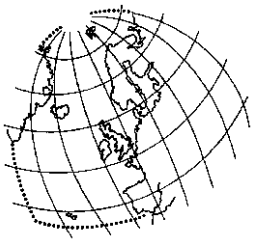
OSPAR CONVENTION FOR THE PROTECTION OF THE MARINE ENVIRONMENT OF THE NORTH-EAST ATLANTIC



OSPAR CODE OF CONDUCT FOR RESPONSIBLE MARINE RESEARCH IN THE DEEP SEAS AND HIGH SEAS OF THE OSPAR MARITIME AREA

(Source: OSPAR 08/24/1, Annex 6)

(Reference number: 2008-1)

INTRODUCTION

1. This code of conduct is based on the InterRidge Statement of Commitment to Responsible Research Practices at Deep-Sea Hydrothermal Vents, and an unofficial translation of the German Senatskommission für Ozeanographie / German Marine Consortium KDM, Commitment to Responsible Marine Research. It has been developed within the work programme of the OSPAR Biodiversity Committee by an intersessional correspondence group on marine protected areas working in consultation with a number of deep sea scientists and experts. The code of conduct incorporates comments from the International Council for the Exploration of the Sea (ICES) and elements of the International Research Ship Operators' Meeting Code of Conduct for Marine Scientific Research Vessels proposed by the Marine Board of the European Science Foundation. The code has been supported by the European Centre for Information on Marine Science and Technology (EurOcean) and the Joint Group of Experts on the Scientific Aspects of Marine Environmental Protection (GESAMP).

2. The OSPAR Maritime Area includes large areas of deep and high sea.[1] These are recognised as containing ecosystems that may have a lower resilience than shallower nearshore areas, including several species and habitats that can be vulnerable to human disturbances.

3. The OSPAR Commission has adopted, and keeps under review, an OSPAR List of Threatened and/or Declining Species and Habitats to guide the setting of priorities for its further work on the conservation and protection of marine biodiversity. The species and habitats on this list, especially those occurring in high / deep sea areas, are vulnerable to different actual or potential human activities, including marine scientific research.

4. OSPAR acknowledges the provisions and entitlements of United Nations Convention on the Law of the Sea (UNCLOS) and highlights that the General Principles for the Conduct of Marine Scientific Research set out therein require, *inter alia*, that marine scientific research shall be conducted in compliance with all relevant regulations adopted in conformity with UNCLOS including those for the protection and preservation of the marine environment.

5. OSPAR recognises that marine research scientists appreciate the uniqueness and complexity of the marine environment, and are therefore particularly interested in preserving this scientifically, aesthetically, ecologically, and potentially economically valuable environment. Because of the specialized nature of the equipment required to work in the deep-sea, such as manned and unmanned research submersibles, scientists are the primary group of people who have had the opportunity to visit and value these extraordinary habitats.

[1] For the purposes of this document, *deep sea* shall follow the FAO definition and mean areas of the sea deeper than 200 metres, and *high seas* shall mean the water column and / or the seabed in areas beyond national jurisdiction, within the OSPAR Maritime Area.

OSPAR also recognises that scientists have already worked to develop codes of conduct for some deep-sea features, such as hydrothermal vents and cold water corals, and this OSPAR code of conduct has been written to fit harmoniously with those. Specific provisions concerning the conduct of scientific research in certain deep / high seas habitats will be attached as annexes to this code of conduct as they are developed.

6. The potential impact of many scientific activities on the marine environment is low in comparison to the potential for disturbance by natural processes (e.g. volcanic/tectonic events, slumps, climate variation, etc.) or other human activities (e.g. mining, fisheries, and shipping). Indeed many areas, especially seamounts and cold coral reefs, have been widely impacted by human activities, like deep sea and high sea fisheries, long before being scientifically studied. Nonetheless, there remains the possibility that some scientific activities could have unwanted negative side-effects on particular regions or animals if research activities are not carefully planned and executed. In addition, because only a limited number of sites are currently known and scientists from a wide variety of disciplines frequently work at these single locations, there is the potential for conflicting effects among studies, and multiple impacts, particularly at sites where scientific activity is intense.

7. OSPAR recognises that protection and sustainable use of the oceans is best served by a fundamental understanding of its complex marine ecosystems, and that can only be achieved through marine research. OSPAR further recognises that the role of scientists is also of primary importance concerning the implementation of the OSPAR network of Marine Protected Areas, and this should be preceded with the best available science.

8. Thus, marine research is a prerequisite and an integral component of an ecosystem based management of marine resources and the effective conservation of biodiversity of the deep and high seas. Most forms of observation and investigation of natural systems involve some disturbance of the systems being studied. In the interest of environmental stewardship, it must be the goal of research scientists to minimize disturbances as much as possible, while still gathering the information necessary both to understand the systems and to form a basis for sustainable use strategies. Therefore, marine scientists should always evaluate their research plans from a conservative standpoint, and choose the most environmentally friendly research approach.

9. OSPAR requests all scientists working in the deep seas and high seas of the OSPAR maritime area to adhere to the following code of conduct when planning and carrying out their research.

10. When assessing research plans, Contracting Parties are encouraged to ensure that the granting of research funds and ship time should be contingent on the application of the code of conduct.

11. The OSPAR Commission welcomes further views from Contracting Parties on their application of the code of conduct with a view to its future review by OSPAR in 2011.

CODE OF CONDUCT FOR RESPONSIBLE MARINE SCIENCE

12. **Species**: avoid, in the course of scientific research, activities which could lead to long-lasting changes in regional populations or substantially reduce the number of individuals present.

13. **Habitats:** avoid, in the course of scientific research, activities which could lead to substantial physical, chemical, biological or geological changes or damage to marine habitats.

14. **Threatened and/or declining features:** When working in areas of particular ecological vulnerability, including, *inter alia*, the features listed in the OSPAR List of Threatened and/or Declining Species and Habitats utmost care should be taken not to disturb or damage the features as far as possible.

15. **Management areas / marine protected areas:** When working in areas of ecological importance and/or sensitivity, including, *inter alia*, OSPAR marine protected areas, increased care has to be taken not to disturb or damage the protected features, and that activities are in compliance with regulations for the area (e.g. special requirements for operations in sensitive areas may require additional measures such as specialised training, procedures, crew, or equipment).

16. Further, scientists are requested to respect the importance of management areas like marine protected areas, and requirements resulting from marine spatial planning (MSP) and are asked to assist in their implementation through the use of the best scientific knowledge.

17. **Notification and research planning:** Avoid activities which could disturb the experiments and observations of other scientists. This requires that scientists: a) make themselves familiar with the status of current and planned research in an area; and b) that they ensure that their own research activities and plans are known to the rest of the international research community via appropriate public domain data bases and web sites.[2]

18. If research is planned in an area that contains features on the OSPAR List of Threatened and/or Declining Species and Habitats, a risk assessment should be completed before equipment that may have adverse effects is deployed and, where appropriate, a pre-assessment of the site should be conducted to determine possible impacts and suitable mitigation measures. If necessary, the operator should consider modifying equipment and/or approaches to be employed in order to reduce risks to an acceptable level. In some cases it may be necessary to develop contingency measures in order to recover lost equipment (including collaboration with other research vessel operators).

19. **Methods:** Use the most environmentally-friendly and appropriate study methods which are reasonably available.

a. **Sampling methodologies** should be designed to match the site-specific characteristics of the area, preferably through the use of non-intrusive tools, or at least minimally intrusive tools in sensitive/protected areas.

b. The **use of chemical tracers** should be discouraged, as well as the use of expendable devices which contain hazardous materials. Where there is no alternative to these techniques, every effort should be taken to minimise their use.

c. The **level and duration** of underwater noise should be restricted to a minimum required to achieve the desired results and acoustic frequencies should be chosen which minimise impacts on marine life. In areas where marine mammals are known or are suspected to exist, additional measures may be required including, for example, soft-starts, visual surveillance and acoustic monitoring.

20. **Transport of biota:** Ensure that transport of biota between different marine regions, which could lead to changes in the environment or the composition of marine communities, does not occur.

21. **Collections**: Avoid collections that are not essential to the conduct of the scientific research, and reduce the number of samples to the necessary minimum. Scientists should consider available existing biological and physical data and/or samples from the target site.

22. **Collaboration and cooperation:** Ensure the fullest possible use of all biological, chemical and geological samples through collaborations and cooperation within the global community of scientists. Samples which can be archived should be placed in accessible repositories for future use.

23. **Data-sharing**: Practise international sharing of data, samples and results in order to minimize the amount of unnecessary sampling and to further a global understanding of the marine environment.

[2] For example, EDMERP is a European database of research projects related the marine environment, the purpose of which is to match up activities across disciplines and geographic areas to avoid double work and to re-use data and research without re-sampling. http://www.sea-search.net/mrp/