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Circular Letter No.4920
13 September 2024

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

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

The Government of the Ukraine has sent the attached communication, dated 12 September 2024, with the request that it be circulated by the Organization.



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in the United Kingdom
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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 has the honour to communicate the following:

On September 12, approximately 75 km south of Zmiiny Island, within Romania's exclusive economic zone, the AYA vessel (IMO: 9117868, flag: Saint Kitts and Nevis) was struck by an Kh-22 cruise missile launched from a Tu-22M3 Russian bomber. The vessel was transporting Ukrainian grain at the time of the attack. Following the attack, the vessel altered its course towards the port of Constanta and is currently within Romanian territorial waters, near Constanta.

There are no reported casualties among the ship's crew.

The actions of the Russian Federation represent a grave breach of international law, specifically:

1. The United Nations Convention on the Law of the Sea (UNCLOS): Article 56 (due regard to the laws of coastal states), Articles 58 and 87 (freedom of navigation), Article 279 (obligation to resolve disputes peacefully).
2. Various norms of international humanitarian law, including customary law:
 - o The principle that a neutral flag protects enemy goods (Paris Declaration of 1856, San Remo Guidelines of 1994, Helsinki Principles of 1998);
 - o Respect for the rights of ships flying the flags of neutral states (XIII Hague Convention of 1907);
 - o The obligation to report on the zones of military operations, including their scope and duration, as stipulated by conventions such as SOLAS and COLREG.

Ukraine, in its turn, remains a key guarantor of global food security. The stability and well-being of many countries depend on the unimpeded operation of our food export corridors. Our food exports to Africa and the Middle East are vital. Ukraine is committed to safeguarding its ports, the Black Sea, and ensuring the continuity of food exports. Protecting life is Ukraine's foremost priority and should be the priority of all nations.

**Secretariat
International Maritime Organization
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London SE1 7S**

The Embassy of Ukraine requests that this Note Verbal be circulated among all IMO Member States, international organizations with cooperation agreements 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.

London, 12 September 2024


