

Migrant smuggling and sham marriages

✖Organised crime group dismantled

Eurojust/Europol joint press release

The Hague, 24 August 2018

On 22 August 2018, from a coordination centre at Eurojust, in the context of an investigation of the Public Prosecution Office Munich I, searches and arrests were synchronised in Romania and Poland against an organised crime group (OCG), involved in recruiting and trafficking men and women from India and Nepal into the European Union. The illegal immigrants participated in sham marriages in order to obtain residence permits. The Federal Police of Munich, cooperating with Europol and Eurojust, as well as with the Romanian and Polish national authorities, carried out 17 houses searches and executed five European arrest warrants.

Each migrant paid approximately EUR 12 000 to the smugglers for the full range of services, including the journey to Europe, entry to Germany, application for a residence permit, as well as the arrangement of the wedding ceremony.

During the action day, the national authorities of Germany, Romania and Poland, with the support of Eurojust and Europol, seized a significant amount of evidence, such as marriage certificates, business cards of wedding planners, unused wedding rings, electronic storage devices, and EUR 14 000 in cash. Europol, through its European Migrant Smuggling Centre, manned a mobile office to coordinate the police actions.

The investigations revealed so far at least 15 persons that had been smuggled for the purpose of entering into sham marriages. The total number of sham marriages conducted with the involvement of the OCG is allegedly much higher.

The investigations as well as the analysis of the secured evidence are ongoing.

Daily News 24 / 08 / 2018

Estonia joins European initiative to develop supercomputers

Estonia is the 21st European country to sign the [European declaration on high-performance computing](#) (HPC) with the aim to pool European and national resources to build and deploy world-class supercomputers that would be ranked in the world's top-three by 2022-2023. Vice-President for the Digital Single

Market Andrus Ansip attended the signing ceremony in Tartu, Estonia. With this signature, Estonia marks its intention to join the European cooperation on supercomputing – the [EuroHPC Joint Undertaking](#) that was proposed by the European Commission in January. The Vice-President welcomed Estonia's signature and said: *"Supercomputers are becoming the engine of our economy, fuelled by large amounts of data. The EU is currently lagging behind: we do not have any supercomputers in the world's top ten. This is why we have launched the EuroHPC initiative."* High-performance computing is needed to process ever larger amounts of data and help researchers make scientific breakthroughs in many areas from healthcare and renewable energy to car safety and cybersecurity. The EuroHPC Joint Undertaking, which is due to begin operations before the end of this year, will cover the whole value chain from technology components to systems and machines, and to applications and skills. It will offer expertise and training with a particular focus on helping small and medium-sized companies. The EU's contribution in the cooperation project will be around €486 million under the current EU budget, which should be matched by a similar amount from Member States and associated countries. Further details are available [here](#). More information on enhanced cooperation in the EU is available [here](#). (For more information: Christian Wigand – tel.: +32 229 62253; Inga Höglund – Tel.: +32 229 50698)

Mergers: Commission clears acquisition of LNG trading and optimisation business of EDF Trading by JERA Trading

The European Commission has approved under the EU Merger Regulation the acquisition of the LNG trading and optimisation business of EDF Trading Limited of the United Kingdom, by JERA Trading Pte Ltd, of Singapore. JERA Trading is jointly controlled by JERA Co. Inc., of Japan, and EDF Trading, belonging to the French EDF group. JERA Trading is currently active in coal and freight trading and optimisation. The Commission concluded that the proposed acquisition would not raise competition concerns, because it does not result in any overlaps. The transaction was examined under the simplified merger review procedure. More information is available on the Commission's [competition](#) website, in the public [case register](#) under the case number [M.8879](#). (For more information: Ricardo Cardoso – Tel.: +32 229 80100)

Mergers: Commission approves the acquisition of Sonae Sierra by Sonae

The European Commission has approved under the EU Merger Regulation the acquisition of sole control over Sonae Sierra SGPS SA ("Sonae Sierra") by Sonae SGPS SA ("Sonae"), a company ultimately controlled by Efanor Investimentos SA ("Efanor"), all of Portugal. Sonae Sierra is active in real estate services. Sonae is active in retail and wholesale distribution of food and non-food products and the management of related real estate assets, as well as in telecommunications, media and technology. Other companies controlled by Efanor are active in the production of wood-based boards and related products as well as in other sectors, such as tourism, hospitality, fitness, energy and refrigeration. The Commission found that, since Sonae already jointly controlled Sonae Sierra prior to the transaction, the acquisition will not bring a significant change in the market. The Commission concluded that the proposed acquisition would not raise competition concerns. The transaction was examined under the simplified merger review procedure.

More information is available on the Commission's [competition](#) website, in the public [case register](#) under the case number [M.9058](#). (For more information: Ricardo Cardoso – Tel.: +32 229 80100)

ANNOUNCEMENTS

Commissioner for Health and Food Safety Vytenis Andriukaitis in Minsk

On 27 August, Vytenis **Andriukaitis**, Commissioner for Health and Food safety will be in Minsk, Belarus to meet with Mr Mikhail I. Rusyi, Deputy Prime Minister and Mr Ivan Smilhin, Deputy Minister of Agriculture and Food, Director of the Department of Veterinary and Food Control, Mr Valery Malashko, Minister of Public Health and Mr Oleg Kravchenko, Deputy Minister of Foreign Affairs. *"I am looking forward to engaging in fruitful discussions with our Belarus counterparts on issues related to animal diseases, including African Swine Fever, bilateral market access issues, antimicrobial resistance, vaccination and non-communicable diseases among others"*, said Commissioner **Andriukaitis** ahead of the visit. On Tuesday, Commissioner will visit the [EU funded project site in Navahrudak](#) and the Lithuanian Centre of Education, Culture and Information in Rymdziuny. (For more information: Anca Paduraru – Tel.: +32 229 91269; Aikaterini Apostola – Tel.: +32 229 87624)

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ESMA to renew prohibition on binary options for a further three months

The European Securities and Markets Authority (ESMA) has agreed to renew the prohibition of the marketing, distribution or sale of binary options to retail clients, in effect since 2 July, from 2 October 2018 for a further three-month period. ESMA has also agreed on the exclusion of a limited number of products from the scope of the measure.

ESMA has carefully considered the need to extend the intervention measure currently in effect. ESMA considers that a significant investor protection concern related to the offer of binary options to retail clients continues to exist. It has therefore agreed to renew the prohibition from 2 October.

During its review of the intervention measure, ESMA considered the specific features of binary options currently within the scope of the measures. Certain binary options were found to have specific features which mitigate the risk of investor detriment, namely; they are sufficiently long-term (at least 90 days); are accompanied by a prospectus; and are fully hedged by the provider or another entity within the same group as the provider. ESMA considers that a binary option that benefits from the cumulative effect of these three criteria is less likely to lead to a significant investor protection concern.

In addition, products that at the end of the term have one of two predetermined pay-outs, neither of which is less than the initial investment of the client, will be excluded. The pay-out for this type of binary option could be the higher or lower one but in either circumstances the investor would not lose money compared to their total investment. As the investor's capital is not at risk these products should be explicitly excluded.

Hence, ESMA agreed to exclude from the scope of the renewal the following binary options:

- a binary option for which the lower of the two predetermined fixed amounts is at least equal to the total payment made by a retail client

for the binary option, including any commissions, transaction fees and other related costs; and

- a binary option that meets cumulatively the following three (3) conditions:
 - (a) the term from issuance to maturity is at least ninety (90) calendar days;
 - (b) a prospectus drawn up and approved in accordance with the Prospectus Directive (2003/71/EC) is available to the public; and
 - (c) the binary option does not expose the provider to market risk throughout the term of the binary option and the provider or any of its group entities do not make a profit or loss from the binary option, other than previously disclosed commissions, transaction fees or other related charges.

ESMA will continue to keep these products under review during the prohibition period. The renewal was agreed by ESMA's Board of Supervisors on 22 August 2018.

Next steps

ESMA intends to adopt the renewal measure in the official languages of the EU in the coming weeks, following which ESMA will publish an official notice on its website. The measure will then be published in the Official Journal of the EU and will start to apply from 2 October 2018 for a period of three months.

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