

Agenda Item 7.1

Relations with Other Bodies
Outcome of CMS COP10

Document 7-07

**CMS Resolution 10.24 on
Further Steps to Abate Underwater
Noise Pollution for the Protection of
Cetaceans and Other Migratory
Species**

Action Requested

- Take note
- Consider implications for ASCOBANS

Submitted by

Secretariat



**NOTE:
IN THE INTERESTS OF ECONOMY, DELEGATES ARE KINDLY REMINDED TO BRING THEIR
OWN COPIES OF DOCUMENTS TO THE MEETING**

**CONVENTION ON
MIGRATORY
SPECIES**

Distr: General

UNEP/CMS/Resolution 10.24

Original: English

**FURTHER STEPS TO ABATE UNDERWATER NOISE POLLUTION FOR THE
PROTECTION OF CETACEANS AND OTHER MIGRATORY SPECIES**

Adopted by the Conference of the Parties at its Tenth Meeting
(Bergen, 20-25 November 2011)

Recalling that in Resolution 9.19 the CMS Parties expressed concern about possible “adverse anthropogenic marine/ocean noise impacts on cetaceans and other biota”;

Recalling that in the meantime other international fora such as the:

- International Maritime Organization (IMO)
- International Whaling Commission (IWC)
- Convention for the Protection of the Marine Environment of the North-East-Atlantic (OSPAR)
- Agreement on the Conservation of Small Cetaceans of the Baltic, North East Atlantic, Irish and North Seas (ASCOBANS)
- Agreement on the Conservation of Cetaceans in the Black Sea, Mediterranean Sea and contiguous Atlantic Area (ACCOBAMS)

have also recognized or continued to recognize man-made noise as a potential threat to cetacean conservation and welfare;

Recalling that the United Nations General Assembly in paragraph 107 of its Resolution 61/222 on "Oceans and the law of the sea", adopted on 20 December 2006 "encourages further studies and consideration of the impacts of ocean noise on marine living resources, and requests the Division¹ to compile the peer-reviewed scientific studies it receives from Member States and to make them available on its website";

Noting in this context the following resolutions and papers adopted under other international fora during the last triennium:

- (a) The Convention on Biological Diversity (CBD) COP Decision X.29 concerning marine and coastal biodiversity and in particular its paragraph 12 relating to anthropogenic underwater noise;

¹ UN Secretariat Division for Ocean Affairs and the Law of the Sea (DOALOS)

- (b) ACCOBAMS MOP Resolution 4.17 “Guidelines to address the impact of anthropogenic noise on cetaceans in the ACCOBAMS area”;
- (c) ASCOBANS MOP Resolution 6.2 “Adverse effects of underwater noise on marine mammals during offshore construction activities for renewable energy production”;
- (d) The 2009 IMO Report “Noise from commercial shipping and its adverse impacts on marine life”;
- (e) The 2008 OSPAR Guidance on environmental considerations for offshore wind farm development;
- (f) IWC Consensus Resolution 2009-1 on Climate and other environmental changes and cetaceans; and

Acknowledging the ongoing activities in other fora to reduce underwater noise such as the activities of the IMO to delimit shipping noise, and activities within NATO to avoid negative effects of SONAR use;

*The Conference of the Parties to the
Convention on the Conservation of Migratory Species of Wild Animals*

1. *Reaffirms* that there is a need for ongoing and further internationally coordinated research on the impact of underwater noise (including *inter alia* from offshore wind farms and associated shipping) on cetaceans and other migratory species and their migratory routes and ecological coherence in order to give adequate protection to cetaceans and other marine migratory species;
2. *Confirms* the need for international, national and regional limitation of harmful underwater noise through management (including, where necessary, regulation), and that Resolution 9.19 remains a key instrument in this regard;
3. *Strongly urges* Parties to prevent adverse effects on cetaceans and on other migratory marine species by restricting the emission of underwater noise, understood as keeping it to the lowest necessary level with particular priority given to situations where the impacts on cetaceans are known to be heavy; and where noise cannot be avoided, *urges* Parties to develop an appropriate regulatory framework or implement relevant measures to ensure a reduction or mitigation of man-made underwater noise;
4. *Urges* Parties to ensure that Environmental Impact Assessments take full account of the effects of activities on cetaceans and to consider potential impacts on marine biota and their migration routes and consider a more holistic ecological approach already at a strategic planning stage;
5. *Recommends* that Parties apply Best Available Techniques (BAT) and Best Environmental Practice (BEP) including, where appropriate, clean technology, in their efforts to reduce or mitigate marine noise pollution; and *further recommends* that Parties use, as appropriate, noise reduction techniques for offshore activities such as: air-filled coffer dams, bubble curtains or hydro-sound dampers, or different foundation types (such as floating

platforms, gravity foundations or pile drilling instead of pile driving);

6. *Encourages* Parties to integrate the issue of anthropogenic noise into the management plans of marine protected areas (MPAs) where appropriate, in accordance with international law, including UNCLOS;

7. *Invites* the private sector to assist in developing mitigation measures and/or alternative techniques and technologies for coastal, offshore and maritime activities in order to minimize noise pollution of the marine environment to the highest extent possible;

8. *Instructs* the Secretariat to draw this Resolution to the attention of the governing bodies of the CBD, UNCLOS, UNEP (Regional Seas Programmes, Governing Council), IMO and other relevant intergovernmental organizations, and to keep those bodies informed of progress in implementing this Resolution.