

POLICY BRIEF

OCCUPIED PORTS, INTERNATIONAL MARKETS

Russia's de facto reopening of the occupied ports of Mariupol and Berdiansk and how States, international organisations and market actors should respond

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International Partnership for Human Rights (IPHR) is an independent, non-governmental organisation founded in Brussels in 2008. In accordance with its mission, IPHR supports local civil society partners who operate in repressive environments and cooperates with them on promoting human rights, justice and the rule of law. Together with local partners, we raise human rights concerns at the international level, campaign in support of vulnerable communities and seek accountability for violations, including the most serious ones.

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PURPOSE AND SCOPE

This policy brief accompanies IPHR's Analytical Report on Russia's de facto reopening of the occupied Mariupol and Berdiansk ports in Ukraine, which examines how Russia has sought to integrate them into its administrative, transport, and export systems and, by reopening them to foreign vessels, connect occupied-port trade to international markets. The central concern is that, in practice, this process is already giving Russia's unlawful control commercial effect and, if it continues, that it may further entrench the occupied Ukrainian ports within international trade systems and Russia's broader occupation economy.

Drawing on the findings of the Analytical Report, this brief sets out a practical framework to aide States, international organisations and maritime, financial and commercial actors to identify, verify and disrupt occupied-port trade. It reflects IPHR's continuing investigation into Russia's occupation economy, including its earlier report *Grain Thieves: The Network Behind the Plunder of Ukrainian Grain*,¹ and the material analysed in the Analytical Report, focusing on the regulatory, enforcement, and commercial response to occupied-port trade.

SUMMARY

Mariupol and Berdiansk are Ukrainian ports currently under Russian belligerent occupation. Ukraine closed both ports in April 2022 and notified the International Maritime Organization (IMO).² In 2025, Russia de facto reopened them to foreign vessels and integrated them into its own port administration.³ However, those measures do not alter the ports' legal status,⁴ and merely form part of a broader effort to convert unlawful territorial control into administrative functionality, commercial access and economic integration.

Available material demonstrates that both ports are already embedded in Russia's occupation economy. Mariupol is used as an outlet for transporting grain, coal and other bulk cargo from occupied Donetsk Oblast, while Berdiansk is an important agricultural export node linked to Russian-controlled infrastructure in Zaporizhzhia Oblast. Dredging, customs, railway and road projects integrate both

1 International Partnership for Human Rights, 'Grain Thieves: The Network Behind the Plunder of Ukrainian Grain' (IPHR, 28 May 2025) <https://iphronline.org/articles/grain-thieves-report>.

2 Наказ Міністерства інфраструктури України від 28 квітня 2022 р № 256 'Про закриття морських портів' [Order of the Ministry of Infrastructure of Ukraine No 256 of 28 April 2022 'On the Closure of Seaports'] <https://zakon.rada.gov.ua/go/z0470-22>.

3 Распоряжение Правительства РФ от 21 августа 2025 г № 2266-р, 'Изменения в Перечень морских портов, открытых для захода иностранных судов' [Order of the Government of the Russian Federation No 2266-r of 21 August 2025 'Amendments to the List of Seaports Open for the Entry of Foreign Vessels'] <https://www.alta.ru/tamdoc/25rs2266/>. Приказ Министерства транспорта Российской Федерации от 17 ноября 2025 г № 397, 'О внесении изменений в перечни морских портов, входящих в соответствующие администрации морских портов, утвержденные приказом Министерства транспорта Российской Федерации от 4 декабря 2013 г № 373' [Order of the Ministry of Transport of the Russian Federation No 397 of 17 November 2025, 'On Amendments to the Lists of Seaports Included in the Respective Seaport Administrations, Approved by Order of the Ministry of Transport of the Russian Federation No 373 of 4 December 2013'] <https://www.garant.ru/products/ipo/prime/doc/413206889/>.

4 UNGA Res ES-11/4, 'Territorial Integrity of Ukraine: Defending the Principles of the Charter of the United Nations' (12 October 2022) UN Doc A/RES/ES-11/4, paras 2–5; IMO Assembly Resolution A1183(33), 'The Impact of the Russian Armed Invasion of Ukraine on International Shipping' (4 December 2023) IMO Doc A 33/Res1183, paras 5, 10–11.

ports into the wider Azov transport network connecting occupied mainland Ukraine, occupied Crimea and southern Russia.⁵

The central problem is both interpretive and operational. Non-recognition, occupation law, the law of the sea, sanctions and corporate due diligence regulate different parts of the same activity but are often applied separately. Occupied-port trade exploits those gaps in application. A single transaction may combine unlawful territorial control, occupation-linked documents, shipping, insurance, financing, certification and access to a foreign market. For this reason, the relevant unit of analysis is the facilitation chain as a whole.

Core proposal. It is important to distinguish between two situations. Where the connection to Mariupol, Berdiansk or other occupied Ukrainian infrastructure is direct and visible, the transaction is unlawful under international law and should be refused. Russia's aggression and occupation of Ukrainian territory do not confer lawful authority to treat Ukrainian ports as Russian ports, open them to international commerce or authorise commercial exports through them. Russian-issued port, customs and export documents cannot give legal validity to transactions conducted on that basis. Where the connection is indirect, concealed or uncertain, credible indicators should trigger an operational presumption of illegality and affirmative verification. The actor seeking to move, insure, finance, certify, discharge, purchase or otherwise facilitate the cargo should establish lawful origin and route through reliable evidence independent of the Russian authorities. If and when that cannot be done, the appropriate response is refusal, suspension or investigation. This standard governs regulatory and commercial decision-making; detention, seizure, sanctions designation, civil liability and criminal prosecution remain subject to their own legal and evidentiary thresholds.

KEY FINDINGS

- **Russia's 2025 measures have de facto formalised an incorporation process already underway since 2022.** Mariupol and Berdiansk have been integrated into Russian-controlled administrative, customs, transport and export structures and are already being used to move commodities from occupied Ukrainian territory, including unlawfully appropriated grain and other agricultural commodities through both ports, and coal through Mariupol, while being connected more closely to occupied Crimea and southern Russia.⁶

5 Anastasiia Malenko, Filipp Lebedev, Gleb Stolyarov, Ryan McNeill and Mari Saito, 'Welcome to "New Russia": How the Kremlin Is Remaking Occupied Ukraine' (Reuters, 26 March 2026) <https://www.reuters.com/investigations/welcome-new-russia-how-kremlin-is-remaking-occupied-ukraine-2026-03-26/>.

6 Bihus Info, 'Exposed by Propaganda: Ships and Companies Exporting Grain from Occupied Mariupol' (YouTube, 8 April 2024) <https://www.youtube.com/watch?v=0GqXMU8izWk>; ТАСС, 'Зерно из порта Бердянска транспортируют в Сербию, Турцию, Бангладеш и Венесуэлу' ['Grain from the Port of Berdiansk Is Transported to Serbia, Türkiye, Bangladesh and Venezuela'] (TASS, 18 June 2024) <https://tass.ru/ekonomika/21126709>; Foreign Intelligence Service of Ukraine, 'The Black Route of Occupation: The Ships Transporting Ukrainian Coal from Mariupol to Russia' (Foreign Intelligence Service of Ukraine, 22 April 2025) <https://szru.gov.ua/en/news-media/news/the-black-route-of-occupation-the-ships-transporting-ukrainian-coal-from-mariupol-to-russia>; RE:RUSSIA, 'Corridor of Opportunity: Ukrainian Mid-Range Strikes Threaten the Main Achievement of Russian Occupation – the Land Corridor to Crimea' (RE:RUSSIA, 14 May 2026) <https://re-russia.net/en/analytics/0426/>.

- **What changed in 2025 was the outward-facing commercial role of these ports.** Russia started presenting Mariupol and Berdiansk ports as Russian ports directly accessible to foreign vessels and, through them, to international commercial services and destination markets.
- **The principal risk is transactional normalisation.** Russia does not need formal international recognition of its territorial claims if vessels, documents, insurance, finance, port services and destination markets allow occupied-port trade to function as ordinary commerce.
- **The problem is not an absence of law, but rather fragmented application of existing law.** Non-recognition, occupation law, the law of the sea, sanctions and corporate due diligence address different parts of the same transaction; treated separately, they leave gaps across the facilitation chain.
- **The legal and evidentiary response depends on the nature of the connection.** A direct and visible link to Mariupol, Berdiansk or other occupied Ukrainian infrastructure should result in refusal. An indirect, concealed or uncertain link should trigger an operational presumption of illegality and affirmative verification of lawful origin and route.
- **Uncertainty created by the occupation should not benefit the transaction.** Russia controls the territory, much of the relevant documentation and access to evidence. Where lawful origin and route cannot be established independently of Russian authorities, the appropriate response is refusal, suspension or investigation.
- **Enforcement should target the facilitation chain, not a particular vessel alone.** Flag States, destination ports, customs authorities, sanctions bodies, insurers, banks, brokers, surveyors, traders and buyers each control a point at which occupied-port trade can be disrupted. Stronger measures remain subject to the separate legal and evidentiary thresholds applicable to the relevant actor and jurisdiction.

1. FROM OCCUPIED PORTS TO INTERNATIONAL MARKETS

Russia began integrating Mariupol and Berdiansk into the occupation economy soon after taking control of the ports in 2022. Both are already being used to move commodities from occupied Ukrainian territory, including unlawfully appropriated grain and other agricultural commodities. Mariupol has served as an outlet for grain linked to documented patterns of pillage and other unlawful appropriation in occupied Donetsk Oblast, as well as coal and other bulk cargo, while Berdiansk has become an important export node for grain and other agricultural produce documented as pillaged or otherwise unlawfully appropriated in occupied Zaporizhzhia Oblast.⁷

Their functions are complementary. Mariupol is a deeper, industrial and bulk-cargo port; Berdiansk has substantial grain and edible oil infrastructure and can accommodate larger grain and dry-bulk vessels than some nearby Russian Azov ports. Russia is expanding both ports through dredging, customs

7 Ibid.

facilities, rail and road links and integrating them into a wider transport network connecting occupied mainland Ukraine, occupied Crimea, the Kerch Strait and southern Russia.⁸

A clear sequence of consolidation

Date	Development and policy significance
28 April 2022	Ukraine closes Mariupol, Berdiansk, Skadovsk and Kherson ports until Ukrainian control is restored. The closure is subsequently circulated to all IMO Member States through Circular Letter No 4557. ⁹
2022-2024	Russian and occupation authorities take control of port and agricultural infrastructure, establish Russian-controlled administrative structures, move grain and other cargo through the ports and begin restoration and dredging works. ¹⁰
4 December 2023	IMO Resolution A1183(33) calls on States not to recognise Russian administrative decisions or documents where this could imply recognition of an altered territorial status, to inform maritime actors of Ukraine's closed-port regime and to investigate alleged violations. ¹¹
21 August 2025	Russian Government Order No 2266-r purports to add Mariupol and Berdiansk to the list of seaports open to foreign vessels. ¹²
17 November 2025 onward	Russian Ministry of Transport Order No 397 purports to place both ports within Russia's Azov Sea port-administration structure. ¹³

The significance of the 2025 measures is therefore not that Russia began using the ports at that time, but rather that Russia moved from operating and integrating occupied Ukrainian infrastructure to presenting Mariupol and Berdiansk as ports directly available to foreign commercial shipping.

From occupied territory to destination markets

The consequences are already visible beyond Ukraine. Comparable incidents over occupation-linked cargo have reached third States, as outlined below:¹⁴

State	What happened
Türkiye	Authorities halted and investigated the Zhibek Zholy after Ukraine alleged that it carried grain illegally exported from occupied Berdiansk; the vessel was later allowed to leave.

8 Malenko (n 5).

9 Order of the Ministry of Infrastructure of Ukraine No 256 (n 2); IMO, 'Communication from the Government of Ukraine' Circular Letter No 4557 (4 May 2022).

10 See, (n 6).

11 IMO Assembly Resolution A1183(33) (n 4) paras 10–11, 20–23.

12 Order of the Government of the Russian Federation No 2266-r (n 3).

13 [Order of the Ministry of Transport of the Russian Federation No 397 of 17 November 2025 (n 3)].

14 Sources concerning the Zhibek Zholy, Laodicea, Panormitis, ASOMATOS and Caffa incidents cited in Part II.F of the Analytical Report.

Lebanon	The Laodicea was temporarily seized after Ukraine alleged that its cargo contained stolen Ukrainian grain; it was later released after no criminal offence was found.
Israel	Ukraine sought to prevent the unloading of grain it alleged had been stolen from occupied Ukrainian territory. The Panormitis ultimately left Israeli territorial waters without unloading.
Egypt	Ukraine requested legal assistance and seizure of the ASOMATOS and its cargo after alleging that it carried stolen Ukrainian grain through Russian routes.
Sweden	Swedish authorities seized the Caffa; a court later upheld the seizure and permitted its transfer to Ukraine in connection with suspected unlawful grain transport from occupied territory.

These cases differ in their facts and outcomes, but expose the same problem: once occupation-linked cargo reaches another jurisdiction, origin, routing, documentation and the legal basis for intervention become decisive.

This is transactional normalisation. Russia does not need other States to formally recognise Mariupol or Berdiansk as Russian territory. If foreign vessels call at the ports, Russian-issued documents are accepted, cargo is insured and financed, services are provided and goods are discharged and purchased abroad, and this way an unlawful territorial situation can acquire commercial functionality without acquiring legal validity.

2. THE LEGAL BASELINE: EXISTING RULES, ONE FACILITATION CHAIN

No new legal rule is required to address occupied-port trade. Existing legal frameworks already regulate the different stages and actors involved; the difficulty lies in applying them coherently and consistently across the same facilitation chain.

Occupation cannot create lawful commercial authority

Mariupol and Berdiansk are Ukrainian ports situated in territory under Russian occupation. The prohibition on acquisition of territory by force and the corresponding duty of non-recognition prevent Russia's de facto control from acquiring lawful territorial or administrative effect. Article 41(2) of the ILC Articles on State Responsibility requires States not to recognise as lawful a situation created by a serious breach of a peremptory norm or render aid or assistance in maintaining it.¹⁵

Non-recognition has concrete transactional consequences. The limited recognition sometimes afforded to acts necessary to protect inhabitants of occupied territory does not extend to commercial instruments that enable the occupying power to exploit territory and access international markets to its own benefit. Russian-issued port clearances, customs declarations or certificates of origin should

¹⁵ ILC, Articles on Responsibility of States for Internationally Wrongful Acts, art 41(2); Legal Consequences for States of the Continued Presence of South Africa in Namibia (Advisory Opinion) [1971] ICJ Rep 16, paras 119, 124–125; UNGA Res ES-11/4 (12 October 2022) UN Doc A/RES/ES-11/4, paras 2–5.

therefore not be treated as proof that Russia possesses lawful port, customs or export authority over Mariupol or Berdiansk.

Occupation law supplies a separate but complementary constraint. Occupation transfers temporary control, not sovereignty. The Hague Regulations prohibit pillage, protect private property, regulate requisitions and require public property to be administered under the rules of usufruct; Geneva Convention IV reinforces relevant protections against pillage and unlawful destruction.¹⁶ The legal character of an individual cargo remains fact-specific: not every shipment can automatically be characterised as pillage or another criminal offence. But where resources are extracted, redirected or exported under Russian authority, occupation law requires looking behind the commercial documentation and assess the underlying circumstances of acquisition.

Ukraine's closed-port regime gives these principles a direct maritime application. Ukraine closed Mariupol and Berdiansk in April 2022 and notified the international maritime community through IMO Circular Letter No 4557. IMO Resolution A1183(33) subsequently called on States not to recognise Russian administrative decisions or documents where doing so could imply recognition of an altered territorial status, to inform vessels, owners, operators and insurers of Ukraine's closed-port regime, and to investigate alleged violations.¹⁷ Russian documentation cannot overcome the absence of lawful Ukrainian port authority.

Enforcement operates across the facilitation chain

Trade in occupied-ports engages different States at different points. Ukraine retains the relevant coastal and port authority over its ports. Flag States must exercise jurisdiction and control over vessels flying their flag. Destination port States exercise jurisdiction over access to, and activities within their ports and, subject to the applicable legal basis, may inspect documentation, refuse or impose conditions on port access or services, and take customs, sanctions or other enforcement action.¹⁸ There is no general right of commercial access to a foreign port.

EU sanctions framework adds a more specific layer. Regulation 2022/263 prohibits the import into the European Union of goods originating in the specified non-government-controlled areas of Donetsk, Kherson, Luhansk and Zaporizhzhia, together with related financing, financial assistance, insurance and reinsurance. Its exception for relevant goods turns on examination and certification by the competent Ukrainian authorities, not Russian-issued 'proof' of origin.¹⁹ The Regulation's anti-circumvention rule is particularly important where cargo is re-routed, transferred, blended or re-documented before reaching the EU.

EU law also permits vessel-specific disruption. Article 3s of Regulation 833/2014 provides for listed vessels to be denied EU port access and specified maritime services, including where the relevant designation criteria are met in connection with the transport of stolen Ukrainian grain or other

16 Hague Regulations 1907, arts 42–43, 46–47, 52, 55; Geneva Convention IV, arts 33, 53; Armed Activities on the Territory of the Congo (DRC v Uganda) (Judgment) [2005] ICJ Rep 168, paras 245–250 assessing.

17 Order of the Ministry of Infrastructure of Ukraine No 256 (n 2); IMO, 'Communication from the Government of Ukraine' Circular Letter No 4557 (4 May 2022); IMO Assembly Resolution A1183(33) (n 4) paras applies these principles directly to maritime contexts 10–11, 20–23.

18 United Nations Convention on the Law of the Sea (UNCLOS) arts 11–12, 18, 25(2), 33, 94.

19 Council Regulation (EU) 2022/263, arts 2(1)–(2)(b), 8, 15; Council Regulation (EU) 2022/1903.

conduct supporting Russia's war or sanctions circumvention.²⁰ Directive 2024/1226 adds the criminal-enforcement layer by requiring Member States to criminalise specified intentional violations of EU restrictive measures.²¹

Private actors enter the same chain through different legal pathways. Insurers, banks, brokers, charterers, surveyors, traders and buyers may be subject to sanctions, customs rules, domestic criminal or civil law and contractual obligations. Separately, UN Guiding Principles establish the international baseline for responsible business conduct, while related conflict-sensitive guidance calls for heightened human-rights due diligence in conflict-affected settings.²² These standards do not require a company to establish criminal liability before declining a transaction. Where lawful origin and route cannot be reliably established, refusal or suspension may be prudent and, depending on the applicable law, required by law.

Applying the frameworks together

These frameworks regulate different parts of the same transaction. Non-recognition prevents Russian control and Russian-issued documentation from acquiring lawful territorial or administrative effect. Occupation law governs Russia's administration of the territory and treatment of property and resources. The law of the sea allocates authority, obligations and enforcement powers among Ukraine, flag States and destination port States. Sanctions law determines when particular goods, services, vessels or transactions are prohibited or restricted. Private actors may be subject to applicable domestic legal obligations and, separately, their conduct is informed by conflict-sensitive due-diligence standards.

While these legal bases must remain distinct, they should not be applied in isolation. A transaction involving occupied-port infrastructure may engage several simultaneously as it moves from resource extraction and documentation to shipping, insurance, financing and destination-market access. The goal is therefore to apply the existing rules coherently and consistently across the facilitation chain.

3. THE OPERATIONAL STANDARD: REFUSE DIRECT LINKS, VERIFY CONCEALED LINKS

The appropriate response depends first on the nature of the connection to occupied Ukrainian territory.

Where the connection to Mariupol, Berdiansk or other occupied Ukrainian infrastructure is direct and visible, the transaction should be refused. A vessel calling at an occupied port, cargo documented as loaded there, or a transaction expressly dependent on Russian administration of occupied Ukrainian infrastructure should not receive ordinary commercial treatment.

Where the connection is indirect, concealed or uncertain, credible indicators should trigger an operational presumption of illegality and affirmative verification. The actor seeking to move, insure,

20 Council Regulation (EU) 2024/1745, art 1(10), inserting art 3s into Council Regulation (EU) No 833/2014.

21 Directive (EU) 2024/1226, arts 1, 3–4.

22 OHCHR, Guiding Principles on Business and Human Rights (2011), principles 7, 11, 13, 17; UNDP and UN Working Group on Business and Human Rights, Heightened Human Rights Due Diligence for Business in Conflict-Affected Contexts (2022) 17–23; OECD-FAO, Guidance for Responsible Agricultural Supply Chains (2016).

finance, certify, discharge, purchase or otherwise facilitate the cargo should establish lawful origin and route through reliable evidence independent of Russian authorities. If that cannot be done, the transaction should be refused, suspended or referred for investigation.

Risk category	Core Inquiry
Port nexus	Did the vessel enter, attempt to enter, load at, depart from or otherwise support activity connected to Mariupol, Berdiansk or another Russia-occupied Ukrainian port?
Documents	Who issued or validated the port, customs or origin documents? Can the declared origin, loading point and export authority be verified through competent Ukrainian or other reliable independent sources?
Route and vessel	Is the vessel's actual movement consistent with its declared port calls, documentation, commercial purpose, ownership structure and trading history? Consider unexplained AIS gaps, intermediate calls, loitering or ship-to-ship transfers.
Cargo and counter-parties	Does the commodity or counterparty correspond to documented patterns of occupation-linked extraction, export or infrastructure activity, including grain, coal, minerals or Russian-controlled port and trading entities?
Source inconsistencies	Do independent sources corroborate the commercial account, or suggest that origin, loading point, ownership or route has been concealed or misrepresented?
Lawful origin evidence	Has the party seeking to facilitate the transaction produced affirmative evidence of lawful origin and route from sources independent of Russian authorities?

These indicators are not individual proof of illegality and should be assessed cumulatively. The operational presumption governs the following logic: an isolated anomaly may justify further inquiry; converging indicators may require suspension and investigation; and evidence of repeated occupied-port activity, deceptive documentation or facilitation may support stronger measures where the applicable legal basis and evidentiary threshold are met.²³

4. POLICY RECOMMENDATIONS: WHO SHOULD ACT AND HOW

Disruption should occur at the points where occupied-port trade depends on external acceptance, services or market access. The relevant actors have different powers and legal responsibilities; the common approach must be that direct links should lead to refusal, while concealed or uncertain links should trigger verification and suspension until the lawful origin and route are established.

For customs and destination port authorities

- 1. Refuse directly linked shipments.** Where a vessel, cargo or documentary chain is directly connected to Mariupol, Berdiansk or another closed Ukrainian port, clearance or discharge should be refused.

²³ IMO Assembly Resolution A1192(33), 'Urging Member States and All Relevant Stakeholders to Promote Actions to Prevent Illegal Operations in the Maritime Sector by the "Dark Fleet" or "Shadow Fleet"' (6 December 2023) IMO Doc A 33/Res1192.

2. **Require affirmative verification where the link is concealed or uncertain.** Authorities should compare commercial documents with vessel movements, port history and other available information and, where appropriate, verify origin and loading information with the competent Ukrainian authorities. If lawful origin and route cannot be affirmatively established, clearance or discharge should be refused or suspended.
3. **Use available enforcement powers where the legal threshold is met.** Depending on the applicable legal framework and evidence, this may include inspection, suspension of clearance or discharge, customs or sanctions proceedings, detention, seizure or referral for administrative or criminal investigation.

For flag States

4. **Investigate credible links with occupied ports involving vessels flying their flag.** Inquiries should examine AIS and voyage data, logbooks, manifests, port and cargo documents, ownership and management structures and explanations provided by the master or operator.
5. **Act on established violations.** An AIS gap alone does not establish unlawful conduct, but an unexplained inability to account for a vessel's movements should not be treated as a neutral gap. Where registry, sanctions, maritime or domestic law violations are established, flag States should use available administrative or enforcement measures and cooperate with Ukraine and relevant destination States.

For IMO Member States and relevant IMO bodies

6. **Give practical effect to Ukraine's closed-port notifications and IMO Resolution A1183(33).** Maritime administrations should ensure that vessels, shipowners, operators, insurers, brokers and port authorities remain on notice that Mariupol and Berdiansk are closed Ukrainian ports and that Russian-issued documents cannot establish a lawful alteration of their status.
7. **Maintain scrutiny of occupied Ukrainian ports within the IMO.** Reports of suspected violations should be examined by competent national authorities, while Russian administrative measures and maritime practices affecting occupied Ukrainian ports should remain under active institutional review.

For sanctions and domestic enforcement authorities

8. **Target the facilitation network, not only the vessel.** Investigations should examine the owners, operators, managers, charterers, traders, Russian-controlled port administrations, insurers, financiers and other service providers that enable occupied-port trade.
9. **Use existing sanctions and domestic enforcement mechanisms where their criteria are met.** Repeated closed-port calls, occupation-linked documentation, concealment of the origin of cargo and involvement in the exploitation or development of occupied infrastructure may be relevant to designation or other restrictive measures. Authorities should also examine possible sanctions circumvention, false customs declarations, fraudulent documentation, prohibited financial or insurance services and

unlawful importation. Suspicious indicators justify inquiry and evidence preservation; they do not by themselves establish liability.

For maritime, financial and commercial actors

- 10. Refuse services to directly linked transactions.** Insurers, P&I clubs, brokers, charterers, banks, surveyors, certification bodies, traders and buyers should not facilitate transactions directly dependent on closed Ukrainian ports or Russian administration of occupied Ukrainian infrastructure.
- 11. Suspend and verify concealed or uncertain links.** Where credible indicators point to a link with occupied territory but the connection is not yet established, services should be suspended or declined unless lawful origin and route can be demonstrated through reliable evidence independent of Russian authorities.
- 12. Apply the standard at the point each actor controls.**
 - Insurers and P&I clubs: do not provide or maintain cover for directly linked transactions; suspend, reserve or decline cover where credible unresolved indicators are present.
 - Brokers and charterers: refuse directly linked fixtures and do not rely solely on formally complete charter parties or bills of lading where surrounding facts contradict the documentary account.
 - Surveyors, cargo inspectors and certification bodies: do not issue certificates that confer commercial credibility to cargo whose origin depends on Russian-issued documentation and cannot be independently verified.
 - Banks and financial intermediaries: do not process payments directly supporting closed-port trade; suspend transactions where concealed links remain unresolved.
 - Traders, importers and buyers: do not purchase directly linked cargo and require affirmative evidence of lawful origin and route where credible indicators point to occupied territory.

For civil society organisations and investigators

- 13. Build tailored evidence packages for decision-makers.** Referrals should identify the vessel, cargo and relevant commercial actors; reconstruct the route and documentary chain; explain the occupation nexus; distinguish verified facts, corroborated findings, reasonable inferences and legal conclusions; identify the applicable legal or regulatory basis; and specify the action sought.

** Civil society should provide actionable information, but the responsibility for establishing the facts necessary for public enforcement or commercial decision-making remains with the relevant authority or market actor.*

CONCLUSION: FROM NON-RECOGNITION TO DISRUPTION

Russia's attempt to make Mariupol and Berdiansk function as ordinary commercial ports is part of a wider effort to convert military occupation into durable economic and administrative integration. If that process is allowed to continue, so will the use of occupied Ukrainian infrastructure to extract and export Ukrainian resources, redirect trade through Russian-controlled systems and progressively embed the occupation within international supply chains.

The danger lies in the cumulative effect. A vessel call, Russian-issued document, insurance arrangement, payment, certification or foreign-port discharge may appear technically sound when examined alone. However, when reviewed together, they can make an unlawful control commercially functional, depriving Ukraine and people living under occupation of control over property, resources, infrastructure and economic life while allowing Russia many of the practical benefits of a status which is not recognised by international law. That process must be disrupted at the transaction level: direct links should be refused; concealed or uncertain links should not proceed unless lawful origin and route are independently established. Non-recognition has little practical value if the economic machinery of occupation is nevertheless allowed to function.