

Information Circular

INFCIRC/877

Date: 15 June 2015

General Distribution

Original: English

Communication dated 10 June 2015 received from the Permanent Mission of Ukraine to the Agency

1. The Secretariat has received a communication dated 10 June 2015 from the Permanent Mission of Ukraine to the Agency.
2. As requested, the communication is circulated herewith for information.

**Постійне представництво
України при міжнародних
організаціях у Відні**



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The Permanent Mission of Ukraine to the International Organizations in Vienna presents its compliments to the Secretariat of the International Atomic Energy Agency and, with reference to the Note Verbale of the Permanent Mission of the Russian Federation № 1852-n of 8 June 2015, has the honor to attach the text of the statement delivered by Ukraine in connection with the Agency's Annual Report for 2014:

«In connection with the statement made by the Russian delegation, the Delegation of Ukraine wishes to emphasize the following. International law prohibits the acquisition of part or all of another State's territory through coercion or force.

The Autonomous Republic of Crimea, which remains an integral part of Ukraine, was illegally occupied with use of military force and annexed by the Russian Federation in violation of norms of international law. Illegitimate actions on the part of the Russian Federation, which qualify as an act of aggression, do not have any legal consequences with regard to the status of the ARC as an integral part of Ukraine. The territorial integrity of Ukraine within its internationally recognized borders is safeguarded by international law and UN General Assembly resolution 68/262 "Territorial integrity of Ukraine" of 27 March 2014.

The Russian Federation is now in breach of such fundamental norms of international law as sovereign equality and respect for the rights inherent in sovereignty, refraining from the threat or use of force, inviolability of frontiers, territorial integrity of States, peaceful settlement of disputes, non-intervention in internal affairs, and fulfillment in good faith of obligations in international law.

Attempts of the Russian Federation to take control over nuclear materials and facilities, located on the temporarily occupied territory of Ukraine in the Autonomous Republic of Crimea and the city of Sevastopol contradict norms of the international law and the IAEA Statute.

Ukraine retains jurisdiction over all nuclear facilities and materials, including the research reactor IR-100 and other nuclear facilities of the Sevastopol National University of Nuclear Energy and Industry, which are the property of Ukraine and presently located on the temporarily occupied territory by Russia.

Provisions of the Agreement between Ukraine and the IAEA for the Application of Safeguards in connection with the Treaty on the Non-Proliferation of Nuclear Weapons remain fully effective and apply to the nuclear facilities and materials in Ukraine, including those located on the temporarily occupied territory of the Autonomous Republic of Crimea and the city of Sevastopol.

Secretariat
International Atomic Energy Agency

Vienna

Therefore, attempts of the Russian Federation to extend its jurisdiction over nuclear facilities and material of Ukraine, located on the temporarily occupied territory of Ukraine in the Autonomous Republic of Crimea and the city of Sevastopol are null and void.

We call on the Russian Federation to return to the tenets of international law and reverse the annexation of the Autonomous Republic of Crimea. We support the Annual Report for 2014 and the relevant Annex as it stands. The Delegation of Ukraine requests that this statement be registered in the journal of the day».

With reference to specific requests of the Russian Federation, the Ukrainian Side calls upon the IAEA Secretariat to act strictly in accordance with the UN General Assembly Resolution 68/262 of March 27, 2014, which affirms the sovereignty, political independence, unity and territorial integrity of Ukraine within its internationally recognized borders and be guided by this Resolution in the IAEA future activity.

The Ukrainian Side also requests the IAEA Secretariat to continue to act strictly in accordance with Ukraine's Safeguards Agreement (INFCIRC/550 and Corr.1) and the Additional Protocol thereto (INFCIRC/550/Add.1), in particular in application of safeguards to nuclear material and facilities located on Ukraine's territory of the Autonomous Republic of Crimea and the city of Sevastopol.

The Permanent Mission of Ukraine requests that this Note Verbale be circulated as an IAEA Information Circular.

The Permanent Mission of Ukraine to the International Organizations in Vienna avails itself of this opportunity to renew to the Secretariat of the International Atomic Energy Agency the assurances of its highest consideration.

Vienna, 10 June 2015

