



UNITED  
NATIONS

EP

UNEP/MED WG.608/13



UNITED NATIONS  
ENVIRONMENT PROGRAMME  
MEDITERRANEAN ACTION PLAN

14 May 2025  
Original: English

Seventeenth Meeting of SPA/BD Focal Points

Istanbul, Türkiye, 20-22 May 2025

**Agenda Item 6: Conservation of sites of particular ecological interest**

**6.2. Draft guidance document on Other Effective area-based Conservation Measures in the Mediterranean: identification and Criteria application**

**Draft guidance document on Other Effective area-based Conservation Measures (OECM) : identification and Criteria application in the Mediterranean**

### **Note by the Secretariat**

1. The SPA/RAC has prepared the Draft guidance document on Other Effective area-based Conservation Measures (OECM) : identification and Criteria application in the Mediterranean, in accordance with the Barcelona Convention Post-2020 Regional Strategy on Marine and Coastal Protected Areas and Other Effective area-based Conservation Measures in the Mediterranean, Action A.3.1.6 Develop sectoral and other guidance, such as tools and templates, for applying OECM criteria and establishing processes for identifying OECMs.
2. The first draft was shared with the AGEM members for comments and feedback, then a specific AGEM meeting was organised to discuss the draft guidance on 15 April 2025. Minutes of the meeting are available in the document UNEP/MED WG.608/Inf.18. The reviewed draft was after that shared with the SPA/BD Focal Points for comments. The Guidance was thus reviewed following the received feedback from the SPA/BD Focal Points, integrating additional inputs received from experts and organisations working on OECMs.
3. The meeting is invited to review the proposed draft guidance document and provide guidance on the way forward.

## Acronyms

ABMT	Area-based management tool
ABNJ	Area beyond national jurisdiction
AGEM	<i>Ad hoc</i> Group of Experts for Marine Protected Areas in the Mediterranean
CBD	Convention on Biological Diversity
COP	Conference of Parties
EBSA	Ecologically or Biologically Significant Marine Areas
FAO	Food and Agriculture Organization of the United Nations
FRA	Fisheries Restricted Area
GFCM	General Fisheries Commission for the Mediterranean
IUCN-WCPA	IUCN World Commission on Protected Area
KBA	Key Biodiversity Area
mOECM	Marine Other Effective area-based Conservation Measure
OECM	Other Effective area-based Conservation Measure
MCPA	Marine and Coastal Protected Area
MPA	Marine Protected Area
RFMO	Regional Fisheries Management Organisation
SPA/RAC	Specially Protected Area / Regional Activity Centre (MAP)
VME	Vulnerable Marine Ecosystem
WDPA	World Database on Protected Areas
WD-OECM	World Database on OECMs

## Acknowledgements

This document has been developed under the guidance of the *Ad hoc* Group of Experts for Marine Protected Areas in the Mediterranean (AGEM) of the SPA/RAC, and in consultation with relevant OECM experts.

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## EXECUTIVE SUMMARY

1. Other Effective Area-based Conservation Measures (OECMs) are one of five strategic pillars of the Barcelona Convention's Post-2020 Regional Strategy for Marine and Coastal Protected Areas (MCPAs) and Other Effective area-based Conservation Measures (OECMs) in the Mediterranean<sup>1</sup>. The *Ad hoc* Group of Experts on Marine Protected Areas in the Mediterranean (AGEM) recommended that Mediterranean countries start working on existing measures that could be identified as OECMs, with the SPA/BD Focal Points facilitating and coordinating activities at the national level. The AGEM also called for the development of a guidance to support this process.

2. In fulfilment of this recommendation, the present guidance document explains the processes recommended for identifying and reporting OECMs in the marine and coastal environment, and how these might best be used in the context of the Mediterranean. It describes existing global and regional guidance, emphasising that countries should use the now well-established processes to ensure a harmonised approach, but also highlights that these processes are new and often challenging, with further guidance in preparation on the more difficult component, notably that of demonstrating that long-term in situ biodiversity conservation will be achieved at a site. The guidance covers a variety of types of potential marine and coastal OECMs, including those managed under fisheries measures, for which the FAO and GFCM have produced handbooks, and those that might be defined by other management measures (e.g. shipping, oil and gas sectors, Ramsar sites, among others).

3. The guidance recommends that Mediterranean countries use IUCN-WCPA's site assessment tool<sup>2</sup> as the basic approach (a) to ensure a harmonised approach to the wide range of area-based management initiatives that might be potential OECMs, and (b) because it includes a set of forms that allow the screening process to take place immediately in a format that is comparable to other countries and regions. The process should be complemented by the recommendations in the more specialised sets of guidance (e.g. FAO and GFCM) where appropriate.

4. The document also includes a brief overview of progress in the Mediterranean to date, as well as experiences from other regions involved in this process.

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<sup>1</sup> [https://www.rac-spa.org/sites/default/files/doc\\_spa/mcpa\\_oecm\\_strategy.pdf](https://www.rac-spa.org/sites/default/files/doc_spa/mcpa_oecm_strategy.pdf)

<sup>2</sup> <https://portals.iucn.org/library/sites/library/files/documents/PATRS-006-En.pdf>

## INTRODUCTION

### **Why is guidance to OECMs needed?**

5. Other Effective Area-based Conservation Measures (OECMs) are one of five strategic pillars of the Barcelona Convention's Post-2020 Regional Strategy for Marine and Coastal Protected Areas (MCPAs) and Other Effective area-based Conservation Measures (OECMs) (UNEP/MAP - SPA/RAC, 2021). This was adopted at the COP22 of the Barcelona Convention in 2021, and the Contracting Parties were asked to take effective measures to implement it. To support this, under Output 3.1 of the Strategy (Awareness in Contracting Parties and stakeholders on OECMs enhanced and guidance for the application of OECM criteria provided), it was proposed that a tool should be developed to help with the process of applying the OECM criteria and thus identifying sites suitable for reporting as OECMs. SPA/RAC was requested, in coordination with other regional and international organizations, to provide the necessary technical assistance, with this process and to help clarify the process for the OECM identification in the Mediterranean.

### **What were the steps leading to the compilation of this guidance?**

6. The Report of the Ad hoc Group of Experts on Marine Protected Areas in the Mediterranean (AGEM)'s work during the biennial period 2022-2023 (UNEP/MAP-SPA/RAC, 2023) recommended that Mediterranean countries start working on existing measures that could be identified as OECMs with the SPA/BD Focal Points facilitating and coordinating activities at the national level. It also stressed the need for a workshop to reflect on what should constitute a biodiversity outcome for an OECM, one of the key challenges in identifying OECMs. In December 2023, as part of the implementation of the 2022-2023 SPA/RAC Programme of Work, with the AGEM, SPA/RAC organised a workshop on Mediterranean marine OECMs to better clarify the concept of an OECM and to come up with a harmonised and coherent way to consider OECMs in the Mediterranean context. The report issued following this workshop (Agardy, 2023) recommended that guidelines on the identification of OECMs in the Mediterranean marine and coastal environment should be prepared along with guidance on how to "Improve the designation and complementarities of different conservation measures by area, including in areas beyond national jurisdiction". This guidance is in fulfilment of these recommendations.

### **Who is the guidance designed for?**

7. The guidance is designed to assist all those responsible for, and involved, in identifying and reporting on OECMs in the Mediterranean. This must be seen as a multi-stakeholder process, involving regional bodies (including SPA/RAC, GFCM, IUCN Med and others), government agencies, NGOs, local communities, scientists and other experts.

### **What is the scope of the guidance?**

8. The guidance covers the identification of OECMs in the marine and coastal environment, as defined under the Barcelona Convention's Protocol concerning Specially Protected Areas and Biological Diversity in the Mediterranean (SPA/RAC, undated). This includes: the seabed and its subsoil; the waters, the seabed and its subsoil on the landward side of the baseline from which the breadth of the territorial sea is measured and extending, in the case of watercourses, up to the freshwater limit; and the terrestrial coastal areas designated by each of the Parties, including wetlands.

9. The guidance covers a variety of types of potential marine and coastal OECMs, including those managed under fisheries measures, for which the FAO and GFCM have produced handbooks (see Section 2.2.), and those that might be defined by other management measures (e.g. shipping, oil and gas sectors, Ramsar sites among others).

10. For the northern Mediterranean countries, it is important to recognise that other guidance is available or being produced in the context of the European Union and the broader European region. Further detail on regional guidance is available in Section 2.3.

## SECTION 1. BACKGROUND TO OECMs

### 1.1. What is an OECM?

11. The Convention on Biological Diversity (CBD, 2018a) defines an OECM 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”.*

12. Four criteria for identifying OECMs, whether on land, in freshwater, or in the sea, were agreed by the CBD at COP16 in Montreal (CBD, 2018) (Table 1).

**Table 1. Four CBD criteria for identifying OECMs**

Criterion	Explanation
<b>A: The site is not a protected area.</b>	<p>An OECM must be <b>fully outside any protected area currently recognized by national government or reported by any governing entity</b></p> <p>Internationally agreed norms under the CBD, and IUCN recommendations, are that areas that meet the definition of a protected area, <b>and are recognised as such by the governing authority</b>, should be considered a protected area.</p> <p>In practice, there are many sites that meet the definition of a protected area but that are not recognised and reported as such for a variety of reasons. Although OECMs should NOT be considered an alternative to or a replacement for protected areas, which are a critical part of Target 3 (See section 2.2. of Jonas et al. (2024a), it is now recognised that a site where biodiversity conservation is the primary objective could be reported as an OECM, if the governing authority chooses not to label it as a protected area.</p>
<b>B: The site is bounded, governed, and managed</b>	<p>The area is a geographically defined space with clear and legitimate governance and management. The boundaries of the site must be defined, and the site must have sustained governance and management by a legitimate governing authority. The type of governance and management is not a factor in identifying an OECM – what is important is the effectiveness of governance and management in achieving conservation (see Criterion C).</p>
<b>C. The site is confirmed to contribute to sustained <i>in situ</i> biodiversity conservation.</b>	<p>The area must be achieving positive and sustained long-term outcomes for the <i>in situ</i> conservation of biodiversity, or be reasonably expected to achieve positive and sustained outcomes in the future. In order to carry out this function, and to be able to know that the area is having the intended impact, information and monitoring are required.</p> <p>The biodiversity features (also referred to as ‘biodiversity attributes’ or ‘biodiversity values’) should be clearly described and might be (a) rare, threatened or endangered species and ecosystems; (b) natural ecosystems which are under- represented in protected area networks; (c) high level of ecological integrity or intactness; (d) significant populations of range restricted species or ecosystems; (e) important species aggregations, such as spawning, breeding or feeding areas; or (f) areas important for ecological connectivity.</p>

Criterion	Explanation
<b>D. The site maintains associated ecosystem functions and services, as well as cultural, spiritual, socio-economic, and other locally relevant values</b>	The area and its associated measures ultimately support the effective delivery of ecosystem services and functions, thus contributing to human well-being. Ecosystem functions and cultural, spiritual and socio-economic values exist where people use the products and services from a site. The CBD decision stipulates that where these values exist for an OECM, management should achieve both biodiversity conservation and the maintenance or enhancement of these other values.

13. The CBD criteria ensure that identified and reported OECM are not used for double counting (i.e. they ensure that there are no overlaps with reported protected areas) and that they are effective, as the name implies. An OECM must have a legal definition, appropriate governance, and active management that contributes to the overall conservation of biodiversity. However, biodiversity conservation should not be its primary objective. Sites which meet the definition of a protected area, and are recognised as such by the governance authorities (including local communities where relevant), should be classified as such. If an area is an already existing, managed area that is recognised as a protected area (e.g. MCPA, Natura 2000 site etc) as per the IUCN definition (Box 1.) and reported to the WDPA, it should not be assessed as an OECM. It is important to understand that OECMs should generally be “recognized”, rather than “designated”. The term OECM is thus a ‘label’ that can provide “added value” to an area.

14. In order to make assessment of potential sites easier, IUCN provides a more detailed breakdown of the four CBD criteria into eight criteria (Annex 2 of Jonas et al., 2024a) as shown in Table 2.

**Box 1. Definition of the term ‘protected area’ – from Jonas et al. (2024)**

The CBD defines a protected area as: “A geographically defined area which is designated or regulated and managed to achieve specific conservation objectives”.

IUCN has a more detailed definition: “A clearly defined geographical space, recognised, dedicated and managed, through legal or other effective means, to achieve the long-term conservation of nature with associated ecosystem services and cultural values”.

The CBD and IUCN recognise the two as being equivalent in practice as, in both cases, these areas are intended to achieve *in situ* conservation.

**Table 2. Breakdown of the four CBD criteria into eight criteria according to IUCN**

	IUCN criterion	CBD	Notes
1	The site is not a protected area	A	No difference
2	There is a reasonable likelihood that the site supports important biodiversity values	C	This provides a useful early step in the identification process to ensure that CBD Criterion C will be met
3	The site is a geographically defined area	B	CBD Criterion B requires that a site has defined boundaries
4	The site is confirmed to support important biodiversity values;	A C	This is the completion of Criterion 2, and helps to ensure CBD Criterion C is met



	IUCN criterion	CBD	Notes
5	Institutions or mechanisms exist to govern and manage the site	B	CBD criterion B requires that a site has sustained governance and management by a legitimate governing authority.
6	Governance and management of the site achieve or are expected to achieve the <i>in situ</i> conservation of important biodiversity values	C	This is the third step in the process to ensure that CBD Criterion C is being met; the IUCN criteria emphasise more clearly the requirement for effective biodiversity conservation
7	<i>In situ</i> conservation of important biodiversity values is expected to be for the long term	C D	This emphasises the need to assess whether the biodiversity conservation achieved will be long-term
8	Governance and management arrangements address equity considerations	B	IUCN Criterion 8 emphasises the principle that for biodiversity conservation to be effective, the governance and management must be equitable

## 1.2. What are the main differences between OECMs and MCPAs?

15. There are several common misconceptions about OECMs in relation to protected areas that are important to understand (Fitzsimons et al., (2025):

- OECMs are NOT easy to identify and report. The administrative process to recognise an OECM can be lengthy and has more stringent criteria than used for designating a protected area. Unlike protected areas where areas identified as national parks, reserves, etc might automatically qualify for listing, in the case of OECMs, each potential site has to be assessed separately to determine whether it meets the CBD definition and criteria, and reflects the IUCN guidance. OECMs have additional requirements, such as a monitoring system to inform management on the effectiveness of biodiversity conservation, and processes in place to evaluate the effectiveness of governance and management, including with respect to equity.
- Like protected areas, OECMs recognized in lands or territories of Indigenous and traditional territories require the free, prior and informed consent (FPIC) of these people, a process that can take some time. In the Mediterranean, this may be not be an issue but any rights of local communities must be recognised and their consent obtained.
- OECMs are expected to be long-term conservation measures for the landscape or seascape, not temporary components that would expire after a certain period. Area-based conservation measures for a finite term (e.g. 25 years) or with no guarantee of longevity (or proof of the likelihood of longevity) should not be assessed as OECMs.
- An OECM does not need specific OECM legislation, legislative recognition or a specific designation". The 'other' in 'other effective area-based conservation measures' implies measures, mostly likely existing, that are 'effective'. Recognition of these measures, provided biodiversity conservation is being achieved, is considered sufficient. Countries may choose to enable legislation or other mechanisms to formally recognize OECMs, or develop policies to guide the achievement of the desired outcome in a coherent and effective manner, but these are not requirements.
- In the case of fisheries measures, including closures, these must be long-term and whole ecosystem-based. A closure for a single species in a management area allowing industrial fishing or seabed alteration would not be an OECM.

### **1.3. Why are we interested in OECMs and what is their added value?**

16. Under Target 3 of the 2022 Kunming-Montreal Global Biodiversity Framework (GBF), countries are required to report on coverage, effective management and equitable governance of their OECMs. Target 3 calls on Parties to effectively conserve at least 30% of marine and coastal areas by 2030 through both protected areas and OECMs. This is one of the immediate reasons for the current interest in, and the need for guidance on reporting, OECMs. However, the more fundamental purpose of OECMs is to promote much wider attention to biodiversity conservation, and to ensure that it is not limited only to protected areas, but that all managed areas play a role in this vital role.

### **1.4. Who can identify and report OECMs?**

17. Marine and coastal OECMs can be identified and reported by a wide range of organisations, including government agencies, scientific and heritage bodies, fisheries management authorities and bodies, other management agencies and local communities. Once a given area satisfies all CBD criteria, its final recognition as an OECM is the prerogative and responsibility of the relevant country (or countries if the OECM straddles national borders). Further details on roles and responsibilities are provided in Section 3.4.

18. The Protected Planet database is the authoritative source of data on protected areas and OECMs, and provides the basis for monitoring and reporting on progress towards Target 3 of the GBF and the 2030 Sustainable Development Goals. Every two years, the UNEP World Conservation Monitoring Centre (UNEP-WCMC), which manages the database, releases the Protected Planet Report on the status of the world's protected areas. Most countries have yet to provide data to the WD-OECM. As of August 2024, 6,464 OECMs had been reported (compared to 302,934 protected areas reported to the WDPA). Over 90% (6,253) are in the terrestrial and inland water realms, covering 1.59 million km<sup>2</sup>. Only 211 OECMs are in the marine realm, covering 403,605 km<sup>2</sup> (UNEP-WCMC, 2024). Section 4.2. summarises progress being made in Mediterranean countries.

## SECTION 2. AVAILABLE GUIDANCE ON OECMs

19. It is strongly recommended that existing, widely used and globally accepted guidelines and handbooks are used for identifying OECMs, as laid out in Section 3, which also explains how different sets of guidelines are complementary and can be used together. This section (Section 2) summarises some of the key guidance documents currently available, as well as further materials that are in preparation. It is important to note that guidance on identifying marine OECMs (mOECMs) in general, and OECMs based on fisheries measures (section 2.2. below), is still in preparation but should be used as soon as it is available.

### 2.1. Global guidance

20. The basic guidance on OECMs is found in:

- IUCN-WCPA Task Force on OECMs (2019): an **overview of the CBD criteria**. The criteria have been summarised in the previous section, but it is recommended that the more detailed IUCN document is also consulted.
- Jonas et al. (2023): This is the **site-assessment tool** that has been developed by IUCN-WCPA and which is now being widely used to identify OECMs. It is recommended here that it is used as the primary tool in all Mediterranean countries to ensure consistency in both identification and reporting – see Section 3. In some cases, it is being adapted as a national tool (see Section 5.2 – Experiences from around the world).
- **IUCN-WCPA detailed guidance** (Jonas et al., 2024a). This is essential reading as it helps to clarify many of the questions that arise when using the site-assessment tool.
- A briefing note on determining whether a **Ramsar Site** meets the criteria for an OECM, has been published (Convention on Wetlands, 2025)<sup>3</sup>. It provides an overview on identification, governance and management of OECMs in a wetland context, based on interpretation of CBD Decision 14/8 and the IUCN-WCPA guidelines, and emphasises that recognising Ramsar Sites that are not protected areas as OECMs could enable a more integrated approach to wetland conservation.

### 2.2. Marine OECM (mOECM) guidance

21. Identifying mOECMs raises particular challenges, as noted in the **IUCN-WCPA FAQs** that answer some of the questions frequently raised about this category of OECM (Woodley, 2024). For example, for the ocean, data on important biodiversity values and their status within an area are often lacking, making it difficult to obtain the required proof of effective conservation. The FAQs give summary advice on this and other related issues. The two sets of guidance specific to mOECMs that should be used in association with the IUCN-WCPA site assessment tool are (1) the FAO handbook and associated guidance (e.g. the GFCM guidance) for sites under fisheries measures; and (2) more general guidance on identifying mOECMs being prepared by Oregon State University which helps particularly with the step involved in site assessments that requires analysis of threats to the marine biodiversity of an area. A further very helpful document is the Birdlife International position paper on mOECMs (Birdlife International, undated) which, using the IUCN-WCPA approach as a basis, summarises the steps that might be necessary to identify OECMs in a variety of marine ABMTs (summarised in Section 4.1 below).

#### FAO Handbook

22. The FAO handbook (FAO, 2022) for identifying, evaluating and reporting OECMs for areas that are managed under fisheries measures and with potential ability to meet OECM criteria for long term biodiversity conservation proposes a screening process. This is very similar to the IUCN-WCPA process in that it allows what could be a wide pool of sites to be narrowed down to those candidate sites that might qualify as an OECM. It then provides a 5-step method for a more in-depth evaluation of candidate sites to determine whether the outcome at the site would be *in situ* biodiversity conservation. It also describes how sectors can work with communities and other rights holders to improve existing spatial management that might fall short

<sup>3</sup> <https://www.ramsar.org/document/other-effective-area-based-conservation-measures-oecms-conservation-wise-use-wetlands-0>

of OECM standards. Additional guidance is in preparation to demonstrate the range of conservation outcomes that can arise from the use of fisheries area-based management tools (ABMTs) (FAO in prep). The FAO guidance is also available in the form of two e-learning courses, in English, French and Spanish:

- **Introduction to other effective area-based conservation measures in marine fisheries**<sup>4</sup> – provides background information on the topic.
- **Recognizing other effective area-based conservation measures in marine fisheries**<sup>5</sup> - provides guidance on identifying, evaluating and reporting OECMs in marine fisheries.

### **Oregon State University guidance on mOECMs**

23. There is a particular challenge in meeting CBD Criterion C (i.e. providing confidence that a site identified as an OECM will have a positive and sustained biodiversity outcome) in the marine environment. This led to a working group of marine experts, facilitated by Oregon State University, developing guidance for mOECMs to complement the other tools and brings clarity to the likelihood of biodiversity conservation and expected outcomes from different candidate mOECMs. This proposes assessing the potential impact of threat reduction, which may be an easier approach for areas where extensive ecological monitoring data are not available. A preliminary version of this guidance is currently out for review (Gorud-Colvert, in prep.). It is likely to be very useful for the Mediterranean and the way in which it might be used is described in Section 3.3.

### **2.3. Other Regional guidance**

24. Several regions are developing their own guidance on identifying and reporting OECMs, thus helping to scale-up the process and also providing opportunities for knowledge exchange and experience-sharing as the OECM process moves forward.

25. Northern Mediterranean countries within the EU should be aware of and make use of the guidance being prepared for Europe as a whole. The European Commission's DG ENV has developed guidance for EU member states (European Commission 2022). For these countries, "OECMs can be counted towards the 30% target only if the area is covered by a national or international legislative or administrative act or a contractual arrangement aiming to achieve long-term conservation outcomes; conservation objectives and measures are in place; and effective management and monitoring of the biodiversity in the area is in place." Following a 2023 workshop on the role of OECMs in Europe, WCPA developed recommendations and guidance for establishing a national process for using the EU approach, and a set of steps has been identified (Stolpe et al. 2024).

26. HELCOM, the Baltic Marine Environment Protection Commission, has produced guidance for the Baltic states based on that provided by CBD, IUCN, and the EU Commission (HELCOM, 2022). The resulting 'decision support tree' is being tested at national level, and will be revisited in 2027 and, if necessary, updated. The decision tree was designed to be used as the first step in the OECM process to identify potential OECMs but does not address the actual recognition and management of OECMs. It is very similar to the early steps in the IUCN-WCPA site assessment tool and might prove a useful process for some Mediterranean countries.

27. For the North-east Atlantic, OSPAR has initiated a process to identify fisheries based OECMs<sup>6</sup> with the Northeast Atlantic Fisheries Commission (NEAFC). In 2021, OSPAR committed to expanding its network of MPAs and OECMs to cover at least 30% of OSPAR's Maritime Area by 2030. NEAFC will set out fisheries measures which deliver conservation benefits, and OSPAR will complement these by providing measures under its competence in the same areas and in providing relevant biodiversity and environmental data to NEAFC's scientific advisor, ICES. The NEAFC OECM (the first to be reported to the WD-OECM) covers the

<sup>4</sup> <https://elearning.fao.org/course/view.php?id=1124>

<sup>5</sup> <https://elearning.fao.org/course/view.php?id=1125>

<sup>6</sup> [www.ospar.org/site/assets/files/37958/nea-fc-ospar-joint-oecm-narrative-final\\_clean.pdf](http://www.ospar.org/site/assets/files/37958/nea-fc-ospar-joint-oecm-narrative-final_clean.pdf)

20 individual sites closed to bottom fishing to protect Vulnerable Marine Ecosystems (VMEs) in areas beyond national jurisdiction (ABNJ), which do not lie within MPAs<sup>7</sup>. The sites are managed individually but have been identified collectively as an OECM. They cover approximately 7% of the ABNJ, a much smaller area than the closed area fisheries measure itself, a large part of which is in designated MPAs. This is the first ABNJ OECM to be submitted by a Regional Fisheries Management Organisation (RFMO).

28. For the East Asian Seas, COBSEA has initiated a process to develop guidance (COBSEA, 2024), which will complement the broader IUCN-WCPA guidance produced for Asia as a whole (Sharma and Pasha, 2024). For the Arctic, Conservation of Arctic Flora and Fauna (CAFF) and Protection of the Arctic Environment (PAME) are initiating a process, starting with an overview of the range and understanding of international and national criteria used for the identification of OECMs<sup>8</sup>. A process has also started this year in the Pacific region<sup>9</sup>.

#### 2.4. Additional potentially useful guidance

29. Several other initiatives, existing or underway, are likely to prove very helpful in identifying OECMs, particularly when assessing Criterion C, and attempting to demonstrate whether potential sites have or might have positive biodiversity outcomes. These include:

- The many tools for assessing the management effectiveness of protected areas and determining whether these are having positive biodiversity conservation outcomes, as required under Target 3 (Wells et al., in prep).
- The IUCN Green List Standard and associated indicators. These are designed to apply to OECMs as well as protected areas, although the current focus is on the latter. The Interreg Euro-MED Green List for Mediterranean Marine Protected Areas project (GreenList4MMPAs) is exploring how to apply the IUCN Green List Standard in the Mediterranean, and the results of this work will help to inform the process for identifying OECMs.
- The WCPA Marine Task Force on Fisheries and MPAs is initiating a process to develop more in-depth guidance on understanding the impacts of different gear types and fishing intensity on MPAs, and thus potentially sites that might be considered for OECMs. Similarly, the outputs of the IUCN Fisheries and Biodiversity Task Force, which is preparing a synthesis and overview of impacts of fishing on marine biodiversity, will be very useful.

#### 2.5. Experience from around the world

30. Many countries are now producing their own national guidance, and this experience might be useful if Mediterranean countries are considering developing a national process. This section will be reduced in length in the final guidance, but the examples given below may prove useful, given that there are few case studies from the Mediterranean.

**Canada:** One of the first countries to develop guidance (Government of Canada, 2022; Pathway to Target 1, 2021), Canada applies a two-level criterion for assessing whether a site is effectively managed: 1. There must be a mechanism for preventing incompatible activities and managing all other activities; 2 The mechanism should compel all governing authorities to prohibit incompatible activities. Such a high standard is useful in ensuring that OECMs meet the effectiveness criterion. The *Lophelia* Coral Conservation Area, a measure established in 2004 to protect Canada's only known living *Lophelia pertusa* reef complex, which had suffered significant damage from previous fishing activities, has been assessed.

**Norway:** 61 lobster reserves, 18 coral reef protected areas, 17 protected bottom habitat areas, 5 conservation zones, 492 kelp harvesting areas, and a range of other area-based fishery measures were assessed using the

<sup>7</sup> <https://www.neafc.org/oecm>

<sup>8</sup> <https://www.caff.is/work/projects/other-effective-area-based-conservation-measures-oecm-in-the-arctic-marine-environment/>

<sup>9</sup> <https://www.tiakimoana.org/>

IUCN-WCPA site assessment tool (Dunshea et al., 2024). Of these, 25 lobster reserves and four coral reef protected areas were found to meet the CBD/IUCN OECM criteria. It was considered that the protected bottom habitat areas (nearly 30% of Norway's total ocean area) could not be considered OECMs because: they are vertically zoned and only protect a subset of biodiversity from a single threat (bottom fishing); "new fishing areas" could be opened to bottom trawling in the future; petroleum facilities overlap with parts of the areas and new exploration leases are being granted within the areas; and large areas overlap and/or are adjacent to the large areas now at risk from deep-sea mining exploration and exploitation.

**Philippines** (case study 10 in Jonas et al., 2024): The Philippines Department of Environment and Natural Resources (DENR) has prepared a draft administrative order (yet to be approved) which, among other things:

- Clarifies the relationship of OECMs to protected areas, which are already regulated through the country's National Integrated Protected Areas System (NIPAS) Act.
- Recognises that the 'governing authority' of an OECM is the institution, individual, a communal group, or other body acknowledged as having responsibility, accountability and authority in protecting, restoring and managing, including decision-making in their resource management unit.
- Adopts guiding principles on OECMs, including that they have a documented contribution to biodiversity conservation, that they are recognised through a rightsbased process, and that their identification considers ecological representativeness and connectivity.
- Adopts a three-stage process for identification of OECMs, based on IUCN's guidance for potential OECMs and then candidate OECMs which are subject to full assessment.
- References the country's KBA inventory as a key source of potential sites.
- Establishes a national OECM registry, to hold information relevant to OECMs.
- Establishes a national institutional framework for implementation of the order, by expanding the role of the existing National NIPAS review committee to become the National NIPAS and OECM Review Committee (NNORC), including expanding the remit of the committee's technical working group.
- Provides for support to capacity-building, monitoring, evaluation and reporting for the governing authorities and the institutions involved in the assessment of OECMs.
- Addresses the need for on-going funding and support to recognised OECMs through an 'adopt an OECM' scheme to encourage private sector partnerships, and by mandating DENR to put in place programs to support recognised OECMs, including annual awards, technical assistance, certification and assistance to explore potential climate/ carbon payments. –

**South Africa** (Case study 7 in Jonas et al., 2024). Four principles are considered central to an inclusive and robust process.

- Principal stakeholders, e.g. state ministries, environmental NGOs, and representative bodies of Indigenous Peoples and local communities, to be engaged one-on-one to familiarise them with the OECM concept.
- Stakeholder workshops to be inclusive and representative of all affected stakeholders (especially previously marginalised groups).
- A policy and technical review to be undertaken by professionals (e.g. environmental lawyers) to better align the national legal frameworks to support the OECM criteria.
- Potential OECMs identified and a sample assessed at ground level against the OECM definition using the IUCN site-level tool.

**Australia.** The National Other Effective area-based Conservation Measures (OECMs) Framework provides guidance on recognition of land-based OECMs in Australia (DCCEE, 2024). The framework identifies principles to guide OECM recognition, provides information on implementation of these principles, and includes a site assessment tool. Identifying and recognising OECMs in marine areas may be considered in future. Fitzsimons et al. (2024) identified that the number of categories/mechanisms that would meet the OECM definition is relatively small; there is a high risk of potentially perverse outcomes in classifying an area as an OECM.

**India:** criteria and guidelines have been developed by the Ministry of Environment, Forest and Climate Change (MoEFCC), National Biodiversity Authority of India (NBA) and United Nations Development

Programme (UNDP), to identify OECMs in India (UNDP, 2022). A 14-category classification, clustered under three broad groups- terrestrial, waterbodies, and marine, was developed covering a broad spectrum of potential OECMs including unique agricultural systems, biodiversity parks, industrial estates, coastal waterbodies, and important marine biodiversity areas.

Experiences in **Indonesia** identifying marine and coastal OECMs have been well documented (Estradivari et al., 2022 and 2024.)

### **SECTION 3. GUIDANCE FOR MEDITERRANEAN OECMs**

31. Discussions on identifying and reporting OECMs in the Mediterranean took place in 2020 at a workshop organised by the IUCN Centre for Mediterranean Cooperation (IUCN/WCPA, 2020), with an initial focus on the Southern and Eastern Mediterranean and covering both terrestrial and marine contexts. Section 4.2 (below) provides a summary of some of the work underway since this workshop.

32. Considerable effort has also been directed at the assessment of fisheries management areas as OECMs. Since 2019, the General Fisheries Commission for the Mediterranean (GFCM) of the Food and Agriculture Organization of the United Nations (FAO) has been supporting countries in the Mediterranean and Black Sea to identify potential fisheries-related OECMs. An FAO/GFCM expert meeting was organised in February 2022 to define a way forward for identifying fisheries-related OECMs in the region and to provide technical inputs for the development and testing of FAO's practical guidelines (FAO, 2023).

33. This section lays out the recommended process for countries to identify and report their OECMs, building on knowledge and experience gathered from the previously mentioned examples, and the guidance that has already been developed.

#### **3.1. How to start: designing a national process**

34. Before starting to identify OECMs, it is recommended that a country defines the steps involved in the full process. The following is a combination of recommendations from IUCN (Jonas et al., 2024) and Agardy (2023) and might provide a useful basis.

1. Clarify why there is a need to identify OECMs (e.g. as an incentive for different sectors to improve management for biodiversity; to contribute to the network of MCPAs, etc) and thus whether some OECMs might have greater priority than others.
2. Decide whether OECMs be recognised on a whole sector (e.g. fisheries) or site-specific basis (e.g. following a review of key marine and coastal biodiversity areas within a country).
3. Decide on the financing mechanism for the process and who will be responsible for financing both the process and the subsequent monitoring and long-term oversight.
4. Determine the expertise and institutions that will be required to identify, report, monitor and strengthen OECMs, and that will provide the guarantee that the OECMs fulfil the criteria when recognized, and in the long-term. Bring together these bodies (including universities, other research institutes, NGOs and local communities) and individuals together to introduce the process.
5. Establish a list of potential OECMs to be included in the consultation, consent and identification processes, with reference to existing analysis, priority setting and policy. Sources of information might include national lists of threatened species and ecosystems, the National Biodiversity Strategy and Action Plan, protected areas network planning, A locally relevant category of governance – such as areas managed by local communities – might also be adopted as a starting point for a list of potential OECMs. IUCN guidance on connectivity (Hilty et al., 2020), privately protected areas (Mitchell et al., 2018), geo-conservation (Crofts, 2020) and transboundary conservation (Vasilijevic et al., 2015) may also be relevant.
6. Identify opportunities in national and subnational legislation and policy for the management and conservation of OECMs to be recognised and strengthened.

#### **3.2 How to identify OECMs**

35. It is recommended that Mediterranean countries use IUCN's site assessment tool (Jonas et al., 2024) as the basic approach as (a) this will ensure that it can be used for a wide range of area-based management



initiatives that might be potential OECMs, and (b) because it includes a set of forms that allow the screening process to take place immediately in a format that is comparable to other countries and regions. The tool should be complemented by the other sets of guidance described in Section 2, as appropriate.

36. The site assessment tool comprises three steps: an initial screening to identify a **potential** OECM; obtaining consent for a full assessment to identify a **candidate** OECM; and a full assessment of a candidate OECM to identify it as a **confirmed** OECM.

### STEP 1: SCREENING - IDENTIFYING A POTENTIAL OECM

37. This requires recording basic information about the site, to determine whether it qualifies as a **potential OECM** according to two of the IUCN screening criteria (1 and 2) – that the area is not a protected areas and that it protects important biodiversity. The form on p.3 of the tool is used. To qualify, a site must score ‘yes’ for both screening criteria. Information is required on site name, location, designation. Ask the question: “Does available information suggest that the site supports at least one of the following important biodiversity values?”

- Rare, threatened or endangered species and ecosystems
- Natural ecosystems that are under-represented in protected area networks.
- High level of ecological integrity or intactness
- Significant populations/extent of endemic or range-restricted species or ecosystems
- Important species aggregations, such as spawning, breeding or feeding areas
- Importance for ecological connectivity, as part of a network of sites in a larger area.

38. Key Mediterranean-specific biodiversity features must be considered, including endemic fauna and flora, and ecosystems such as *Posidonia oceanica* meadows and coralligenous assemblages. The Annex to the Protocol on Specially Protected Areas and Marine Biodiversity of the Mediterranean provides initial guidance on regionally important species, and there are a range of more recent sources providing relevant information (e.g. Rodriguez-Rodriguez, D and Malak, D.A, 2022).

### STEP 2. CONSENT FOR FULL ASSESSMENT - IDENTIFYING A CANDIDATE OECM

39. This step is designed to confirm that the governing authority, local communities, and (as appropriate) other rights-holders have agreed to proceed with the full assessment. It requires recording basic information on the stakeholders (representatives of the categories directly concerned by the specific OECM) and governance of the site. The documentation required includes (a) dates and description of the consultation process, (b) information provided to the parties giving consent, (c) input received from parties giving consent, (d) name and position of representatives participating, and (e) proof of consent, such as a signed letter or agreement. (Use form on p.6).

40. The recognition of a site as an OECM is not expected to result in any changes to ownership, management, or use, unless perhaps new OECMs are created with a new governance and management structure, or where governance or management are strengthened to meet OECM criteria. Both governing authorities and local communities must agree that a site be assessed, identified and reported as an OECM, including accepting or rejecting such a proposal when made by another party. The governing authority, which is the group or groups that make decisions about the overall purpose, long-term management policies and sometimes also the day-to-day use of the site. In many sites the mandates and rights of two or more groups overlap, and the governing authority will be made up of representatives of all these groups working together. In some sites, dialogue and negotiation may be required before all rightsholders share the same understanding of which groups have governance rights and responsibilities. Under the CBD, Parties have agreed that the rights of local communities must be recognised and protected under the process of free, prior and informed consent (FPIC), which is a mandatory component of the OECM identification and reporting process; under

FPIC principles, local communities may withdraw their support for the process at any time. (see Jonas et al., 2024 for further detail).

41. Steps 1 and 2 can be carried out separately or together but must be completed before step 3 is undertaken. Once both Steps 1 and 3 are completed, the site is considered a **candidate OECM**.

### **STEP 3: THE FULL ASSESSMENT: IDENTIFYING A CONFIRMED OECM.**

42. The full assessment uses a further six criteria (Criteria 3-8 – see above) to confirm that the site meets the definition of an OECM. This step requires confirmation of all the important biodiversity values, as far as possible based on available information, and that the site has defined boundaries that are agreed upon by the governing authority or a local community, where relevant, as identified in step 2. This step also has questions to confirm that the effect of governance and management activities should be that pressures and threats on the site are known and that pressures on the site's important biodiversity values are controlled, so that these values are conserved *in situ*. It should be confirmed that there should be a reasonable likelihood that the *in-situ* conservation of biodiversity values will be permanent, and that the governance and management arrangements will be able to mitigate future threats, or will be able to do so with additional support that is expected to be provided.

43. There are guiding questions for each criterion:

- A site with a 'yes' response to every criterion is a confirmed OECM, subject to any stakeholder consent and approval by the governing authority.
- A site with a combination of 'yes' and 'uncertain/partial' responses, or with all 'uncertain/partial' responses, remains a candidate OECM, until further information or other changes allow it to be confirmed as an OECM.
- A site with one or more 'no' responses is not currently an OECM but might be re-assessed in the future if information suggests that the situation has changed.

44. The IUCN site assessment tool includes a table (p.17) to summarise the results of the screening and full assessment.

### **3.3. Determining if there will be a positive biodiversity outcome**

45. Criterion C is a particular challenge in the OECM identification process. OECMs have been reported on that do not technically meet this criterion and this is causing concern. Globally agreed metrics to assess whether management of a site is having a positive outcome have yet to be agreed, even for protected areas. CBD Decision 14/8 defined achieving biodiversity outcomes very generally as the successful conservation of “*in situ species, habitat and ecosystems and associated ecosystem functions and services and by preventing, reducing or eliminating existing, or potential threats, and increasing resilience*” and that there should either be evidence of biodiversity outcome or a realistic expectation of biodiversity outcome; efforts to measure this are thus accelerating. Quantifying marine biodiversity is particularly difficult due to the open and fluid nature of marine systems, the geographically wide nature of connections between ecosystems, patchy information, and the difficulty and cost in monitoring in the marine environment, particularly in for offshore areas and pelagic systems (Agardy, 2024). Much what is known about 'success' comes from predictive models and from findings extrapolated from case studies in one location to situations in similar ecosystems in other locations. For this reason, it is important to give more recognition to the validity of truly realistic expectations of biodiversity-positive management measures, particularly since in many countries there are no monitoring regimes in place, limited or no capacity for analysis, and often no baseline against which to measure change (Agardy, 2023).

46. Biodiversity outcomes can be roughly related to species and biomass (species richness) increases, improvements in habitat coverage and condition, and ecosystem functioning (food web integrity but also the

delivery of ecosystem services). Demonstrating such outcomes requires scientific monitoring or evidence that the prohibition of certain practices would be expected to have a positive impact on biodiversity with a high level of certainty (theory of change) (Stolpe et al., 2024).

47. Agardy (2023) suggests that in the absence of monitoring data and/or baseline, a risk-based approach can be taken. This entails assessing current / imminent threats to biodiversity and determining whether those threats are addressed by all the existing management measures in the potential OECM, with a focus on reasonably manageable threats/ pressures. It requires a full understanding of the existing management of the area, and the rates of compliance with regulations, as well as other kinds of management that exist. If there is adequate prohibition of activities causing significant adverse impacts and there is clear compliance with regulations, then there can be a reasonable expectation of biodiversity outcome. Proxy studies, with good before and after and control monitoring data (BACI studies) can provide some idea of the qualitative and quantitative biodiversity outcomes, although these require caution.

48. For fisheries-based OECMs, FAO's supplemental guidance (FAO, in prep) suggests how surveys and monitoring data being collected in priority areas (i.e., areas with distinctive biodiversity features or attributes) can be used to demonstrate biodiversity-positive outcomes. In the case of an FRA being considered as a potential OECM, sufficient evidence would be needed to demonstrate that the FRA is able to achieve biodiversity conservation outcomes by only managing fisheries. There would need to be evidence that no other impacts existed, which would require consultation with the agencies dealing with different sectors (e.g. fisheries, environment, productivity and infrastructure) (GFCM, 2024).

49. For mOECMs, it may be particularly difficult to determine if there is likely to be a positive biodiversity outcome for:

- **Area-Based Management Tools (ABMTs) that protect single species only:** For sites where management is aimed at maintaining or enhancing single stocks, populations or species there needs to be an assessment of whether this adequately contributes to biodiversity conservation. This will vary on a case by-case basis, as it will depend on whether that stock, population or species plays a particularly important ecological role. A fisheries measure that merely maintains a target species abundance or increases the catch per unit effort should not qualify as an OECM, unless an ecosystem approach and ecosystem-based management are fully implemented so that all ecosystem components are equally taken in consideration by the management measure (Stolpe et al, 2024).
- **ABMTs with vertical zoning:** Fisheries management areas tend to apply only to the seabed or a portion of the water column). Such an approach has already proven controversial in MPAs. if the protection applies only to a two-dimensional area (such as a benthic closure) must also account for the third (vertical) dimension. For an OECM, whether benthic closures provide effective conservation must be considered on a case-by-case basis. For example, if a VME is impacted by oil and gas drilling, or environmentally damaging intensive fisheries operate in the water column above, then such benthic closures should not qualify as OECMs because the vertical connectivity is demonstrated to have a fundamental role in the ecosystem functioning (Stolpe et al, 2024). There are benthic marine communities, for instance, which are of outstanding biodiversity value but where the adjacent water column is not particularly noteworthy. Similarly, there are offshore areas such as upwelling areas or ephemeral oceanographic fronts where the ecological value of the pelagic waters is very high, but the adjacent benthos is not distinctive. Flagging a portion of the three-dimensional space as an ecological priority can be the basis for highly effective management, whether that is through focused ABMT or by broader marine spatial planning, but it creates challenges for databases and mapping of measures.

50. Agardy (2023) and FAO (in prep) propose a set of steps that might be taken in various scenarios, depending on whether data is or is not available:

1. Describe
  - the biodiversity attribute(s)
  - the threats to them
2. Anticipate the kind of biodiversity outcomes arising from the management measures in place or planned
3. Determine if studies exist to show biodiversity outcomes:
  - If information exists, summarise to present supporting documentation
  - If information is not readily available, do a study
  - If studies are not possible, look at proxies and make inference with compliance data

51. Grorud-Christensen et al. (in prep) propose the following three steps:

**a. What is the biodiversity that the area is protecting**

52. Areas already recognised for their biodiversity value, including Key Biodiversity Areas (KBAs) and Ecologically or Biologically Significant Marine Areas (EBSAs), that are not already classified as MCPAs and that are subject to a management measure of some kind, might be among the first ABMTs to assess. 15 EBSAs have been identified in the Mediterranean (Mackelworth et al., 2024), as well as a large number of marine and coastal KBAs. An analysis at country level is ideally required to identify these areas, and some countries are starting to consider the need for this, or may have preliminary information. This step will need further review.

**b. What are the threats and pressures in the ABMT and the known sensitivities of the key biodiversity features to these?**

53. For mOECMs, the guidance being prepared by Oregon State University will help with understanding threats and pressures and identifying the likelihood of biodiversity conservation in candidate marine OECMs (Grorud-Colvert et al., in prep). It should be used with the IUCN WCPA guidance. Thirteen groups of activities are recognised, and evidence provided on whether each activity might have a positive or negative impact on biodiversity within the ABMT. Table 3 summarises these activities and the extent to which they might be considered incompatible with an OECM. At present a full analysis of these threats in relation to their impact in the Mediterranean has not been undertaken and it is recommended that further discussion of this is held in the course of testing this guidance. Further attention is also needed to threats such as land-based sources of pollution (LBS) from plastics and solid waste, untreated or inadequately treated wastewater, and agricultural run-off, and the impacts of desalination plants, artificial structures and renewable energy.

**Table 3. Thirteen groups of activities that might have a positive or negative impact on biodiversity within the ABMT**

	Activity	Incompatible
1	<b>Mining, mineral, oil and/or gas prospecting or exploitation</b>	No activities compatible with an OECM; all activities have a high negative impact on biodiversity
2	<b>Shipping</b>	Large-scale oil and cargo spills, marine accidents resulting in toxic discharges, dumping of large quantities of food and vessel wastewater, pollution and waste generated during shipbreaking activities, high propagule pressure via ballast water, and frequent shipping routes with high underwater noise and high speed vessels
3	<b>Dredging, dumping, pollution</b>	Sediment suspension, habitat destruction, pollution from harmful substances that have a moderate to large impact on biodiversity considering location, type, frequency, intensity, and scale

	Activity	Incompatible
4	<b>Anchoring</b>	Anchoring with a moderate or large impact based on frequency, duration, and scale via sedimentation and direct damage to species or ecosystems, particularly in sensitive habitats like seagrass beds, coralligenous habitats.
5	<b>Renewable energy</b>	Installations that severely impact marine biodiversity resulting in species mortality due to collisions with physical structures, disturbance of spawning grounds, noise generated during construction/ decommissioning phase, and destruction of habitat of marine species
6	<b>Recreation, tourism</b>	Large scale, frequent boating, diving, snorkeling, and other activities that have moderate or large impact, such as via direct damage to species or ecosystems, disruption of important behavior, or introduction of pollutants
7	<b>Artificial structures</b>	Structures made of materials that adversely affect surrounding area (e.g., that leak pollutants); facilities with moderate to high impact, e.g.. via impeding migration and other movement; altering food webs; disrupting animal behavior via noise or light pollution; and destruction of benthic habitats
8	<b>Fishing</b>	Large number of fishing gears, unsustainable fishing intensity, and/or use of fishing methods with high negative impact, such as bottom trawls, longlines, gillnets, purse seines, electric or dynamite fishing
9	<b>Aquaculture/ mariculture</b>	Fed aquaculture or aquaculture that is unfed but at semi-intensive to intensive scale with moderate to large impact; aquaculture that leads to: introduced invasive species through escapes, transmission of disease to wild species, <i>or increased risk of antibiotic resistance??</i> ; aquaculture activities that result in eutrophication and subsequent harmful algal blooms and oxygen depletion; conversion to aquaculture of key ecological areas such as mangroves and wetlands;.
10	<b>Security/military activities</b>	Large-to-medium scale military activities, that generate excessive noise and chemical pollution (including degrading shipwrecks) severely impacting marine ecological processes in species; cause mass mortality due to explosions; and destruction of habitat and physical injury to marine organisms
11	<b>Restoration</b>	Activities with direct negative impacts such as introduction of disease, physical destruction of surrounding ecosystems due to inappropriate restoration activity that may cause moderate to large impact on biodiversity considering location, type, frequency, intensity, and scale of restoration
12	<b>Research and monitoring</b>	Large scale, highly destructive research and monitoring practices such as trawling, seismic surveys, or destructive seabed exploration that cause harmful and often irreversible impacts on sensitive marine environments.
13	<b>Stewardship and sustainable cultural activities</b>	None?

### c. What management measures are in place?

54. This will depend on the type of ABMT being assessed. A site where management is non-extractive or low impact, such that the site retains its important biodiversity values, is potentially an OECM. Sites managed for industrial exploitation of natural resources will generally not qualify as OECMs because there are likely to have been major changes in the natural ecosystem and depletion of biodiversity values (Site-level tool for identifying OECMs, Criterion 6). If production is ecologically sustainable, these sites may be appropriately reported under Target 10 of the GBF. However, if areas are permanently set aside from harvest within an area managed for industrial exploitation, it is possible that they could qualify as OECM as long as they meet all the criteria (including that they have important biodiversity values, are of sufficient size, are governed and managed, and are long term in nature) (Jonas et al., 2024). A site where the prevailing management approach is focused on maximum sustainable use, or causes the loss or depletion of the site's

important biodiversity values, will not qualify as an OECM. In general, if the site is being harvested under sustainability standards, it should be counted under GBF Target 10.

55. Mitigating multiple threats requires the harmonization of all sector controls within an ABMT (e.g., multiple fisheries, oil and gas, shipping), such that all risks to biodiversity are effectively managed in a coherent and mutually reinforcing way, even if via different legal authorities (FAO, 2022; Stolpe et al., 2024). An area where there is no multisectoral management regime in place, e.g. areas in the high seas where only sectoral management is currently possible, is not an OECM, even if its biodiversity may remain intact for now. (Stolpe et al; 2024).

### **3.4. How do you report OECMs, once they have been confirmed?**

56. Once a given area satisfies all CBD criteria, its final recognition as an OECM is the prerogative and responsibility of the relevant country (or countries) (see also question 2) with no external auditor or verification organism involved in the process (see also question 7) (GFCM, 2024). Marine and coastal OECMs could potentially be recognised and reported by a range of actors, including RFMOs, fisheries, scientific bodies, heritage bodies, and local communities. While their recognition is a country entitlement, reporting and submission can be made either by the involved countries themselves or in the case of fisheries-OECMs (most notably those in international waters) by RFMOs, under mandate or request of their CPs (see also question 7).

57. Where a site meets all the OECM criteria, the next steps are:

- The result of the final assessment, with documentation, is communicated formally to the governance and management authority(ies), and to local communities and other rights-holders and stakeholders (they should have been involved throughout the process but formal communication of the result is still required).
- Information on the assessment process and results, including supporting data, is securely stored for future reference. Establishment of a national database is advised.
- Where initial consent (step 2) was only for undertaking the assessment, further consent should be obtained for the identification of the site as an OECM and for its reporting to the WD-OECM.
- Coordinate planning and identify a strategy for strengthening OECMs (Section 8 of Jonas et al., 2024)).
- Reporting to the CBD - submission is done online through the Protected Planet database.

58. More detailed guidance is currently being prepared on reporting OECMs to complement the manual that is available (UNEP-WCMC, 2019). Spatial data and associated attributes, either a polygon boundary or the central latitude and longitude point for each OECM should be sent to UNEP-WCMC as explained in the Manual. UNEP-WCMC then confirms if the upload of the requested information has been completed or notifies the sender of any problems, and notifies the relevant CBD country focal point(s) of the OECM submission, requesting comments with a 28-day deadline. If no comments are received the proposed OECM is implicitly considered valid. An OECM can be withdrawn from the database at any time as per country decisions. If an intergovernmental organisation (IGO), such as an RFMO secretariat, submits an OECM, it must sign and return a Data Contributor Agreement, and it is assumed that there has been communication at the national level between concerned ministries in order to pre-inform/notify the CBD focal points about the OECM submission.

### **3.5. How do you ensure that OECMs continue to protect biodiversity in the long-term?**

59. Once an OECM has been recognized, it should be managed, monitored and tracked using appropriate indicators to ensure that it is effective and having a positive outcome. These processes should be being developed for all MCPAs in a country and it is recommended that they are also followed for OECMs. Section 3.1 (designing a national process) describes key activities and the IUCN-WCPA guidance (Jonas et al., 2024) covers this in more detail.

## **SECTION 4. WHAT AREAS MIGHT BE SUITABLE FOR OECD ASSESSMENT?**

60. This section considers the types of areas in the marine and coastal environment, that might be considered for OECD assessment, and summarises progress being made in the Mediterranean.

### **4.1. Managed areas that might be suitable for assessment**

#### **Fishery ABMTs**

61. These include sites with permanent fishing restrictions or perennial seasonal closures to protect spawning sites. Fishery Regulation Areas (FRAs) (geographically defined areas in which all or certain fishing activities are temporarily or permanently banned or restricted in order to improve the exploitation and conservation of harvested living aquatic resources or the protection of marine ecosystems) are of particular interest. Many FRAs have the potential to be candidate OECDs due to their contribution to the conservation of deep-sea, vulnerable marine ecosystems (VMEs) and sensitive species. The Birdlife International (undated) guidance on Area-based fisheries management measures (ABFMs) and fisheries closures identifies the two concerns about such areas: (a) lack of a guarantee of the long-term persistence of measures; and (b) lack of a means to regulate or exclude other harmful activities from occurring within these areas.

62. At the GFCM 2022 workshop, participants noted that a possible starting point for identifying marine OECDs in the Mediterranean could be FRAs that overlap with EBSAs since they provide evidence of important biodiversity components in areas that are already managed (FAO, 2023). The workshop resulted in the compilation and discussion of the main challenges related to the application of the criteria, with initial recommendations on how to address them; agreement on next steps to undertake a more in-depth evaluation of the case studies presented for discussions during GFCM subregional committee meetings; and the assessment of the implications, opportunities and potential difficulties that arise from identifying fishery-related OECDs in the Mediterranean (FAO, 2023). It was suggested bringing that the results of the expert meeting should be brought to the GFCM Subregional Committee for the Adriatic Sea, the Subregional Committee for the Central Mediterranean and the Working Group on Vulnerable Marine Ecosystems and Essential Fish Habitats to discuss the possibility of proceeding with a full assessment of proposed areas (see below).

63. Some areas that have been suggested by AGEM reviewers - Oysters culture areas, privately managed coastal zones, Rotational harvesting areas if they meet biodiversity conservation outcomes.

#### **Regulated shipping areas**

64. Particularly Sensitive Sea Areas (PSSAs) and Areas To Be Avoided (ABTAs): See Birdlife International (undated) guidance on such areas which identifies the main barriers for these areas as: Negative impacts on certain habitats and (groups of) species from shipping activity; and Non-legally binding nature of the measure may undermine the level of compliance.

#### **Cable protection zones:**

65. See Birdlife International (undated) guidance on such areas which identifies the main barriers for these areas as: Areas of insufficient size to deliver meaningful biodiversity benefits; Negative impacts on certain habitats and (groups of) species from the installation and presence of cables

**Renewable energy areas**, such as wind farms, tidal energy and wave power plants.

66. The exclusion of fishing around offshore wind turbines may have biodiversity benefits if the ABMT is a sufficient size.



67. The Birdlife International (undated) guidance identifies the main barriers for these areas as ‘Significant negative impacts on certain habitats and (groups of) species, including shifts in ecological communities, during construction, operation (and potentially decommissioning); Potential for the loss of ecological gains following the end of life of the wind farm’ (Birdlife International, undated).

#### **Military zones:**

68. See Birdlife International (undated) guidance on such areas which identifies the main barriers for these areas as: likely significant negative impacts from military activities occurring in these areas; Lack of access to restricted areas to implement biodiversity monitoring.

#### **Cultural and archaeological sites - ship wrecks, battles areas ...**

69. See Birdlife International (undated) guidance on such areas which identifies the main barriers for these areas as: Areas of insufficient size to deliver meaningful biodiversity benefits; Feasibility of establishing biodiversity monitoring to cover such small sites. sensitivity about disclosing such kind of information on such sites: risks of looting and trafficking in archaeological objects (sites in the open sea are difficult to guard).

#### **Landscapes/seascapes and geological (geoparks).**

70. Sites managed/protected for their beauty and not for biodiversity/ecological importance.

#### **Ramsar sites:**

71. For several countries in the Mediterranean, these do not have a status of protected areas as they lack specific regulations and management provisions (IUCN WCPA 2020). Wetlands in general and in particular Ramsar sites that do not overlap with a protected area could be potential OECM candidates as they often provide conservation outcomes.

### **4.2. Progress being made in the Mediterranean to identify OECMs**

72. The GFCM and FAO OECM process included an initial screening of eight Mediterranean fisheries management areas as mentioned above. The results for these sites, some of which cross international boundaries or including high seas waters are as follows:

- The Jabuka/Pomo Pit FRA (Adriatic Sea, within the jurisdiction of both Italy and Croatia): considered to be suitable for a full assessment.
- Three FRAs in the Strait of Sicily (West of Gela Basin; East of Adventure Bank; East of Malta Bank), partly in Italian waters and in part beyond in an area which is currently High Seas: Two (the East of Adventure Bank and the West of Gela Basin) merit a full assessment with the provisos that: this will need to take governance changes into account, especially those related to the ongoing discussions around Italy’s EEZ; given that FRAs are renewed every four years, the question of what constitutes a sustained outcome needs to be decided in the Mediterranean context; and questions remain as to the extent to which other (non-fishing) pressures could undermine the FRA’s contribution to conservation.
- The Velebit Channel demersal fishing ban in Croatia (see below):
- Three fisheries ABMTs in Lebanon (see table below):
- The GFCM 1,000 m FRA: assessed as being inappropriate for OECM designation, given the lack of dedicated management for the entire area and a specific monitoring plan. The GFCM however (FAO, 2023) suggested that the portions of the FRA falling under territorial seas could be potential OECMs, and in-depth assessments of these areas were undertaken by the countries concerned. Areas that could be assessed in this way might be those overlapping with EBSAs, sea mounts and their summits, mud volcanoes and other areas hosting VME indicators, if suitable protection measures restricting all potentially harmful human activities are in place.

73. The Pelagos Sanctuary for Mediterranean Marine Mammals and the Cetacean corridor in the Western Mediterranean were suggested by FAO (2023) but both are now recognised as SPAMIs, and are listed in the WDPA, and are thus excluded for listing as OECMs.

74. Other areas considered worth screening included the Eratosthenes Seamount, and the Palmahim Disturbance Cold Water Coral Gardens and Cold Seeps (proposed FRA).

75. Progress being made on identifying areas suitable for assessment of OECMs in some Mediterranean countries is summarised in Table 4.

**Table 4. Areas suitable for assessment of OECMs in some Mediterranean countries**

<b>Country</b>	<b>Current progress in identifying OECMs</b>
<b>Algeria</b>	Five terrestrial OECMs have been reported to the WD-OECM, including Permanent Hunting Reserves (e.g. M’Hamid El Ghizlane) and Biosphere Reserves. There is considered to be potential for assessment of marine and coastal sites such as cultural Parks (e.g. Ahaggar Cultural Park), artificial reefs, and regulated or controlled fisheries areas as OECMs (IUCN-WCPA, 2020).
<b>Croatia</b>	The Velebit Channel demersal fishing ban (see above): designated as a special habitat under the Marine Fisheries Law (i.e. categorised as an important spawning, feeding sites etc.). Requires an in-depth analysis to clarify how the measures contribute to the biodiversity in the area in the context of the four pillars of ecosystem services.
<b>Egypt</b>	Some potential OECM sites on the Mediterranean coast have been ‘pre-identified’ including Al Shewaila- Matruh, Ras Al Hekma – Matruh, Sunken City (Port East Alexandria), Bardaweel Lake- North Sinai Ramsar Wetland, Selective Oil platforms (in coordination with Oil Sector), Nile Delta Fan; Nile Delta cold hydrocarbon seeps FRA. There is also scope for fisheries OECMs, through the FAO-GFCM process (IUCN-WCPA, 2020; SPA/RAC –UN Environment/MAP, 2022)
<b>France</b>	National guidance has been prepared (Comité français de l’UICN, 2022). Potential marine and coastal OECMs that could be assessed include: artificial reefs managed by the city of Marseille; community-led fisheries long-term closures/artisanal fishing zones; fisheries reserve managed by community (prudhomie) of small scale fishers in Cap Roux (France), wind farms (e.g. in the Gulf of Lion)
<b>Italy</b>	In early 2024, the government applied to the CBD Secretariat for recognition of the “Area identified under Law 83/2012” as an OECM. This area has established “for the protection of the environment and the ecosystem ... will prohibit prospecting, exploration as well as the cultivation of liquid and gas hydrocarbons at sea ... in the sea areas located within 12 miles from the coastlines along the entire national coastal perimeter and from the outer perimeter of the above-mentioned protected marine and coastal areas ...” as revised by the new D.L. 18/11/2022, no. 176 ‘Urgent support measures in the energy sector and public finance’. Spatial data and other information on how the site meets the CBD Criteria were also supplied. As yet, this site is not listed on the WD-OECM.
<b>Lebanon</b>	Three fisheries ABMTs were assessed as part of the GFCM process: an artificial reef deployed in 2021 off the village of Barbara in the Keserwan-Jbeil governorate; pilot measure to limit bycatch and illegal fishing that is not yet in place; the Batroun Conserved Area, an area under direct jurisdiction of the Ministry of Agriculture of Lebanon. Further information is required for an initial assessment of these sites. Other areas considered to have potential for assessment include Jabal Moussa Biosphere Reserve, as well as private protected areas; ecotourism trails, areas with fisheries restrictions, buffer zones of Biosphere Reserves not declared as protected areas, and community-managed “Himas” (IUCN-WCPA, 2020)
<b>Morocco</b>	338 terrestrial OECMs have been identified, primarily in the form of Hunting Reserves and Biosphere Reserves. The process may be continued for marine sites.

Country	Current progress in identifying OECMs
<b>Tunisia</b>	Sites suggested for initial assessment include El Bibane lagoon and Ramsar site; other important wetlands; oases; voluntary no-take fishing areas, artificial reefs. The GFCM process recommended assessment of areas where clams are collected by women in Tunisia.

## SECTION 5. CONCLUSION

### 5.1. Additional challenges to identifying OECMs

#### 5.1.1. Duration of management measures and changes in governance at a site

76. Fisheries management measures are rarely in place in perpetuity, so the question of what constitutes “long-term” for an mOECM may be subjective. A commercial fishing closure that stays in place only until an overfished area recovers, is not an OECM. The FAO (2023) guidance states that: “Short-term regulatory instruments are expected to be renewed regularly, thus providing continuous conservation .... 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 ...”. In the case of aquaculture, the public domain use authorisation is usually time-bound (20 to 30 years). So, although an aquaculture zone may have positive outcomes for biodiversity conservation, it may not be an OECM unless measures are in place from the beginning, for keeping the conservation values after the potential end of the aquaculture operations (Stolpe et al, 2024).

77. In principle, anything that could change the answer to any of the CBD criteria should trigger a new assessment, including the extent of maritime jurisdiction over given marine areas. A change in the national competence, such as through the case of the establishment of an exclusive economic zone, would trigger a new assessment, should there still be the willingness to ensure the OECM label be maintained once the previous defined spatial measure would fall into a new maritime jurisdiction (GFCM, 2024).

#### 5.1.2. Applying the CBD Criteria over large areas:

78. Regional fisheries management organisations (RFMOs) are able to recognize and report OECMs on behalf of their Member States, where the Secretariats have been instructed to do so. The RFMOs operate over large areas. For a whole RFMO managed areas to qualify as an OECM, there would need to be appropriate measures throughout the area; in the case of the 1000m FRA management was not considered adequate for recognising the FRA as an ABMT (see below). If a cluster of valuable sites exist in a larger marine environment that contain significant areas not fulfilling OECM criteria, individual areas should be identified as OECMs rather than recognising the whole area, as is the case with the NEAFC OECM (Stolpe et al., 2024).

#### 5.1.3. Novel biodiversity

79. Another issue which may need debating is whether “novel” biodiversity – i.e., or an assemblage of species that inhabits an area following some human intervention which was not there prior to the intervention, should be included as contributing to positive biodiversity outcomes. This issue is relevant to offshore wind platforms and their colonizing species, and their role as fish attraction devices. Artificial structures often result in the appearance of species that were not in the original ecosystem, and some feel that this novel biodiversity should not be counted as a conservation outcome (the idea here being that it is the natural assemblage that should be conserved and thus the target for management). Whether OECM end up conserving existing marine communities or creating new ones in that location, if the net effect is an increase in species numbers and enhanced ecological processes, it should be considered “biodiversity-positive”. In these cases, to determine whether something is biodiversity positive requires consideration of trade-offs between any biodiversity disrupted through initial construction or submersion of the artificial structure and the ways that the structure may support new biodiversity (FAO in prep).

## 5.2. Next Steps

80. Despite the plethora of guidance and initiatives on OECMs, there continue to be a number of issues that need better resolution (Agardy, 2023; Stolpe et al., 2024). Countries need to recognise these when embarking on the process, but this does not mean that there should be a delay in initiating actions to identify OECMs. Political risks must be recognised including those of diverting attention from MCPAs that either need to be established or that need more effective management. A key risk is the potential misuse of the OECM designation as a means to meet conservation targets without delivering real outcomes – often referred as “blue-washing” (Claudet et al., 2022). It is crucial to ensure that OECMs are not used as a substitute for effective marine protection or to legitimize activities incompatible with biodiversity conservation, such as industrial fishing or oil extraction.

81. The immediate next step involves the pilot-testing of this guidance in a country, which will allow for fine-tuning of the approach and the identification of any modifications that are needed to the guidance.

82. National authorities also need to start to integrate the identification and management of OECMs into their marine spatial planning and other conservation planning processes. Close regional co-operation will be necessary to strengthen collaboration and knowledge sharing among the Mediterranean countries and, for OECMs to have long-term benefits and to be sustainably managed, there must be involvement of all stakeholders and local communities at all stages in the process.

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