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ShipArrested.com 2025
19th Annual Members Conference

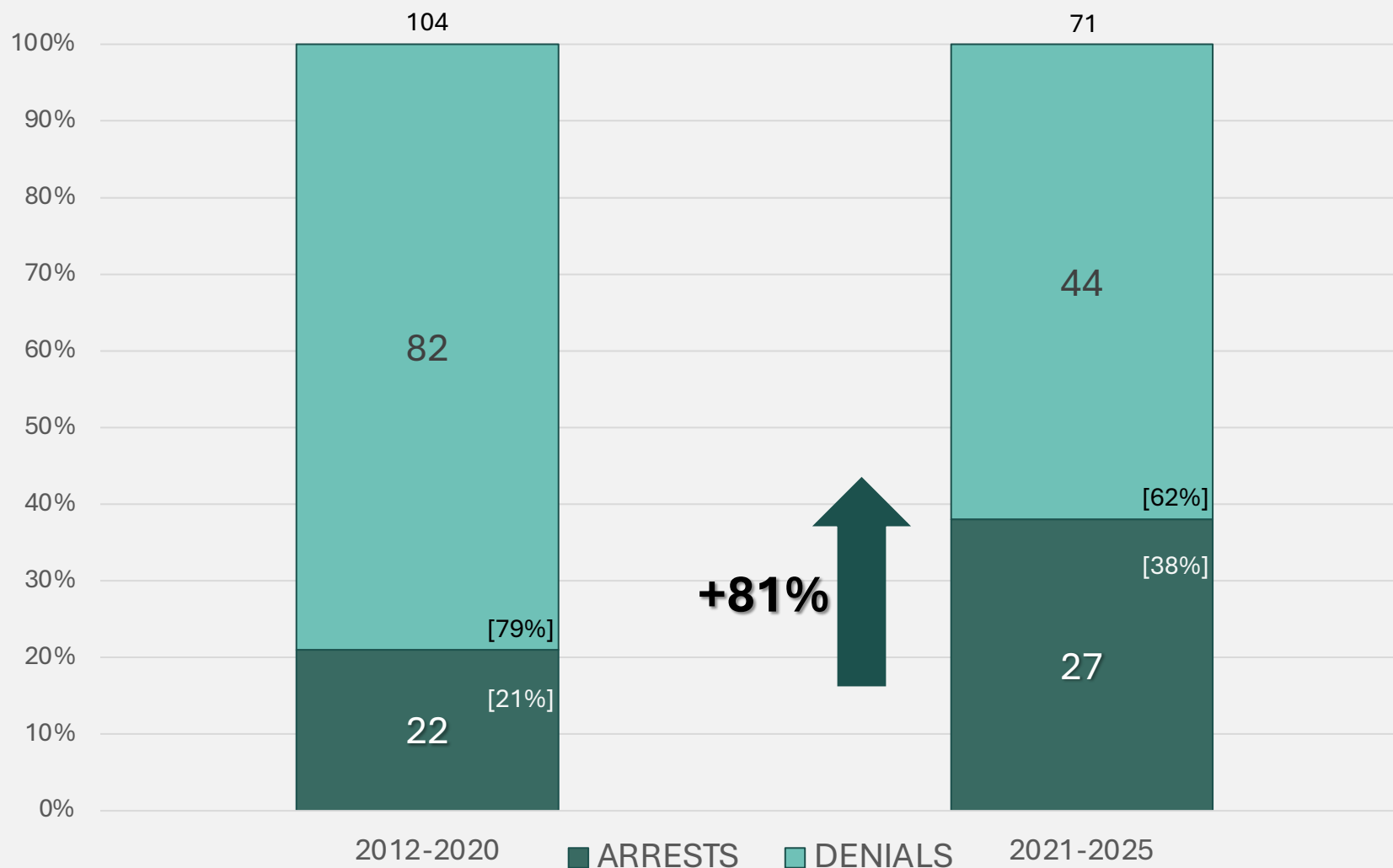
Ship Arrests Trends

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President of Russian Maritime Law
Association(RUMLA)*





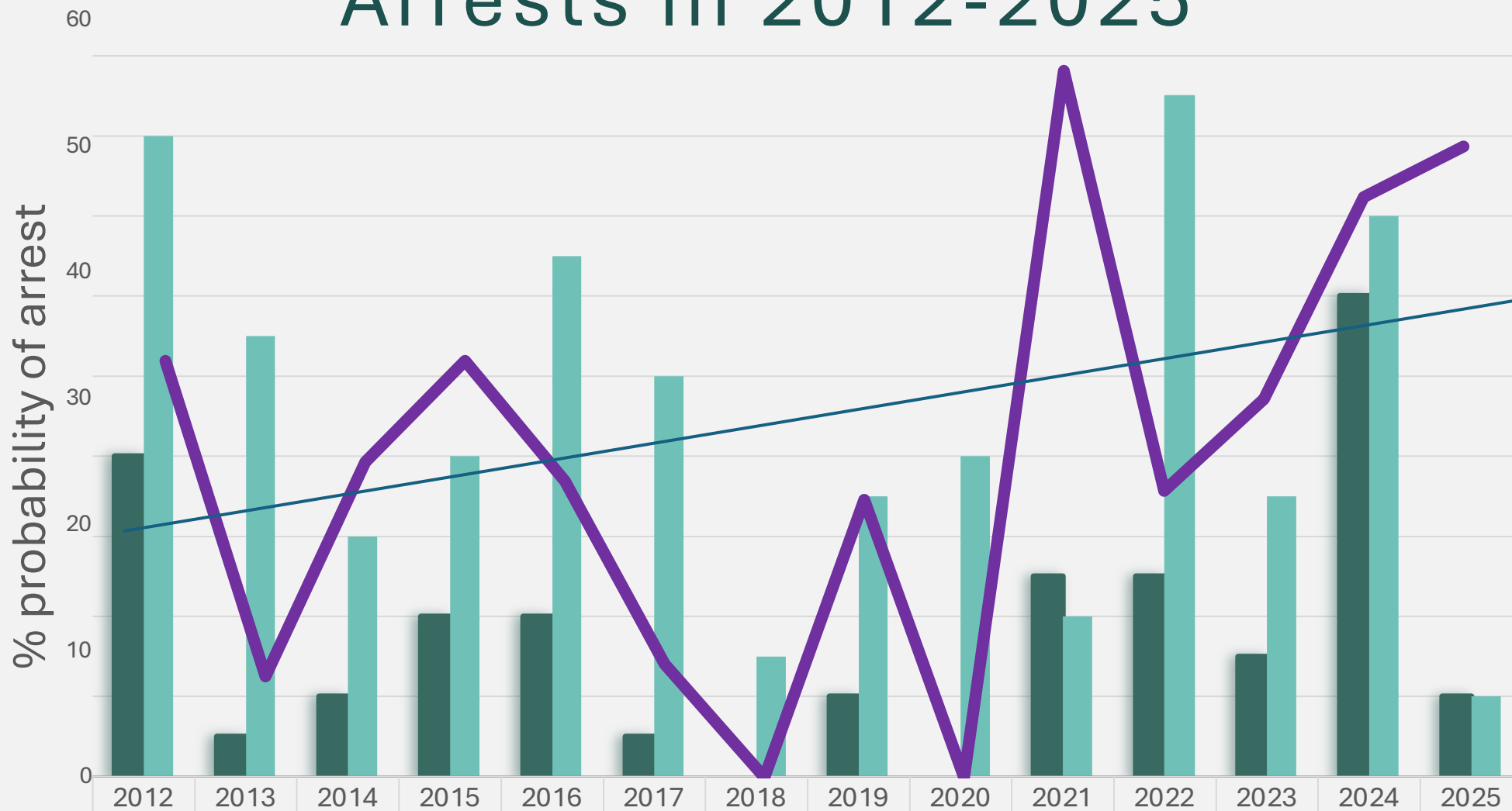
Outcomes in Arrest Cases: Then and Now



- Every **third** vessel was arrested in 2021-2025;
- Of the **27 arrests** in 2021-2025, **22** were of **foreign-flagged vessels**;
- **Of the 44 denials** in 2021-2025, **19** were related to **Russia-flagged vessels**.



Arrests in 2012-2025



Arrests	8	1	2	4	4	1	0	2	0	5	5	3	12	2
Denials	16	11	6	8	13	10	3	7	8	4	17	7	14	2



Arrest statistics by regions in 2021-2025





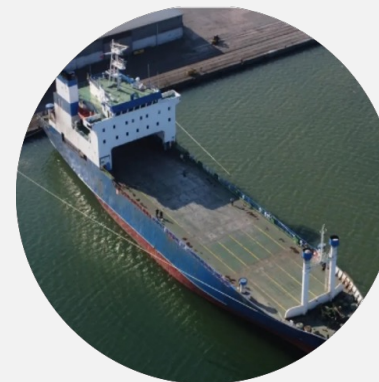
NOTABLE CASES



VETLUGA



HONRISE

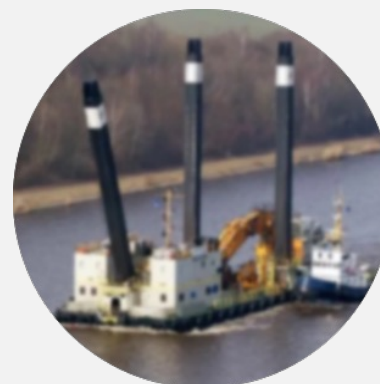


GUZEL

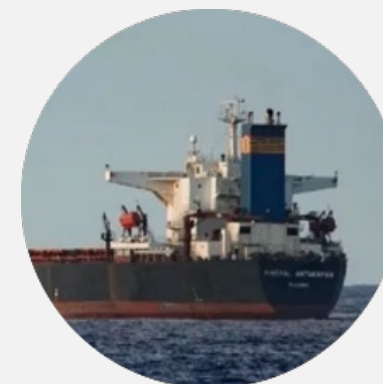


CALIDA

BOSKALIS

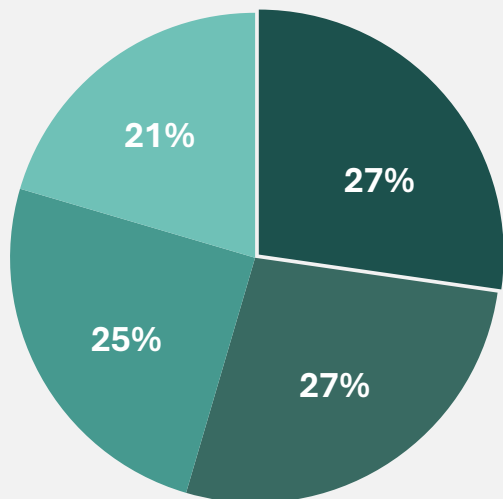


ANTWERP





TOP motives for arrest

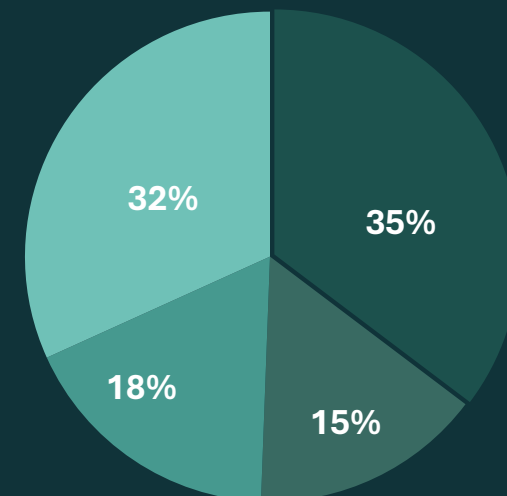


- no information about other assets of the defendant
- risk of vessel leaving jurisdiction
- potential impossibility/complexity of enforcement of future judgement

Conditions for arrest:

- **Maritime claim (or lien);**
- **Proportionality** of interim measures to the claim;
- **Risk of non-enforcement** of the future judgement;
- **Balance of rights and interests** of the parties of the dispute.

TOP motives for denial



- unjustified losses for the defendant or third parties
- no evidence that the ship is going to be sold
- no evidence of potential complexity to enforce the future judgement
- other reasons



JUDICIAL PRACTICE

1952 Arrest Convention*ARTICLE 6*

*The rules of procedure relating to the arrest of a ship, to the application for obtaining the authority referred to in Article 4, and to all matters of **procedure** which the arrest may entail, **shall be governed by the law of the Contracting State** in which the arrest was made or applied for.*

Commercial Procedure Code*Article 90. Grounds for interim measures*

*(2) Interim measures shall be allowed at any stage of commercial proceedings if failure to take such measures **may make it difficult or impossible to enforce a judgement**, including if the enforcement of the judgement is expected to take place abroad RF, as well as in order to prevent significant damage to the applicant.*



JUDICIAL PRACTICE

m/v VETLUGA allision with m/v LODESTAR WAY



Commercial Court of Krasnodar Region

(A32-8336/2024)

- *m/v VETLUGA - Russian flagged vessel (homeport St.Petersburg)*
- *Operated by a Russian Legal entity (the Respondent)*
- *The Respondent operates other vessel(s)*
- *Liability Insurance with a Russian underwriter*
- *Claimant – Marshall Islands Company*
- *m/v LODESTAR WAY - Liberia*



REVERSAL OF THE BURDEN OF PROOF

MEKHANIK YUZVOVICH (2021)

*The applicant has not provided evidence on the absence of other assets belonging to the defendants, which would allow to enforce the judgement. Moreover, based on the information contained on the website portcall@marinet.ru, the vessel 'Mekhanik Yuzvovich' makes regular calls to the port of Taganrog, **which indicates active business engagement.** Restriction of movement (use, operation) **will affect the rights of the vessel owner and commercial operator and cause them material damage.***

VETLUGA (2024)

*“The applicant has no reliable information about any other assets owned by the Defendant other than the Vessel. <...> The balance of interests of the parties is also maintained, since **the Defendant has a second vessel in commercial operation.** Consequently, the arrest of the Vessel will not create obstacles for the Defendant in carrying out business activities, will not entail its suspension.”*

DENIAL

ARREST



JUDICIAL PRACTICE

m/v VETLUGA allision with m/v LODESTAR WAY



Commercial Court of Krasnodar Region

(A32-8336/2024)

1. *Arrest the vessel*
2. *Prohibit the Novorossiysk Harbour Master to issue permission to sail*
2. *Prohibit the Yeysk Harbour Master to issue permission to sail*
4. *Prohibit the St. Petersburg Harbour Master from performing any registration actions.*

m/v VETLUGA



m/v CALIDA cw m/v STARLIT (exLACONIA)

(A56-1972/2025)

Commercial Court of Saint-Petersburg and Leningrad Region





JUDICIAL PRACTICE

m/v CALIDA cw m/v STARLIT (exLACONIA)

(A56-1972/2025)

Commercial Court of Saint-Petersburg and Leningrad Region

- 31 December 2024 -collision, several million USD damages
- 13 January 2025 –first business day, filed for arrest of CALIDA
- 14 January 2025 –filed for arrest of STARLIT
- 16 January 2025 –both applications suspended
- Settlement out-of-court

The Court to both applicants:

“the applicant did not submit to the court a document confirming the counter-security in the amount corresponding to the amount of security sought”



JUDICIAL PRACTICE

m/v GUZEL



Commercial Court of Krasnodar Region

(A32-66449/2023)

- The claimant – Port an entity with sanctioned shareholders & persons, and state interests
- Turk P&I - refusal to issue LOU, risk of secondary sanctions (reinsurance on the London Market)
- Long-lasting arrest
- Settlement agreement

The Court:

“The damaged Pier 39A is a specialized pier for ferry handling. Failure to impose preliminary interim measures may lead to the inability to promptly restore the normal operation of the pier and entail additional costs for its restoration.”



JUDICIAL PRACTICE

m/v HONRISE

(A56-2539/2024)

Commercial Court of Saint-Petersburg and
Leningrad Region

- Time-charter dispute, arbitration clause Hong Kong

The Court:

- *No information about other assets*
- *Risk of the vessel leaving Russia thus making it impossible to enforce future judgement/award*
- *“the interim measure is of a temporary nature and does not prevent the Company ‘HONRISE SHIPPING CO LIMITED’ from carrying out its economic activities, which corresponds to the fundamental principle that determines the need to secure a claim - preservation of the existing status quo between the parties”*





JUDICIAL PRACTICE

m/v HONRISE

(A56-2539/2024)

Commercial Court of Saint-Petersburg and
Leningrad Region

- *Deposit of USD 380,000 (RUB equivalent) to court*
- *Arrest lifted in lieu of cash deposit*
- *Attempt to create jurisdiction sanctions and *forum arresti* arguments (but ! HK arbitration clause)*
- *The claimant failed to present evidence that the claim on the merits was filed to arbitration*
- *Deposit returned*
- *Claim for damages for wrongful arrest (client did not proceed)*



ECCENTRIC CASES



"BOSKALIS" CASE



m/v ANTWERP

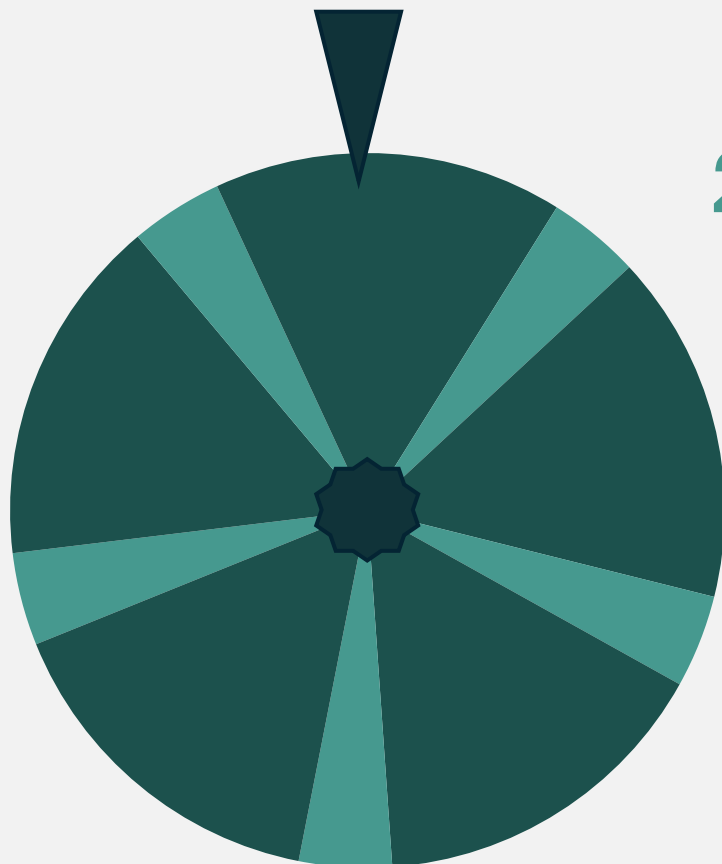




CONCLUSION

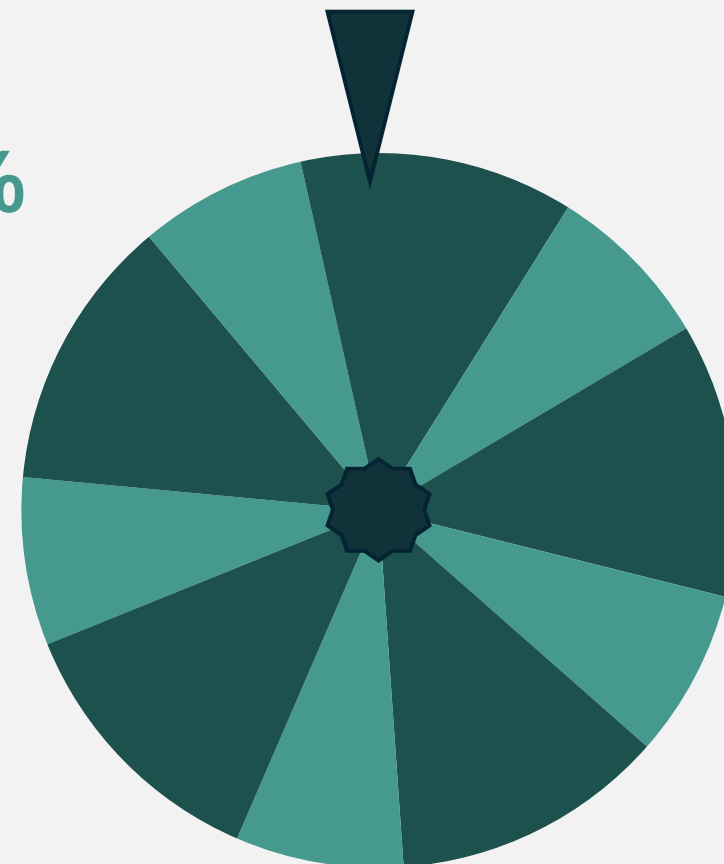
Then (2012-2020)

21%



Now (2021-2025...)

38%



THANK YOU
FOR
ATTENTION



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