

No Russia and Belarus Clause

1) The Importer/Buyer shall not sell, export, or re-export, directly or indirectly, to the Russian Federation and/or Belarus, or for use in the Russian Federation and/or Belarus any goods supplied under or in connection with this Agreement that fall under the scope of Article 12g of Council Regulation (EU) No 833/2014.

2) The Importer/Buyer shall undertake its best efforts to ensure that the purpose of paragraph (1) is not frustrated by any third parties further down the commercial chain, including by possible resellers.

3) The Importer/Buyer shall set up and maintain an adequate monitoring mechanism to detect conduct by any third parties further down the commercial chain, including by possible resellers, that would frustrate the purpose of paragraph (1).

4) Any violation of paragraphs (1), (2) or (3) shall constitute a material breach of an essential element of this Agreement, and the Exporter/Seller shall be entitled to seek appropriate remedies, including, but not limited to:

(i) termination of this Agreement; and

(ii) a penalty of 50% of the total value of this Agreement or the price of the goods exported, whichever is higher.

5) The Importer/Buyer shall immediately inform the Exporter/Seller about any problems in applying paragraphs (1), (2), or (3), including any relevant activities by third parties that could frustrate the purpose of paragraph (1). The [Importer/Buyer] shall make available to the [Exporter/Seller] information concerning compliance with the obligations under paragraphs (1), (2), and (3) within two weeks of the simple request of such information.