

# EUROPEAN PARLIAMENT

2004



2009

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*Session document*

31 August 2004

B6-xxx/2004

## **DRAFT MOTION FOR A RESOLUTION**

further to Oral Question B6-000/2004

pursuant to Rule 108 (5) of the Rules of Procedure

by Karl-Heinz Florenz

on behalf of the Committee on the Environment, Public Health and Food  
Safety

on the environmental effects of high-intensity active naval sonars

**European Parliament resolution on the environmental effects of high-intensity active naval sonars**

*The European Parliament,*

- having regard to article 6 and article 174 of the Treaty on European Union
  - having regard to the UN Convention on the Law of the Sea Convention (1982)
  - having regard to the Biodiversity Convention
  - having regard to the provisions of Habitats Directive 92/43/EEC
  - having regard to the International Whaling Convention of 1946
  - having regard to the European Parliament resolution on the Commission communication: "Towards a strategy to protect and conserve the marine environment" 19 June 2003;
  - having regard to Commission statements regarding to written questions E-2442/01, E-2797/02 and oral question O-0096/02,
  - having regard to the petition on High Intensity Active Sonars submitted to the Petitions Committee (0611/2003) in June, 2003,
  - having regard to Rule 108 (5) of its Rules of Procedure,
- A. whereas scientific and public concerns are increasing after a series of documented mass mortalities of cetaceans (in Greece, 1996; the US Virgin Islands 1998,1999; the Canary Islands 1985, 1986, 1989, 2002; the Bahamas, 2000; Madeira, 2000; and the Northwest coast of the United States, 2003) associated with the use of high intensity mid-frequency active sonar in coastal environments,
- B. whereas a growing body of research, including evidence published by 18 European scientists in *Nature* (October 9, 2003), confirm that the very loud sounds produced by naval high intensity active sonars pose a significant threat to marine mammals, fish and other ocean wildlife,
- C. whereas there is a potential negative impact of these sonars on commercial fishing and the already depleted fish stocks throughout the world's oceans, also evidenced by a study commissioned by the UK Defence Research Agency (FRRI 27/94),
- D. whereas Articles 204-206 of the United Nations Law of the Sea Convention, require States to assess the potential effects of their activities on the marine environment and communicate the results of such assessments,

- E. whereas Article 194 of United Nations Law of the Sea Convention requires “States shall take all measures that are necessary to prevent, reduce and control pollution of the marine environment from any source”,
- F. whereas the EU is committed under Decision No 1600/2002/EC<sup>(2)</sup> laying down the Sixth Environmental Action Programme (6EAP) to halt biodiversity loss by the year 2010 in the EU and globally under the Convention on Biological Diversity and the Plan of Implementation adopted at the World Summit on Sustainable Development,
- G. whereas for effective compliance with these obligations the nature of the risks involved requires that the precautionary approach, as enshrined in the EC Treaty, be applied; i.e. that in the case of scientific doubt, action which might harm biodiversity and wildlife, must be avoided,
- H. whereas the European Parliament, in its resolution on 19 June 2003 on the Commission communication: "Towards a strategy to protect and conserve the marine environment" considered that the lack of a complete information base must not be used as a pretext to prevent appropriate precautionary action in particular where there is clear evidence of a significant decline in biodiversity,
- I. whereas in the same resolution, the European Parliament called for the Commission to bring forward, as soon as possible, a thematic strategy on the marine environment, based on the following elements:
- the 'precautionary principle', including the evaluation of long-term effects of policies and actions, in line with Article 6 of the Treaty;
  - the concept of sustainability, including establishing benchmarks for protection and conservation objectives as well as action targets;
  - a Strategic Environmental Assessment (SEA), in order to integrate environmental and biodiversity considerations into mainstream decision-making;
  - an integrated approach to address threats caused by all human activities affecting the marine environment and a careful assessment of their impact on this environment and the mutual influence and dependency of such impacts;
  - an integrated approach regarding coastal and offshore marine management;
  - a regional approach taking into account regional diversities on ecological characteristics, threats as well as socio-economic aspects;
  - strategic marine spatial planning for the regional seas covering the whole of the EU continental shelf, which would introduce a plan-led approach to the sectoral decision-making systems;
1. Calls upon the European Union and its member States to adopt a moratorium on the deployment of Low Frequency Active Sonars (LFAS) until a global assessment of its

cumulative environmental impacts on whales, dolphins, fish and other marine life is completed;

2. Calls upon the Member States to actively pursue in the framework of NATO and other international organisations the adoption of moratoriums and restrictions on the use of high intensity active sonars in naval operations and the development of alternative technologies;
3. Calls upon the Member States to urgently adopt geographic restrictions on the use of high intensity active sonars in sensitive marine habitats under their jurisdiction;
4. Calls upon the European Commission to conduct a study of the potential impact on the marine environment from the deployment of LFAS, and provide an assessment of the effect of current practices in the European Union seas;
5. Calls upon the Commission and the Member states to initiate a Multinational Task Force to develop international agreements regulating noise levels in the world's oceans considering the regulation and limitation of the adverse impact of anthropogenic sonar on cetaceans.
6. Instructs its President to forward this resolution to the Council and the Commission.