



NV- 39/2026

The Permanent Mission of the Republic of Malta to the United Nations presents its compliments to the Secretary General of the United Nations and avails itself of this opportunity to report a serious maritime incident affecting the safety and freedom of maritime navigation.

On 5 May 2026, a Malta-flagged container ship, *M/V San Antonio*, was subjected to an aerial attack in the Strait of Hormuz, while transiting the territorial waters of the Sultanate of Oman, during the lawful exercise of innocent and transit passage, in full conformity with the provisions of the United Nations Convention on the Law of the Sea (UNCLOS), and applicable rules of international law.

As a direct consequence of this extra-jurisdictional use of force, crew members sustained serious injuries with some facing life-threatening injuries. No fatalities were reported. All injured crew were successfully evacuated by Omani rescue authorities in the early hours of 6 May 2026. The crew acted promptly and professionally in accordance with the requirements of the International Convention for the Safety of Life at Sea (SOLAS) and other relevant international maritime conventions, taking all necessary measures to safeguard life, stabilise the ship, and coordinate with the competent authorities to ensure the evacuation and medical treatment of the injured personnel.

The Republic of Malta affirms that this attack is manifestly inconsistent with obligations incumbent upon States under both customary and treaty international law, including the fundamental principles enshrined in the Charter of the United Nations, in particular the prohibition on the threat or use of force as set out in Article 2(4). The attack constitutes an unlawful use of force at sea and a grave threat to the safety and freedom of maritime navigation, with serious implications for international shipping and global supply chains. Such conduct undermines the lawful and peaceful uses of the seas and poses a serious risk to international peace and security.

Furthermore, this attack contravenes the applicable rules of customary international law as codified in the provisions of UNCLOS. The right of transit passage through international straits, and the protection afforded to merchant ships exercising such use, are rights recognised and protected under the applicable rules of customary and treaty international law forming an integral part of the legal regime governing international waterways. The right of transit passage through international straits may not be suspended and must be respected by all States. UNCLOS, as the constitution of the world ocean, provides the legal framework that governs all uses of the sea and serves as a stabilising instrument intended to restrain conflict and ensure predictability in maritime relations.

The targeting of innocent merchant ships constitutes a violation of international humanitarian law. Merchant ships are civilian objects, and seafarers are civilians. Both merchant ships and seafarers are protected under international law pursuant to Articles 51 and 52 of Additional Protocol I to the Geneva Convention which prohibits attacks against civilians and civilian objects.

This attack, the third on a Malta-flagged ship in the past weeks, is in contravention of the recently adopted United Nations Security Council resolution 2817 (2026), which reaffirmed the protection of merchant ships, the exercise of navigational rights and freedoms and the maintenance of maritime security international waterways.

The Republic of Malta firmly upholds freedom of navigation as a fundamental principle of international law, essential to global stability and prosperity, and has consistently used its voice at the United Nations to stress that international straits must remain open, safe, and governed by the rules of the UNCLOS. Recognising the Strait of Hormuz as a vital artery for global trade and energy security, the Republic of Malta has warned that any disruption risks serious economic and humanitarian consequences worldwide.

While reiterating our call for restraint, de-escalation, and the protection of maritime safety and seafarers navigating high-risk areas, as an island state and responsible flag State, the Republic of Malta remains steadfast in its commitment to dialogue, multilateral cooperation, and respect for international law to ensure secure and open seas for all.

In light of the foregoing, the Permanent Mission of the Republic of Malta to the United Nations respectfully requests that the present Note Verbale be circulated among the States Parties to the United Nations Convention on the Law of the Sea and all members of the United Nations, for their information and duly reflected in the relevant United Nations documentation.

The Permanent Mission of the Republic of Malta to the United Nations avails itself of this opportunity to renew to the Secretary-General of the United Nations the assurances of its highest consideration.

New York, 7 May 2026



**Secretary General of the United Nations**  
**(Attn: Division of Ocean Affairs and Law of the Sea, Office of Legal Affairs)**  
**United Nations**  
**New York**