

Updated Blocking Statute in support of Iran nuclear deal enters into force

The updated Blocking Statute is part of the European Union's support for the continued full and effective implementation of the Joint Comprehensive Plan of Action (JCPOA) – the Iran nuclear deal, including by sustaining trade and economic relations between the EU and Iran, which were normalised when nuclear-related sanctions were lifted as a result of the JCPOA.

The process of updating the Blocking Statute was launched by the Commission [on 6 June 2018](#), when it added to its scope the extraterritorial sanctions the US is re-imposing on Iran. A two-month scrutiny period for the European Parliament and the Council followed. Since neither objected, the update will be published in the Official Journal and enter into force on 7 August.

More on the Blocking Statute

The Blocking Statute allows EU operators to recover damages arising from US extraterritorial sanctions from the persons causing them and nullifies the effect in the EU of any foreign court rulings based on them. It also forbids EU persons from complying with those sanctions, unless exceptionally authorised to do so by the Commission in case non-compliance seriously damages their interests or the interests of the Union. The authorisations will be done on the basis of agreed criteria which will also be issued on 7 August.

To help EU companies with the implementation of the updated Blocking Statute the Commission will also publish a Guidance note to facilitate understanding of the relevant legal acts.

Next steps

The European Union is fully committed to the continued, full and effective implementation of the JCPOA, as long as Iran also respects its nuclear-related commitments. The lifting of nuclear-related sanctions allowing for the normalisation of trade and economic relations with Iran constitute essential parts of the JCPOA. At the same time, the European Union is also committed to maintaining cooperation with the United States, who remains a key partner and ally.

In addition to the above measure, the EU, in close coordination with Member States and other partners, is working on concrete measures aimed at sustaining the cooperation with Iran in key economic sectors, particularly on banking and finance, trade and investment, oil, and transport.

Background

[On 8 May](#), President Trump decided to withdraw the US from the Joint Comprehensive Plan of Action (JCPOA) and to reinstate all previously lifted sanctions under this agreement. The re-imposed US sanctions will come into

effect after a “wind-down” period of 90 days (ending 6 August 2018) for certain sanctions and 180 days (ending 4 November 2018) for others.

On 18 May, [the Commission initiated several steps](#) to preserve the interests of European companies investing in Iran and to enable the EIB to finance activities in Iran, demonstrating the EU’s commitment to the JCP0A.

[On 6 June](#), the European Commission adopted the updates of the Blocking Statute and of the EIB’s External Lending Mandate, which enter into force on 7 August following the two-month non objection period.

On 6 July, [a meeting of the Joint Commission of the JCP0A](#), convening the EU, E3 (France, Germany and the United Kingdom), Russia, China and Iran, took place in Vienna at ministerial level and was chaired by High Representative/Vice-President Federica Mogherini. All remaining parties to the deal reiterated their commitment to the full and continued implementation of the nuclear deal. They supported recent efforts to maintain the normalisation of trade and economic relations with Iran and also noted EU’s efforts to update the Blocking Statute to protect EU companies.

For More Information

[MEMO Questions and Answers: entry into force of the updated Blocking Statute](#)

[Foreign Policy Instrument](#)

[Official Journal of the European Union](#)

* The press release will be updated on 7 August in the morning when the legal documents will be published in the Official Journal.

Record EU Civil Protection operation helps Sweden fight forest fires

This is the largest European Civil Protection operation for forest fires in the last decade and the single biggest operation on forest fires in terms of deployment of staff. The operation included 815 flying hours and 8 822 drops of water.

Commissioner for Humanitarian Aid and Crisis Management, Christos **Stylianides** currently visiting Sweden, said: *“Once again, Member States showed tangible European solidarity through the Civil Protection Mechanism. The devastating forest fires in Sweden have highlighted once again the impact of climate change and that we are facing a new reality. I deeply thank all Member States for their assistance and solidarity. Now is the time to collectively learn from these tragedies, and strive to strengthen Europe’s Civil Protection*

Mechanism, so that we are collectively better prepared and stronger in responding to multiple disasters across the continent.”

The EU has coordinated the collective support to Sweden from Italy, France, Germany, Lithuania, Denmark, Portugal and Poland. Austria, Czech Republic and Turkey also proposed to help. Also, 37 satellite maps were produced by the EU's Copernicus programme.

The EU is also funding €1.15 million in transportation costs for the mobilisation of support to Sweden from other European countries.

During the visit to Sweden, Commissioner **Stylianides** is traveling – along with Sweden's Minister for Justice and Home Affairs, Mr. Morgan Johansson – to the areas mostly affected by the forest fires. He will meet some of the fire-fighters mobilised via the [EU Civil Protection Mechanism](#), who have worked tirelessly for the past three weeks.

Background

The European Commission coordinates the voluntary offers made by participating states through the EU Civil Protection Mechanism, and can co-finance the transport of relief items and experts to the country in question. The mobilisation of assistance is coordinated through the Commission's Emergency Response Coordination Centre, which closely monitors developments and offers the possibility of transport co-financing for the offered assistance.

The assistance can consist of items for immediate relief as well as experts and supporting intervention teams. In the case of fires, this can include fire-extinguishing aircrafts.

The Commission has proposed to strengthen the European civil protection capacities through [rescEU](#), – so that when multiple disasters hit Member States are better prepared. rescEU is based on two fundamental pillars; prevention and preparedness and greater response capacities, including the creation of European reserve capacities to act as a safety net when national capacities are overwhelmed. The rescEU proposal is a central part of President **Juncker's** agenda for a Europe that protects.

Overall, the Mechanism facilitates the cooperation in disaster response among 34 European states (28 EU Member States, the former Yugoslav Republic of Macedonia, Iceland, Norway, Montenegro, Serbia and Turkey).

For More Information

[MEMO 'Fighting forest fires in Europe – how it works'](#)

[European Civil Protection Mechanism](#)

[Press release on rescEU](#)

EIOPA publishes monthly technical information for Solvency II Relevant Risk Free Interest Rate Term Structures – end-July 2018

Today, the European Insurance and Occupational Pensions Authority (EIOPA) published technical information on the relevant risk free interest rate term structures (RFR) with reference to the end of July 2018. This RFR information has been calculated on the basis of the [Technical Documentation](#) published on 1 February 2018.

All the documents are available [here](#).

Background

Technical information relating to risk-free interest rate (RFR) term structures is used for the calculation of the technical provisions for (re)insurance obligations.

In line with the Solvency II Directive, EIOPA publishes technical information relating to RFR term structures on a monthly basis via a dedicated section on EIOPA's Website also containing the provisional release calendar for 2018, the RFR Technical Documentation, the RFR coding and Frequently Asked Questions.

By this publication EIOPA ensures consistent calculation of technical provisions across Europe.

Questions and Answers: entry into force of the updated Blocking Statute

The EU introduced the Blocking Statute in 1996 ([Regulation 96/2271](#)) in response to US extra-territorial sanctions legislation. It aims at countering the effects of US sanctions on EU economic operators engaging in lawful activity with third countries. The Blocking Statute constitutes an important achievement of unified EU action against extra-territorial legislation of third countries.

How does the Blocking Statute work?

The Blocking Statute applies with regard to the extra-territorial legislation mentioned in its Annex ("listed extra-territorial legislation").

It forbids EU residents and companies ("operators") from complying with the listed extra-territorial legislation unless they are exceptionally authorised to do so by the Commission; allows EU operators to recover damages arising from such legislation from the persons or entities causing them; and nullifies the effect in the EU of any foreign court rulings based on it.

EU operators should inform the European Commission – within 30 days since they obtain the information – of any events arising from listed extra-territorial legislation that would affect their economic or financial interests.

Why was the Blocking Statute updated?

The update was triggered by the US' unilateral decision on 8 May 2018 to re-impose sanctions against Iran (after wind-down periods of 90 and 180 days, i.e. after 6 August 2018 and 4 November 2018) simultaneously with its withdrawal from the Joint Comprehensive Plan of Action (JCPOA) agreed in 2015 between Iran on the one hand, and China, France, Germany, the European Union, Russia, the United Kingdom, and the US, on the other. Some of the re-imposed sanctions have extra-territorial effects and could potentially affect EU operators doing legitimate business with Iran.

How is the Blocking Statute amended?

The EU has amended the annex to the Blocking Statute by adding within its scope the list of extra-territorial US sanctions on Iran that the United States is re-imposing.

The amendment is made through a Commission Delegated Regulation, which was adopted by the Commission on 6 June 2018 and to which neither the Council, nor the European Parliament have objected in the 2 months' scrutiny period that was foreseen for this purpose. The Delegated Regulation will be published and enter into force on 7 August.

What kind of damages can EU operators ask compensation for?

According to the Blocking Statute, EU operators can recover "any damages, including legal costs, caused by the application of the laws specified in its Annex or by actions based thereon or resulting therefrom".

From whom can EU operators claim compensation for those damages?

According to the Blocking Statute, EU operators can recover damages, namely from "the natural or legal person or any other entity causing the damages or from any person acting on its behalf or intermediary".

How can EU operators claim compensation?

The action can be brought before the courts of the Member States and the recovery can take the form of seizure and sale of the assets of the person causing the damage, its representatives or intermediaries. As in any litigation for damages, it will be for the judge to assess the merits of the case, or the causal link.

Who is responsible for the implementation of the Blocking Statute?

Implementation of the Blocking Statute, including deciding on effective, proportionate and dissuasive penalties for possible breaches is the competence of Member States. It is also for Member States to enforce those penalties.

What is the role of the European Commission?

The European Commission has several roles: it gathers information from EU operators on possible cases of application of the listed extra-territorial legislation; it liaises with national authorities from EU Member states concerning such cases in their jurisdiction; it receives notification from and shares information with Member States on measures taken under the Blocking Statute and other relevant aspects.

The Commission can also, in exceptional cases, authorise an EU operator to fully or partially comply with the listed extra-territorial legislation if non-compliance would seriously jeopardise the interests of the operator or of the European Union. In doing so, the Commission is assisted by a Committee on Extra-Territorial Legislation composed of representatives of Member States.

The Implementing Regulation containing the criteria on the basis of which the Commission will assess such requests for authorisation will also be published on 7 August, following full support by the Committee.

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