

# Regional common understanding of the CBD criteria for Other Effective Area-based Conservation Measures (OECMs)

## Introduction

### Background

In the 10th Conference of the Parties (COP) to the Convention on Biological Diversity (CBD), negotiators agreed the Strategic Plan on Biodiversity 2011–2020 (CBD, 2010). Aichi Target 11 called on Parties to: *conserve by 2020 at least 17 per cent of terrestrial and inland water and 10 per cent of coastal and marine areas through “well-connected systems of protected areas and other effective area-based conservation measures”* (CBD, 2010). 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. In the following CBD inter-sessional meetings and COPs (2011–2014), Parties to the CBD highlighted the need for guidance on the interpretation and application of the term ‘other effective area-based conservation measures’ (OECMs). In response, IUCN’s World Commission on Protected Areas (WCPA) established a Task Force in 2015 to develop technical guidelines for Parties and other rights- and stakeholders. From 2015 to 2018, IUCN WCPA has provided technical advice to Parties on OECMs (IUCN WCPA 2018).

In HELCOM OECMs are included in the 2021 Baltic Sea Action Plan under Actions B1 and B2 (see table 1) and has potential relevance for a number of other actions which include components of spatial conservation measures.

B1	By 2030 at the latest, establish a resilient, regionally coherent, effectively and equitably managed, ecologically representative and well-connected system of HELCOM marine protected areas (MPAs), supported by those other spatial conservation measures, under alternative regimes for marine protection, which can contribute to the coherence of the network. Where scientifically justified, special attention should be given to offshore areas beyond territorial waters. The network of marine protected areas will: <ul style="list-style-type: none"><li>— cover at least 30% of the marine area of the Baltic Sea, of which at least 1/3 will be strictly protected. Other Effective Area-based Conservation Measures (OECMs) could be counted towards the 30% targets only if they, as a minimum, comply with the OECM criteria agreed by the Convention on Biological Diversity (CBD).</li><li>— where scientifically justified, consider including no-use zones within marine protected areas, which can also serve as scientific reference areas.</li><li>— expand conservation efforts to actively include areas of particular importance for biodiversity and ecosystem resilience, including important ecosystem elements such as species or areas recognized to be ecologically significant based on function for the ecosystem/provisioning of ecosystem services and broad habitat types, but which may not necessarily be rare or threatened.</li></ul>
B2	By 2022 come to a common understanding of the Other Effective Area-based Conservation Measures (OECMs) criteria and their use in HELCOM, based on definitions agreed in the Convention on Biological Diversity (CBD) and the EU, and define how OECMs can support the coherence of the Baltic Sea marine protected area (MPA) network. By 2025 identification of OECMs in the Baltic Sea region.

The EU Biodiversity Strategy includes a protected area target aiming at legal protection for at least 30% of EU sea area. At the end of January 2022, the EU released a staff document summarizing the consideration of OECMs and with indications as to how OECMs can contribute to the area target (EC 2022).

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## Other Effective Area-based Conservation Measures (OECMs): definition and criteria

In 2018, Parties to the CBD agreed on the definition of OECMs ([CBD Decision 14/8](#)). An OECM is defined as:

*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.* (CBD, 2018).

In addition to a definition the CBD provides guiding principles, common characteristics and criteria (see table 1) for identification of OECMs, which are applicable across all ecosystems currently or potentially important for biodiversity. This provides the foundation for recognising OECMs. Further elaboration of the criteria has been done by IUCN WCPA.

Improving the overall status of biodiversity is the overarching aim of both designating marine protected areas (MPAs) and identifying OECMs in the Baltic Sea. Protected areas and OECMs are the primary means of achieving in-situ conservation under global, EU and regional biodiversity targets. The distinguishing differentiation between an OECM and a MPA is that:

1. a protected area has conservation as its primary objective, whereas an “other effective area-based conservation measure” delivers the effective in-situ conservation of biodiversity, regardless of its objectives and
2. that the starting point of designating an MPA is most commonly spatial, i.e. an area, whereas for identifying an OECM the starting point is a measure.

There are different types of approaches that deliver effective conservation in OECMs (IUCN 2019):

1. “Primary conservation”—refers to areas that may meet all elements of the IUCN definition of a protected area, but which are not officially designated as such because the governance authority does not want the area to be recognised or reported as a protected area. For example, in some instances indigenous peoples and local communities may not want areas of high biodiversity value that they govern to be designated as protected areas or recorded in government protected area databases. Assuming an area meets the OECM criteria, the governance authority has the right to withhold or give its consent to the area being recognised as an OECM.

2. “Secondary conservation”—is achieved through the active management of an area where biodiversity outcomes are a secondary management objective. For example, enduring watershed protection policies and management may result in effective protection of biodiversity in watersheds, even though the areas may be managed primarily for objectives other than conservation. Sites managed to provide ecological connectivity between protected areas or other areas of high biodiversity, thereby contributing to their viability, may also qualify as OECMs.

3. “Ancillary conservation”—refers to areas that deliver in-situ conservation as a by-product of management activities, even though biodiversity conservation is not a management objective. For example, Scapa Flow in the Orkney Islands protects shipwrecks and war graves. This protection has led to the ancillary conservation of important biodiversity

Spatial conservation measures other than MPAs can contribute to the achievement of several global biodiversity and sustainability targets, but not all area based measures achieve their objectives through the in-situ conservation of biodiversity consistent with the target criteria. All efforts to conserve biodiversity are valuable, but only those area based measures that contribute directly to long-term in-situ conservation should be considered for reporting toward in-situ conservation targets such as the global biodiversity targets. Other conservation efforts, including area-based approaches aimed at sustainable use, will be more appropriately reported against other types of targets, such as e.g. targets for sustainable fisheries (IUCN 2019).

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Because they are based on existing management and measures, OECMs are recognised rather than designated, i.e., they are existing management systems that already provide effective biodiversity conservation. However, some places identified as ‘potential OECMs’ which almost but not quite meet the definition might require some management changes to reach full OECM status, thus providing an opportunity to secure status with relatively minor additional resource implications. Classification of a measure as an OECM needs to be done on a case-by-case basis, i.e. the fact that a measure is an OECM in one area does not mean it will automatically be an OECM everywhere, as it is also dependent on e.g. the biodiversity attributes of a given location.

As part of Decision 14/8, CBD has, in Annex IV, outlined additional considerations in achieving biodiversity targets in marine and coastal areas, thus recognising the unique aspects of the marine environment.

#### [Regional common understanding](#)

While criteria and definitions for OECMs are available there is still room for interpretation and further definition to ensure the criteria are usable for regional or local application. This document contains the agreed common understanding of the OECMs criteria and their use in HELCOM, based on definitions agreed in the CBD and the EU and presented together with guidance from CBD, IUCN, and EU Commission, as context and reference (table 1). The State and Conservation WG recommends that once there has been sufficient time to trial the common understanding and decision tree as part of national processes, these would be revisited in 2027, reviewed and, if needed updated.

The document also contains a brief overview of how OECMs can support the coherence of marine protected area (MPA) network based on information prepared under CBD, IUCN and HELCOM as well as a decision support tree developed under HELCOM intended to facilitate the identification of potential OECMs.

**Table 1. Regional common understanding of the CBD criteria for Other Effective Area-based Conservation Measures (OECMs)**

CBD Decision 14/8 Criteria	CBD Decision 14/8 Term	CBD Decision 14/8 guidance	IUCN-WCPA Task Force on OECMs, (2019). Recognising and reporting other effective area-based conservation measures.	EU Commission: Staff Working Document on Criteria and guidance for protected areas designations Brussels, 2022	HELCOM agreed regional common understanding of the OECM criteria
Criterion A: Area is not currently recognized as a protected area	a. Not an MPA	The area is not currently recognised as a protected area or part of a protected area; it may have been established for another function	OECMs can contribute in their own right to area-based targets for terrestrial, freshwater and marine conservation. This means that 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, both protected areas and OECMs have value for biodiversity conservation. Some OECMs may become recognised as protected areas if, for example, nature conservation becomes the primary management objective, or where the area already meets the definition of a protected area and the governing authority now requests its recognition.		The area is not currently recognised as a protected area or part of a protected area.
Criterion B: Area is governed and managed	b. "geographically defined area"	Size and area are described, including in three dimensions where necessary.  Boundaries are geographically delineated.	Geographically defined area implies a spatially delineated 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 ecosystems, habitats and species communities for which the site is important. "Sufficient size" is highly contextual and is dependent on the ecological requirements for the persistence of the relevant species and ecosystems.  Geographical space has three dimensions; this requires any governance or management regime for a two-dimensional area also to account for the third (vertical) dimension if all the biodiversity of the area is to be effectively conserved in-situ. Designations of protected areas or OECMs will often have limits in the third dimension (e.g. only apply to a certain depth underground or below the water surface, or have an altitude limit to allow passage of commercial aircraft). This has become particularly controversial in marine protected areas, where vertical zoning for commercial		<p>The size of OECMs may vary but should be sufficient to achieve the long-term in-situ conservation of naturally occurring biodiversity, including all ecosystems, habitats and species communities for which the site is important.</p> <p>The geographical area should be clearly described and include all ecosystem components relevant for the area and should subsequently, unless clearly justified and resulting in no significant negative impact to the areas naturally occurring biodiversity, always include all three-dimensions.</p> <p>"Sufficient size" is highly contextual and is dependent on the ecological requirements for the persistence of the relevant species and ecosystems. The proximity/level of connectivity of the OECM area to other areas of value for the naturally occurring biodiversity attributes identified in the OECM can be included in the considerations on sufficiency, i.e., areas which increase connectivity or function as a stepping stones or buffer zones should be considered even if they are limited in size.</p> <p>OECMs identification should primarily focus on areas where the measure and the immediate area of effect overlap, i.e. the extent of the relevant naturally occurring biodiversity attribute which is covered by the measure.</p>

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			<p>purposes undermines conservation outcomes, disrupts ecological connectivity, and creates monitoring and enforcement challenges. For both protected areas and OECMs, the height and depth dimensions need to be consistent with effective conservation management to protect the full range of native biodiversity. In consequence, IUCN has a strong presumption against vertical zoning of OECMs.</p>		
	c. "governed"	<p>Governance has legitimate authority and is appropriate for achieving in situ conservation of biodiversity within the area;</p> <p>Governance by indigenous peoples and local communities is self-identified in accordance with national legislation;</p> <p>Governance reflects the equity considerations adopted in the Convention.</p> <p>Governance may be by a single authority and/or organization or through collaboration among relevant authorities and provides the ability to address threats collectively</p>	<p>Governed implies that the area is under the authority of a specified entity, or an agreed upon combination of entities. OECMs can be governed under the same range of governance types as protected areas, namely:</p> <ol style="list-style-type: none"> <li>1. Governance by governments (at various levels);</li> <li>2. Governance by private individuals, organisations or companies;</li> <li>3. Governance by indigenous peoples and/or local communities;</li> <li>4. Shared governance (i.e., governance by various rights holders and stakeholders together).</li> </ol> <p>As with protected areas, the governance of OECMs should be equitable and reflect human rights principles recognised in international and regional human rights instruments and in national legislation, including relating to gender equity and indigenous peoples. Governance mechanisms should be effective in maintaining biodiversity. Any recognition or reporting of OECMs governed by indigenous peoples and/ or local communities should be based on self-identification and requires the free, prior and informed consent of those traditional governance authority(ies) (United Nations, 2007).</p>	<p>The area is covered by a national or international legislative or administrative act or a contractual arrangement aiming to achieve long-term conservation outcomes.</p>	<p><b>Governance mechanisms should be effective in maintaining the naturally occurring biodiversity i.e., the conservation of ecosystems and natural habitats and the maintenance and recovery of viable populations of species in their natural surroundings and which would naturally occur in the area.</b></p> <p><b>For OECMs, both national and transboundary, to be considered as under adequate governance the governance structure is to be clearly identified and described as part of the recognition process. Such governance structures should include the clear division of responsibilities, incorporate the relevant competent authorities and outline plans for resourcing for activities associated with the recognition of and OECM such as e.g. monitoring and enforcement.</b></p> <p><b>In order to ensure compliance with the criteria, an integral part of governance, potential OECMs should go through a national holistic review process to ensure the potential OECMs fulfil the criteria. Only after positive evaluation results should they be considered eligible for recognition.</b></p> <p><b>Governance structure should include the possibility for stakeholders, i.e., those entities that have an interest in the OECM, to be party to the governance processes.</b></p>

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	d. "managed"	<p>Managed in ways that achieve positive and sustained outcomes for biodiversity conservation.</p> <p>Relevant authorities and stakeholders are identified and involved in management.</p> <p>A management system is in place that contributes to sustaining the in situ conservation of biodiversity.</p> <p>Management is consistent with the ecosystem approach with the ability to adapt to achieve expected biodiversity conservation outcomes, including long-term outcomes, and including the ability to manage a new threat.</p>	<p>Managed specifies that the area is being managed in a way that achieves positive and sustained long-term biodiversity conservation outcomes. Relevant authorities, rightsholders and stakeholder should be identified and involved in management. Unlike protected areas, OECMs do not require a primary objective of conservation, but there must be a direct causal link between the area's overall objective and management and the in-situ conservation of biodiversity over the long-term. "Managed" can include a deliberate decision to leave the area untouched.</p> <p>Management of OECMs should be consistent with the ecosystem approach, with the ability to adapt to achieve expected long-term biodiversity conservation outcomes and to manage emerging new threats (<a href="https://www.cbd.int/ecosystem/">https://www.cbd.int/ecosystem/</a>). Accordingly, the management of OECMs should include "effective means" of control of activities that could impact biodiversity, whether through legal measures or other effective means (such as customary laws or binding agreements with the landowners). To the extent relevant and possible, management should be integrated across OECMs and integrated with surrounding areas.</p> <p>An area where there is no management regime is not an OECM, even though its biodiversity may remain intact. For example, unmanaged areas of the high seas, areas under military conflict, and other areas currently in a natural or near-natural state should not be considered as OECMs in the absence of a management regime that provides effective and enduring in-situ biodiversity conservation. Management regimes can include deliberate decisions to leave the area untouched.</p>	All OECMs are adequately managed.	<p><b>An area must be under a management scheme, including documented conservation objectives and implemented and effective measures, to count as an OECM. If a previously recognised OECM is no longer under management it can no longer be recognised as an OECM.</b></p> <p><b>Management should support the long term positive biodiversity conservation outcomes, i.e. it should be possible to prove that the management contributes to the in-situ conservation of naturally occurring biodiversity attributes over the long-term. Such links need to be presented for review by national authorities competent in conservation prior to the OECM being officially recognised.</b></p> <p><b>Management of OECMs should include effective means of control of activities that could impact naturally occurring biodiversity, and ensure positive effects are maintained. The type, amount and intensity of activities in an area should secure positive biodiversity outcomes for the OECM in the short and long term.</b></p> <p><b>"Managed" can include a deliberate decision to leave the area untouched.</b></p> <p><b>Management should include established stakeholder involvement.</b></p>

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Criterion C: Achieves sustained and effective contribution to in situ conservation of biodiversity	e. “positive outcomes”		<p>for biodiversity conservation (termed “effective” in the criteria of CBD decision 14/8) OECMs should be effective at delivering positive and sustained outcomes for the in-situ conservation of biodiversity. Specifically, there should be a clear association between the management and biodiversity outcomes, with mechanisms in place to address existing or anticipated threats.</p> <p>Environmentally-damaging industrial activities and infrastructure development should not occur in OECMs. This is consistent with IUCN Recommendation 102 (WCC-2016Rec-102-EN), adopted at the World Conservation Congress 2016 in Hawai’i. This recommendation calls on governments and relevant authorities “to adopt and implement policies that restrict environmentally-damaging industrial activities and infrastructure development that may have negative impacts on any areas of particular importance for biodiversity and ecosystem services that are identified by governments as essential to achieving the Aichi Biodiversity Targets”. Environmentally-damaging industrial activities include, for example, industrial fishing and forestry, mining, oil and gas extraction, industrial agriculture, and environmentally damaging infrastructure, such as dams, roads and pipelines. These threats should be avoided. This applies both to environmentally-damaging activities inside OECMs and also to those outside the area but impacting on the OECMs.</p>	tailored conservation objectives and measures are necessary for OECMs.	<p><b>For an outcome to be considered positive it needs to be sustained long term, e.g., through overall positive (or, where status is good, stable) trends for naturally occurring biodiversity attributes over the duration of the measure.</b></p> <p><b>Positive outcomes should be measurable (i.e., improved status of species, lower levels of pressures) and should contribute to securing good status for the marine environment</b></p> <p><b>It should be possible to prove that the measure contributes to the in-situ conservation of naturally occurring biodiversity attributes.</b></p> <p><b>Activities cannot occur in OECMs if they have a significant adverse impact on naturally occurring biodiversity attributes]. Significant adverse impacts are those that compromise ecosystem integrity (i.e. ecosystem structure or function) in a manner that impairs the ability of affected populations to replace themselves and that degrades the long-term natural productivity of habitats, species richness, habitat or community types. Impacts should be evaluated individually, in combination and cumulatively.<sup>1</sup></b></p> <p><b>Activities occurring in the vicinity of an OECM should not have a significant adverse impact (as defined above) on the naturally occurring biodiversity attributes inside the site.</b></p> <p><b>All aspects of a regulated activity, from supporting infrastructure to maintenance and decommissioning, need to be considered when evaluating possible adverse impact to a sites naturally occurring biodiversity and should be done in such a way as to not jeopardize the naturally occurring biodiversity attributes.</b></p> <p><b>Management to enhance one particular biodiversity attribute should not impact negatively on the site’s overall biodiversity conservation values.</b></p>

<sup>1</sup> FI 806 - Technical Consultation on International Guidelines for Management of Deep-Sea Fisheries in the High Seas, Rome, 4-8 February 2008.

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	f. “sustained long-term”	<p>The other effective area-based conservation measure is in place for the long term or is likely to be.</p> <p>“Sustained” pertains to the continuity of governance and management and “long term” pertains to the biodiversity outcome.</p>	<p>The governance and management of OECMs is expected to be sustained and deliver the long-term effective insitu conservation of biodiversity. Short-term or temporary management strategies do not constitute an OECM. For example, a commercial fishing closure that stays in place only until an overfished area recovers, is not an OECM. IUCN’s guidance is that the factors that govern and manage an OECM should be expected to be ongoing and for the long-term.</p> <p>Effective conservation outcomes may arise from strict protection or certain forms of sustainable management consistent with the CBD definitions of “in-situ conservation” and “biodiversity”. However, most areas managed for industrial production, even if they have some biodiversity benefits, should not be considered as OECMs. Sustainably managed commercial fisheries and commercial forests, for instance, should be reported under Aichi Targets 6 and 7, respectively, or other appropriate targets.</p> <p>On the other hand, sites with a range of management approaches, including seasonal arrangements (e.g. sites managed for migratory bird species) may qualify as OECMs if the seasonal measures are part of a long-term overall management regime that results in the year-round in-situ conservation of biodiversity for which the site is important. In some cases short-term regulatory instruments, renewed continuously, may provide de facto long-term measures. Management of OECMs should be consistent with an ecosystem and precautionary approach, with the ability to adapt to maintain biodiversity outcomes in the long-term and to address potential new threats. Practical steps should be in place for monitoring and reporting on the effectiveness of OECMs.</p>		<p><b>The governance and management of OECMs is to be sustained and deliver the long-term effective in-situ conservation of naturally occurring biodiversity.</b></p> <p><b>Consider the temporal aspects such as generational length and the rate of recovery for the relevant naturally occurring biodiversity values.</b></p> <p><b>The duration should account for both the measure to have time to take effect and for follow up to assess said effect.</b></p> <p><b>Short-term regulatory instruments are expected to be renewed regularly, thus providing continuous conservation, and must be shown to provide de facto long-term positive biodiversity outcomes.</b></p> <p><b>Seasonal measures can be considered when they are perennial and where they are part of a long-term overall management regime that results in the year-round in-situ conservation of naturally occurring biodiversity for which the site is important.</b></p> <p><b>For time-bound measures it is recommended that a plan for how positive outcomes can be sustained and monitored beyond the life-span of the measures be prepared as part of the identification and recognition process.</b></p>



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	g. “in-situ conservation of biodiversity”	Recognition of other effective conservation area measures is expected to include the identification of the range of biodiversity attributes for which the site is considered important (e.g. communities of rare, threatened or endangered species, representative natural ecosystems, range restricted species, key biodiversity areas, areas providing critical ecosystem functions and services, areas for ecological connectivity).	<p>The CBD defines in-situ conservation, with respect to biodiversity, 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 Article 2).</p> <p>Other effective area-based conservation measures should deliver biodiversity outcomes of comparable importance to, and complementary with, those of protected areas. This includes their contribution to ecological representation, coverage of areas important for biodiversity and associated ecosystem functions and services, connectivity and integration in wider landscapes and seascapes, as well as management effectiveness and equity requirements.</p> <p>OECMs are expected to achieve the conservation of nature as a whole, rather than only selected elements of biodiversity. The CBD definitions of “biodiversity” and “in-situ conservation” clearly recognise that a single species can only exist in-situ as part of an interconnected web with other species and the abiotic environment. Therefore conservation measures targeting single species or subsets of biodiversity should not allow the broader ecosystem to be compromised. Recognising the linkage between biological and geological diversity, “geodiversity” may also be an important management focus in OECMs.</p>		<p>An area needs to contribute to at least two of the following;</p> <ol style="list-style-type: none"> <li>1. ecological representation,</li> <li>2. coverage of areas important for naturally occurring biodiversity and associated ecosystem functions (see below),</li> <li>3. connectivity and integration in wider seascapes.</li> </ol> <p>OECMs should effectively protect one or more of the following elements of native biodiversity:</p> <ul style="list-style-type: none"> <li>• Rare, threatened or endangered species and habitats, and the ecosystems that support them, including species and sites identified on the Red List of Threatened Species, Red List of Habitats and Biotopes, or national equivalents.</li> <li>• Ecosystem function and resilience of an area.</li> <li>• Representative natural ecosystems.</li> <li>• Areas with a high level of ecological integrity or ecological intactness, which is characterised by the occurrence of the full range of native species and supporting ecological processes. These areas will be intact or being restored under the proposed management regime.</li> <li>• Range-restricted species and habitats, i.e. species or habitats with a very limited distribution due to the requirements they have. They are rare because of habitat limitation, are often geographically concentrated, and depend on a network of irreplaceable sites within at least part of their ranges or life cycles, in natural settings.</li> <li>• Important species aggregations, including during migration or spawning.</li> <li>• Ecosystems especially important for species life stages, feeding, resting, moulting and breeding.</li> <li>• Areas of importance for ecological connectivity or that are important to complete a conservation network within a landscape or seascape.</li> <li>• Areas that provide critical ecosystem services, such as clean water and carbon storage, in addition to in-situ biodiversity conservation.</li> </ul> <p>OECMs can target naturally occurring single species or a subset of naturally occurring biodiversity attributes but preferably achieve positive conservation outcomes for a range of naturally occurring biodiversity attributes in the area.</p> <p>Measures affecting single species or subsets of naturally occurring biodiversity should not allow the broader ecosystem or its individual components to be compromised.</p> <p>The range of naturally occurring biodiversity attributes for which the site is considered important need to be identify and document.</p> <p>The naturally occurring biodiversity attributes, as well as identified threats, should</p>

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					<p>be tracked over time through recurring monitoring aimed at establishing the effect of the measure(s), as well as of the status of naturally occurring biodiversity in the area. The frequency of monitoring should be appropriate to the naturally occurring biodiversity attributes of the area.</p>
	h. "biodiversity"		<p>Given the explicit link between OECMs and biodiversity conservation outcomes, it is a clear requirement that OECMs must achieve the effective and sustained in-situ conservation of biodiversity. While approaches for identifying the important biodiversity elements of such areas vary according to national, subnational, and local circumstances, global guidance now exists for identifying Key Biodiversity Areas and for describing areas such as Ramsar Sites and Ecologically and Biologically Significant Marine Areas. The biodiversity conserved by an OECM can occur in areas within and beyond national jurisdiction.</p> <p>Recognition of an OECM should include the identification of the range of biodiversity attributes for which the site is considered important and be based upon the best available knowledge. These key biodiversity values, as well as the broader conservation values of OECMs, should be described and tracked over time.</p> <p>OECMs should effectively protect one or more of the following elements of native biodiversity:</p> <ul style="list-style-type: none"> <li>• Rare, threatened or endangered species and habitats, and the ecosystems that support them, including species and sites identified on the IUCN Red</li> </ul>		<p>The variability among living organisms from all sources and the ecological complexes of which they are a part. This includes variation in genetic, phenotypic, phylogenetic, and functional attributes, as well as changes in abundance and distribution over time and space within and among species, biological communities and ecosystems.</p> <p>For more information on the link with conservation please see further information under g. "in-situ conservation of biodiversity".</p>

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			<p>List of Threatened Species, Red List of Ecosystems, or national equivalents.</p> <ul style="list-style-type: none"> <li>• Representative natural ecosystems.</li> <li>• Areas with a high level of ecological integrity or ecological intactness, which is characterised by the occurrence of the full range of native species and supporting ecological processes. These areas will be intact or being restored under the proposed management regime.</li> <li>• Range-restricted species and ecosystems in natural settings.</li> <li>• Important species aggregations, including during migration or spawning.</li> <li>• Ecosystems especially important for species life stages, feeding, resting, moulting and breeding.</li> <li>• Areas of importance for ecological connectivity or that are important to complete a conservation network within a landscape or seascape.</li> <li>• Areas that provide critical ecosystem services, such as clean water and carbon storage, in addition to in-situ biodiversity conservation.</li> <li>• Species and habitats that are important for traditional human uses, such as native medicinal plants, in addition to in-situ biodiversity conservation.</li> </ul>		
	Information and Monitoring	<p>Identification of an OECM should, to the extent possible, document the known biodiversity attributes, as well as, where relevant, cultural and/or spiritual values, of the area and the governance and management in place as a baseline for assessing effectiveness.</p> <p>A monitoring system informs management on the effectiveness of measures with respect to biodiversity, including the health of ecosystems.</p>		All OECMs are adequately monitored.	<p><b>Identification of an OECM should document the known biodiversity attributes, as well as, where relevant, cultural and/or spiritual values, of the area and the governance and management in place as a baseline for assessing effectiveness.</b></p> <p><b>Effective monitoring of the status of biodiversity in the area must take place and should be long term and iterative for a measure to qualify as an OECM. Where possible, monitoring should utilize and complement already implemented monitoring efforts and should use agreed monitoring standards wherever possible. The monitoring data are to be made available and accessible to the national authority managing OECMs.</b></p> <p><b>The ecosystem services should, where relevant, be tracked over time through recurring monitoring aimed at establishing the effect of the measure(s).]</b></p>

CBD Decision 14/8 Criteria	CBD Decision 14/8 Term	CBD Decision 14/8 guidance	IUCN-WCPA Task Force on OECMs, (2019). Recognising and reporting other effective area-based conservation measures.	EU Commission: Staff Working Document on Criteria and guidance for protected areas designations Brussels, 2022	HELCOM agreed regional common understanding of the OECM criteria
		<p>Processes should be in place to evaluate the effectiveness of governance and management, including with respect to equity.</p> <p>General data of the area such as boundaries, aim and governance are available information.</p>			
Criterion D: Associated ecosystem functions and services and cultural, spiritual, socio-economic and other locally relevant values	i. "ecosystem functions and services"	<p>Ecosystem functions and services are supported, including those of importance to indigenous peoples and local communities.</p> <p>Management to enhance one particular ecosystem function and service should not impact negatively on the sites overall biological diversity.</p>	<p>Healthy and functioning ecosystems provide a range of services. Ecosystem functions are an integral part of biodiversity, and are defined as the biological, geochemical and physical processes that take place or occur within an ecosystem. Ecosystem services include provisioning services such as food and water; regulating services such as regulation of floods, drought, land degradation and disease; and supporting services such as soil formation and nutrient recycling. Protection of these ecosystem functions and services may be a frequent rationale for the recognition of OECMs. However, management to enhance one particular ecosystem service should not impact negatively on the site's overall biodiversity conservation values.</p>		<p><b>Management to enhance one particular ecosystem service should not impact negatively on the site's overall biodiversity conservation values.</b></p> <p><b>The OECM assessment should, where relevant, identify and document the range of ecosystem services provided by the site</b></p>
	j. "cultural, spiritual, socio-economic, and other locally relevant values"		<p>OECMs include areas where the protection of key species and habitats and management of biodiversity may be achieved as part of cultural, spiritual socio-economic and other locally relevant values and practices. In such cases, it will be essential to ensure the recognition and protection of the linkages between biological and cultural diversity and associated governance and management practices that lead to positive biodiversity outcomes, such as customary sustainable uses of biodiversity (CBD Article</p>		<p><b>This is only applicable when relevant and when such values exist in the area.</b></p>

CBD Decision 14/8 Criteria	CBD Decision 14/8 Term	CBD Decision 14/8 guidance	IUCN-WCPA Task Force on OECMs, (2019). Recognising and reporting other effective area-based conservation measures.	EU Commission: Staff Working Document on Criteria and guidance for protected areas designations Brussels, 2022	HELCOM agreed regional common understanding of the OECM criteria
			10(c)). Conversely, management for cultural, spiritual socio-economic or other locally relevant values within an OECM should not impact negatively on biodiversity conservation values.		

## OECMs and MPAs

This section briefly presents how OECMs can support the coherence of marine protected area (MPA) network based on information prepared under CBD, IUCN and EU. The HELCOM State and Conservation Working Group, under which remit OECMs lie, has emphasised that more in-depth analysis, targeting the Baltic Sea and the Baltic Sea MPA network specifically, will be needed in the future to get an ecologically relevant understanding of the role and contribution of OECMs in relation to the MPA network and achieving positive biodiversity outcomes. HELCOM State and Conservation emphasise that OECMs should be viewed as an additional tool towards achieving positive biodiversity outcomes and MPAs should function as the backbone and primary focus of area-based protection efforts, with OECMs supporting and complementing the MPA network. Recognizing measures which exhibit positive effects for biodiversity as OECMs can help provide a better overall understanding of the casual and synergistic effects of measures on biodiversity overall and can be used to improve status for biodiversity attributes and ecosystem aspects of conservation concern which are currently not well covered by conservation legislation. Identification of OECMs and recognition of their governance and management structures can also provide an opportunity to engage and support a range of new partners and sectors in conservation efforts.

### CBD Decision 14/8

CBD Decision 14/8 recognizes that OECMs have an important role in the conservation of biodiversity and ecosystem functions and services, complementary to protected areas and contributing to the coherence and connectivity of protected area networks, as well as in mainstreaming biodiversity into other uses in land and sea, and across sectors. Other effective area-based conservation measures should, therefore, strengthen the existing protected area networks, as appropriate. The Decision further recognises that OECMs should deliver biodiversity outcomes of comparable importance to and complementary with those of protected areas; this includes their contribution to representativeness, the coverage of areas important for biodiversity and associated ecosystem functions and services, connectivity and integration in wider landscapes and seascapes, as well as management effectiveness and equity requirements. OECMs can help deliver greater representativeness and connectivity in protected area systems and thus may help address larger and pervasive threats to the components of biodiversity and ecosystem functions and services, and enhance resilience, including with regard to climate change.

### IUCN

By delivering effective, in-situ conservation of biodiversity, OECMs can contribute to sustaining existing biodiversity values and improving biodiversity conservation outcomes, e.g., by conserving important ecosystems, habitats and wildlife corridors, supporting the recovery of threatened species, maintaining ecosystem functions and securing ecosystem services, enhancing resilience to threats, and retaining and connecting remnants of fragmented ecosystems in degraded landscapes. OECMs can also contribute to ecologically representative and well-connected conservation networks, integrated within wider landscapes and seascapes

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## Annex 1. Decision support tree for identification of potential Other Effective Area-based Conservation Measures (OECMs)

The HELCOM decision tree can be used as the first step in the OECM process and is aimed at identifying *potential* OECMs but does not address the actual recognition and management of OECMs. There is a need to separate the identification of the OECM potential of existing measures and that of novel, untested measures. It is foreseen that the OECM identification processes will start by focusing on implemented measures, then expand to exploring the use of known/existing measures in new areas and eventually expand to consider entirely novel measures. The decision tree accounts for this by introducing two separate branches depending on whether the measure in question is an already existing measure or a novel measure. Novel measures can be tested against the decision tree until a certain point (as indicated in the tree itself), but as OECMs need have a prove positive effect on biodiversity, novel measures need to be implemented and the effect document before they can then be run through the decision tree again, this time following the branch for existing measures. The decision tree should only be used together with the common understanding, as presented in this document.

# Decision support tree for identification of potential Other Effective Area-based Conservation Measures (OECMs)

Relevant criteria

Step in decision tree

B.d.) Management

B.d.) Management

B.b.) Area

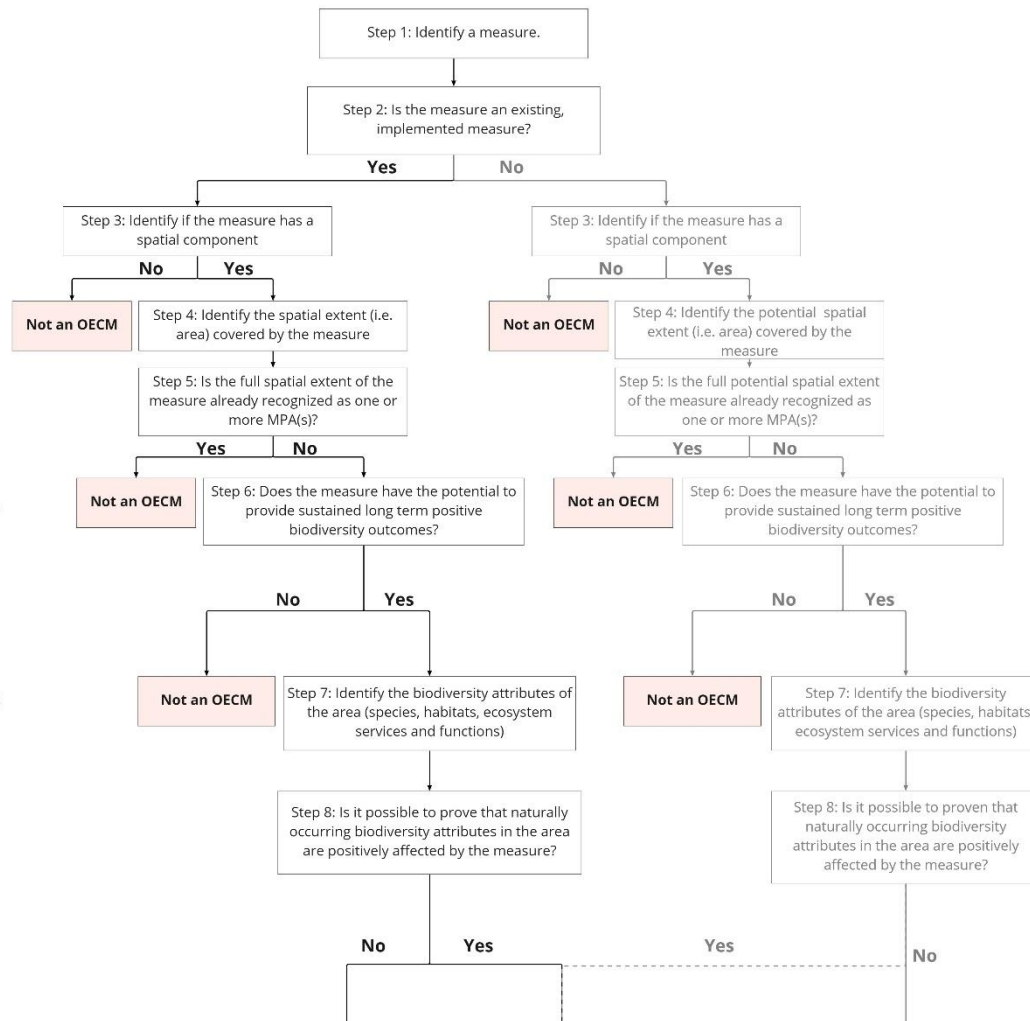
B.b.) Area

A.) MPA

C.f.) Sustained long term

C.h.) & D.i.) Biodiversity attributes

C.e.) Positive outcomes



## Agreed regional common understanding of the relevant criteria

### B.d.1 "managed"

- An area must be under a management scheme, including documented conservation objectives and implemented and effective measures, to count as an OECM. If a previously recognised OECM is no longer under management it can no longer be recognised as an OECM.
- Management should support the long term positive biodiversity conservation outcomes, i.e. it should be possible to prove that the management contributes to the in-situ conservation of naturally occurring biodiversity attributes over the long-term. Such links need to be presented for review by national authorities competent in conservation prior to the OECM being officially recognised.
- Management of OECMs should include effective means of control of activities that could impact naturally occurring biodiversity, and ensure positive effects are maintained. The type, amount and intensity of activities in an area should secure positive biodiversity outcomes for the OECM in the short and long term.
- "Managed" can include a deliberate decision to leave the area untouched.
- Management should include established stakeholder involvement

### B.b. "geographically defined area"

- The size of OECMs may vary but should be sufficient to achieve the long-term in-situ conservation of naturally occurring biodiversity, including all ecosystems, habitats and species communities for which the site is important.
- The geographical area should be clearly described and include all ecosystem components relevant for the area and should subsequently, unless clearly justified and resulting in no significant negative impact to the areas naturally occurring biodiversity, always include all three-dimensions.
- Sufficient size is highly contextual and is dependent on the ecological requirements for the persistence of the relevant species and ecosystems. The proximity/level of connectivity of the OECM area to other areas of value for the naturally occurring biodiversity attributes identified in the OECM can be included in the considerations on sufficiency, i.e., areas which increase connectivity or function as a stepping stones or buffer zones should be considered even if they are limited in size.

### A.a. "not an MPA"

- The area is not currently recognised as a protected area or part of a protected area.

### C.f. "sustained long term"

- The governance and management of OECMs is to be sustained and deliver the long-term effective in-situ conservation of naturally occurring biodiversity.
- Consider the temporal aspects such as generational length and the rate of recovery for the relevant naturally occurring biodiversity values.
- The duration should account for both the measure to have time to take effect and for follow up to assess said effect.
- Short-term regulatory instruments are expected to be renewed regularly, thus providing continuous conservation, and must be shown to provide de facto long-term positive biodiversity outcomes.
- Seasonal measures can be considered when they are perennial and where they are part of a long-term overall management regime that results in the year-round in-situ conservation of naturally occurring biodiversity for which the site is important.
- For time-bound measures it is recommended that a plan for how positive outcomes can be sustained and monitored beyond the life-span of the measures be prepared as part of the identification and recognition process.

### C.h. "biodiversity"

- The variability among living organisms from all sources and the ecological complexes of which they are a part. This includes variation in genetic, phenotypic, phylogenetic, and functional attributes, as well as changes in abundance and distribution over time and space within and among species, biological communities and

### D.i. "ecosystem functions and services"

- Management to enhance one particular ecosystem service should not impact negatively on the site's overall biodiversity conservation values.
- The OECM assessment should, where relevant, identify and document the range of ecosystem services provided by the site

### C.e. "positive outcomes"

- For an outcome to be considered positive it needs to be sustained long term, e.g., through overall positive (or, where status is good, stable) trends for naturally occurring biodiversity attributes over the duration of the measure.
- Positive outcomes should be measurable (i.e., improved status of species, lower levels of pressures) and should contribute to securing good status for the marine environment
- It should be possible to prove that the measure contributes to the in-situ conservation of naturally occurring biodiversity attributes.
- Activities cannot occur in OECMs if they have a significant adverse impact on naturally occurring biodiversity attributes. Significant adverse impacts are those that compromise ecosystem integrity (i.e. ecosystem structure or function) in a manner that impairs the ability of affected populations to replace themselves and that degrades the long-term natural productivity of habitats, species richness, habitat or community types. Impacts should be evaluated individually, in combination and cumulatively.
- Activities occurring in the vicinity of an OECM should not have a significant adverse impact (as defined above) on the naturally occurring biodiversity attributes inside the site.
- All aspects of a regulated activity, from supporting infrastructure to maintenance and decommissioning, need to be considered when evaluating possible adverse impact to a sites naturally occurring biodiversity and should be done in such a way as to not jeopardize the naturally occurring biodiversity attributes.
- Management to enhance one particular biodiversity attribute should not impact negatively on the site's overall biodiversity conservation values.

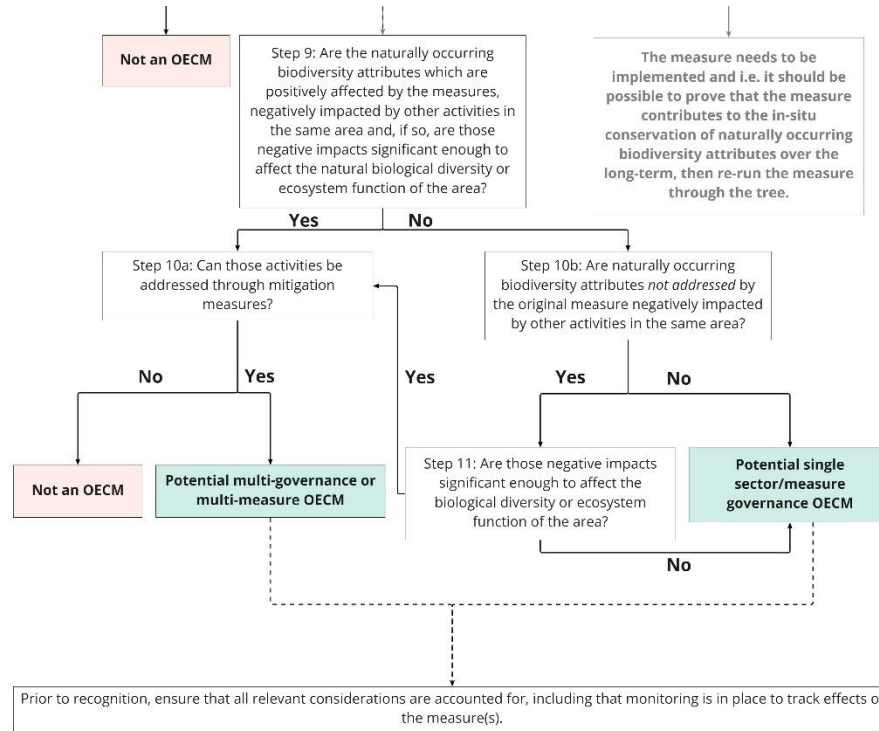


C.g.) In situ conservation

C.g.) In situ conservation

B.c.) Governance

C) Monitoring



**C.g. "in-situ conservation"**

- An area needs to contribute to at least two of the following:
  1. ecological representation,
  2. coverage of areas important for naturally occurring biodiversity and associated ecosystem functions (see below),
  3. connectivity and integration in wider seascapes.
- OECMs should 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 Red List of Threatened Species, Red List of Habitats and Biotopes, or national equivalents.
  - Ecosystem function and resilience of an area.
  - Representative natural ecosystems.
  - Areas with a high level of ecological integrity or ecological intactness, which is characterised by the occurrence of the full range of native species and supporting ecological processes. These areas will be intact or being restored under the proposed management regime.
  - Range-restricted species and habitats, i.e. species or habitats with a very limited distribution due to the requirements they have. They are rare because of habitat limitation, are often geographically concentrated, and depend on a network of irreplaceable sites within at least part of their ranges or life cycles, 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.
- OECMs can target naturally occurring single species or a subset of naturally occurring biodiversity attributes but preferably achieve positive conservation outcomes for a range of naturally occurring biodiversity attributes in the area. Measures affecting single species or subsets of naturally occurring biodiversity should not allow the broader ecosystem or its individual components to be compromised.
- The range of naturally occurring biodiversity attributes for which the site is considered important need to be identified and document.
- The naturally occurring biodiversity attributes, as well as identified threats, should be tracked over time through recurring monitoring aimed at establishing the effect of the measure(s), as well as of the status of naturally occurring biodiversity in the area. The frequency of monitoring should

**B.c. "governed"**

- Governance mechanisms should be effective in maintaining the naturally occurring biodiversity i.e., the conservation of ecosystems and natural habitats and the maintenance and recovery of viable populations of species in their natural surroundings and which would naturally occur in the area.
- For OECMs, both national and transboundary, to be considered as under adequate governance the governance structure is to be clearly identified and described as part of the recognition process. Such governance structures should include the clear division of responsibilities, incorporate the relevant competent authorities and outline plans for resourcing for activities associated with the recognition of and OECM such as e.g. monitoring and enforcement.
- In order to ensure compliance with the criteria, an integral part of governance, potential OECMs should go through a national holistic review process to ensure the potential OECMs fulfil the criteria. Only after positive evaluation results should they be considered eligible for recognition.
- Governance structure should include the possibility for stakeholders, i.e., those entities that have an interest in the OECM, to be party to the governance processes.

**C. "information and monitoring"**

- Identification of an OECM should document the known biodiversity attributes, as well as, where relevant, cultural and/or spiritual values, of the area and the governance and management in place as a baseline for assessing effectiveness.
- Effective monitoring of the status of biodiversity in the area must take place and should be long term and iterative for a measure to qualify as an OECM. Where possible, monitoring should utilize and complement already implemented monitoring efforts and should use agreed monitoring standards wherever possible. The monitoring data are to be made available and accessible to the national authority managing OECMs.
- The ecosystem services should, where relevant, be tracked over time through recurring monitoring aimed at establishing the effect of the measure(s).

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