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DEPARTMENT OF FORESTRY, FISHERIES AND THE ENVIRONMENT

NO. 7123 **13 February 2026**

NATIONAL ENVIRONMENTAL MANAGEMENT: BIODIVERSITY ACT, 2004 (ACT NO. 10 OF 2004)

DRAFT NATIONAL NORMS AND STANDARDS FOR THE RECOGNITION OF OTHER EFFECTIVE AREA-BASED CONSERVATION MEASURES

I, Willem Abraham Stephanus Aucamp, Minister of Forestry, Fisheries and the Environment, hereby in terms of section 9 read with sections 99 and 100 of the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004) publish the draft National Norms and Standards for the recognition of Other Effective area-based Conservation Measures (the draft Norms and Standards for OECMs), for public comment, as set out in the Schedule hereto.

The purpose of the draft Norms and Standards for OECMs is to set clear minimum requirements for the recognition of OECMs in South Africa and to establish procedures for the assessment of areas that could qualify as OECMs. These draft Norms and Standards for OECMs are based on the key components of the definition of OECM, including the guiding principles and criteria for the identification of OECMs. They also set out some key principles that must be considered when identifying which conservation measures qualify as OECMs in South Africa.

Members of the public are invited to submit, within thirty (30) days from the date of publication of this notice in the Government *Gazette* or a national newspaper, whichever date comes last, written comments to any of the following addresses:

By post to: The Director General: Forestry, Fisheries and the Environment
Attention: Ms Pamela Kershaw
Directorate: Biodiversity Management
Private Bag X447
PRETORIA
0001
By hand at: Ground Floor (Reception), Environment House, 473 Steve Biko Road, Arcadia, 0083.
By email: OECMnormsandstandards@dffe.gov.za

Any enquiries in connection with the notice can be directed to Ms Pamela Kershaw on (012) 399 9585, or via email: pkershaw@dffe.gov.za. Copies of the Government Notice can be obtained directly from the following website: www.environment.gov.za/legislation/gazetted_notices. For communications and media enquires kindly call: Tel: (012) 399 8842.

The Department of Forestry, Fisheries and the Environment complies with the Protection of Personal Information Act, 2013 (Act No. 4 of 2013). Comments received and responses thereto are collated into a comments and response report which will be made available to the public as part of the consultation process. If a commenting party has any objection to his or her name, or the name of the represented company/ organisation, being made publicly available in the comments and responses report, such

objection should be highlighted in bold as part of the comments submitted in response to this Government Notice.

Comments received after the closing date may not be considered

WILLEM ABRAHAM STEPHANUS AUCAMP
MINISTER OF FORESTRY, FISHERIES AND THE ENVIRONMENT

SCHEDULE

DRAFT NATIONAL NORMS AND STANDARDS FOR THE RECOGNITION OF OTHER EFFECTIVE AREA-BASED CONSERVATION MEASURES

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Chapter 1: Interpretation, Purpose and Application

1. Glossary Terms

Any word or expression to which a meaning has been assigned in the National Environmental Management Biodiversity Act, 2004 (Act No. 10 of 2004), has the same meaning so assigned and, unless the context otherwise indicates.

"biodiversity value" includes:

(a) contribution to conservation of rare, threatened or endangered species or ecosystems;
(b) contribution to species population growth or the extent of endemic or range-restricted species or ecosystems;
(c) contribution to conservation of natural ecosystems underrepresented in the protected area network;
(d) contribution to important species spawning, breeding or feeding areas;
(e) contribution to ecological connectivity/part of a network of sites; or
(f) a high level of ecological integrity/intactness.

"**Conservation Authority**" means the national or provincial entity or authority mandated by legislation to carry out biodiversity conservation.

"Governing authority" means the management or governance entity of a Trust, company, or any recognised institution, body or natural persons acknowledged as having legal or customary authority and responsibility for decision-making and management of an area or site.

"Management plan" means a plan that includes, amongst other activities to manage or restore ecosystems, species, habitats, sustainable conservation use to measure the extent to which in-situ conservation is achieved.

"**Other Effective Area-based Conservation Measures, or OECMs"**, means other effective area-based conservation measures which are geographically defined areas other than a protected area, which are 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.

"rights holders" means a person:

(a) with a right to land;
(b) authorised in terms of applicable laws to use natural resources on land; or
(c) authorised in terms of applicable laws to use natural resources in the sea.

"Long-term outcomes" means a timeframe that is equal or longer than five years.

"the Department" means the Department responsible for environmental management.

2. Background and Purpose

South Africa's conservation estate comprises a diverse and expanding network of protected areas and areas where biodiversity is conserved outside of protected areas. These areas not only safeguard South Africa's rich biodiversity and ecosystem services but also play a critical role in supporting rural livelihoods and sustainable development. Recognising the urgent need to conserve biodiversity across various land tenures and ecosystems, South Africa has adopted a multi-pronged approach to expanding its conservation estate. Over the last 20 years, South Africa has implemented an exceptionally successful biodiversity stewardship programme in terms of which private land in priority biodiversity areas has been

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declared as protected areas and put under alternative conservation measures for the long-term conservation of biodiversity. The practice has recently started to extend to state-owned communal land.

It has furthermore recently come to light that biodiversity is conserved in certain areas that are not necessarily used for conservation purposes. Those areas include land used for military training, botanical gardens and areas that are regarded as sacred under customary law.

Some of the areas where biodiversity is conserved outside of the protected area network in South Africa may well qualify as "other effective area-based conservation measures" or "OECM," a concept adopted by the Conference of the Parties to the Convention on Biological Diversity (CBD) at the 15th Conference of the Parties to the Convention on Biological Diversity (CBD COP 15).

The OECM concept, including the CBD's definition, has been adopted in South Africa's White Paper on the Conservation and Sustainable Use of Biodiversity, 2023.

Under the Global Biodiversity Framework (GBF), the Parties to the CBD committed to having 30% of all land and seascapes under protected areas or OECMs by 2030. South Africa, as a Party to the CBD as well as the GBF, is expected to make an effort to help achieve that target.

Furthermore, Decision 14/8 Annex, III adopted at CBD COP15, sets out guiding principles and common characteristics and criteria for identification of other effective area-based conservation measures which are applicable across all ecosystems currently or potentially important for biodiversity and should be applied in a flexible way and on a case-by-case basis.

In order for South Africa to report to the CBD on the OECMs in the country, it must identify the stewardship sites, and other areas where biodiversity is being conserved, outside of protected areas that would qualify as OECMs. It is within this context that the guiding principles and criteria for the identification of OECMs (Decision 14/8 Annex III) have been applied in a flexible manner to align to national circumstances and on a case-by-case basis, through these norms and standards.

The purpose of these norms and standards are to set clear minimum requirements for the recognition of OECMs in South Africa and to establish procedures for the assessment of areas that could qualify as OECMs. The norms and standards have been adopted in terms of section 9 of the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004) (NEM: BA), which provides that the Minister responsible for the environment may issue norms and standards for the achievement of any of the objectives of NEMBA, including for the management and conservation of South Africa's biological diversity and its components, and set indicators to measure compliance with those norms and standards.

These norms and standards are based on the key components of the definition of OECM, including the guiding principles and criteria for the identification of OECMs set out in Decision 14/8. They also set out some key principles that must be considered when identifying which conservation measures qualify as OECMs in South Africa. They are also composed of norms, standards and indicators.

3. Guiding Principles for the recognition of OECMs in South Africa

- **Protected Area declaration:** The declaration of protected areas should be considered in the first instance, particularly for areas of very high biodiversity value.
- **Conservation outcomes**: The conservation of biodiversity should be promoted in OECMs, even if conservation is not the primary management objective for an OECM.
- **Free, Prior, and Informed Consent:** Conservation measures established without the free, prior or informed consent of the Governing Authority or right holder should not be recognised as OECMs.

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- **Voluntary Recognition:** Recognition of an area or site as an OECM is a voluntary process initiated or supported by the management authority of the area, right holder or person responsible for the site or area.
- **Diverse governance types:** A conservation measure should not be disqualified as an OECM on account of the governance type for the conservation measure. All legitimate governance types must be recognised, including customary or traditional governance types.

Chapter 2: **Norms, Standards and Indicators**

4. Site or an Area Recognition process

Purpose:

To ensure that the process followed by the Conservation Authority for the recognition of sites or areas as an OECM is fair, clearly defined and consistent.

Norm:

The process for the recognition of the OECM is fair, participatory and acknowledges the rights of indigenous peoples and local communities, including over communal land.

Standards:

Transparent and participatory recognition process, that acknowledges and upholds the rights of indigenous people, local communities, and communal land.

Results of the biodiversity assessment has been presented to the relevant review panel.

Indicators:

The site assessment report with attachments and portfolio of evidence.

Recognised OECMs are included in the national OECM database.

Signed consent form from Governance Authority or landowner for the recognition of the conservation measure.

Record of consultation with relevant stakeholders.

Conservation Authority Recommendation.

5. Biodiversity contribution

Purpose:

To ensure that the area or site contributes to the South African biodiversity conservation objectives and the conservation estate.

Norm:

The area or site has biodiversity value.

Standards:

The baseline biodiversity information has been established.

Observable signs, characteristics or measures that demonstrate presence of biodiversity value.

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The importance of the site or area for conservation of biodiversity is determined from best available science, grey literature, or written/oral indigenous and traditional knowledge, where available.

Indicator:

Presence of critically endangered, endangered, threatened or protected ecosystem types or species.

Natural ecosystems in bioregions that are under-represented in South Africa's protected area network.

Important species spawning, breeding or feeding area.

Important for ecological connectivity or forms part of a network of sites where biodiversity is still intact or

Biodiversity that is still in a good ecological condition.

6. Geographically defined

Purpose:

The purpose of this norm is to ensure that OECMs have boundaries that are spatially delineated and do not overlap with a protected area.

Norm:

OECM boundaries are clear and do not overlap with protected areas.

Standard:

The area or site is geographically defined.

The area or site or part thereof is not a protected area

Surveyor-General diagram or GIS map.

Indicators:

Surveyor-General Diagrams or GIS maps for land-based conservation measures.

GPS co-ordinates for sea-based OECMs.

The site has not been declared, and is not recognised, as a protected area under the South African protected area legislation.

7. Governance Types

Purpose:

The purpose of this norm is to ensure that OECMs are governed and managed by recognised structures or person(s) in a fair and inclusive manner to ensure sustained long-term outcomes of biodiversity conservation.

Norm:

Governance authority governs and manages the area or site in a manner that contributes to sustained long-term outcomes.

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Standards:

The governance authority must, where applicable recognize and acknowledge the rights of indigenous peoples and local communities, including over their communal land.

The governance and management systems respect traditional knowledge and customary practices of indigenous people and local communities, where applicable.

Indicators:

Publicly available information about the OECM, its governance structure and management.

Evidence that decision-making processes, management plans and outcomes are transparent and accessible to all stakeholders.

Evidence of mechanisms for meaningful participation of all relevant rights holders and stakeholders in governance and management decisions.

Evidence for regular review and feedback processes in place to assess governance effectiveness

Evidence that sufficient human, financial and technical resources are allocated for effective management.

There is a mechanism in place that would ensure a reasonable likelihood that the important biodiversity values for which the site is identified will be conserved *in situ* in the long term**.**

Signed co-management agreements between the Governance authority and the right holders or local communities, where applicable.

Governing and management system for the attainment of the biodiversity outcomes developed and implemented through a participatory process.

Management agreement with the Conservation Authority, where applicable.

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8. Long-Term In-situ conservation of biodiversity

Purpose:
To ensure that governance and management of OECMs are sustained, maintaining biodiversity value over the long term.

Norm:
Governance and management are sustained to achieve long-term in situ conservation of biodiversity.

Standard:

A long-term mechanism is in place to support objectives of the area or site contributing to the conservation of the site's important biodiversity values.

The long-term mechanism must have been in effect for at least 5 years and is expected to persist into the future.

Indicators:

Governance and management arrangements are in place, respecting traditional governance systems and protocols

9. Effectiveness of biodiversity interventions

Purpose:

The purpose of this norm is to ensure that management of the site or area achieves or is expected to achieve effective in situ conservation of biodiversity.

Norm:

The governance and management of the OECM effectively conserves biodiversity values regardless of whether biodiversity conservation is the primary objective.

Standards:

Pressures on biodiversity are known and where applicable are mapped, and their impacts are understood.

Pressures on biodiversity value are addressed and mitigated.

Resource use is ecologically sustainable.

Indicators:

A management plan or system includes pressures on biodiversity and outlines any conservation objectives, actions and responsibilities.

Where applicable, the management system provides for the sustainable use of resources.

Best practices are adopted based on the fundamental principles of environmental management, such as the precautionary principle and other principles outlined in section 2 of the National Environmental Management Act.

10. Cultural and spiritual values and socio-economic benefits

Purpose:

The purpose of this norm is to ensure that where applicable, management systems of OECMs address and support ecosystem services and functions, cultural, spiritual, traditional, socio-economic or other locally relevant values, and cultural practices that provide benefits to biodiversity.

Norm:

Where applicable, an OECM supports or upholds ecosystem functions and services, cultural, spiritual, traditional, socio-economic or other locally relevant values.

Standards:

Governance and management systems acknowledge and uphold the practices, institutions, and knowledge including but not limited to indigenous and traditional knowledge that are fundamental for the in-situ conservation of biodiversity.

Intervention to enhance an ecosystem service is not at the expense of other ecosystem services.

Indicator:

Where they exist, a description of any cultural, spiritual, traditional, socio-economic or other locally relevant values are included in the management system.

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Where they exist, and at the discretion of landholders with the Free, Prior, and Informed Consent (FPIC) of those landholders, all cultural, spiritual, traditional, socio-economic and other locally relevant values are included in monitoring reports as required by the Conservation Authority.

Chapter 3: Removal of the area or site as an OECM

11. Removal process:

The recognition of a site or area as an OECM must be removed through written agreement between the responsible Conservation Authority and Governance Authority responsible for the management of the OECM:

- at the request of a landowner or Governance Authority
- if the site is declared as a protected area;
- upon the expiry of the validity period of an agreement or other arrangement in terms of which an OECM is governed or managed; or
- at the request of a Conservation Authority when the site or area no longer meets these norms and standards.

Chapter 4: Reporting by Conservation Authorities

12. Reporting process:

Purpose

To ensure consistent, transparent, and accurate reporting on OECMs, enabling effective national and international tracking of South Africa's conservation estate and compliance with CBD/GBF commitments.

Norm

Conservation Authorities submit accurate and timely reports on OECMs to the Department, in accordance with prescribed formats and timeframes.

Standards

The Assessment report developed by the Department must, as a minimum, contain:

a) the number of requests for recognition of OECMs received and assessed by the Conservation Authority; and
b) the number of OECMs recognised by the Conservation Authority.

Conservation Authorities must submit **annual** reports to the Department in the prescribed format.

For the purposes of (b), a Conservation Authority's report must contain the following information:

a. Conservation Authority recommendation (minutes of the review committee meeting)
b. Site Assessment Report:

i. Area or site name.

ii. GIS Map/coordinates/spatial boundary information.

iii. Number of hectares or kilometres squared coverage.

iv. Recognition date, and expiry date for fixed term agreements.

v. Name of the Conservation Authority, district and local municipality.

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vi. Name of Governance Authority (government; entity, community or individual).

vii. Indicate whether biodiversity conservation is a primary, or secondary management objective, or the ancillary result of other activities.

viii. Date of the most recent amendment to the site (for example, date of a management or governance authority or spatial boundary change).

ix. The site management system that is in place.

x. Confirmation of ownership, where applicable.

Reports must be submitted within 60 days after the end of the reporting period.

Reports must be made publicly available via the Department's website.

Conservation Authorities must provide additional reports upon request from the Department within a reasonable timeframe.

Recognised OECMs must be recorded in the South African National Conservation Areas Database (SACAD).

Only the Department is responsible for reporting OECMs to the World Database on OECMs, based on information provided by Conservation Authorities.

Indicators

Submission of a signed annual report by the Conservation Authority to the Department.

Publication of reports on the Department's website.

Entry of candidate and recognised OECMs into SACAD (system records).

Evidence that reports were submitted within the prescribed timeframe.

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Chapter 5: Monitoring

13. Monitoring requirements:

Monitoring mechanisms for sites recognised as OECMs to be undertaken on a case-by-case basis, in consultation with the Conservation Authority and relevant management/governance authority, landowner, custodian, etc, and should make use of existing management agreements, where applicable.

Monitoring of biodiversity values should be done at a frequency to detect meaningful change in the site's biodiversity values and will be done on a case-by-case basis, depending on the site's biodiversity values. Monitoring may be undertaken by the management/governance authority according to the agreed monitoring mechanisms, at least every five years.

Monitoring of cultural, traditional, socio-economic and other locally relevant values and practices is voluntary. Monitoring of these values is at the discretion of right-holders and should include Free, Prior, and Informed Consent (FPIC).