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Ukrainian plots thicken

It's back to square one in Ilyichevsk, while the drama in Yuzhnyi could now play out on 8 September

On 26 August Russia's National Container Company (NCC), the owner of UkransContainer (UTC), won its appeal in the third court of instance, the High Court of Appeal in Kiev, against the suspension of UTC's concession and the virtual seizure of the terminal by the Ilyichevsk seaport administration
 (<http://www.worldcargonews.com/htm/w20090801.758382.htm>)

The consequences of this result are not clear, as the seaport reportedly remains determined to oust UTC, although NCC has expressed the hope that the seaport will accept the result and allow normal operations to resume.

Meanwhile, ZHEN HUA 11 is now expected to arrive in Yuzhnyi with three new cranes and eight RTGs for TIS on 8 September instead of the earlier reported schedule of 26 August
 (<http://www.worldcargonews.com/htm/w20090823.367964.htm>)

At the time of writing, the ship is known to have passed through the Bosphorous, so it looks as the extra time is being taken to allow TIS and the Yuzhnyi seaport administration to resolve their dispute.

However, as of today the seaport administration has still not legalised TIS's container berth, meaning that the ship could not offload the equipment there – and there is nowhere else in the port where the ship-to-shore cranes could be offloaded – if it had already arrived.

Perhaps in the light of the NCC appeal outcome, it is also reported that the Ukrainian government is considering replacing the port's director, Yuriy Kruk, as a way of resolving the problem.

Although not wishing to comment on these particular disputes in the Ukrainian seaports, one legal expert in the field, Arthur A Nitsevych, a partner in International Law Offices (ILO), which has offices in Odessa, Kiev and Nikolaev, remarked that problems in the country's ports sphere are likely to keep on arising and remain unresolvable until the current rules on investment are amended.

In July this year, ILO published a new report on this topic, written by Olena Losekava, a partner based in the Kiev office.

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Mar '09	230,276	47,893
Feb '09	172,381	40,512
Jan '09	193,579	39,690
Dec '08	111,877	22,263
Nov '08	125,120	21,623
Oct '08	148,564	25,206
Sep '08	96,991	20,627
Sep '07	90,526	16,274
Sep '06	113,283	18,957
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