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## STUDY SUMMARY

# OTHER EFFECTIVE AREA-BASED CONSERVATION MEASURE – POTENTIAL FOR ENHANCING BIODIVERSITY CONSERVATION IN VIET NAM

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## | INTRODUCTION

The Convention on Biological Diversity (CBD), launched in 1993 by the United Nation with 168 signatures, currently has 196 party countries that share the same vision on biodiversity conservation for the present and future generations. It is a legal instrument for the conservation of biological diversity, the sustainable use of its components and the fair and equitable sharing of the benefits arising out of the utilization of genetic resources.

The United Nations Biodiversity Conference of the Parties to the UN CBD in 2022 has adopted the Kunming-Montreal Global Biodiversity Framework (GBF), which includes four goals and 23 targets to coordinate efforts in biodiversity conservation till 2030. This includes the target 3 of protecting at least 30% of areas of particular importance for biodiversity and ecosystem functions through protected areas and other effective area-based conservation measures (OECMs).

OECMs unlock tremendous potential for expanding the current area-based conservation system in Viet Nam. This is acknowledged in Viet Nam's *National Biodiversity Strategy to 2030 and vision to 2050* where OECM are mentioned as one of the priority tasks for strengthening biodiversity conservation and restoration.

The GBF target 3 – the so-called '30x30 goal' – on area-based conservation had received major attention in the negotiation process. It is formulated relatively comprehensively. Terrestrial, inland waters, and coastal and marine areas and quality criteria for protected areas are explicitly mentioned. In addition to protected areas, OECMs is recognized as a practical approach to reaching the ambitious 30x30 goal.

As a signatory to the CBD, Viet Nam is enhancing efforts to facilitate recognition of OECMs to reach the '30x30 goal', i.e. to report data on OECMs and ensure their contributions to biodiversity conservation.

“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 Decision 14/8)

30x30 Goal: Ensure and enable that by 2030 at least 30 per cent of terrestrial and inland water areas, and of marine and coastal areas, especially areas of particular importance for biodiversity and ecosystem functions and services, are effectively conserved and managed through ecologically representative, well-connected and equitably governed systems of protected areas and other effective area-based conservation measures, recognizing indigenous and traditional territories, where applicable, and integrated into wider landscapes, seascapes and the ocean, while ensuring that any sustainable use, where appropriate in such areas, is fully consistent with conservation outcomes, recognizing and respecting the rights of indigenous peoples and local communities, including over their traditional territories. (CBD/COP/15/L25)

## | METHODOLOGY

A desk study in Viet Nam implemented in 2022 jointly by the Nature and Biodiversity Conservation Agency (NBCA), the Division of Protected Area Management (DOPAM) and GIZ is the basis for further exchanging on recommendation and the practical way forward in Viet Nam to implement OECMs.

The study reviews the key legal framework addressing biodiversity conservation, forestry and fishery and compares this existing legal framework for area-based conservation beyond strictly protected areas (so-called Special Use Forests, SUF) against the OECM criteria. The identified 9 potential OECM categories were then checked in more detail against criteria I and II of the four OECM key criteria. Checking the potential OECM against criteria III and IV could only be initiated and would need to be continued in the coming time.

According to the CBD, an OECM is identified based on four key criteria: (I) the area is not currently recognised as a protected area; (II) the area is governed and managed; (III) the area achieves sustained and effective contribution to in situ conservation of biodiversity; and (IV) associated ecosystem functions and services and cultural, spiritual, socio-economic, and other locally relevant values are respected, upheld, and supported.

*Note:* While the study reviewed the existing legal framework, it did not map high-biodiversity value areas in Viet Nam which are currently neither part of a SUF nor could be grouped under any of the 9 potential OECM categories. Mapping these areas and proposing adequate governance and management structures would also be part of the work to come on OECM in Viet Nam.

## | SUMMARY OF FINDINGS

As a result of the study, 13 categories with potential for OECM recognition were identified in the legal texts. Those were further grouped to nine categories, including:

1. natural protection forest
2. buffer zones of protected areas
3. production natural forest
4. aquatic resource protection site
5. high-biodiversity area beyond protected areas
6. biodiversity corridor
7. important wetland areas
8. important ecological landscape
9. national tourism site.

While the legal framework in Viet Nam identifies a potential variety of distinctive protected and conserved areas, not all sites have clear boundaries and are established on the ground.

For example, natural protection forests exist in the national system, and they cover around 5.5 million hectares. They have clearly identified boundaries. However, other sites are merely mentioned in legal regulations without further guidance on their identification, such as *high-biodiversity areas* or *important ecological landscapes*. Some potential categories of OECM may overlap with each other or overlap with actual protected areas. This includes for example the category of *national tourism sites* being situated within a special use forest or being an important wetland area at the same time.

The governance and management approach of the categories for potential OECM vary and sometimes remain quite vague under the current legal framework. For instance, the legal framework for *buffer zones* of protected areas or *important wet-*

land areas defines the requirement of a management authority while in reality the management authority might not have been established or the actual management activities cannot be implemented due to limited mandate in the province. Also, some categories that could count as OECM are defined within spatial plann-

ing efforts, e.g. *biodiversity corridors* while not all having been established yet. Moreover, areas which combine different ecosystems, management responsibilities are unclear or overlap between different sectoral authorities as well as between the central, provincial or local levels.

## | MOVING TOWARDS OECM RECOGNITION IN VIET NAM

Based on this first desk study, it is clear that current regulations need to be supplemented and clarified in line with the CBD guiding framework. Recommended follow up could include:



Mainstreaming the IUCN guideline on OECM identification into national regulations and initiating the assessment and recognition of OECMs in Viet Nam



Developing models and recommending policies and mechanisms to encourage local communities and the private sector in establishing and managing OECMs



Developing and issuing official criteria and guidelines for identifying OECMs in Viet Nam



Applying payment for ecosystem services in OECMs to generate sustainable finance for biodiversity conservation in OECMs



Reviewing and revising the current legal framework governing potential OECMs towards better management for biodiversity conservation



Raising awareness and communicating about OECMs



Developing and piloting management mechanisms for selected new types of OECMs

### Disclaimer

This study has been conducted in the frame of the measure “Management of protected areas which unite different ecosystems.” The work package “Management of protected areas which unite different ecosystems” in Viet Nam is commissioned by the German Federal Ministry for Economic Cooperation and Development (BMZ) under its Study and Expert Fund and jointly implemented by the Viet Nam Department of Forestry (DOF) and Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH in coordination with Nature and Biodiversity Conservation Agency (NBCA).

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