

## OceanCare Input to the “Draft Outline Document for the Ministerial Outcome Document of the 2021 UN Environment Assembly”

Wädenswil/Switzerland, August 14th, 2020, submitted to:

UN Environment Programme Secretariat (unep-sgb@un.org)  
Norwegian Ministry of Climate and Environment (postmottak@kld.dep.no)

OceanCare would like to thank the President of the United Nations Environmental Assembly, Sveinung Rotevatn, for the opportunity to provide input to the “Draft Outline Document for the Ministerial Outcome Document of the 2021 UN Environment Assembly” (hereafter ‘Draft Outline’). The Draft Outline forms a good basis for further work, and we would like to take this opportunity to constructively contribute to the evolution of the Draft Outline by putting forward a few remarks relating to underwater noise and plastic pollution as well as the importance of Green and Just Recovery. Brief remarks will also be made on the matter of governance and implementation.

We are, as noted in the Draft Outline, experiencing an alarming loss of biodiversity and ecosystem degradation. Over-exploitation of natural resources, climate change and pollution are already undermining our ability to leave a healthy planet for the next generation. The ocean is at the forefront of climate change, not only owed to the fact that the ocean serves as a heat and carbon sink but also because it bears much of the brunt caused by climate change (e.g., changes in temperature and sea level rises). This makes it increasingly difficult for the ocean to regenerate and deliver its vital ecosystem services.

### Underwater noise pollution

One of the most pertinent pollutants and threats facing the ocean and its inhabitants is underwater noise pollution. It is now understood that many species rely on sound for their vital functions, including communication orientation, prey detection and predator avoidance. Thus, human-made noise in the ocean can inflict irreversible damage to marine wildlife, leading to deafness, habitat displacement, reduced reproduction and feeding opportunities and in some cases death. Loud and pervasive ocean noise- generated by so called airguns that emit sound pulses of up to 260 decibels every 10 to 15 seconds for weeks or even months at a time during hydrocarbon exploration- is now a threat to almost all ocean wildlife from the tiniest plankton to the largest whale. This is an alarming acknowledgment as evidence further suggests that noise levels in the ocean present a growing threat to fish stocks and the sustainability of fisheries. Specifically, studies have shown that fish catch rates can drop significantly as a result of underwater noise.<sup>1</sup> **Our ability to safeguard sustainable food systems is consequently at risk.**

A form of continuous underwater noise is generated by international cargo shipping and has doubled since the 1950s. Despite a general understanding that commercial shipping considerably contributes to noisy oceans, there is a lack of regulation of the shipping industry. It is increasingly becoming evident that governments have yet to fully understand the relationship between noise levels, ship speed reduction and the emissions of greenhouse gases. If commercial ships reduce speed they would, at the same time, reduce their CO<sub>2</sub> emissions thus needing less fuel, conversely reducing noise generated. Calculations have estimated that reducing the speed of the global cargo shipping fleet by 10% at average would lead to a reduction in emissions of at least 13%.<sup>2</sup>

---

<sup>1</sup> See Weilgart’s “The Impact of Ocean Noise Pollution On Fish and Invertebrates” for further reading on the impacts of noise on fish.

<sup>2</sup> See Leaper’s “The Role of Slower Vessel Speeds in Reducing Greenhouse Gas Emissions, Underwater Noise and Collision Risk to Whales” for a more detailed understanding.

It is therefore essential that underwater noise is recognised as a harmful form of marine pollution under SDG14.1. Addressing this pollutant specifically not only tackles biodiversity loss, which as you have acknowledged is developing at an alarming rate, but it would moreover pay tribute to the interlinkages between “people’s livelihood and health, the environment and the economy”. Across the globe, unchecked propagation of ocean noise is undermining efforts to achieve healthy, sustainable oceans and to restore fish stocks with serious implications for human livelihoods and food security. **A healthy ocean free from underwater noise caused by seismic surveys in the search for hydrocarbon resources and speed reduction of the international cargo fleet would greatly enhance our ability to protect biodiversity, mitigate climate change and would help us move “beyond statements to gather forces around concrete actions”.** OceanCare therefore advocates to identifying the mitigation of underwater noise as a critical element in taking concrete steps in strengthening action for nature to achieve the Sustainable Development Goals.

## Plastic pollution

It is unfortunate that the Draft Outline does not address the matter of plastic pollution (marine litter). OceanCare would like to underscore the importance of including this form of pollution within future drafts. The plastic industry is planning to expand plastic production by at least 40% in the next five years. If we do not act to address the pollution by this hazardous material at each stage of its life cycle, with an emphasis on source reduction, the marine plastic pollution crisis will get much worse. This pervasive and continued threat of marine plastic pollution is worrying, and governments need to take a coherent and consistent approach to tackling this problem. **At UNEA 5 a clear mandate must be given towards negotiating a new, legally binding global convention on plastic pollution that addresses the full life cycle of plastics along a clear and ambitious timeline.**

## Green and Just Recovery

OceanCare welcomes that the need for Green Recovery has been recognised in the Draft Outline. The current pandemic is unfortunately going to remain a pertinent feature in our lives in the years to come and it is therefore critical to ensure that economic recovery and support elements are designed in a way that furthers a more resilient and just economy and environment, is based on sustainable production, preventing biodiversity loss and which contributes to reducing GHG emissions. The portion on Green Recovery provided in the Draft Outline must move beyond mere abstractions and provide a concise and concrete way forward (e.g., reducing both impulsive and continuous noise generated by oil and gas exploration and international cargo shipping).

## Implementing existing obligations

On numerous occasions, the Draft Outline highlights not only the importance of “a strong multilateral system” but moreover emphasises the urgency of effective implementation of already agreed upon commitments and obligations. OceanCare welcomes this explicit treatment of the issue of implementation. Indeed, it has become evident that one of the most pressing issues concerning environmental multilateralism is related to implementation and compliance. Although the Draft Outline pays tribute to this important discussion, we believe that the Ministerial Outcome Document must become more precise. Building on what has already been written, **future drafts ought to a.) examine governance gaps and synergies in existing Multilateral Environmental Agreements (MEAs) and to encourage meaningful review mechanisms within each MEA b.) provide MEAs with sufficient means to implement existing work programs and obligations and c.) increase cooperation and coordination among MEAs as well as call on member states to ratify and effectively implement MEAs.**

## Governance, Stockholm + 50

The United Nations General Assembly (UNGA) Resolution 73/333 asks UNEA5 to finalise a Political Declaration pertaining to the strengthening of international environmental law and governance. Over the past decades, the international community has taken steps towards protecting the environment by adopting a wide-range of instruments, and in doing so countries have recognised fundamental principles of environmental law. These principles have, with the help of governments and courts, been gradually disseminated and implemented, although general principles of environmental law remain fragmented and coherence is urgently needed. **OceanCare is of the opinion that a new legally binding instrument, such as a Global Pact for the Environment, is necessary to help clarify, harmonise and simplify environmental law, giving jurisprudence the necessary tools to interpret existing ambiguities. It is critical that this new instrument does not undermine existing achievements made within regional and sectoral agreements. This progress towards such an instrument can be driven by Stockholm + 50 and would be a great commemoration of the creation of the United Nations Environment Programme.** OceanCare would thus welcome efforts by the President to lend consideration to this process within the Draft Outline for the Ministerial Outcome Document.

OceanCare has been committed to marine wildlife protection since 1989. We have witnessed dramatic developments – and have enforced concrete improvements.

Through research and conservation projects, campaigns, environmental education, and involvement in a range of important international committees, OceanCare undertakes concrete steps to improve the situation for wildlife in the world's oceans. In 2011, OceanCare was granted Special Consultative Status on marine issues with the Economic and Social Council of the United Nations. OceanCare has also been accredited as member of the Major Group Science & Technology to the United Nations Environment Assembly (UNEA) in 2015.

[www.oceancare.org](http://www.oceancare.org)

Fabienne McLellan, Co-Director International Relations: [fmclellan@oceancare.org](mailto:fmclellan@oceancare.org)

Johannes Müller, Ocean Policy Consultant: [jmueller@oceancare.org](mailto:jmueller@oceancare.org)