Statement by H.E. Mr. Yuriy Sergeyev  
Permanent Representative of Ukraine to the United Nations  
at the plenary meeting of the United Nations General Assembly  
on agenda item 74 “Oceans and the Law of the Sea”  
(9 December 2014)

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Mr. President,

I wish to thank the Secretary-General for the wide-ranging elements of his reports on Oceans and the Law of the Sea. Our appreciation also goes to DOALOS for its able stewardship during the informal consultations on the draft resolutions, as well as to the coordinators of those drafts.

Ukraine is strongly committed to the effective implementation of international law applicable to the oceans and seas, as reflected in the 1982 United Nations Convention on the Law of the Sea. The role of the UNCLOS is of a paramount importance for the wide range of maritime activities.

We remain committed to our obligations under international law in the field of maritime shipping. However, owing to the ongoing occupation of the part of our territory, the Crimean peninsula that prevents Ukraine from being able to secure the appropriate management of the sea ports of Crimea, the Government of Ukraine has taken the decision to close down, beginning from June 15, 2014 all sea ports in the territory of Crimea, namely those of Kerch, Sevastopol, Feodosia, Yalta, and Yevpatoria. All Member States of the IMO were duly notified of this decision through the IMO Secretariat. The above decision will remain in force until the constitutional order of Ukraine on the temporarily occupied territory of Crimea and the city of Sevastopol is fully restored.

In this regard Ukraine proceeds from the understanding that all flag States, ship owners and ship captains are aware of this measure and realize all risks associated with calling at those sea ports. We wish to recall that in its Resolution 68/262 “The Territorial Integrity of Ukraine” adopted on 27 March 2014 the General Assembly calls upon all States, international organizations and specialized agencies not to recognize any alteration of the status of the Autonomous Republic of Crimea and the city of Sevastopol on the basis of the “referendum” and to refrain from any action or dealing that might be interpreted as recognizing any such altered status.

It is in this light that Ukraine considers calling of ships under foreign flags at those seaports as a violation of international law and national law of Ukraine undermining the sovereignty of Ukraine and entailing the responsibility of ship owners, operators and captains, including criminal responsibility for such acts.

We wish to refer to article 94 of the United Nations Convention on the Law of the Sea stipulating that every State effectively exercises its jurisdiction and control in
administrative, technical and social matters over ships flying its flag. Hence, the Ukrainian Side expects that the competent authorities of all United Nations Members States apply appropriate mechanisms of influence on owners and operators of ships flying their national flags in order to ensure their strict compliance with international law and national law of Ukraine with regard to the closure of seaports located on the temporarily occupied territory of the Autonomous Republic of Crimea and the city of Sevastopol.

Mr. President,

Let me now turn to another subject matter that is of a particular importance to Ukraine: countering maritime piracy and armed robbery at sea. We are encouraged that the initiatives aimed at reinforcing cooperation between Member States and relevant international bodies in developing national legislation on piracy and securing the effective implementation of the existing international instruments in this field are being further developed and reinforced. The fight against piracy cannot bring sustainable results without fighting impunity and bringing to justice perpetrators of acts of piracy, as well as their organizers and facilitators on land.

Mr. President,

New challenges to maritime safety and security are emerging and a lot of work is still ahead of us. While welcoming the significant decrease in reported accidents of piracy off the coast of Somalia, which is at the lowest level since 2006, we express our growing concern over the high number of accidents of piracy and armed robbery at sea in the Gulf of Guinea, in particular violence against innocent crew members. In this regard we look forward to working closely with all interested stakeholders on the implementation of resolution A.1069 (28) of the Assembly of the IMO on prevention and suppression of piracy and armed robbery against ships and illicit maritime activity in the Gulf of Guinea.

According to the current statistics, the majority of the attacks against ships worldwide occurred or was attempted in port areas. In this light Ukraine urges coastal States, flag States and industry to make everything possible to ensure safety and security of maritime shipping, especially in the listed regions.

Lastly, Mr. President,

Along with fighting piracy at sea measures must be taken to address the impacts of piracy on its victims – seafarers and their families. As one of the major States of seafarers’ origin Ukraine is actively engaged in the cooperation between Member States, IMO, ILO and other actors aimed at developing measures to protect the welfare of seafarers who are victims of pirates, including their post-incident treatment and reintegration into society.

I thank you, Mr. President.