



## **Petition to the United Nations and its Member States for Action on Underwater Noise Pollution**

*Submitted by the North American Ocean Noise Coalition, the European Coalition for Silent Oceans and  
the Latin American Ocean Noise Coalition*

We are deeply concerned about the growing use of intense human-generated noise in the marine environment, particularly caused by use of explosives, oceanographic experiments, geophysical research, underwater construction, ship traffic, intense active sonars and air guns used for seismic surveys for oil and related activities. There is grave concern that proliferation of these noise sources poses a significant threat to marine mammals, fish and other ocean wildlife.

Scientists agree, and a growing body of research confirms, that the intense sound produced by these noise sources can induce a range of adverse effects in marine mammals. These effects include death and serious injury caused by hemorrhages or other tissue trauma; strandings; temporary and permanent hearing loss or impairment; displacement from preferred habitat and disruption of feeding, breeding, nursing, communication, sensing and other behaviors vital to the survival of these species. Similar concerns exist for potential impacts on other marine species, including fish.

As stated most recently by the Cetacean Specialist Group of the IUCN-World Conservation Union: "Military operations involving the use of high-intensity sonar, explosive devices, and other intense noise sources pose both lethal and sub-lethal threats to cetaceans." Of particular concern is "the development by several navies of very low-frequency sonars, known as 'LFA' in the United States, with detection ranges, and thus potential effect ranges, of several hundred kilometers." Other nations, such as the United Kingdom, France, and the Netherlands, are developing or deploying similar technology.

High-intensity sound has been shown to have adverse impacts on other marine species as well. Scientific studies have demonstrated that airguns have the potential to injure and significantly reduce catch rates of certain fish species at substantial distances. The proliferation of intense underwater noise poses a threat to already depleted fish stocks throughout the world's oceans.

There is growing international consensus that Ocean Noise Pollution poses a significant threat to marine life. Recently several major intergovernmental fora passed resolutions recognizing the problem and called for precautionary and mitigating actions. The International Whaling Commission's Scientific Committee concluded that compelling evidence indicates ocean noise is a potential threat to marine mammal populations; ASCOBANS and ACCOBAMS called on parties to take steps to reduce adverse impacts from undersea noise-producing technologies; the European Parliament called on Member States to set up a Multinational Task Force to develop international agreements regulating noise levels in the world's oceans and the World Conservation Union called on member governments to work through the United Nations "to develop mechanisms for the control of undersea noise".

We believe that in the face of the mounting scientific evidence and international concern, the United Nations should endorse a precautionary approach to all sources of intense anthropogenic sound and explore ways to limit and mitigate their use on the high seas while urging States to adopt similar measures in their territorial waters. The precautionary principle should be applied publicly and transparently to noise generated for military, commercial, and scientific purposes.

In many cases, there are alternatives and realistic mitigation scenarios for reducing and eliminating very loud human-generated noise from the marine environment, including improved passive sonars, using reduced noise energy, mechanical and operational designs that minimize noise, alternative energy sources, etc. Along with the scientific community, we are deeply concerned about the cumulative and synergistic environmental impacts that all of these noise producing systems, operating independently, might have.

### **ACTION REQUESTED**

The obligation to protect the marine environment is embodied in Part XII of the United Nations Convention on the Law of the Sea. Consequently we call upon the United Nations and its member States to take the following actions:

1. Recognize that the introduction of intense energy sources such as the extremely loud sounds emitted through intense active sonars, air guns, explosives, underwater construction and shipping constitutes "pollution" as defined in Article 1(1)(4) of the 1982 United Nations Convention on the Law of the Sea if these sounds cause "harm to living resources and marine life, hazards to human health, hindrance to marine activities, ... [or] reduction of amenities."
2. Acknowledge that current use of technologies and devices that produce intense underwater noise may be in breach of Articles 204-206 of the United Nations Convention on the Law of the Sea, which requires States "to assess the potential effects of such activities on the marine environment" whenever "States have reasonable grounds for believing that planned activities under their jurisdiction or control may cause substantial pollution of or significant and harmful changes to the marine environment," and of Article 194(1), which requires States to take all measures "necessary to prevent, reduce and control pollution of the marine environment from any source".
3. Resolve, pursuant to Articles 194(1) and (2) of the United Nations Convention on the Law of the Sea, that States take all measures necessary to prevent, reduce, and control pollution of the marine environment from any source, including from technologies and devices that produce intense underwater noise; and to ensure that such pollution arising from activities under their jurisdiction or control does not cause damage to other States and their environment or spread beyond the areas where they exercise sovereign rights, in accordance with the Convention.
4. Encourage the use of alternative technologies and realistic mitigation procedures for reducing the hazards of intense underwater sound.
5. Apply the precautionary principle publicly and transparently to noise generated for commercial, military and scientific purposes.
6. Strengthen legal remedies to address the uncontrolled use of these technologies in the marine environment.
7. Work with other international institutions, such as the Institutions of the European Union and the IUCN-World Conservation Union to form a Multinational Task Force to develop international agreements regulating noise levels in the world's oceans.

## **Signatories:**

### **United States and Canada**

Acoustic Ecology Institute  
Americans for a Safe Future  
America's Whale Alliance  
American Cetacean Society  
American Society for the Prevention of Cruelty to Animals (ASPCA)  
Animal Welfare Institute  
Blue Waters Kayaking  
California Coastkeeper Alliance  
Canadian Marine Environment Protection Society  
Center for Biological Diversity  
Cetacean Community  
Cetacean Society International  
Citizens Opposing Active Sonar Threats (COAST)  
Defenders of Wildlife  
Dolphin Connection  
Dolphin Project  
Earth Island Institute  
Earth Neighborhood Wellness Center  
Earthtrust  
ECO-Link  
Faces in Nature  
Georgia Strait Alliance  
Greenpeace International  
Humane Society of the US  
Humane Society of Canada  
International Fund for Animal Welfare  
International Marine Mammal Project  
International Wildlife Coalition  
Jasper (County) Animal Rescue Shelter  
Lifeforce Foundation  
Living Oceans Society  
Natural Resources Defense Council  
Ocean Defense International  
Ocean Mammal Institute  
San Diego Environmental Health Coalition  
Santa Monica Baykeeper  
Save Our Seas  
Seaflow  
Sierra Club US and Canada  
Stop LFAS Worldwide Network  
The Humane Society of Canada  
Urban Wildlands Group  
Western Alliance for Nature  
Whaleman Foundation

## **Latin America**

Asociacion Autonoma de Ayuda a los Animales, A.C., Mexico  
Asociación Ñande Yby, Argentina  
Asociación por los Derechos de los Animales en Yucatán A.C.  
Centro Ballena Azul, Chile  
Centro de Conservación Cetacea, Chile  
Centro Ecoceanos, Chile  
Centro Mexicano de Derecho Ambiental, Mexico  
Centro Nacional para el Desarrollo Sustentable, Uruguay  
Conservación de Mamíferos Marinos de Mexico" COMARINO  
Consultoria Alamos Ltda, Chile  
Ecoportal, Argentina  
Escuela de Buceo H2O, Argentina  
Fundación Cethus, Argentina  
Fundación Ecuatoriana para el estudio de Mamiferos Marinos, Ecuador  
Fundación Mican, Chile  
Fundación Natura, Colombia  
Grupo Ambiental Colegio Gea, Chile  
Grupo de Acción Ecológica Chinchimen, Chile  
Grupo de los Cien (Mexico)  
Grupo Ecologista del Mayab, Mexico  
IFAW Latinoamérica, México  
Instituto Conservación de Ballenas, Argentina  
Instituto Sea Shepherd, Brasil  
Movimientos Sociales de Yucatán)  
Oceana, Chile  
Org. Conservación de Cetáceos, Uruguay  
Organizacion de Sociedad Civil Comosoy, Mexico  
Organización para la Conservación de Cetáceos, Uruguay  
Pacific Whale Foundation, Ecuador  
Pili Mar, Mexico  
Projeto Baleia Franca, Brasil  
Projecto Delfim, Brasil  
Projecto Delfim - Centro Português de Estudo dos Mamíferos Marinhos  
Sociedad Conservacionista AQUA, Venezuela

## **Europe and the Middle East**

Aargauer Tierschutz, Switzerland  
Animalisti Italiani, Italy  
Atlantic Blue, Germany  
Born Free Foundation, England  
Cetacean Research & Rescue Unit (CRRU), Schottland  
Dauphin Libres et Captifs, Belgium  
Delphin Institut Freiburg, Germany  
DELPHIS Mediterranean Dolphin Conservation, Italy  
Die Welt der Wale und Delfine, Germany  
ECCEA, France and Martinique  
Ecologistas en acción, Spain  
Environmental Investigation Agency, United Kingdom

## **Europe and the Middle East (cont'd)**

Eurogroup for Animal Welfare  
European Cetacean Bycatch Campaign  
Fair-Fish, Switzerland  
Finns for the Whales Society, Finland  
FIRMM, Switzerland and Spain  
Gesellschaft zur Rettung der Delphine, Germany  
Gesellschaft zum Schutz der Meeressäuger, Germany  
Green's Union of Armenia  
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  
Marine Connection, United Kingdom  
M.E.E.R, Germany and Spain  
Morigenos - marine mammal research and conservation society, Slovenia  
Natur im Bild, Germany  
Nomades des Océans, France  
OceanCare, Switzerland  
One Voice, France  
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, Germany  
Society for the Protection of Sea Mammals, GSM Denmark  
Swiss Cetacean Society, Switzerland  
Swiss Coalition for the Protection of Whales (SCPW), Switzerland  
SOS Grand Bleu, France  
Stiftung Caretakers, Switzerland  
Tethys Research Institute, Italy  
Tierschutz Bund, Switzerland  
Tortugas, Switzerland  
VETO (Verband Tierschutzorganisationen Schweiz), Switzerland  
Vier Pfoten, Austria  
Vier Pfoten, Switzerland  
Vier Pfoten, Germany  
Vier Pfoten, Rumania  
Vier Pfoten, Bulgaria  
WDCS, Whale and Dolphin Conservation Society, International  
WWF Schweiz, Switzerland  
Youth Associations Network for Sustainable Development (YANESD), Toga

### **Asia and Oceania**

Animals Asia Foundation, Hong Kong SAR, China.

Humane Society International, Australia

Linking Individuals for Nature Conservation "PROTECT THE PLANET" Taiwan

### **Africa and Indian Ocean**

Marine Conservation Management Consortium (Reef Mauritius)

Young Volunteers for Environment (YVE), Togo, Benin, Ghana, Nigeria and Democratic Republic of Congo

Youth Associations Network for Sustainable Development (YANESD), Togo, Benin, Ghana, Nigeria and Democratic Republic of Congo