



Update on Marine Scientific Research (MSR) Diplomatic Consent



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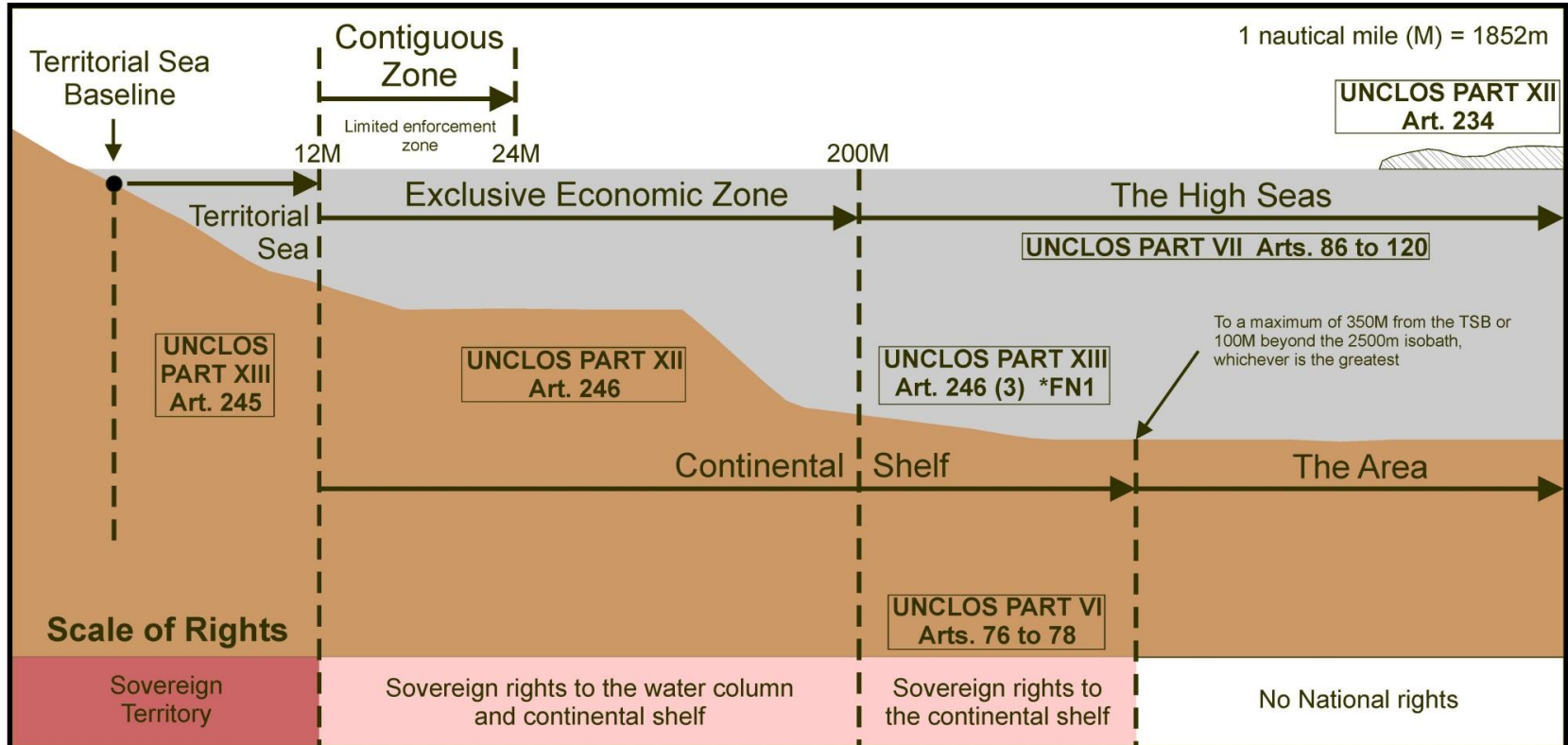
MSR and LOSC



1982 United Nations Convention on the Law of the Sea (LOSC), Part XIII: Marine Scientific Research

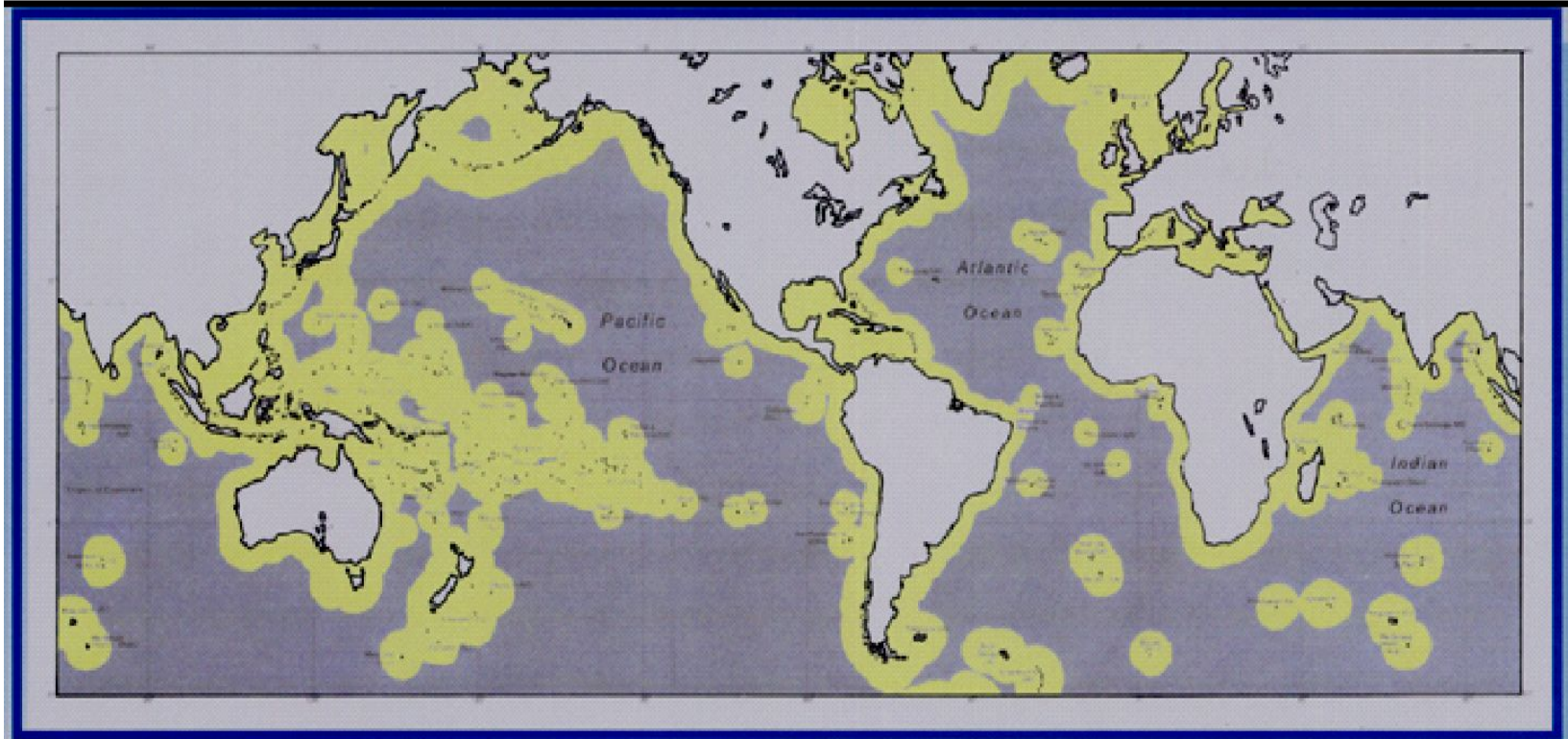
- LOSC does not define marine scientific research (MSR).
- MSR generally refers to activities undertaken in the ocean to expand knowledge of the marine environment and its processes for the benefit of all mankind.
- Article 238: Right to conduct MSR
- Article 245: Coastal State jurisdiction over MSR conducted within territorial sea
- Article 246: Coastal State jurisdiction over MSR conducted within EEZ
- Article 250: Communications concerning MSR projects shall be made through appropriate official channels.

★★★ MSR and the LOSC: What Requires Consent?



*Footnote 1 - only applies where the coastal state has had a successful claim under Article 76 and this claim has been embodied in that coastal states law.

★★★
Multiple EEZs to Consider
When Conducting MSR





Who Requests MSR Consent?

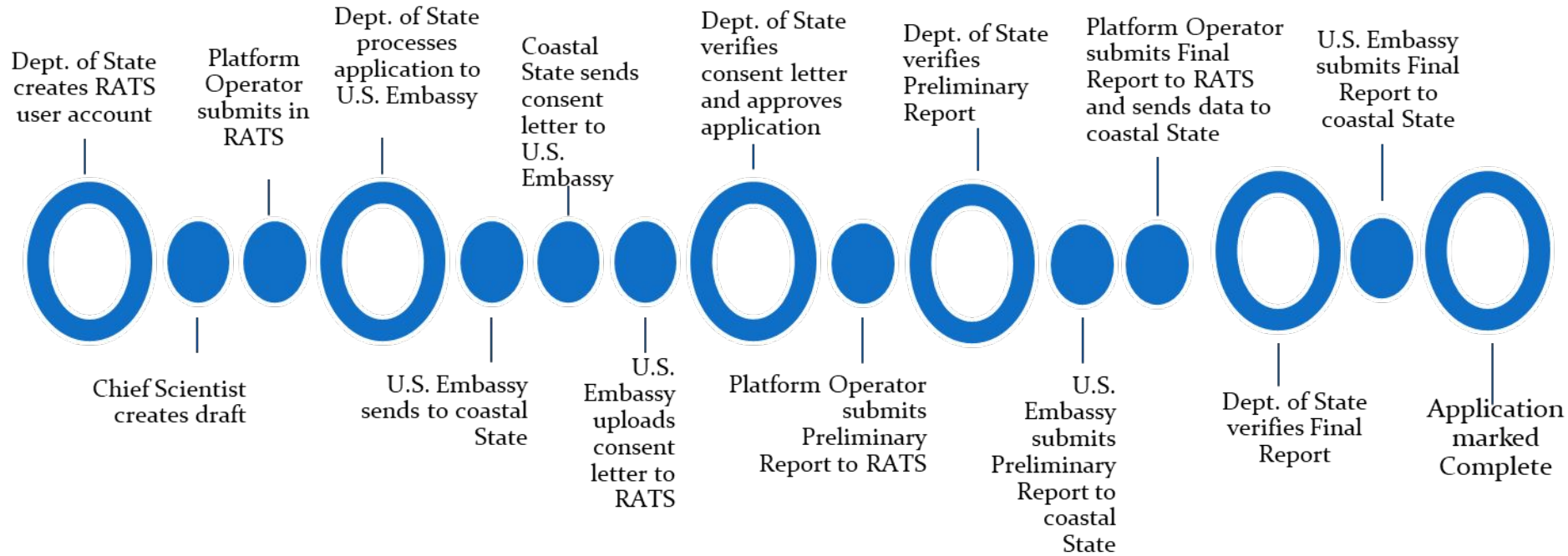
- Most Coastal States
 - Flag State of Vessel
- United States
 - Nationality of the Chief Scientist (responsible for data, reports, science while at sea)
 - LOSC: “Researching State”



U.S. Scientists in Waters Under Foreign Jurisdiction

- ~300 U.S. cruises submitted annually for consent
- Submit to OPA **6.5 months** in advance whenever possible
- Include a **cruise track** without maritime boundaries
- ****Check coastal State requirements website** to ensure all necessary paperwork for each coastal State is included in the application (<https://www.state.gov/guidance-on-supporting-documentation/>)**

☆☆☆
Process to Request MSR Consent
for U.S. citizens in Foreign Waters





U.S. RATS Portal



- For U.S. researchers in foreign waters and foreign researchers in U.S. waters.
- Designed on a Microsoft O365 cloud-based platform.
- Please let us know if you would like to schedule a training.
- Research Application Tracking System (RATS) Portal:
<https://ratsportal.state.gov/>

Home

Role: Platform Coordinator

Welcome to the RATS Portal

This site is a self-service portal where users can submit and track marine scientific research applications for review by the U.S. Department of State office of Ocean and Polar Affairs (OPA). OPA develops, coordinates, negotiates, and implements U.S. foreign policy with respect to marine science and research, including Marine Scientific Research Consent. OPA promotes science and diplomacy, improves maritime domain awareness, and safeguards the interests of the U.S. scientific community through the marine scientific research consent program.

Please review the [Guidance page](#) for further details before submitting an application. Additional information can be found on the [Marine Scientific Research page](#).

Task	Regarding	Workflow Step	Created On	Application Status (Regarding)	Due Date ↑	Assigned
Submit Final Report to DoS	F2021-039 - *20588 Submit Preliminary Report to MFA & Submit Final Report to DoS	Reporting	12/6/2021 2:09 PM	Reporting	12/6/2021 8:00 AM	OPA Platform Coordinator
Re-Submit Preliminary Report to DoS	F2021-016 - *OPA F-Cruise G	Reporting	10/22/2021 1:50 PM	Inactive	12/23/2021 8:00 AM	OPA Platform Coordinator
Re-Submit Preliminary Report to DoS	F2021-031 - *23785 Re-Submit Preliminary Report	Reporting	12/6/2021 1:03 PM	Reporting	1/6/2022 8:00 AM	OPA Platform Coordinator

Helpful Tips for all Scientists Requesting MSR Consent

- SUBMIT EARLY!!!
- Talk to others for lessons learned
- Build in time buffer (~1 week at the beginning and/or the end)
- No maritime boundaries on cruise track
- SUBMIT EARLY (7 months)
- Explain why your project benefits that coastal State and how data will be delivered
- Build relationships with local government and in-country scientists
- Follow-up regularly on status of request
- Submit preliminary report, final report, and data on time
- Did we say SUBMIT EARLY?

MSR Consent Challenges

- No uniform system globally
- Increasing bureaucracy, evolving requirements, closer scrutiny
- Timing of requesting participants, new documents, or other policy changes
- Denials for reasons that are not within the LOSC
- Maritime Boundary Disputes
- Natural disasters, COVID-19
- Optics (type of ship, nature of research)





Outstanding Reports



- Instructions for reports/data submission can be found in scientists' consent letters/authorizations.
- Coastal States have the right to withhold consent from **any** scientist on the basis of late reports.
- Please do your part and submit reports on time.

MISSING

DRAFT STANDARD FORM C

MISSING

PRELIMINARY CRUISE REPORT

Cruise name/number:		
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Authorizations:

Coastal State	Authorization Document Number	National Participant(s)

Scientist in charge of reporting:

Name:	
Country/Nationality:	
Affiliation:	
Address:	
Telephone:	
Email:	
Website (for CV and photo):	

Brief description of scientific objective:

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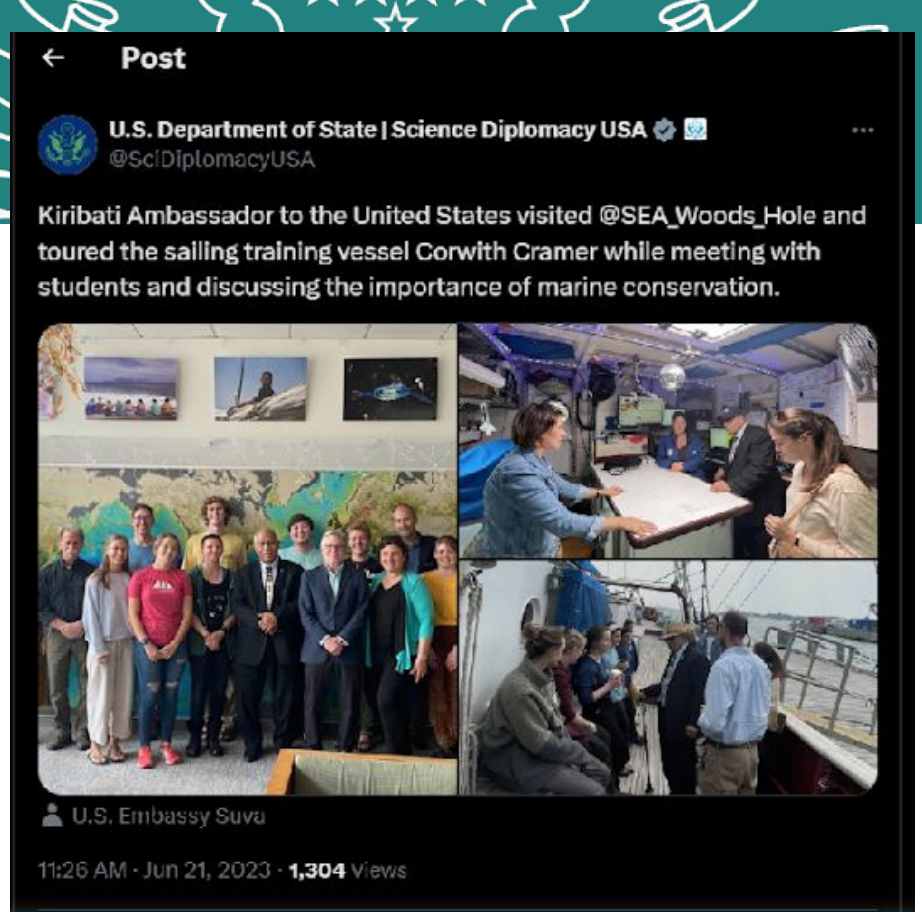
MISSING



Public Diplomacy



Research Vessel FALKOR in Suva, Fiji



Kiribati Ambassador to the United States ship visit



Social Media



U.S. State Department - OES

September 1 at 3:51 PM

Thank you to the government of Mexico for facilitating the research mission of scientists from [NOAA Fisheries West Coast](#) and Mexico's National Institute of Fisheries and Aquaculture ([INAPESCA](#)) to better understand the unique California Current Ecosystem. The scientists teamed up on board the NOAA fishery survey vessel Reuben Lasker to collect, sort and measure the fish collected during nighttime trawling operations.

[Embajada Estados Unidos en México](#)
[INAPESCA](#)



U.S. State Department - OES

2d

Thank you to the Cayman Islands, Cuba, and Jamaica for facilitating ocean and hurricane research from commercial ships! See the article below on this new initiative called Science Research on Commercial Ships (Science RoCS). <https://globalocean.noaa.gov/scientists-team-with-/>

[Foreign, Commonwealth & Development Office](#)
[National Oceanic and Atmospheric Administration \(NOAA\)](#)
[U.S. Embassy London](#) ... See more



U.S. Guidelines for Foreign Scientists in Waters Under U.S. Jurisdiction

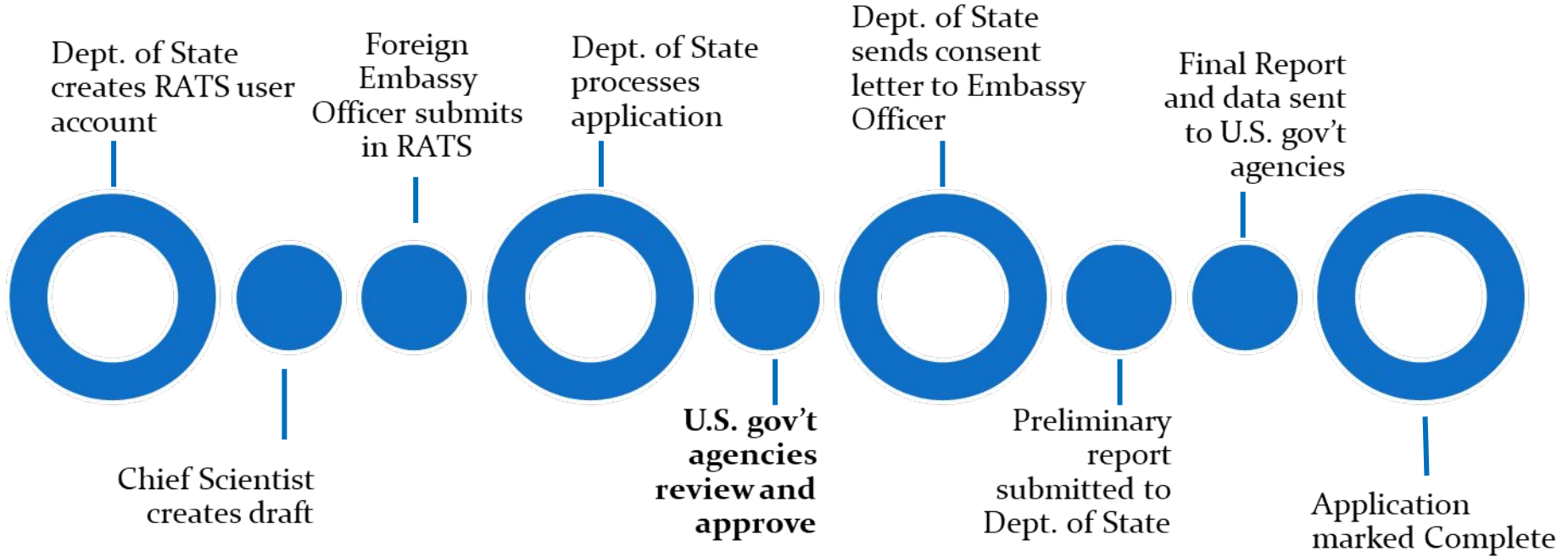
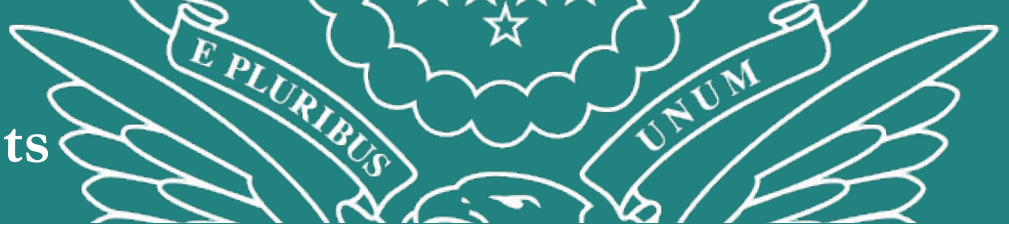
U.S. DEPARTMENT of STATE
Oceans and International Environmental and Scientific Affairs

~30 Foreign applications received per year

- Applications due **six months** in advance.
- **Cruise track** without maritime boundaries with a list of research site coordinates.
- Applicants submit applications through their Embassy to the United States.
- FWS Permit required for research in a **sanctuary or monument**.
- NOAA Authorization required if research involves study or **incidental take of marine mammals** or species listed under the Endangered Species Act.
- If research is near **Alaska**: Review Guidelines for Conducting Research with Northern Communities.
- Check state and local permit requirements.
- Science and Crew particulars: name, DOB, CVs (science party), contact information, passport/seaman's book.



U.S. Review of MSR Requests





U.S. Interagency Review Process



(Info Only)



U.S. Immigration and Customs Enforcement



U.S. Customs and Border Protection





Resources



U.S. MSR Policy General:

<https://www.state.gov/marine-scientific-research/>

About the Research Application Tracking System (RATS):

<https://www.state.gov/research-application-tracking-system/>

****Documentation Required by Coastal State**:**

<https://www.state.gov/guidance-on-supporting-documentation/>



2024 Pacific IVLP

- **MSR International Visitor Leadership Program (IVLP)**
- **Hosted 9 Pacific Island Country Officials for 3 weeks, Oct. 20 – Nov. 9**
- **Visited USG, NGO, and Academic Institutions in DC, Boston/Cape Cod, Seattle, and Honolulu**
- **Building relationships to improve science collaboration and consent approval**
- **Take-aways: Late applications, data and reports don't seem to be received, holding pre-/post-cruise calls to discuss the science**









Oceans and International Environmental and Scientific Affairs

U.S. DEPARTMENT of STATE

Thank you!



MarineScience@state.gov

Facebook: @ScienceDiplomacyUSA

LinkedIn: <https://www.linkedin.com/company/stateoes/>

Instagram: @ScienceDiplomacy_USA



X: @SciDiplomacyUSA