

The NERC Research Ship Unit Diplomatic Clearances for Research Vessels

Andy Louch
Operations Manager



Introduction

- **NERC Research Ship Unit**
Operate 2 vessels to undertake NERC marine science at sea
- **Undertake multi-disciplined marine science worldwide**
- **Vessels are civilian operated, British crewed and UK registered**



Vessels – RRS DISCOVERY

- Built 1963, Major conversion 1992
- 3001 GRT
- 90.25m LOA
- 28 scientific berths, total complement 49
- Endurance 45 days

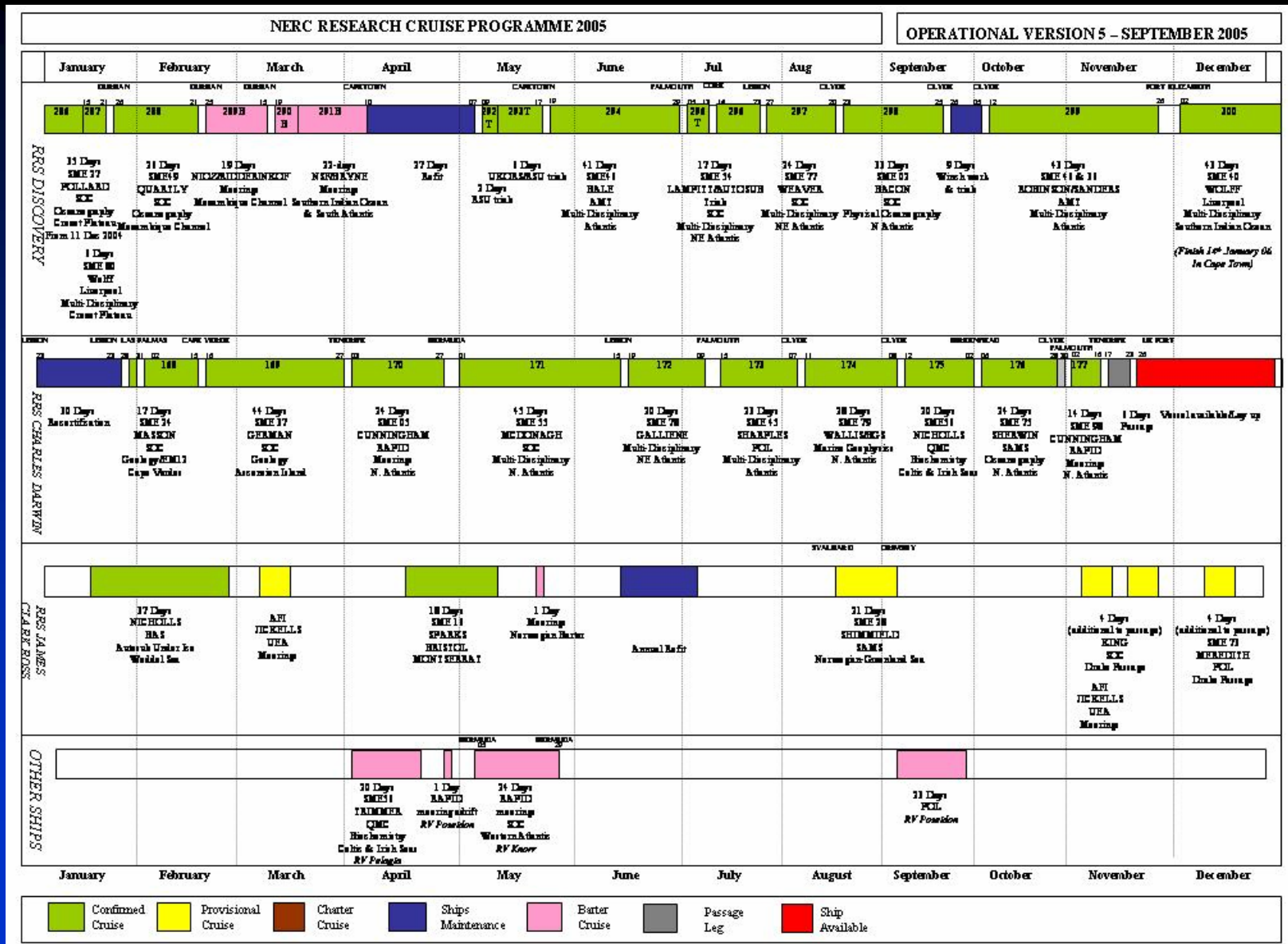


Vessels – RRS CHARLES DARWIN

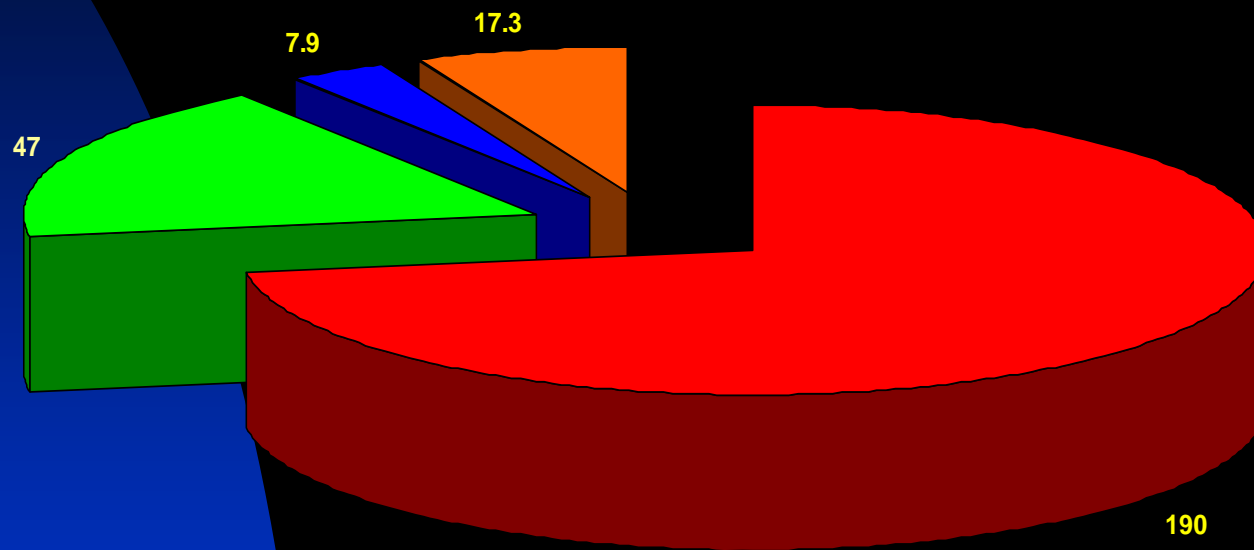


- Built 1984
- 1936 GRT
- 69.4m LOA
- 18 scientific berths, total complement 39
- Endurance 40 days

2005 Cruise Programme

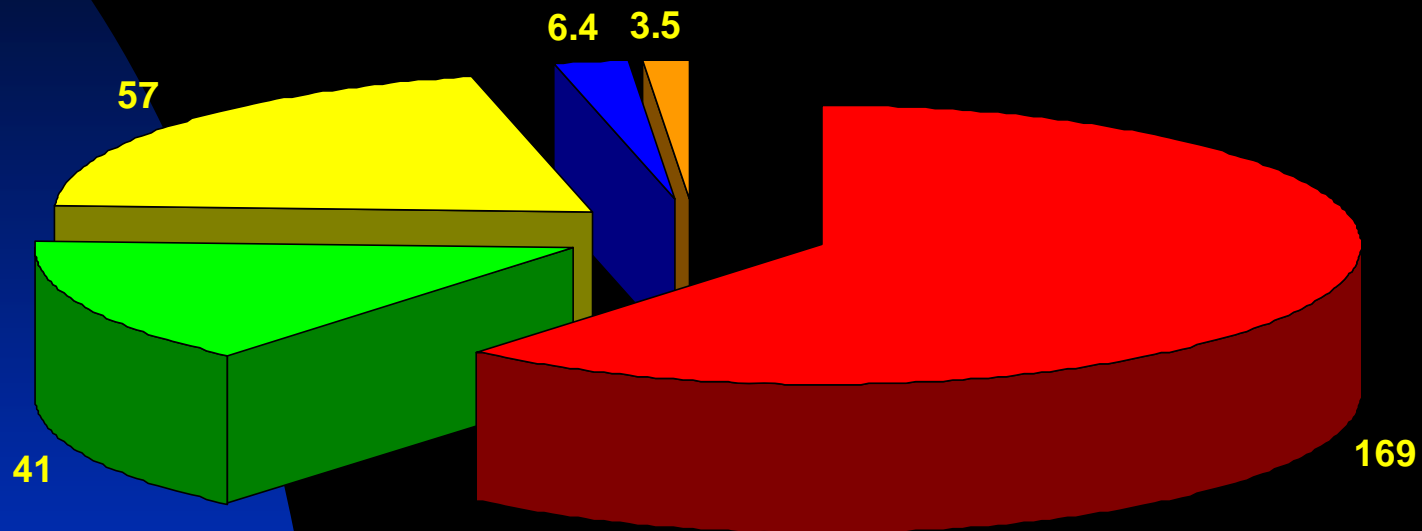


RRS Charles Darwin – Operational Summary



■ At Sea ■ Mob/Demob ■ Downtime - Winches ■ Downtime - Other

RRS Discovery – Operational Summary



■ At Sea ■ Mob/Demob ■ Port Time - Winches
■ Cruise Downtime - Winches ■ Cruise Downtime - Other

UNCLOS REQUIREMENTS

Reference UNCLOS Section 3, Conduct and Promotion of Marine Scientific Research (Article 245 – Article 265)

“All Coastal States in the exercise of their jurisdiction, have the right to regulate, authorize and conduct marine scientific research in their exclusive economic zone (EEZ) and on their continental shelf in accordance with the relevant provisions of the Convention....Marine scientific research in the EEZ and on the continental shelf shall be conducted with the consent of the coastal state”.

UNCLOS REQUIREMENTS

- Article 245 - Marine scientific research in the territorial sea
- Article 246 - Marine scientific research in the EEZ and on the continental shelf
- Article 247 - Marine scientific research projects undertaken by or under the auspices of international organisations
- Article 248 - Duty to provide information to the coastal state
- Article 249 - Duty to comply with certain conditions
- Article 250 - Communications concerning marine scientific research projects
- Article 251 - General criteria and conditions
- Article 252 - Implied consent
- Article 253 - Suspension or cessation of marine scientific research activities
- Article 254 - Rights of neighbouring land-locked and geographically disadvantaged states
- Article 255 - Measures to facilitate marine scientific research and assist research vessels
- Article 256 - Marine scientific research in the Area
- Article 257 - Marine scientific research in the water column beyond the EEZ

UNCLOS REQUIREMENTS

- Research Ship Operators required to request permission its vessels to work within the EEZ of all Coastal States except those of its flag
- Standard document format required
- In UK submitted via Foreign and Commonwealth Office (FCO)
- Transmitted electronically to the FCO for onward dispatch to the relevant British Embassy in appropriate Coastal State
- Embassy then passes request to Ministry of Foreign Affairs (MFA) of the coastal State from whom permission is sought
- Deadline for submission of request of **SIX MONTHS** prior to the request to start the research

UNCLOS REQUIREMENTS

- Request for permission circulated around various departments, eg. Ministries, Navy, Coastguard, scientific institutes and universities, other vessel operators.
- Collation of comments undertaken by MFA
- Additional information often required from vessel operator
- Once all permissions received, Note Verbale issued by MFA and passed back to vessel operator via Embassy and Foreign Office
- UNCLOS Article 252 states that there is implied consent for the research unless it has notified the organisation within 4 months of receipt of notification.

UNCLOS REQUIREMENTS PROBLEMS EXPERIENCED

- **Late submission for permission request from scientists by vessel operator.**

Uncommon – Vessel operator ensures that scientist in charge of problem is aware of 6 months deadline deadline.

- **Problems with transmission of permission request by Foreign Office to Embassy in state where work is to be undertaken**

Occasionally happens – mainly due to Foreign Office not being aware of importance/urgency of request

- **Problems regarding circulation by MFA.**

Most frequent problem – MFA not aware to whom permission request should be circulated
Delayed circulation by MFA
MFA delaying circulation until cruise imminent thereby causing additional work at late stage

UNCLOS REQUIREMENTS PROBLEMS EXPERIENCED

- **Implied consent**

Although Article 252 states that if a coastal State has not informed the State or organisation conducting the research that it has withheld its consent or has that insufficient information has been submitted then the research can proceed, in practice this is not achievable – research ship operators need to issue a positive instruction to the vessel's Master before operating within the EEZ.

- **Late consent**

Research ship operators have frequently to 'chase' coastal State for consent. Takes up resources and causes 'stress'

- **Observers**

All applications include an offer of a berth for an Observer from the EEZ. However, there are occasions where berths may not be available i.e. when multiple EEZ operations are requested.

- **Cruise Reporting**

Occasionally happens – some 'encouragement' needed to some scientists to obtain reports of activities within EEZ.

UNCLOS REQUIREMENTS SOLUTIONS

- **Remove requirement for any permissions for marine scientific research**

All research cruise operations within any EEZ should not require coastal State consent.

Would all signatories to UNCLOS agree to this?

- **Move to 'negative reporting' system**

UNCLOS to be amended to reflect that unless more information is required or consent is refused (with reasons) then all marine scientific research cruises have implied permission.

Is this a practical proposition?

- **Standardisation of responses from MFA**

All coastal States to use common processes and procedures for tracking and advising on process of applications. Ship operators have to do this, so could all MFA's do the same with suitable deadlines? Process to be documented in UNCLOS