



---

<b>Document title</b>	Draft Recommendation on 'Co-operation and coordination of research vessel based monitoring in off-shore areas and procedures for granting permits for monitoring and research activities'
<b>Code</b>	3J-4
<b>Category</b>	CMNT
<b>Agenda Item</b>	3J- Follow-up of HELCOM agreements and activities
<b>Submission date</b>	2.11.2015
<b>Submitted by</b>	Co-Chair of State and Conservation Group (Monitoring and Assessment) and the Secretariat

---

## Background

State and Conservation 2-2015 considered the draft Recommendation on 'Co-operation and coordination of research vessel based monitoring in off-shore areas and procedures for granting permits for monitoring and research activities', amended it and decided to present the Recommendation for agreement at HOD 48-2015, noting a study reservation by Sweden.

The draft revised Recommendation 12/1 reiterates the recommendation to grant one-year permits and clarifies that the Recommendation refers to environmental monitoring and research of common interest in connection to the HELCOM coordinated monitoring programme. Regarding shortening of the period for handling of permit applications, State and Conservation 2-2015 recognized that the legal requirement of granting permits is within six months, however proposed to include in paragraph d) 'aiming at one month – six weeks' to underline that a shortening of period for handling of permits is desirable (paragraph 2MA.20).

HOD 48-2015 welcomed the draft HELCOM Recommendation, however noted that the aim to grant permits to monitoring and research vessels, addressed under paragraph d) of the "Recommends" part, needs further consideration (paragraph 3.75). The Meeting invited the Co-Chair of State and Conservation and the Secretariat to develop paragraph d) with the view of presenting the new proposal at State and Conservation 3-2015 and adoption at HELCOM 37-2016.

This document contains a revised version of the Recommendation with the following proposed changes:

- the second paragraph of the pre-amble has been revised to better reflect the reference made to the Helsinki Convention,
- an acknowledgment has been added to the pre-amble referring to relevant agreements under UNCLOS: Part XIII, Section 3, articles 247 and 248 that refers to 'Marine scientific research projects undertaken by or under the auspices of international organizations' and 'Duty to provide information to the coastal State' respectively. The articles are included in full in Annex 1 to this document to facilitate discussions at the meeting.
- paragraph d) has been amended.

## Action required

The Meeting is invited

- to consider and endorse the draft Recommendation 'Co-operation and coordination of research vessel based monitoring in off-shore areas and procedures for granting permits for monitoring and research activities' for adoption at HELCOM 37-2016.

## Proposed revision of HELCOM Recommendation 12/1

### HELCOM RECOMMENDATION XX/YY

Adopted X March XXXX,  
having regard to Article 20 (1), Paragraph b)  
of the Helsinki Convention

#### CO-OPERATION AND COORDINATION OF RESEARCH VESSEL BASED MONITORING IN OFF-SHORE AREAS AND PROCEDURES FOR GRANTING PERMITS FOR MONITORING AND RESEARCH ACTIVITIES

##### THE COMMISSION,

**RECALLING** Articles 4 and 24 of the Convention on the Protection of the Marine Environment of the Baltic Sea Area, 1992 (Helsinki Convention), concerning the application of the Convention and scientific and technological co-operation,

**RECALLING ALSO** Article 27 ~~and Annex IV Regulation 9~~ of the Helsinki Convention ensuring that none of provisions of the Convention infringes, concerning the right of innocent passage through the territorial sea, as well as Regulations 9 of Annex IV of the Helsinki Convention on and use of Automatic Identification Systems (AIS) for ships in the Baltic Sea,

**APPRECIATING** the achievements in environmental protection within the framework of the Helsinki Convention as well as successful implementation of coordinated monitoring programmes to provide basis for decision making, such as HELCOM BMP, COMBINE, MORS, PLC, COASTAL FISH and SEALS,

**RECALLING FURTHER** HELCOM Ministerial Declaration, 2013 paragraph X and chapter on marine knowledge, monitoring and assessment, concerning the intensified efforts to improve data and information quality and availability as well as coordinated monitoring practices,

**TAKING INTO ACCOUNT** the HELCOM Monitoring and Assessment Strategy, 2013, ~~Attachment 1,~~ stating the need for co-operation and coordination of monitoring efforts especially for the open sea areas as well as for joint surveys, cruises and campaigns that enable full cooperation in practice, harmonization of practices, efficient exchange of knowledge and better use of monitoring infrastructure,

**TAKING ALSO INTO ACCOUNT** the HELCOM Monitoring Manual, urging Contracting Parties to use limited resources as efficiently as possible by carrying out monitoring activities in the HELCOM sub-basins in a coordinated way,

**NOTING** that HELCOM has developed an on-line platform to share information on planned and completed cruises, real time vessel positions (based on AIS) and technical details of research vessels used for environmental monitoring,

**NOTING ALSO** the bi-lateral co-operation between Contracting Parties on joint use of research vessels for marine environmental monitoring, e.g. between Finland and Sweden as well as Estonia and Latvia,

**CONSIDERING** that multinational experiments covering inter-connected marine areas, which might be under jurisdiction of different coastal states, are vital for the scientific understanding of the Baltic Sea ecosystem functioning and pathways of contaminants,

**REALIZING** the necessity of instant and joint investigations at extreme events of environmental concern and sudden events, which could considerably influence the Baltic Sea environment as a whole, for example, the Major Baltic Inflow in 2014,

**CONVINCED** that a prerequisite for a successful implementation of coordinated monitoring is the application of smooth national administrative procedures for granting timely cruise permits for exclusive economic zones, fishing zones, continental shelves or territorial waters,

**ACKNOWLEDGING** United Nations Convention on the Law of the Sea, Part XIII, Section 3, Article 247 'Marine scientific research projects undertaken by or under the auspices of international organizations' and Article 248 'Duty to provide information to the coastal State',

**APPRECIATING** that certain Contracting Parties have implemented the practice of granting yearly permits for monitoring and scientific research activities in the Baltic Sea area,

**REGRETTING** that in some cases the present national administrative practices create major problems for the implementation of coordinated monitoring and related scientific research,

**RECOMMENDS** to the Governments of the Contracting Parties to the Helsinki Convention:

- a) to support the joint use of existing research vessels for off-shore monitoring activities and co-operation in planning and construction of new regional research vessels for the Baltic Sea environmental monitoring and scientific research,
- b) to use the HELCOM on-line platform to share information on planned and completed cruises, real time vessel positions (based on AIS) and technical details of research vessels used for environmental monitoring that could support timely granting of permits for monitoring and research activities,
- c) to grant one year permits for planned monitoring and research activities in the framework of the HELCOM coordinated monitoring programme in the exclusive economic zones, fishing zones, continental shelves or territorial waters, during which period the coastal state is only to be notified in advance for each individual cruise,
- d) to facilitate ~~and without unnecessary delay [aiming at one month – to six weeks]~~ a prompt granting ~~the of~~ permits to carry out environmental monitoring and research of common interest that is connected to the HELCOM coordinated monitoring programme in line with Articles 247 and 248 of UNCLOS, and aiming at granting permits within not more than six weeks.

## Annex 1. UNCLOS Articles 247 and 248

**Article 247** Marine scientific research projects undertaken by or under the auspices of international organizations

A coastal State which is a member of or has a bilateral agreement with an international organization, and in whose exclusive economic zone or on whose continental shelf that organization wants to carry out a marine scientific research project, directly or under its auspices, shall be deemed to have authorized the project to be carried out in conformity with the agreed specifications if that State approved the detailed project when the decision was made by the organization for the undertaking of the project, or is willing to participate in it, and has not expressed any objection within four months of notification of the project by the organization to the coastal State.

**Article 248** Duty to provide information to the coastal State States and competent international organizations which intend to undertake marine scientific research in the exclusive economic zone or on the continental shelf of a coastal State shall, not less than six months in advance of the expected starting date of the marine scientific research project, provide that State with a full description of: (a) the nature and objectives of the project; (b) the method and means to be used, including name, tonnage, type and class of vessels and a description of scientific equipment; (c) the precise geographical areas in which the project is to be conducted; (d) the expected date of first appearance and final departure of the research vessels, or deployment of the equipment and its removal, as appropriate; (e) the name of the sponsoring institution, its director, and the person in charge of the project; and (f) the extent to which it is considered that the coastal State should be able to participate or to be represented in the project