

8 January 2016

## General information for parties covered by the EU Sanctions

This document describes practical, administrative steps that need to be undertaken by parties covered by the restrictive measures issued by the European Union in relation to the political situation between Ukraine and Russia, in conjunction with the filing of a request for arbitration under the Arbitration Rules of the Arbitration Institute of the Stockholm Chamber of Commerce (SCC Rules).

This information is based on the restrictive measures “directed against certain persons, entities and bodies in view of the situation in Ukraine” and “in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine” adopted by the European Union (“the Regulations”).<sup>1</sup>

The information targets persons and entities as listed by the Regulations.<sup>2</sup> The sanctions also apply to subsidiaries owned, held or controlled by the listed companies.

### **Prior to filing the request for arbitration**

Prior to filing for arbitration, a listed party should apply for authorisation to transfer funds to the SCC under the exemption provided in Article (4 1.b) of the Regulations, whereby the relevant authority may grant an exemption from the sanctions for funds “intended exclusively for payment of reasonable professional fees or reimbursement of incurred expenses associated with the provision of legal services”.

The application should be made with the [Swedish National Board of Trade](#) (Sw. Kammarskollegium) in case of an entity and with the [Swedish Social Insurance Agency](#) (Sw. Försäkringskassan) in case of a natural person.

Upon a successful application, whereby the relevant authority grants the requested exemption, the payment of the registration fee and/or advance on costs should be made to the SCC, and the case will proceed in accordance with the applicable SCC Rules.

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<sup>1</sup> EC 208/2014 dated 5 March 2014 with amendments; EC 269/2014 dated 17 March 2014 with amendments

<sup>2</sup> Useful information on the relevant Regulations can be found here

[http://europa.eu/newsroom/highlights/special-coverage/eu\\_sanctions/index\\_en.htm](http://europa.eu/newsroom/highlights/special-coverage/eu_sanctions/index_en.htm)

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## **How to file an application for an exemption**

Additional information and contact persons concerning applications falling within the authority of the Swedish National Board of Trade can be found here:

<http://www.kommers.se/verksamhetsomraden/Handelsfragor/Sanktioner/krim-och-sevastopol/>

<http://www.kommers.se/verksamhetsomraden/Handelsfragor/Sanktioner/Ukraina/>

## **The arbitral proceedings**

The Regulations do not affect the conduct of the arbitration. The integrity of the process remains the same, and the impartial and equal treatment of parties will not be affected.

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The SCC has also issued a *Q&A on the EU sanctions against Russia*, available on the SCC website.

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