

Agenda Item 6.3: Resolutions for MOP 5

**Draft Resolution No. 4: Adverse Effects of Noise, Vessels
and other Forms of Disturbance on Small Cetaceans**

Submitted by: Secretariat



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

5th MEETING OF THE PARTIES TO ASCOBANS
Egmond aan Zee, The Netherlands, 19 - 22 September 2006

Draft Resolution No. 4

Adverse Effects of Noise, Vessels and other Forms of Disturbance on Small Cetaceans

Recalling that the Agreement on the Conservation of Small Cetaceans of the Baltic and North Seas stipulates that ASCOBANS work towards "the prevention of other significant disturbance, especially of an acoustic nature";

Recalling Resolution No. 5 of the 4th Meeting of the Parties and previous related Resolutions and recommendations adopted within the framework of ASCOBANS;

Recalling Resolution 8.22 adopted by the Eighth Conference of the Parties to the Convention on Migratory Species (CMS) on adverse human induced impacts on cetaceans, Resolution 7.5 of the Seventh Conference of the Parties to the Convention on the Conservation of Migratory Species on wind turbines and migratory species, and previous related Resolutions and Recommendations adopted within the framework of CMS;

Recalling the obligation of States Parties to the United Nations Convention on the Law of the Sea (UNCLOS) to cooperate through the appropriate international organizations for the conservation and management of marine mammals (Articles 65 and 120);

Recalling the results of the ASCOBANS study (MoP4/Doc.17) on the effects of noise and of vessels on cetaceans, which range from disturbance to potential lethal consequences from some military sonars and from ship strikes;

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

Recognizing the commitment of Parties to a change to using renewable sources of energy;

Recognizing the potential disturbance caused by offshore extractive industries and other activities including those associated with renewable energy;

Recognizing the political sensitivities in relation to military activities;

The Meeting of the Parties to ASCOBANS

Requests Parties and non-Party Range States that have not yet done so to introduce guidelines on measures and procedures for seismic surveys to

- (1) alter the timing of surveys or to minimise their duration;
- (2) reduce noise levels as far as practicable;
- (3) avoid starting surveys when cetaceans are known to be in the immediate vicinity;
- (4) introduce further measures in areas of particular importance to cetaceans;
- (5) develop a monitoring system that will enable adaptive management of seismic survey activities;

Reiterates its invitation to Parties and non-Party Range States to

- (1) develop, with military authorities, effective mitigation measures including environmental impact assessments and relevant standing orders to reduce disturbance of, and potential physical damage to, small cetaceans;
- (2) conduct further research into the effects on small cetaceans of:
 - (a) vessels, particularly high speed ferries;
 - (b) acoustic harrassment devices, such as those used in fish farms and elsewhere;
 - (c) offshore extractive and other industrial activities;
 - (d) other acoustic disturbances. This should include research on physical and behavioural effects, and be at the individual and population level;
- (3) conduct research and develop appropriate management measures and guidelines to minimise any adverse effects on small cetaceans of the above factors;
- (4) develop and implement procedures to assess the effectiveness of any guidelines or management measures introduced;
- (5) report on high energy seismic surveys per one degree by one degree rectangle using shot point density.

Invites Parties and non-Party Range States to cooperate in developing and implementing the measures recommended in the Annex to Resolution 8.22, adopted by the Eighth Meeting of the Parties to CMS, insofar as these are applicable and relevant to ASCOBANS;

Reiterates its invitation to the European Cetacean Society to elaborate methods for investigation of possible damage to cetaceans (including removal of cetacean auditory apparatus from fresh carcasses, and examination for damage to other body tissue) as part of further research into possible effects of noise on cetaceans and their behaviour.