



FACTSHEET

NATIONAL ENVIRONMENTAL MANAGEMENT: BIODIVERSITY ACT, 2004 (NEM:BA)

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

A guide for communities, land users, and grassroots partners.

Frequently Asked Questions



1. What are the Minimum Norms and Standards for?

The draft Norms and Standards for **Other Effective Area-Based Conservation Measures** explain how **certain areas outside formal protected areas** can now be recognised for conserving biodiversity. They are issued under section 9 of the National Environmental Management: Biodiversity Act, 2004 (NEM:BA).

1.1 What is the difference between a policy, a guideline and these Norms and Standards?

- **Policy** → sets direction or intent (not directly binding unless incorporated into law).
- **Guideline** → provides advice or recommended best practice (usually not legally binding).
- **Norms and standards under NEM:BA** → legally binding once finalised and promulgated by government. Once the draft is finalised and published in the Government Gazette, it becomes a regulatory instrument with legal effect, not merely guidance.

2. What is the purpose of these Minimum Norms and Standards?

These norms and standards set out:

- The minimum requirements for recognising an OECM in South Africa
- The standards, principles and processes for assessing whether an area qualifies as an OECM

Examples of **principles** important to communities include:

- Respecting customary laws and traditional governance
- Ensuring community participation and consent in decisions

2.2 What are South Africa's global commitments that relate to these Norms and Standards?

To protect biodiversity across all types of land, not only inside protected areas. Because people manage land in different ways, the country now uses several approaches to make sure nature is protected everywhere. **South Africa is a Party to the Convention on Biological Diversity (CBD) and has adopted the Kunming-Montreal Global Biodiversity Framework (GBF).**

Under GBF Target 3 (30x30), countries must ensure that at least 30% of land and sea areas are conserved through protected areas and OECMs by 2030. These norms and standards help the government to give formal recognition of other conservation areas in national parks, and also in places where people live, use land for work, or manage land through tradition or culture.





3. Why are the Norms and Standards important for people and the environment?

Biodiversity protection is being expanded to include places that were previously not designed as conservation areas, such as:

- Military training land
- Botanical gardens
- Sacred areas under customary law
- Multi use lands, supporting landscape level conservation without declaring new protected areas

These places often protect plants, animals, water systems, and cultural heritage — even though their main purpose is not conservation. Because expansion and designation may affect communities' land tenure, occupation or rights of access to land and natural resources in OECMs, the norms and standards:

- Enable communal land and customary governance systems to participate in biodiversity conservation.
- Align conservation with socio-economic and cultural values

The norms and standards strengthen the reporting framework in conservation by:

- Creating structured data collection and verification systems.
- Improving transparency in decision making, reporting, removal of an area designated as an OECM and accountability

4. Who benefits from these Norms and Standards?

Communities and land users can benefit when their lands, including customary or sacred lands, are recognised for their contribution to conservation. Benefits may include:

- That Free, Prior Informed Consent (FPIC) must be obtained
- Indigenous knowledge & community governance systems can be recognised, where applicable
- Rights holders can be formally recognised
- Cultural and spiritual heritage and practices can be recognised and strengthened
- Support, training, or partnership opportunities
- Biodiversity can be protected from damaging activities

5. Who ensures that these Standards are followed?

The Minister responsible for the environment issues these norms and standards under section 9 of NEM:BA, which sets out rules for managing and conserving South Africa's biodiversity. Authorities at national, regional, and local levels are responsible for ensuring compliance.



6. How can these Norms and Standards better protect community rights?

The norms and standards recognise that certain sites need clear processes for assessment and recognition as OECMs. To ensure community rights are protected, the following must be strengthened:

- Respect for Indigenous knowledge and traditions in how communities manage their lands
- Monitoring and evaluation indicators aligned with the CBD
- Ensuring communities have clear roles in decision-making
- Ensuring OECM status does not limit access to customary land and livelihoods

Comment and have your say

You have an opportunity to comment on the draft Norms and Standards.

Submit comments by **Monday, 16 March 2026.**

How?



By post:

To: The Director General: Forestry, Fisheries
and the Environment
Attention: Ms Pamela Kershaw
Directorate: Biodiversity Management
Private Bag X447
PRETORIA
0001



By email:

OECMnormsandstandards@dffe.gov.za

What should you include?

- ✓ Your name, community and contact details.
- ✓ Be specific about your concerns and comments.
- ✓ Include how this will impact your use of land and natural resources.

