

# Potential for community forestry as OECMs in Asia

The concept of “Other Effective Area-Based Conservation Measures” (OECMs) first appeared in global discussions in 2010 and was formally adopted in 2018 through CBD Decision 14/8. OECMs were defined in CBD Decision 14/8 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, socio-economic, and other locally relevant values.”

Table 1. OECM criteria from the new IUCN site-level identification tool (Jonas et al., 2023)

Screening assessment	1. The site is not a protected area (PA) 2. There is a reasonable likelihood that the site supports important biodiversity values
Full assessment	3. The site is a geographically defined area 4. The site is confirmed to support important biodiversity values 5. Institutions or mechanisms exist to govern and manage the site 6. Governance and management of the site achieve or are expected to achieve the in situ conservation of important biodiversity values 7. In situ conservation of important biodiversity values is expected to be for the long term 8. Governance and management arrangements address equity considerations

## What is community forestry?

Community forestry is a broad term for approaches that empower people local communities to manage, protect and benefit from a local forest, which their community may have relied upon for generations. These approaches have different names, such as social forestry, village forestry, participatory forestry, community-based forest management and people-centred forestry. The approaches vary in the extent to which they give communities, through formal and customary law, the right to use and benefit from the forest resources.

Community forestry in Asia is a modality that is increasingly recognized by governments and has been incorporated within both Nationally Determined Contributions under the UNFCCC, as well as the National Biodiversity Strategy and Action Plans, under the Convention on Biological Diversity. Community forests often involve either Indigenous Peoples and/or local communities and utilize traditional and customary knowledge in their management. In 2012, communities held statutory tenure rights to 34 percent of the region's forests. They possessed 182 million ha of forest land in 14 countries analyzed in a report by RECOFTC. Community tenure occurred through collective and individual land titles, such as the Certificates of Ancestral Domain Titles granted to Indigenous Peoples in the Philippines and Land Use Right Certificates issued to households in Viet Nam. Communities received formal rights to forest land for 31 million ha between 2002 and 2012, which translates into an average annual rate of increase of slightly over 3 million ha.

Referring to the list of 8 criteria listed in Table 1, community forests can be considered in most cases to meet the first of the screening assessment criteria in that they are not protected areas with conservation as their primary objective. However, whether the area supports important biodiversity values is dependent on the individual sites under consideration. For community forests, the establishment and documentation of biodiversity inventories will be a determining factor in whether individual CFs or groupings of them would qualify. The subsequent 6 criteria should largely be met in the cases of most CFs in the region with clear delineation and management systems in place.

## Policy support for community forests as OECMs

### Cambodia

- Cambodia's NBSAP (2016), Target 8 is “existing protected areas and conservation areas, including community-based natural resource management areas, have management plans and have started effective implementation.” No potential OECMs have been officially identified, but the “conservation areas” and “community-based natural resource management areas” mentioned in Cambodia's latest NBSAP could be considered as potential OECMs if they meet the criteria.
- Legislation supporting biodiversity conservation in community forests in Cambodia include the 2002 Forestry Law (currently under revision), the 2003 Sub-Decree on Community Forestry Management and the 2006 Prakas on Guideline on Community Forestry, with a view to contribute to the sustainable management of forest resources.

### Indonesia

- Indonesia's NBSAP (2016) included national target 11, “Realization of sustainable maintenance and improvement of conservation areas” referring to national parks and other types of protected areas, and not OECMs, in Indonesia. OECMs were not mentioned in their targets in this report. Community-managed forests, such as Village Forest (Hutan Desa) schemes, and Indigenous Peoples-led conservation areas are other examples that could be considered as potential OECMs in Indonesia, if they meet the criteria.
- The Philippines' community forest models include hutan kemasyarakatan which enables farmer groups to sustainably manage the production or protection of forests. This model is legally based on the Forestry Act of 1999 and the Ministry of Environment and Forestry Regulation No. 9/2021 on social forestry management. Indonesia's customary forest model (hutan adat) is another form of community forest and formalizes the rights of traditional communities to continue to practice their customary use of forests in their territories.

### Lao PDR

- Lao PDR's NBSAP includes: “Target 1.5.2 Geographically contiguous village forestry sites are recognized/promoted to form an organic part of two BD corridors that would link critical fragmented habitats together.” However, OECMs or related terms were not explicitly mentioned. Some of the village forestry sites and corridors mentioned in Lao PDR's NBSAP targets could potentially be OECMs.
- The legal instruments supporting community (or village) forestry are the 2019 Forestry Law and the 2021 Department of Forestry Technical Guidelines on Village Forest Management Planning. Regulations under the Forestry Law.

### Myanmar

- Myanmar's latest national report (2018) to the CBD; includes national targets related to terrestrial coverage and mentions ICCAs, some of which can also be considered OECMs according to the IUCN WCPA criteria: “By 2020, 8% of Myanmar's land area is conserved within PAs, including ICCAs.” Some community protected areas, which are ICCAs in Myanmar's context, community forests, and sacred forests are other potential options to be designated as ICCAs.
- The legal basis for community forestry is laid out in the 1995 Myanmar Forest Policy, the 2001–2031 National Forest Master Plan, the 2018 Forest Law, the 1995 Forest Rules (with 2019 revision ongoing) and the 2019 Community Forestry Instructions.

### Nepal

- There are no existing strategies for OECMs in Nepal but there is currently an ongoing GEF-funded project that is working on developing national criteria and indicators for OECMs and identifying potential OECMs in Nepal. 82.7% of Nepal's forests are found outside of the protected area system. Thus, they provide considerable potential for OECMs. This includes 11 Forest Conservation Areas that are outside the PA system and several Community Conserved Areas (CCAs) that could be potential OECMs, including sacred forests, community forests, sacred wetlands and religious groves.
- The community forest model is the oldest of Nepal's distinct types of community-based forestry, having been pioneered in the 1970s and accounting for around 90 percent of all formal community-managed forest areas in the country. The model's legal basis is laid out in Forest Act, 2019 (originally Forest Act, 1993), Forest Regulation, 2022 and the Community Forestry Development Guidelines (revised in 2015).

### Philippines

- In the Philippines' NBSAP, OECMs were mentioned in National Target 19: “By 2028, there will be a 10% increase in total area from 2015 levels of terrestrial including inland wetlands, PAs managed through NIPAS, and other conservation measures (indigenous community conserved areas, local conservation areas, critical habitats) that overlap with KBAs.” The Philippines currently has 15.87% terrestrial and inland waters coverage and 1.74% marine coverage with 273 protected areas and 178 OECMs. “There is a pending ICCA bill which would recognize OECMs legally.”
- The Philippines' Community-Based Forest Management (CBFM) program is the primary strategy for sustainable forest management and social justice in the uplands. The upland communities provided a catalytic role to restore degraded forestlands and protect the remaining forest cover in the country. Executive Order 263 dated 19 July 1995 and its implementing rules and regulation in the form of Department Administrative Order 96–29, adopts CBFM as the primary strategy for achieving sustainable development of forest resources and social justice.

### Thailand

- Although OECMs were not explicitly mentioned in Thailand's NBSAP, the term “conservation areas” was used alongside the term “protected areas”. Potential OECMs in Thailand include areas that are not considered to be PAs, such as Forest Parks, (there are 22 in Thailand, which comprise 105,184 ha of land), and Non-Hunting Wildlife Areas. Notably not explicitly CFs.
- Thailand's community forestry model allows communities to engage in the conservation, rehabilitation, management, maintenance or use of natural resources, the environment and biodiversity by managing local forests outside of protected areas in cooperation with the government. The model's legal basis is laid out in the Community Forest Act of 2019, and its subsidiary regulations.

### Viet Nam

- OECMs were not explicitly mentioned in the NBSAP, though there are suggestions that OECMs are in the NBSAP that was approved in 2022; however, this has not yet been published. Natural production forests, which are found across production forests but are protected and managed separately by assigned organizations or groups is a potential OECM category.
- Community forest management enables communities, households or individuals to use, manage and protect areas of production forest, protection forest or special-use forest that have been allocated to them. The legal basis of this model is laid out in the 2013 Land Law; the 2017 Forestry Law; and various regulations, such as Decree 156/2018/ND-CP on enforcement of selected articles in the Forestry Law.

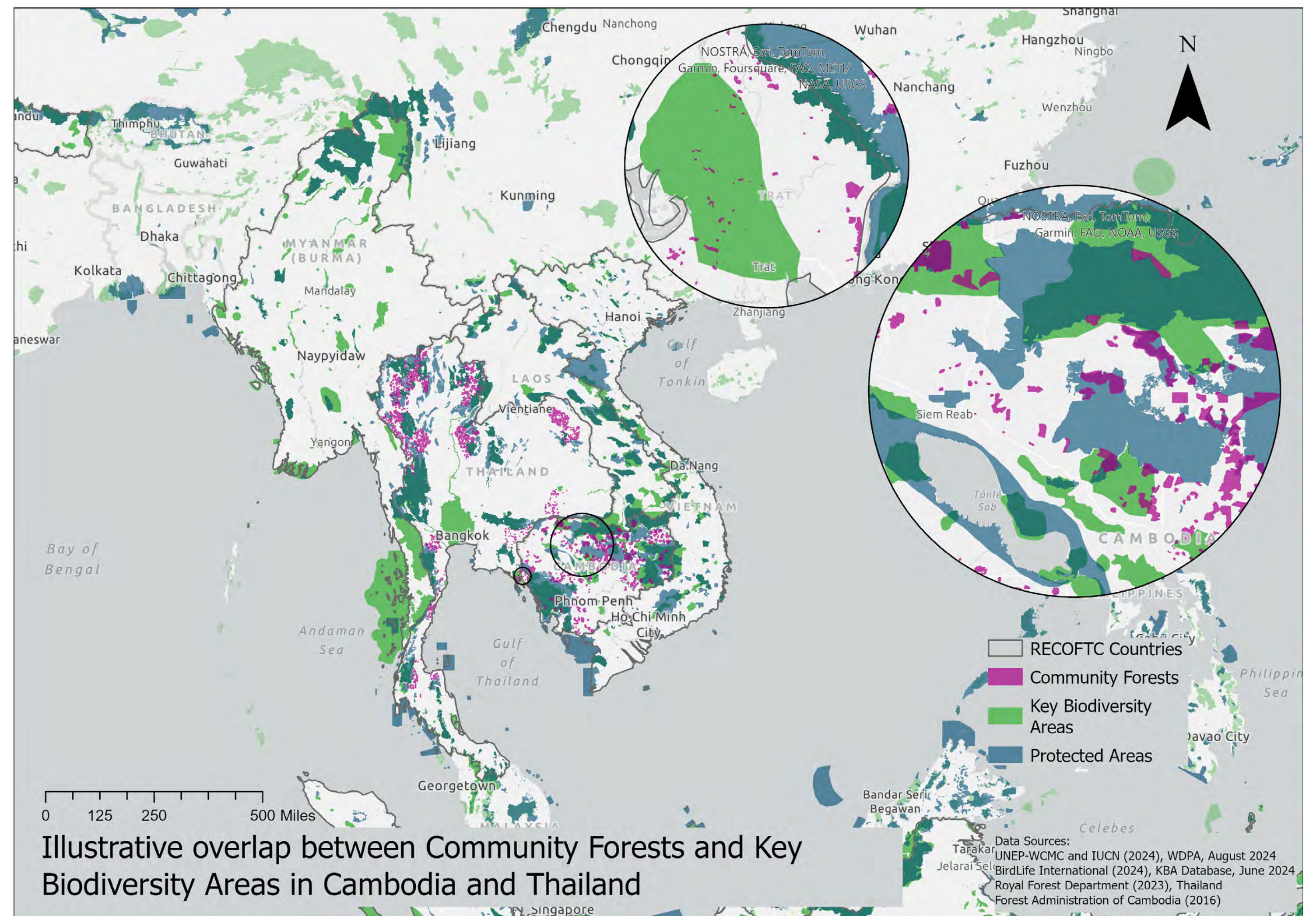


Figure 1. Map showing protected areas, Key Biodiversity Areas (KBAs), and (incomplete) community forest data protected areas in the Greater Mekong Sub-region. The map shows partial community forest data but highlights areas where data are mostly complete. The intersection of community forest areas within KBAs and outside of protected areas often satisfy the criteria for Other Effective Area-based Conservation Measures (OECMs), highlighting the importance of these community-managed areas in overall conservation efforts and targets.

Note that while the highlighted areas can be seen as illustrative of the type of data sets that could be used to identify potential OECMs, they represent only some of the considerations that will be needed for identifying candidate areas and ultimately, countries will want to engage in robust public consultation processes as well as cross referencing diverse datasets in identifying areas that satisfy established OECM criteria.

## The role of community forests in biodiversity conservation in the context of OECM criteria establishment in Thailand has been summarized as follows:

- Preserving genetic resources and habitats outside of protected areas
- Creating landscape connectivity between protected areas and surrounding areas.
- Propagation of plants and animals outside of protected areas
- Utilization and local livelihoods from bio-based economies
- Creating new knowledge in the application and adaptation of traditional knowledge

## Challenges

### Concerns over Indigenous Peoples and local community rights

There are potential or at least perceived risks accompanying OECM recognition in community managed areas such as community forests. Already there has been resistance by grassroots stakeholders in multiple countries to the recognition of OECMs in community areas. This is driven mainly by concerns over increased restrictions and reduced autonomy over community lands. This resulted in default opposition to OECMs by several community forestry associations. There is a pressing need for conservation advocates and governments to seriously consider and address concerns of local communities to ensure that their rights and tenure are upheld. To date and given the early stages of OECM policy development in countries, the consideration of ensuring community rights has remained nascent. However, in order to ensure goodwill and positive embrace of OECMs as a high potential conservation modality, work must be done early on in communicating with local communities and ensuring mechanisms are in place to avoid erosion of tenure and community rights.

### Benefits to Indigenous Peoples and local communities

Some of the potential incentive systems and modalities for piloting and further exploration could include the following

#### Financial benefits

- Biodiversity credit issuance
- Payment for Ecosystem Services (PES)
- Carbon credit issuance (habitat preservation)
- Direct payment schemes for measurable biodiversity increases
- Ecotourism promotion in OECMs
- Tour guide rights of OECM communities in adjacent protected areas
- Certification and promotion of OECM products (NTFPs, etc.)

#### Non-financial

- Climate resilience
- Cultural conservation/preservation
- Recognition of traditional knowledge and values
- Social empowerment in developing natural assets
- Improved ecosystem services (hydrological cycling, soil fertility, microclimate, etc.)

## Suggested ways forward as countries develop the OECM frameworks

Some of the key proposed steps to be put in place include:

- Establish thematic working groups nationally, including socioeconomic, for OECM consultations and design.
- Establish conflict resolution mechanisms to address disagreements and tensions that may arise during OECM designation process. Hold regular consultations and feedback sessions throughout the process.
- Determine a hierarchy for sites to be considered as OECMs, i.e. those sites of biodiversity value that are currently not under any form of protection and consideration of where CF fits within that hierarchy.
- Establish initiatives at regional and global levels to develop IP and LC safeguards and principles for OECMs to guide national discussions.
- Systematic consideration of equitable distribution of benefits and assessment of incentive mechanisms to be leveraged in concert with OECM recognition of IP and LC lands. Also, explore and ensure that there are long-term support mechanisms in place, such as funding or technical support, to help community manage the OECM area effectively and sustainably.
- Capacity building and national consultations with potential stakeholders in order for informed FPIC and engagement in national OECM dialogues to occur.
- National CF institutions and regulatory processes are aligned and harmonized with OECM objectives, i.e. biodiversity inclusion in CF registration templates, in management plans and even potentially in CF management committee roles and responsibilities.

