
4 ALBERT EMBANKMENT
LONDON SE1 7SR
Telephone: +44 (0)20 7735 7611 Fax: +44 (0)20 7587 3210

Circular Letter No.4892
5 July 2024

To: All IMO Members
Intergovernmental organizations
Non-governmental organizations in consultative status

Subject: **Communication from the Government of Ukraine**

The Government of Ukraine has sent the attached communication, dated 20 June 2024, with the request that it be circulated by the Organization.

ANNEX



Embassy of Ukraine
in the United Kingdom
of Great Britain and Northern Ireland

60 Holland Park,
W11 3SJ, London,
United Kingdom

+44 20 7727 6312
+44 20 7792 1708 (fax)
emb_gb@mfa.gov.ua

Ref. 6124/35-327/2- *84727*

The Embassy of Ukraine to the United Kingdom of Great Britain and Northern Ireland presents its compliments to the Secretariat of the International Maritime Organization and, further to its Note Verbale dated 12 June 2024 Ref. 6124/35-327/2-80540, has the honour to communicate the following.

The competent authorities of Ukraine have recorded a call of the m/v SAN COSMAS (IMO 9274343), flag of Eswatini at the seaport of Feodosiya (UN/LOCODE – UA FEO) on 03 – 28 December 2023, which is located in the temporarily occupied Autonomous Republic of Crimea, Ukraine (hereinafter – Crimea) and closed for international shipping.

The vessel disconnected the Automatic Identification System (AIS) when approaching the Crimean coastline in violation of SOLAS Convention.

The analysis of available data shows that the m/v SAN COSMAS was loaded with 6580 metric tons of agricultural products, looted by the Russian occupation authorities from the temporary occupied territory of Ukraine.

According to the available data, the State Unitary Enterprise “State grain operator” (TIN 9001011019) created on the basis of the illegally issued order dated 15 May 2022 No. 08/1 by the so-called “Head of the Civil Administration of the Zaporizhzhya Oblast” Yevgen Balytskyi, organized the loading of the m/v SAN COSMAS for the company AGROGRUP LLC (TIN 4712030355), later replaced by TEZORI DELLA TERRA LLC (TIN 9701259632), acting on behalf of MERCALIX TRADE DMCC, UNIT NO599, DMCC BUSINESS CENTER LEVEL NO1, JEWELERY & GEMPLEX, 3 DUBIA, UAE.

The expropriated Ukrainian grain products were further illegally exported to the port of Samsun (TR SSX), Republic of Türkiye.

Both satellite surveillance materials, a bill of lading and cargo plan, phytosanitary certificates, relevant letters of instruction etc., which confirm the above-mentioned facts, are enclosed to this Note Verbale.

**Secretariat
International Maritime Organization
4 Albert Embankment
London SE1 7SR**

uk.mfa.gov.ua

It should be noted that starting from 2015, Ukraine repeatedly recorded the involvement of the said vessel (at that time under name "LAODICEA", flag of the Syrian Arab Republic, which is on US OFAC's sanctions list from 08/03/2015) in the unlawful import/export of natural resources (Ilmenite) and foodstuffs (grain) to/from Crimea, which constitutes a breach of Ukrainian legislation and international sanctions regimes.

Since the beginning of the full-scale invasion of Ukraine by the armed forces of the Russian Federation on 24 February 2022, there is a growing number of credible reports of looting of Ukrainian grain from the temporarily occupied territories in Luhansk, Donetsk, Kherson and Zaporizhzhia regions. An actively used scheme of illegal transportation of stolen Ukrainian grain is its delivery to the temporarily occupied Crimea and further shipment via the local seaports to Turkey, Syria, Lebanon and other locations.

The aforementioned vessel is actively involved in respective illegal activities and is under the investigation by the competent authorities of Ukraine.

The Ukrainian Side would also like to recall that IMO Member States were informed about the closure of seaports located in the aforementioned territories temporarily occupied by the Russian Federation and legal responsibility for an unauthorized entry to said seaports, as announced in IMO Circular Letters Nos. 3477, 3649 and 4557.

Moreover, the IMO Assembly resolution A.1183(33) of 4 December 2023 "The Impact of the Russian Armed Invasion of Ukraine on International Shipping" called 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.

The Embassy of Ukraine would appreciate if this Note Verbal is circulated among IMO Member States to all IMO Member States, international organizations which have concluded agreements of cooperation with the IMO and non-governmental organizations in consultative status with the IMO.

The Embassy of Ukraine avails itself of this opportunity to renew to the IMO Secretariat the assurances of its highest consideration.

Encl.

London ²⁰ June 2024

