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Lettre circulaire n° 4887
13 juin 2024

Destinataires : Tous les Membres de l'OMI
Organisations intergouvernementales
Organisations non gouvernementales bénéficiant du statut consultatif

Objet : **Communication du Gouvernement de l'Ukraine**

Le Gouvernement de l'Ukraine a envoyé la communication ci-jointe*, datée du 12 juin 2024, en demandant qu'elle soit diffusée par l'Organisation.

* En anglais seulement.



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Ref. 6124/35-327/2- *80540*

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.

Since the start of the full-scale invasion of Ukraine by the Russian Federation in February 2024 and further temporary occupation of parts of Ukraine's Donetsk, Kherson, Luhansk, and Zaporizhzhia and other regions, the competent authorities of Ukraine have recorded systematic and large-scale forced illegal seizure of material assets of business entities belonging to Ukraine's agro-industrial complex by the Russian occupation forces and representatives of the occupation administrations.

The Ukrainian grain looted from the above-mentioned temporarily occupied territories is mainly delivered to the Autonomous Crimea of Crime, Ukraine, which was temporarily occupied by the Russian Federation in February 2014, and further shipped via the local seaports to various destinations worldwide by foreign-flagged vessels. The Russian occupation authorities have also started expanding these illegal operations to other seaports, located in the temporary occupied territories of Ukraine in the Sea of Azov area.

While tracking such smuggling activities, respective vessels were recorded to disconnect the Automatic Identification System (AIS) when approaching the Crimean coastline, which is a direct violation of the International Convention for the Safety of Life at Sea (SOLAS).

In the course of investigation of such criminal activities, the competent authorities of Ukraine have identified a number of foreign merchant vessels, which are systematically engaged in illegal exports of agricultural products from the temporarily occupied territories of Ukraine (a relevant list is annexed to this Note Verbale).

The Ukrainian Side would like to recall that the United Nations General Assembly have adopted 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

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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, by which the international community reiterated its support of 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 alteration of their status.

Based on the above-mentioned UNGA resolutions and acting in accordance with the UN Convention on the Law of the Sea, Ukraine closed its seaports, located in territories temporarily occupied by the Russian Federation.

Therefore, any entry into Crimea by vessels flying a foreign flag is considered illegal, undermines the sovereignty of Ukraine, contravenes the United Nations General Assembly resolutions, violates Ukrainian laws, and entails criminal, administrative and civil responsibility of shipowners, ship operators and ship masters.

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.

The Ukrainian Side would also like to recall that 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.

In view of the above, the Ukrainian Side kindly requests the concerned IMO Member States to bring the activities of their Flag Administrations in compliance with relevant UN General Assembly and IMO Assembly resolutions and to investigate the activities of the offending ships and take appropriate actions in order to curb the above mentioned illegal practices.

The Ukrainian Side is ready to provide relevant evidential materials upon request and will keep IMO Member States informed of further developments.

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.



**List of vessels that over 2022-2024 breached the regime of
Ukraine's closed seaports and participated in illegal export of
agricultural products from the temporarily occupied territories of
Ukraine**

The competent authorities of Ukraine have issued warrants for arrest in respect of the following vessels:

1. "UZEYIR HAJIBEYLI" (IMO 9528146, flag - Azerbaijan, owner and operator - Azerbaijan Caspian Shipping, Azerbaijan);
2. "ST. OLGA" (IIMO 9493224, flag – Panama, owner - Levante Shipping Bib Inc., Marshall Islands, manager/operator - Levante Ship Management Co, Greece);
3. "BOMUSTAFA O" (IMO 9114476, flag – Panama, owner - Alvon Maritime Ltd, Marshall Islands, manager / operator - Tower Shipping Co SA, UAE);
4. "SAN SEVERUS" (former FINIKIA) (IMO 9385233, flag - Eswatini (former Syria), owner/manager/operator – Syriamar, Syria);
5. "SAN DAMIAN" (former SOURIA) (IMO 9274331, flag – Eswatini (former - Syria), owner/manager/operator – Syriamar, Syria);
6. "SAN COSMAS" (former LAODICEA) (IMO 9274343, flag - Eswatini (former Tanzania / Syria), owner/manager/operator – Syriamar, Syria);
7. "MIKHAIL NENASHEV" (IMO 9515539, flag – Russia, owner/manager/operator - Crane Marine Contractor LLC, Russia);
8. "FEDOR" (IMO 9431977, flag – Russia, owner/manager/operator – Anship LLC, Russia);
9. "ALTARF" (IMO 9100190, flag – Russia, manager / operator - Sfera Fleet Forward LLC, Russia);
10. "ANT" (IMO 8407230, flag – Russia, owner/manager/operator - Petrokhleb-Kuban LLC, Russia);
11. "M.ANDREEV" (IMO 8946377, flag – Russia, owner/manager/operator - Don River Shipping JSC, Russia);
12. "COMETA" (former PAWELL) (IMO 8315499, flag – Cameroon (former Syria), owner/operator/manager - Cometa Shipping Ltd, Seychelles/Turkey (former Rostshipperservice LLC, Russia);
13. "RUBIN (V.USPENSKIY)" (IMO 8946389, flag - Russia, owner/manager/operator - Don River Shipping JSC, Russia);
14. "SV. NIKOLAY" (IMO 9482926, flag - Russia, owner/manager/operator - River S Plus LLC, Russia);
15. "ICE QUEEN" (former EMMAKRIS II) (IMO 9254575, flag - Panama, owner - Dolphin Shipping Ltd-MAI, Marshall Islands (former Greater Bloom Ltd , Hong Kong China), manager/operator – Alemax Denizcilik ve Gemi, Turkey (former MCF SHIPPING DMCC, UAE);
16. "SORMOVSKIY-48" (IMO 8226428, flag – Russia, owner/manager/operator - Kuban Marine Company LLC, Russia);
17. "SV. KONSTANTIN" (IMO 9203710, flag - Russia,

- owner/manager/operator - Alfa-Leasing LLC, Russia);
18. "MATROS POZYNICH" (IMO 9573816, flag – Russia, owner/manager/operator - Crane Marine Contractor LLC, Russia);
 19. "NADEZHDA" (IMO 8611221, flag – Russia, owner - Koster LLC , Russia, manager/operator - Kuban Marine Company LLC, Russia);
 20. "MATROS KOSHKA" (IMO 9550137, flag - Russia, owner/manager/operator - Crane Marine Contractor LLC, Russia);
 21. "ZHIBEK ZHOLY" (IMO 9598880, flag – Kazakhstan (former Russia), owner - KTZ Express Shipping TOO, Kazakhstan, manager/operator - KTZ Express Shipping TOO, Kazakhstan (former Green-Line LLC);
 22. "GAM EXPRESS" (IMO 8204119, flag - Guinea-Bissau, owner - MGA Shipping Co, Liberia, manager/operator - AGM Express Co, Liberia);
 23. "KLC ERCIYES" (IMO 9132480, flag – Barbados, owner - Erciyes Shipping Co, Marshall Islands, manager/operator - Iskele Denizcilik Ticaret Ltd, Turkey);
 24. "KAPITAN KOKOVIN" (IMO 9279422, flag – Russia, owner/manager/operator - Northern Shipping Co, Russia).

Following vessel are under investigation for breaches of Ukrainian legislation and involvement in illegal activities:

ALFA M (IMO 9419084); GOLDEN YARA (IMO 8915299); MATROS SHEVCHENKO (IM 9574195); KARYTAN YAKOVLEV (IMO 9077575); 4SPARTA IV (IMO 9743033); KRASNODAR (IMO 9296781), SAMARSKAYA-1 (cargo barge) etc.
