

EU Sanctions compliance in the MSCA

Marie Skłodowska-Curie (MSC) ITN or IAPP action

Dear Coordinator,

You have signed a grant agreement with the REA for a Marie Skłodowska-Curie (MSC) ITN or IAPP action. As a reminder, please find some useful information concerning EU sanctions in place that may have an impact on the recruitment of MSC researchers in your project.

- 1) In principle, MSC actions are open to researchers of all nationalities.
- 2) Suitability of candidates for the position of an MSC researcher will need to be assessed in light of sanctions imposed on the country, of which they are either nationals or residents. Nationals of or residents in some countries, against which are EU restrictive measures in place, may be subject to EU sanctions.

A list of these countries can be found here:

http://eeas.europa.eu/cfsp/sanctions/docs/measures_en.pdf

- 3) Most sanctions are enacted through EU Regulations, which are directly applicable, i.e. individual beneficiaries need to ensure compliance with them.

4) Just because a researcher is a national of a specific country, which is targeted by EU sanctions, does not mean that he/she may not be recruited or participate in the project: First of all, many sanctions refer to 'residents', as opposed to 'nationals' of a certain country, meaning that a citizen of a particular country would not be targeted by sanctions if he/she has not been living in this country for some time. Conversely, this also means that also nationals of other countries can be targeted by EU sanctions, if they were resident in a particular country targeted by sanctions. Therefore, in fact, a beneficiary would need to check on a case-by-case basis if the research project they undertake and the researcher they recruits complies with EU restrictive measures.

Please note that in terms of EU sanctions, the part that would most likely apply to MSC projects would be the prohibition on 'technical assistance' concerning certain sensitive technologies (defined as: "*any technical support related to repairs, development, manufacture, assembly, testing, maintenance, or any other technical service, and may take forms such as instruction, advice, training, transmission of working knowledge or skills or consulting services; including verbal forms of assistance;*").

This would mean in a concrete case, e.g. concerning Iran, that a beneficiary would need to look at the sanctions on Iran (Regulation 267/2012; <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:088:0001:0112:EN:PDF>), and a) check whether the research project is dealing with the technology listed in the annexes on which there is a prohibition of technical assistance, and then b) verify whether the researcher in question is considered an Iranian resident or not.

We would like to remind you that the REA is entitled to request clearance certificates issued by the relevant national authorities to MSC researchers who are nationals of countries subjected to EU sanctions.

In case of doubt, we advise you to contact the competent national authorities (all listed in the relevant sanctions documents, for Iran e.g. the last pages of Regulation 267/2012).

Thank you very much for your co-operation.

Best wishes

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<http://ec.europa.eu/msca>

<http://ec.europa.eu/research/rea>