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Circular Letter No.3490  
7 October 2014

To: IMO Member States  
Intergovernmental organizations  
Non-governmental organizations in consultative status with IMO

Subject: **Communication from the Embassy of Ukraine to the United Kingdom of  
Great Britain and Northern Ireland**

On 3 October 2014, the Embassy of Ukraine to the United Kingdom of Great Britain and Northern Ireland sent the attached communication, which it has requested to be circulated by the Organization.

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**ANNEX**



**EMBASSY OF UKRAINE**

Ref. 6124/22-327/2-1296

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 draw the attention of the Secretariat, Member States of the International Maritime Organization as well as representatives of foreign shipping companies accredited to the IMO to the following fact. On 29 September 2014 Russian Side by the decree of its Government opened five seaports in the temporarily occupied territory of Ukraine (Yevpatoria, Feodosia, Yalta, Kerch and Sevastopol) for the entry of foreign-flag vessels. These actions of Russian Side constitute a gross violation of Ukrainian sovereignty and norms of international law.

In the light of abovementioned, Ukrainian Side one more time emphasises that land territory of Autonomous Republic of Crimea along with the city of Sevastopol, its internal waters, territorial sea, exclusive economic zone, adjacent continental shelf and airspace are the parts of Ukraine, which falls within the jurisdiction of Ukrainian state authorities under the regulations of international law, Constitution of Ukraine, and Ukrainian laws. As it was notified by the Embassy of Ukraine to the UK in its Note No 6124/35-327/2-950 of July 21, 2014 to the Secretariat of IMO (Circular letter No 3477) the seaports of Ukraine in the cities Yevpatoria, Feodosia, Yalta, Kerch and Sevastopol were officially closed starting from July 15, 2014 until the restoration of the constitutional order of Ukraine in the temporarily occupied territory and cessation of Russian occupation.

**Secretariat  
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The actions of the Russian Federation are in breach with its own international obligations under the United Nations Convention on the Law of Sea of 1982, International Convention for the Safety of Life at Sea of 1974 with amendments, International Ship and Port Facility Code. Russian Side neglect of its international commitments undermines the basis of current international law and creates threat to international peace and security in that region. In addition, these actions constitutes the gross violation of the norms and principles of international humanitarian law, particularly of Article 43, IV Hague Convention of 1907, which binds the Russian Federation, as the occupant, to respect existing laws in force in the occupied country and respectively do not change or terminate them, or replace by own laws.

Ukrainian Side qualifies these actions of Russian Side as internationally illegal, which entails the international responsibility. Ukraine demands from Russian Federation to cease international illegal actions immediately, annul abovementioned decree of its Government, respect the sovereignty and territorial integrity of Ukraine and stop armed occupation of the part of Ukrainian territory.

Ukrainian Side underscores that the right to re-registration of the mentioned seaports, at the territory of Crimea, belongs exceptionally to Ukraine under the norms of international law. It reiterates that calling of ship under foreign flags at closed seaports at the territory of the Autonomous Republic of Crimea and the city of Sevastopol shall be considered by Ukraine as violation of international law, as actions undermining the sovereignty of Ukraine, and also as violation of the Law of Ukraine, which entails the responsibility of ship owners, whip operators and ship captains, including criminal responsibility.

The Embassy of Ukraine requests Secretariat to bring this Note to the attention of the IMO Member States, international organisations which have concluded agreements of cooperation with the IMO and non-governmental organisations in consultative status.

The Embassy of Ukraine to the United Kingdom of Great Britain and Northern Ireland avails itself of this opportunity to renew to the Secretariat of the International Maritime Organization the assurances of its highest consideration.



London, 3 October 2014