



16TH MEETING OF THE CMS SCIENTIFIC COUNCIL

Bonn, Germany, 28-30 June, 2010

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Agenda Item 13.3c

FOLLOW-UP OF CMS RESOLUTION 9.19 ON ADVERSE ANTHROPOGENIC MARINE/OCEAN NOISE IMPACTS ON CETACEANS AND OTHER BIOTA

(Prepared by the CMS Secretariat)

1. The Resolution on Adverse Anthropogenic Marine/Ocean Noise Impacts on Cetaceans and Other Biota adopted at 9th Meeting of the Conference of Parties to CMS in December 2008 (Resolution 9.19) calls for various actions from both the CMS Secretariat and the Scientific Council.
2. The Resolution was passed in recognition of the fact that anthropogenic ocean noise is a form of pollution that affects cetaceans, marine turtles and migratory fish by degrading habitats and disturbing communication, group cohesion or even leading to injury and mortality, potentially over large distances. Because the negative impacts of anthropogenic ocean noise on marine life are often difficult to prove, Parties affirmed that a precautionary approach was necessary in addressing this matter. Accordingly, while calling for more research to improve the understanding of the complex marine ecosystem and the effects of anthropogenic ocean noise emissions, the Resolution stresses that lack of full scientific certainty of harmful effects should not be used as a reason to postpone measures to prevent or minimise such effects.
3. Numerous actions are suggested for Parties, such as controlling the impact of sound emissions on vulnerable species; undertaking relevant environmental impact assessments; adopting mitigation measures on the use of high intensity naval sonar; involving all relevant stakeholders in noise mitigation efforts; adopting the precautionary approach in any case of doubt of adverse effects on marine species; ensuring appropriate monitoring of anthropogenic noise levels; and conducting research on noise sources, sound propagation, noise impacts and mitigation measures. Progress should be reported to the CMS COP10 in 2011.

Secretariat Actions

4. Resolution 9.19 (para. 3) also invites Parties to provide the CMS Secretariat with copies of relevant protocols, guidelines and provisions for the effective management of anthropogenic noise. The CMS Secretariat has written to all Parties to that effect, asking to share such information.
5. In parallel, the Secretariat has written to relevant CMS daughter agreements and other fora to ask for copies of any such protocols, guidelines or provisions that have been developed under their auspices or have been endorsed in their fora.
6. Responses received will be made available to the Scientific Council.

Scientific Council Actions

7. Paragraph 3 of the Resolution requests the Scientific Council, taking into account the information gathered by the Secretariat, to develop voluntary guidelines on noise-generating activities for presentation to COP10.

8. In order to fulfil this mandate, the Council may wish to consider the establishment of a joint working group with ACCOBAMS and ASCOBANS. After initial discussions between the Secretariats of CMS/ASCOBANS and ACCOBAMS and the positive reception of an intervention to that effect of the ACCOBAMS Executive Secretary at the 6th Meeting of the Parties of ASCOBANS (September 2009), an informal meeting of some members of the ACCOBAMS and ASCOBANS noise working groups took place on the margins of the 24th Annual Conference of the European Cetacean Society in Stralsund in March 2010.

9. The participants agreed that it would be most beneficial to prepare a comprehensive report on what can be done to mitigate noise from a range of sources. The aims of this joint report would be to:

- a) Provide advice to Parties on how to address the requirements of the relevant legal obligations concerning noise that countries have decided to adhere to, for example those of international conventions and EU Directives;
- b) Focus on management and effective mitigation of noise; and
- c) Give consideration to how relevant monitoring might best be achieved.

10. The joint working group would preferably involve not only ASCOBANS and ACCOBAMS, but also CMS and possibly OSPAR. The joint approach and comprehensive content would avoid duplication of effort, allow Parties and Signatories of CMS and all relevant agreements to benefit from the expertise of the other fora and would allow governments to refer to a useful reference guide, which builds on the variety of documents touching on these subjects.

11. The matter will also be brought before the 17th Meeting of the ASCOBANS Advisory Committee (October 2010) and, if appropriate, the 4th Meeting of the Parties to ACCOBAMS (November 2010). Early in 2011, the contracting states of OSPAR will also be invited to consider whether they would like to join the working group.

Action requested:

- a) Request Councillors to remind their national governments of the actions outlined for them in CMS Resolution 9.19 and encourage their implementation.
- b) Request Councillors to support national focal points in the gathering of copies of relevant protocols, guidelines and provisions for the effective management of anthropogenic noise and their transmission to the CMS Secretariat.
- c) Endorse the formation of a joint working group between CMS, ACCOBAMS, ASCOBANS and possibly OSPAR to prepare a comprehensive report on noise mitigation.
- d) Nominate Councillors to participate in this intersessional working group, if formed.