

The European Union against Russia's shadow fleet: sanctions, circumvention and hybrid threats

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1. - Since February 2022, Russia's military aggression against Ukraine has represented the greatest threat to peace and security in Europe after the second World War. The ongoing efforts to invade and destabilise Ukrainian territories have been accompanied by hybrid threats (also referred to as hybrid warfare) aimed at undermining the political, economic and legal order of the European Union (EU) and its Member States. In addition, the systematic circumvention of EU restrictive measures (sanctions) has emerged as a central challenge to the effectiveness and credibility of the Union's foreign policy and its global actorness.

Confronted with these new challenges, the EU has deployed a massive set of restrictive measures against the Russian Federation (pursuant to Articles 29 TEU and 215 TFEU), introducing, to date, 19 packages of restrictions that have progressively expanded in scope, covering an extensive range of sectors, from finance and energy to transport, trade and technology, and targeting an unprecedented number of individuals, legal entities, groups and networks (see A. Hofer, *The EU's "Massive and Targeted" Sanctions in Response to Russian Aggression, a Contradiction in Terms*, in *25 Camb. Yearbook of Eur. Leg. Studies* 19 (2023)). These measures impose a number of import and export restrictions on Russia and identify targets that are considered to be either directly involved in the military aggression, or indirectly associated with it, such as by providing financial support to the Russian government, operating in strategic economic sectors, engaging in pro-Kremlin propaganda, facilitating circumvention tactics, and so on. To illustrate, the EU sanctions list includes not only political leaders, state officials and military personnel directly involved in the hostilities, but also media outlets, journalists, leading businesspersons operating in Russia, their associates and, sometimes, even their family members if they are considered to support the invasion or otherwise undermine the effectiveness of sanctions. Today, over 2,500 persons are designated on the EU sanctions list in relation to Russia's aggression (representing, approximately 45% of the total of designations in force, see data.europa.eu/apps/eusancionstracker/).

Sanctions have become central to the EU's foreign policy response to the aggression (see L. Lonardo, *Russia's 2022 War against Ukraine and the EU's Foreign Policy Reaction Context, Diplomacy, and Law*, London, 2023), designed to induce a change in Russia's behaviour, inflict economic cost on the Kremlin, limit its capacity

to wage war, while signalling support for Ukraine and upholding the international responsibility of the aggressor state. Yet the effectiveness of these massive sanctions has been constantly debated, as Russia continues to engage in warfare, hybrid threats, and systematic circumvention (see F. Giumelli, *A Comprehensive Approach to Sanctions Effectiveness: Lessons Learned from Sanctions on Russia*, in *European Journal on Criminal Policy and Research*, 2024, vol. 30, 211-228). Among the most significant and complex forms of sanctions evasion is the emergence of the so-called *shadow fleet*: a network of vessels, operators and intermediaries enabling the continued export of Russian oil and other commodities in defiance of EU (and G7) sanctions. This fleet has compelled the Union to adapt its sanctions framework, expanding its restrictions to address new patterns of evasion.

This contribution intends to examine the evolution of EU sanctions against Putin's shadow fleet, until the adoption of a set of restrictions adopted by the Council in mid-December 2025, contained in the Council Decision set out in the heading (see OJ L 2025/2572). On 15 December 2025, the Council introduced new sanctions, in the form of designations, on individuals and entities allegedly responsible for supporting Russia's shadow fleet and its value chain. On the same day, the Council also imposed new listings to counter Russia's information manipulation (see Council Decision (CFSP) 2025/2572, amending Decision 2024/2643 concerning restrictive measures in view of Russia's destabilising activities, in OJ L 2025/2572). Among others, the Council decided to target foreign-policy analysts allegedly linked to the Kremlin and influencers promoting pro-Russian propaganda and conspiracy theories, as well as anti-Ukraine and anti-NATO narratives. For instance, it added the political scientist Ivan Timofeev on the sections list because his analyses and academic contributions were considered to 'routinely legitimise Russian military aggression and normalise confrontation with the West, while discrediting Western sanctions and portraying them as acts of hostility'. Also, it targeted members of Russian think-tanks and discussion clubs for providing ideological cover for the aggression to Ukraine.

Focusing on the EU response to the Russia's shadow fleet, this contribution argues that, package after package, the Union has progressively developed a multi-layered approach to tighten its sanctions, combining *sectoral* prohibitions, *vessel-specific* restrictions, and *individual* designations in order to preserve the effectiveness of this sanctions regime. At the same time, this contribution highlights the legal and conceptual challenges raised by the treatment of the shadow fleet as both a sanctions-evasion mechanism and a hybrid threat.

2. – The EU's sanctions framework against Russia has expanded package by package to address a wide range of economic sectors. In this context, the oil trade with Russia has been a primary target of Western sanctions, including EU restrictive measures. Oil exports constitute, in fact, a cornerstone of the Russian economy and a principal source of state revenue. It is therefore unsurprising that EU sanctions have placed particular emphasis on restricting Russia's ability to profit from energy exports – with the hope that, should this income be reduced, Russia would be forced to change its course of action in Ukraine.

In June 2022, the Council firstly decided to impose a comprehensive import ban, prohibiting the purchase, import or transfer of crude oil and certain petroleum products from Russia into the Union (see Council Decision (CFSP) 2022/884 of 3 June 2022 amending Decision 2014/512 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine, in OJ L 153/128). This ban, adopted in the context of the sixth package of restrictive measures, was intended to be one of the 'most visible, direct and powerful responses to Russia's brutal and unprovoked attack on Ukraine' (see the Commission's press release at ec.europa.eu/commission/presscorner/detail/en/ip_22_2802). It showed the

Union's commitment to reduce its dependence on energy imports from Russia, as an urgent imperative.

Nonetheless, a drastic independence from Russian oil (i.e., stopping import transactions from one day to another) would have generated an economic shock and energy insecurity. For this reason, the Union established exemptions (see Council Decision (CFSP) 2022/1909 of 6 October 2022 amending Decision 2014/512, cit., in OJ LI 259/122) and, in December 2022, agreed together with G7 members and Australia, to introduce a price cap mechanism aimed at limiting Kremlin's revenues (that could otherwise be used to fund Russia's war of aggression against Ukraine), while preventing a global price shock (see Council Decision (CFSP) 2022/2369 of 3 December 2022 amending Decision 2014/512, cit., in OJ LI 311/8). In practice, a price cap of 60 US dollars per barrel was imposed to make it harder for Russia to profit from oil, but not impossible for EU operators to continue trading, maintaining global oil flows and protecting energy security. Rather than banning all transactions involving Russian oil, the price cap prohibits EU operators from engaging in transactions above the set price. In other words, these operators were prohibited from offering services such as insurance, financing and shipping support unless they comply with the maximum price.

Importantly, the oil price cap has generated powerful incentives for circumvention – and major unintended consequences. In fact, Russia responded by developing new evasive tactics designed to bypass Western oversight and restrictions. Central to these circumvention strategies is the creation of a parallel oil trade that operates *in the shadows*, with little transparency and almost no regulatory oversight. Unlike traditional commercial carriers, the rapid expansion of a shadow fleet (also referred to as the ghost, dark, or parallel fleet) entails a clandestine network of aging vessels, usually oil tankers, operating through opaque ownership structures, frequent reflagging (also known as flag hopping into jurisdictions with lenient regulatory frameworks, see foreignpolicy.com/2023/01/30/ships-false-flags-convenience-sanctions/), falsified documentation, and the deliberate disabling of tracking systems. These shadow vessels use diverse methods for obfuscating their origins and commercial purpose, while routinely engaging in high-risk operations, such as ship-to-ship oil transfers in international waters, far from coastlines and regulatory oversight.

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Although the use of shadow fleets is not new, since other sanctioned nations, such as Iran, North Korea and Venezuela have adopted a similar approach, shadow vessels have gained prominence following the imposition of sanctions on Russian energy exports. Today, the fleet counts approximately 900-1,200 vessels globally (see www.rusi.org/news-and-comment/in-the-news/alarm-over-exploding-rise-use-sanctions-busting-shadow-fleet), and it is increasingly engaged in circumventing sanctions imposed against Russia, particularly in relation to crude oil, but also other products, such as sanctioned military equipment or stolen Ukrainian grain, thus enabling the aggressor state to continue earning critical revenue for financing its war.

Since 2022, these shadow vessels present a unique challenge to sanctions effectiveness, credibility, as well as to maritime security, environmental protection, and the international rules-based order. Recognising the growing risks posed by this phenomenon, the International Maritime Organization (IMO) adopted, in December 2023, a non-binding resolution providing, for the first time, a shared understanding of what constitutes a dark or shadow fleet (see Resolution A.1192(33) adopted on 6-12-2023). According to the IMO, the term refers to ships that engage in 'illegal operations for the purposes of circumventing sanctions, evading compliance with safety or environmental regulations, avoiding insurance costs or engaging in other illegal activities', which may include a range of behaviours, such as carrying out unsafe operations that do not comply with

established international maritime rules and best practices; deliberately avoiding flag State or port State control inspections; failing to maintain adequate insurance or other forms of financial security; intentionally disabling or manipulating tracking systems. After providing a common definition, the IMO urged Member States and all relevant stakeholders to promote actions to prevent illegal operations in the maritime sector by the shadow fleet. The Organisation also noted ‘with grave concern’ that dark ships pose a real and high risk of incidents, particularly when engaging in ship-to-ship transfers (see Resolution A.1192(33), cit.), as they disguise the cargoes’ destinations or origins, or otherwise avoid oversight or regulation by flag or coastal States. The absence of costal monitoring, often accompanied by the lack of a reliable insurance coverage and traceable ownership, heightens the risk of environmental disasters, particularly oil spills (see www.atlanticcouncil.org/in-depth-research-reports/report/the-threats-posed-by-the-global-shadow-fleet-and-how-to-stop-it/), and severely undermines accountability mechanisms under international maritime law.

In this sense, the shadow fleet represents more than a mere tool of sanctions evasion. It embodies a broader strategy of regulatory avoidance that exploits gaps in the international maritime governance framework, challenges the enforcement capacity of coastal and flag states, and erodes the effectiveness of multilateral rules designed to ensure safety, transparency and environmental protection at sea. Reliance on the shadow fleet has become emblematic of how Russia’s evasive strategies have fused economic resilience with irregular maritime behaviour. Such reliance has transformed a circumvention tactic into a broader compliance problem. Today, it entails a systemic threat for maritime safety and environmental concerns, an instrument of strategic disruption, destabilization, and hybrid warfare that the Kremlin uses to undermine its Western enemies, including the EU.

The next Section explore what is the EU response to the shadow fleet and its circumvention patterns.

3. – Circumvention tactics pose a constant challenge to the effectiveness of restrictive measures. By their very nature, sanctions create incentives to evade, adapt and reroute prohibited economic activity. As a result, the effectiveness of restrictive measures depends not only on their adoption (and progressive tightening), but also on the Union’s capacity to anticipate, detect and respond to evasive behaviour.

The EU is always confronted with the question of *how to counter circumvention*, minimise violations and ensure compliance with its sanctions. The Union is aware that evasive tactics create a tension with the effectiveness and credibility of the imposed restrictions, and the pursuit of their foreign policy goals. Consequently, it is constantly seeking to identify and implement strategies to counter these tactics.

Before moving to the Union’s response to circumvention, it is important to clarify that ‘evasion’ and ‘circumvention’ of sanctions are frequently employed as synonyms, and cover activities which have the aim or result of frustrating the effectiveness of the imposed restrictions (see Court of Justice, C-72/11, *Afrasiabi and others*, judgement of 21-12-2011). These activities can be considered to be a physiological phenomenon, a constant feature of sanctions regimes. In the words of David O’Sullivan, serving as Special Envoy for the Implementation of EU Sanctions, ‘where there are sanctions, there will be circumvention’ (see minos.ugent.be/evening-lecture-by-david-osullivan-sanctions-in-practice-how-can-we-maximize-the-impact-of-sanctions-on-russia-in-a-globalized-world/). And the idea that the Union can completely eliminate this phenomenon is an illusion. It follows that the response to evasion is a constant effort to *reduce* it, to make it *more difficult* and *more expensive* for the targeted actors. However, there is no magic

solution to (completely) eliminate it. Circumvention is, and will always be, a major challenge for sanctions.

That said, the EU response to sanctions evasion is variegated, and since 2022, the Union has developed a progressively more sophisticated toolkit to counter circumvention. This entails the adoption of anti-circumvention clauses in sanctions regulations (see, for instance, Article 9(1) Council Regulation (EU) 269/2014 of 17 March 2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine, in OJ L 78/6, as amended), a growing reliance on reporting and due diligence obligations, 'best effort' duties, as well as secondary sanctions and secondary designations (also referred to as listing or blacklisting decisions) against alleged facilitators of evasive tactics (see F. Finelli, *Countering Circumvention of Restrictive Measures: The EU Response*, in 60 *Comm. Mkt L. Rev.* 733 (2023). See also J. Nielsen, G. Saiz and J. Dunin-Wasowicz, *Beyond the Secondary Sanctions Debate: The Rise of Ancillary Listings in EU Sanctions* in *Weekend Edition EU Law Live*, 2025). More recently, the EU has introduced not only a new Special Envoy for the Implementation of EU Sanctions – to ensure continuous, high-level discussions with third countries to prevent and counter circumvention tactics – beyond the EU jurisdiction, but also common criminal definitions and penalties for sanctions violations, reducing enforcement gaps and forum shopping across Member States (see Directive (EU) 2024/1226 of the European Parliament and of the Council of 24 April 2024 on the definition of criminal offences and penalties for the violation of Union restrictive measures, in OJ L 2024/1226. See also J. Öberg, *Criminalisation of sanctions violations* in (eds.) C. Portela, A. Charron, M. Sossai, *Elgar Encyclopedia of International Sanctions*, Cheltenham, 2025, 173-176).

Over the years, the Union has adopted and continues to adopt a variety of anti-circumvention measures. In this constant effort to counter evasion, the emergence of the shadow fleet has tested the limits of the EU response – and required the Union to progressively refine its approach to evasion tactics.

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In June 2023, the 11th sanctions package marked a first shift towards directly addressing evasive shipping practices (see Council Decision (CFSP) 2023/1217 of 23 June 2023 amending Decision 2014/512, cit., in OJ LI 159/451). It introduced comprehensive prohibitions on *access to EU ports* for vessels which competent authorities have reasonable cause to suspect of either engaging in ship-to-ship transfers designed to conceal the origin of Russian oil, or otherwise breaching of the G7 price cap (Article 4hb Council Decision 2014/512, cit., in OJ L 229/13, as amended). The access ban was also extended to vessels suspected of interfering, disabling or otherwise manipulating their automatic identification systems (Article 4hc, cit.). These measures reflected an acknowledgment that circumvention was occurring not merely through contractual arrangements but through operational practices at sea. The existence of a *reasonable grounds to suspect* involvement in circumvention was deemed sufficient to trigger the imposition of the access ban – signalling the Union's willingness to prevent vessels engaged in evasive conduct from benefiting from access to EU ports.

In December 2023, the 12th package further strengthened this approach by introducing new obligations concerning the *sale of oil tankers* to third countries (see Council Decision (CFSP) 2023/2874 of 18 December 2023 amending Decision 2014/512, cit., in OJ L 2023/2874), as EU operators were required to notify national authorities of tanker sales, when involving Russian entities or tankers intended to be used in Russia. The Council imposed new information-sharing obligations between Member States and the Commission (supported by the European Maritime Safety Agency) to enhance transparency into the sale of tankers, in particular second-hand carriers, that could be used to evade the

restrictions imposed on the oil trade. This was intended to gather information of the shadow fleet, and further reinforce the detection of deceptive practices.

A qualitative shift occurred with the adoption of the 14th sanctions package in June 2024, when the EU introduced *vessel-specific restrictions*, for the first time. These new list-based sanctions entail a ban on port access and restrictions on the provision of services, targeting *specific ships* (listed in Annex the Council Decision), identified as contributing to Russia's war effort (see Article 4x introduced by Council Decision (CFSP) 2024/1744 of 24 June 2024 amending Decision 2014/512, cit., in OJ L 2024/1744). These vessels can be added on the sanctions list for a broad array of reasons, such as for the transportation of military equipment to Russia, the transportation of stolen Ukrainian grain or cultural heritage, and the provision of support for the development of Russia's energy sector. Importantly, the listing criteria include vessels that are affiliated with Putin's dark fleet. These vessels are defined as those that 'transport crude oil or petroleum products [...] that originate in Russia or are exported from Russia *while practising irregular and high-risk shipping practices*' or are otherwise operated in such a manner as to facilitate or engage in circumvention of EU sanctions.

The list of sanctioned vessels has been updated regularly: initially, in June 2024, the Council added 27 on the list, but today the number has increased exponentially. As of December 2025, it contains almost 600 vessels (see www.consilium.europa.eu/en/press/press-releases/2025/12/18/russia-s-war-of-aggression-against-ukraine-council-sanctions-41-vessels-of-the-russian-shadow-fleet/). Listed vessels are no longer able to do business-as-usual in the Union or with EU operators – due to the fact that it is now prohibited to provide a wide range of maritime services. These services include not only providing access to ports in the territory of the Union, but also other services, such as financing and financial assistance, insurance and brokering, flag registration, technical assistance, bunkering, ship supply services and crew change services (see Article 4x, paragraph 2(b) Council Decision 2014/512, cit.).

The evolution of EU restrictive measures against the shadow fleet reveals a shift from reliance on broad *sectoral restrictions* towards a targeted, *list-based* approach. While sectoral sanctions, such as the oil import ban and the price cap, remain foundational, they have proven insufficient to address the adaptive and networked nature of circumvention practices. As a result, the Union has progressively complemented them with more targeted instruments aimed at disrupting the individual actors, infrastructures and facilitators that sustain evasion.

This evolution culminated in the 16th sanctions package, which introduced a new designation criterion specifically targeting those who support the operation of unsafe oil tankers. According to this new criterion, restrictive measures (in the form of asset freezes and travel bans) may now be imposed on 'natural or legal persons, entities or bodies that *own, control, manage or operate vessels* that transport crude oil or petroleum products, originating in Russia or exported from Russia, while practising irregular and high-risk shipping practices as set out in International Maritime Organization General Assembly Resolution A.1192(33), or that otherwise provide material, technical or financial support to the operations of such vessels' (see Council Decision (CFSP) 2025/388 of 24 February 2025 amending Decision 2014/145 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine, in OJ L 2025/388, and the introduction of criterion (k)). This development marks a significant step in the evolution of the Union's targeting process, as it explicitly links individuals and entities to the participation in, or facilitation of, shadow fleet operations. In other words, the Union has moved beyond sectoral prohibitions and introduced a model of targeted accountability. This approach reflects the Union's

commitment to address the networks of ownership, control and enablers that underpin circumvention practices.

4. – Today, the EU response to the shadow fleet operates across a multi-layered architecture of restrictive measures, combining *sectoral* prohibitions, *vessel-based* restrictions, and *individual* designations. This layered approach illustrates the gradual evolution in the Union's understanding of circumvention as an adaptive phenomenon that cannot be effectively addressed through trade restrictions alone.

At the first layer, *sectoral* sanctions remain the backbone of the EU's sanctions regime. The oil embargo and the price cap mechanism continue to constitute the primary instruments for constraining Russia's lucrative revenues. These measures, which are estimated to cover approximately 90% of EU oil imports from Russia (see www.consilium.europa.eu/en/policies/sanctions-against-russia-explained/), are designed to curtail the financial resources available to sustain the war effort. However, the effectiveness of these measures is inherently limited by the ability of market actors to reroute trade, exploit jurisdictional gaps, and rely on opaque ownership and shipping structures. As such, sectoral bans alone have proven insufficient to address the operational reality of the shadow fleet.

A second layer consists of *vessel-based* sanctions targeting ships involved in circumvention of sanctions. These measures, which include port bans and prohibitions on the provision of numerous services, reflect a shift towards more targeted (i.e. list-based) restrictions. They reflect an important shift: from regulating trade to addressing the physical means through which circumvention occurs. By denying access to EU ports and services to specific vessels, the EU has sought to disrupt the logistical backbone of the shadow fleet.

The third and most recent layer consists of *individual designations*. Here, the Union moves beyond regulating certain trade flows or vessels, and instead focuses on identifying actors who individually facilitate the shadow fleet operations or otherwise engage in circumvention tactics. Targeted persons include shipowners, brokers, insurers, flag registries and other intermediaries who form part of the shadow fleet ecosystem. By adding these persons on the sanctions list, the Union has showed its commitment to dismantle human and corporate networks that sustain the dark fleet and its deceptive practices. In this way, sanctions have transformed into a tool of attribution and accountability – whose effectiveness increasingly depends on the Council's *capacity to identify the actors that enable evasion*, rather than merely regulating the activities through which this phenomenon occurs. The most recent designations adopted in mid-December 2025 provide a clear illustration of how the Union has focused on dismantling the shadow fleet ecosystem. Targeted individuals include businesspersons (also referred to as oligarchs, see F. Finelli, *Who Are the Russian Oligarchs? Recent Developments in the Case Law of the European Court of Justice*, in *Eur. Papers*, 2024, 1513-1522) linked to major Russian state-owned energy companies, such as Rosneft and Lukoil, who are considered to exercise control over vessels used to conceal the origin of Russian oil through deceptive practices, including ship-to-ship transfers and opaque ownership structures (see, for instance, the designation of Murtaza Lakhani, introduced in Council Decision (CFSP) 2025/2594, cit.). Targeted entities extend to shipping companies based in third countries (such as United Arab Emirates, Vietnam or Russia) which own or manage tankers that are subject to restrictive measures for being part of Russia's shadow fleet, and that transport crude oil or petroleum products while practicing irregular and high-risk shipping practices (see, for instance, the designation of Nova Shipmanagement in the same Council Decision).

Notably, designations also encompass service providers whose role is more indirect but nonetheless essential to the functioning of the shadow fleet. Among these providers are those who provide false flags or misleading documentation for

the benefit of vessels engaged in sanctionable conduct (see designations against the Aruba Maritime Administration & Offshore Company Registry, or the International Maritime Ship Registry in Council Decision (CFSP) 2025/2036 of 23 October 2025 amending Decision 2014/512, cit., in OJ L 2025/2036). By enabling vessels to continue operating under the appearance of legitimate registration, these registries effectively facilitated the circumvention of EU sanctions. Therefore, their inclusion on the sanctions list serves to identify actors who facilitate the operations of the shadow fleet – bringing them out of the shadows. This process underscores the Union's intention to target not only the physical movement of vessels, but also the administrative and legal infrastructure that sustains illicit maritime activity.

In conclusion, the EU's response to the shadow fleet reveals three complementary layers: *sectoral* measures constrain the oil trade with Russia; *vessel-based* restrictions disrupt the logistical infrastructure enabling circumvention; and *individual* designations target the human and corporate actors who control, manage or otherwise support these schemes. Taken together, these three layers address different dimensions of the same phenomenon. Rather than relying on a single sanctioning instrument, the Union has constructed a cumulative system in which sectoral and list-based sanctions interact to close loopholes and increase the cost of evasion.

5. – The evolution of the Union's response to the shadow fleet illustrates the gradual construction of a multi-layered sanctions architecture designed to address an increasingly complex and adaptive phenomenon. Through the combination of *sectoral* restrictions, *vessel-specific* measures and *individual* designations, the Union has progressively sought to address not only the economic effects of sanctions evasion but also the structural mechanisms enabling it. This multi-layered approach reflects the Union's awareness that no single instrument (whether in the form of a price cap, or designations) can, in isolation, effectively disrupt the shadow fleet – but rather that a combination of regulatory tools is required to achieve this.

At the same time, the shadow fleet cannot be understood solely as a means of evading oil-related restrictions. It constitutes a broader and more insidious threat, one that extends beyond sanctions compliance into the domains of maritime safety, environmental protection and the integrity of international maritime governance. In fact, the use of ageing vessels, opaque ownership structures, flag-hopping and other deceptive practices exhibits characteristics associated with hybrid maritime warfare. Despite the fact that the shadow fleet does not fully align with the established definition of *hybrid threats*, or hybrid activities, as developed in EU practice — particularly insofar as it does not directly target democratic processes or information integrity — it nevertheless include the exploitation of regulatory gaps, the use of civilian and commercial infrastructures for strategic purposes, and the pursuit of geopolitical objectives through non-military means. The shadow fleet contributes to the broader destabilisation of the international order and raises concerns related to a wide range of maritime security issues (see I. Parlov, U. Sverdrup, *The Emerging "Shadow Fleet" as a Maritime Security and Ocean Governance Challenge*, in A. Lott (ed), *Maritime Security Law in Hybrid Warfare*, Leiden, 2024). In this sense, the dark fleet can be understood as a form 'coordinated harmful activities that are planned and carried out with malign intent' (see the definition officered by the Council at www.consilium.europa.eu/en/policies/hybrid-threats/).

Hence, sanctions alone cannot be expected to neutralise this phenomenon. While the progressive tightening of restrictive measures has increased pressure on Russia's energy revenues, it has not eliminated the capacity to adapt, reroute and conceal – nor has it prevented the continued expansion of the shadow fleet. The persistent ability of Russia to export significant volumes of oil, despite extensive

EU (and G7) measures, has fuelled debates on the limits of the current approach. Some have argued that the oil price cap should be replaced by a full embargo, halting Russia's ability to raise revenue for its war in Ukraine – 'time to cut Russian oil for good' (see www.euractiv.com/opinion/the-oil-price-cap-is-dead-in-the-water-time-to-cut-russian-oil-for-good/). Others have proposed to strengthen cooperation with flag and port states, enhance transparency in global shipping registries, and tighten oil spill insurance (see kse.ua/wp-content/uploads/2024/10/Shadow_free_zones_October_2024_final.pdf).

Notably, each proposal reflects an emerging awareness that enforcement gaps are the primary vulnerability within the existing sanctions regimes, that allow circumvention to flourish.

The adoption of a dedicated EU sanctions framework addressing hybrid threats marks an important normative development (see Council Decision (CFSP) 2024/2643 of 8 October 2024 concerning restrictive measures in view of Russia's destabilising activities, in OJ L 2024/2643), yet its material scope remains largely confined to direct threats to democracy, in particular, information manipulation and political interference. Maritime-related conduct, by contrast, continues to fall outside this framework, leaving the shadow fleet in a regulatory grey zone at the intersection of sanctions law, maritime governance and international regulation. This fragmentation limits the effectiveness of the EU response and underscores the need for greater conceptual and regulatory integration. It also highlights a relatively passive stance in contrast to the more assertive measures implemented by other nations against dark fleet – including the seizure of Russian tankers in the Atlantic (see www.theguardian.com/world/2026/jan/07/marinera-seized-tanker-atlantic-us-uk-russia).

Ultimately, the experience of the shadow fleet exposes both the adaptability and the limits of the EU's sanctions toolbox. It demonstrates the Union's capacity to respond dynamically to evolving forms of circumvention, while simultaneously revealing the vulnerabilities of fragmented regulatory regimes – incapable of addressing the hybrid, transnational and systemic nature of contemporary security threats.

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