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 South American Marine Working Group

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
Canadian Marine Environment Protection Society
Center for Biological Diversity
Cetacean Community
Cetacean Society International
Citizens Opposing Active Sonar Threats (COAST)
Classical Martial Arts Canada
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
Save Our Seas
Seaflow
Sierra Club US and Canada
Stop LFAS Worldwide Network
The Humane Society of Canada
Whaleman Foundation

Latin America

Asociacion Autonoma de Ayuda a los Animales, A.C., Mexico
Asociación Ñande Ybý, 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

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

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
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 Meeressäugetiere, 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