## Marine Scientific Research (MSR) Diplomatic Consent Process



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## MSR "Definition"

#### MSR is not defined:

- U.S. Definition: Activities undertaken in the ocean to expand knowledge of the marine environment and its processes.
- Marine data collection activities that are *not* MSR:
  - Prospecting for and exploration of natural resources;
  - Hydrographic surveys (for enhancing the safety of navigation);
  - Military activities including military surveys;
  - Activities related to the laying and operation of submarine cables;
  - Environmental monitoring and assessment of marine pollution pursuant to section 4 of Part XII of the Convention;

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- Collection of marine meteorological data and other routine ocean observations such as those used for monitoring and forecasting of ocean state, natural hazard warnings and weather forecasts, and climate prediction; and
- Activities directed at objects of an archeological and historical nature found at sea.



- Most Coastal States:
  - Flag State of Vessel
- United States:

- Nationality of the Chief
   Scientist (responsible
   for science, data, and reports)
- "Researching State"





- For U.S. researchers in foreign waters and foreign researchers in U.S. waters.
- Let us know if you would like to schedule a training.
- Only Platform Coordinator or Foreign Embassy Officer roles can submit to Dept. of State.
- 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.

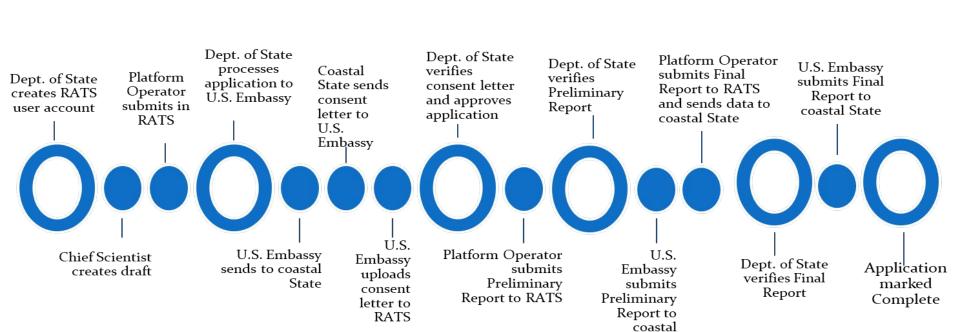
Task	Regarding	Workflow Step	Created On	Application Status (Regarding)	Due Date ↑	Assigned
Submit Final Report to DoS	F2021-039 - *20588 Submit Preliminary Report to MFA & Submit Final Report to DoS	Reporting	12/6/2021 2:09 PM	Reporting	12/6/2021 8:00 AM	OPA Platform Coordinator
Re-Submit Preliminary 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

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# U.S. Scientists in Waters Under Foreign Jurisdiction

- ~215 U.S. cruises submitted annually for consent
- Submit to DoS 6.5 months in advance
- 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-s
   upporting-documentation/)

## \* \* \* \* Process to Request MSR Consent of the U.S. citizens in Foreign Waters



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State

### MSR Consent Challenges

- No uniform system globally
- Firm 6-month review period
- Consent is never guaranteed
- Increasing bureaucracy, evolving requirements, closer scrutiny
- Timing of requesting participants, new documents, policy changes
- Maritime boundary disputes
- Natural disasters, pandemics
- Optics (type of ship, nature of research)
- Sovereign immunity









- Instructions for report/data submission can be found in scientists' consent letters/authorizations.
- Coastal States have the right to withhold consent from <u>any</u> scientist on the basis of late reports or data.
- Please submit reports and data early or on time.

### MISSING

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#### DRAFT STANDARD FORM C



#### DREHMINARY CRISS DEPOR

Cruise name/number:		
Authorizations:		
Coastal State	Authorization Document Number	National Participant(s)
		1
Scientist in charge of reporting: Name:		
Name:		
Name: Country/Nationality:		
Name: Country/Nationality: Affiliation:		
Name: Country/Nationality: Affiliation: Address:		

## \*\*\* Examples of Coastal State Requirements

Please check the State Department Marine Science Guidance Page for full list.

- **Argentina** Interested in science collaboration. Likely to request a participant.
- **Bahamas** Apply in both RATS and The Bahamas' Portal.
- **Brazil** Likely to request a participant.
- **Ecuador** A Diplomatic Note will not be issued to enter waters under Ecuador's jurisdiction. Applicants must obtain permits from the Ecuador Navy and the Galapagos National Park, and work with a private shipping agent in Ecuador.
- France
  - If non-U.S. Flag vessel, provide proof of liability insurance.
  - Very strict on 6.5-month processing deadline.

## Examples of Coastal State Requirements

- **Mexico** Firm 6-month review period for applications and forms.
- **Kiribati** If consent denied or application cancelled, \$300 processing fee will *not* be reimbursed.

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- **Peru** Applicants are responsible for hiring a maritime agency that must also submit MSR request to DICAPI and the Peru Navy.
- Panama Once MSR consent is granted by Panama, U.S. Embassy Panama will receive a vessel authorization number from the Panama Ministry of Security. An official Diplomatic Note will not be received from Panama. When the vessel approaches Panama's territorial waters, the Ministry of Security will request, by radio or other means, the issued authorization number.

Always check our Guidance Page: <a href="https://www.state.gov/guidance-on-supporting-documentation/">https://www.state.gov/guidance-on-supporting-documentation/</a>

#### Social Media



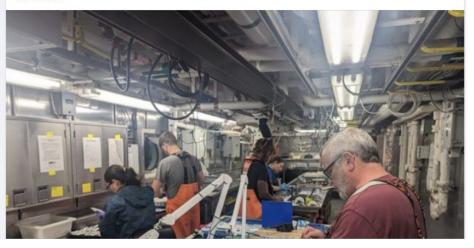


U.S. State Department - OES ②

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 🥏

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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



## Foreign Scientists in Waters Under U.S. Jurisdiction

In accordance with President Trump's Proclamation 10071, the Department of State has lead responsibility for implementing and coordinating interagency review of requests by foreign scientists to conduct marine scientific research (MSR) in U.S. maritime zones, consistent with international law.

## Foreign Scientists in Waters Under U.S. Jurisdiction

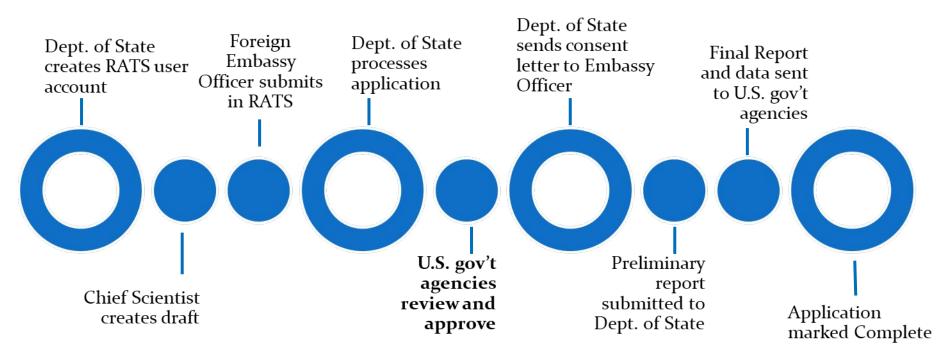
- ~30 applications received/year
- Applicants must submit their application through their Embassy to the United States.
- Submit to OPA six months in advance; applications received less than (16) weeks before the intended start date might not be accepted.
- Include a cruise track without maritime boundaries.
- List of research site coordinates.
- If research within a refuge, sanctuary or monument, or includes drilling, include the appropriate permit application.
- For Arctic research, State also sends cruise information to IARPC.

## Foreign Scientists in Waters Under U.S. Jurisdiction

- If the research involves the study or incidental take of marine mammals or species listed under the Endangered Species Act, include the appropriate NOAA authorization.
- Check state and local permit requirements.
- Engage with local Native and tribal communities.
- Include science and crew particulars: Name, DOB, CVs (science party), contact information, passport / crew seaman's book.



#### U.S. Review Process



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## \*\*\* U.S. Interagency Reviewers

















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# Helpful Tips for all Scientists Requesting MSR Consent

- SUBMIT EARLY 6.5 months ahead!
- Talk to others for lessons learned
- Build in cruise time buffer (~1 week at the beginning and end)
- No maritime boundaries on cruise track
- Explain why the science is beneficial
- Plan for outreach/engagement/public diplomacy
- Engage local scientists
- Follow-up regularly on status of request
- Timely submission of preliminary report, final report, data



#### Resources



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

About the Research Application Tracking System (RATS):

https://www.state.gov/research-application-trackingsystem/

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

https://www.state.gov/guidance-on-supporting-docu mentation/

### Thank you!



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Facebook: @ScienceDiplomacyUSA

Instagram: @ScienceDiplomacy USA

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

X: @SciDiplomacyUSA