

Anthropogenic underwater noise International Symposium Hamburg, 10 September 2019



The United Nations General Assembly's consideration of anthropogenic underwater noise

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UNITED NATIONS



Overview of presentation

- History of the United Nations General Assembly's (UNGA) consideration of anthropogenic underwater noise (AUN)
- 19th meeting of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea (ICP-19)
- Subsequent developments in UNGA
- Legal framework for noise under the 1982 United Nations Convention on the Law of the Sea (UNCLOS) and related instruments



History of UNGA's consideration of AUN

- 2004, noise added as an issue that could benefit from attention in the future work of the General Assembly on oceans and the law of the sea
- 2005, the General Assembly, in resolution 60/30, encourages further studies and consideration of the impacts of ocean noise on marine living resources
- 2006, the General Assembly repeats the encouragement and also requests the Division to compile the peer-reviewed scientific studies it receives from Member States and to make them available on its website
- 2007-2008 - similar language
- 2009 - “research” was added before “studies”.



History of UNGA's consideration of AUN

- Impacts of noise consistently raised at the ICP
- 2010 – Initial recognition of the possible impacts of noise
 - Resolution 65/37 on oceans and the law of the sea - “Notes that ocean noise is a potential threat to living marine resources, affirms the importance of sound scientific studies in addressing this matter, encourages further research, studies and consideration ...”
 - Resolution 65/38 on sustainable fisheries – “Encourages further studies, including by the Food and Agriculture Organization of the United Nations, on the impacts of underwater noise on fish stocks and fishing catch rates, as well as associated socioeconomic effects”
- 2011-2017 – Same language in sustainable fisheries resolutions



History of UNGA's consideration of AUN

Resolutions on oceans and the law of the sea

2010-2013 - “ocean noise is a potential threat to living marine resources ...”

2014-2016 - “ocean noise has potential significant adverse impacts on living marine resources ...”

- 2014 – UNGA also notes the approval of IMO Guidelines for the Reduction of Underwater Noise from Commercial Shipping to Address Adverse Impacts on Marine Life
- 2015 – UNGA also notes with concern that human-related threats, such as ... underwater noise together may severely impact marine life, including its higher trophic levels, and calls upon States and competent international organizations to cooperate and coordinate their research efforts
- 2016 – UNGA decides that ICP will focus its discussions on AUN in 2018
 - also invites IMO to promote and encourage implementation of Guidelines for existing ships and new vessels, when appropriate, including by promoting measures that may reduce cavitation



History of UNGA's consideration of AUN

2017 – Resolution on oceans and the law of the sea

Encourages further research into technologies to reduce the impact of underwater noise on marine life

2017 - Resolution 71/312 on “Our ocean, our future: call for action” endorsed the declaration adopted at 2017 United Nations Ocean Conference

“13. We call upon all stakeholders to conserve and sustainably use the oceans, seas and marine resources for sustainable development by taking, inter alia, the following actions on an urgent basis, including by building on existing institutions and partnerships: ... (g) Accelerate actions to prevent and significantly reduce marine pollution of all kinds ... as well as to address, as appropriate, the adverse impacts of other human-related activities on the ocean and on marine life, such as ... underwater noise ...”.



Consideration of AUN at ICP-19

- Informed by report of the Secretary-General on oceans and the law of the sea (A/73/68)
 - Nature and sources of AUN
 - Environmental and socioeconomic aspects
 - Current activities and further needs with regard to cooperation and coordination in addressing AUN
 - Conclusions



Consideration of AUN at ICP-19

- Panel presentations available at www.un.org/Depts/los/consultative_process/consultative_process.htm
- Discussions in plenary and during the panel discussions are summarized in the report of the meeting (document A/73/124)
- Broad-based discussions, with the following being widely supported:
 - Concern over potential social, economic and environmental impacts of AUN



Consideration of AUN at ICP-19

- Need for concerted international action to assess and mitigate the effects of AUN in all ocean areas
- Need for further research to bridge knowledge gaps and lack of data with respect to sources and environmental and socioeconomic impacts of AUN
- Importance of studying cumulative impacts on ocean ecosystems of noise and other stressors and the interplay of such stressors with noise and related socioeconomic impacts
- Importance of addressing the socioeconomic impacts of noise



Consideration of AUN at ICP-19

- Noise is a form of pollution
- Need for effective implementation of the United Nations Convention on the Law of the Sea, as well as the 2030 Agenda for Sustainable Development, in particular SDG 14.1
- Recognition of the important work undertaken by competent international organizations in developing measures, with a special mention of IMO
- Need for effective cooperation and coordination at the global level – role of UNGA



Consideration of AUN at ICP-19

- Need for increased cooperation and collaboration between States, intergovernmental organizations and civil society to improve responses to AUN
- Need to raise awareness of AUN through action in intergovernmental processes

Several delegations highlighted, inter alia:

- Need to enhance the use of ABMTs and EIAs and ecosystem approaches
- Urgent need for capacity-building and transfer of knowledge and marine technology



Subsequent developments in UNGA

General Assembly resolution 73/124 on oceans and the law of the sea, paragraphs 273 to 278 and 281

New paragraphs added:

274. *Also notes* the discussions at the ... Informal Consultative Process ... on the theme of anthropogenic underwater noise, during which delegations, inter alia, expressed concern over the potential social, economic and environmental impacts of anthropogenic underwater noise due to the growth of ocean-related human activities, which has resulted in increased sound in many parts of the ocean, as well as the potential impacts of anthropogenic underwater noise on different marine species and, in view of the continuing gaps in knowledge and lack of data, stressed the urgent need for further research and international cooperation to assess and address the potential effects of anthropogenic underwater noise in all ocean areas;

275. *Calls upon* States to consider appropriate cost-effective measures and approaches to assess and address the potential socioeconomic and environmental impacts of anthropogenic underwater noise, taking into account the precautionary approach and ecosystem approaches and the best available scientific information, as appropriate;



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Subsequent developments in UNGA

General Assembly resolution 73/125 on sustainable fisheries, preamble and paragraphs 39 and 214

New paragraphs added:

Acknowledging that anthropogenic underwater noise could have impacts on different marine species, which could also have consequent socioeconomic impacts, including on fishing, and welcoming in this regard the discussions on the issue at the nineteenth meeting of the Informal Consultative Process,

Noting the continuing gaps in knowledge and lack of data with respect to anthropogenic underwater noise, and welcoming in this respect the recent encouragement, at its thirty-third session, of the Committee on Fisheries of the Food and Agriculture Organization of the United Nations to consider conducting a review of the impact of anthropogenic underwater noise on marine resources and its socioeconomic consequences

39. *Calls upon* States to consider potential environmental and socioeconomic impacts of anthropogenic underwater noise from different activities in the marine environment and to address and mitigate such impacts, taking into account the best available scientific information, the precautionary approach and ecosystem approaches, as appropriate;



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Legal Framework in UNCLOS

- **No specific mention of noise pollution**
- **Definition of pollution in art. 1 of UNCLOS**
 - "pollution of the marine environment" means the introduction by man, directly or indirectly, of substances or energy into the marine environment, including estuaries, which results or is likely to result in such deleterious effects as harm to living resources and marine life, hazards to human health, hindrance to marine activities, including fishing and other legitimate uses of the sea, impairment of quality for use of sea water and reduction of amenities;"



Legal Framework in UNCLOS

- **Obligations of States under Part XII of UNCLOS regarding the prevention, reduction and control of pollution:**
 - States required to take all measures necessary to prevent, reduce and control pollution of the marine environment
 - Duty to protect and preserve rare or fragile ecosystems, as well as the habitat of depleted, threatened or endangered species and other forms of marine life
 - Duty to adopt and enforce laws and regulations concerning pollution from different sources – importance of international rules and standards
 - Obligations regarding monitoring and environmental assessment



Other relevant instruments

Global instruments

- Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 Relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks
- Convention on Biological Diversity
- Convention on the Conservation of Migratory Species of Wild Animals
- London Convention, and its Protocol
- Guidelines and guidance instruments, e.g. those adopted within the framework of IMO and under the Convention on Biological Diversity; also work of the International Whaling Commission

Regional instruments



Future consideration of AUN

- General Assembly resolutions
- Second world ocean assessment (2020)
 - Chapter on “Trends in inputs of anthropogenic noise to the marine environment”
- 2020 UN Ocean Conference
 - Update on voluntary commitments from the 2017 UN Ocean Conference. Other action to support the implementation of SDG 14?
- Future agreement under UNCLOS on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction?



Thank you very much!
Danke schön!

Further information: see DOALOS website
www.un.org/Depts/los



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