

By the Agreement between Russian Federation and Ukraine on cooperation in the use of the Sea of Azov and the Strait of Kerch dated 24/12/2003, the countries have agreed that the Sea of Azov and the Strait of Kerch are historically internal waters of Russian Federation and Ukraine and the Sea of Azov must be delimited by the state border in accordance with the Agreement signed by the Parties.

The United Nations Convention on the Law of the Sea (UNCLOS) set the following limit of Internal waters: Covers all water and waterways on the landward side of the baseline. The coastal state is free to set laws, regulate use, and use any resource. Foreign vessels have no right of passage within internal waters.

In line with the Agreement, commercial vessels and other state non-commercial vessels flying the flags of Russian Federation and Ukraine have free navigation in the Sea of Azov and the Strait of Kerch and the coast guards of both countries can check vessels flying foreign flags in the Azov-Kerch defined area of water.

As part of efforts to improve safety of navigation in the Kerch Strait, starting from April 2018 the Russian coast guards have been checking all foreign-flagged vessels bound for and coming from the Ukrainian ports in the Sea of Azov.

Typical visit of the coast guard does not last longer than one hour, maximum check reportedly took 5 hours. After the control check the vessel gets permission from Traffic Control for passing the Strait.

In view of the intensive traffic in the area the vessels sometime have to wait for their turn for hours or days.

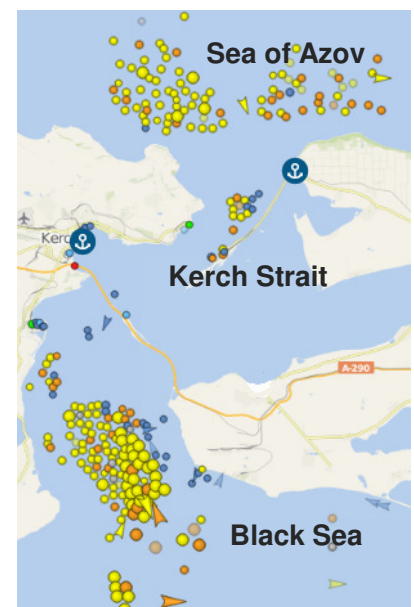
These delays can be significantly increased by a weather factor.

### The case

A vessel coming from the Ukrainian port in the Sea of Azov arrived at anchorage area North off Kerch Strait with a limited bunkers onboard. The traffic at strait was closed due to bad weather.

After several days of waiting for weather improvement the vessel had almost run out of fuel. The Master notified Port Authorities and traffic control about the emergency situation. Apart from unfavorable weather, there was no possibility to arrange for bunker supply at the transit vessel with closed border.

The vessel was put first in line for check by coast guards and pilotage. Shortly after weather improvement the vessel passed South for bunkering, escaping from the critical situation.



**Recommendations:** the advice is to be aware of the present delays in passing the Strait and to ensure the amount of bunkers, food, drinking water onboard is sufficient for extra stay at roads in anticipation permission from the coast guards and traffic control.