

## OECMs and their role in 30 by 30 February 2024

This paper is the collective input from Wales Environment Link members, via our NGO representatives that sit on the Biodiversity Deep Dive's Expert Sub Group on OECMs (Other Effective Conservation Measures) and Nature Recovery Exemplar Areas.

### Summary

While OECMs remain a relatively novel concept in the UK and Europe, they have been considered in some detail at the international level. The adoption of the 30 by 30 target in the Kunming-Montreal Global Biodiversity Framework has stimulated considerable interest in how OECMs can contribute to this target. Alongside protected areas, OECMs have a potential role to play in achieving the 30 by 30 target in Wales and expanding and connecting ecological networks. The following will be key:

1. The target is ambitious and Wales is currently a long way from meeting it. It will not be achieved by 'business as usual' or incremental change; it demands bold and transformative action. It also requires looking at horizons beyond 2030, to prevent a narrow focus on this date skewing the types of activity pursued.
2. We need the 30% to protect the best places for nature, so starting by looking at where these are will help determine whether protected area or OECM is going to be an appropriate approach to ensure their long-term protection and management. The Lawton principles – better, bigger, more and joined-up – and the DECCA attributes framework bespoke to Wales should inform decisions about location.
3. OECMs are not a 'lighter touch' approach and must already be delivering biodiversity benefits equivalent to protected areas to be recognised and count towards 30x30. They will only be counted as 'candidate OECMs' until they are demonstrating these benefits, so early action and monitoring will be crucial.

4. There is exciting potential to develop a pipeline approach to candidate OECMs in Wales (for example, where Nature-based Solutions are being delivered and via habitat restoration driven by carbon markets), which can then be assessed for their potential contribution towards the 30x30 target. The Welsh Government should work with the IUCN UK Protected Areas Working Group (PAWG) to ensure their approach develops in step with IUCN guidance and best practice.

### **Advocacy asks for OECMs**

- Early establishment of a clear process and criteria, informed by the expertise of the IUCN UK PAWG and IUCN's guidelines and assessment tool, for recognising any existing and candidate OECMs in Wales. This will need to be applied on a case-by-case basis in line with IUCN guidance.
- Investment in nature-based solutions that will provide more scope for delivery of effective biodiversity conservation alongside other management objectives, creating more potential for recognised OECM areas on land and at sea. WEL's Pathways to 2030 report<sup>1</sup> identifies the key areas where investment is urgently needed to deliver on 2030 targets and commitments.
- Establishment of a mechanism to covenant or secure land for the purpose (whether primary or secondary) of nature conservation for the long term, to provide assurance and protection from damage for OECMs for which this is not already provided by other mechanisms.
- Engagement with relevant landowners and managers (e.g. utilities companies, MoD, Crown Estate) to embed biodiversity conservation as a secondary management objective and get monitoring in place to be able to demonstrate the effectiveness of this.
- Better empowerment of communities to buy/manage land for nature. A mechanism could be created to recognise land owned by individuals and

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<sup>1</sup> <https://waleslink.org/pathways-to-2030-report/>

communities that is being managed in such a way that meets all the necessary criteria, provided that there is adequate monitoring and reporting in place.

- Development of appropriate monitoring and reporting measures for candidate OECMs that will be able to provide a baseline assessment and measure the biodiversity outcomes that are being delivered.

## **What are OECMs and why do they matter?**

Nature recovery requires that wildlife thrives everywhere – in towns and cities, across farmland and forestry, in rivers and the sea. The public expect birds, bees, butterflies and mammals to be present everywhere. We need all farms and gardens to support pollinators, we expect all ancient trees and ancient woods to be valued and protected, we expect all peatlands to be restored and maintained, we expect most birds and mammals to be protected everywhere, and we expect all rivers to be clean, healthy and full of fish.

Within this wider ambition, protected sites are vital for maintaining places with important concentrations of habitats and species. However, the current protected sites on its own are not sufficient and success in recovering nature depends on creating an expanded network of places providing effective biodiversity conservation, within a wildlife-friendly surrounding landscape. Other Effective Conservation Measures (OECMs) have a role to play in this strengthened network for nature.

Signatories to the Convention on Biological Diversity (CBD) agreed a definition of OECMs (Other Effective Area-based Conservation Measures) in 2018 at the 14th Conference of Parties<sup>2</sup>:

*“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.”*

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<sup>2</sup> <https://www.cbd.int/doc/decisions/cop-14/cop-14-dec-08-en.pdf>

The 30x30 target agreed as part of the new CBD Global Biodiversity Framework<sup>3</sup> has led to renewed interest in OECMs. IUCN recognises that OECMs have a role to play alongside protected areas in delivering the 30x30 global target. Essentially, to be counted towards the 30% target, land or sea must be either within a protected area or qualify as being within an OECM area.

OECM status recognises places that are already delivering long term in-situ conservation of biodiversity outside of protected areas. IUCN has stated that they complement protected areas and are of equal importance, and should achieve the same level of effective and long term in-situ or whole ecosystem biodiversity conservation as protected areas.

As is the case for protected areas, OECMs can have many different forms of governance including through government agencies, private actors, Indigenous peoples and/or local communities, or in shared arrangements. OECMs, like protected areas, require capacity, resource and expertise to ensure that they are managed effectively and monitored regularly to measure outcomes.

OECMs are intended to recognise more equitable and diverse conservation efforts, and reflect an awareness that for some indigenous peoples and communities conservation through protected areas can be experienced as a ‘top down’ imposition or a land grab. OECMs have already been recognised elsewhere in the world, for example in South and Central America and Canada, but their use in a UK and European context will be largely new. The Protected Planet World Database<sup>4</sup> lists those OECMs that have been identified by governments to date.

## **Types of OECM and their potential contribution to the 30x30 target**

IUCN’s Technical Report states that there are three categories of OECM:

**1. Ancillary conservation**— Areas that deliver in-situ conservation as a by-product of management activities, even though biodiversity conservation is not a management objective. Examples may include sacred natural sites, shipwrecks, or industrial and military areas that conserve important biodiversity long-term.

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<sup>3</sup> <https://www.cbd.int/doc/c/e6d3/cd1d/daf663719a03902a9b116c34/cop-15-l-25-en.pdf>

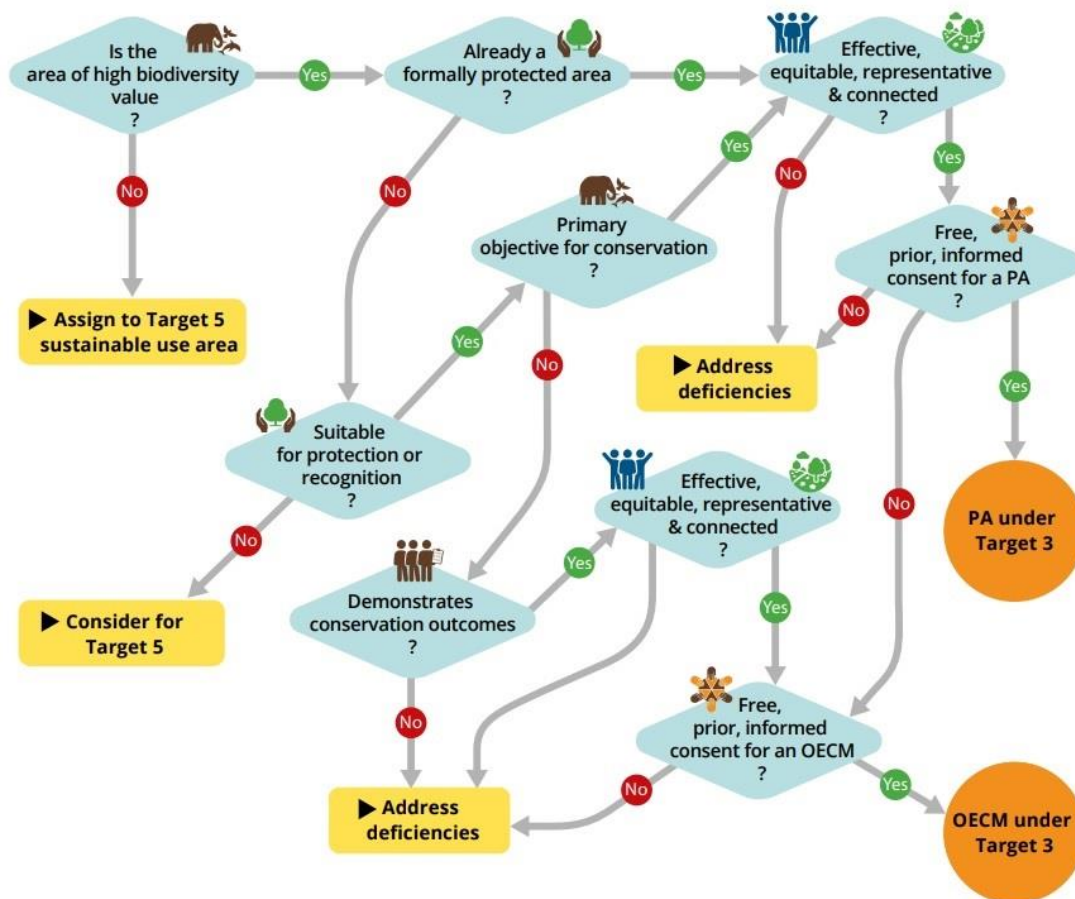
<sup>4</sup> <https://www.protectedplanet.net/en/thematic-areas/oecms?tab=OECMs>

**2. Secondary conservation**— Areas where biodiversity conservation may be a secondary objective. For example, protection and management of watersheds or wetlands to protect biodiversity in addition to protection of water resources. 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. Primary conservation** — Areas governed by government agencies, Indigenous peoples and local communities and other actors that conform to the IUCN definition of a protected area, but which are not currently designated and reported as protected areas. Some of these areas may later be recognised as protected areas if the governance body agrees.

For a site in any of these categories to be considered as an OECM, it should be fully assessed at the local level, in consultation with local stakeholders and with the free, prior and informed consent of the governance authority.

The Nature Conservancy suggests that protected area status is the strongest choice for areas primarily dedicated to biodiversity, while OECMs are the first choice for places where conservation is not the main objective but effective biodiversity conservation is a co-objective or a by-product of management. The Nature Conservancy has produced a helpful flow diagram (reproduced below) to help distinguish between potential protected areas, OECMs and sustainable use areas.



*Distinguishing a protected area from an OECM (The Nature Conservancy)*

OECMs to date have only been used to recognise situations where effective biodiversity conservation is already being delivered. While there are currently no OECMs recognised in the UK, there are areas that could be suitable for recognition as OECMs in this way, subject to meeting the required standards (e.g. undesignated land managed by nature conservation NGOs; or land managed for other objectives, such as carbon benefits or water supply and quality, that is also demonstrably delivering biodiversity benefits). While recognising such places as OECMs will help to count more land in Wales towards the 30x30 target, it should be recognised that this will not be delivering more for nature as these areas are by definition already delivering biodiversity benefits.

There is recognised scope for OECMs to be used to support nature restoration in the UK. However, this will be a novel use and must be accompanied by rigorous standards, evidence and monitoring capacity to avoid becoming a greenwashing exercise. There is potential to recognise a pipeline of areas undergoing biodiversity restoration, and where these demonstrate good or recovering condition by 2030 they would then contribute to the 30x30 target. OECMs have considerable potential

to accelerate restoration of degraded priority habitat, including Plantations on Ancient Woodland Sites. Areas should not receive recognition as OECMs until they are delivering demonstrable and significant biodiversity outcomes, and monitoring will be essential to ensure continued delivery of those outcomes over time.

It is critical that in delivering 30x30 we include the best 30% for nature, so the starting point must be looking at where the best places for nature are and the best way to protect these. OECMs are not a 'lighter touch' option and must be delivering the same level of effective and long term in-situ biodiversity conservation as protected areas. There will need to be clarity on the rationale behind any decisions on the extent to which OECMs are used rather than designating more protected areas. OECMs are recognised as having a significant contribution to make towards 30x30 globally partly due to contexts where the designation of protected areas may have significant undesirable consequences for people living in and using these areas, such as where protected areas entail strict protection that does not allow for human habitation. In the UK, the designation of protected areas does not impact owners and users of the area to such a significant extent.

## **UK Approach to OECMs**

Thinking on OECMs in the UK context remains in its infancy and as the CBD targets will require UK level reporting, there is much to be gained from establishing clear shared standards for UK OECMs aligned with the international guidance and assessment tool developed by IUCN. As environment is a devolved issue in the UK and all four Governments have separately committed to the 30x30 target, approaches to OECMs will need to be developed by the individual Governments; but there is a strong rationale for joined-up thinking and shared underpinning principles. There is a clear role for the IUCN UK Protected Areas Working Group here and the involvement of this group will be critical.

Crucial components – in line with existing IUCN guidance – will be:

- A clear definition of long-term protection, aligned with the CBD 30x30 target. This must be more than 30 years at a minimum, and preferably longer.
- Evidence of meaningful consultation with local stakeholders
- Free, prior informed consent from all relevant governance authorities

- Evidence of effective biodiversity conservation outcomes (equivalent to favourable or improving condition)
- Assessment at site level and on a case-by-case basis

## Potential OECMs in Wales on Land

The IUCN guidance on what should count towards 30x30 provides clarity that OECMs are not meant to be multiple-use production areas (e.g. production forests and plantations) that are managed with some biodiversity considerations. While such areas are important, they should be counted toward additional sustainable use targets and not toward the 30% conservation target.

What could count at present (i.e. is already delivering effective biodiversity conservation), subject to case-by-case assessment:

- Land owned and managed by NGOs for the purpose of nature conservation which is outside of protected sites, and where long-term protection and effective biodiversity conservation are being demonstrably achieved
- Land demonstrably delivering effective ancillary or secondary biodiversity conservation, e.g. land managed by water companies which is demonstrating evidence of positive ecological outcomes secured for the long term
- Privately conserved areas owned by individuals or communities who give free, prior informed consent to OECM status and are able to satisfactorily demonstrate long-term protection and effective biodiversity conservation

What could count in future (i.e. has potential to count towards 30x30 as OECM if effective biodiversity conservation is demonstrated by 2030):

- More land that is designated or primarily managed for other objectives, but is delivering effective ancillary or secondary biodiversity conservation: e.g. flood protection wetlands, water resource management areas, peatland restored and managed for carbon sequestration. The development of carbon markets could be a significant driver for habitat restoration with secondary biodiversity benefits.



- Land that is providing a connection between protected areas, where it can be demonstrated that long-term protection is in place. However, if the primary purpose of this protection is biodiversity conservation then there would need to be a clear rationale for applying OECM criteria rather than designating as a protected area.

What should not count (i.e. does not accord with IUCN criteria and guidance, or would better contribute to other targets):

- Areas of commercial forestry, including any area of the Welsh Government Woodland Estate which is subject to extractive activity and primarily managed for this. It is possible that there are areas of this Estate that could count, where there is important biodiversity present and the area is managed and monitored over the long term in a way that supports and protects this, with no commercial timber extraction taking place.
- Grant-maintained changes to agricultural practice operating over short-term periods. While farming schemes are a vital part of the 30 by 30 picture in terms of incentivising and rewarding appropriate management, they do not in themselves provide any long-term protection or assurance of continuity. For such schemes to be a relevant OECM mechanism, they would need to operate over a much longer time period and potentially be underpinned by a 'conservation covenant' type mechanism to ensure that progress and investment are secure and cannot be reversed at whim.
- Areas that, while managed for biodiversity, cannot be effectively protected from damage. For example, the Welsh Government 'soft estate' that forms part of the trunk road network may have some biodiversity interest and be managed sympathetically, but by its nature it is fragmented, subject to constant and intense pollution inputs and inherently dangerous for mobile species.
- Areas intended to conserve biodiversity, but which are currently too small, fragmented or insufficiently protected and/or resourced to be able to provide effective and long term in-situ conservation at an ecosystem scale.

## Potential OECMs in Wales at Sea

Our marine areas prominently highlight the issue of protection in name not always becoming protection in reality. 30% of our seas are already in a form of ‘protected area’, yet indicative feature condition assessments for inshore marine SPAs and SACs that are part of the Marine Protected Areas network in Wales show that 54% of features are in unfavourable or unknown condition<sup>5</sup>. The priority must be to ensure that sites that are already designated are effectively protected and appropriately managed, as intended (and that protection and management is adequately resourced).

OECMs in the marine context bring further challenges and considerations, due to the three-dimensional nature of oceans and the stratification of both biodiversity interest and activities through the marine column and benthic area. As on land, the starting point for considering what might be recognised as an OECM and counted towards the 30% should be the IUCN guidance; that OECMs are not meant to be multi-use production areas (in the marine context, fisheries areas) managed with some consideration for biodiversity.

In 2021, the contracting parties to the Convention for the Protection of the Marine Environment of the North-East Atlantic (the OSPAR Convention) were invited to voluntarily provide information about OECMs in their national waters<sup>6</sup>. Most had not yet developed a final view on OECMs nationally and therefore did not report any OECMs in their national waters. However, the UK was among the two parties to report OECMs<sup>7</sup> following guidance from JNCC, and in fact reported six out of a total of seven OECM nominations that OSPAR received, including two wholly or partially in Welsh waters:

- Modiolus beds Closed Area
- Irish Sea Cod Box

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<sup>5</sup> <https://gov.wales/sites/default/files/publications/2018-10/marine-protected-areas-network-management-framework-for-wales-2018-2023.pdf>

<sup>6</sup> <https://oap.ospar.org/en/ospar-assessments/committee-assessments/biodiversity-committee/status-ospar-network-marine-protected-areas/assessment-reports-mpa/mpa-2021/>

<sup>7</sup> [https://odims.ospar.org/en/submissions/ospar\\_oecms\\_pg\\_2021\\_02/](https://odims.ospar.org/en/submissions/ospar_oecms_pg_2021_02/)

These nominated OECMs are not as yet recorded in the World Database of OECMs, and without sight of the underpinning assessments, it is hard to analyse the extent to which the approach to date has been congruent with the IUCN guidance. IUCN's Technical Advice Note 6 suggests that closures that are seasonal and species-specific, and which continue to allow other activities (e.g. seismic testing, oil drilling) so long as these don't compromise the purposes for which the area is established, do not achieve the in-situ conservation of biodiversity necessary for OECM status although they may still be effective tools in helping ensure more sustainable fisheries management.

OSPAR's analysis raises a fundamental concern over the issue of monitoring outcomes to demonstrate effectiveness, stating that: "Most of these OECMs were considered to be in place over a longer period but monitoring to ensure positive conservation outcomes for biodiversity were mostly missing. As a consequence, if and to what extent these areas contribute to the achievement of positive and sustained long-term outcomes for the in-situ conservation of biodiversity remains largely unknown."

## **Guidance and Resources**

- [IUCN \(2019\) Technical Report: Recognising and reporting other effective area-based conservation measures](#)
- [IUCN \(2022\) Conserving at least 30% of the planet by 2030: What should count?](#)
- [IUCN \(2022\) Site-Level Assessment Tool for OECMs Version 2.0](#)
- [The Nature Conservancy \(2023\) Best Practice in Delivering the 30x30 Target](#)

Wales Environment Link (WEL) is a network of environmental, countryside and heritage Non-Governmental Organisations in Wales. WEL is a respected intermediary body connecting the government and the environmental NGO sector. Our vision is a thriving Welsh environment for future generations.

This paper represents the consensus view of a group of WEL members working in this specialist area. Members may also produce information individually in order to raise more detailed issues that are important to their particular organisation.



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