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The Nature Conservancy (TNC) views on the
Programme of Work on Protected Areas (PoWPA)

The Nature Conservancy (TNC) appreciates the opportunity provided by the Convention on Biological Diversity (CBD) to comment on the strategic review and analysis of the current Programme of Work on Protected Areas (PoWPA) in the context of the Kunming-Montreal Global Biodiversity Framework (GBF). TNC has a long history of establishing protected areas – with governments, land trusts, private individuals and Indigenous communities – and we own a significant number of privately protected areas, particularly in the USA. Hence, we have a strong interest in policies and programs that relate to protected and conserved areas.

Although the PoWPA has been in place for a considerable period (CBD COP 7, 2004), we note that many of its goals, targets, and recommended activities remain relevant and applicable. This is particularly evident when considering the varying stages of implementation by Parties. However, concepts and practices related to area-based conservation measures have evolved, as reflected in recent CBD decisions and technical guidance and other global guiding material, particularly from the IUCN's World Commission on Protected Areas (IUCN-WCPA).

Here, we will mainly focus on these new elements. We won't attempt to suggest specific language changes or major restructuring of the PoW.

We note while the Conference of the Parties requested the Secretariat to conduct the strategic review and analysis of the current PowPA in the context of the GBF, considering there is only four years left for the GBF the vision for this revised PowPA should extend beyond that time, with a review in 2030, when new global targets are developed.

The core elements of the PoWPA remain valid and do not need major revisions, in our view. The focus of the review should be on strengthening means of implementation.

Comments on specific Programme elements:

Indigenous and Traditional Territories (ITTs)

Target 3 of the Global Biodiversity Framework makes explicit reference to Other Effective Area-Based Conservation Measures (OECMs) as complementary to the area-based conservation target. Accordingly, the language of the PoWPA should be systematically updated to incorporate OECMs throughout the document.

- In addition, Target 3 refers to Indigenous and Traditional Territories (ITTs), stating: "…Ensure and enable that by 2030 at least 30 per cent of terrestrial and inland water areas, and of marine and coastal areas, are effectively conserved and managed through governed systems of protected areas and other effective area-based conservation measures, recognising indigenous and traditional territories, where applicable…".
- Notably, the phrase "recognising indigenous and traditional territories where applicable" did not appear in publicly available drafts of the Global Biodiversity Framework prior to COP15, and was introduced late in the negotiations on Target 3 in Montreal[1]. Consequently, there was limited dialogue regarding the intent of this language before the adoption of the GBF, and formal guidance remains scarce.
- Since the adoption of the GBF, there has been ongoing debate within the conservation community regarding the interpretation of this new language. The discussion primarily centres on whether: (a) Indigenous and Traditional Territories should be considered a 'third pathway', equivalent to protected areas and OECMs in contributing to Target 3; or (b) the recognition of ITTs pertains to their presence in the designation of protected areas or OECMs, thereby contributing to Target 3.
- Negotiations on this matter are currently underway within the Subsidiary Body on Article 8(j). However, irrespective of the final decision reached by Parties, in consultation with Indigenous Peoples and Local Communities (IP&LCs), it is important to concurrently clarify the biodiversity value and integrity conditions under which ITTs will be accounted for Target 3, or when these territories will be governed and managed according to other objectives determined by the communities themselves.

In this context, it is recommended that an activity be added to the PoW requesting Parties, with the effective participation of IPs&LCs and in collaboration with IUCN-WCPA and other relevant stakeholders, to develop ecological criteria, as well as requirements for monitoring and reporting for Indigenous and Traditional Territories. These criteria would help inform whether such areas would qualify for inclusion as part of a national network of protected and conserved areas, and similarly recognised as area-based conservation measures reported to relevant global databases.

Other Effective Area-Based Conservation Measures (OECMs)

Guidance on Other Effective Area-Based Conservation Measures (OECMs) recognises that sites may not have biodiversity conservation as their primary objective; rather, it may be a secondary or ancillary aim, provided that positive and sustained biodiversity outcomes are achieved. In the course of developing national processes to recognise OECMs, considerable confusion has arisen regarding whether areas under fisheries, agriculture, forestry, or aquaculture (all four activities are referred to in Target 10 of the GBF) qualify as OECMs[2], due to the presence of certain biodiversity elements in the area. However, the CBD Decision 14/8

[1] Lumosi, C., Hazin, C., Fitzsimons, J., & Qin, S. (2025). Understanding the role and challenges for Indigenous and community-governed lands in contributing to Target 3 of the Global Biodiversity Framework. Land 14, 1493. https://doi.org/10.3390/land14071493

[2] e.g. Fitzsimons, J.A., Hazin, C., Smith, J.L. (2025). Common misconceptions of 'other effective area-based conservation measures' (OECMs) and implications for global conservation targets. npj Biodiversity 4, 8. https://doi.org/10.1038/s44185-025-00079-5

stipulates that OECMs should possess significant biodiversity values that are comparable to, or complement, those of protected areas.

- Additionally, the IUCN-WCPA advises that each site should be individually assessed against the OECM criteria, rather than collectively considering a 'category' or 'type' of site management or use under the OECM concept.
- Target 10 of the Global Biodiversity Framework (GBF) is an area-based target that calls upon countries to sustainably manage agriculture, aquaculture, fisheries, and forestry, employing biodiversity-friendly practices.

Accordingly, we recommend that an activity be added to the PoW whereby the Executive Secretary, in coordination with IUCN-WCPA and other relevant partners, develops guidance to be considered at COP, to distinguish when an area may be considered as area-based conservation measure (OECM) contributing towards Target 3 of the GBF, as opposed to a systems managed for fisheries, agriculture, forestry, or aquaculture that contributes to biodiversity conservation through the adoption of biodiversity-friendly practices and the prevention of biodiversity decline. In addition, it is recommended that indicators be developed to support the differentiation between these two complementary targets.

Comments on specific Goals, Targets and Activities:

Goal 1.1: Establishment of National Systems

While the concept of representativeness is thoroughly addressed within the list of activities under this goal, we believe the text should explicitly incorporate connectivity in the design of protected and conserved area networks. Although connectivity is referenced in Goal 1.2 (Activity 1.2.4), which pertains to the integration of protected and conserved areas (PCAs) within broader land and seascapes, it should also be considered as part of Goal 1.1.

Target 3 calls for the conservation of areas of particular importance for biodiversity and ecosystem functions and services. However, there remains some ambiguity regarding whether areas that provide ecosystem functions and services, but do not contain natural ecosystems or values that are important for biodiversity, should be accounted for under this target. For instance, certain areas—such as planted monoculture forests or aquaculture tanks—may offer valuable ecosystem services, yet their contribution to halting biodiversity loss may be limited. Therefore, we recommend the addition of an activity that requests the Executive Secretary, in coordination with IUCN-WPCA and other relevant commissions and other stakeholders, to develop recommendations on this matter for consideration by the Conference of the Parties (COP).

Activity 1.1.1:
This activity should be eliminated, as countries have already established, or are in the process of establishing, their national protection targets under the revised National Biodiversity Strategies and Action Plans (NBSAPs).

Activity 1.1.4:
We agree that continuing to recognise new and innovative type of governance of protected areas is important[3], but this activity should also encourage countries to further strengthen and expand the network of areas under different governance types. In countries where these governance types are not yet recognised, we recommend the inclusion of an activity that calls for their incorporation into national and subnational legal or policy frameworks.

Additional Recommendations under Goal 1.1:
We propose the addition of an activity recommending that Parties and other stakeholders take into account the Key Ecological Attributes (KEAs) of inland water systems—such as hydrologic regime, connectivity, water quality, habitat, and biotic composition—when designing new protected or conserved areas. Similarly, these KEAs should be considered in the management and monitoring of such areas (the later addressed in Goals 1.4 and 4.3, respectively).

In the marine context, we recommend that the design and management of protected and conserved areas explicitly address the three-dimensional and dynamic nature of marine systems.

Goal 1.3: Regional Networks and Transboundary Protected Areas

Activity 1.3.7:
The current activity requests the Executive Secretary to explore cooperation with the Convention on Migratory Species to facilitate the linking of protected area networks across international boundaries, and potentially beyond national jurisdiction, through the establishment of migratory corridors for key species.

Scientific evidence demonstrates that, in order to effectively address the conservation needs of migratory species—particularly those that are highly migratory—cooperation must occur both within and between regions (and ocean basins).

We recommend the addition of an activity for Parties to pursue intra- and inter-regional cooperation in the design, management, and monitoring of protected and conserved areas, with the aim of establishing a coherent network that encompasses all life cycles of migratory species. Particular emphasis should be placed on highly migratory marine species.

Furthermore, we suggest that this activity be expanded to include cooperation efforts with the Ramsar Convention, the World Heritage Convention, and the recently adopted Biodiversity Beyond National Jurisdiction Treaty (BBNJ Treaty).

Goal 1.4: Improving Planning and Management

[3] e.g. Fitzsimons, J. A., Woods, R., Woods, J., Woods, I., Ridge, K., Brettschneider, M., Perceval, C., Goodwin, A., Smillie, K., Elton, P., & Kingsford, R. T. (2025). Establishing large, permanent protection outcomes on Indigenous-owned private land: Innovations at Gayini, Australia. Conservation Science and Practice 7, e70055. https://doi.org/10.1111/csp2.70055

Under this goal, which addresses planning and monitoring, we recommend the addition of an activity for Parties to invest in the use of management effectiveness assessment tools and to report results to the World Database on Protected Areas (WDPA), the Database on Other Effective Area-Based Conservation Measures (WD-OECM) and the Global Databased on Protected Area Management Effectiveness (GD-PAME).

We recommend a related activity for the Executive Secretary to collaborate with UNEP-WCMC and other relevant partners to further develop these databases, so they can accommodate the results of management effectiveness assessments.

Goal 2.2: Securing the Involvement of Indigenous Peoples and Local Communities (IPs & LCs)

We recommend the elimination of Activity 2.2.5: "Ensure that any resettlement of indigenous communities as a consequence of the establishment or management of protected areas will only take place with their prior informed consent, as may be provided according to national legislation and applicable international obligations".

TNC is of the view that IPs&LCs should not be displaced off their lands and territories, including for the purpose of the establishment of protected areas. Rather, these communities should be encouraged to contribute to biodiversity conservation and, with their free, prior and informed consent, to become part of a network of areas for protection and conservation.

Goal 3.1: Enabling Policy, Institutional, and Socio-Economic Environment

We recommend that countries develop national (or subnational) frameworks for OECMs, integrating CBD Decision 14/8 and other relevant global guidance, while taking national circumstances into account. These frameworks should guide national efforts in the recognition, management, monitoring, and reporting of these sites.

We recommend the inclusion of an activity for Parties to consider protected and conserved areas in natural capital accounting, recognising their contribution to ecosystem services, including climate mitigation and adaptation, as well as human livelihoods and well-being.

Additionally, we recommend an activity for Parties to identify, develop, and implement the enabling political conditions necessary to secure fair and effective participation of IPs & LCs in the governance and management of their lands and territories.

Goal 3.4: Financial Sustainability

In this goal should expanded to note financial resources should be sourced from additional avenues, including private funding. The establishment of public-private partnerships should also be promoted as part of efforts to achieve conservation objectives in protected and conserved areas.

Comments on the Need to Adjust Language

- Dates must be revised to align with commitments made under the Global Biodiversity Framework: 2030 for targets and 2050 for goals but should also consider a period

beyond 2030 in recognition that a program of work that consists of only 4 years may not be in the best interests of protected and conserved area program development.

- References to international processes, such as the Millennium Development Goals, should be updated to the Sustainable Development Goals and other relevant global frameworks.
- References to marine area-based conservation should be amended to “marine and coastal area” to ensure consistency with the corresponding Programme of Work on Marine and Coastal Biodiversity and Decisions of the CBD
- References to protected areas should be expanded to include Other Effective Area-Based Conservation Measures (OECMs) and Indigenous and Traditional Territories (ITTs), where applicable. Certain targets and activities should refer exclusively to Protected Areas (PAs), OECMs, or ITTs, as appropriate.
- Collaboration with the United Nations Informal Consultative Process on the Law of the Sea (UNICPOLOS) or the UN Convention on the Law of the Sea (UNCLOS) should be reviewed if still applicable, and references should be updated to include the BBNJ Treaty, where relevant.