**Requirement with regards to European Union “Restrictive measures (sanctions)”**

**for tenderers responding to ECMWF Copernicus procurement opportunities**

Restrictive measures (sanctions) are the tool in the EU’s common foreign and security policy (CFSP), through which the EU can intervene where necessary to prevent conflict or respond to emerging or current crises.

Article 215 of the Treaty on the Functioning of the European Union (TFEU) provides the legal basis for the interruption or reduction, in part or completely, of the European Union's economic and financial relations with one or more third countries, where such restrictive measures are necessary to achieve the objectives of the Common Foreign and Security Policy (CFSP).

By means of Council Decision taken on the basis of Article 29 of the Treaty on European Union (TEU) and related implementing Regulation pursuant to Article 215 TFEU, the EU restrictive measures are directly applicable in the European Union. Hence, when implementing the EU budget, the Commission must give effect to EU restrictive measures. The same obligation is imposed onto persons or entities entrusted with indirect management by virtue of Article 62(1)(c) FR, which requires implementing partners to ensure that funds are only disbursed in accordance with EU law, including therefore the implementation of EU restrictive measures.

The obligation to ensure compliance with the EU restrictive measures applies:

* to the EU institutions and bodies and to all EU contracting partners;
* not only at the initial distribution of funds but also down to the level of final beneficiary.

ECMWF, as the entrusted entity for the implementation of Copernicus Atmosphere Monitoring and Climate Change Services, must ensure that there is no detection of a recommended tenderer (and any partners thereof) or grant applicant, co-applicants, affiliated entities in the list of EU restrictive measures, before signing a contract. Likewise, grant beneficiaries and contractors must ensure that there is no detection of subcontractors, natural persons, in the lists of EU restrictive measures. This requirement is specifically detailed in clause 2.1.4, and clauses 2.9.2.2 (ii) and 2.9.5 of Volume V of the ITT documents, the Framework Agreement for Copernicus Services.

Further information about the EU restrictive measures can be found [here](https://ec.europa.eu/info/business-economy-euro/banking-and-finance/international-relations/restrictive-measures-sanctions_en). The lists of persons, groups, entities subject to the EU restrictive measures are maintained by the Service for Foreign Policy Instruments and published on the following website: [www.sanctionsmap.eu](http://www.sanctionsmap.eu)

As a minimum, using the www.sanctionsmap.eu website, tenderers must undertake the following checks of their sub-contractors, or any other third parties involved in delivering products goods or services to Copernicus

* + Country check (country of registration of bidding organisation / holding company)
  + Organisation/ Holding company check (using search function)
  + Individual check (using search function)

ECMWF therefore requires that the form in Annex 1 is completed and returned by the tenderers who are submitting proposals for ECMWF Copernicus contract opportunities. Tenderers should note that, as this forms part of ECMWF’s obligations to the EC, failure to complete and return this form may lead to exclusion from the tender process.

**Annex 1**

|  |  |
| --- | --- |
| **ITT/RFP REFERENCE:** |  |
| **MAIN CONTRACTOR/TENDERER** | |
| **Name of the organisation** |  |
| **Country of registration** |  |
| ***Full names, roles and nationalities of the organisation’s 4 key personnel/decision makers (i.e. owner, chief executive, directors, authorised representative etc):*** | |
| **Full name** |  |
| **Title** |  |
| **Nationality & current country of residence** |  |
|  |  |
| **Full name** |  |
| **Title** |  |
| **Nationality & current country of residence** |  |
|  |  |
| **Full name** |  |
| **Title** |  |
| **Nationality & current country of residence** |  |
|  |  |
| **Full name** |  |
| **Title** |  |
| **Nationality & current country of residence** |  |
|  |  |
| **Confirmation by the main contractor/tenderer that they carried out the same checks for the partner organisations (subcontractors), their associated/holding companies and named individuals and none are on the EU sanctions register** |  |
| **ULTIMATE HOLDING COMPANY FOR THE MAIN CONTRACTOR (if applicable)** | |
| **Name of the ultimate holding company** |  |
| **Country of registration** |  |
| ***Full names, roles and nationalities of the organisation’s 4 key personnel/decision makers (i.e. owner, chief executive, directors, authorised representative etc):*** | |
| **Full name** |  |
| **Title** |  |
| **Nationality & current country of residence** |  |
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|  |  |
| **Full name** |  |
| **Title** |  |
| **Nationality & current country of residence** |  |
|  |  |
| **Confirmation by the main contractor/tenderer that the organisation, associated/holding company and named individuals are not on the EU sanctions register** |  |