

## 5<sup>th</sup> MEETING OF THE PARTIES TO ASCOBANS

The Netherlands, 18 - 20 September and 12 December 2006

### Resolution No. 4

#### **Adverse Effects of Sound, Vessels and Other Forms of Disturbance on Small Cetaceans**

*Recalling* that the Conservation and Management Plan Annexed to the Agreement on the Conservation of Small Cetaceans of the Baltic and North Seas stipulates that ASCOBANS work towards "the prevention of other significant disturbance, especially of an acoustic nature";

*Recalling* Resolution No. 5 of the 4th Meeting of the Parties and previous related Resolutions and recommendations adopted within the framework of ASCOBANS and *welcoming* progress within Parties to implement that Resolution;

*Recalling* Resolution 8.22 adopted by the Eighth Conference of the Parties to the Convention on Migratory Species (CMS) on adverse human induced impacts on cetaceans; Resolution 7.5 of the Seventh Conference of the Parties to the Convention on the Conservation of Migratory Species on wind turbines and migratory species, and previous related Resolutions and Recommendations adopted within the framework of CMS;

*Recalling* the obligation of States Parties to the United Nations Convention on the Law of the Sea (UNCLOS) to cooperate through the appropriate international organizations for the conservation and management of marine mammals (Articles 65 and 120);

*Recalling* the results of the ASCOBANS study (MoP4/Doc.17) on the effects of sound and of vessels on cetaceans, which range from disturbance to potential lethal consequences from some military sonars and from ship strikes;

*Noting* the recommendations arising from the 58<sup>th</sup> meeting of the Scientific Committee of the IWC on the potential impacts of seismic surveys on cetaceans;

*Noting* the United Kingdom's regulatory guidelines on seismic surveys;

*Reaffirming* that the difficulty of proving detrimental effects of acoustic disturbance on cetaceans necessitates a precautionary approach in dealing with this issue;

*Recognizing* the commitment of Parties to a change to using renewable sources of energy;

*Recognizing* the potential disturbance caused by offshore extractive industries and other activities including those associated with renewable energy;

*Recognizing* the political sensitivities in relation to military activities;

*The Meeting of the Parties to ASCOBANS*

*Requests* Parties and Range States that have not yet done so to introduce guidelines on measures and procedures for seismic surveys in order to minimise risks to small cetaceans following current best practice;

*Reiterates and extends* its invitation to Parties and Range States to

- (1) develop, with military and other relevant authorities, effective mitigation measures including environmental impact assessments and relevant standing orders to reduce disturbance of, and potential physical damage to, small cetaceans;
- (2) conduct further research into the effects on small cetaceans of:
  - (a) vessels, particularly high speed ferries;
  - (b) acoustic devices used by the fishing and fish-farming industries including deterrent (scarers) and warning (pingers) devices and fish-finding sonar;
  - (c) extractive and other industrial activities, including windfarms;
  - (d) other acoustic disturbances.

This should include research on physical and behavioural effects, and be at the individual and population level;

- (3) conduct research and develop appropriate management measures, guidelines and technological adaptations to minimise any adverse effects on small cetaceans of the above sound sources;
- (4) develop and implement procedures to assess the effectiveness of any guidelines or management measures introduced;
- (5) report on high energy seismic surveys per one degree by one degree rectangle using shot point density.

*Invites* Parties and Range States to cooperate with the Secretariat in developing and implementing the measures recommended in the Annex to Resolution 8.22, adopted by the Eighth Meeting of the Parties to CMS, insofar as these are applicable and relevant to ASCOBANS;

*Repeals* Resolution No. 5 of the 4<sup>th</sup> Meeting of the Parties.