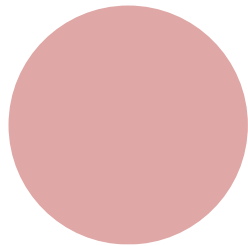


THE THREATS OF DARK SHIPS TO THE MARINE ENVIRONMENT: POSSIBLE ACTIONS BY SOME STATES

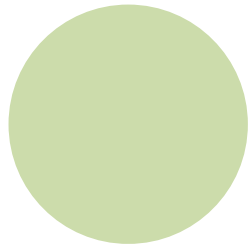
Dr. Nguyen Thanh Trung
Research Fellow, CIL

Conference on Maintaining Regional Maritime Stability: Challenges and Opportunities
Bintan, Indonesia, 31 October 2025

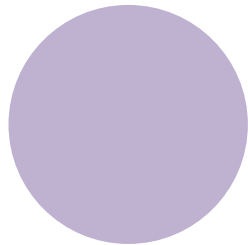
OUTLINE



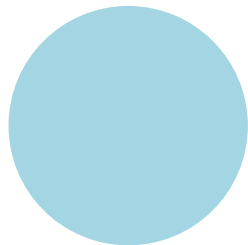
Issues: The environmental threats of the “Dark fleet”



Rules: IMO rules and UNCLOS



Applications: Is the current rules sufficient to address the dark fleet?



Conclusions: Practical solutions for SEA coastal States

WHAT IS A DARK SHIP?

News Media

- Solely deployed in **sanctioned oil** trades (Russia, Russia, Venezuela, etc.)
- Owners being sanctioned by G7
- Fraudulently registered
 - ❖ *Bloomberg, Reuter, etc.)*

Shipping Industry

- Aged 15 years or over
- **Spoofing locations**
- Anonymously owned
- Use of multiple flags over short periods of time
 - ❖ *Lloyd List's, MarineTraffic, etc.*

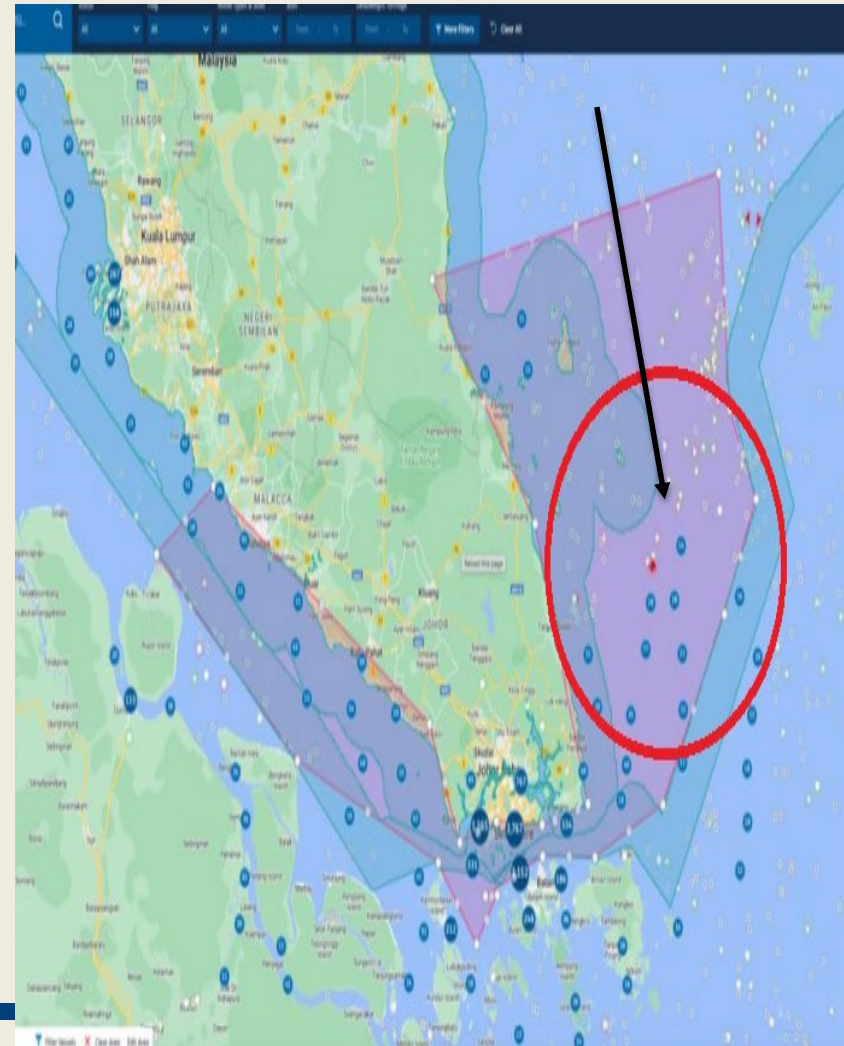
IMO

- Evading compliance with **safety or environmental regulations**
- Avoiding **insurance costs and screenings**
- **Disable AIS**
- Circumventing **sanctions**
 - ❖ *IMO Res 1192(33) adopted on 6 December 2023*

Estimated 600 – 1100 dark ships (8 – 14% global oil tanker fleet)

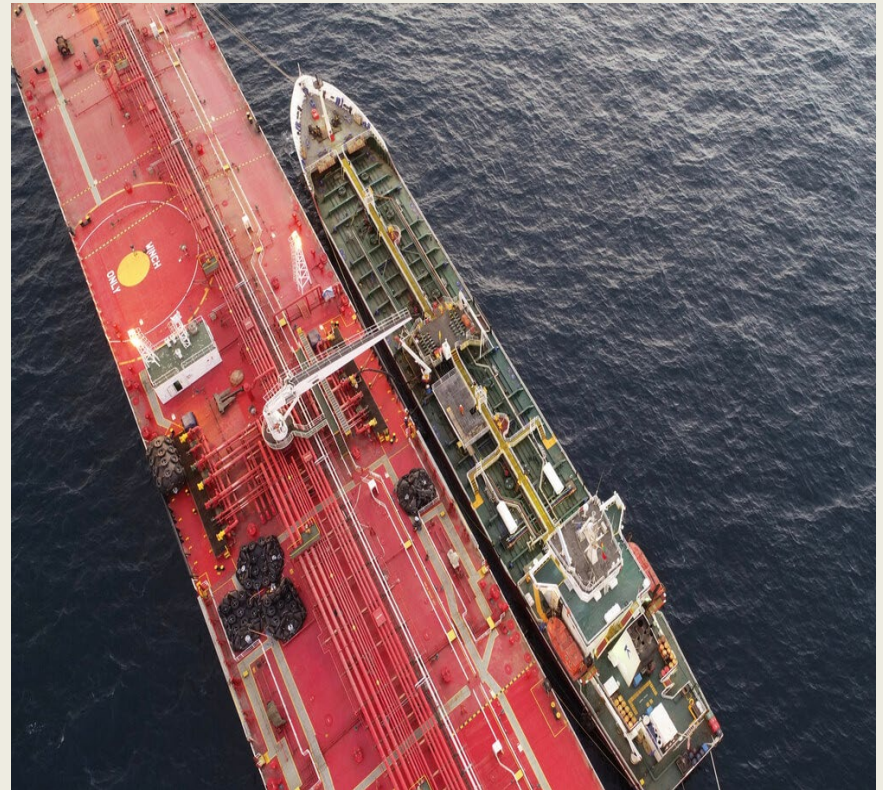
MODUS OPERANTI OF A DARK SHIP

- A dark ship would begin its journey from one of the Russian ports in the Baltic Sea.
- It would then go through **Strait of Malacca and Singapore** to Asia.
- The tankers anchor in **Malaysia or Indonesia EEZ**.
- Tankers from importing countries would come to do **an STS** and return to their countries.



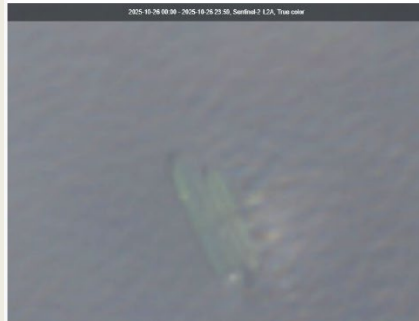
WHY DO SHIPS WANT TO DO STS?

- The shipowner doesn't want to **pay port fees**
- The fear of **being inspected** in ports
- The need to **mask the oil origins** to dodge sanction
- Buyers of oil do not want risky activities to happen in their waters so they **transfer the risk** to another country.



IDENTIFYING SHIP TO SHIP TRANSFER USING SATELLITE TECHNOLOGY

26 OCT: [Sentinel-2](#), StS-01

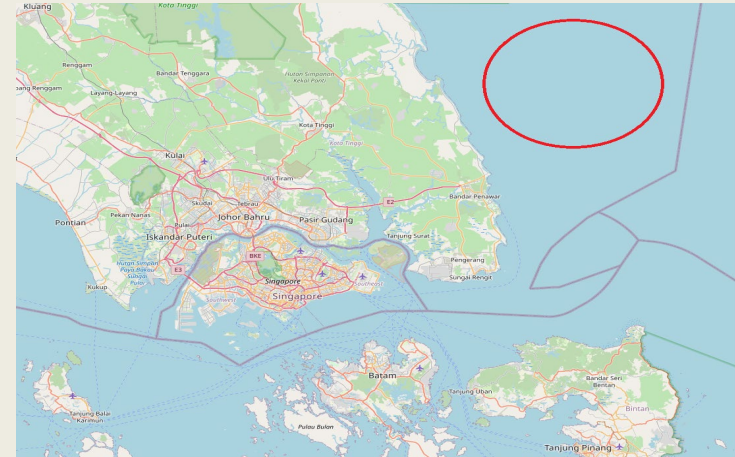


Date	26 OCT 2025
Daily StS #	StS-01
Event Serial #	
Posit	2 16087, 104.73317
Source	Sentinel-2
Link	Link
Name	
IMO	
Link	
TankerTrackers	
UANI	
OFAC	
Name	
IMO	
Link	
TankerTrackers	
UANI	
OFAC	

26 OCT: [Sentinel-2](#), StS-05



Date	26 OCT 2025
Daily StS #	StS-05
Event Serial #	
Posit	1.92351, 104.70359
Source	Sentinel-2
Link	Link
Name	
IMO	
Link	
TankerTrackers	
UANI	
OFAC	
Name	
IMO	
Link	
TankerTrackers	
UANI	
OFAC	



Malaysia's Exclusive Economic Zone

26 OCT: [Sentinel-2](#), StS-03



Date	26 OCT 2025
Daily StS #	StS-03
Event Serial #	
Posit	2 14149, 104.78595
Source	Sentinel-2
Link	Link
Name	
IMO	
Link	
TankerTrackers	
UANI	
OFAC	
Name	
IMO	
Link	
TankerTrackers	
UANI	
OFAC	

Source: Charlie Brown (@supbrow on X)

Threat of the Dark Fleet to the Marine Environment

Dark ships activities present a major environment threat

- Dark ships are **vintage tankers** (over 20 years old)
- Dark ships engaged in **STS** without supervision
- Dark ships are **not inspected** to comply with safety standards
- Dark ships are **uninsured** by reputable P&I clubs
- Dark ships are **fraudulently registered**
- Dark ship owners are **untraceable**

In case of an oil spill or collision, coastal States **cannot claim compensation**

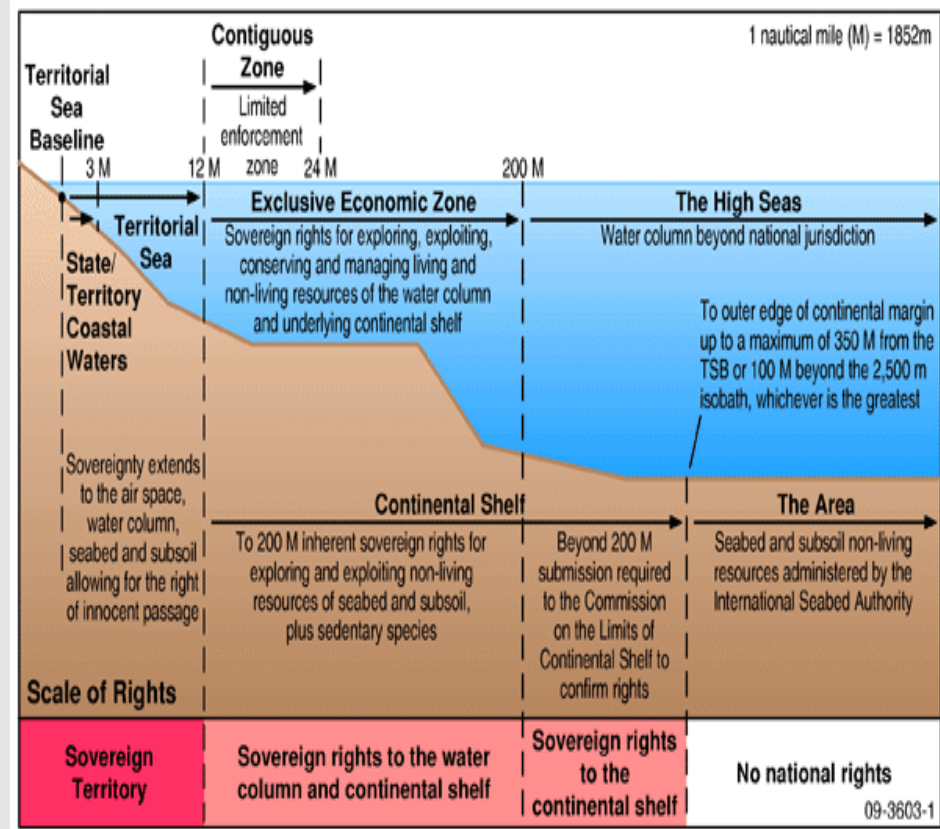
Dark ships that exploded in the sea (PABLO and CERES I)



- **20+ years-old** oil tankers
- History of **flag-hopping**
- History of trading **sanctioned oil**
- Happened in **Malaysia's EEZ**
- Flag state **not responding**
- Beneficial owner is **unknown**
- Insurance is **unknown**

UNCLOS and the Regulation of Shipping

- UNCLOS divides the sea areas into **different zones** (TS, AW, EEZ, and the HS)
- In **port waters**, the CS has full sovereignty over ships.
- In **TS**, ships enjoy innocent passage (Art. 17)
- In the **AW, EEZ and the HS**, ships enjoy freedom of the high seas (Art. 87)
- **Flag States have exclusive jurisdiction of ships** flying their flag when they exercising the freedom of the high seas (Art. 92)
- **Stateless vessels** have no rights of passage under international law



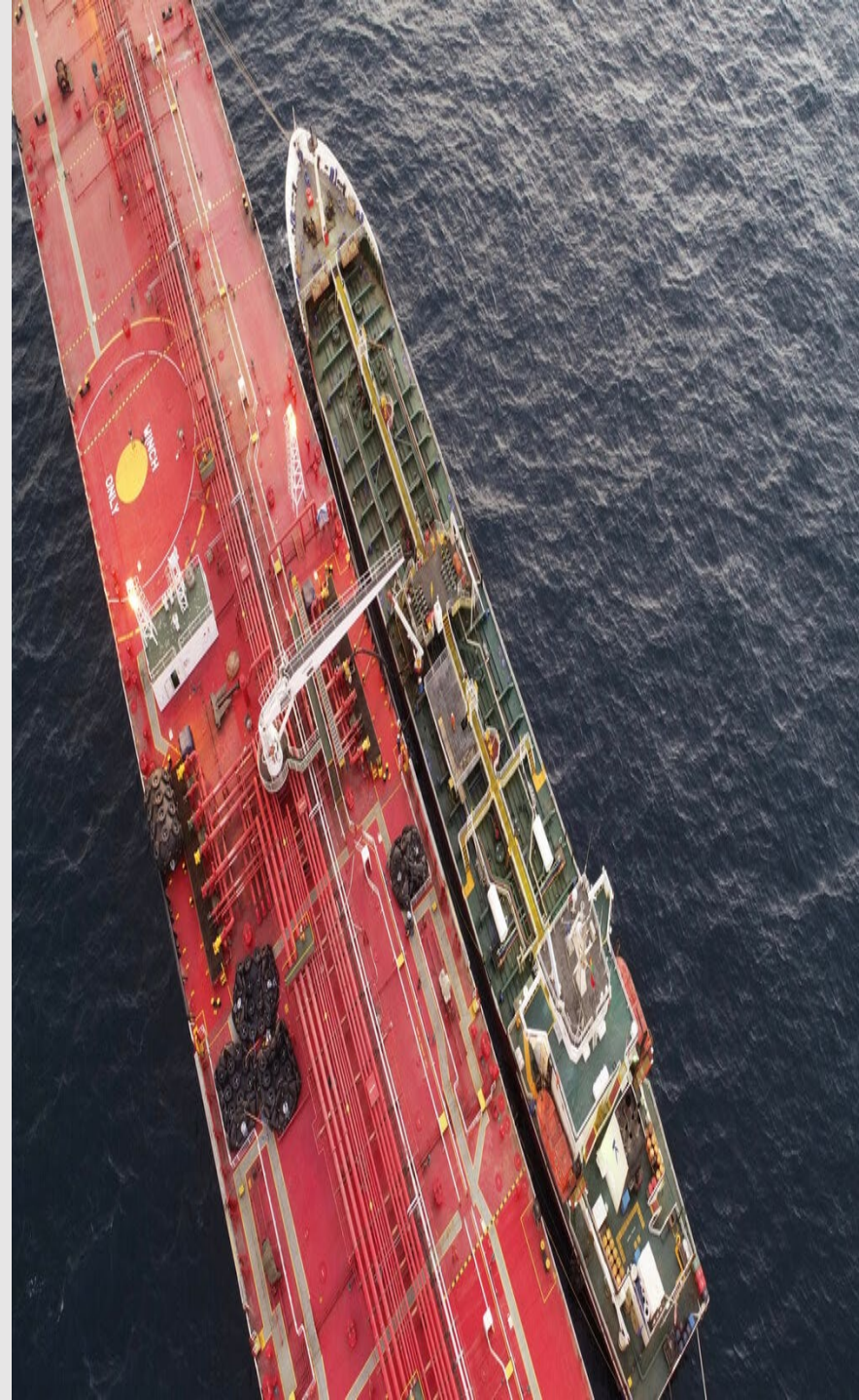
IMO rules and the Regulation of Shipping

- **IMO** is the **competent international organization** for shipping
- **SOLAS**: All vessels must have their **AIS switched on** and **be inspected** to ensure safety
- **MARPOL**: The tanker **must notify coastal States 48 hours in advance** of its STS Operation Plan when inside the TS or EEZ (Reg. 42 Annex I).
- **CLC & Fund**: All vessels must have **adequate insurance** and carry papers on-board



Summary of the Problem

- UNCLOS and IMO Conventions place the primary obligation to regulate shipping activities on the flag States and port States, **assuming that** States exercise their jurisdiction **effectively** and all ships eventually **come into ports**.
- Dark ships usually fly flags of countries that **have no interests nor capacity** to monitor their ships and **do not come into ports**



The Legal Basis for Coastal States to protect Their Marine Environment under UNCLOS

UNCLOS (Part III and Part XII)

- **UNCLOS does not allow:**
 - Coastal States to physically inspect, institute proceedings or detain the vessel in the TS and EEZ **unless** there is a violation resulting in a substantial discharge causing or threatening significant pollution of the marine environment.
 - Littoral States to **suspend transit passages**.
- **UNCLOS allow:**
 - **Art. 42:** Littoral States **may adopt laws and regulations for transit passage** for the prevention, reduction and control of pollution, **by giving effect to [IMO rules]**
 - **Art. 211(5) and Art. 233:** Coastal and littoral States may **in respect of their EEZ adopt laws and regulations** for the prevention, reduction and control of pollution from vessels conforming to **and giving effect to [IMO rules]**
 - **Art. 220(3):** Where there are clear grounds for believing that a vessel has, in the EEZ, **committed a violation of [IMO rules]** on ship-source pollution the State may **require the vessel to give information**

MARPOL: STS Transfer Plan and notify coastal States 48 hrs before the operation

SOLAS: AIS turned on and vessels be inspected by ROs

CLC& FUND: Must carry insurance on-board

IMO Res 1192(33) adopted on 6 December 2023
ENCOURAGES coastal States to (i) take **appropriate actions** in cases of non-compliance and (ii) **collaborate to improve monitoring** of these practices and operations;

RECOMMENDATIONS FOR SOMS STATES

- **Indonesia**, **Singapore** and **Malaysia** can develop a list of suspected dark ships and actively track them through ship tracking services or TSS.
- **Indonesia** and **Malaysia** can develop “STS-permitted zones” in its TS or EEZ.
- **Singapore** and **Malaysia** can require bunkers and chandlers service to report dark ships’ activities
- **Indonesia**, **Singapore** and **Malaysia** can report and arrest vessels that are fraudulently registered (“false flag”)
- In case of dark ships’ STS in the TS and EEZ, **Indonesia** and **Malaysia** can:
 - Approach suspected dark ship conducting without notification in its EEZ and request the captain to give STS Operation Plan and CLC Insurance Certificate.
 - If the flag State and ship captain refuse, the coastal State could report to the flag State and record their information
 - If the vessel is fraudulently registered: detain the ship for investigation.



TRACKING DARK SHIPS

Dark Shipping Examples (using Starboard Maritime Intelligence MDA tool)

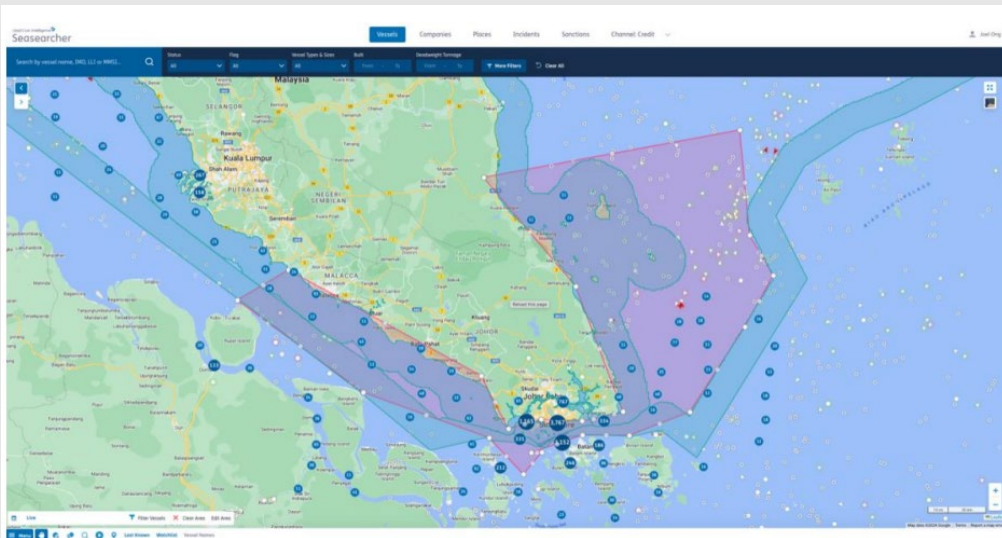
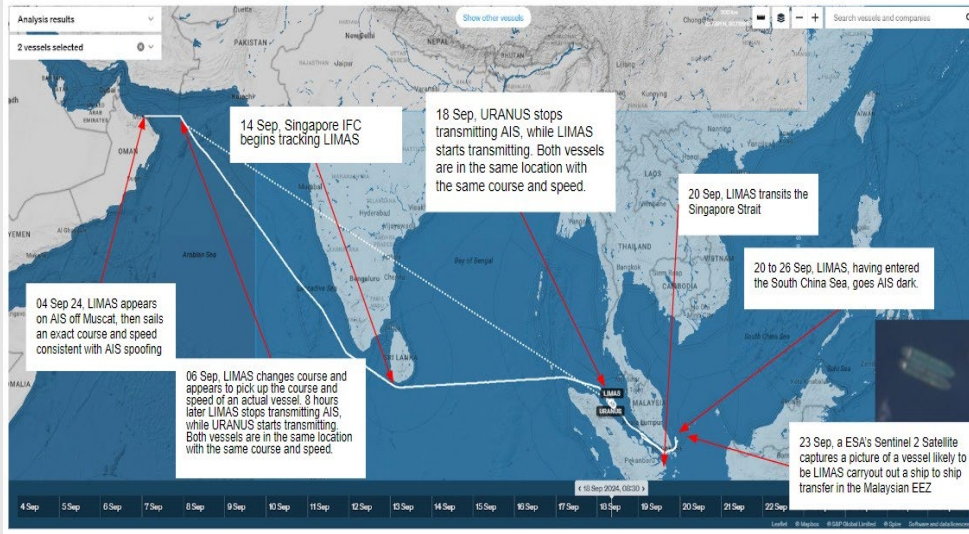
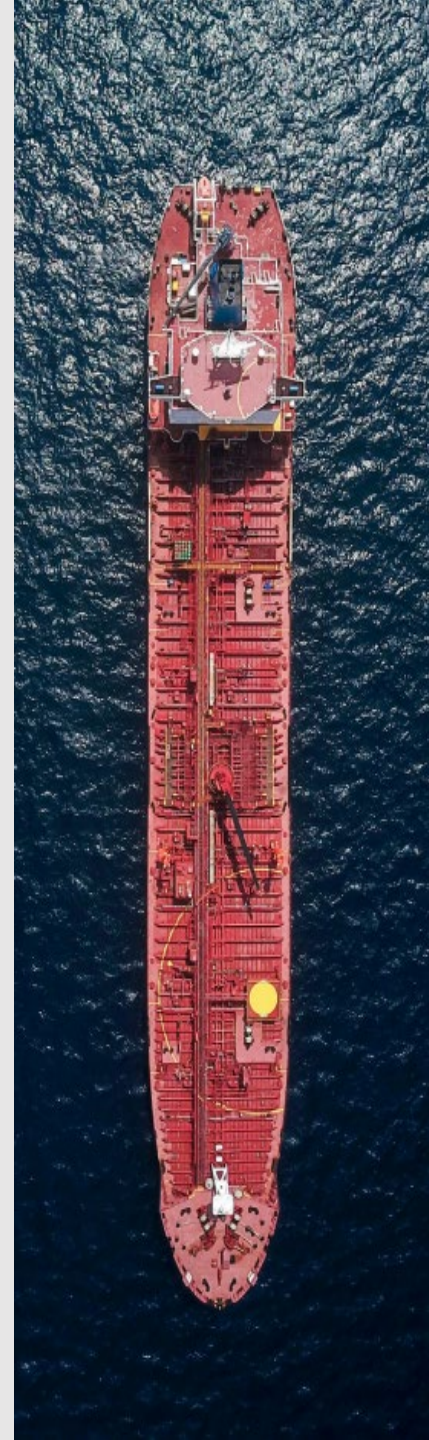


Fig. 5: Defining area of interest via user-drawn polygon



CIL GUIDE TO TRACKING SHIPS IN THE DARK FLEET

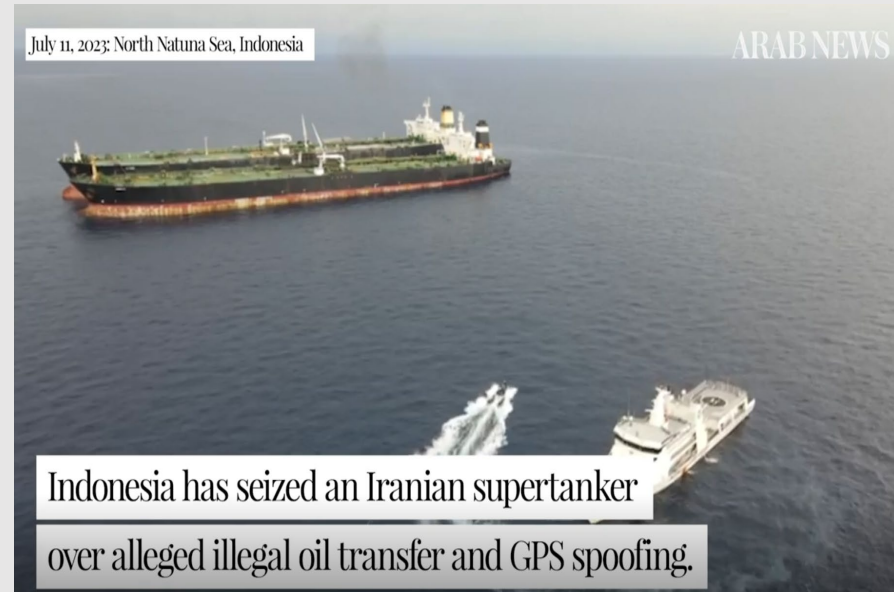
Sean Woon
Joel Ong

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CENTRE FOR INTERNATIONAL LAW
National University of Singapore

ARMAN 114 MV: EXAMPLE OF COLLABORATION

- MT Arman 114 (Iran-flagged) and MT S Tinos (Cameroon-flagged) spotted doing STS near North Natuna Sea on 11 July 2023
- **Red flags:**
 - Spoofed AIS to show in Red Sea
 - Did not have STS Operation Plan
 - Refused to communicate
 - Tried to escape
- MT Arman was impounded by Indonesia authorities in Malaysia EEZ with the help of MMEA
- The captain of the ship was being prosecuted in Indonesia



SUMMARY AND RECAP

- ✓ Dark ships have evolved from a sanction issue to **environmental threat** for coastal States
- ✓ The current rules emphasize on **flag and port State's enforcement** to prevent infringement of FON of vessels in international water
- ✓ The UNCLOS provides coastal States the means to **protect their marine environment**:
 - Cooperate with other States in the region to monitor and detain dark ships when they are in ports.
 - Adopt laws and regulations to regulate shipping activity and protect their marine environment.
 - Take enforcement actions against fraudulently registered ships.



Thank You

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