

DRAFT RESOLUTION 8.11 (REV.MOP9):**CMS FAMILY GUIDELINES ON ENVIRONMENTAL IMPACT ASSESSMENTS FOR MARINE NOISE-GENERATING ACTIVITIES**

Mindful that Parties to CMS, ACCOBAMS and ASCOBANS have in several resolutions recognized underwater noise as a major threat to many marine species,

Recalling that the Conservation and Management Plan annexed to the Agreement stipulates that ASCOBANS work towards “the prevention of other significant disturbance, especially of an acoustic nature”,

Further recalling Resolution 6.2 on Adverse Effects of Underwater Noise on Marine Mammals during Offshore Construction Activities for Renewable Energy Production, Resolution 5.4 on Adverse Effects of Sound, Vessels and Other Forms of Disturbance on Small Cetaceans, Resolution 8.6 on Ocean Energy, Resolution 8.8 on Addressing the Threats from Underwater Munitions and Resolution 8.9 on Managing Cumulative Anthropogenic Impacts in the Marine Environment;

Also recalling related decisions adopted by the Conference of the Parties to CMS, in particular Resolution 12.14 on Adverse Impacts of Anthropogenic Noise on Cetaceans and Other Migratory Species, by which the *CMS Family Guidelines on Environmental Impact Assessment for Marine Noise-generating Activities* were adopted,

Noting related decisions adopted by the Meeting of the Parties to ACCOBAMS, in particular Resolution 5.15 on Addressing the Impact of Anthropogenic Noise, and Resolutions 6.17 and 7.13 on Anthropogenic Noise,

Taking note of the IWC Resolution 2018-4 on Anthropogenic underwater noise,

Further noting MSFD, OSPAR and HELCOM work on noise data register and marine noise thresholds,

Recalling IMO guidelines for the reduction of underwater noise from commercial shipping to address adverse impacts on marine life and taking note of the need for a full implementation of the guidelines by governments and the shipping industry, [and noting the ongoing process to revise these guidelines within IMO]

Aware that these resolutions also call for noise-related considerations to be already taken into account in the planning stages of activities, especially by making effective use of Environmental Impact Assessments (EIA),

Reaffirming that the difficulty of proving quantifying detrimental effects of acoustic disturbance on cetaceans necessitates a precautionary approach in dealing with this issue,

Mindful of the fact that anthropogenic noise should be avoided wherever possible,

Grateful to the Principality of Monaco for providing funds for the development of these guidelines for the CMS Family under the Migratory Species Champion Programme, and to OceanCare for co-funding the project,

Expressing thanks to the experts that contributed to the development of this document, as well as to focal points and members of the scientific advisory bodies and working groups of CMS, ACCOBAMS and ASCOBANS that provided input and comments,

Recognizing that anthropogenic marine noise affects many species, and that the adoption of guidelines for environmental impact assessments for marine noise-generating activities would benefit a number of CMS species, including cetaceans, pinnipeds, marine turtles and sharks,

Noting the recommendations of the 'Best Practice Workshop: Fostering Inter-regional Cooperation in Underwater Noise Monitoring and Impact Assessment in Waters around Europe, within the Context of the European Marine Strategy Framework Directive', jointly organized by ACCOBAMS, ASCOBANS, CMS, and the European Cetacean Society (April 2017),

Noting the ACCOBAMS Workshop on sonars and cetaceans' interactions (October 2019), aimed to improve dialogue and cooperation of national navies.

The Meeting of the Parties to ASCOBANS

1. *Adopts* the CMS Family Guidelines on Environmental Impact Assessments for Marine Noise-generating Activities attached as Annex and *welcomes* the Technical Support Information contained in ASCOBANS/MOP9/Inf.6.2.6a;
2. *Strongly encourages* Parties to disseminate the CMS Family Guidelines on Environmental Impact Assessment for Marine Noise-generating Activities to all national departments involved in deciding on noise-generating activities;
3. *Recognizes* that the work done in relation to underwater noise is rapidly evolving, and *invites* the CMS Scientific Council, in collaboration with the Joint Noise Working Group of CMS, ACCOBAMS and ASCOBANS, to assess the need for updating the guidelines and/or its Technical Support Information regularly, as appropriate;
4. *Encourages* Parties to fully support and transparently provide data towards the ICES impulsive noise registry, as well as consider providing information about planned noise-generating activities to allow making use of the registry as management tool;
5. *Invites* the private sector and other stakeholders to take note of the development of these guidelines in assessing, mitigating and minimizing the negative effects of sound on marine species;
6. *Welcomes* the efforts of the private sector and other stakeholders to reduce anthropogenic noise in the marine environment and *strongly encourages* them to continue making this a priority;
7. *Requests* the Advisory Committee, supported by the Joint Noise Working Group of CMS, ACCOBAMS and ASCOBANS, to continue monitoring new available information on the effects of underwater noise on cetaceans and their prey species, as well as the effective assessment and management of this threat, and to make recommendations to Parties as appropriate; and
8. *Requests* the Advisory Committee, supported by the Joint Noise Working Group of CMS, ACCOBAMS and ASCOBANS, to engage and collaborate with other relevant bodies considering anthropogenic noise, including the IWC, ICES, HELCOM and OSPAR;
9. *Recommends* that Parties, the private sector and other stakeholders apply Best Available Technology (BAT) and Best Environmental Practice (BEP) including, where appropriate, clean technology, in their efforts to reduce or mitigate marine noise pollution, taking into account, [when published,] the CMS Technical Series on *Best Available Technology (BAT) and Best Environmental Practice (BEP) for Three Noise Sources: Shipping, Seismic Airgun Surveys, and Pile Driving* [currently under preparation]; and

10. *Encourages* Parties to take into account the Action Plan resulting from the ACCOBAMS Workshop on sonars and cetaceans' interactions, and join collaborative effort in as a voluntary approach.

[Annex: CMS Family Guidelines on Environmental Impact Assessment for Marine Noise-generating Activities]