

**Guideline for Recognising Other Effective Area-Based Conservation Measures (OECMs) in Areas Leased for Tourism Operation in the Maldives.**

Translated Document

*Disclaimer: the official text is the Dhivehi version of the Guideline, and it shall prevail over any differences over the original text. Please refer to the original Dhivehi text in case any question of accuracy arises. The unofficial English translations are provided and made available as a courtesy, and for reference only. The unofficial text is deemed correct at the time of translation.*

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| Introduction and title  | 1. | a)   | This Guideline outlines the procedure for recognising areas other than any nationally protected areas as “Other Effective Area-based Conservation Measures” (OECMs) as described under the United Nations Convention on Biological Diversity (CBD), to sustainably manage and conserve the biodiversity. |
|   |    | b)   | This Guideline shall be titled as the "Guideline for Recognising Areas as Other Effective Area-based Conservation Measures (OECMs) in areas Leased for Tourism Operations in the Maldives”.  |
| Objective   | 2. | The objective of this Guideline is:  |  |
|   |    | a)   | To determine and recognise Other Effective Area-Based Conservation Measures (OECMs) in areas leased for tourism operations in the Maldives; and  |
|   |    | b)   | To ensure that the resort areas are sustainably managed areas.   |
| As per the 1 <sup>st</sup> amendment to the Guideline no. G-12/2022, Article 3 has been amended as follows. |    |  |  |
| Jurisdiction of the resort area to be recognized as an OECMs  | 3. | The areas recognized pursuant to this Guideline shall be within the boundary of the tourist resorts registered with the government entity formulating policies related to tourism and within the purview of Regulation no: R-90/2023 (Regulation on Determining Boundary of Leased Islands for Tourism Development). |  |
| Criteria for OECMs  | 4. | The areas proposed for OECMs shall satisfy the following conditions.   |  |
|   |    | a)   | The proposed area is not a Protected Area pursuant to Law no. 4/93 (Environment Protection and Preservation Act) or any regulation formulated pursuant to this;  |
|   |    | b)   | The proposed area is an area with rich biodiversity and an area that is managed.   |
|   |    | c)   | All activities in the proposed area ensures conservation and sustainable use of biodiversity and ecosystem services.   |



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|   |    | d) | The proposed area where applicable, supports provision of cultural, economic, social and other values.   |
|   |    | e) | Activities in the proposed area shall not have any negative impact on the biodiversity and ecosystem services.   |
| Procedure for recognizing and delisting OECCMs  | 5. |    | The following procedures shall be followed in recognizing and delisting of resort areas as OECCMs. The procedure is detailed at Annex 1 of this Guideline.   |
|   |    | a) | Submission of Interest for recognition of an OECCM.  |
|   |    | b) | Screening.   |
| As per the 1 <sup>st</sup> amendment to the Guideline no. G-12/2022, Article 3, clauses (c), (d), (e), (f), (g), (h) and (i) has been amended and clauses (j) and (k) have been added as follows. |    |    |  |
|   |    | c) | Recognition of the proposed area as a 'Potential OECCM'.   |
|   |    | d) | Determining the biodiversity richness and ecosystem services of the Potential OECCM.   |
|   |    | e) | Preparing the management plan for the Potential OECCM.   |
|   |    | f) | Submission of Ecological Survey Report, Management Plan, and the boundary of the Potential OECCM.  |
|   |    | g) | Decision making process and administrative procedures to recognise the Potential OECCM as an OECCM.  |
|   |    | h) | Recognition as an OECCM.   |
|   |    | i) | Monitoring of the OECCM.   |
|   |    | j) | Management effectiveness assessment of the OECCM.  |
|   |    | k) | Withdrawal or delisting the OECCM.   |
| Submission of Interest for recognition of an OECCM  | 6. | a) | The Expression of Interest (EoI) to recognise resort area(s) as an OECCM shall be submitted by the resort owner.   |
|   |    | b) | For areas satisfying the criteria set out for OECCMs pursuant to Article 5 of this guideline, the resort owner of the respective resort shall submit expression of interest (EoI) to the Ministry through the form at Annex 2 of this Guideline. |
| As per the 1 <sup>st</sup> amendment to the Guideline no. G-12/2022, clause (c) has been added to Article 6 as follows.   |    |    |  |
|   |    | c) | The following documents shall be submitted with the form mentioned in clause (b) of this Article.  |
|   |    | 1. | Letter of no objection from the government entity responsible for formulating policies related to tourism in the Maldives.   |
|   |    | 2. | Formal letter from the owner of the resort seeking recognition of the area(s) as an OECCM, committing to implement the management plan and carry out monitoring according to the monitoring plan.  |
|   |    | 3. | Map marked with the proposed area(s) identified (kmz format).  |
| Screening   | 7. | a) | All applications/EoIs submitted as per Article 6 of this Guideline must be screened by the Ministry for the following:   |
| As per the 1 <sup>st</sup> amendment to the Guideline no. G-12/2022, Article (7) clause (a) part (1) has been amended as follows.   |    |    |  |
|   |    | 1. | The area(s) submitted must be within the legal boundary of the resort, demarcated and registered pursuant to the Regulation no. R-90/2023 (Regulation on Determining Boundary of Leased Islands for Tourism Development),                        |



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|  |  |      | and shall not fall under an existing Protected Area designated under the Law no. 4/93 (Environment Protection and Preservation Act) and Regulation no. 2018/R-78 (Regulation on Protected Areas).   |
|  |  | 2.   | The area(s) shall have the following fundamental characteristics of OECMs.  |
|  |  | 2.1. | Can affirm that the area can be managed sustainably for a long-term.  |
|  |  | 2.2  | The management of the area shall ensure conservation of the habitats and biodiversity.  |
|  |  | 2.3  | The activities in the area shall not have any detrimental effect on biodiversity and ecosystem services; and  |
|  |  | 2.4  | Any threats to biodiversity and ecosystem services shall be well managed.   |
|  |  | 3.   | It shall be clear that the laws and regulations governing the area(s) will ensure conservation of biodiversity and ecosystems services.   |
|  |  | 4.   | The area(s) contributes to achieving national and international goals on conservation of biodiversity and ecosystem services.   |
| As per the 1 <sup>st</sup> amendment to the Guideline no. G-12/2022, Article 7, clause (b) and (c) have been amended as follows. |  |      |   |
|  |  | b)   | Within 30 days of submission of interest for recognition as an OECM, as per Article 6 (b) and (c) of this Guidelines, the Ministry shall screen the application and submit to the OECMs Working Group.  |
|  |  | c)   | The Working group shall screen the submission by the Ministry and the resort shall be informed of the decision of the working group as follows:   |
|  |  | 1.   | For proposed area(s) that satisfy the screening criteria identified in clause (a) of this Article shall be recognised as a 'Potential OECM' and the resort shall be informed as such, or;   |
|  |  | 2.   | For proposed area(s) that do not satisfy the screening criteria identified in clause (a) of this Article shall not be recognised as a 'Potential OECM' and the resort shall be informed as such.  |
|  |  | 3.   | For proposed area(s) that require additional information to confirm that the area satisfies the screening criteria identified in clause (a) of this Article, the resort shall be informed to submit additional information that supports the application of interest to be recognised as an OECM. |
|  |  | d)   | Within 1 (one) year of recognition as a Potential OECM, as per the clause (c) of this article, the resort shall complete and submit, to the Ministry, the documents identified in Article 8, 9 and 10 of this Guideline.  |
|  |  | e)   | Should the resort fail to submit the documents identified in Article 8, 9 and 10 of this Guideline, within the 1 (one) year   |



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|   |    |    | period as per clause (d) of this Article, the area shall be delisted from its status as a Potential OECM.  |
| Conducting Ecological Survey.   | 8. | a) | An ecological survey shall be conducted for the Potential OECM, and the ecological survey report shall be submitted to the Ministry. The ecological survey shall be conducted in accordance with the following guideline, frameworks and protocols.  |
|   |    | 1. | “Guideline for the Coral Reef and Small Island Vegetation Surveys in the Maldives” published in December 2021.   |
|   |    | 2. | Maldives National Coral Reef Monitoring Framework, and   |
|   |    | 3. | Maldives Seagrass Monitoring Network Monitoring Methods published in October 2020.   |
| As per the 1 <sup>st</sup> amendment to the Guideline no. G-12/2022, clause (b) of Article 8 has been amended as follows. |    |    |  |
|   |    | b) | Should a permit be required from any authorities, to undertake the survey pursuant to clause (a) of this Article, the resort shall attain the necessary permits.   |
|   |    | c) | To ensure validity of the surveys referred to in clause (a) of this Article, video transects shall be submitted along with the ecological survey report.   |
| As per the 1 <sup>st</sup> amendment to the Guideline no. G-12/2022, clause (d) of Article 8 has been amended as follows. |    |    |  |
|   |    | d) | The ecological survey report referred to in clause (a) of this Article shall be prepared by one of the following:  |
|   |    | 1. | Marine biologist (employ/staff with the knowledge and/or experience of conducting ecological surveys) of the resort; or  |
|   |    | 2. | Registered EIA consultant hired by the resort.   |
| As per the 1 <sup>st</sup> amendment to the Guideline no. G-12/2022, clause (e) has been added to Article 8, as follows.  |    |    |  |
|   |    | e  | The ecological survey report shall include the minimum contents stipulated at Annex 3 of this Guideline.   |
| As per the 1 <sup>st</sup> amendment to the Guideline no. G-12/2022, Article 9 has been amended as follows.               |    |    |  |
| Preparation of the Management Plan.   | 9. | a) | Within a 1 (one) year period of being recognised as a Potential OECM, the owner of the resort shall submit to the Ministry, a management plan that outlines the sustainable management of the area(s), as provided in the Annex 4 of this Guideline. |
|   |    | b) | This plan shall be a long-term plan or a 5 (five) year plan that is revised once every 5 (five) years.   |
|   |    | c) | The following guideline, frameworks, protocols shall be followed in formulating the management plan.   |
|   |    | 1. | Maldives National Framework for Management of Protected and Conserved Areas (2024-2029)  |
|   |    | 2. | Maldives National Management Plan Guidance for Protected and Conserved Areas (2024-2029)   |



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|  |     | 3. | Recognising and Reporting Other Effective Area-Based Conservation Measures (IUCN)   |
|  |     | 4. | IUCN Green List in the Maldives: A Feasibility Study Exploring the Potential for Taking Forward the IUCN Green List in the Maldives (2023)  |
|  |     | d) | As per Articles 13 of this Guideline, the management plan must have a monitoring plan incorporated in it.   |
|  |     | e) | Should the resort wish to bring changes to the management plan, the resort shall inform the Ministry of the changes and submit the amended management plan within 14 (fourteen) days of amendment.  |
| As per the 2 <sup>nd</sup> amendment to the Guideline no. G-12/2022, Article 10 has been amended as follows. |     |    |   |
| Deaterminig the Boundary.  | 10. | a) | The boundary of the Potential OECM shall be submitted by the resort. The submitted boundary shall have be within the registered jurisdiction of the resort and shall have a minimum distance of 100 (hundred) meters from brine/sea outfalls, sand pumping areas and existing and planned infrastructure, excluding existing water villas.  |
|  |     | b) | The Ministry shall verify the submitted boundary with the government entity formulating policies related to tourism and determine the final boundary of the Proposed OECM, in consultation with the aforementioned entity and the resort submitting the boundary.   |
| As per the 1 <sup>st</sup> amendment to the Guideline no. G-12/2022, Article 11 has been amended as follows. |     |    |   |
| Decision to recognise OECM.  | 11. | a) | Within 1 (one) year of being recognised as a Potential OECM, the resort shall complete and submit to the Ministry, the documents referred in the Arcticle 8, 9, and 10 of this Guideline.   |
|  |     | b) | The ministry shall submit the documents referred in clause (a) of this Article, to the working group.   |
|  |     | c) | Within 30 (thirty) working days of the submission, the Ministry shall inform the resort of the working groups decision, in writing. The working group shall take a decision based on the documents submitted by the resort.   |
|  |     | d) | Should the working group require information, in addition to the documents submitted by the resort, to take a decision as referred in clause (c) of this Article, the resort shall be informed with 30 (thirty) working days, from the date of submission. Should the resort fail to submit additional information, the assessment by the working group shall continue, based on the submitted documents. Should the working group identify the need to amend the submitted documents, the resort shall be given a 6 (six) month period to amend and re-submit the documents. |
| Recognition of OECM.   | 12. | a) | Should the Potential OECM be decided as an OECM pursuant to Article 11 of this Guideline, the Ministry shall recognise the area(s) as an OECM and shall publish it's  |



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|   |       |    | recognition in the Government Gazette in accordance with the requirements provided in Annex 5 of this Guideline.   |
|   |       | b) | The area(s) recognised as and OECM pursuant to clause (a) of this Article shall be included in the “World Data Based on Protected Areas’, by the Ministry.   |
|   |       | c) | The recognised area(s) pursuant to clause (a) of this Article shall be included in a database in the Ministry’s website.   |
| Monitoring of OECM  | 13.   | a) | The resort shall monitor the area(s) recognised as an OECM, and shall submit an annual monitoring report to the Ministry.  |
|   |       | b) | The monitoring report referred to in clause (a) of this Article shall be in accordance with the format provided in Annex 6 and 7 of this Guideline.  |
| As per the 1 <sup>st</sup> amendment to the Guideline no. G-12/2022, Article 13-1 has been added as follows.              |       |    |  |
| OECM Evaluation.  | 13-1. | a) | The area(s) recognised as an OECM shall be evaluated once every 5 (five) years, by the Ministry.   |
|   |       | b) | This evaluation shall be based on the annual monitoring reports submitted by the resort.   |
|   |       | c) | Except otherwise mentioned in clause (a) of this Article, should the Ministry identify the need for an evaluation of the OECM, prior to the 5 year period, the Ministry shall inform the resort and carry out the evaluation of the OECM.  |
|   |       | d) | The Ministry shall prepare the evaluation report and inform the resort of the findings.  |
| Withdrawal and delisting  | 14.   | a) | Should the resort owner, at their own discretion, decide to withdraw its recognition as an OECM, a letter shall be submitted to the Ministry requesting withdrawal. Upon submission of the said letter, the area(s) shall be delisted from its recognition as an OECM without condition. |
|   |       | b) | The Ministry may delist any OECM, provided the following has not been rectified by the resort owner within 90 (ninety) days. Failure to rectify will result in delisting the area(s) as OECMs by the Ministry.   |
|   |       | 1. | Breach of the management plan prepared for the OECM, pursuant to Article 9,  |
|   |       | 2. | Failure to submit or comply with the monitoring report pursuant to Article 13, and/or  |
|   |       | 3. | If the area no longer satisfies the required criterion for OECMs, with reference to the annual monitoring report.  |
| As per the 1 <sup>st</sup> amendment to the Guideline no. G-12/2022, part (4) has been added to clause (b) of Article 14. |       |    |  |
|   |       | 4. | If the area no longer satisfies the required criterion for OECMs, with reference to the 5 (five) year evaluation report, prepared based on the annual monitoring report submitted pursuant to Article 13 or due to the need for evaluation prior to the identified period.               |
|   |       | c) | In withdrawal or delisting of the OECM pursuant to clause (a) and (b) of this Article, such shall be informed through publishing in the Government Gazette. And such areas shall   |



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|  |       |   | be removed from the database referred in Article 12 (b) and (c) of this Guideline.  |  |
| As per the 1 <sup>st</sup> amendment to the Guideline no. G-12/2022, Article 14-1 has been added as follows. |       |   |   |  |
| OECM Working Group   | 14-1. | a)  | The OECM Working Group shall be a committee consisting of government entities, advise and take decisions on matters regarding Other Effective Area-Based Conservation Measures (OECMs) in areas leased for tourism operations in the Maldives.  |  |
|  |       | b)  | The OECM working group shall consist of   |  |
|  |       |   | 1.  | Technical experts from the environment sector. |
|  |       |   | 2.  | Technical experts from the tourism sector.     |
|  |       | 3.  | Environment Regulatory Authority.   |  |
| Definition   | 15.   | Unless otherwise stated in this Guideline, the phrases shall be defined as follows: |   |  |
|  |       | a)  | Other Effective Area-Based Conservation Measures (OECMs) refers to a geographically defined area other than a Protected Area pursuant to Law no. 4/93 (Environment Protection and Preservation Act) 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. |  |
|  |       | b)  | Ministry refers to the competent government authority responsible for enforcing environmental policy at the time.   |  |
|  |       | c)  | Tourist resort refers to an island or a designated area of an island that has been developed to accommodate tourists and provide board and lodging facilities for them.   |  |
|  |       | d)  | Resort owner refers to the owner or person assigned by the owner, who has signed a lease agreement for tourism purposes.  |  |
|  |       | e)  | Registered EIA consultant refers to a team which has at least 1 (one) surveyor registered at the Maldives Land and Survey Authority.  |  |
|  |       | f)  | Worlds Database of Protected Areas refers to the UN Environment Programme World Conservation Monitoring Centre portal exhibiting all the protected, conserved and managed areas of the world.   |  |



As per the 1<sup>st</sup> amendment to the Guideline no. G-12/2022, Annex 1 and 2 of this Guideline has been amended as follows.

### Annex 1

