



ABOUT OTHER EFFECTIVE AREA-BASED CONSERVATION MEASURES (OECMs)

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Forum for the Conservation of the Patagonian Sea and Areas of Influence

BACKGROUND

The concept of "*other effective area-based conservation measures*" (OECMs) arises from the Strategic Plan for Biodiversity 2011-2020 (Nagoya, 2010), which defines the framework for global action and effective implementation of the Convention on Biological Diversity (CBD) and integrates 20 conservation targets (called Aichi Targets) through which member countries commit to protect biodiversity and enhance the services it provides. In particular, Aichi Target 11 introduces this new concept by recognizing that biodiversity conservation can be achieved through systems of protected areas and *other effective area-based conservation measures*, which should be well connected, ecologically representative, and effectively and equitably managed.

The World Commission on Protected Areas (WCPA) of the International Union for Conservation of Nature (IUCN) was convened by the States Parties of the CBD to work on the definition of this new concept and to establish its guiding principles, characteristics and criteria for its identification. This process involved the formation of a working group with more than 120 experts and the development of four workshops, which provided the basis for the definition of the

concept and the guidelines for its application (IUCN-WCPA Task Force on OECMs 2019). Finally, the 14th Conference of the Parties (COP 14) of the CBD (2018) approved and adopted the definition of OECMs as:

A geographically defined area that is not a protected area, which is governed and managed in a manner that achieves positive and sustained long-term outcomes for the in situ conservation of biodiversity, functions and services associated to the ecosystem; and where appropriate, cultural, spiritual, socio-economic and other locally relevant values (CBD 2018).

APPLICATION CRITERIA

The criteria for identifying OECMs, according to the guidelines generated by the IUCN-WCPA Task Force (IUCN-WCPA Task Force on OECMs, 2019), are summarized below:

- **Criterion A. The area is not recognized as a protected area.** There are areas that meet the elements of a protected area, but do not have a legal designation for that purpose. In some cases, the area's governance authority itself does not want or recognize a legal designation by the government (e.g., indigenous peoples, local communities). These sites, if they meet all the defined criteria, can be recognized as OECMs.
- **Criterion B. The area is well defined, governed and managed.** This criterion establishes that the area must have a precise geographic definition, a clear governance system (authority of some defined and recognized entity, a government agency or an authority associated with the local community or native peoples) and a management plan (active management measures with concrete definitions and regulations that order human activities and generate positive impacts for its biodiversity).
- **Criterion C. The area achieves a sustained and effective contribution to in situ biodiversity conservation.** Management actions in the area, even if they do not have biodiversity conservation as their primary objective, must be responsible for positive results for in situ biodiversity conservation. This management should be maintained over the long term. Management in the area should address an ecosystemic and precautionary approach, should be adaptive and include monitoring and evaluation programs.
- **Criterion D. The area contributes to the protection of ecosystem services, cultural, spiritual, socioeconomic and other locally relevant values.** The protection of ecosystem functions and services is a frequent reason for the recognition of an OECM; however, it is key that management actions aimed at improving the performance of these ecosystem services do not generate negative impacts on biodiversity in the area.

POSITION

Different scientific works have identified the need to protect at least 30% of the world's seas if a comprehensive protection framework for marine biodiversity is to be provided (O'Leary *et al.* 2016, Sala *et al.* 2021). Based on the above and in view of the CBD's post-2020 global biodiversity framework, subject to negotiation as of the date of this document by the States Parties to the Convention, and considering the different discussions that are taking place in relation to the application of the OECMs in marine and coastal areas, the Member Organizations of the Forum for the Conservation of the Patagonian Sea and Areas of Influence, we maintain and reinforce that:

- **It should be a national and regional priority to increase the percentage of protected areas in the marine and coastal zones of each country, based on the declaration of new Marine Protected Areas (MPAs), representative, connected and equitable**, according to the different protection figures contemplated by the National Systems of Argentina, Chile, Uruguay and Brazil; being that MPAs are recognized as the best tool, proven at international level, for biodiversity conservation (Álvarez Malvido *et al.* 2021, Roberts *et al.* 2017, Spalding *et al.* 2013, Watson *et al.* 2014).
- **OECMs are NOT MPAs. The designation of an area as an OECM must ensure effective compliance with 4 criteria, 10 sub-criteria and 13 guiding principles**, established by the Parties of the CBD in the framework of the COP 14 (CBD Decision 14/8, Annex III). Only in case of compliance with this framework, **managed OECMs that effectively contribute to the long-term in situ conservation of biodiversity**, structure, and function of the marine ecosystem, **can be considered as a contribution to meeting the new global targets for protected areas in the post-2020 framework**.
- **An unmanaged area can NOT be considered as an OECM**, even if its biodiversity is intact and no human activities take place in it.
- **Areas where temporary or short-term management actions are implemented can NOT be recognized as OECMs.**
- **Areas where industrial activities or infrastructure (ports, wind farms) are developed**, with past, current or future negative impact on the environment, **are NOT OECMs.**
- **OECMs should NOT be applied to areas closed to fishing.** It is a mistake to identify industrial fisheries management areas as potential OECMs. This has been clearly pointed out both in the guidelines elaborated for the identification of OECMs (IUCN-WCPA Task Force on OECMs 2019, Sofrony 2020) and in scientific papers (Laffoley *et al.* 2017). Sustainable industrial fisheries is one of the strategies considered by the Strategic Plan for Biodiversity and was contemplated in Aichi Target 6. All fisheries management actions (regulations, fishing quotas, including area-based management) that are in line with the commitment to responsible fisheries should be reported under the targets associated with sustainable fisheries. In particular, closed, monitored and assessed fishery areas, where a contribution to conservation is identified through **effective sustainable management of the fishery resource**, **should be documented in the targets associated with sustainable fisheries** (Aichi Target 6 prior to the post-2020 framework) **and not to the targets on protected areas and OECMs.**

For these reasons, we urge the governments of Argentina, Chile, Uruguay and Brazil **to strengthen national and subnational MPAs systems by prioritizing the creation of new coastal-marine protected areas that are representative of the diverse marine ecosystems** found in the Patagonian Sea region and its areas of influence. In the case of identifying **potentially complementary areas for conservation as OECMs**, it will be essential to carry out an exhaustive analysis of these areas, ensuring a due participatory process that includes multidisciplinary experts to evaluate current and future compliance with the guiding principles and criteria defined for the identification of an OECM. The Organizations that make up the Forum for the Conservation of the Patagonian Sea and Areas of Influence are at your disposal to collaborate in this challenge.



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