Submission by Japan in response to CBD notification: Request for relevant information concerning the objectives of the Expert Workshop on Underwater Noise and its impacts on Marine and Coastal Biodiversity

(February 2014)

1. Introduction

1 At the eleventh meeting of the Conference of the Parties in Hyderabad, decision XI/18 requested the Executive Secretary to collaborate with Parties, other Governments, and competent organizations, including the International Maritime Organization, the Convention on Migratory Species, the International Whaling Commission, indigenous and local communities and other relevant stakeholders, to organize, subject to availability of financial resources, an expert workshop with a view to improving and sharing knowledge on underwater noise and its impacts on marine and coastal biodiversity, and to develop 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, and also requested the Executive Secretary to make the report of the workshop available for consideration by a meeting of the Subsidiary Body prior to the twelfth meeting of the Conference of the Parties.

2 Pursuant to the above request, the secretariat is convening this expert workshop, and the Executive Secretary invited Parties, other Governments and relevant organizations to provide relevant information concerning the objectives of the above-mentioned expert workshop, in particular regarding:

(i) The impacts of underwater noise on marine and coastal biodiversity;

(ii) Practical guidance and toolkits to minimize and mitigate the significant adverse impacts of anthropogenic underwater noise on marine and coastal biodiversity, including marine mammals.

3 Japan hereby submits its views and information regarding underwater noise and its impact on marine and coastal biodiversity, in response to (ii) Practical guidance and toolkits to minimize and mitigate the significant adverse impacts of anthropogenic underwater noise on marine and coastal biodiversity, including marine mammals.

2. Commercial shipping issues raised in the CBD

4 In the Annex II of SBSTTA 16/6, it is noted that human-made noise from activities

such as commercial shipping, oil and gas exploration, renewable energy and the use of various types of sonar are illustrated as an example of anthropogenic noise production in the marine environment.

5 Also, it is stated that “The issue of underwater noise and its effects on marine biodiversity has received increasing attention at the international level with recognition by a number of international and regional agencies, commissions and organizations including …, the International Maritime Organization (IMO), … ”, and that progress is being made with regard to commercial shipping.

6 As stated above, it is true that the issue of underwater noise from commercial shipping has received attention and has been considered at the IMO, and Japan would like to focus on commercial shipping amongst various sources of underwater noise in this submission.

3. Development at the IMO

7 In 2008, at the Marine Environment Protection Committee of the IMO (MEPC), it was suggested that, taking into account a submission on the development of non-mandatory technical guidelines to minimize the introduction of incidental noise from commercial shipping operations into the marine environment to reduce potential adverse impacts on marine life and its inclusion as a new work programme of the MEPC with target completion date of three or four sessions, the issues should be discussed by the IMO. Given this suggestion, the MEPC agreed to commence the work programme on “Noise from commercial shipping and its adverse impacts on marine life” and to establish an intersessional correspondence group with a view to identifying and addressing ways to minimize the introduction of incidental noise into the marine environment from commercial shipping to reduce the potential adverse impact on marine life. More in particular, the MEPC agreed to develop voluntary technical guidelines for lower noise technologies as well as potential navigation and operational practices.

8 Following the intensive discussions at MEPC for four years, the guidelines, i.e. “Guidelines for the reduction of underwater noise from commercial shipping”, was almost finalized in 2013, and it is expected that the draft be adopted as it is at next MEPC to be held from late March to April 2014.

9 Towards the finalization of the guidelines above, a large number of countries have made significant contributions and have provided a wide range of technical expertise relevant to the issue, and, accordingly, the draft guidelines forms wide coverage of measures; not only

design matters such as improvements in hull design, primary for new ships, but also operational and maintenance measures such as propeller cleaning for new and existing ships. It is therefore considered that the present state of the draft guidelines is appropriate enough to deal with every potential aspects for anthropogenic noise production from shipping in the marine environment.

10 As noted earlier, the draft guidelines is to be adopted next April when the MEPC is convened. As a common practice at the IMO, once the guidelines is adopted, it is expected that each Member State starts to implement it for next several years, and, if required, the guidelines be amended to increase effects of the said guidelines. There is also a precedence at the IMO for developing another specific guidelines exclusively aiming at the review of the guidelines.

11 It is assumed that the series of these efforts by individual states would be expected for this draft guidelines for the reduction of underwater noise from commercial shipping, and therefore it is expected that it should be subject for implementation at first by the IMO Member States, and, if necessary, at an appropriate timing in near future, a review to evaluate the effect of the guidelines be made.

12 In addition to measures above, it was noted that the measures to address GHG emissions from shipping under consideration at the IMO would have an important positive effect on the reduction of underwater noise. This is because from the viewpoint of engineering, the energy loss which is radiated as underwater noise, caused by machinery vibration and propeller cavitation would decrease, as efforts/measures to improve energy efficiency would be taken more and more, and therefore, the measures to reduce GHG emissions through the improvement of energy efficiency of ships would be effective to reduce underwater noise.

13 At the IMO, as a strong intension to reduce GHG emissions, it was successfully agreed to introduce measures for GHG emissions reduction through the improvement of energy efficiency globally, by the amendments to the MARPOL Convention, which entered into force in 2013. This regulation requires for each ship to meet energy efficiency standard, and would be reinforced with phased approach (i.e. 30 % emissions reduction compared with past ships in final phase). Furthermore, it should be noted that the IMO is now challenging to consider further measures to improve energy efficiency of ships. In this regard, our efforts on the GHG issue at the IMO would also contribute to further reduction of underwater noise from shipping.

4. Full competence of the IMO on this issue

14 It should be noted that “shipping” contains unique characteristics, which may be summarized as follows:

- Ships may go anywhere, irrespective of boundaries, in the world, and shipping plays a central role for international transport;
- The Open registry system is commonly applied to the shipping industries; and
- Various players (ship owners, ship operators, charterers, etc) are involved.

Therefore, it is difficult and inefficient if unilateral measure be implemented. Rather, it is indispensable to apply, globally, universal maritime environmental standards on shipping.

15 With this understanding, the IMO Convention was concluded and taken into effect in 1958, and a number of maritime conventions were concluded and taken into effect. These include “traditional” Conventions which covers technical issues purely occurred on board ships, such as SOLAS Convention, but as time goes by, interests or concerns have been becoming more divergent such as marine biodiversity, ballast water treatment, or ship recycling which requires expertise on labor safety and environment at on-shore recycling yards. Even on these emerging issues, the IMO has successfully dealt with, and a number of instruments were developed.

16 Given the past record of these activities, it is reasonably considered that the IMO have handled well the issue relevant underwater noise so far, and this would continue for future. It is therefore important that the IMO should play the indispensable role on the issue on underwater noise from commercial shipping, but other international organizations should refrain from intervening the IMO discussion. Otherwise, it is likely that the latter organizations would invite duplication of works, and in the end, there would be divergent sets of measures, and the shipping industries might be fallen in a confusion, and the sound development of the industry and the effective maritime environment protection would not be achieved. Also, it is recognized that due to the IMO efforts, the measures for the commercial shipping are set and implemented at a faster pace than other potential noise sources such as oil and gas exploration, renewable energy and the use of various types of sonar. Therefore, it is prerequisite to rely on the IMO on this matter.