



10 Sept. 2005

From: Marsha L. Green, Ph.D. – Ocean Mammal Institute;
North American Ocean Noise Coalition

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European Coalition for Silent Oceans

Ms. Elsa Cabrera – Centro de Conservacion Cetacea
Latin American Ocean Noise Coalition

Re: **Call for Action to Reduce Ocean Noise Pollution**

- Recommendation on ocean noise pollution from UNICPOLOS 2005
- Actions by the European Parliament, IUCN, IWC and ACCOBAMS
- Suggestions for draft text in the 2005 General Assembly Oceans Resolution

Dear Delegate,

We write on behalf of the International Ocean Noise Coalition of over 140 environmental NGOs working to reduce noise pollution in the world's oceans. As you know, human-produced underwater noise poses a significant and growing threat to marine life. Thank you for your interest in this problem and for lending us your support at UNICPOLOS 2005. We are writing to follow up on developments on this topic coming out of UNICPOLOS and other fora, and to suggest further work as part of the upcoming General Assembly debates on a resolution on Oceans and the Law of the Sea.

I. Recent International Actions on Ocean Noise Pollution

Intense man-made underwater noise is increasing exponentially, caused by sources including shipping, oil and gas exploration, scientific research, and military activities. Intense underwater sound has a range of adverse effects on marine life, from injury and mortality to behavioral effects, some of which may be felt at the population level. Effects are not yet fully understood but are known to include strandings of marine mammals and reduced catch rates of commercial fish. We spoke with you and other delegates at UNICPOLOS 2005 about working toward international and cooperative solutions for this growing problem.

There has been remarkable international activity on this issue in the past year, with four major intergovernmental bodies—the European Parliament, the Scientific Committee of the International Whaling Commission, the IUCN, and ACCOBAMS—recognizing these threats and issuing calls to action and recommendations to help protect marine life from harmful noise. These developments are detailed in the appendix to this letter, with relevant resolutions attached.

The inclusion of ocean noise pollution within the UNICPOLOS 2005 Elements Report provides a strong base for moving forward within the General Assembly. As you may recall, at UNICPOLOS 2005 the International Ocean Noise Coalition had the opportunity to address the floor and to discuss this issue with many delegates. We received expressions of interest and support from many attending governments, including yours, for multilateral work on ocean noise pollution. We were very pleased with the inclusion of ocean noise within the Elements Report, which calls for the General Assembly to request “further studies and consideration of the impacts of ocean noise on marine living resources.” Thank you for your role in helping to accomplish this.

II. Recommendations for the 2005 General Assembly Resolution on Oceans and the Law of the Sea

Building on this recognition of ocean noise by UNICPOLOS and other intergovernmental fora, and based on the support expressed by many governments in New York last spring, we are urging that the upcoming General Assembly Resolution on Oceans and the Law of the Sea take a strong stance on ocean noise pollution.

In particular, we urge that the General Assembly, in the preambular text of the resolution, recognize harmful anthropogenic noise as one of the types of pollution that is of particular concern for adverse impacts on the marine environment and biodiversity.

We also urge that the General Assembly include language such as the following in the section of the resolution addressing the marine environment, marine resources, and marine biodiversity:

Notes that anthropogenic ocean noise, depending on source and intensity, may degrade habitat and have adverse effects on marine life ranging from disturbance to injury and mortality, and therefore urges States and relevant international and national organizations to consider the impact of anthropogenic ocean noise on marine living resources; and, as lack of full scientific certainty shall not be used as a reason for postponing measures to prevent environmental degradation, to take all measures appropriate to prevent, reduce and control the generation of harmful undersea noise..

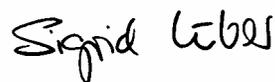
It would be our pleasure to discuss this issue with you in more detail at your convenience and to receive any thoughts you may have on this language, or on the topic more generally. We are particularly interested in your advice on the best way to move forward on the issue of ocean noise pollution at the General Assembly this fall. We plan to be in New York in the next month and will call your Permanent Mission staff to set up a meeting.

Thank you very much for your help and support in finding ways to reduce the growing threat to marine life from ocean noise pollution.

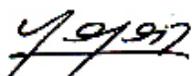
Respectfully,



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APPENDIX

I. Summary of Recent International Actions on Ocean Noise Pollution

1. International Whaling Commission agrees intense noise threatens marine mammals

In the summer of 2004, and following a scientific workshop dedicated to examining the impacts of ocean noise on cetaceans, a working group of the Scientific Committee of the International Whaling Commission issued a strong statement of concern regarding intense underwater noise. The group detailed their “alarming concerns” over harm from noise, and unanimously agreed that there is now “compelling evidence implicating anthropogenic sound as a potential threat to marine mammals,” a threat manifested “at both regional and ocean-scale levels that could impact populations of animals.” The scientists expressed particular concern about intense underwater noise from military sonar and from air guns used for oil and gas exploration.

The Scientific Committee, reviewing this data, agreed that the increase in ocean noise was cause for “serious concern,” and called for, among other things, the inclusion of noise exposure standards in national and international ocean conservation plans.

The Scientific Committee continued to call attention to ocean noise in its 2005 session, with particular focus on several additional mass strandings coincident with noise events, a call on noise producers to share information regarding noise source characteristics, the creation of a workshop to address impacts from seismic noise and a suggestion that noise may be impacting more species than previously thought.

The Scientific Committee report from 2004, along with the working group’s findings reported at Annex K, may be downloaded at:

http://www.iwcoffice.org/documents/sci_com/SCRepFiles2004/56SCrep.pdf

2. European Parliament calls on States to halt deployment of high intensity active naval sonars

In October 2004, the European Parliament approved a resolution acknowledging the threat to marine mammals and other ocean wildlife posed by high intensity active sonars. The resolution:

- Recognizes that certain intense sounds “pose a significant threat to marine mammals” and “may have a negative impact on commercial fishing and the already depleted fish stocks throughout the world’s oceans;”
- States that underwater noise is a form of pollution of the marine environment under the Law of the Sea; and
- Calls on the EU Commission and Member States 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.

The European Parliament resolution on ocean noise is attached hereto and may be downloaded at: <http://www2.europarl.eu.int/omk/sipade2?PUBREF=-//EP//TEXT+MOTION+B6-2004-0089+0+DOC+XML+V0//EN&L=EN&LEVEL=2&NAV=S&LSTDOC=Y>

3. ACCOBAMS recognizes noise as pollution and calls for guidelines to reduce sounds harmful to cetaceans

In November 2004, the parties to the Agreement on the Conservation of Cetaceans of the Black Sea, Mediterranean Sea and Contiguous Atlantic Area (ACCOBAMS) adopted a resolution on undersea noise that, *inter alia*,:

- Recognizes anthropogenic ocean noise as a form of pollution, comprised of energy, that can have adverse effects on marine life ranging from disturbance to injury and mortality;
- Urges Parties and non Parties to, if appropriate, “avoid any use of man made noise in habitat of vulnerable species and in areas where marine mammals or endangered species may be concentrated ...within the ACCOBAMS area”; and
- Calls for the development of a common set of guidelines on conducting activities known to produce underwater sound with the potential to cause adverse effects on cetaceans.

The ACCOBAMS resolution on ocean noise is attached hereto and may be downloaded at: http://www.accobams.org/index_science.htm

4. IUCN recognizes noise as pollution and urges governments to work through the U.N.

Also in November 2004, the World Conservation Union (IUCN) passed a resolution, entitled “Underwater Noise Pollution,” that, *inter alia*,:

- Recognizes that “anthropogenic underwater noise, depending on source and intensity, is a form of pollution, comprised of energy, that can degrade habitat and have adverse effects on marine life ranging from disturbance to injury and mortality”;
- Notes that certain sources of intense noise are not presently subject to mitigation and that few protected areas are managed for noise impacts;
- Entreats member governments, through mechanisms available under domestic and international law, to require the use of mitigation measures in reducing the impacts from individual noise sources; and
- **Urges member governments that are parties to the UN to work through the United Nations Convention on the Law of the Sea to develop mechanisms for the control of undersea noise.**

The IUCN resolution on ocean noise is attached hereto.

II. Petition by NGOs delivered to the UN Secretary in June 2005

The ‘[Petition to the United Nations for Action on Underwater Noise Pollution](http://www.oceancare.org/)’, as well as a compilation of its signatories, is included as a Word file with this document and is also available at <http://www.oceancare.org/>

III. Organizations affiliated with the Coalition

Organizations affiliated with the European Coalition for Silent Oceans:

- Aargauer Tierschutz, Switzerland
- Animalisti Italiani, Italy
- ASMS (Swiss Marine Mammal Protection)
- Born Free Foundation, England
- Cetacean Research & Rescue Unit (CRRU), Scotland
- Daufin Libres et Captifs, Belgium
- Delphin Institut Freiburg, Germany
- DELPHIS Mediterranean Dolphin Conservation, Italy
- Die Welt der Wale und Delfine, Germany
- ECCEA, France and Martinique
- Environmental Investigation Agency, United Kingdom
- Eurogroup for Animal Welfare
- Fair-Fish, Switzerland
- Finns for the Whales Society, Finland
- FIRMM, Switzerland and Spain
- Gesellschaft zum Schutz der Meeressäuger, Germany
- Gesellschaft zur Rettung der Delphine, Deutschland
- Hai Stiftung, Switzerland
- IMMRAC (Israeli Marine Mammal Research and Assistance Center), Israel
- Institut für Aquatische Körperarbeit, Switzerland
- Korte PHI, Germany
- La Baleine Libre, Belgium
- Liquid Sound, Germany
- M.E.E.R., Germany and Spain
- Marine Connection, England
- Morigenos - Marine Mammal Research and Conservation Society, Slovenia
- Natur im Bild, Germany
- OceanCare
- PADI PROJECT AWARE, Europe
- PELAGOS CETACEAN RESEARCH INSTITUTE, Greece
- PROWILDLIFE, Germany
- Réseau-Cétacés, France
- Rettet die Elefanten Afrikas e.V., Deutschland
- Robin des Bois, France
- Royal Society for the Prevention of Cruelty to Animals (RSPCA)
- Schweizer Tierschutz, Switzerland
- Schweizer Wal-Gesellschaft, Switzerland
- Shark Info, Switzerland
- SHARKPROJECT, Deutschland
- Society for the Protection of Sea Mammals (GSM), Denmark
- SOS Grand Bleu, France
- Stiftung Caretakers, Switzerland
- Swiss Cetacean Society, Switzerland
- Swiss Coalition for the Protection of Whales (SCPW), Switzerland
- Tethys, Italy
- Tierschutz Bund, Switzerland
- Tortugas, Switzerland
- VETO (Verband Tierschutzorganisationen Schweiz), Switzerland
- Vier Pfoten, Austria
- Vier Pfoten, Switzerland
- Vier Pfoten, Germany
- Vier Pfoten, Rumania

- Vier Pforten, Bulgaria
- WWF Switzerland
- WDCS, Whale and Dolphin Conservation Society, International

Organizations associated with the **North American Ocean Noise Coalition:**

- Acoustic Ecology Institute
- Americans for a Safe Future
- American Cetacean Society
- American Society for the Prevention of Cruelty to Animals (ASPCA)
- Animal Welfare Institute
- Blue Waters Kayaking
- Center for Biological Diversity
- Cetacean Community
- Cetacean Society International
- Defenders of Wildlife
- Dolphin Connection
- Earth Island Institute's International Marine Mammal Project
- Earth Neighborhood Wellness Center
- Earthtrust
- ECO-Link
- Faces in Nature
- The Humane Society of the United States
- The Humane Society of Canada
- International Fund for Animal Welfare (IFAW)
- International Marine Mammal Project
- International Wildlife Coalition
- Natural Resources Defense Council (NRDC)
- Ocean Mammal Institute
- San Diego Environmental Health Coalition
- SeaFlow
- Stop LFAS Worldwide Network
- Stoplfas
- Whaleman Foundation

Organizations associated with the **Latin American Ocean Noise Coalition:**

- Asociacion Autonoma de Ayuda a los Animales
- Asociación por los Derechos de los Animales en Yucatán
- Conservación de Mamíferos Marinos de Mexico (COMARINO)
- Grupo de los Cien, Mexico
- Grupo Ecologista del Mayab (GEMA), Cancun Q Roo
- Organizacion de Sociedad Civil Comosoy (Yucatán)
- Pili Mar, Mexico

International NGOs and Organizations from other Regions working on Ocean Noise issues:

- Greenpeace International
- Sierra Club
- Protect the Planet, Taiwan