

EBCD WORKSHOP ON FISHERIES OECMs

Understanding OECMs to achieve the 30 by 30 target

29/9/2023

In a nutshell:

In the **framework of Natura 2000 Biogeographical Process in the Marine Regions** initiated by **DG ENV (European Commission)**, EBCD organised a **Workshop on Fishery Other Effective Conservation Measures (OECMs) on 29 September**. Indeed, the EU Biodiversity Strategy sets the target to legally protect a minimum of 30% of the EU's Sea area of which 10% must be strictly protected by 2030. Following its endorsement, the Commission published **criteria and guidance for protected areas** designations to help Member States achieve this target. These criteria and guidance state that OECMs can be counted against the target, as also reflected in **Target 3** of the Kunming-Montreal Global Biodiversity Framework, recently adopted under the United Nations Convention on Biological Diversity. As Member States have to submit their pledges towards the **30 by 30 target**, EBCD took the opportunity of a workshop to better explain this concept in a very practical way to enable Member States to identify fishery OECMs. Member of the IUCN Fisheries Expert Group, FAO, DG ENV and many other stakeholders were present to reply to the audience's questions. As was repeated several times by the speakers during the workshop, OECMs can be an opportunity for dialogues between the fisheries sector and the conservation community. And indeed, it was reflected by the stakeholders presented at the workshop composed by Member States, NGOs, scientists and the fishery sector.

Agenda:

Moderator: Ernesto Penas Lado – Chair of the IUCN Fisheries Expert Group

- Natura 2000 biogeographical process – Richard White (NatureBureau)
- The EU Biodiversity Strategy and the 30% protection target – Anna Cheilari (DG ENV)
- Available guidance for the implementation of fisheries OECMs (vidéo) – Amber Himes-Cornell (FAO)
- Implementation of OECMs in fisheries, how to get started – Serge Garcia (IUCN Fisheries Expert Group)
- OECMs quick-screening process – Serge Garcia (IUCN Fisheries Expert Group)
- Presentation of case studies:
 - United-Kingdom – Eskild Kirkegaard (IUCN Fisheries Expert Group)
 - France – Agathe Chambonneau (CNP MEM)
 - Two examples from GFCM in the Mediterranean – Serge Garcia (IUCN Fisheries Expert Groups)
- Discussion
- Summary and closure

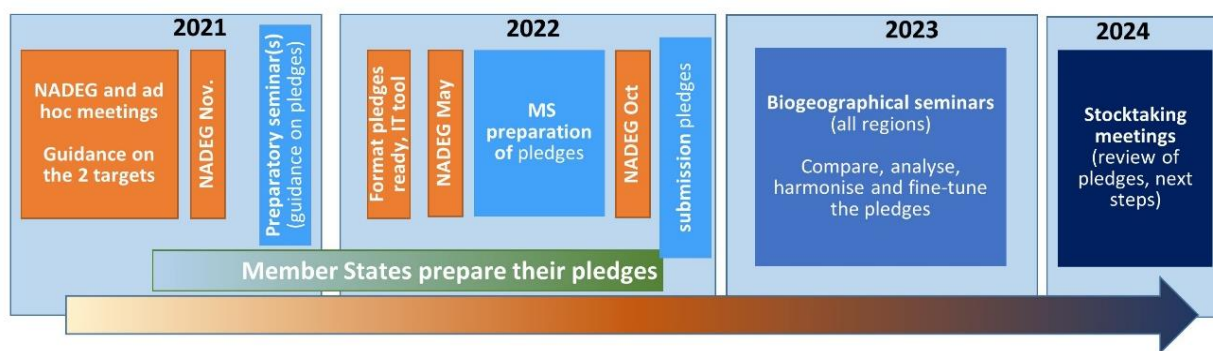
All presentations are available on [EBCD website](#).

Summary of the discussions

Natura 2000 biogeographical process – Richard White (NatureBureau)

As the Workshop is funded by and organised in the framework of **the Biogeographical Process for Marine Regions**, **Richard White from NatureBureau** opened the discussions. He explained the Biogeographical Process that even though exists since 2011 was updated with regards of the new EU framework. The emphasis of the process has change and the focus is made on the **EU Biodiversity Strategy 2030** and its **two targets: (1)** Protected area target (30% MPAs including 10% strictly protected areas) and **(2)** Conservation Status target (30% of improvements). He added that terrestrial and marine processes were separated, and that networking events and seminars take place with the aim for Member States to complete their pledges towards the two targets of the EU Biodiversity Strategy 2030.

Current Biogeographical process:



NatureBureau (UK) and CEEweb (Hungary) were awarded a contract by the European Commission for supporting the Natura 2000 Biogeographical Process in the Marine Regions. Their **tasks** are: **(1)** Support the marine pledge and review process; **(2)** Support the marine Natura 2000 networking programme; and **(3)** Provide web-based resources and communication.

He further explained that **three seminars** will take place in the marine bioregions: **Atlantic and Macaronesia** (11-13 October, Ireland); **Baltic Sea** (8-10 November, Latvia) and; **Mediterranean and the Black Sea** (TBC). Three networking events will be organised later in the year.

For more information: [Website](#) and [Newsletter](#)

The EU Biodiversity Strategy and the 30% protection target – Anna Cheilari (DG ENV)

Anna Cheilari from DG ENV (European Commission) replaced the discussions into **the European and international policy context**. It is essential to better understand why we talk about fishery OECMs and how they can be used.

EU Policy context:

- **Legislations** = The legal obligations that concern the marine environments are: **(1)** the EU Birds and Habitats Directives, **(2)** the Maritime Strategy Framework Directive (MSFD); and **(3)** the Common Fisheries Policy (CFP) Regulation. The climate policy and law are also likely to impact the marine environment.

- ⇒ The **Nature Restoration Law (NRL)** is yet to be agreed and adopted by the co-legislators and will set legally binding targets and Nature Restoration Plans.
- **Others** = Other documents that are not legally binding also concern and impact the marine environment: (1) the EU Biodiversity Strategy 2030; (2) the Fisheries Package including (3) the Marine Action Plan.
 - ⇒ **The EU Biodiversity Strategy 2030** sets an objective of 30% MPAs including 10% of strictly protected areas. It also announced the Marine Action Plan and the Nature Restoration Law (and the Nature Restoration Plans).

International Policy context: The Global Diversity Framework sets two objectives:

1. Conservation/protection: effective conservation and management of at least 30% of the world's lands, inland waters, coastal areas and oceans with emphasis on areas of particular importance for biodiversity and ecosystem functioning and services.
2. Restoration: restoration to be completed or underway on at least 30% of degraded terrestrial, inland waters, and coastal and marine ecosystems

EU Biodiversity Strategy and OECMs:

It is therefore in that context that OECMs are discussed to achieve the 30 by 30 target set in the EU Biodiversity Strategy. Indeed, Anna Cheilari explained that MPAs are the fundamental tool for conservation of marine biodiversity and OECMs are also increasingly recognised as a tool to contribute to that objective. She added that MPAs cover 12% of EU seas but there is no wide use of OECMs so far. According to the Commission the existing MPAs network is not sufficiently large/coherent to safeguard biodiversity, therefore additional areas (Natura 2000 network or national protection scheme) should be designated, hence the EU Biodiversity Strategy. She added that all protected areas should have clearly defined conservation objectives and measures.

The Commission released additional [criteria and guidelines](#) for identification and designation of additional protected areas for the Member States to complete their pledges towards the 30 by 30 target. According to the EU guidelines, **OECMs can be counted towards the EU target 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.

Of course, **OECMs** have first to be designated/recognised by Member States in accordance with the CBD criteria and existing guidance and then to complete the three conditions mentioned above to be counted for the 30 by 30 target in the pledges.

The initial **pledges** of Member States related to protected areas designations/OECMs will be discussed in the framework of regional biogeographical seminars with the participation of national authorities, relevant stakeholders and experts. She added that DG MARE is involved in the pledge process. The Commission will evaluate the progress by 2024 and decide whether stronger action, including EU legislation, is needed. She concluded by saying that until 22/09/2023, six Member States have provided pledges for the Biodiversity strategy targets: Cyprus, Denmark, Germany, Luxembourg, Spain and Sweden. Only Denmark and Sweden have made pledges for the Protected Area targets. No existing marine OECMs were reported nor new OECMs proposed.

Available guidance for the implementation of fisheries OECMs – Amber Himes-Cornell (FAO)

Amber Himes-Cornell from the Food and Agriculture Organization of the United Nations (FAO) presented the [FAO handbook on Marine Fishery OECMs](#).

OECMs in the CBD

She began by recalling the **CBD definition of OECMs** “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, socioeconomic, and other locally relevant values”. She further explained the criteria to recognise them.

OECM CBD criteria		
Criterion A	The area is not currently recognized as a protected area	
Criterion B	The area is governed and managed	<ul style="list-style-type: none"> – The area is a geographically defined space – The area has legitimate governance Authorities – The area is managed
Criterion C	Achieves sustained and effective contribution to <i>in situ</i> conservation of biodiversity	<ul style="list-style-type: none"> – The area is effective – Sustained over long term – In situ conservation of biodiversity – Information and monitoring
Criterion D	Associated ecosystem functions and services and cultural, spiritual, socio-economic and other locally relevant values	<ul style="list-style-type: none"> – Ecosystem functions and services – Cultural, spiritual, socio-economic and other locally relevant values

Table based on Amber Himes-Cornell presentation.

The **difference between MPAs and OECMs** are:

1. MPAs should have a primary conservation objective whereas it is often not the case for OECMs.
2. MPAs core function is to promote the in-situ conservation of biodiversity whereas for OECMs benefits biodiversity due to the management.

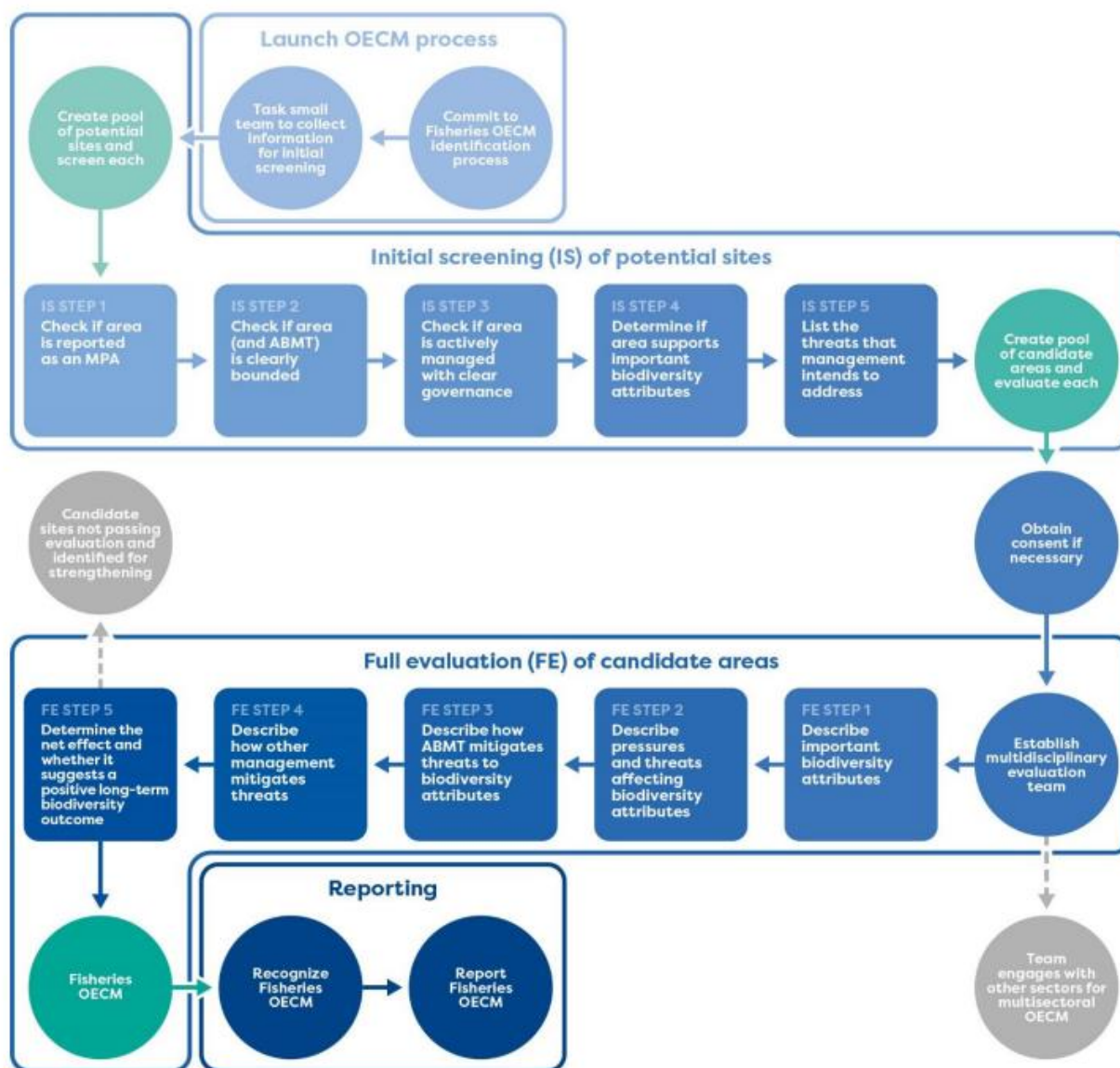
Fisheries-OECMs

She explained the **definition of Fisheries-OECMs** that are “established, spatially defined management and/or conservation measures other than protected areas, which produce positive, long-term, and in situ biodiversity outcomes, in addition to the intended fishery outcomes.” Fisheries management measures likely to meet the OECM criteria will include those which take place within a specified area (fisheries closures/fisheries restricted areas, locally marine managed areas/TURFs or gear bans). According to Ms Himes-Cornell benefits of recognising Fisheries-OECMs are for example: recognition of effective fisheries management, including co-benefits for biodiversity; chance to enhance management and monitoring; reciprocal mainstreaming; enhanced dialogue between fisheries sector and conservation community and joint contribution toward global biodiversity conservation goals and SDGs.

FAO Handbook on Marine Fisheries-OECMs

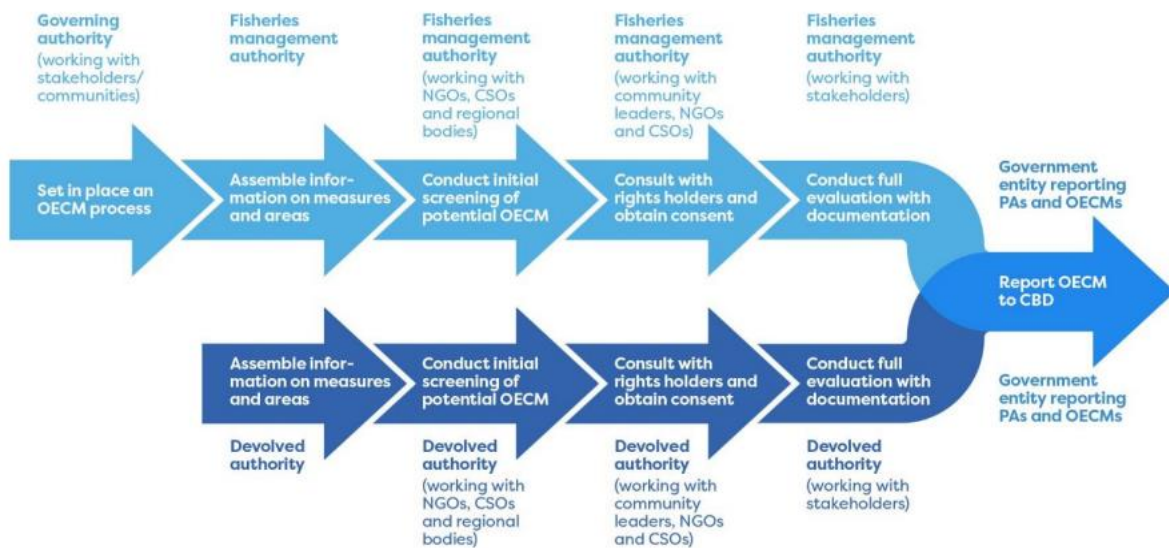
She further explained that FAO created a Handbook to help countries identifying, evaluating and reporting marine fisheries OECMs (available [here](#)). The handbook describes **four phases** for Identifying, Evaluating, and Reporting Fisheries OECMs: **(1) launching; (2) initial screening; (3) full evaluation and (4) reporting.**

Operationalizing the Criteria

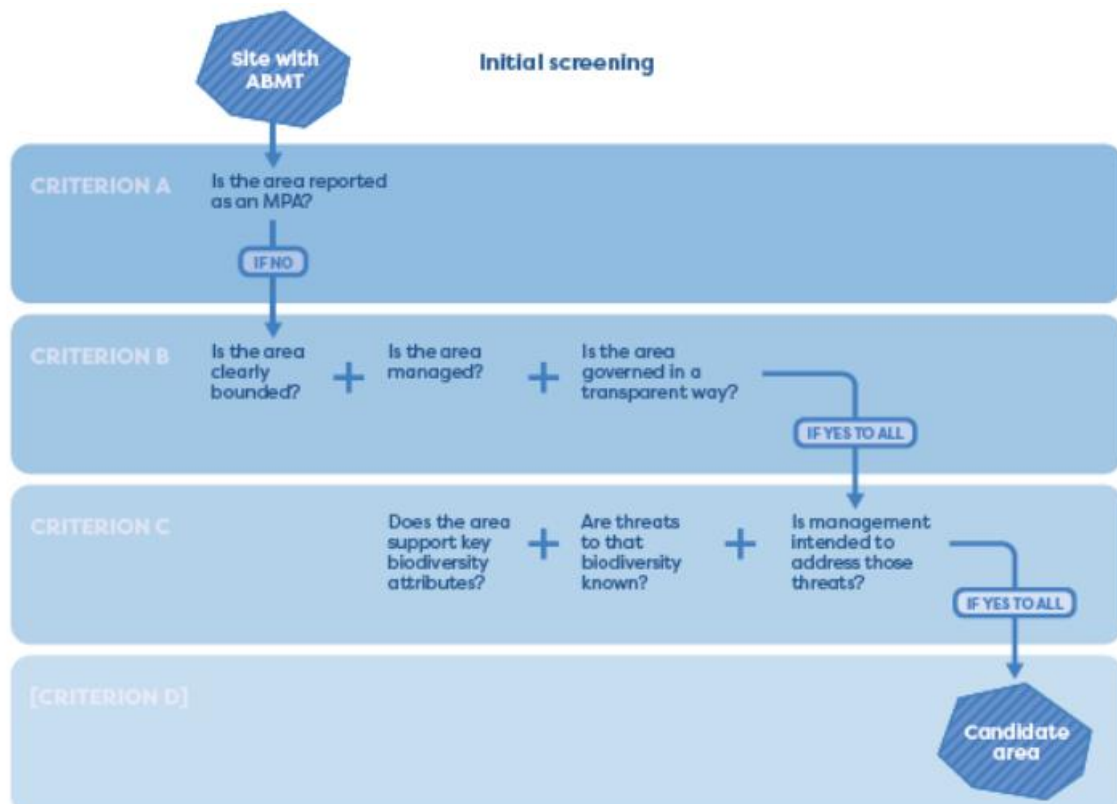


1. **Launching** => Establish a simple evaluation pathway that fits with the governing authority of the area. She explained that for Fisheries OECMs the governance and oversight process will likely be initiated by fisheries management agencies working with stakeholders, but it can also be initiated by a devolved authority such as local communities. She insisted on the importance to consult relevant governance authorities and stakeholders. Recognition of OECMs should be supported by measures to enhance governance capacity to ensure positive outcomes for biodiversity.

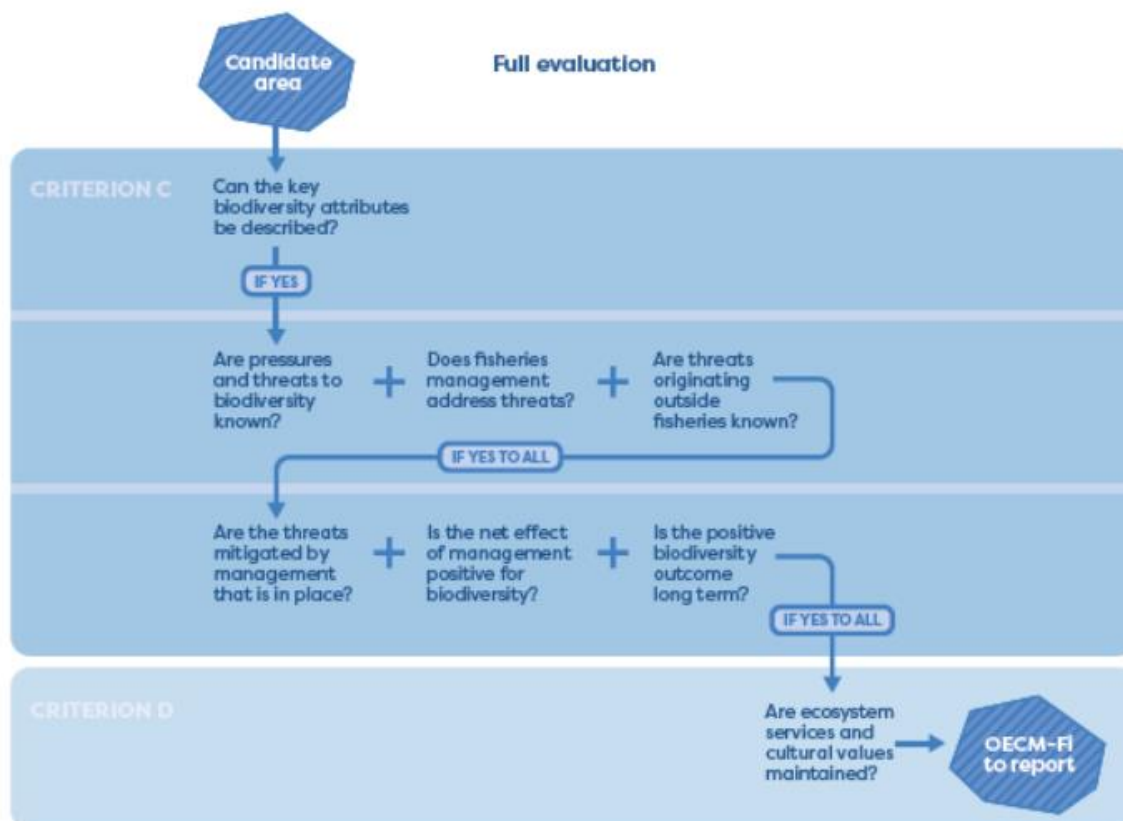
Example of process:



- Initial Screening** => Determine whether fisheries ABMT meet certain basic characteristics. Those passing initial screening can then be identified as candidate OECMs. This process will enable to create a pool of OECMs candidates without going too much into details and with only basis information needed.



3. **Full Evaluation** => For those sites that emerge as candidate OECM, full evaluation can support countries to determine which areas can be recognized and reported as OECMs. Ms Amber-Cornell explained that for this process, the number of people involved should be expanded as should be the information about biodiversity. The process should be very much documented to be included in the World data base OECMs as well as to share experience to others. She insisted on the importance of stakeholder's engagement.



4. **Reporting** => Fisheries ABMT determined to align with the CBD definition and criteria can be reported and counted toward global spatial conservation targets. OECMs can be reported to national and global data bases but cannot be double counted as MPAs. The world data base on OECMs is publicly available on www.protectedplanet.net. It tracks progress towards CBD target 3, Aichi target 11 and SDG 14 & 15. The expert explained **the reasons why reporting OECMs** is important: **(1)** it offers a visible contribution of in-situ conservation; **(2)** it supports integrating OECMs into landscape/seascape management; **(3)** it enables improved coordination with protected areas; **(4)** it enables access to funding. She added that OECMs is not only relevant for the GBF but also for BBNJ and further securing small-scale fisheries.

Q&A: PEW made the case that fisheries management can be brought up in a larger context and does not only concern target 3. Serge Garcia replied that ABMT can contribute to many targets. The representative of the Dutch ministry asked how OECMs can be included in the framework of article 11 of the CFP. Anna Cheilari explained that Member States can use article 11 but can also act on their

own. WWF asked if OECMs can also apply to offshore windfarms to what Serge Garcia replied that it is up to the windfarm sector to report them according to CBD criteria.

Implementation of OECMs in fisheries, how to get started – Serge Garcia (IUCN Fisheries Expert Group)

Serge Garcia from the IUCN Fisheries Expert Group presented **several issues** that have emerged or may emerge in the process of identification of Fishery-OECMs.

He began by recalling the **importance of mainstreaming OECMs** first of all because the CBD requires its member States to identify them in all relevant economic sectors, explicitly including fisheries. He added that in particular, OECMs may help **(1)** to maintain/enhance conservation co-benefits of fisheries management, including resources diversity, productivity, and resilience; **(2)** to reduce or eliminate collateral impact of fishing activities; **(3)** to improve connectivity and synergy in conservation networks; **(4)** to maintain sustainable livelihoods and food security; **(5)** to strengthen the Ecosystem Approach to Fisheries in States and RFMOs; **(6)** to enhance the dialogue between fisheries and conservation for two-way mainstreaming; **(7)** contribute to global biodiversity conservation reflected in the SDGs and the GBF.

He then presented the different issues:

Transversal issues:

1. **Cross connected issues:** Issues may emerge in any part of the adaptive OECM implementation cycle (governance, management, monitoring, assessment) and the cause or the problem or its solution may be in any part of the cycle. All these components of the problem will affect OECM outcomes and effectiveness.
2. **Effectiveness as the core issue:** Effectiveness is a central requirement for OECMs. It is the complex result of the action of **(1)** external drivers like climate or economics; **(2)** mediating factors like governance, management and science; **(3)** the types of activities in and around the OECM; **(4)** the types of uses allowed in the OECM and around; and **(5)** the inter-connected outcomes resulting from these forces.
3. **Example of common issues:** Many issues encountered in implementing fishery-OECMs are common to all OECMs in all ecosystems and sectors and are usually addressed in the CBD Decision 14/8 and the derived IUCN Guidance. These common issues include: **(1)** the central role of national enabling frameworks; **(2)** the importance of a participative governance; **(3)** the challenge of matching implementation means to ambitions; **(4)** the need for deterrent enforcement; **(5)** an equitable allocation of space, resources, benefits and costs among users; **(6)** the importance of cross-sectoral coordination; **(7)** the challenge of data limitations; **(8)** the need for multidisciplinary assessments; and **(9)** the classical challenge of decision-making under uncertainty and risk. All these issues are common to all OECMs but affect also MPAs and natural resources management in general.
4. **Marine fisheries specific issues:** In marine fisheries and on fishing grounds, however, there are specificities that may give rise to more specific issues: **(1)** the opacity of the water mass and the depth create significant observations difficulties; **(2)** the Ocean environment is fluid and highly variable; **(3)** oceanographic structures which host ecosystems are mobile and often of high dimensions; **(4)** as a result, life cycles, species distribution, and trophic chains are dynamic and complex; **(6)** contrary to the atmosphere, the water depth contains most of the ocean biomass;

(7) causes and effects often occur at different times in different places through teleconnections, complicating the assessment of cause-effect relationships; (8) the high diversity and complex articulation of aquatic domains and jurisdictions complicate governance and management systems and (10) require intense effective regional and global coordination; (9) while some fleets are local, others are extremely mobile across regions and oceans; (10) fleets operate in all ocean ecological domains; (11) sustaining local to global food security.

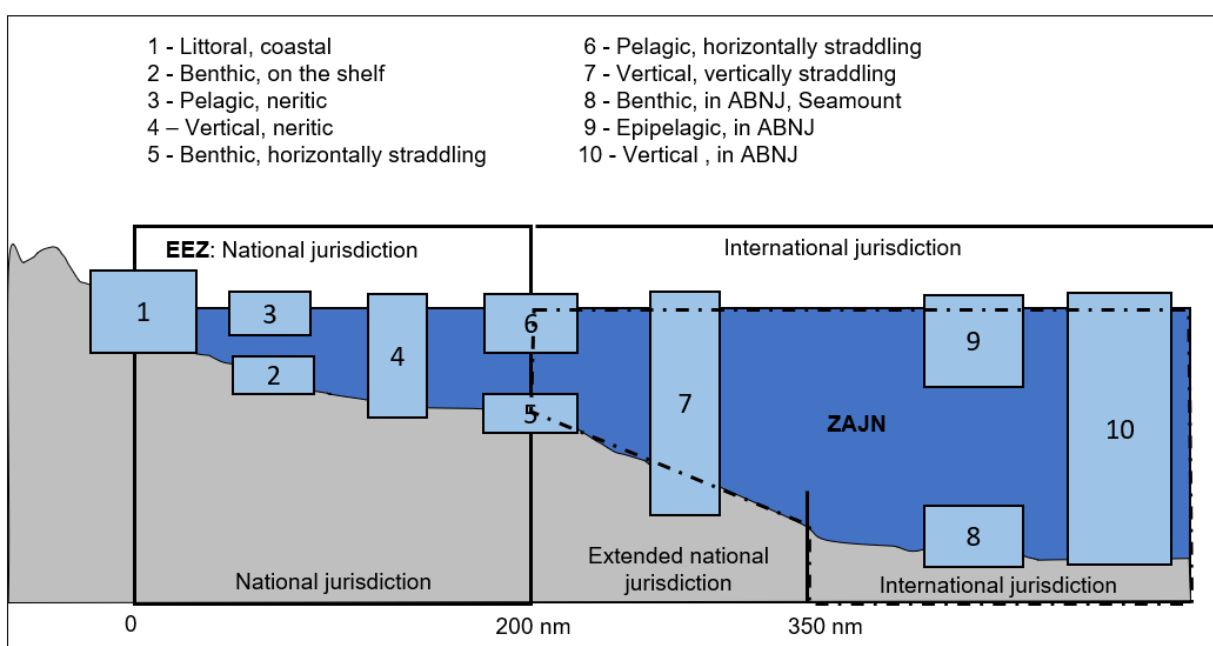
Cycle-specific issues:

1. **Governance issues:** First, enabling frameworks such as Fisheries Acts, administrative structure and financial support frameworks may be incomplete, hampering implementation capacity and collaborations. The governance processes may not be sufficiently inclusive. Consequently, the equitable governance and allocation of opportunities and costs required in and around fishery-OECMs may often be questioned. As in the ocean, the State is the only legal entity internationally recognised, the fisheries legitimate authorities are usually established in Ministries. That authority may be decentralised in various ways by the State but there may be tensions between centralized and traditional or local institutions. The long-term intent of fisheries governance and management is usually clear in the Fisheries Acts and shown by history, but temporary closures may be used, for example in rebuilding regimes. Cross-sectoral impact cannot be addressed easily by fisheries institutions alone. Agreements between sectors are however possible and can be facilitated by the State. RFMOs have the authority to establish legally binding OECMs as well as MPAs, and in fact NEAFC and GFCM have already started considering the opportunity. Regional collaboration between RSCs and RFMOs is needed for establishing effective OECMs to protect straddling and high seas biodiversity. There is tension between OECMs and industrial fishing in some conservation constituencies. However, if such activities were found to have incompatible impacts inside OECMs, it should be noted that effective OECMs may be established –and have already been established- inside industrial fishing grounds to reduce their collateral impacts.
2. **Management issues:** In fisheries, OECMs are necessarily integrated in the fisheries management system and toolbox and OECMs will benefit greatly or suffer from the management system and capacity already in place. Many of the issues affecting OECMs' management are therefore also issues affecting the management system and have been - or can be - addressed in that system. Issues that are new or require more specific attention are: (1) the dual role of OECMs for sustainable use and for conservation; (2) the strong requirement for effectiveness; the importance of depth in ABMTs; (3) the need to harmonise or integrate measures applies in and out of the OECM, in the fishery itself; (4) the need to assess both costs and benefits and ensure their equitable allocation among sub-sectors and users and sub-sectors; (5) the additional monitoring, and enforcement required by the new biodiversity features and measures
3. **Monitoring and assessment issues:** Issues are numerous and include: (1) operational means; (2) a clear identification of the biodiversity features of concern and their state, as OECM management focus; (3) the Identification of the most effective and efficient additional measures needed; (4) assessing the most likely benefits of such measures; (5) economic and social sciences need to be mobilised, early and fully; (6) a scoring system needs to be established to ensure coherent and consistent assessments at national or global level; (7) The CBD OECMs conservation standards need to be further elaborated for the different fisheries in which OECMs will be identified regarding the type and level of evidence needed in given situations; (8) challenges exists, in establishing unequivocal cause-effect relationships, to select adequate corrective measures or to properly assess the effectiveness of the measures applied; (9) Challenges exist also in the general

issues of data-limited or confidentiality situations for which parsimonious methods, participation, clearing-houses and local knowledge may contribute effective solutions; **(10)** assessments need to be made both inside and outside the OECMs ensuring that OECMs positive impacts are not threatened by outside activities; **(11)** the uncertainty and variability of social-ecological systems require and development of foresight and contingency plans.

The expert also illustrated the **various domains and jurisdictions in which fishery OECMs may be established or identified**, across oceanic domains and jurisdiction areas. In deep waters, the closures may affect only the surface (to control pelagic gears) or the bottom (to control bottom-contacting gears). In shallow areas, the whole water column may be included in the OECM. It should be noted, however, that different management zones may be created de facto in a vertical OECM by regulating the gears allowed to operate into it.

Potential location of fishery OECM:



To conclude the expert stressed that mainstreaming OECMs in fisheries is a golden opportunity for a win-win collaboration between fisheries and biodiversity conservation, at national and regional levels. Some ABFMs already protect biodiversity resources, their essential habitats, and consequently, the related provisioning ecosystem services and functions. However, the frequency of stocks and ecosystem overfishing in poorly managed jurisdictions support the concern that many ABFMs might not meet OECMs criteria. Nonetheless, the CBD Decision calls on economic sectors using natural resources to do their best to global conservation goals, using OECMs. The case-by-case identification process has been shown to have the capacity to identify the robust or promising OECMs. Numerous issues emerge in the process, in governance, management and assessment, many of which are already addressed in the ecosystem approach to fisheries in leading nations. In weakly managed areas, capacity-building is required, particularly but not only in indigenous and other local communities and in well-managed areas, a marginal additional effort might be needed, and the EU waters may give good examples. Considering how slowly the Aichi Target 11 has been approached, boosting the identification of OECMs in fisheries is probably the only way many States will be able to meet their 30

by 30 commitment in the ocean at an affordable political, financial and social cost. The process has started slowly in few leading States and should be rapidly generalized, empowering coastal communities' and strengthening management partnerships with developing countries.

Q&A:

- **OECMs and industrial fisheries:** PEW asked whether OECMs are compatible with industrial fisheries to what Serge Garcia replied that it is the case. PEW added that CBD and IUCN guidance on OECMs do not comprise industrial activities including industrial fisheries. Serge Garcia further explained that the only legal text is the CBD decision and industrial fishing is not mentioned. He added that IUCN guidance is an interpretation as is FAO guidance and that it will be up to the States to decide.
- **Biodiversity:** Institute Environmental Policy asked how to assess and monitor the benefits to biodiversity. Serge Garcia replied that there is no clear and detailed guidance due to a big gap between environment and fisheries guidance. He added that specific work on biodiversity is needed for fisheries. Esklid Kirkegaard explained that six examples of biodiversity attributes under criteria C3 are already used to address biodiversity. Serge Garcia concluded that the key problem is to identify the biodiversity concern.
- **Restoration:** WWF asked whether it is possible for OECMs to be counted in the restoration targets if they fill the criteria. Anna Cheilari explained that there will be guidance for the National Restoration Plans.
- **OECMs and MPAs:** On questions related to the difference between MPAs and OECMs, Serge Garcia replied that all MPAs have conservation as primary objective which is not especially the case for OECMs. PEW added that the level of protection is also different (less protection in OECMs). Canadian Parks and Wilderness Society further explained that, in order to be delisted, MPAs usually need to be withdrawn through a legislative act whereas it is easier for OECMs to be delisted if they are shown to be ineffective.
- **OECMs identification:** Ernesto Penas Lado gave the example of ICCAT (that he chairs) to explain that a lot of measures to protect species can already count towards OECMs and that there is no need to think everything anew. NSAC added that the technical measures can be used towards that objective.

OECMs quick-screening process – Serge Garcia (IUCN Fisheries Expert Group)

Serge Garcia explained that during the afternoon session, three case studies (UK, France, GFCM) are going to be presented and a quick-screening process will be applied to them in order to identify them as potential OECMs candidate or not. He added that purpose is not to assess the case studies but to use them as examples to better understand the screening and identification processes

He further explained that the identification process is not precisely defined in the Decision 14/8 and each State or Legitimate authority might organize it as wished, based on the available information and assessment capacity. The guidance given in CBD Decision 14/8 suggests to set-up a criteria-based identification process following, for example, this flow chart. To be optimised, **the full identification may usefully start by a quick-screening to identify the best potential OECMs**, going through the same steps as the full assessment, through Criteria A to D, but superficially and rapidly.

The quick-screening process: The quick-screening is a process intended to prepare and optimise the full identification process. It goes through the same steps but faster and in less detail. It checks

whether the area is worth the cost of a full assessment and helps identifying priorities and “low hanging fruits”. The process is participative, looks for consensus and mobilises all types of knowledge available. It identifies potential gaps in competences and information.

The quick-screening process is facilitated by a careful identification of the information available, and of the collaborations needed to obtain expert views, collecting local knowledge, tracing back current and past assessments, and identifying existing relevant literature and other potential sources of information. The types of information needed include **(1)** the status of the ABFM (MPA or not); **(2)** its localisation, boundaries, and size; **(3)** the legitimate governance authorities; **(4)** the management system of the fishery; **(5)** the type of ABFM (e.g., gear restriction, zoning, reserve, habitat protection); **(6)** the Biodiversity values in the area and around it, particularly those of concern; **(7)** the ecosystem services being supported in and around the ABFM; and **(8)** any other locally relevant social and economic issues.

The **10 main relevant questions** in the process may be grouped into three categories or steps, related to: area definition, governance and management, and outcomes and performance.

Area definition	Governance/ Management	Outcomes /performance
1. Is the area recognized as a protected area? (A)	3. Governance authority? (B2)	6. Area is effective? (C1)
2. Is the area a geographically defined space? (B1)	4. Management system?(B3)	7. G&M is sustained in the long term (C2)
	5. Current/ anticipated threats (B3)?	8. Contributes to biodiversity conservation? (C3)
		9. Performance is monitored (C4)
		10. Management measures support ecosystem services? (D)

A list of questions was distributed to the participants to facilitate the quick-screening process (available [here](#)).

Furthermore, he added that the various **responses** given when considering the criteria can be scored or color-coded, allowing a synoptic assessment of the likelihood that the area considered may be a good potential OECM worth considering further, or not. The various responses and the total responses may not always be YES or NO. They may fall in between, particularly on complex questions, calling for more information or additional measures before formulating a more definitive.

Simplified scoring grid:

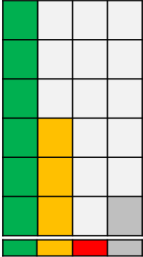
CRITERIA	SUB-CRITERIA	
A: Not a protected area	<i>Not in WDPA. Not accounted in 30x30</i>	Green
B: The area is governed and managed	<i>The area is geographically defined (B1)</i>	Green
	<i>There is a Legitimate governance (B2)</i>	Yellow
	<i>There is a management system in place (B3)</i>	Green
C: Governance and management are effective	<i>Outcomes are likely to be achieved (C1)</i>	Yellow
	<i>Outcomes are likely to be long-term (C2)</i>	Green
	<i>Biodiversity values and ecosystem services are known (C3)</i>	Green
	<i>Information is managed (monitoring) (C4)</i>	Green
D: Ecosystem services & locally relevant values	<i>Ecosystem functions & services; trade-offs, equity (D1)</i>	Yellow
	<i>Other Locally relevant values (D2)</i>	Grey

YES

Some, sometimes, may be improved

NO

Not relevant

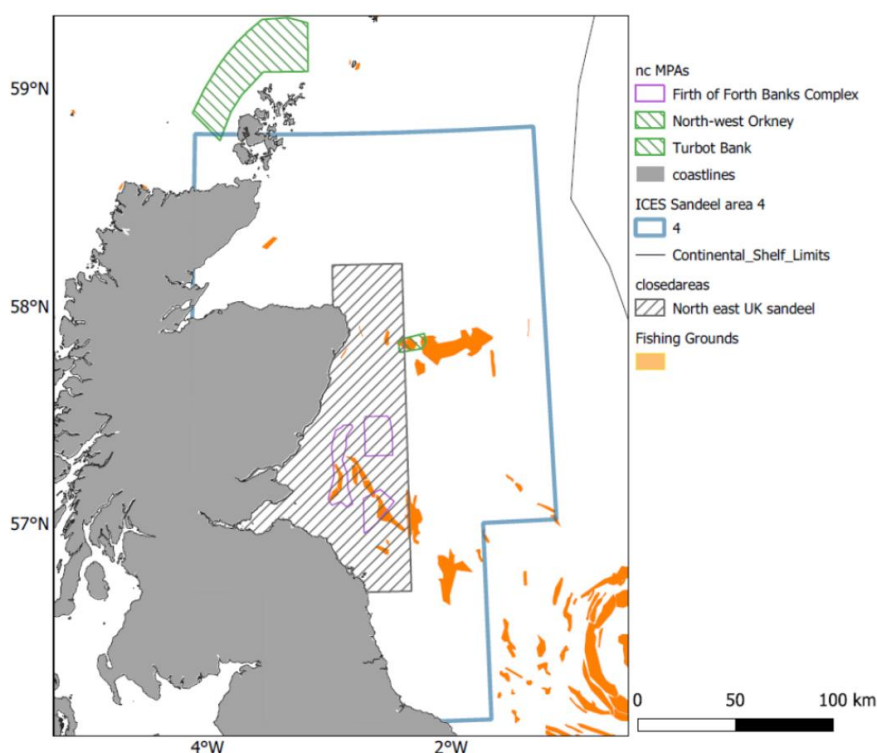


Overall score

Case studies

United-Kingdom – Eskild Kirkegaard (IUCN Fisheries Expert Group)

Eskil Kirkegaard (ICES – IUCN Fisheries Expert Group) presented a case study of the Northwestern North Sea Sandeel Fishery Closure in UK waters. He explained that sandeel is an important and central species in the North Sea ecosystem. There are a lot of predators (seabirds, marine mammal, fishers) that generate competition. He further explained that during the early 1990s sandeel fishery developed off the Firth of Forth, east of Scotland. The landings from this fishery peaked at over 100,000 t in 1993. The Firth of Forth area is important for breeding seabirds and the large landings of sandeels coincided with declines in the breeding success of some seabirds. In consequence, ICES recommended in 1999 that the sandeel fishery west of 1°W in Area 3 (Wee bankie and Long) be functionally closed, because the recent breeding success of kittiwakes has been less than 0.5 fledged chicks per well-built nest (WP - SGESF), which is the recommended threshold for closure. Such a closure should stay in force until kittiwake breeding success exceeds 0.7 fledged chicks per wellbuilt nest. The European Commission then agreed in a precautionary closure of the area that entered into force in 2000 as a technical measure for the protection of juveniles of marine organisms, although the primary purpose of the closure was intended to benefit seabirds. After Brexit in 2021, the UK maintained the closure.



The expert applied **CBD criteria** to the case study:

- **Criterion A:** Not a protected area => Yes in areas outside the MPAs.
- **Criterion B:** The area is governed and managed => Yes.
- **Criterion C:** Achieves sustained and effective contribution to in situ conservation of biodiversity => The expert explained that it is difficult to determine the level of evidence to

justify conservation biodiversity as there is a lack of link between the closure and the abundance and the breeding of kittiwakes.

- **Criterion D:** Associated ecosystem functions and services and cultural, spiritual, socio-economic and other locally relevant values => The expert explained that the same comment applies on the level of evidence needed.

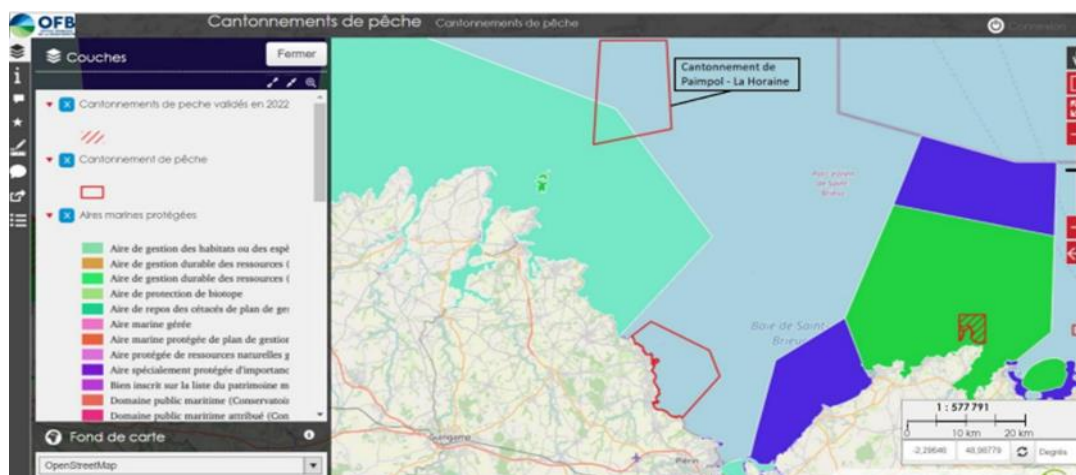
Q&A: NatureBureau commented on the expert's presentation arguing that it is difficult to take a decision based on a single indicator (kittiwakes). NSAC questioned what the benefits to recognise it as OECM would be. The expert replied that it is best benefit to recognise it as biodiversity measures and not only as a fishery measure as fisheries and biodiversity measures can be compatible. Serge Garcia added that if it is recognised as an OECM, it will count in the target and an OECM label may have impact on the fishing industry to improve their own impact. Seas at Risk also questioned the added value to recognise it as an OECM and not as an MPA. Serge Garcia replied that they can be both because OECMs and MPAs are not mutually exclusive. An OECM can be an MPA but not the other way around. Seas at Risk explained that the benefit of OECMs to Member States is understandable as there is no legal requirement but that it can lead to paper park. Serge Garcia replied that on the contrary it would not be the case as measures will already be in place.

France – Agathe Chambonneau (CNPMEM)

Agathe Chambonneau from the Comité National des Pêches Maritimes et des Elevages Marins (CNPMEM) (French Committee on fisheries and marine aquaculture) presented a case study of the Paimpol box (Brittany – France). She began by describing what is a “box”. A tool that is part of French regulation that has for objective of preserving fish stocks. Boxes are the result of the wishes of the fishermen who decide to create them and are recognised by ministerial or prefectural decree after consultation with Ifremer (scientific organism). It consists of a ban on fishing or a restriction on access to the site, depending on the specific objectives of the site.

Paimpol box: The Paimpol box was created in 1966 to protect crustaceans. All fishing is banned all year round, except for hand-lines and long-lines. It has financial resources and a standardised sampling protocol that assesses the lobster population, as well as communication around the monitoring programme. The Paimpol site seems to be the one which could best correspond to the definition of





OECS. According to the expert, it is worth analysing this site specifically as a pilot case, on the assumption that if it doesn't meet the criteria, the other sites certainly won't either.

Agathe Chambonneau continued by explaining that the screening tool was developed in collaboration with IUCN based on a combination of four resources: (1) IUCN Guidelines (2019); (2) the standard "step-by-step" site evaluation tool in its working version; (3) the first table in Canada's evaluation tool; and (4) the form of the report on the screening exercise carried out by South Africa. She commented that the objective is not only to answer the questions for the case of Paimpol, but also to make comments and raise questions about the exercise as such.

She further explained that questions were developed in order to determine if the Paimpol box fulfil the CBD criteria.

Paimpol box:

Question 1 <i>Out of MPA</i>	Question 2 <i>Geography</i>	Question 3 <i>Governance</i>	Question 4 <i>Management</i>	Question 5 <i>Conservation</i>	Question 6 <i>Long term</i>	Question 7 <i>Aichi target 11</i>	OECS?
SW part integrated in Natura 2000 site	Clearly delimited (ministerial decree and navigation documents)	Responsible authorities known: Prefect and Ministry (governance category "State")	All fisheries are banned except the longliners. The efficiency of the controls is difficult to evaluate. Activities outside of fisheries are not directly regulated by the decree.	The fishing pressure reduction seems to indicate that the conservation state of the ecosystem is good (to be verified). Concerning other activities, the responsible authority cannot manage the pressures.	Permanent decree existing since the 60s. Its abrogation necessitates procedures.	Paimpol corresponds to two targets 11 and 6: reducing the pressure on a biodiversity component for its sustainable use, and protect an habitat.	YES

Table translated from the table in Agathe Chambonneau's presentation

The expert concluded by explaining that the results of this screening showed a potential correspondence between this box and an OECM. She added that changes have to be made to screening to ensure it is effective and clarifications have to be made to ensure it is operational. She further added that there is no recognition procedure of OECMs in place in France yet.

Q&A: For PEW and Ernesto Penas Lado, the biodiversity benefits of the Paimpol box were not very clear. Ernesto Penas Lado explained that further research on what was going on before should occur. Serge Garcia complemented that if it the box only impacts the lobsters, it is irrelevant. He added that it has to be shown that the measures are or will be beneficial because there is a damage today. Ernesto Penas Lado asked who decides on how other activities are allowed to be carried to what Agathe Chambonneau replied that it was the State via prefectorial decisions. Kenneth Paterson from DG MARE asked the expert why they chose to identify it as OECM to what she replied that the main purpose is to conduct an exploratory work in that regard.

Two examples from GFCM in the Mediterranean – Serge Garcia (IUCN Fisheries Expert Groups)

Serge Garcia presented two case studies in the General Fisheries Commission for the Mediterranean (GFCM) area: the 1000 meters Fishing Restriction Area (FRA) and the Velebit channel demersal fishing ban (Croatia). He invited the participants to consult the report of a meeting of the GFCM/FAO on Fisheries OECMs (2022) (available [here](#)). This meeting provided an introduction OECM concept and the application of the OECM criteria contained in CBD Decision 14/8.

The 1000 meters Fishing Restriction Area (FRA)

In 2005, the GFCM adopted Recommendation 29/2005/1 on the management of demersal and deep-water species, establishing a de facto permanent Fisheries Restricted Area closing any bottom-contacting fishing by dredges or trawls in the whole Mediterranean Sea below 1000m. The closed area covers > 58% of the Mediterranean and is partly located in territorial waters (<12 miles from the coast) and mostly beyond this limit.



Source: GFCM (General Fisheries Commission for the Mediterranean). 2022. GFCM fisheries restricted areas web map application. In: FAO. Rome. Cited 20 November 2022. www.fao.org/gfcm/data/maps/fras/en

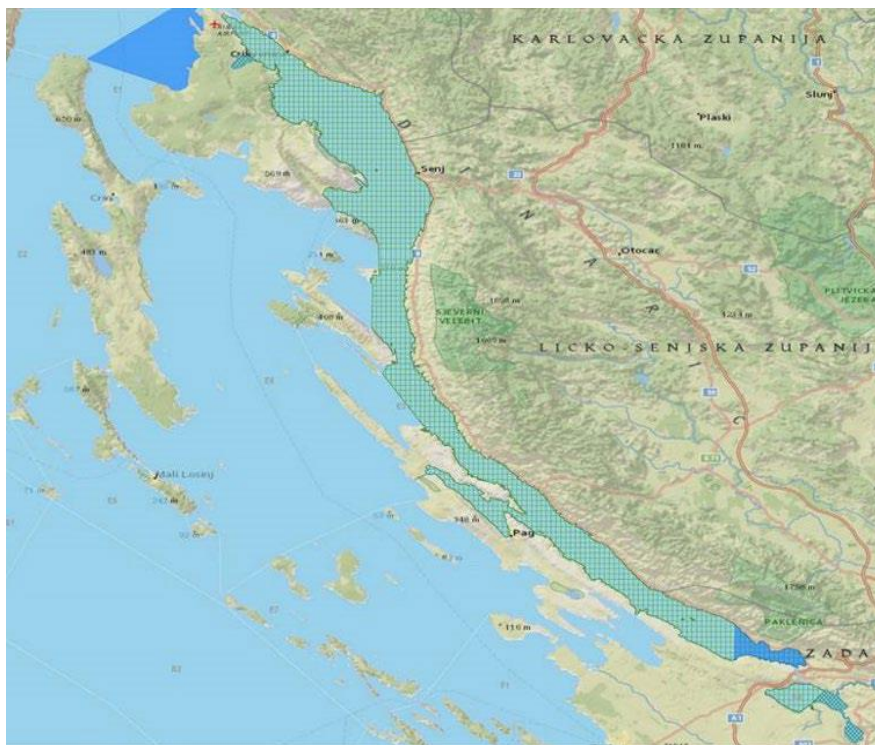
Serge Garcia explained the preliminary conclusions. Such a Mediterranean-wide fishery-OECM would be challenging without management and monitoring, even though satellites would help. More possibilities may exist for parts within the 12 miles zone, as fishery-OECMs. Other smaller areas within the 1000 m FRA could be considered as potential OECMs; for example, the areas of the FRA overlapping with EBSAs, sea mounts and their summits, mud volcanoes and other areas hosting VME indicators, if those areas were to have additional protection measures restricting other potentially harmful human activities. It was felt that more time was needed to better understand the criteria and advise authorities on how to move forward. The potential offered by segments of the 1000m FRA, in the 12 miles area and beyond, was stressed, as these would be a lot easier to manage, but potential threats require further consideration, together with cross-sectoral coordination.

Criteria	Whole FRA<1000 m	Within 12 miles
Geographically defined space?	YES	YES
Recognized as a protected area?	NO: but possible overlaps with MPAs. <u>Also</u> with EBSAs	No: but may contain national MPAs
Has a legitimate governance authority?	YES: GFCM	YES: shared between GFCM and national authorities
Contributes to in situ biodiversity conservation?	YES: according to the 2004 report by UCN and WWF	YES: based on the 2004 report by IUCN and WWF
any existing or anticipated threats?	YES: currently and potentially: climate change, chemical and plastic pollution, oil & Gas, other human uses	Same but States in a better state to assess and mitigate them in their waters
Any monitoring?	Not systematic (high cost). Satellite monitoring possible. No fishing exists. No compliance problem detected/reported	Not beyond fished areas. Monitoring by States could be implemented
Supports ecosystem services	Carbon sequestration, nursery grounds, biodiversity support	Carbon sequestration, nursery grounds, biodiversity support

The Velebit channel demersal fishing ban (Croatia)

The Velebit Channel is an elongated channel on the Croatian coast. It is 130 km long and 3 km to 4 km wide and relatively deep, with depths averaging 60 m to 70 m and a maximum depth of 112 m. (1) The area is a nursery area for pilchard, anchovy, hake, Norway lobster, common sole, angler fish, and smooth-hound shark. (2) It is managed through EU regulations. Bottom fisheries were banned in 1997. Pelagic fishing is allowed by boat below 12 m in length. Small-scale fisheries are allowed with passive, low impact gear only and fishing is closed in winter. Some shallow coastal areas protected under Natura 2000. Fishing activities, biodiversity, and waters are monitored throughout the year, through the European Commission's Water Framework Directive; the European Commission's Marine Strategy Framework Directive; and the European Commission's Data Collection Framework (catch monitoring).

There is evidence of benefits such a 400% increase in demersal communities; Bigger size of fish; and several species ore now found only in this area. Threat exists and include ghost fishing; algal blooms (global warming); invasive species, marine litter, and microplastics.



The expert explained that the conclusions of the FAO/GFCM meeting were that the area is geographically defined. It is not an MPA, but it overlaps with Natura 2000 MPA areas created to protect reefs and seagrass. However, the OECM could easily be delineated to avoid double counting. The area is managed by the Croatian Ministry of Agriculture. It contributes conservation benefits and supports ecosystem functions and services. Since the fishing ban, the demersal community improved significantly. The area protects also rare, threatened, or endangered species like picked dogfish, blue shark and angel shark. Threats exist like abandoned, lost and discarded fishing gear; invasive species; marine litter; microplastics; and climate change. Pollution may be diffused but low and non-significant. The area is heavily monitored for biodiversity conservation. It supports provisioning services through SSFs, as well as strong local socioeconomic value in an area with very few other livelihood opportunities. It also sustains cultural, recreational and educational services, such as fishing tourism. Finally, it also supports support ecosystem functions through protected habitats. It was finally concluded that the area would be a good potential fishery-OECM, worth a full evaluation.

Criteria	Response
Geographically defined space?	YES. By National ordinance
Recognized as a protected area?	NO, but overlaps with Natura 2000 MPA areas to protect reefs and seagrass. The OECM could easily be delineated to avoid double counting.
Has a legitimate governance authority?	YES: Croatian Ministry of Agriculture
Contributes to in situ biodiversity conservation?	YES. as shown before. Seems also to contribute to maintaining ecosystem functions and services. Since the fishing ban, the demersal community improved significantly. Also protects rare, threatened, or endangered species: picked dogfish, blue shark and angel shark.
any existing or anticipated threats?	YES: Abandoned, lost and discarded fishing gear, invasive species, marine litter, microplastics and climate change. Pollution is possible, diffused, but low and non-significant
Any monitoring?	YES. Heavily monitored for biodiversity conservation
Supports ecosystem services	YES: provisioning through SSFs. Strong local socioeconomic value (rare livelihood opportunities). Also cultural, recreational and educational services, as fishing tourism. <u>Also</u> ecosystem support services through protected habitats. Need more in-depth analysis.

Summary of the discussions

Several subjects were touch upon during the discussion session such as the link between MPAs and OECMs, the benefits inside and outside OECMs and MPA, the interaction in the water column of fisheries closures, the binding aspect of the CBD and EU Biodiversity Strategy targets and the baseline to calculate the benefice in term of biodiversity.

Ernesto Penas Lado, Chair of the IUCN Fisheries Expert Group and moderator of the workshop concluded the discussion raising the following point. He first thanked EBCD for organising the workshop and recognised the expertise of the organisation on that subject. He explained that four case studies were presented with four different approaches. According to him, it shows that OECMs are not narrowly defined elements. He explained that the advantage is that many existing fisheries measures have the potential to be OECMs. In that regard, he estimated that seven years to achieve the targets is plenty of time as there are already measures in place. He further added that it is important to investigate on the potential of existing fisheries measures on biodiversity. He concluded by thanking the audience for the participation to the workshop.