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Circular Letter No.3625
10 February 2016

To: IMO Members
United Nations and specialized agencies
Intergovernmental organizations
Non-governmental organizations in consultative status

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

On 4 February 2016, the Embassy of Ukraine to the United Kingdom of Great Britain and Northern Ireland forwarded the attached communication which it has requested be circulated by the Organization.

ANNEX



EMBASSY OF UKRAINE

Ref. 6124/35-327/2-119

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 inform of the following.

The Ukrainian Side expresses deep indignation over the Russian Federation's internationally wrongful acts, which have repeatedly been aimed at the violation and usurpation of Ukraine's sovereign rights as a coastal State, inter alia, for the purpose of exploring and exploiting natural resources in its territorial sea and on the continental shelf ensured by the United Nations Convention on the Law of the Sea ("UNCLOS"). Illegal seizure of oil rigs located in exclusive economic zone of Ukraine adjacent to the Crimean peninsula is just another example of such systematic campaign as Ukraine is de facto deprived of its ability to exercise relevant activities.

Apart from that, we consider provocative removal on 14 December 2015 by the Russian Side of two jack-up oil rigs B-312 (IMO number 9522350) and B-319 (IMO number 8771241) and oil platform Tavrida (IMO number 8763373), property of Chornomornaftogaz, Ukraine (registered owner IMO company number 3027366), located in the Black Sea off the coast of Odessa, as another vestige of massive pillage of property and natural resources perpetrated by the aggressor State since the occupation of part of Ukraine's sovereign territory – the Autonomous Republic of Crimea and the city of Sevastopol.

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These actions complemented the list of proofs of Russian Federation's aggressive behaviour and its neglect of international law, as well as evidence of violation by Russia of its commitments as an occupying Power, particularly with regard to inviolability of property rights.

Given reported circumstances, the Ukrainian Side defines the above mentioned activities of the Russian Federation as internationally wrongful acts aimed at the systemic violation of sovereignty, sovereign rights and jurisdiction of Ukraine over internal waters, territorial sea, exclusive economic zone and continental shelf in the Black and Azov seas.

In this connection, the Ukrainian Side calls the Russian Federation to international responsibility, demands from the Russian Federation to take all practically possible measures to prevent internationally wrongful acts, to provide appropriate assurances and guarantees that they will not repeat it in the future and to immediately reconstitute property to Ukraine.

Ukraine reserves a right to demand from the Russian Side to be reimbursed for the damage arising out of its actions bearing all evidence of internationally wrongful acts for the purpose of the UNCLOS.

It is vital importance that the IMO, as a UN specialized agency whose main focus is the security of ships and the seafarers, take up this issue accordingly to ensure that similar incidents against merchant mobile offshore drilling units do not re-occur.

The Embassy of Ukraine kindly requests the Secretariat to bring this Note to the attention of the 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 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, 04 February 2016

