



SEMAPHORE

Newsletter of the Maritime Law

Association of Australia and New Zealand



“Shadow Fleet” Counter Actions Forming

A multilateral group of experts recently convened in Copenhagen (Denmark) to develop “concrete plans” to further counter Russia’s “shadow fleet” and particularly its “high-risk activities in the Baltic Sea”.

Following the session and further engagements involving officials, a joint statement was issued by the United States, Denmark, Estonia, Finland, Poland, Sweden and the United Kingdom summarising developments.

“We are united in our commitment to further deter and disrupt high-risk maritime activities related to the shadow fleet together, especially in the North Sea and the Baltic Sea,” it stated.

“The shadow fleet comprises vessels that may engage in illegitimate and high-risk shipping practices for the purpose of circumventing sanctions, especially the Oil Price Cap set by the G7+. Shadow fleet vessels raise serious concerns for both the public and private sectors, as these vessels evade compliance with safety, environmental and liability standards, not least due to the potential inadequate insurance.

“Over the last three years, Russia has significantly expanded its shadow fleet, which contributes to its ability to fund its unjust and illegal war in Ukraine. Coastal states face elevated threats from Russia’s various maritime actions, including in relation to their shipping and offshore activities, critical undersea infrastructure and marine environment, as well as wildlife.

“The Russian shadow fleet has led to an increased risk of an environmental disaster in the Baltic Sea as well as globally. Obfuscating vessel positions through GPS interference and AIS manipulation has increased the risk of an accident. Recent events have shown that the shadow fleet used by Russia may also pose a risk to critical maritime infrastructure.”

Detailing a raft of recent initiatives to address such developments, the group stated that it was “determined to further enhance our co-operation to counter high-risk maritime activity related to the shadow fleet in the coming time”.

This included by:

- working on modalities for swift information-sharing on vessel insurance and other risk criteria to inform sanctions development and other policy responses, particularly noting that insurance information will be requested from suspected shadow fleet vessels by Denmark, Estonia, Finland, Poland, Sweden and the United Kingdom;
- aligning sanctions designations further and pursuing more proactive measures, including enforcement towards parties involved in their violation/circumvention;

- supporting workstreams related to best practices and standard operating procedures to deter and address harmful activities, including vessels that damage undersea infrastructure;
- exploring policy options to promote accountability and full economic liability for harm-causing actions;
- highlighting and shining future light on the risks associated with Russia's shadow fleet together with academia, researchers and the legitimate shipping industry;
- co-ordinating closely with likeminded partners, especially NB8++ countries; and
- maintaining close and regular engagement and information-sharing to anticipate and counter future maritime threats.

“Collectively, we are committed to countering the shadow fleet and related threats, holding enablers to account – including through sanctions-related actions – for the risks they pose and the support they are providing to Russia’s war against Ukraine.”

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