produced by the area: “a geographically defined area other than a Protected Area, which is governed and managed in ways that achieve positive and sustained long-term outcomes for the in-situ conservation of biodiversity, with associated ecosystem functions and services and where applicable, cultural, spiritual, socio-economic, and other locally relevant values.” Decision 14/8 (Annex III) provides 13 Guiding Principles that describe characteristics that OECMs should have, as well as four criteria and 10 sub-criteria that area-based management measures should meet to be considered OECMs.

II. OECMS IN THE GLOBAL CONSERVATION AGENDA

6. The OECM concept represents a new opportunity for States to recognize biodiversity conservation potential from a wider range of spatial management measures than ever before. Various international efforts have been pursued to define, operationalize, and provide guidance on OECMs across multiple sectors. Specifically within the fisheries realm, many area-based fisheries management measures (ABFMs) already aim to meet sustainability goals and are well poised to meet the OECM criteria. Such measures are widely included in fisheries management plans and processes.⁷ OECM recognition provides States with an incentive to coordinate ABFM efforts across fisheries and other relevant sectors that take place within their exclusive economic zones with area-based management tools being used in other sectors. These formally established, spatially-defined fishery management measures can be integrated across competing sectors in order to reduce conflicts and help stakeholders in achieving a balance between the competing uses of the marine environment.

7. OECMs represent an important opportunity to facilitate the involvement of people acting in sustainable use sectors, as well as from many other communities, on biodiversity conservation. In particular, the OECM concept allows for a variety of sustainable use sectors to contribute to meeting global biodiversity targets through their own area-based management initiatives. This can result in three significant steps forward in achieving biodiversity conservation: 1) mainstreaming biodiversity conservation objectives in the management of natural resource use; 2) ensuring that the objectives of sustainable use sectors are included in biodiversity conservation discussions and decisions; and 3) improving cross-sectoral dialogue and coordination by having to coordinate across sustainable use/natural resources sectors and environment agencies, as well as any other sector involved (e.g., public transports, forestry, energy, planning). Furthermore, it is important to emphasize that countries should be establishing both MPAs and OECMs if we are to be successful at conserving marine biodiversity. Creating networks of MPAs and OECMs can result in more effective conservation overall. Recognizing OECMs also makes conservation a multi-sectoral effort and explicitly acknowledges the needs of people (e.g., food security, income generation, livelihoods, cultural values).

8. Despite the benefits of developing networks of MPAs and OECMs, the term OECM has caused considerable confusion largely because the Parties did not develop and adopt official guidance early on for how to assess what could or could not be recognized as an OECM under Target 11. Although an official definition and criteria for OECMs now exist (CBD/COP/DEC/14/8),⁸ many countries have struggled with how to interpret and apply the OECM concept in order to meet their Target 11 commitment. As Parties to the CBD now negotiate new targets in the Post-2020 Framework, it is likely that a new area-based management target will be adopted that calls for up to 30 percent of marine and coastal environments to be conserved in MPAs or OECMs. If countries are going to be

⁶ CBD/COP/DEC/14/8

⁷ Diz, D., Johnson, D., Riddell, M., Rees, S., Battle, J., Gjerde, K., Hennige, S. & Roberts, J.M. (2018). Mainstreaming marine biodiversity into the SDGs: the role of other effective area-based conservation measures (SDG 14.5). *Marine Policy*, 93, 251-261.

⁸ www.cbd.int/doc/decisions/cop-14/cop-14-dec-08-en.pdf

successful at meeting this new target, reporting a combination of both MPAs and OECMs in fisheries and other sectors will be necessary.

9. Many countries are now in need of guidance on how to interpret and apply the OECM official definition and meet the criteria, including in the fisheries and aquaculture sectors. Such guidance will enable them to use both MPAs and OECMs to meet the area-based targets agreed to in the CBD's Post-2020 Framework. This is particularly important for countries that do not already have the capacity to identify and assess potential OECMs for the purposes to CBD reporting.

III. SUMMARY OF THE FAO FISHERIES DIVISION'S WORK ON OECMS

10. The FAO recent work on area-based management has focused on the implementation of spatial management measures, with a particular focus on "other effective area-based conservation measures" (OECMs) and the long-term conservation and sustainable use of fisheries resources. This work includes actions to manage and conserve ecosystems through support for the implementation of spatial management measures in fisheries. This work has been directed by previous COFI meetings, in particular the 33rd session of COFI where:

The Committee welcomed the support of FAO to the CBD towards achieving the Aichi Biodiversity Targets and FAO participation in the post 2020 vision of CBD. It requested FAO to continue the work concerning area-based management tools and its cooperation with other organizations working on this matter. The Committee requested FAO to continue cooperation with CBD and UN Environment in facilitating formal coordination mechanisms between the Regional Fishery Bodies and the Regional Seas Programmes (para. 79, Report of the 33rd Session of COFI).

11. In 2018 and 2019, as an observer to CBD, FAO contributed to the definition and criteria of OECMs and supported FAO's Member Countries in the CBD's Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA) and the Conference of the Parties, where the Parties debated, negotiated and ultimately adopted a definition, guiding principles and criteria for recognizing OECMs.⁹

12. In recent years, FAO has participated regularly in the CBD Secretariat's process and activities related to helping States improve their Target 11 reporting and the development of the Post-2020 Framework. In 2018, FAO joined the Aichi Target 11 Partnership, a platform created by the CBD Secretariat for States and organizations to commit to Target 11 and work together to stimulate regional support for helping States achieve their Target 11 commitments.

13. Following the CBD COP 14, where the CBD Parties adopted a definition of OECMs as well as criteria and guidance for their identification,¹⁰ FAO, the Fisheries Expert Group of the International Union for the Conservation of Nature (IUCN) Commission on Ecosystem Management, and the European Bureau for Conservation and Development (EBCD), in collaboration with the Secretariat of the CBD, and with support from the Nordic Council of Ministers, organized an expert meeting from 7–10 May 2019 at FAO Headquarters to begin the process of supporting the fishery sector to engage in identifying OECMs in support of Aichi Target 11¹¹ (see COFI/2020/SBD.19 for a summary of the meeting). The purpose of the expert meeting was to compile a broad range of expert advice on the identification and establishment of OECMs in the marine capture fishery sector, on the basis of CBD COP Decision 14/8. Participants came from a range of organizational contexts, thus bringing diverse knowledge and context to the meeting with regards to issues related to OECMs and the potential contribution of various spatial measures to the conservation of biodiversity. The expert meeting considered a range of topics, as follows: (1) the rationale for producing guidance for OECMs in the

⁹ www.cbd.int/doc/c/91c3/4484/ab24ef8c1ed10ba59b020342/cop-14-l-19-en.pdf

¹⁰ CBD/COP/DEC/14/8

¹¹ COFI/2020/SBD.19

marine capture fishery sector; (2) definition of an OECM; (3) guiding principles and common characteristics; (4) criteria for identification and evaluation; (5) key concepts and cross-cutting issues in the fisheries context; (6) evaluating areas for inclusion in OECM reporting and management; (7) monitoring, evaluation and reporting; (8) re-evaluation of the OECM; and (9) selected governance issues.

14. With regards to the Post-2020 Framework, in late 2019, FAO provided input into the CBD's first Open-Ended Working Group (OEWG) as well as several thematic consultations (i.e., Area-based measures, marine and coastal biodiversity, restoration) organized by the chairs of the OEWG. Importantly, FAO has provided relevant technical advice to inform the deliberations on the inclusion of the OECM concept in the new Post-2020 Global Biodiversity Framework area-based management targets, noting that efforts to conserve biodiversity in a holistic way can only happen if both extractive use and non-extractive use sectors work together.

15. FAO continues its work to inform the recognition of the role of fisheries and aquaculture in the OECM dialog and CBD Framework and is prepared to provide support to FAO Members in the identification, assessment, reporting and monitoring of OECMs and MPAs as States prepare to agree on increased commitments for area-based conservation of coastal and marine areas in the Post-2020 Framework. FAO presented its argument for pursuing this type of support to the COFI Bureau in 2019 and 2020 and received support from multiple members of the Bureau to continue developing a proposed workplan. In addition, in early 2020, FAO was asked to assist in a workshop¹² organized by IUCN, where governmental officials from multiple ministries and key stakeholders in North Africa (the Kingdom of Morocco, the People's Democratic Republic of Algeria, the Republic of Tunisia, the State of Libya, the Arab Republic of Egypt) and the Lebanese Republic were invited to learn about the OECM concept, to begin to identify area-based measures in their countries that would be worth assessing against the OECM criteria, and to have group discussions on OECMs within the regional context, covering both terrestrial and marine aspects (with a particular attention to fisheries conservation measures and areas) with specific examples and case studies of potential OECMs in the region.

16. As the decade of Aichi Targets comes to an end and the Post-2020 Framework is negotiated and plans to be adopted at the 15th Conference of the Parties, various international efforts have been pursued to define, operationalize, and provide guidance on OECMs across multiple sectors. Numerous countries have begun thinking about the future of area-based conservation in their marine jurisdictions. Some have made significant progress, while others are still in the conceptual stage and looking for guidance on how to proceed.

17. FAO can help build the capacity of its Members to report on how the fisheries sector is contributing to current and future area-based biodiversity conservation goals. In order to assist its Members and RFBs assess and identify fisheries OECMs, FAO intends to undertake six main activities:

- a) Host and participate in shared learning events in Asia-Pacific, Africa, and Latin America and the Caribbean. The goal of these events will be 1) to bring stakeholders, experts and governments together and help guide countries in the identification, establishment, monitoring, evaluation and reporting of area-based management tools (ABMTs) that can contribute to marine biodiversity conservation and 2) to learn from countries' experience in using area-based management tools in the marine context, which will support Activity iii below. Such workshops are envisioned to include staff from fishery related agencies as well as staff from RFBs. The CBD Secretariat has proposed joining FAO in planning and facilitating these events.

¹² The workshop materials and report can be found at: www.iucn.org/news/mediterranean/202006/tapping-oecms-potential-advance-aichi-target-11-southern-and-eastern-mediterranean-countries.

- b) Build general awareness on the use of spatial management tools and their benefits to fisheries and biodiversity, both at global and regional levels through advisory processes and communications materials.
- c) Solicit input and prepare guidance for the establishment and management of OECMs in the fisheries sector that complements existing non-sectoral guidance. Activity a) will inform preparation of this guidance, allowing for both global, and regionally specific guidance to be developed.
- d) Provide on the ground assistance to States at regional/national level to share experience on the implementation of ABFM that delivers biodiversity co-benefits with the aim of increasing OECM coverage.
- e) Support FAO Members in applying the guidance to ABFM in their national waters with the intent of assisting countries meet global area-based management targets while increasing food security and nutrition.
- f) Assist FAO Members in developing social, economic and environmental indicators that can be used to monitor MPA and other ABMTs (including OECMs) performance so that they effectively contribute to fishery and biodiversity conservation, food security and meeting the SDGs.