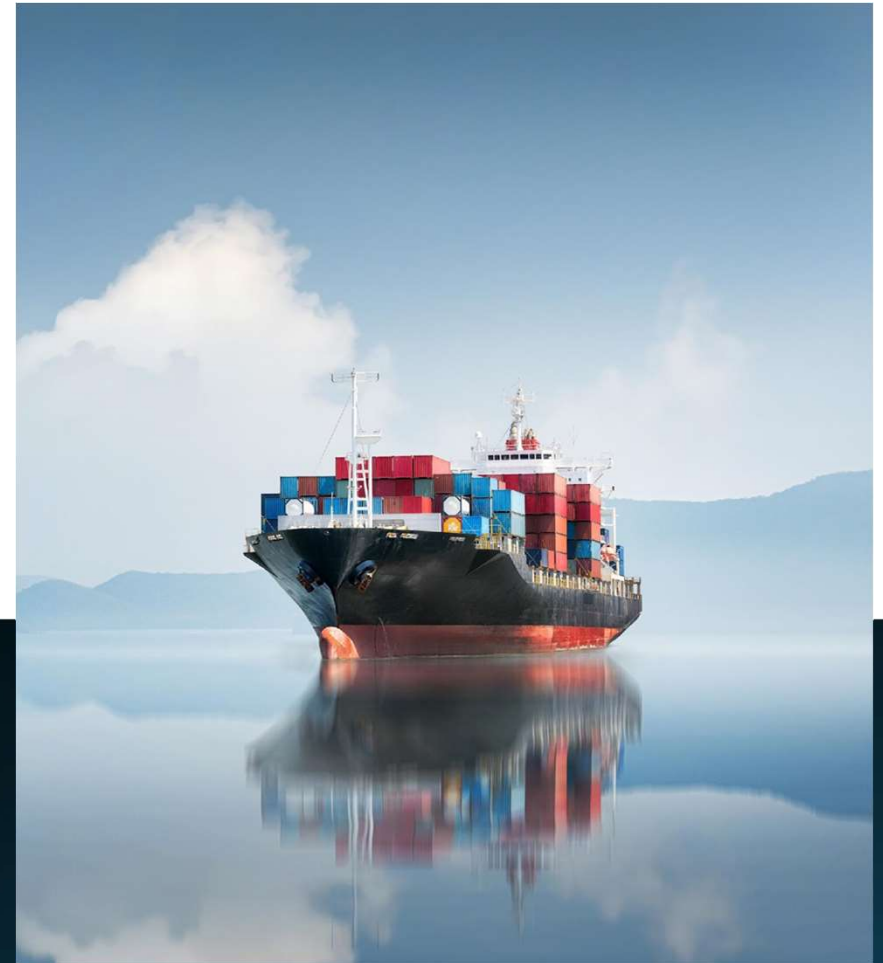


The Global and Regional Policy Framework for the mitigation of Underwater Noise from Shipping



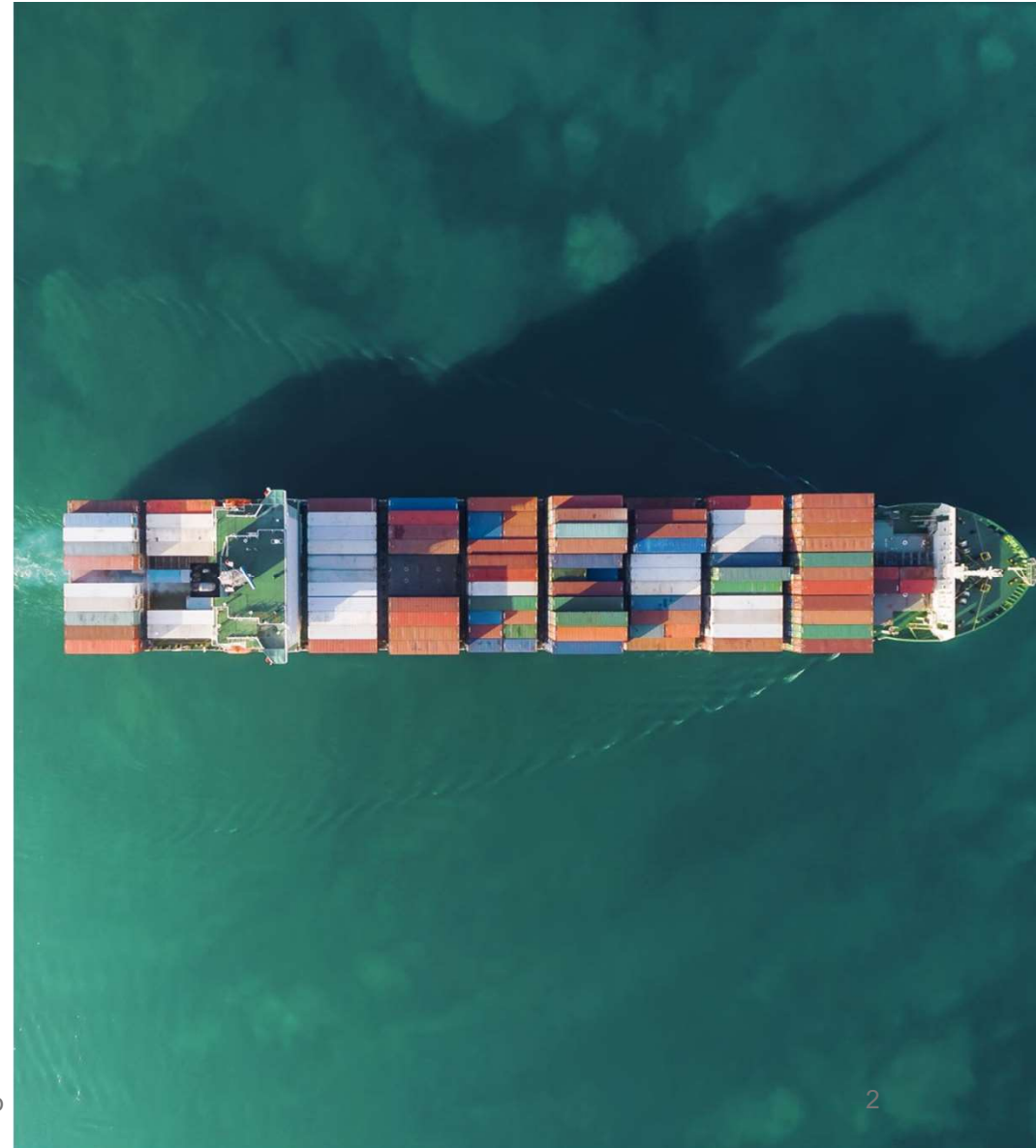
IMO-WMU Workshop on URN reduction policies and strategies with a focus on developing countries

October 10th 2024, Malmö

Valérie Pimentel, Legal Consultant

Introduction

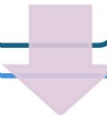
- Shipping: Global significance
- Underwater noise: Transboundary Nature
- IMO: Competent organisation to regulate international shipping
- GloNoise Policy Analysis: Recommendations for strengthening the policy framework to mitigate underwater noise pollution



GloNoise Policy Analysis Overview

Key Steps and Expected Completion

Baseline analysis of the existing global, regional and LPC national regulations, guidelines, policies, strategies and standards associated with the mitigation of URN from shipping.



Gap analysis of the existing global, regional and LPC national regulations, guidelines, policies, strategies and standards associated with the mitigation of URN from shipping.

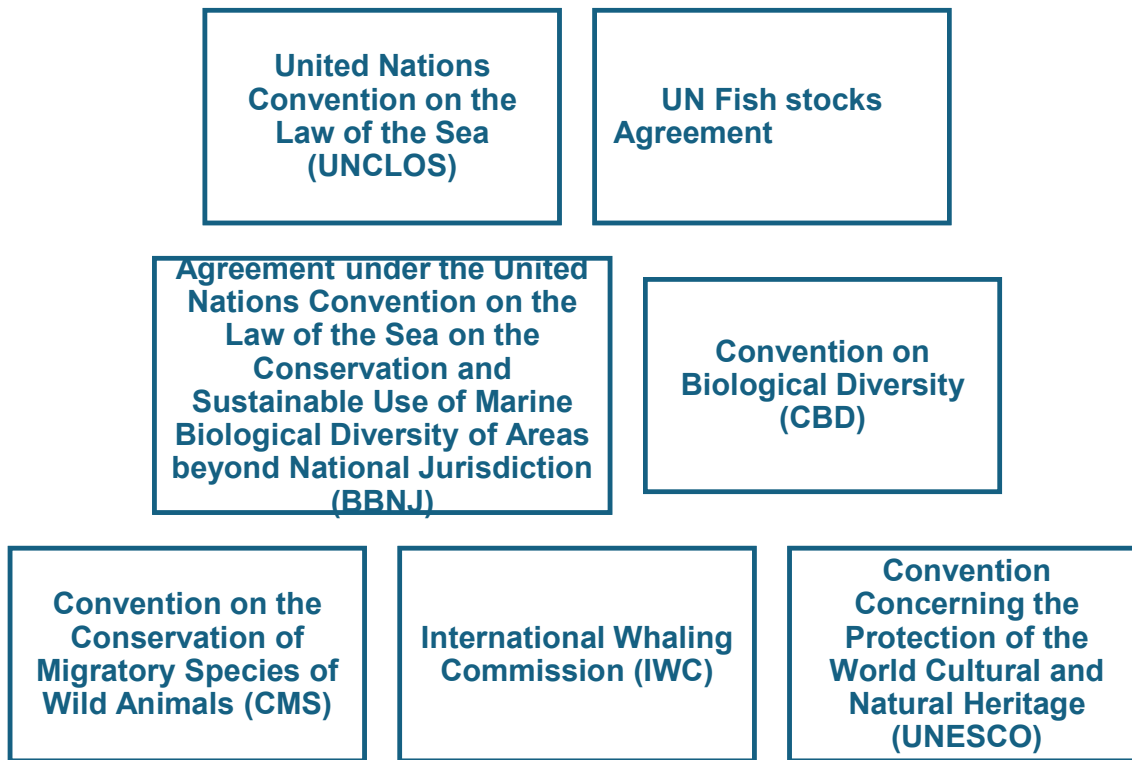


Prepare recommendations for global policy options following a Strategic Environmental and Social Assessment (SESA) approach.



The analysis is planned to be finalised by the end of 2024.

Global legal instruments



Lead Pilot Countries	Argentina	Chile	Costa Rica	India	South Africa	Trinidad & Tobago
UNCLOS						
UN Fish Stock Agreement						
CBD						
CMS						
IWC						
UNESCO						

Regional legal instruments

Examples of applicable instruments for Lead Pilot

Regional Seas Conventions

- Antarctic Treaty System (Madrid Protocol)
- Abidjan Convention
- Cartagena Convention
- Lima Convention
- Nairobi Convention

Regional Species Protection Conventions

- Inter-American Convention for the protection and conservation of the sea turtles (IAC)

Regional Fisheries Bodies

- Convention on the conservation of Antarctic Marine Living Resources (CCAMLR)
- Comisión Permanente del Pacífico Sur (COPPESAALC)
- Conservation and management of High Seas fisheries resources in the South Pacific Ocean (SPRFMO)
- Commission for the Conservation of Southern Bluefin Tuna (CCSBT)
- Indian Ocean Tuna Commission (IOTC)
- International Commission for the Conservation of Atlantic Tunas (ICCAT)
- South East Atlantic Fisheries Organisation (SEAFO)
- Southern Indian Ocean Fisheries Agreement (SIOFA)
- Southwest Indian Ocean Fisheries Commission (SWIOFC)

Lead Pilot Countries	Argentina	Chile	Costa Rica	India	South Africa	Trinidad & Tobago
Abidjan Convention					■	
Cartagena Convention			■			■
Lima Convention		■				
Madrid Protocol	■	■		■		
Nairobi Convention					■	
CCAMLR	■	■		■	■	
CCSBT					■	
COPPESAALC	■	■	■			
IAC	■	■	■			
ICCAT			■		■	
IOTC				■	■	
SIOFA				■		
SPRFMO		■				
SEAFO					■	
SWIOFC					■	

Legal obligations related to underwater noise mitigation

Main obligations under UNCLOS



Take all necessary measures to prevent, reduce and control marine vessel source pollution incl. energy.

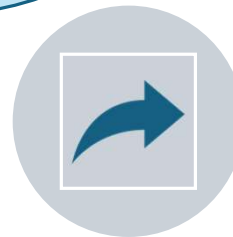


Take all necessary measures to protect and preserve rare or fragile ecosystems, as well as the habitat of depleted, threatened or endangered species and other forms of marine life.

Precautionary approach according to ITLOS



Adopt laws and regulations concerning pollution from vessels and enforce such laws and regulations.



Prevention of transboundary effects from pollution.

Examples of global binding and non-binding instruments related to underwater noise mitigation

UN Fish Stock Agreement

- **Obligation to assess the impacts of fishing, other human activities and environmental factors on target stocks** and species belonging to the same ecosystem or associated with or dependent upon the target stocks; **minimize pollution; and protect biodiversity.**

CBD

- Global Biodiversity Framework Target 7: **Reducing pollution risks** and the negative impact of pollution from activities associated with shipping, including oil spills, marine litter **and underwater noise**, among others.

CMS

- CMS Family Guidelines on Environmental Impact Assessments for Marine Noise-generating Activities **incl. Shipping**

IMO Underwater Noise Guidelines

- **URN Management Plan: Flexible tool**
- may include establishing the baseline (predicted or actual) of a ship's URN & setting URN targets;
- evaluating, alone and in combination, various technological, operational and maintenance approaches to reduce URN.

Some of the Global and Regional Approaches

Measures associated with the reduction of underwater noise from shipping

Addressing gaps in knowledge and data

- ICES continuous noise data hosting
- FAO/GFCM workshop and study on noise
- Critical habitat identification

Area-based management tools, marine spatial planning, marine protected areas

- Operational measures – areas to be avoided, speed reduction, rerouting
- Regional Seas Conventions

Application of relevant principles and approaches

- Precautionary principle, ecosystem approach, polluter pays principle, best available science principle
- Regional Action Plans incorporating ecosystem approach: Ecological Objectives, setting targets, establishing indicators for environmental monitoring purposes

Cooperation-coordination

- IMO and the Inuit Circumpolar Council; IMO and the CBD; IWC and IMO GloNoise Partnership
- REMPEC (IMO/UNEP-MAP)
- Regional Seas Conventions; OSPAR and HELCOM and ICES

Environmental Impact Assessment and Strategic Environmental Assessment

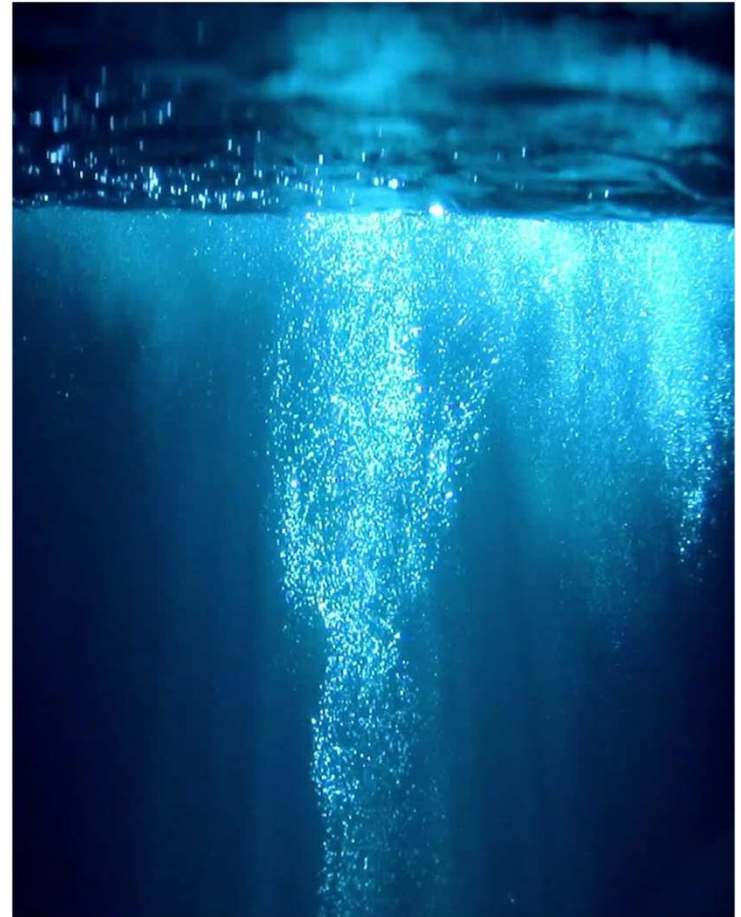
- Global and regional obligations (UNCLOS, CBD, BBNJ, Regional Seas Conventions, Espoo Convention incl. SEA Protocol)

Incentivization

- Opportunities at regional and national level

Preliminary Conclusions

- **Legal framework:** A patchwork of obligations, commitments and approaches to mitigate underwater noise from shipping.
- **Regional Seas Conventions:** Applicable to underwater noise mitigation and offer important opportunities to coordinate efforts within and among regions and with the IMO.
- **IMO Underwater Noise Guidelines:** Main tool to comply with global and regional obligations to mitigate underwater noise from shipping.



Thank you for your attention.

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