Initiative on the Safe Transportation of Grain and Foodstuffs from Ukrainian Ports

Signed in Istanbul on 22 July 2022

[Transcribed from original by the Parley Policy Initiative]

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1. The Parties to this Initiative are the Republic of Türkiye, the Russian Federation and Ukraine as proposed by the Secretary-General of the United Nations.

2. This Initiative is based on agreements of parties of the International Convention for the Safety of Life at Sea, 1974, as amended, (SOLAS), Regulations XI-2/11 and the International Ship and Port Facility Security Code (ISPS Code), Part B, paragraph 4.26;

3. The purpose of this Initiative is to facilitate the safe navigation for the export of grain and related foodstuffs and fertilizers, including ammonia from the Ports of Odesa, Chernomorsk and Yuzhny ("the Ukrainian ports").

4. The Parties recognize the role of the Secretary-General of the United Nations in securing the discussions for this initiative and request his further assistance in its implementation, in the furtherance of the humanitarian mission of the United Nations and subject to its authorities and mandates.

5. To achieve the purposes of this Initiative, and to provide for the safe navigation of vessels carrying grain and foodstuffs, the Parties agree as follows:

Primary Aspects of the Initiative

A. This Initiative assumes that all Parties will provide maximum assurances regarding a safe and secure environment for all vessels engaged in this Initiative. Prior to operations commencing, a coordination structure will be established. A Joint Coordination Centre (JCC) shall be set up in Istanbul under the auspices of the United Nations and includes representatives of the Parties and the United Nations. The JCC shall conduct general oversight and coordination of this Initiative. Each Party and the United Nations will be represented in the JCC by one senior official and an agreed upon, required number of personnel.

B. Inspection teams will be set up in Türkiye. The inspection teams in Türkiye will consist of representatives from all Parties and the UN. Vessels will transit to and enter the Ukrainian ports in line with the JCC-approved schedule upon the vessels' inspection by an Inspection Team. The primary responsibility of the Inspection Teams will be to check for the absence of unauthorised cargoes and personnel on board vessels inbound to or outbound from the Ukrainian ports.

C. All activities in Ukrainian territorial waters will be under authority and responsibility of Ukraine.

The Parties will not undertake any attacks against merchant vessels and other civilian vessels and port facilities engaged in this Initiative.

Should demining be required, a minesweeper of another country, agreed by all Parties, shall sweep the approaches to the Ukrainian ports, as necessary.

D. Merchant vessels will be prior registered in the JCC, verifying their details and confirming their loading port, having liaised closely with port authorities. Vessels will be technically monitored for the duration of their passage. Vessels will proceed through the maritime humanitarian corridor, agreed by all Parties. The JCC will develop and disseminate a detailed operational and communications plan, including identification of safe harbours and medical relief options.

E. To prevent any provocations and incidents, the movement of vessels transiting the maritime humanitarian corridor will be monitored by the Parties remotely. No military ships, aircraft, unmanned aerial vehicles (UAV) may approach the maritime humanitarian corridor closer than a distance agreed by the JCC, without the authorization of the JCC, and after consultation with all Parties.

F. Should any suspicious activities, or non-compliance with the rules of this operation or emergencies occur on a vessel transiting the maritime humanitarian corridor, depending on its location, upon the request of a Party to the JCC and under international maritime law, the Parties will provide the required assistance to the crew or conduct an inspection against the security guarantees.

G. All merchant vessels taking part in this Initiative shall be subject to inspection conducted by an Inspection Team in the harbours determined by Türkiye at the entry/exit to/from the Turkish strait.

H. This initiative will remain in effect for 120 days from the date of signature by all Parties and can be extended automatically for the same period, unless one of the Parties notifies the other of the intent to terminate the initiative, or to modify it.

I. Nothing in this Initiative will be deemed as a waiver, express or implied, of the privileges and immunities of the United Nations, and the Parties will ensure that the Initiative does not entail any liabilities for the United Nations.

Done in Istanbul on the 22nd day of July, 2022

Memorandum of Understanding between the Russian Federation and the Secretariat of the United Nations on promoting Russian food products and fertilizers to the world markets

Signed in Istanbul on 22 July 2022

[Transcribed from original by the Parley Policy Initiative]

This Memorandum of Understanding (MoU) is entered into between the Russian Federation and the United Nations Secretariat (Secretariat).

Recalling that the right to adequate food is a human right, and that food is not just a commodity;

Noting that the common priority of the Russian Federation and the Secretariat is to urgently address the growing global food insecurity concerns due to rising food and fertilizers prices in global markets, which is threatening to further undermine the efforts to achieve the Sustainable Development Goals (SDGs), in particular SDG 2 - Zero Hunger;

Noting that one of the key areas of cooperation between the Russian Federation and the Secretariat is to also prevent hunger and aggravating food security issues - primarily in developing and the least developed countries – by bringing stability to global food markets by facilitating access to agricultural products including fertilizers and raw materials required to produce fertilizers (including ammonia), originating from the Russian Federation;

Noting the ongoing crisis in the supply chains and disruptions in the logistics sector that contribute to the sharp increase of prices for transportation and relevant expenses and in particular seriously affecting access of food and fertilizers for developing and the least developed countries;

Noting the importance of unimpeded trade of fertilizers and the raw materials required to produce fertilizers (including ammonia), for the purposes of supporting global agricultural production;

Aspiring to establish a process to facilitate the unimpeded access of food and fertilizers, including the raw materials required to produce fertilizers (including ammonia), to global markets originating from the Russian Federation;

Recognizing the critical role of the United Nations system in designing and coordinating global measures for a food crisis response program under the leadership of the Secretary-General of the United Nations;

Now therefore, the Russian Federation and the Secretariat have arrived at a mutual understanding of the following measures that they will take to facilitate the unimpeded access to global markets for food and fertilizers, including the raw materials required to produce fertilizers (including ammonia), originating from the Russian Federation.

1. The Russian Federation will continue commercial supplies of food and fertilizers to the countries in need of such products.

The Russian Federation will inform the Secretariat of the impediments to access of food and fertilizers, including the raw materials required to produce fertilizers (including ammonia), originating from the Russian Federation to the world markets.

The Russian Federation will facilitate the unimpeded export of food, sunflower oil and fertilizers from Ukrainian controlled Black Sea ports.

2. The Secretariat agrees to continue efforts to facilitate the transparent unimpeded access of food and fertilizers, including the raw materials required to produce fertilizers (including ammonia), originating from the Russian Federation to the world markets. This includes impediments that may arise in the sectors of finance, insurance and logistics.

The Secretariat will endeavor to engage relevant authorities and the private sector to effectively exempt food and fertilizers, including the raw materials required to produce fertilizers (including ammonia), originating in the Russian Federation from measures imposed on the Russian Federation, based on the principle that those measures do not apply to food and fertilizers; thereby facilitating the unimpeded export of Russian food products and fertilizers, including the raw materials required to produce fertilizers (including ammonia), to world markets, taking into account critical global food security needs and the urgent requirements of the relevant food and fertilizer producers and traders in the Russian Federation.

The Secretariat will advise Russian companies on how to do business with the United Nations and the procedure and requirements for becoming a registered vendor.

3. The Russian Federation and the Secretariat will establish a mutual exchange of information for the purposes of this Memorandum's implementation.

The exchange of information will be as follows:

From the Russian side – through the Permanent Mission of the Russian Federation to the United Nations in New York;

From the Secretariat side – through Secretariat of the United Nations Conference on Trade and Development.

4. The present Memorandum is not an international treaty and does not establish any rights or obligations under the international law.

5. Any differences between the Russian Federation and the Secretariat arising from the interpretation, implementation or application of this Memorandum will be resolved through consultations between them.

6. The present Memorandum will come into effect on the date of the last signature by the representatives of the Russian Federation and the Secretariat. The present Memorandum will remain in effect for a period of three years. The Russian Federation and the Secretariat will inform each other in writing 3 months in advance of the date on which they intend to stop applying the present Memorandum.

7. Amendments to the present Memorandum will be made by mutual written consent of the Russian Federation and the Secretariat.

Signed in duplicate at Istanbul on 22nd of July 2022 in English and Russian. In the event of dispute or a disagreement as to the interpretation of this MoU, the English version will prevail.

For the Russian Federation: H. E. Mr A. R. Belousov, First Deputy Prime-Minister of the Russian Federation

For the United Nations Secretariat: H.E. Mr. A. Guterres, United Nations Secretary-General