



**ФЕДЕРАЦІЯ МОРСЬКИХ  
ПРОФЕСІЙНИХ СПІЛОК УКРАЇНИ**  
членська організація МФТ та ЄФТ

**UKRAINIAN MARINE TRADE  
UNIONS' FEDERATION**  
affiliated to the ITF and ETF

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**To: International Maritime Organization**

**International Labour Organization**

**The International Maritime Employers' Council (IMEC)**

**International Transport Workers' Federation**

***Circular: situation about the ports of Crimea region***

Dear Sirs ,

As you are aware that in March 2014 the Russian Federation annexed a part of the Ukrainian territory , notably the Autonomous Republic of Crimea was annexed . The world community's reaction over such the activities of the Russian Federation was negative and , as a result of the reaction , on 27 March 2014 at its 80<sup>th</sup> plenary meeting of the 68<sup>th</sup> UNO General Assembly there was adopted the resolution A/RES/68/262 on the territorial integrity of Ukraine , in which the General Assembly confirmed its adherence to the sovereignty , political independence , unity and territorial integrity of Ukraine “ in its internationally

accepted borders ” ; also the General Assembly appealed to all the countries to reject and abstain from any activities aimed at partial or entire breaches of the national unity and the territorial integrity of Ukraine and declared about its non-recognition of a validity of the referendum held in Crimea . In an accordance with the resolution’s clause No. 6 the UNO General Assembly appeals to all the countries , international organizations and specialized agencies to not recognize any revision of the Autonomous Republic of Crimea’s and the city of Sevastopol’s statuses on a basis of the above-mentioned illegal referendum and to abstain from any activities or steps which might be construed as an acknowledgement of any such the revised status .

By in its turn , Ukraine has closed the Autonomous Republic of Crimea ports for the international shipping and about what it was sent a notice to the International Maritime Organization ( IMO ) ; thereby , it is supposed that any vessel which calls at the Crimea ports behaves on its own risk since the shipowners and vessels’ captains who ignore such the imposed bans may incur punishments ( administrative and criminal responsibilities ) . Also it has come into force the Ukraine law “ On Warranties of Rights and Liberties of Citizens and Legal Treatment on Temporarily Occupied Territory of Ukraine “ . In an accordance with the law , entry to \ departure from the temporarily occupied territory might be allowed only through the entry/departure check points . Thus , the crew members including the Ukrainian ones and who are onboard the vessel which violates the law about crossing the Ukrainian state border and all the same enters the ports of the Autonomous Republic of Crimea , fall within the purview of the administrative and criminal responsibility , and at that , in an accordance with the Criminal Code of Ukraine , the violators might be imprisoned up to 8 years , but the transport (the vessel) facility itself might be confiscated .

On the assumption of above said , we are kindly asking for you , within your jurisdiction and in order to avoid any negative consequences for the seafarers , to inform the countries’ maritime administrations, shipowners and other interested parties about the following:

1. About possibility of administrative and criminal responsibility to the crew members on board as well as vessel's confiscation in case of entry to the ports of the Autonomous Republic of Crimea .
2. To inform the crew members on board the vessels sailing and entering the Black Sea region\ports about administrative and criminal responsibility by

the reason of illegal crossing the Ukrainian border owing to the vessels' calls at the ports of the AR Crimea .

3. To amend Individual Employment Contracts and/or Collective Bargaining Agreements with a section according to which a seafarer on board the vessel intending to enter any port of the AU of Crimea must be advised (in advanced) about his right to reject to call at such the port . If a seafarer decides to use his right, he/she should be repatriated at the expenses of the company-employer and must be fully reimbursed with the owed up to a date of his homecoming\ port of engagement .

Yours sincerely,

The President of

Ukrainian Marine Trade Unions' Federation

Maksym V. Sliusarevskyi

