

**Question for written answer E-003489/2018  
to the Commission**

Rule 130

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Subject: Extraterritorial application of US law in the context of the US withdrawal from the Joint Comprehensive Plan of Action (JCPOA)

On 3 May 1996, the European Communities requested consultations with the United States on the 1996 Cuban Liberty and Democratic Solidarity (LIBERTAD) Act<sup>1</sup>, considering that its extra-territorial effects on European companies and investors ran counter to the commitments made by the United States in the context of their WTO membership.

This referral to the WTO appears to have had a deterrent effect on the implementation by the United States of the Helms-Burton Act and of the Iran and Libya Sanctions Act of 1996 (ILSA) – also known as the D’Amato Act – since the EU and the US reached a negotiated solution on 18 May 1998. This comprised disciplines for investments, principles concerning the use of secondary boycotts and a commitment on the part of the US on the future application of their extraterritorial legislation. These elements were supplemented by derogations for the Community and its undertakings under both laws.

In view of a comparable situation today, following the US withdrawal from the Joint Comprehensive Plan of Action (JCPOA) and the re-establishment of secondary sanctions towards Iran, in addition to updating Regulation 1222/96, is the Commission also considering a request for consultations within the framework of the WTO?

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<sup>1</sup> [https://www.wto.org/english/tratop\\_e/dispu\\_e/cases\\_e/ds38\\_e.htm](https://www.wto.org/english/tratop_e/dispu_e/cases_e/ds38_e.htm)