Law

EU court backs ban on state-owned Russian Maritime Register

Court of Justice upholds bulk of measures following Russian appeal



A hearing in the General Court of the Court of Justice of the European Union.Photo: Court of Justice

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A European Union court has mainly backed the bloc after it adopted financial restrictions against the Russian Maritime Register of Shipping (RMRS) following the invasion of Ukraine.

The registration and classification company had appealed the action taken by the Council of the European Union.



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RMRS went to the Court of Justice of the European Union in Luxembourg to overturn certain measures.

The court said its General Court upheld the bulk of the restrictions.

But it annulled a measure withdrawing the flag's recognition as a ship inspection, survey and certification organisation, which had been granted to it by the EU.

Based in Saint Petersburg and wholly owned by the Russian state, RMRS is a non-profit organisation engaged in the classification, inspection and certification of ships flying both Russian and foreign flags.

In 2022, the council added it to the list of entities subject to an investment ban.

It also prohibited all transactions with the register, withdrew its recognition at EU level and required member states to revoke any authorisations they had granted to it.

Lastly, the Council prohibited ships certified by the RMRS from accessing ports and locks in the territory of the European Union.

The court ruled the Russian organisation's legal action inadmissible in so far as it sought the annulment of the prohibition preventing its ships from entering EU ports.

It noted the ban applies directly to ships certified by the RMRS, but affects the legal position of the register "only indirectly".

However, the court considered that the withdrawal of the RMRS' recognition was disproportionate.

A "less onerous measure", namely the suspension of its recognition, could also have achieved the objective pursued.

The court explained that if the measure was lifted, recognition cannot be automatically reinstated, with the result that the RMRS would have to go through a new recognition procedure.



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"The outcome of such a procedure is uncertain, as the RMRS has neither a right of initiative in that procedure nor a right to be awarded such recognition," the ruling added.

"In those circumstances, the General Court annuls the Council's decision containing the contested restrictive measures in so far as it provides for the withdrawal of the recognition granted by the European Union to the RMRS," it ruled.

An appeal, limited to points of law only, can be brought within two months.

RMRS has been contacted for comment.