



REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF TRANSPORTATION
MARITIME INDUSTRY AUTHORITY

MARINA ADVISORY NO.: 2024-36

Series of 2024

TO : All Shipowners/ Bareboat Charterers/ Ship Operators/ Ship Managers/ Shipmasters, Officers and Crew of Philippine-Registered Overseas Ships, Licensed Manning Agencies, Recognized Organizations, and Concerned Government Agencies

SUBJECT : INTERNATIONAL MARITIME ORGANIZATION (IMO) CIRCULAR LETTERS AS OF 30 SEPTEMBER 2024

Notice is hereby given on the following IMO Circular Letters published as of 30 September 2024:

- 1. Circular Letter No. 4904 (19 July 2024) – Communication from the Government of Mongolia regarding the issuance of electronic ship certificates** – transmitted text communication from the Government of Mongolia in respect of the issuance of electronic ship certificates. A Marine Circular informing that the Mongolian Maritime Administration (MMA) has introduced the use of Electronic Certification in accordance with the FAL.5/Circ.39/Rev.2 (Guidelines for the Use of Electronic Certificates) adopted by the International Maritime Organization's Facilitation Committee. Electronic certificates issued by MMA whose template formats are available on the IMO GSIS website, shall be considered valid under all applicable Regulations, International Conventions, Codes, or Agreements to which the MMA is or may become a party.
- 2. Circular Letter No. 4920 (13 Sep 2024) - Communication from the Government of Ukraine** - The Government of the Ukraine has sent the attached communication, dated 12 September 2024, with the request that it be circulated by the Organization. On the said date the AYA vessel (IMO 9117868, flag: Saint Kitts and Nevis) while transporting Ukrainian grain, approximately 75 km south of Zmiiny Island, within Romania's exclusive economic zone was struck by an Kh-22 cruise missile launched from a Tu-22M3 Russian bomber. Following the attack, the vessel altered its course towards the port of Constanta and is currently within Romanian territorial waters, near Constanta. There are no reported casualties among the ship's crew.

The actions of the Russian Federation represent a grave breach of international law, specifically:

1. The United Nations Convention on the Law of the Sea (UNCLOS): Article 56 (due regard to the laws of coastal states), Articles 58 and 87 (freedom of navigation), Article 279 (obligation to resolve disputes peacefully).

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2. Various norms of international humanitarian law, including customary law:
 - The principle that a neutral flag protects enemy goods (Paris Declaration of 1856, San Remo Guidelines of 1994, Helsinki Principles of 1998);
 - Respect for the rights of ships flying the flags of neutral states (XIII Hague Convention of 1907); and
 - The obligation to report on the zones of military operations, including their scope and duration, as stipulated by conventions such as SOLAS and COLREG.

Ukraine, in its turn, remains a key guarantor of global food security. The stability and well-being of many countries depend on the unimpeded operation of our food export corridors. Our food exports to Africa and the Middle East are vital. Ukraine is committed to safeguarding its ports, the Black Sea, and ensuring the continuity of food exports. Protecting life is Ukraine's foremost priority and should be the priority of all nations.

3. **Circular Letter No. 4917 (17 Sep 2024) - Communication from the Government of the Kingdom of Eswatini** - The Government of the Kingdom of Eswatini noted concern on several ship vessels bearing Eswatini flag sailing in high seas and some berthed at various ports around the world. The Kingdom of Eswatini requested to communicate to all Ships Ports Management authorities across the World that in as much as she wishes to explore and develop its maritime transportation, has not as yet given permission to any company or agency to register ship vessels sailing in high seas in its flag. Any ship vessels sailing or berthing bearing Eswatini flag as of 12 August 2024 are unauthorized and should not be allowed to sail or berth anywhere. Any authorisation in this regard will be issued jointly with the IMO in the future when all necessary preconditions for Ships Vessels registration are met.

Copy of the Circular Letters may be viewed at or downloaded from <https://marina.gov.ph/marina-advisory-flag-state-administration-advisory/>.

Attention is therefore invited for all Philippine overseas shipping companies, shipowners, and other concerned maritime entities to observe any action/s you may deem appropriate.

For the information and guidance of all concerned.

Issued on OCT 22 2024 at Manila, Philippines.

FOR:

SONIA B. MALALUAN
Administrator

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