

## European Parliament resolution on the environmental effects of high-intensity active naval sonars

B6-0089/2004

*The European Parliament,*

- having regard to Article 6 and Article 174 of the Treaty on European Union,
- having regard to the UN Convention on the Law of the Sea (1982),
- having regard to the Biodiversity Convention,
- having regard to the provisions of Habitats Directive, 92/43/EEC,
- having regard to the International Whaling Convention of 1946,
- having regard to its resolution on the Commission communication 'Towards a strategy to protect and conserve the marine environment' of 19 June 2003,
- having regard to the Commission statements concerning Written Questions E-2442/01 and E-2797/02 and Oral Question O-0096/02,
- having regard to the petition on high-intensity active sonars submitted to the Committee on Petitions (0611/2003) in June 2003,
- having regard to Rule 108(5) of its Rules of Procedure,
- having regard to the Convention on the Conservation of Migratory Species of Wild Animals (CSM),

A. whereas scientific and public concerns are increasing after a series of documented mass mortalities of cetaceans (in Greece, 1996; in the US Virgin Islands, 1998, 1999; in the Canary Islands, 1985, 1986, 1989, 2002; in the Bahamas, 2000; in Madeira, 2000; and on the north-west coast of the United States, 2003) associated with the use of high-intensity mid-frequency active sonars in coastal environments,

B. whereas a growing body of research, including evidence published by 18 European scientists in *Nature* (9 October 2003), confirm that the very loud sounds produced by high-intensity active naval sonars pose a significant threat to marine mammals, fish and other ocean wildlife,

C. whereas these sonars may have a negative impact on commercial fishing and the already depleted fish stocks throughout the world's oceans, as also evidenced by a study commissioned by the UK Defence Research Agency (FRRI 27/94),

D. whereas Articles 204-206 of the United Nations Convention on the Law of the Sea (UNCLOS) require States to assess the potential impact of their activities on the marine environment and communicate the results of such assessments,

E. whereas Resolution 1998-6 of the International Whaling Commission (IWC) identified anthropogenic noise as a priority topic for investigation within its Scientific Committee, and whereas the IWC Scientific Committee, in its report to the 56th meeting of the IWC (July 2004), concluded that there is now compelling evidence implicating military sonars as having a direct impact on whales, in particular on beaked whales; whereas the Scientific Committee also agreed that evidence of increased sounds from other sources, including ships and seismic activities, was cause for serious concern,

F. whereas underwater noise is a form of pollution of the marine environment covered by UNCLOS and Article 194 of UNCLOS stipulates that 'States shall take all measures that are necessary to prevent, reduce and control pollution of the marine environment from any source',

G. whereas the EU is committed to halting biodiversity loss in the EU by the year 2010, under Decision No 1600/2002/EC laying down the Sixth Environmental Action Programme (6EAP), and

globally, under the Convention on Biological Diversity and the Plan of Implementation adopted at the World Summit on Sustainable Development,

H. whereas, with a view to effective compliance with these obligations, the nature of the risks involved requires that the precautionary approach, as enshrined in the EC Treaty, be applied, i.e. if scientific doubts exist, action which might harm biodiversity and wildlife must be avoided,

I. whereas, in its resolution of 19 June 2003 on the Commission communication 'Towards a strategy to protect and conserve the marine environment', Parliament considered that the lack of a complete information base must not be used as a pretext to prevent appropriate precautionary action, in particular where there is clear evidence of a significant decline in biodiversity,

J. whereas, in the same resolution, Parliament called on the Commission to bring forward, as soon as possible, a thematic strategy on the marine environment, based on the following elements:

- the 'precautionary principle', including the evaluation of the long-term effects of policies and actions, in line with Article 6 of the Treaty;
- the concept of sustainability, including establishing benchmarks for protection and conservation objectives as well as action targets;
- a Strategic Environmental Assessment (SEA), in order to integrate environmental and biodiversity considerations into mainstream decision-making;
- an integrated approach to addressing threats caused by all human activities affecting the marine environment and a careful assessment of their impact on this environment and the mutual influence and dependency of such impacts;
- an integrated approach to coastal and offshore marine management;
- a regional approach taking into account regional differences in ecological characteristics, threats and socio-economic aspects;
- strategic marine spatial planning for regional seas covering the whole of the EU continental shelf, which would incorporate a plan-led approach into sectoral decision-making systems,

K. whereas the CSM notes, in relation to several cetacean species, that mass strandings after military sonar tests are a matter for concern and should be further investigated,

1. Calls on the European Union and its Member States to adopt a moratorium on the deployment of high-intensity active naval sonars until a global assessment of their cumulative environmental impact on marine mammals, fish and other marine life has been completed;
2. Calls on the Member States to actively pursue, in the framework of NATO and other international organisations, the adoption of moratoriums and restrictions on the use of high-intensity active sonars in naval operations and the development of alternative technologies;
3. Calls on the Member States to immediately restrict the use of high-intensity active naval sonars in waters falling under their jurisdiction;
4. Calls on the Member States to monitor and investigate in a transparent manner mass strandings and deaths of marine mammals in EU waters which are associated with the use of intense anthropogenic noise and to communicate the findings to the Commission;
5. Calls on the European Commission to conduct a study of the potential impact on the marine environment of the deployment of high-intensity active naval sonars and to provide an assessment, on the basis of information from the Member States, of the impact of current practices in European waters;
6. Calls on the Commission and the Member States to set up a Multinational Task Force to develop international agreements regulating noise levels in the world's oceans, with a view to regulating and limiting the adverse impact of anthropogenic sonars on marine mammals and fish;
7. Considers that any measures to introduce common standards and cooperation in the defence industry field must exclude and actively seek alternatives to technologies which are likely to cause unnecessary and serious damage to the environment and other Community interests, such as, in this case, fisheries;
8. Instructs its President to forward this resolution to the Council and Commission.