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RESOLUTION A.1183(33)

**Adopted on 4 December 2023
(Agenda item 11)**

**THE IMPACT OF THE RUSSIAN ARMED INVASION OF UKRAINE
ON INTERNATIONAL SHIPPING**

THE ASSEMBLY,

RECALLING the purposes of the International Maritime Organization (IMO) as set forth in Article 1 of the Convention, and the mission in the Strategic Plan of IMO to promote safe, secure, environmentally sound, efficient and sustainable shipping through cooperation,

REAFFIRMING its commitment to the principles enshrined in the United Nations Charter, the United Nations Convention on the Law of the Sea (UNCLOS), and all relevant international conventions and agreements related to maritime safety, security, and environmental protection,

BEING DEEPLY CONCERNED by the Russian Federation's ongoing armed aggression against Ukraine that started in 2014 with the temporary occupation of the Autonomous Republic of Crimea and the city of Sevastopol, Ukraine, and took the form of a full-scale invasion of Ukraine on 24 February 2022, which poses a grave threat to international and regional peace and security and the preservation of a free and secure international shipping as a fundamental pillar of the global economy,

ACKNOWLEDGING Ukraine's inherent right to self-defence in accordance with Article 51 of the Charter of the United Nations to repel the Russian Federation's armed invasion,

CONDEMNING the Russian Federation's campaign to interfere with navigation in the Black Sea, the Sea of Azov and the Kerch Strait, which started in 2014 with the Russian temporary occupation of the Autonomous Republic of Crimea and the city of Sevastopol, Ukraine, as inconsistent with its fundamental obligations under the IMO Convention,

RECALLING in this regard United Nations General Assembly resolutions 68/262 of 27 March 2014, 71/205 of 19 December 2016, 72/190 of 19 December 2017, 73/194 of 17 December 2018, 73/263 of 22 December 2018, 74/17 of 9 December 2019, 74/168 of 18 December 2019, 75/29 of 7 December 2020, 75/192 of 16 December 2020, 76/70 of 9 December 2021 and 76/179 of 16 December 2021, as well as resolutions of the Eleventh Emergency Special Sessions of the UN General Assembly ES-11/1 of 2 March 2022, ES-11/2 of 24 March 2022, ES-11/4 of 12 October 2022, and ES-11/5 and ES-11/6 of 23 February 2023, which qualified the Russian acts as an act of aggression in violation of Article 2 (4) of the UN Charter, supported the sovereignty and territorial integrity of Ukraine and reaffirmed the settled status of the Autonomous Republic of Crimea and the city of Sevastopol, certain parts of Donetsk,

Kherson, Luhansk or Zaporizhzhia regions of Ukraine as its integral part, and called upon all States, international organizations and specialized agencies to refrain from any action or dealing that might be interpreted as recognizing any altered status,

RECALLING ALSO that Ukraine has informed Member States about the closure of seaports located in the aforementioned territories temporarily occupied by the Russian Federation and legal responsibility for the unauthorized entry to said seaports, as announced in IMO Circular Letters Nos. 3477, 3649 and 4557,

BEING CONCERNED about the reports of illegal seizure in the temporarily occupied territories of Ukraine of the maritime infrastructure aimed at ensuring safety of international shipping, in particular shore equipment for maritime communications, regulation of ship traffic, navigation and hydrographic support, and coordination of search and rescue operations,

BEING CONCERNED ALSO over the negative impact of the Russian Federation's invasion of Ukraine and the associated actions aimed at disrupting free and secure international shipping, including but not limited to harassment of vessels, interference with navigation, generation of naval mines threats and attacks on maritime infrastructure,

AFFIRMING that ships, seafarers and port workers engaged in legitimate international trade should not fall victims in the Russian Federation's invasion of Ukraine,

BEING GRAVELY CONCERNED by the number of ships and seafarers that remain stranded in the Black Sea and Sea of Azov region, by the damage to many merchant ships and by the tragic injuries and deaths of seafarers resulting from the Russian Federation's invasion of Ukraine,

BEING DEEPLY CONCERNED also by the impact of the Russian Federation's invasion of Ukraine on the safety and welfare of seafarers, including their mental health and that of their families, and recalling in this regard resolution MSC.495(105) on *Actions to facilitate the urgent evacuation of seafarers from the war zone area in and around the Black Sea and the Sea of Azov as a result of the Russian Federation aggression against Ukraine*,

BEING ALARMED by the reports of illegal seizure and detention of civilian ships, including SAR vessels, and their crews, all of which enjoy special protection under international humanitarian law, and recalling in this regard resolution MSC.519 (106) on *Member States' obligations in connection with search and rescue services under the SOLAS and SAR Conventions in the context of armed conflicts*,

BEARING IN MIND the impact of the Russian Federation's full-scale aggression against Ukraine on the safety and security of navigation and the integrity of global supply chains, given that nearly all of Ukraine's grain exports are carried out through seaports on the Black Sea and the Sea of Azov where the Russian Federation naval blockade and shelling of ships and port infrastructure prevent commercial ships from safely exercising the freedom of navigation in the above maritime areas,

BEARING IN MIND ALSO the unprecedented suffering of the people of Ukraine as a result of the Russian Federation's invasion of Ukraine, which is aggravated by the destruction of the export-import cargo flow through the seaports of Ukraine, which is vital for the survival of the Ukrainian people and the functioning of the Ukrainian economy,

EXPRESSING GRAVE CONCERN that the armed invasion of Ukraine by the Russian Federation and its attacks against commercial vessels compromised the implementation of the IMO conventions and instruments in the maritime areas of the Black Sea, the Sea of Azov and the Kerch Strait,

EXPRESSING GRAVE CONCERN ALSO regarding the spillover effects of the Russian Federation's invasion of Ukraine on global shipping and logistics and supply chains, in particular the impacts on the delivery of commodities and food to developing nations and the impacts on energy supplies,

DEPLORING the Russian Federation's massive systematic military attacks against the Ukrainian port infrastructure, including ports, cargo terminals and grain storage facilities in Odesa region and beyond after the Russian Federation's deliberate termination of the Black Sea Initiative to prevent the export of agricultural products from Ukraine to where they are needed most,

EXPRESSING GRAVE CONCERN over the Russian Federation's attacks against merchant vessels, which are heading to or from Ukrainian ports, that restrict the freedom of shipping of all flags to take part in international trade,

NOTING the imperative to ensure the continued flow of maritime trade and the safety of seafarers in the affected areas,

BEING MINDFUL in this respect of the purpose of the Organization to encourage the removal of discriminatory action and unnecessary restrictions by Governments affecting shipping engaged in international trade so as to promote the availability of shipping services to the commerce of the world without discrimination and to provide technical cooperation assistance to countries in need as envisaged by Articles 1(b) and 2(e) of the IMO Convention,

RECOGNIZING the contribution of the United Nations and its specialized organizations – IMO, ICAO, ILO, IAEA, UNESCO, UNHCHR, IOM, UNCTAD and others – in tackling the impact of the full-scale Russian aggression against Ukraine,

1 REITERATES its strong support for the sovereignty, independence, and territorial integrity of Ukraine within its internationally recognized borders, including territorial waters of Ukraine;

2 CONDEMNS in the strongest possible terms the Russian Federation's armed aggression against Ukraine that started in 2014 with the temporary occupation of the Autonomous Republic of Crimea and the city of Sevastopol, Ukraine, and took the form of a full-scale invasion of Ukraine on 24 February 2022 and which is a violation of the territorial integrity and the sovereignty of a UN Member State, extending to its territorial waters, and inconsistent with the principles and purposes of IMO, as set forth in Article 1 of the Convention;

3 EXPRESSES GRAVE CONCERN over the devastating impact of the Russian Federation's invasion of Ukraine on safety and security of international merchant shipping in the northern part of the Black Sea, the Sea of Azov and the Kerch Strait, and damage resulting therefrom suffered by commercial vessels and maritime infrastructure, including ports, port facilities, maritime training institutions, and the marine environment in Ukraine and beyond, as well as impacts and damage with respect to seafarers and other crew members;

4 STRESSES the critical importance of maintaining the freedom of navigation of civilian vessels and functioning of navigational aids, maritime communication, SAR and hydrographic services during armed conflicts, taking into account the vital importance of ensuring safety of navigation and the protection of seafarers in order to safeguard the maritime supply chain, as well as of protecting the environment in times of war, including in compliance with the relevant international obligations;

5 UNDERLINES that Ukraine must be afforded, without delay, all its rights in regard to the implementation of the instruments adopted within the framework of this Organization, as a flag State, port State and coastal State;

6 ENDORSES in this regard the decisions taken by the Council at its 35th extraordinary session and 127th, 128th and 129th regular sessions, the Legal Committee at its 109th and 110th sessions, the Maritime Safety Committee at its 105th, 106th and 107th sessions, the Marine Environment Protection Committee at its 78th, 79th and 80th sessions, the Facilitation Committee at its 46th and 47th sessions, and the Technical Cooperation Committee at its 72nd session;

7 DEMANDS that the Russian Federation immediately cease its military action and unconditionally withdraw all its military forces and equipment from the entire territory of Ukraine, including its territorial waters to ensure the safety and welfare of seafarers and the security of international shipping and the marine environment, and respect its obligations under relevant international treaties and conventions;

8 ALSO DEMANDS that the Russian Federation refrain from harassing commercial ships, as well as seafarers, and from restricting international navigation in the Black Sea, the Sea of Azov and the Kerch Strait for commercial ships sailing to or from ports of Ukraine;

9 URGES the Russian Federation to refrain from attacking commercial ships and critical port infrastructure, as well as works and installations containing dangerous forces, which might lead to severe losses among the civilian population and consequent damage, including to the marine environment;

10 CALLS UPON Member States not to recognize the illegal attempt of the Russian Federation to annex certain parts of the territory of Ukraine by holding falsified and illegitimate referendums, and not to recognize any administrative decisions taken or documents issued by the Russian occupying authorities or institutions located in the temporarily occupied territories of Ukraine, inter alia, ships' and seafarers' documents and certificates, that might be interpreted as recognizing an alteration in the status of these territories, and to take appropriate action in line with relevant IMO instruments;

11 ALSO CALLS UPON Member States to inform their vessels, shipowners, and ship operators and insurance brokers of the need to refrain from violating the regime of closed seaports in certain parts of territory of Ukraine, temporarily occupied by the Russian Federation, and to conduct investigations of alleged breaches of this regime;

12 UNDERSCORES the paramount importance of preserving the safety and welfare of seafarers and urges Member States and observer organizations to provide maximum assistance to seafarers caught up in the warfare;

13 ALSO UNDERSCORES the need to preserve the security of international shipping and the maritime community, and the supply chains that sustain other nations, as well as supply chains providing export-import cargo flow through the seaports of Ukraine, which is vital for the functioning of the Ukrainian economy;

14 WELCOMES in this regard the efforts of Ukraine aimed at safeguarding safety, stability and freedom of international navigation in its sovereign waters in the north-western part of the Black Sea and preventing a global food crisis, after the termination of the Black Sea Initiative by the Russian Federation;

15 COMMENDS the establishment by Ukraine of a special maritime corridor in its sovereign waters in the Black Sea for commercial vessels heading to and from Ukrainian ports, which has facilitated the release of commercial vessels that had been stranded in the Ukrainian ports of Chornomorsk, Odesa and Pivdennyi since the beginning of the Russian Federation's full-scale invasion of Ukraine;

16 TAKING INTO ACCOUNT the dire threat to the safety and security of international shipping in the Black Sea resulting from the Russian armed invasion of Ukraine and the urgency in the need to restore existing supply chains of critical goods for maintaining global food security DECIDES to conduct a needs assessment as a priority with a view to establishing technical cooperation to support Ukraine in the implementation of the IMO instruments as Ukraine continues to operate the special maritime corridor;

17 REQUESTS the Secretary-General to facilitate the implementation of the above decision in consultation with Ukraine and contributing Member States, to ensure the needs assessment is initiated as soon as possible, and to report to the Committees and the Council on the progress of this work;

18 ALSO REQUESTS the Secretary-General to explore possible funding options for the needs assessment and potential follow-on technical cooperation;

19 URGES Member States to provide assistance and support to Ukraine, as well as neighbouring countries in mitigating negative impacts of the Russian armed invasion of Ukraine on their maritime infrastructure, and in enhancing their capacity to ensure the safety and security of shipping;

20 REQUESTS the Secretary-General to closely monitor the security situation in the Black Sea, the Sea of Azov and the Kerch Strait and to continue providing technical assistance and expertise to affected Member States to address the challenges related to maritime safety and security in the region;

21 REQUESTS IMO and its relevant Committees to keep this matter under review and take such further action as it may consider necessary in light of developments;

22 REQUESTS the Secretary-General to inform other United Nations agencies of the decisions taken, so that they may also take action for matters under their remit;

23 DECIDES to remain seized of the matter and requests the Secretary-General to provide regular updates on developments and the implementation of this resolution, as well as to submit a relevant report to the next session of the IMO Assembly.

