

Brussels, 18 July 2025  
(OR. en)

9126/2/25  
REV 2 ADD 2

CORLX 476  
CFSP/PESC 724  
RELEX 604  
COEST 383  
FIN 529

**NOTE**

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From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
Subject:	Council Decision and Regulation concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine

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**Statement by the European Commission**

The Commission acknowledges the concerns regarding the ongoing pressures on the EU shipping sector, particularly in the context of sanctions implementation and the risk of circumvention through flag hopping and re-registration outside the Union.

To support the shipping industry and counter the risk of de-flagging, the Commission will, in particular, coordinate with partners in the oil price cap coalition to promote a joint approach to setting and implementing the price cap, thereby fostering a level playing field.

At the same time, the Commission will intensify its outreach to third-country flag states to encourage alignment with EU sanctions enforcement and to discourage that de-flagged EU vessels can obtain the flag of a third country to evade EU sanctions.

In close coordination with the Council and the Member States, the Commission will pursue these objectives, consistent with its role under the EU Treaties to oversee implementation and enforcement of Union law.

More specifically, to address the issue of re-registration outside the EU to circumvent EU sanctions, Member States should systematically inform the Commission about de-registrations from their flag registry. This information should be submitted in accordance with Article 3na of Regulation 833/2014, which obliges Member States and the Commission to share information with each other to identify vessels that may be or become part of the Russian shadow fleet. Taking this information into account and in close cooperation with the European Maritime Safety Agency (EMSA), the Commission will structurally monitor flag changes and vessel movements, with particular attention to the so-called shadow fleet.

The Commission will report relevant findings to the Council and its preparatory bodies to support the Union's capacity to assess and propose further listings. Vessels that have de-flagged and contributed to Russian energy revenues should be assessed in this context and may be prioritised for future listings.

The Commission will issue a notice to alert all vessel operators and owners to this procedure and its strict implementation and that due diligence obligations under EU law exist to make sure that vessels de-flagged from EU registries are not used to circumvent EU sanctions. The notice will also apprise vessel operators and owners that any de-flagging from EU flag registries for the purpose of carrying Russian oil in violation of EU sanctions entails a high risk of being proposed for listing under the relevant Union legal acts.

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