

United Nations Decade on Biodiversity

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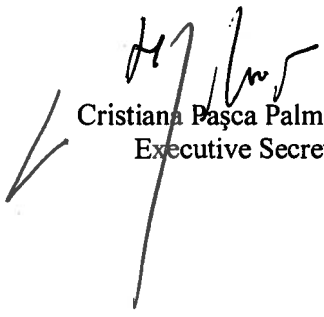
Dear Ms. Goettsche-Wanli,

Reference is made to the letter of Mr. Miguel de Serpa Soares, Under-Secretary-General for Legal Affairs and United Nations Legal Counsel, dated 9 October 2017, inviting the Secretariat of the Convention on Biological Diversity (CBD) to provide input to the report of the Secretary-General on oceans and the law of the sea.

Appended herewith is the contribution of the CBD Secretariat to Part I of the report regarding information on the topic of focus of the nineteenth meeting of the United Nations Open-ended Informal Consultative Process on the Oceans and the Law of the Sea, "Anthropogenic underwater noise". This contribution describes various activities being undertaken in the context of the CBD relating to the impacts of anthropogenic underwater noise on marine and coastal biodiversity, and means to avoid, minimize and mitigate these impacts.

I look forward to our continued collaboration.

Yours sincerely,


Cristiana Paşca Palmer, PhD
Executive Secretary

Attachment

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Annex. Information on activities related to anthropogenic underwater noise under the Convention on Biological Diversity

Executive Summary

One of the main areas of work under the Convention on Biological Diversity (CBD) on marine and coastal biodiversity is improving the understanding of major pressures on marine biodiversity and ecosystems, including anthropogenic underwater noise, and identifying means to mitigate impacts from these pressures. This work is largely carried out through the convening expert workshops, the development of scientific syntheses and practical guidance, and the compilation and dissemination of experiences of Parties, other Governments and relevant organizations.

In 2014, the CBD Secretariat convened an Expert Workshop on Underwater Noise and its Impacts on Marine and Coastal Biodiversity, which focused on improving and sharing knowledge on underwater noise and its impacts on marine and coastal biodiversity, and discussed practical guidance and toolkits to minimize and mitigate the significant adverse impacts of anthropogenic underwater noise on marine and coastal biodiversity, including marine mammals, in order to assist Parties and other Governments in applying management measures.

Building on the outcomes of the above-noted expert workshop, the Conference of the Parties encouraged Parties and other Governments as well as indigenous and local communities and other relevant stakeholders, to take a number of specific measures, as appropriate and within their competencies, and in accordance with national and international laws, to avoid, minimize and mitigate the potential significant adverse impacts of anthropogenic underwater noise on marine and coastal biodiversity.

In response to requests from the Conference of the Parties, the CBD Secretariat has been conducting ongoing work in compiling and synthesizing relevant scientific and technical information concerning measures to avoid, minimize and mitigate the potential significant adverse impacts of anthropogenic underwater noise on marine and coastal biodiversity. The Conference of the Parties has also invited Parties, other Governments and competent organizations, other relevant stakeholders, and indigenous peoples and local communities to collaborate and share their experiences on the application of such measures.

The CBD Secretariat has also produced scientific syntheses on the impacts of underwater noise on marine and coastal biodiversity and habitats, and a background document addressing the development of practical guidance and toolkits to minimize and mitigate the significant adverse impacts of anthropogenic underwater noise on marine and coastal biodiversity. Information from these documents will inform the development of a forthcoming CBD Technical Series report.

INTRODUCTION

1. This contribution includes a description of the work carried out under the Convention on Biological Diversity (CBD), within the framework of the elaborated programme of work on marine and coastal biological diversity (annex I to decision VII/5), related to anthropogenic underwater noise, in response to requests by the Conference of the Parties to the CBD at its tenth, eleventh, twelfth and thirteenth meetings (decisions X/29, XI/18, XII/22 and XIII/10).

EXPERT WORKSHOP ON UNDERWATER NOISE AND ITS IMPACTS ON MARINE AND COASTAL BIODIVERSITY

2. Pursuant to a request from the eleventh meeting of the Conference of the Parties to the CBD, the Executive Secretary convened an Expert Workshop on Underwater Noise and its Impacts on Marine and Coastal Biodiversity at the headquarters of the International Maritime Organization in London, UK, from 25 to 27 February 2014, with financial support from the European Commission. This workshop focused on improving and sharing knowledge on underwater noise and its impacts on marine and coastal biodiversity,

and discussed practical guidance and toolkits to minimize and mitigate the significant adverse impacts of anthropogenic underwater noise on marine and coastal biodiversity, including marine mammals, in order to assist Parties and other Governments in applying management measures, as appropriate. The report of the workshop was submitted to the eighteenth meeting of the CBD Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA) to inform the deliberations on this issue at this meeting and deliberations at the twelfth meeting of the Conference of the Parties. The report of the expert workshop is available at: <https://www.cbd.int/doc/meetings/mar/mcbem-2014-01/official/mcbem-2014-01-02-en.pdf>

MEASURES TO AVOID, MINIMIZE AND MITIGATE THE POTENTIAL SIGNIFICANT ADVERSE IMPACTS OF ANTHROPOGENIC UNDERWATER NOISE ON MARINE AND COASTAL BIODIVERSITY

3. At its twelfth meeting in 2014, the Conference of the Parties to the CBD welcomed the report of the CBD Expert Workshop on Underwater Noise and its Impacts on Marine and Coastal Biodiversity. At the same meeting, the COP encouraged Parties and other Governments as well as indigenous and local communities and other relevant stakeholders, to take appropriate measures, as appropriate and within their competencies, and in accordance with national and international laws, to avoid, minimize and mitigate the potential significant adverse impacts of anthropogenic underwater noise on marine and coastal biodiversity, such as:

- a) Defining and differentiating types or intensities of underwater noise where there are adverse impacts, and characterizing noise by source;
- b) Conducting further research on remaining significant knowledge gaps;
- c) Developing and transferring quieter technologies, and applying the best available practice in all relevant activities;
- d) Including areas that are affected by different levels of sound when mapping the spatial and temporal distribution of sound;
- e) Combining acoustic mapping with habitat mapping of sound-sensitive species with regard to spatial risk assessments in order to identify areas where those species may be exposed to noise impacts;
- f) Mitigating and managing anthropogenic underwater noise through the use of spatio-temporal management of activities, relying on sufficiently detailed temporal and spatial knowledge of species or population distribution patterns combined with the ability to avoid generating noise in the area at those times;
- g) Conducting impact assessments, where appropriate, for activities that may have significant adverse impacts on noise-sensitive species, and carrying out monitoring, where appropriate;
- h) Including noise considerations in the establishment and development of management plans for marine protected areas within national jurisdiction and other relevant plans, as appropriate;
- i) Considering thresholds as a tool to protect sound-sensitive species, taking into account their locations during critical life cycle stages as well as relevant results of research and additional information;
- j) Standardizing metrics and sound measurements so that there are similar measures and approaches for all sounds and in all places;
- k) Building capacity in developing regions where the awareness and scientific capacity to address this issue has yet to be strengthened;
- l) Engaging industry and other relevant sectors, including the naval and mining sectors, when developing guidelines in order to increase their ownership and participation in the implementation of the guidelines;
- m) Encouraging collaboration and communication among relevant international bodies to enhance synergies in addressing this issue; and

- n) Linking relevant information on the adverse impacts of underwater noise on sound-sensitive species when harmonizing different processes related to marine spatial planning and area-based management.

4. In the same decision, the Conference of the Parties invited Parties, other Governments and competent organizations, including the International Maritime Organization, the International Seabed Authority, the Convention on the Conservation of Migratory Species of Wild Animals, the International Whaling Commission, other relevant stakeholders, and indigenous peoples and local communities to further collaborate and share their experiences on the application of measures to avoid, minimize and mitigate the significant adverse impacts of anthropogenic underwater noise on marine and coastal biodiversity.

SCIENTIFIC SYNTHESIS AND BACKGROUND DOCUMENTS ON ANTHROPOGENIC UNDERWATER NOISE

5. In response to a request from the tenth meeting of the Conference of the Parties, the Executive Secretary produced the *Scientific Synthesis on the Impacts of Underwater Noise on Marine and Coastal Biodiversity and Habitats* (UNEP/CBD/SBSTTA/20/INF/8). This document was welcomed by the Conference of the Parties at its eleventh meeting, and also served as a background document to the previously-noted expert workshop. Following the expert workshop, the document was further revised and updated, incorporating comments and suggestions received from workshop participants and additional relevant scientific and technical information from various sources. The document is available at: <https://www.cbd.int/doc/meetings/sbstta/sbstta-20/information/sbstta-20-inf-08-en.pdf>

6. In support of the deliberations of the expert workshop, the Executive Secretary prepared the *Background Document Addressing the Development of Practical Guidance and Toolkits to Minimize and Mitigate the Significant Adverse Impacts of Anthropogenic Underwater Noise on Marine and Coastal Biodiversity* (UNEP/CBD/MCB/EM/2014/1/INF/1). This document is available at: <https://www.cbd.int/doc/meetings/mar/mcbem-2014-01/information/mcbem-2014-01-inf-01-en.pdf>.

7. Information from the above-noted documents will be synthesized into a forthcoming CBD Technical Series report on this topic.

COMPILATION OF EXPERIENCES IN THE APPLICATION OF MEASURES TO AVOID, MINIMIZE AND MITIGATE THE SIGNIFICANT ADVERSE IMPACTS OF ANTHROPOGENIC UNDERWATER NOISE ON MARINE AND COASTAL BIODIVERSITY

8. At its twelfth meeting in 2014, the Conference of the Parties requested the Executive Secretary to compile and synthesize relevant scientific and technical information concerning the elements specified in paragraph 3 above, as well as information on related measures taken by Parties, other Governments and competent organizations. Pursuant to this request, the Executive Secretary issued notification 2015-066, dated 4 June 2015, requesting scientific and technical information concerning these elements, in conjunction with a notification issued by the Secretariat of the Convention on the Conservation of Migratory Species of Wild Animals (CMS), which requested information on the implementation of CMS Resolution 10.24 on further steps to abate underwater noise pollution for the protection of cetaceans and other biota. The input received in response to these notifications was put together into the *Compilation of Submissions and Further Information on Underwater Noise Mitigation Measures* (UNEP/CBD/SBSTTA/20/INF/10), available at: <https://www.cbd.int/doc/meetings/sbstta/sbstta-20/information/sbstta-20-inf-10-en.pdf>. This document includes information on experiences related to legislation, policies, management plans and policy guidance, as well as scientific and technical research activities.

9. At its thirteenth meeting in 2016, the Conference of the Parties invited Parties, other Governments and competent organizations, including the International Maritime Organization, the International Seabed Authority, the Convention on the Conservation of Migratory Species of Wild Animals, the International Whaling Commission, other relevant stakeholders, and indigenous peoples and local communities to

further collaborate and share their experiences on the application of measures, in line with the precautionary approach, in line with the preamble to the Convention, to avoid, minimize and mitigate the significant adverse impacts of anthropogenic underwater noise on marine and coastal biodiversity.

10. The Conference of the Parties also requested the Executive Secretary, subject to the availability of resources, to continue work on the compilation, synthesis and dissemination of these experiences, including scientific research on the adverse impacts of underwater noise on marine and coastal biodiversity, and, based on scientifically identified needs, to develop and share, in collaboration with Parties, other Governments and relevant organizations, practical guidance and toolkits on measures to avoid, minimize and mitigate these impacts. In response to this request, the CBD Secretariat issued notification 2017-082 to request information on experiences in the use of measures to avoid, minimize and mitigate the significant adverse impacts of anthropogenic underwater noise on marine and coastal biodiversity. Information received in response to this notification will be compiled, building on the above-noted compilation, and made available for consideration by the Subsidiary Body on Scientific, Technical and Technological Advice at its twenty-second meeting.

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