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## **EU SANCTIONS HELPDESK**

SUPPORTING EU SMEs AND PARTNERS  
WITH SANCTIONS COMPLIANCE

# Sanctions training series

## **Module 2: Law and guidance**

*27 May 2025*

# Agenda

Time (CET)	Session	Speaker
10:00	Welcome, introductions and housekeeping	Ian Matthews, Team Leader, EU Sanctions Helpdesk
10:05	About the EU Sanctions Helpdesk	Ian Matthews, Team Leader, EU Sanctions Helpdesk
10:10	EU Sanctions: Law and guidance	Ian Matthews, Team Leader, EU Sanctions Helpdesk Ellen Hompesch, Advocaat, Agorax B.V.
11:00	Questions & Answers	Ian Matthews, Team Leader, EU Sanctions Helpdesk Ellen Hompesch, Advocaat, Agorax B.V. Eline Mooring, Advocaat, Agorax B.V.
11:30	Training closes	



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# Housekeeping



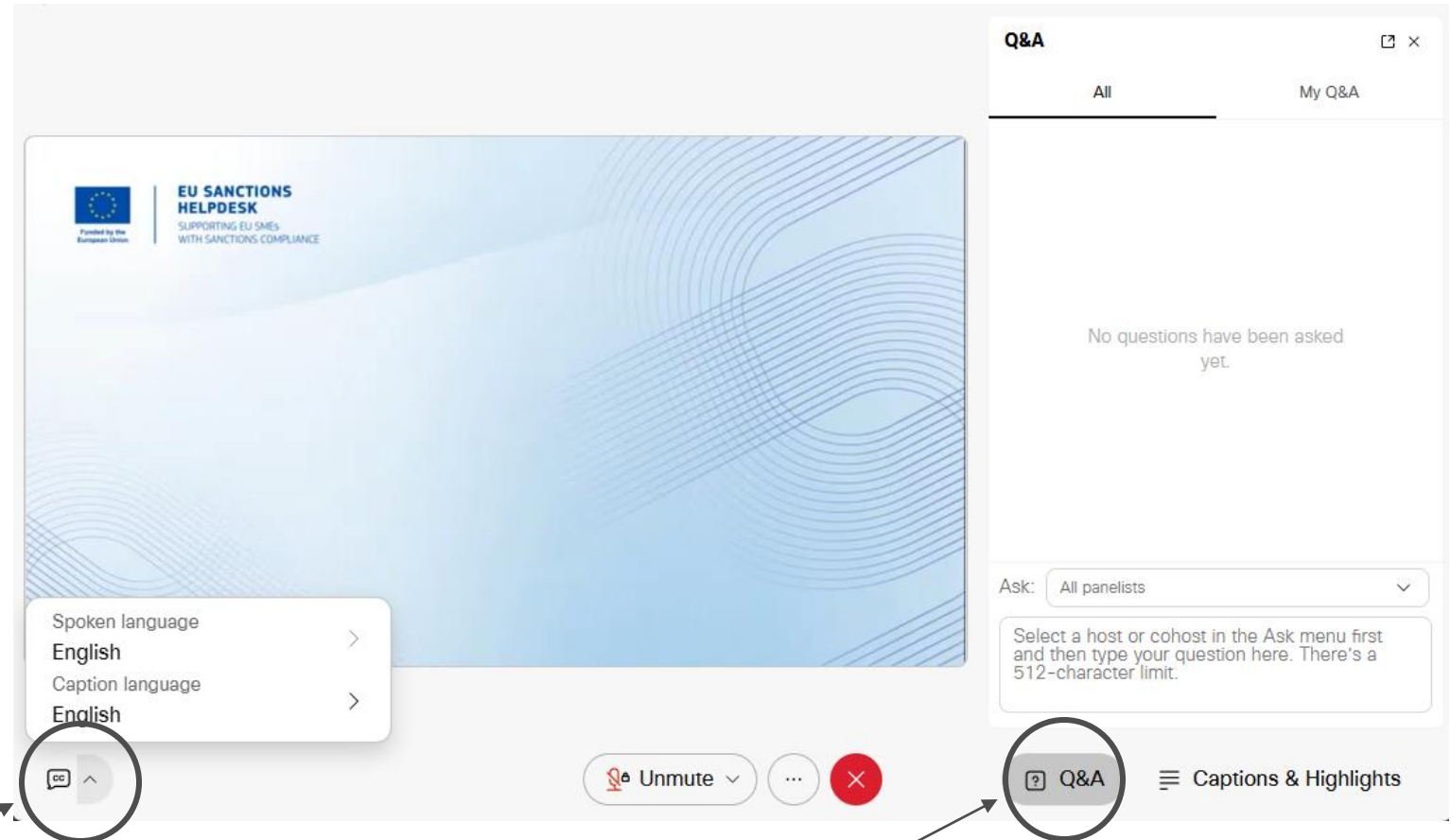
All attendee microphones will be muted throughout



Materials and a recording will be shared



Please complete the feedback form following this event



Live captions are available in your language

Post questions or technical problems using Q&A

# About the EU Sanctions Helpdesk



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# Sanctions compliance support for SMEs

- Resources to help SMEs understand their obligations
- Sanctions due diligence and compliance support
- Awareness-raising activities about EU sanctions and how to comply

# Get involved!



[Visit our website](#)



[Join one of our upcoming events](#)

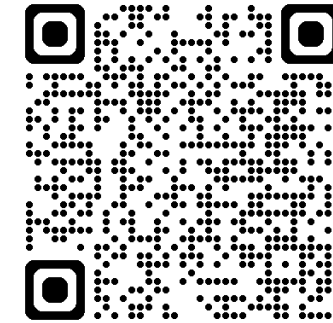


[Use our compliance support service](#)



[Sign up to our newsletter](#)

# Future training events in this series



**Register today!**

# Law and guidance

Training module 2 | 27 May 2025



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# Today's team

**Trainer**



**Ian Matthews**

Team Leader | Key Expert EU Restrictive Measures  
EU Sanctions Helpdesk

**Trainer**



**Ellen Hompesch**

Attorney at law  
Agorax

**Moderator**



**Eva Weber**

Attorney at law  
Agorax



# What we will cover

1. Types of EU legislation
2. How does the EU impose sanctions?
3. Roles and responsibilities
4. Understanding the law
5. EU Guidance on sanctions
6. Exceptions and derogations
7. Whistleblower tool

# Polling question

Which of the following online resources do you already use to understand EU restrictive measures?  
(choose all that apply)

- ☐ EU Council Regulations
- ☐ EU Commission FAQs
- ☐ Guidance of National Competent Authorities
- ☐ EU Sanctions Helpdesk



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# Types of EU legislation

## Laws

- **Regulations:** Directly applicable in all Member States
- **Directives:** Require implementation in domestic law
- **Decisions** Binding upon those to whom they are directed

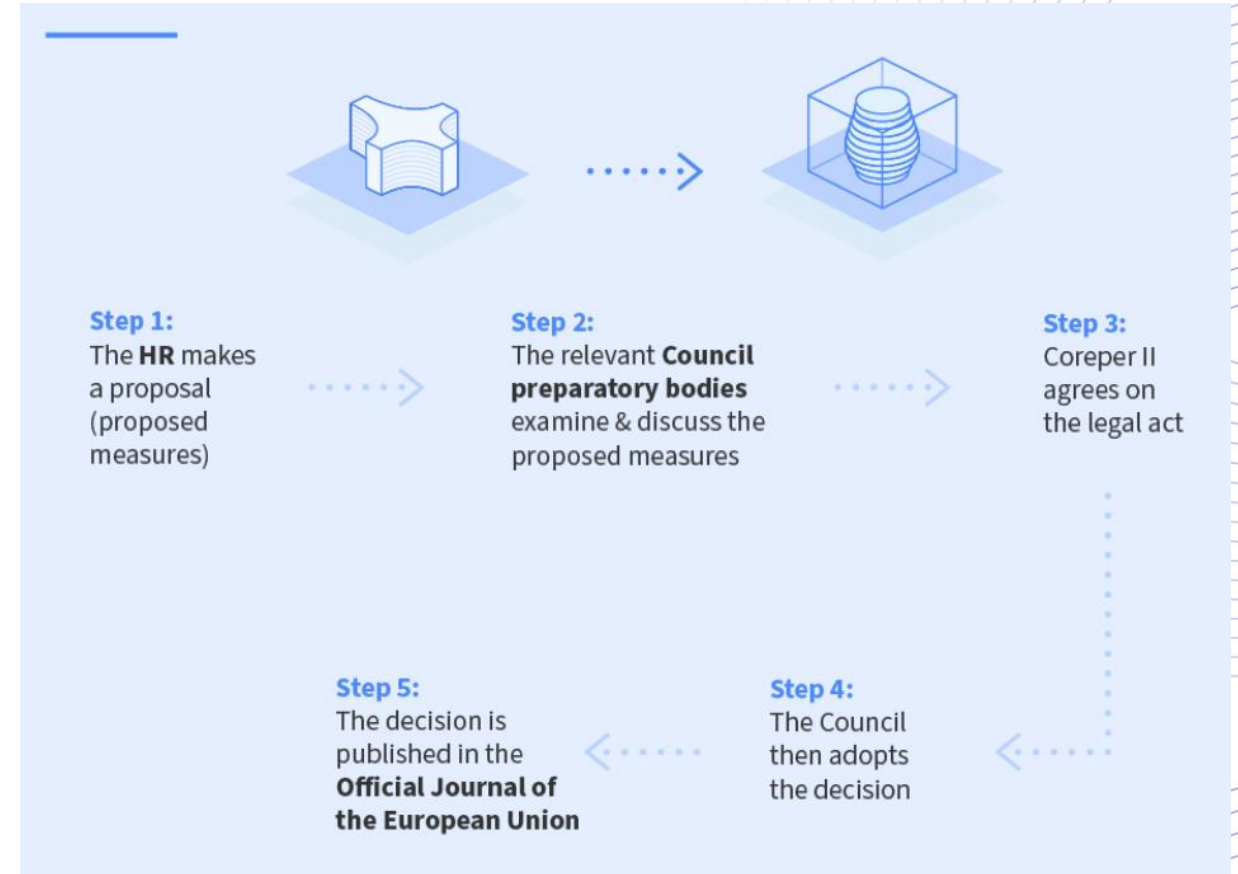
## Other publications

- **Recommendations** Non-binding
- **Opinions** Non-binding

**Examples shown in appendix**

# How does the EU impose sanctions?

- A process under Common Foreign and Security Policy (CFSP)
- High Representative of the Union for Foreign Affairs and Security Policy **proposes**
- Council **decides** to adopt, amend, lift or renew sanctions
  - Unanimity is required
- Decisions versus Regulations





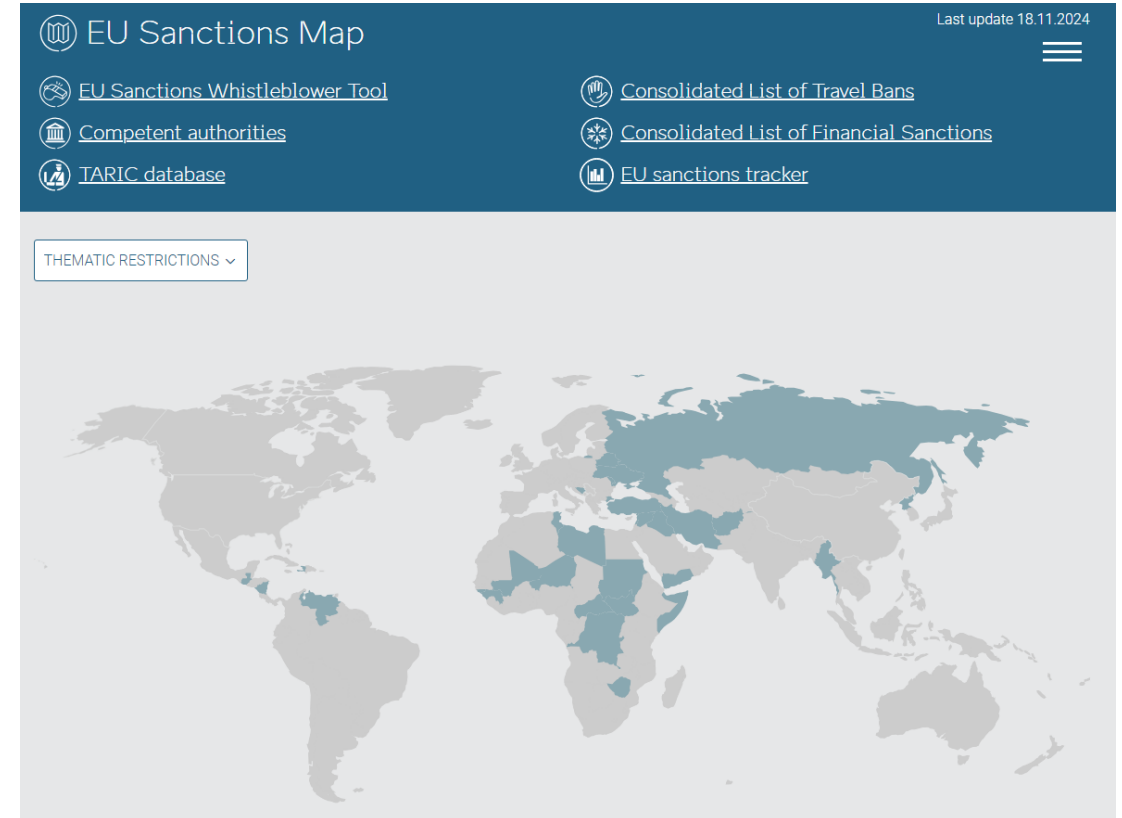
# Roles and responsibilities

- Common Foreign and Security Policy (CFSP) / European External Action Service (EEAS)
- Council of the European Union
- European Commission
- Member States
- Court of Justice of the European Union (CJEU)



# Understanding the law

- [EU Sanctions Map](#)
- [Consult EU Regulations for sanctions regimes \(either geographical or thematic\)](#)
- [Consult EU Guidance](#)
- [Consult websites of national competent authorities](#)
- [Contact the EU Sanctions Helpdesk](#)
- Consult a legal practitioner for support



# Guidance | Commission

- Commission Opinions
- Frequently asked questions
- Guidance notes
- Non-binding guidance:

**Only the CJEU is competent to interpret EU law**

*Please refer to the appendix for examples of each type of Commission Guidance*



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# Guidance | Council

- EU Best practices
  - non-exhaustive recommendations of a general nature for effective implementation of restrictive measures
- Sanctions Guidelines
  - addresses general issues and standard wordings or definitions for use in the legal instruments implementing restrictive measures
- Non-binding guidance:

**Only the CJEU is competent to interpret EU law**



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# Guidance | Member States

- Implementation and enforcement
- National competent authorities (NCAs), for example:
  - Germany: comprehensive manuals as well as detailed [FAQs](#)
  - Netherlands: guidelines and detailed [FAQs](#)

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# Support | EU Sanctions Helpdesk

- Supports sanctions due diligence for specific transactions
- Can explain how laws and existing guidance apply to your transaction
- Provides informative resources to assist compliance
- No interpretation of law
- Not official EU guidance



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# Audience poll

EU sanctions affect a transaction in your business. After reading the sanctions regulation you are still not sure whether the transaction is permitted.

**What do you do?**

**Choose the correct answer:**

- I check the European Commission's guidance for an interpretation.
- I proceed with the transaction anyway – the guidance is not binding anyway.
- I ask the National Competent Authority in my country.



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# Exceptions to sanctions

## Exemptions

- Restrictive measure does not apply when the activity is in scope of the exemption
- Authorisation not required under the sanctions regulation
- The activity can be carried out without delay

## Derogations

- In principle, the prohibition applies
- However, the activity can be authorised in circumstances described in the Regulation.
- Authorisations are made by the national competent authorities

# Example: EU Russia sanctions regime

## Exemptions to trade restrictions

“ The prohibitions in paragraphs 1 and 2 shall not apply to [goods] intended for: ”

- Humanitarian purposes
- Medical or pharmaceutical purposes

## Derogations to trade restrictions

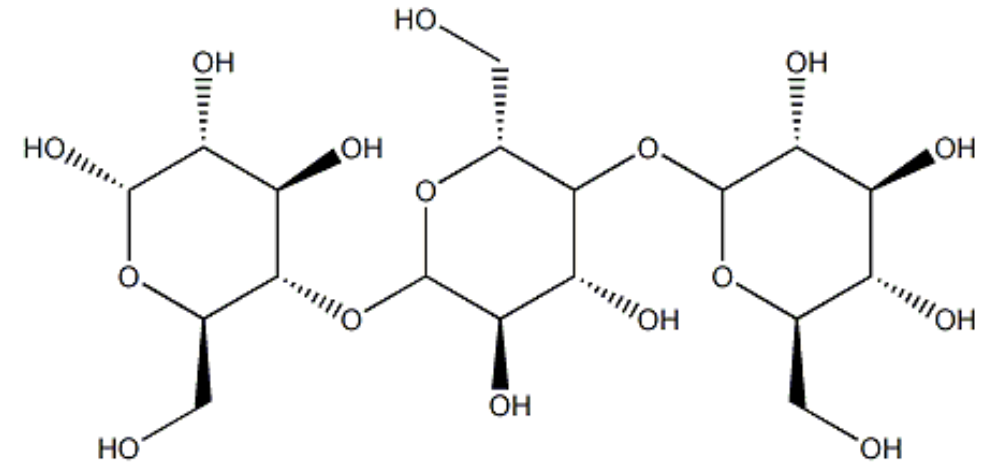
“ By way of derogation from paragraphs 1 and 2, the competent authorities may authorise: ”

- Maritime safety
- Software updates
- Consumer communication

Article 2a, [Council Regulation \(EU\) No 833/2014 of 31 July 2014](#)

# Case study: Pharmaceutical purposes

- A German company receives a request from a Russian company to supply dextrin to their headquarters in Moscow.
  - Customer signs an end-user declaration
  - End-use specified as use for the production of pharmaceuticals
- Article 3k, paragraph 5 of Regulation 833/2014.
- Any other purposes?





# Example: EU Russia sanctions regime

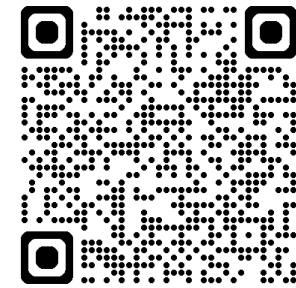
- Licensing options for financial restrictions
  - Basic needs of natural and legal persons and their dependent family members (food, rent, medicines, taxes, etc.)
  - Reasonable professional fees for legal services
  - Fees or services charges for routine holding or maintenance of frozen funds
  - Extraordinary expenses, at the discretion of and upon notification by the national competent authorities
  - Official purposes of diplomatic missions, consular posts or international organisations
  - Necessary for non-prohibited cross-border trade in goods and services between the Union and Russia

# How to obtain a licence or authorisation

- National Competent Authority (NCA) where the exporter is established.
- Application procedure differs per country.
- Different NCAs might be competent in respect of different types of sanctions.
- For example:
  - Ministry of Foreign Affairs of the Netherlands
  - Ministry of Finance of the Netherlands

# Whistleblower tool

- [Online tool created by the EU Commission](https://eusanctions.integrityline.com)
  - Facilitate the (anonymous) reporting of possible violation
  - Ensure the effective enforcement of sanctions
  - Anonymity and the 'secure inbox'



<https://eusanctions.integrityline.com>



# Any questions?



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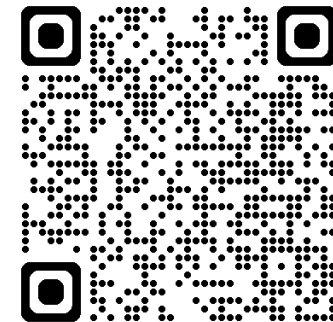
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# Future events

- Please remember to register for the next modules
- Each Tuesday, next event 3 June







Thank you for attending.

Please complete the event feedback!



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