

### **RES 3.068 Undersea noise pollution**

RECOGNIZING that anthropogenic ocean noise, depending on source and intensity, is a form of pollution, comprised of energy, that may degrade habitat and have adverse effects on marine life ranging from disturbance to injury and mortality;

CONCERNED that, over the last century, noise levels in the world's oceans have increased as a result of human activities such as oil, gas and mineral exploration and production, vessel traffic, and military testing and training;

DISTURBED by reports of mass strandings and deaths of cetaceans coincident with the use of military sonar and with the use of technologies in mineral exploration, and by experimental evidence of physiological and behavioural impacts of sound on several species of fish;

AWARE that some types of anthropogenic noise can travel hundreds and even thousands of miles underwater and, like other forms of pollution, are not restricted by national boundaries;

WELCOMING steps taken by governments to alleviate the impact of anthropogenic noise on marine species, but noting that certain sources of intense noise may not presently be subject to mitigation and that few protected areas are managed for noise impacts;

RECOGNIZING that further research on the effects and mitigation of anthropogenic noise on marine species is urgently needed and must be conducted to the highest standards of science and public credibility, avoiding conflicts of interest;

MINDFUL that the International Maritime Organization, in its *Guidelines for the Designation of Special Areas and the Identification of Particularly Sensitive Sea Areas*, has identified shipping noise as a pollutant that can adversely affect the marine environment and living resources of the sea;

NOTING that Resolution 1998-6 of the International Whaling Commission (IWC) identified the impacts of anthropogenic noise as a priority topic for investigation within its Scientific Committee, and that the Scientific Committee, in its report to the 56<sup>th</sup> meeting of the IWC, concluded that military sonar, seismic exploration, and other noise sources such as shipping pose a significant and increasing threat to cetaceans, both acute and chronic, and made a series of recommendations to member governments regarding the regulation of anthropogenic noise;

APPLAUDING Resolution 5 *Effects of Noise and of Vessels* adopted by the 4<sup>th</sup> Meeting of Parties to the Agreement on the Conservation of Small Cetaceans of the Baltic and North Seas (ASCOBANS), and Resolution 2.16 *Assessment and Impact Assessment of Man-Made Noise* adopted by the 2<sup>nd</sup> Meeting of Parties to the Agreement on the Conservation of Cetaceans of the Black Sea, Mediterranean Sea and Contiguous Atlantic Area (ACCOBAMS);

RECALLING that the IUCN Species Survival Commission (SSC) Cetacean Specialist Group, in its current *Conservation Action Plan for Dolphins, Whales and Porpoises*, has identified the rise of ocean noise as a threat to cetaceans and has observed that such noise is likely to increase unless serious steps are taken to curtail it; and

FURTHER RECALLING IUCN's strong commitment to the conservation of marine species and habitat, as reflected in Resolution 2.20 *Conservation of marine biodiversity* adopted by the 2<sup>nd</sup> IUCN World Conservation Congress (Amman, 2000), and Recommendations 1.17 *Coastal and Marine Conservation and Management* and 1.37 *Marine Protected Areas* adopted by the 1<sup>st</sup> IUCN World Conservation Congress (Montreal, 1996);

The World Conservation Congress at its 3<sup>rd</sup> Session in Bangkok, Thailand, 17–25 November 2004:

1. REQUESTS the IUCN Director General, with the assistance of the Union's members, Commissions, and Council, to identify and implement measures to promote among world governments the reduction of anthropogenic ocean noise, such as by drawing this resolution to the attention of the secretariats of, and meetings of Contracting Parties to, UNEP Regional Seas Programmes, UNEP Governing Council, and other relevant intergovernmental organizations, particularly those with whom IUCN enjoys observer status, and by keeping Union members informed of progress on this issue;

2. FURTHER REQUESTS the IUCN Director General to encourage IUCN members and Commissions to support and conduct further research on the effects and mitigation of anthropogenic noise on marine species, to ensure that such research is conducted to the highest standards of science and public credibility, avoiding conflicts of interest, and to encourage the application of the results of research in mitigating anthropogenic noise pollution;

3. CALLS ON the IUCN constituency to recognize that, when there is reason to expect that harmful effects on biota may be caused by such noise, lack of full scientific certainty should not be used as a reason for postponing measures to prevent or minimize such effects;

4. FURTHER CALLS ON:

(a) the SSC, in cooperation with its specialist groups, to take account of noise pollution as a potential impact on species and biodiversity when applying the IUCN Red List categories and criteria and to develop research projects and management recommendations that advance the conservation of marine species in light of such pollution;

(b) the World Commission on Protected Areas (WCPA) to consider anthropogenic noise in all its work related to marine protected areas and refuges and specifically in its assessments of the conservation status of World Heritage sites and in its efforts to implement the revised *Programme of Work on marine and coastal biological diversity* adopted by decision VII/5 of the 7<sup>th</sup> Meeting of the Conference of Parties to the Convention on Biological Diversity (Kuala Lumpur, 2004); and

(c) the Commission on Environmental Law (CEL) to make recommendations on legal and policy issues arising out of the international management of undersea noise pollution, and to counsel IUCN members, governments, and intergovernmental organizations on such issues, particularly in the drafting of legal instruments;

5. ENTREATS IUCN member governments, through the mechanisms available to them under domestic and international law, including the development of legal instruments to:

(a) monitor for and investigate, in a publicly open, inclusive, and transparent manner, the impacts on marine species, including but not limited to mass strandings and deaths, that are associated with the use of intense anthropogenic noise;

(b) encourage the development of alternative technologies and require the use of best-available control techniques and other mitigation measures in reducing impacts from individual noise sources;

(c) consider how to limit the use of powerful noise sources until their short-term and long-term effects are better understood, and, to the maximum extent possible, to avoid the use of such sources in habitat of vulnerable species and in areas where marine mammals or endangered species may be concentrated;

(d) in the case of military active sonar, act with particular urgency to reduce impacts on beaked whales, and other potentially vulnerable species, by restricting training to low-risk areas, and by working diligently toward the development of international standards that regulate its use;

(e) consider noise restrictions in their management guidelines for marine protected areas; and

(f) work together with national and international non-governmental organizations and with the scientific community in accomplishing these goals; and

6. URGES IUCN member governments that are:

(a) Member States of the United Nations to work through the United Nations Convention on the Law of the Sea and other authorities, and members of the International Maritime Organization to work through the International Convention for the Prevention of Pollution from Ships (MARPOL 73/78) and other relevant instruments and bodies, to develop mechanisms for the control of undersea noise;

(b) Member States of the European Union (EU) to recognize under Article 12 of the Habitats Directive (Council Directive 92/43/EEC) that underwater noise is a potential source of disturbance to marine species listed on Annex IV(a) and to ensure that the EU's *Marine Strategy* addresses the regulation of harmful noise in the marine environment; and

(c) Parties to UNEP Regional Seas Agreements, and to other regional marine agreements and conventions, to include the control of anthropogenic noise pollution in their strategies, action plans, and/or measures for the preservation of habitats and the conservation of marine biological diversity.

The Ministry of Environment, Norway provided the following statement for the record:

*We think the resolution is premature and the extent of the problem first should be identified.*

The Ministry of Environment and Forests, Turkey provided the following statement for the record:

*Turkey is not a party to the United Nations Convention on the Law of the Sea (UNCLOS). Turkey objects to making any reference to the mentioned Convention.*

The Department of State, United States, provided the following statement for the record:

*The United States shares the underlying concerns with the potential effects of anthropogenic ocean sound on marine life and would like a number of clarifying points included in the Record.*

- *We recognize that some anthropogenic ocean sound may have adverse effects, ranging from chronic to acute, on marine life.*
- *The United States is a leader in funding research on all aspects of the issue.*
- *The United States is a leader in implementing science-based management programs to assess and mitigate the adverse effects of some anthropogenic sound on marine mammals and endangered and threatened species.*
- *The United States supports continued reliance upon science in making regulatory decisions about activities associated with anthropogenic ocean sound.*
- *The United States encourages an international approach to advance scientific understanding of this issue and to promote science-based means of addressing adverse effects.*

*State and agency members United States refrained from engaging in deliberations on this motion and took no national government position on the motion as adopted for reasons given in the US General Statement on the IUCN Resolution Process.*