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Mr Sergii SYMONENKO
Head
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IHB File N° S3/7020

5 January 2012

Reference: a) Your letter 1/9.06/2372 dated 26 December 2011
b) Your letter No. 2/9.06/1250 dated 4 July 2011
c) S-23 WG letter No. 03/2011 dated 24 May 2011
d) Your letter 12.05.2011/ 1/9.06/912 dated 11 May 2011

Dear Mr Symonenko,

In your letter at reference a) you indicate that you had sent me, in my capacity as the Chair of the S-23 WG, the letter indicated at reference b), by which, in accordance with instructions from superior governmental bodies relating to comments on the issue of naming the sea area between the Korean Peninsula and the Japanese Archipelago, you had withdrawn your comments reported in bullet no. 7 of paragraph 2.1 of reference c). With respect to this matter please note the following:

- I have never received the letter identified at reference b) and prior to receipt of reference a) you had never brought to my attention the existence of this letter and the change in position expressed by Ukraine;
- Bullet no. 7 of paragraph 2.1 of reference c) reflects exactly the position that you expressed at reference d) and since its issue the reference has been posted on the IHO web site. I have never received any notification that the position of Ukraine had been changed;
- Reference a) and its attachment, reference b) and this letter will be circulated to members of the S-23 WG and will be posted on the IHO web site alongside the responses to S-23 WG Letter 02/2011.

I would like to bring to your attention, and to the attention of the members of the S-23 WG, that the summing up from the Chair Group on the issues under consideration are based on the positions expressed by the WG members within the timeframe indicated. Subsequent changes in position complicate the progress and correctness of the WG's work and may raise late arguments regarding the decisions taken. Positions taken cannot be changed based on late changes in position of the members of the WG and S-23 WG Letters, on which members of the WG have provided comments, cannot be redrafted. The Chair Group has accepted requests from members of the WG for more time in order to respond to various letters, and extended the time of responses accordingly, informing all the WG members. It has to be made clear that the Chair Group will continue to base its summing up, proposals and positions on the comments that are provided within the timeframe indicated in the letters to the members of the S-23 WG. Letters circulated to the members of the WG cannot be changed retrospectively.

On behalf of the Directing Committee
Yours sincerely,

Vice Admiral Alexandros MARATOS
IHB President and Chairman of the S-23 WG