'OTHER EFFECTIVE AREA-BASED CONSERVATION MEASURES IN MARINE CAPTURE FISHERIES'

FRIDAY 7 JUNE 2024, 09:00 – 15:30 CEST

EVENT REPORT

Summary

Presenting the key take-aways of the INTEMARES Project, this event kindly hosted by CEPESCA served to inform the Spanish policy-makers, scientific community and more stakeholders about Other Effective aera-based Conservation Measures (OECMs). While the theme of the event was included in the Capacity Building Strategy of the LIFE IP PAF INTEMARES project "Integrated, innovative and participatory management of the Natura 2000 Network in the marine environment", is was specifically relating to Programme 6 "Exchange of Experiences in Marine Management" and Programme 7 "Specific training programme in the effective management of marine Natura 2000 Network".

At the same time, as OECMs have been used traditionally by fisheries management bodies for protecting biodiversity, the concept is relatively new in the conservation dialogue. As a result, this event served to bridge narratives and experiences between national authorities, international organisations, experts and relevant NGOs currently working on the issue, in order to foster a shared understanding on fisheries OECMs, while encouraging cooperation and partnerships for the implementation of Kunming-Montreal Global Biodiversity Framework (GBF) and the EU Biodiversity Strategy. During the discussions, speakers highlighted the added value of OECMs and focused on how to identify, evaluate and report fisheries OECMs in view of understanding how they can complement the MPAs network, to achieve the 30 by 30 target.

Full report

Opening the event, **Dr. Julio Morón Ayala**, Chair of the Spanish Fisheries Confederation (CEPESCA), alongside representatives from the Spanish Ministry for the Ecological Transition and the Demographic Challenge, and the Spanish Ministry for Fisheries, welcomed participants to the event, which served to celebrate the key findings of the INTEMARES Project, as well as to raise awareness about Other Effective aera-based Conservation Measures (OECMs).

Mr. Ilias Grampas, Deputy Director at the European Bureau for Conservation and Development (EBCD), also welcomed all speakers and attendees as the event's moderator, and underlined how OECMs is a topic which is central to EBCD's work throughout the last

years. Specifically by coordinating IUCN's Fisheries Expert Group (FEG), EBCD has organized many conferences linking FAO with CBD, moreover has produced key scientific papers, providing guidance on the complete implementation cycle of OECMs. Last but not least, Mr. Grampas highlighted that although audience members may come from various backgrounds and professional environments, there's clearly a common interest to protect biodiversity, manage marine space in an effective manner, and ensure socioeconomic activities for a sustainable future.

On behalf of the Food and Agriculture Organization of the United Nations (FAO), **Dr. Amber Himes-Cornell** then took the floor via an insightful video-message presentation on 'What are Fisheries-OECMs and how to identify, evaluate and report them'. Dr. Himes-Cornell started her intervention by introducing 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 and socio-economic and other locally relevant values". In addition, Dr. Himes-Cornell referred to the increasing international momentum for recognizing OECMs, presenting them in the context of the Kunming-Montreal Global Biodiversity Framework (GBF) Target 3 and the United Nations Sustainable Development Goals (SDGs). Moving on, Dr. Himes-Cornell shed light on OECMs in a fisheries context, quoting their definition as "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 fisheries' outcomes". Aiming at promoting practical guidance on issues related to fisheries' OECMs, FAO has created a "handbook for identifying, evaluating and reporting other effective area-based conservation measures in marine fisheries", which describes the key characteristics of fisheries' OECMs and outlines a basic process for identifying, evaluating and reporting OECMs specifically in the marine fisheries context (more information here). While many fisheries' OECMs already exist, i.e. in Canada, Colombia, Guernsey, Morocco, Philippines and Oman, many Area-Based Fisheries' Measures (ABFMs) may already meet OECMs' principles and criteria, or might meet them if upgraded, for instance via additional technical measures and/or restrictions, by improved spatial integration (combine different ABFMs of different fisheries for greater impact), or by increased monitoring and enforcement/compliance of conservation measures. Looking into the opportunities and benefits of recognizing fisheries' OECMs, Dr. Himes-Cornell referred to the fact that ABMTs can protect habitats and contribute to biodiversity conservation, which also contributes to the achievement of global and national goals and commitments. Recognizing effective management using the OECM label can help i) encourage the continuity of effective management approaches, ii) support improved coordination with various actors, iii) emphasize the relevance of biodiversity conservation in sustainable use sectors, iv) build complementarity and connectivity with management measures primarily targeted towards conservation objectives, and last but not least v) increase accounting accuracy under GBF Target 3. In addition, by ensuring their inclusive and respectful recognition, OECMs can provide positive outcomes for local communities, and inter alia foster participation, co-management and cooperation between sectors. All in all, a national process for OECMs is essential as it ensures coherence and coordination among sectors; at the same time Regional Seas Organizations and

Regional Fisheries Bodies have a key role to play too, in terms of catalyzing identification of OECMs by countries and enabling sharing experiences and feedback.

On behalf of IUCN/FEG, **Dr. Serge Garcia** took the floor, introducing OECMs as a category of Area-Based (or spatial) Management Tools (ABMTs) referred to within the strategic plans of the Convention on Biological Diversity (CBD) of 2010 and 2022, which have been defined in its decision 14/8 of 2018. The decision provides for OECMs to be implemented in economic sectors, including fisheries, to identify, and possibly enhance, the contribution of these sectors to biodiversity conservation. After providing the audience with a detailed background of OECMs' origin, Dr. Garcia mentioned that the conditions necessary for a fishing closure to be considered an OECM refer to i) its legal nature; it should not be a protected area, ii) its location; it should be located on a map and its surface should be known, iii) its attributes; it should contain biodiversity values, ecosystem services, and other locally relevant values, iv) its governance; it should be legitimate, diversified, fair, participatory, and sustainable, and v) its management; it needs to have clear conservation objectives, to be effective, sustainable, participatory, adaptable, and ecosystem-based. Such management provides multiple advantages, as it controls and anticipates threats, considers alternative strategies, integrates the OECMs into conservation networks, and ensures surveillance, monitoring, and evaluation of effectiveness. Unlike protected areas, Dr. Garcia highlighted that the emphasis is on results and not on objectives, while conservation is not necessarily the first objective. OECMs, like any spatial fisheries management measure, can be located in the various oceanographic domains and jurisdictions, in which fisheries operate. In deep waters, closures can be "vertical", covering the bottom and the entire water column, or "horizontal", covering only the bottom or the surface and part of the water column, as required to generate the expected biodiversity benefits. Dr. Garcia clarified that different management zones can be stratified in a vertical OECM by regulating the tools that are allowed to operate in that; for example, trawling can be totally prohibited on the bottom, while pelagic trawls and bag nets could be used in subsurface waters. Moving on, Dr. Garcia reflected on the reasons behind considering OECMs in fisheries, providing the audience with a set of opportunities; i) to assess, increase and showcase the biodiversity conservation co-benefits of traditional fishing closures, ii) to further reduce or mitigate the collateral impact of fishing by improving the status of targeted or by-catch species and habitats, iii) to incentivize greater consideration of biodiversity outcomes when designing traditional fishing closures, iv) to improve ecological connectivity in regional conservation networks, v) to strengthen the ecosystem approach to fisheries by facilitating their ecological certification, vi) to improve the likelihood that states will meet the 30 by 30 target, and vii) to improve the public image of fisheries with the public and consumers. Dr. Garcia concluded that costs and benefits will have to be considered on a case-by-case basis. Looking into issues which might arise for each potential OECM, these could relate to i) determining the biodiversity attributes of concern on which to focus conservation efforts, ii) assessing the positive biodiversity outcomes currently generated in the potential OECM, and possible additional measures, iii) the number of outcomes considered sufficient to justify the "OECM" label, iv) the best biodiversity conservation standards that could be implemented with the available means, v) the additional benefits and costs of identifying a closure as an OECM, vi) the need to update the conservation and fisheries policy and legal frameworks to allow for a smooth development of the process, vii) ways to ensure fair governance, viii) the need to monitor the

effectiveness of management, ix) the adequacy of the available implementation means to the objectives, and x) the potential existence of cross-sectoral impacts in the OECM, and the need for collaboration. While these potential issues might render the process daunting, in fact there's many similarities with what is already done in well-managed fisheries, with perhaps a few additional conservation-oriented tasks that could be shared with conservation authorities; it should also be underlined that implementation can be flexible and tailored to local conditions. In conclusion, according to Dr. Garcia the integration of OECMs in fisheries is a good opportunity for a successful collaboration between fisheries and biodiversity conservation, at both national and regional levels. In many areas, OECMs can be implemented by adding little to existing governance frameworks, processes and measures for fisheries and conservation. Considering how slowly Aichi Target 11 has been addressed, boosting the identification of OECMs in fisheries is probably the only way that many states will be able to meet their commitment to the 30 by 30 target at a bearable political, financial and social cost. While the process has started slowly in a few advanced states, it needs to be rapidly generalized, via empowering coastal communities and strengthening management partnerships particularly in developing countries.

Mr. Jorge Alonso Rodríguez, Head of Marine Protected Areas at the Spanish Ministry for the Ecological Transition and the Demographic Challenge, moved on with a presentation on the 'Implementation of the EU Biodiversity Strategy and the 30% protection target'. To begin with, Mr. Alonso Rodríguez delivered some key information on the relevant international, EU, regional and national frameworks in place, when it comes to the protection of biodiversity. Diving deeper into the EU Biodiversity Strategy, the paramount importance to ensure the delivery of transformative change was quoted, to protect and restore nature via an ambitious biodiversity plan. Looking into protected areas, Mr. Alonso Rodríguez also mentioned some key commitments as follows; i) to provide legal protection for at least 30% of the EU's land and 30% of its marine area, and incorporate ecological corridors, within a genuine trans-European network of natural areas, ii) to provide strict protection for at least one third of EU protected areas, including all remaining primary and mature forests on its territory, and iii) to manage all protected areas effectively, defining clear conservation measures and objectives, and monitoring them appropriately. Towards this direction, the best scientific knowledge available, and effective collaboration of all stakeholders, should guide the way. Looking ahead, Mr. Alonso Rodríguez moreover referred to the protection of areas studied in the INTEMARES project, and called for the need for management plans which should include a diagnosis and solutions to achieve conservation objectives. Last but not least on OECMs, their potential contribution to the established objective was underlined, provided that i) the area is legally or administratively recognized and contributes to the conservation of biodiversity, ii) there are biodiversity conservation objectives and measures, and iii) there is effective management and monitoring that ensures that biodiversity conservation is promoted.

Representing the Spanish Ministry for Fisheries, **Ms. María Pilar Vara del Río**, Deputy Director General of Scientific Research and Marine Reserves addressed the audience on current fisheries' conservation measures implemented in Spain. While presenting the marine reserves of fishing interest, Ms. Vara del Río underlined that the main objectives of these is the regeneration of fishing resources, the maintenance of traditional artisanal fishing in these areas, the preservation of natural wealth, species' conservation and ecosystems' recovery. At

the same time, the precautionary principle is ensured, alongside an ecosystem-based approach, co-responsibility between different actors and a code of best practices. In addition to the above, Ms. Vara del Río laid out the advantages offered by marine reserves which serve to protect fisheries, biodiversity, livelihoods, SSF, healthy oceans and show us the way of successful 21st century governance systems under SDG 14. Wrapping up her intervention, Ms. Ms. Vara del Río mentioned that the Ministry understands fisheries as a comprehensive tool for achieving the 2030 Agenda for Sustainable Development, since they are closely related to the fulfilment of many SDGs – as science remains the main ally in fisheries' management, the Ministry is making decisions based on the best scientific knowledge available, and considering all environmental, economic, and social variables in a balanced way. Seamlessly, **Mr. Guillermo Bravo Téllez**, Head of Area at the General Sub-directorate of National Fishing Grounds and Waters of the European Union at the Ministry, took the floor on technical measures for the conservation and protection of fishery resources in Spain. Mr. Bravo Téllez introduced the concept of OECMs and underlined their relationship with conservation measures, prior to moving on to showcase the relevant regulations for the conservation of European and national fishery resources applied in Spain. While the objective of his presentation was to give a general idea of the regulations and existing measures regarding fishing, to show the level of protection of biological resources and marine ecosystems in Spain, Mr. Bravo Téllez underlined that the General Secretariat for Fisheries is fully committed to the objective of achieving the biological sustainability of marine resources, in order to guarantee environmentally sustainable exploitation of these resources, and the long-term viability of the fishing sector. Furthermore, the complexity, extension and diversity of the technical measures, established on the basis of technical criteria, scientific advice based on the best scientific information available and the participation of the fishing sector itself, together with an ecosystem approach and the application of the precautionary principle, serve to guarantee the achievement of sustainability in fishing activity and rendering this compatible with the conservation of the environment, and with the social and economic aspects of the sector itself. Within his remarks, Mr. Bravo Téllez quoted that the surface of the seabed protected in Spanish jurisdictional waters, based on fishing regulations national and community, is in fact considerable. The different measures presented during his slides also highlighted the importance of the protection of fishing resources, as well as the ecosystems and habitats associated with them. Last but not least, Mr. Bravo Téllez echoed the active collaboration of the fishing sector with conservation measures, and mentioned that it is the main interested party along with the Administration itself, in the conservation of the marine environment, since it is the source of its economic and cultural sustenance, without forgetting to underline its contribution to food security.

Furthermore, **Dr. David Díaz**, Deputy Scientific Director at the Spanish Institute of Oceanography (IEO) joined the discussion addressing how IEO can contribute to the establishment of OECMs. Starting his intervention, Dr. Díaz referred to the increase of human activities in marine ecosystems, and the respective increase in human pressures in these, highlighting pollution, overfishing, habitat loss, eutrophication and hypoxia, climate change, UV increase and ocean acidification as the main challenges. While reflecting on the anthropocene as a changing era, according to Dr. Díaz the best solution to stop the changes is to carry out long-term monitoring, in order to improve the knowledge of species' distribution, seabed, dynamic of species, changes of life cycles, reproductive aggregations, impact of pollution and ocean variables; additional solutions can be the protection of species and habitats, and the regulation of pressures in a specific area. Presenting the lack of clarity between similar concepts such as a marine reserve and a natural reserve, a national park, a regulated era and a marine protected area, a special protected zone and a no-take zone, as well as a site of community importance, Dr. Díaz showcased the multiplicity of conservation

figures existing in Spain (each with their own definitions and regulations), and so he proceeded to underline the need to improve definitions, standardise concepts and complement them towards effective management. Moving on, he presented the necessary steps to select an area for to be designed as OECM, and steps towards ensuring a functional OECM. Via its long expertise, IEO is very-well positioned to contribute to the establishment of OECMs, via its knowledge on species and habitats, the evaluation of pressures and conservation indicators, monitoring and regulations of the activities, as well as with advice to adapt the activity rules and spatial regulation of OECMs. Summing up his speech, Dr. Díaz thanked organizers and attendees, underlining that OECMs are key and have a significant role to contribute towards reaching the 30 by 30 target in the future.

Dr. Darius Campbell, Secretary of The North East Atlantic Fisheries Commission (NEAFC) then moved on to deliver a very insightful presentation on identifying OECMs, challenges and opportunities ahead. Dr. Campbell started by presenting NEAFC's mission which is "to ensure the long-term conservation and optimum utilisation of the fishery resources in its Convention Area, providing sustainable economic, environmental and social benefits", stressing the key economic and social importance for member countries and their coastal communities. With fisheries being one of those human activities that is intimately reliant on the environment and ecosystem it impacts, Dr. Campbell underlined that a major part of sustainability is making sure that our measures take into account the need to conserve marine biodiversity and we adopt measures to minimise harmful impacts. As a result, NEAFC is working on balancing environment, societal needs and economics, and it does so while closely following the global frameworks that all of its parties operate under, i.e. SDGs, CBD, BBNJ and more – when it comes to CBD, this is not just to underline the importance of the GBF, but also the earlier decisions on OECMs. In light of the 2018 decision at CBD, and the recent GBF, NEAFC started a process to identify OECMs from its own area-based management measures, moreover look at its binding recommendation on the protection of Vulnerable Marine Ecosystems (VMEs). In the end, the relevant Working Group decided for the time being that the only measures that clearly might meet the CBD criteria were those related to the closures, and the restricted areas to bottom fishing, to protect VMEs. In terms of management, NEAFC has a comprehensive scheme of control and enforcement, via a vessel monitoring system, electronic log books and reporting, automated catch reporting, joint surveillance, inspections at sea and ports and control of non-contracting parties. Moreover, reflecting on challenges and opportunities, Dr. Campbell underlined the need of effective management of fisheries, quoting that each fishery needs to be looked at on its own merits; for instance NEAFC's small - pelagic fisheries, which is 95% of the catch, are generally considered a low-impact fishery given they are mid or top level trawls, or purse seine fisheries with an estimated low bycatch. When it comes to OECMs, Dr. Campbell informed the audience that NEAFC's parties wanted to focus on measures that can be proven to have an impact, so instead of wanting to designate all the restricted areas, they wanted to focus the potential OECMs on those measures that actually have a benefit. Therefore, having gone through all the processes described, during NEAFC's Annual Commission Meeting in November 2023 it was agreed to report an OECM based on the areas closed for the protection of VMEs. NEAFC also committed to a process for agreeing its restricted bottom fishing areas, after having received advice from ICES. While wrapping-up his intervention, Dr. Campbell mentioned that NEAFC has identified already established long standing conservation measures as OECMs. In one way, this process is valuable because it highlights what fisheries are already doing in area-based conservation. In addition, it is already making NEAFC look more broadly at the effect of its measures – looking beyond VMEs to other biodiversity in its area-based protection; it is also creating more impetus for coordination and cooperation between NEAFC and others such as OSPAR, IMO and ISA. These are significant

advances in real world impacts and according to Dr. Campbell, they serve to point towards potential next steps for all stakeholders.

Dr. Serge Garcia took the floor for a second time to present some examples of potential fishery-OECMs. Dr. Garcia mentioned that since 2018 and following the adoption of the CBD definition, several OECMs have been identified across the world, presumably using the CBD Principles and Criteria; these areas have been examined by regional or national working groups, mostly to better understand the OECM implications and test the identification criteria. Dr. Garcia then went through a number of examples, i.e. the North Atlantic, Morocco, Philippines, South Africa, USA, Latin America and more, in order to illustrate the diversity of fishery closures considered, and of the situations encountered. Pointing out that none of the OECMs examples are from island states, Dr. Garcia mentioned that they serve to cover a range of ecological domains (inland, coastal and marine), they are close to, or surround MPAs (as buffer areas or neighboring sustainable use areas), they can be parts of existing conservation areas, with important human settlements and socio-economic stakes, while fisheries may be implicit but not specifically mentioned, as the primary objective is conservation. All in all, the OECMs' identification process is slowly taking off, according to Dr. Garcia however examples in the marine area are still relatively few; at the same time, it is worth noting that the initiatives reported were led by authorities for fisheries and ocean biodiversity (in Canada) and by agencies in charge of environment and development (in terrestrial / coastal OECMs in the Philippines, Morocco and Colombia).

Wrapping up the discussions, **Mr. Ilias Grampas** commented on the plethora of knowledge obtained during the event, as well as on the broad consensus of the important role that OECMs can play in achieving biodiversity protection, while at the same time ensuring key socio-economic activities in a sustainable manner. With regards to OECMs, he summarized these as geographic sites which are not within a protected area, that deliver long-term biodiversity conservation under equitable governance and management. Although OECMs can be governed by a variety of stakeholders and actors, states can play a key role towards their establishment. Stepping on the various examples portrayed, Mr. Grampas underlined the importance of such best practices and welcomed the key contribution of fisheries OECMs towards achieving the Kunming-Montreal Global Biodiversity Framework (GBF) and the EU Biodiversity Strategy goals. OECMs can also support sustainable livelihoods, provide a framework to help transform sectoral practices, as well as foster engagement and cooperation between a diverse range of rights-holders and stakeholders, who contribute to area-based conservation outside of protected areas. For all these reasons, Mr. Grampas concluded that OECMs pose an opportunity not to be missed.

Closing the event, **Dr. Julio Morón Ayala**, Chair of the Spanish Fisheries Confederation (CEPESCA), once again thanked all speakers and participants to the event, while thanking all INTEMARES project partners and highlighting the speakers' consensus around the importance and key added value of OECMs towards reaching the 30 by 30 biodiversity targets.