

**RESOLUTION 5.15**

**ADDRESSING THE IMPACT OF ANTHROPOGENIC NOISE**

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

*Recalling* that Article II of the Agreement requires the Parties to apply conservation, research and management measures to the assessment and management of human–cetacean interactions, on the basis of the precautionary principle,

*Reaffirming* that anthropogenic marine noise is a form of pollution, caused by the introduction of energy into the marine environment, that can have adverse effects on marine life, ranging from disturbance to injury and death,

*Recalling* Resolution 4.17 to which the Guidelines to Address the Impact of Anthropogenic Noise on Cetaceans in the ACCOBAMS Area are annexed,

*Considering* that Resolution 4.17, *inter alia*, directed the Working Group established in Resolution 3.10, in cooperation with the Secretariat, the Scientific Committee and Parties, to further develop the above mentioned Guidelines, with the aim of testing the application of the Guidelines in particular areas to make them implementable by the Parties and operators, and to report about progress made in implementing this Resolution to the next Meeting of Parties,

*Considering* UNEP/CMS Resolution 10.24 “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),

*Noting* the 2013 Scientific Committee Report of the International Whaling Commission, and the emphasis it has placed on reducing the impacts of anthropogenic underwater noise, including by Marine Spatial Planning and the use of time-area closures and quieting technologies,

*Mindful* that the International Maritime Organization’s draft voluntary guidelines for reducing noise from commercial vessels have been forwarded to the Marine Environment Protection Committee for adoption at its March 2014 meeting in London,

*Aware* of the additional ongoing work on noise undertaken within, *inter alia*, the Agreement on the Conservation of Small Cetaceans of the Baltic, North East Atlantic, Irish and North Seas (ASCOBANS), the Convention of Biological Diversity (CBD) decision XI/18 on the impacts of anthropogenic underwater noise on marine and coastal biodiversity, the important scientific synthesis on the impacts of underwater noise on marine and coastal biodiversity and habitats (UNEP/CBD/SBSTTA/16/INF/12) that was prepared for the sixteenth meeting of the CBD Subsidiary Body on Scientific, Technical and Technological Advice (UNEP/CBD/SBSTTA/16/6), the International Maritime Organization (IMO), the International Whaling Commission, the OSPAR Convention for the Protection of the Marine Environment of the North-East Atlantic, the European Union, the Barcelona Convention Offshore Protocol (Pollution from Exploration and Exploitation), Pelagos, the NATO Centre for Maritime Research and Experimentation (CMRE), the United States Marine Mammal Commission, the United States National Marine Fisheries Service, the United States National Oceanic and Atmospheric Administration (NOAA), the International Council for the Exploration of the Sea (ICES) and other governmental and nongovernmental Organizations,

*Also aware* of the European Parliament’s proposal to amend “Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment” that now includes research and exploration of mineral resources,

*Appreciative* of the organisations and bodies who have supported ACCOBAMS to address this issue including the Cluster Maritime Français, the European Cetacean Society, the joint ACCOBAMS/ASCOBANS Noise Working Group for the work done during the triennium 2011-2013 and for the preparation of documents presented to the Meeting of the Parties, and the scientists and experts who volunteer their expertise to the Noise Working Group,

*Taking into consideration* the Recommendations of the Scientific Committee and its decisions to appoint a consultant to provide a bibliographic synthesis and to consult with noise producers,

*Aware* that such documentation helps to clarify the guidelines and can provide a basis from which to develop a methodological guide that can facilitate their implementation,

1. *Invites* the ACCOBAMS Parties to take into consideration in their future work to implement the Guidelines to Address the Impact of Anthropogenic Noise on Cetaceans in the ACCOBAMS Area the documents:

- ACCOBAMS-MOP5/2013/Doc.22 (Anthropogenic noise and marine mammals: review of the effort in addressing the impact of anthropogenic underwater noise in the ACCOBAMS and ASCOBANS areas), which includes Noise Working Group comments;
- ACCOBAMS-MOP5/2013/Doc.23 (Implementation of underwater noise mitigation measures by industries : Operational and economical constraints), which includes Noise Working Group comments;
- ACCOBAMS-MOP5/2013/Doc.24 (Methodological Guide: “Guidance on underwater noise mitigation measures”), which does not yet include Noise Working Group comments and will be further elaborated;

2. *Urges* relevant national and international bodies to develop norms and standards that define methodologies and protocols to measure noise and evaluate the impact of noise on marine life;

3. *Urges* relevant national and international bodies to require the application of best practice to eliminate or reduce anthropogenic noise;

4. *Calls* on ACCOBAMS to play a full part in the activities outlined in articles 2 and 3 above;

5. *Calls on* the Parties to consider in their national legislation the requirements of mitigation protocols articulated in ACCOBAMS Res.4.17 and in CMS Resolution 10.24, in particular by:

- seeking to ensure that Environment Impact Assessments (EIAs) take full account of the effects of activities on cetaceans;
- implementing the recommended use of Best Available Techniques (BAT) and Best Environmental Practice (BEP) in their efforts to reduce or mitigate marine noise pollution;
- integrating the issue of anthropogenic noise into the management plans of marine protected areas;

6. *Underlines* that the information to be provided within EIAs should include specific details that mirror those articulated in the ‘Guidelines to address the impact of anthropogenic noise on cetaceans in the ACCOBAMS area’;

7. *Mandates* the Secretariat, in collaboration with the Scientific Committee, to continue coordinating with other international bodies in order to help Parties in implementing mitigation measures;

8. *Welcomes* the proposal to extend the Noise Working Group to the CMS, and agrees with the Term of Reference presented in Document ACCOBAMS-MOP5/2013/Doc29;

9. *Adds* to the Terms of Reference for the Noise Working Group, as presented in Document ACCOBAMS-MOP5/2013/29, the following activities:

- continue the study on the extent and temporal variability of the habitat of species that are known to be particularly vulnerable to man-made noise (e.g., *Ziphius cavirostris*), in order to ensure that more data are made available, to increase the model’s robustness and to compare different algorithms for best results;
- further develop the documents referenced in paragraph 1 above according to available knowledge and to report about progress made to the next Meeting of Parties;

10. *Requests* the co-chairs to coordinate their work in order to optimize the outputs of the Working Group;

11. *Decides* that the present Resolution supplements the Resolution 4.17.