

(English version)

Question for written answer E-000627/25
to the Commission
Gerben-Jan Gerbrandy (Renew)
(11 February 2025)

Subject: Russian shadow fleet causing environmental risks to our waters and coastal communities — Commission should enforce EU sanctions violation law

A ‘shadow fleet’ of hundreds of old, rickety tankers is shipping Russian oil, thus bypassing sanctions. Many ships in the fleet pose an environmental threat to European waters and coastal communities. Some have been involved in outright sabotage. EU-based individuals and companies have earned up to EUR 6 billion from this form of sanctions evasion. An embarrassing statistic. Sadly, the Council has been unable to act on this problem, blocked by just a small number of its members. Individual Member States in the Baltic region have had enough and are looking for ways to act on their own.

1. Does the Commission agree that it can act independently of the Council of the EU, the European Council and Member States when it comes to upholding the EU’s sanctions violation law that has been in effect since 2024 ⁽¹⁾?
2. Will the Commission exclude companies and individuals profiting from sanctions violation through the shadow fleet from public procurement, tenders and contracts that involve EU funds? If not, please explain why.
3. Will the Commission freeze funding for EU projects if they involve companies and/or individuals who participate in the illegal shipping of Russian oil by way of the so-called shadow fleet?

Submitted: 11.2.2025

Answer given by Mr McGrath on behalf of the European Commission
(11 April 2025)

On 19 May 2024, Directive (EU) 2024/1226 ⁽¹⁾ on the definition of criminal offences and penalties for the violation of EU restrictive measures entered into force. Member States have until 20 May 2025 to transpose it.

The Commission is supporting them in their implementation and monitors the transposition. Sanctions enforcement is a national responsibility, but shadow fleet activities often occur outside of EU jurisdiction hindering national enforcement (ships not stopping in EU ports, not resorting to services of EU operators, etc).

The Commission may reject a tender where any operator involved is subject to sanctions adopted under Article 29 of the Treaty on the European Union and Article 215 of the Treaty on the Functioning of the European Union ⁽²⁾.

Ongoing contracts may be terminated when sanctions are substantially affecting their implementation. The Commission must exclude companies and individuals from its tender procedures if they are in exclusion situations covered by Article 138(1) of the Financial Regulation (FR) ⁽³⁾.

Ongoing contracts may be terminated if the contractor or related persons are in an exclusion situation. Exclusion measures must be based on a final judgment, an administrative decision or a recommendation (Article 145 of the FR).

Article 5L of Regulation (EU) 833/2014 prohibits providing direct or indirect support, under EU, Euratom and national programmes, and any EU procurement under the FR to a legal person, entity or body in Russia, or directly or indirectly owned for more than 50% by an entity as previously referred to.

Sanctioned natural or legal persons are illegible to receive funding under a new award procedure and participation in existing legal commitments would be ended.

¹ OJ L, 2024/1226, 29.4.2024, ELI: <http://data.europa.eu/eli/dir/2024/1226/oj>.

⁽¹⁾ OJ L, 2024/1226, 29.4.2024, ELI: <http://data.europa.eu/eli/dir/2024/1226/oj>

⁽²⁾ Please note that the EU Official Journal contains the official list of entities subject to restrictive measures and, in case of conflict, its content prevails over that of the EU Sanctions Map, available at: <https://www.sanctionsmap.eu/#/main>

⁽³⁾ OJ L, 2024/2509, 26.9.2024, ELI: <http://data.europa.eu/eli/reg/2024/2509/oj>, see in particular Article 138(1)(c) and Article 138(1)(d)(iii).