ICES/IUCN-CEM FEG Workshop on Testing OECM Practices and Strategies (WKTOPS)

A. BACKGROUND

Area-based fisheries management measures (ABFMs) are geographically defined areas where specific restrictions (such as closures for specific gears or even all fisheries) are in place permanently or temporarily to improve the fisheries' sustainability. They have been used for centuries, in national and international waters in the North Atlantic, as well as around the world, and when appropriately designed, can be effective at achieving a variety of types of objectives when used in well-managed fisheries.

The term "Other effective area-based conservation measures (OECMs)" appeared for the first time in 2010 in the CBD Strategic Plan for Biodiversity 2011-2020, within Aichi Biodiversity Target 11, which also referenced MPAs, in the context of coastal and marine areas receiving enhanced biodiversity conservation. At the time Target 11 was adopted, OECM was an undefined term developed through negotiation. Subsequently, COP 14 in 2018 adopted the following definition : "*Other effective area-based conservation measure" means "a geographically defined area, other than a Protected Area, which is governed and managed in ways that achieve positive and sustained long-term outcomes for the in-situ conservation of biodiversity, with associated ecosystem functions and services and, where applicable, cultural, spiritual, socio–economic, and other locally relevant values*" (CBD/COP/DEC/14/8/Annex III) (CBD, 2018). At the same COP, a set of 13 guiding principles along with common characteristics and four criteria for identification of OECMs were welcomed.

OECMs are intended to be used by CBD State Parties in their different economic sectors to generate significant biodiversity conservation benefits. A systematic review of biodiversity impacts of totally and partially protected areas (Sciberras *et al.*, 2013, 2015) reported that partially protected areas may indeed produce significant biodiversity benefits, suggesting that appropriate ABFMs might be identified as OECMs, and may play an important role in conservation of biodiversity. These OECMs would maintain their initial role, as ABFMs, in contributing to the conservation of the target resources, but would also contribute to the broader biodiversity conservation. This contribution should be complementary to (i) other non-spatial and spatial measures that are being used in the fishery, and (ii) spatial coverage of the OECMS is additional and complementary to that of MPAs in achieving CBD and other international benchmarks for spatial coverage.

B. THE CURRENT CHALLENGE

There is considerable interest in the scientific community and among fisheries managers and policy-makers in exploring the extent to which ABFMs may contribute significantly enough to biodiversity conservation to be identified as OECMs, and included in States' reporting of their contribution to global biodiversity targets and Sustainable Development Goals (SDGs). Just as for other ABFMs, OECMs would be integrated in fisheries management plans, improving their likelihood to effectively generate the expected biodiversity benefits, reducing the risk of establishing "paper OECMs", and ensuring regular review of their performance. Hence there is a growing demand to operationalize the identification of OECMs.

The four criteria for the identification of OECMs (CBD, 2018) are well described in the CBD Decision. In brief:

Criterion A. Area is not currently recognized as a protected area;
Criterion B. Area is geographically defined, governed, and managed;
Criterion C. Achieves sustained and effective contribution to *in situ* conservation of biodiversity;
Criterion D: Achieves associated ecosystem functions and services and upholds, where applicable, cultural, spiritual, socio-economic, and other locally relevant values.

Garcia *et al.* (2019) reviewed these criteria, as well as the guiding principles, and elaborated on the rationale and intent for each. They then presented a framework for evaluating ABFMs for inclusion in OECM reporting. A decision to consider an area as an OECM would be based on the aggregate outcome of performance against all four Criteria adopted in Decision 14/8, considering also the 13 Guiding principles and the voluntary guidance provided in the Decision (e.g., on integration and governance). An FAO workshop (FAO 2019) reviewed the Garcia *et al.* (2019) document and provided feedback on its clarity and completeness, as well as considerations for making the material operational.

Garcia *et al.* (2020) incorporated the FAO (2019) feedback, to provide information and a step-wise process on how to interpret and evaluate ABFMs using the OECM properties. However, the Report did not include applications of the framework to real world situations. Therefore, there is a need to explore whether the steps proposed could be implemented as envisioned, how they perform with different amounts of data available, and if the results of the proposed step-wise process is sufficient for evidence-based inferences about the degree to which each of the OECM criteria and additional considerations are met.

The proposed workshop will bring together appropriate experts to test the robustness of the proposed evaluation criteria and properties in different ecosystems, exploited by various types of fisheries, under diverse governance arrangements and jurisdictional set-ups (in EEZs, the High Sea or both), and in data-limited or data-rich situations with varying research and management capacity. The workshop will apply the proposed identification framework in case studies to explore what problems might be encountered and what options might be available to address them in the various contexts. Outcomes from the workshop could be used at local, national and regional (RFMO) scales, and considered for the progressive elaboration of technical guidelines. The workshop report will be published in the ICES Scientific Reports series.

C. PROPOSAL

Workshop goals: to consolidate and test the available elements of guidance in Garcia *et al.* (2020) on identification, use, and performance assessment of Other Effective Area-Based Conservation Measures (OECMs) for marine capture fisheries, in line with the CBD Decisions and general guidance regarding Aichi Target 11.

Target group: The fishery and biodiversity conservation constituencies, participants in all stages of the fishery and market chain, scientists, managers, and NGOs.

Approach: ICES and the IUCN-CEM Fisheries Expert Group (FEG) will jointly organize a meeting of experts to examine the elements of guidance specifically available on identification and performance evaluation of OECMs for the marine capture fishery sector. The meeting will bring together experts in the assessment and management of fisheries and their impacts on biodiversity as well as experts in the assessment of area-based conservation measures performance in the North Atlantic and Mediterranean areas. Interested RFMOs (e.g. NEAFC, NAFO, and GFCM), OSPAR and DG Mare, and the FAO and CBD Secretariats will be informed of the workshop and invited to nominate participants and potential areas to evaluate. As capacity allows experts from beyond the North Atlantic and Mediterranean regions may be included.

Proposed workshop:

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A document entitled *OECMs in marine capture fisheries: Systematic Approach to Identification, Use and Performance Assessment* has been elaborated to serve as the Background Document for the

workshop (Garcia *et al.*, 2020).[1] The full document covers the whole process, from the enabling environment, to the identification of OECMs, their integration in management plans, their monitoring and performance assessment; their reporting and eventual revisions. The Workshop will focus on Section 4 (identification) and Section 6 (performance evaluation). If a broad range of OECMs can be reviewed, this meeting could be a good starting point for a progressive global process of elaboration of international guidelines for OECMs identification and performance assessment.

Following the eight steps described in the Background Document, the Workshop will focus on the identification and assessment process of OECMs, by :

1. Consolidating information on a few potential OECMs selected by the WK Co-Chairs in consultation with the ICES Secretariat and the IUCN/CEM/FEG Executive Committee. The selection of potential OECMS to review will strive to include a range of fisheries, biodiversity considerations, and amount of data available. Examples from both the North Atlantic and the Mediterranean will be sought. All data sets to be considered must conform to metadata standards and transparency principles described in the ICES data policy (https://www.ices.dk/data/guidelines-and-policy/Pages/ICES-data-policy.aspx) and will be made available to workshop participants on the ICES SharePoint. Current candidates include:
    a. the Plaice Box, a partially closed area in the North Sea, established in 1989 to reduce the discarding of undersized plaice (*Pleuronectes platessa*);
    b. the Sandeel Fishery Closure, a large, closed area encompassing much of Scotland's east coast established in 2000 to protect the lesser sandeel (*Ammodytes marinus*) with consequences for black-legged kittiwake (*Rissa tridactyla*) seabird populations;
    c. the Lophelia Coral Conservation Area (LCCA) off Nova Scotia, Canada, a small 15 km^2 area closed to protect the only known cold-water coral reef in Canada using ABFM tools;
    d. NAFO closed areas to protect sponge vulnerable marine ecosystems in ABNJ of Flemish Cap following UNGA sustainable fisheries resolutions.

ICES Parties, DG Mare, NEAFC, NAFO, and GFCM will be invited to nominate additional areas, taking into account the requirements for meta-data standards and transparency. Workshop participants may also suggest areas for consideration. A final decision on areas to be considered will be made by the WK Co-Chairs.

2. Taking note of the jurisdictional status of the selected ABFMs;
3. Documenting the relevant biodiversity features and ecosystem services in the selected areas;
4. Identifying the pressures and threats to the biodiversity and ecosystem service features of interest, both present and in a plausible future, and considering sectors other than fisheries;
5. Assessing the extent and relative status of the biodiversity features and benefits, identifying indicators, reference values, enabling and impeding factors;
6. Describing the full suite of management measures actually in place and suggest additional ones in the candidate-OECM to obtain, maintain or improve biodiversity benefits;
7. Using the information from steps 1-6, test the draft elements of guidance available by attempting to establish eligibility of each area for being considered an OECM, and assessing the likelihood that the area and measures will produce long-term benefits for biodiversity and ecosystem services – noting any issues in applying the steps and undertaking the trial assessment;

The trial assessment under bullet 7 is not intended to state whether the areas being considered may be good OECM candidates. The intent of the workshop is to test the step-wise process and identification of specific OECMs is a responsibility of jurisdictions.

This document is a substantial revision and expansion of Garcia *et al.* (2019) tabled at the FAO Expert meeting on other effective area-based conservation measures in the marine capture fishery sector (FAO, 2019) focussing on the actions needed to implement the CBD Decision across the entire implementation process.

8. Assess the additional properties of OECMs described in Aichi Target 11 and Annex III of CBD Decision 14/8 (e.g., in terms of governance and inclusive processes; OECM's representativeness and connectivity; and other locally relevant values, etc.) and determine whether there is sufficient knowledge on their properties or characteristics in each case study such that they should be considered for OECM reporting.

The outcome of this workshop will be an ICES Scientific Report which will address: (i) the eligibility of each selected area as an OECM; (ii) the properties of the biodiversity, fishery, and/or management procedures that were influential in the evaluation of eligibility (iii) the factors that were influential in each step of the identification, including data and scientific capacity available (iv) the effectiveness of the elements of guidance in the Background document in structuring the evaluation, (v) the usefulness of the stepwise approach proposed in the document in evaluating the area relative to the OECM Criteria and Additional Considerations.

Given uncertainties surrounding the COVID-19 pandemic, the workshop will be held by WebEx in March 2021. To allow in depth discussion of the material, workshop participation will be restricted to 30 experts. Following evolving ICES practices during the period of COVID restrictions on travel, ICES and FEG will notify their respective contacts, and NEAFC, NAFO, GFCM, FAO, CBD, OSPAR and DG Mare will also be notified of the workshop. Experts contacted by all these organizations for their potential participation in the WG will be able to fill out a nomination form accessible on the WKTOPS webpage. After the closing date for nominations the co-chairs in consultation with the ICES Secretariat and FEG Executive Committee will choose a balanced participants list, considering areas of expertise, geographic coverage, gender and institutional affiliation.

As soon as the workshop has been approved by ICES and FEG, an Announcement will be posted, and invitations sent to ICES Parties and other institutions noted above, along with explicit invitations to propose additional ABFMs or other candidate OECMs for the workshop to review, and for experts they select to fill out the nomination from for the workshop.

The Workshop Co-chairs and ICES Secretariat will select the specific areas for evaluation at the workshop by 7 December and all Parties and institutions will be notified of the choices. If a Party or institution is highly motivated to have additional areas considered by the workshop, they can notify ICES of their intent, and make the necessary information available to ICES. However, such contributions would only be assessed by the workshop if time allows.

The Workshop Co-chairs and ICES Secretariat will select the participants for the workshop by 8 January and all Parties and institutions will be notified of the choices.

A successful outcome will promote the operationalization of OECMs, a novel area-based management tool with potentially significant biodiversity benefits, taking examples from circum- North Atlantic countries to a global setting.

D. REFERENCES

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