

RESOLUTION 2.16

ASSESSMENT AND IMPACT ASSESSMENT OF MAN-MADE NOISE

The Meeting of the Parties to the Agreement on the Conservation of Cetaceans of the Black Sea, Mediterranean Sea and contiguous Atlantic Area:

On recommendation of the ACCOBAMS Scientific Committee:

Aware of the fact that cetaceans are particularly vulnerable to disturbance;

Recognizing that anthropogenic ocean noise is a form of pollution, comprised of energy, that can have adverse effects on marine life ranging from disturbance to injury and mortality;

Aware that some types of anthropogenic noise can travel hundreds and even thousands of kilometers underwater and, more than other forms of pollution, are not restricted by national boundaries;

Concerned that, over the last century, noise levels in the world's oceans generally, and in the Agreement area in particular, have increased as a result of human activities such as, but not exclusively, commercial shipping, oceanographic and geophysical research, military testing and training, shoreline development, oil and gas exploration, and aquaculture;

Conscious that:

- The chronic effects of increased anthropogenic noise levels are generally unknown but may potentially include significant effects at the population level, that cannot be fully assessed or predicted at present;
- The awareness on the impact of man made noises is a raising concern at the level of the Intergovernmental community;

Aware of several incidents of mass strandings and deaths of cetaceans coincident with the use of high-intensity active sonar;

Recognising that some scientific experiments may entail some intentional harassment of cetaceans;

Recalling that:

- The definition of pollution adopted in main of the relevant intergovernmental Conventions covers *inter alia* direct and indirect introduction by man of energy in the maritime environment;
- Article II requires the Parties to apply conservation, research and management measures to the assessment and management of human-cetacean interactions, based on the precautionary principle;
- The Conservation Plan, which is fully part of the Agreement, requires the Parties to:
 - (a) Carry out impact assessments in order to provide a basis for either allowing or prohibiting the continuation or the future development of activities that may affect cetaceans or their habitat in the Agreement area, as well as establishing the conditions under which such activities may be conducted; and
 - (b) Regulate the discharge at sea of pollutants believed to have adverse effects on cetaceans, and adopt within the framework of other appropriate legal instruments stricter standards for such pollutants;
- Resolution 2.8 on the Guidelines for derogations from Article II.1 for the purpose of non-lethal *in situ* research is aimed at maintaining a favourable conservation status for cetaceans;
- Relevant Resolutions, Directives and other legal commitments the Parties could have accepted in others intergovernmental fora like UNCLOS, IMO, and IWC;

1. *Urges* Parties and non Parties to take a special care and, if appropriate, to avoid any use of man made noise in habitat of vulnerable species and in areas where marine mammals or endangered species may be concentrated, and undertake only with special caution and transparency any use of man made noise in or nearby areas believed to contain habitat of Cuvier's beaked whales (*Ziphius cavirostris*), within the ACCOBAMS area;
2. *Urges* Parties to facilitate national and international researches on the following subjects:
 - A collaborative and co-ordinated temporal and geographic mapping of local ambient noise (both of anthropogenic and biological origin);
 - The compilation of a reference signature database, to be made publicly available, to assist in identifying the source of potentially damaging sounds;
 - An assessment of the potential acoustic risk for individual target species in consideration of their acoustic capabilities and characteristics;
3. *Urges* Parties to provide the ACCOBAMS Scientific Committee with public, national or international, protocols/guidelines developed by military authorities with respect to use of sonar in the context of threats to cetaceans, and the information upon which they are based (including data and distribution models);
4. *Urges* Parties to consult with any profession conducting activities known to produce underwater sound with the potential to cause adverse effects on cetaceans, such as the oil and gas industry, oceanographic and geophysical researchers, military authorities, shoreline developers, and the aquaculture industry, recommending that extreme caution be exercised in the ACCOBAMS area. The ideal being that the most harmful of these activities would not be conducted in the ACCOBAMS area until satisfactory guidelines are developed;
5. *Encourages* the development of alternative technologies and require the use of best available control technologies and other mitigation measures in order to reduce the impacts of man-made noise sources in the Agreement area;
6. *Charges* the Scientific Committee to review the technical bases of this Resolution and to develop by the next Meeting of Parties a common set of guidelines on conducting activities known to produce underwater sound with the potential to cause adverse effects on cetaceans;
7. *Invites* Parties to report to the next Meeting of Parties about the progress made on this Resolution.