

Question for written answer E-003662/2018
to the Commission (Vice-President / High Representative)
Rule 130
Tokia Saïfi (PPE)

Subject: VP/HR - Extension of the scope of the Blocking Regulation

In the US, the discovery procedure allows any American company to force other companies, including foreign ones, to send it any data it deems necessary for potential litigation. This litigation tool, which could have cross-border applications, enables American companies to obtain sensitive data from their competitors.

Several national blocking laws, such as France's 1968 law (No 68-678) and the 1970 Hague Convention on the Taking of Evidence Abroad, have tried – unsuccessfully – to control this process.

On 18 May, the Commission and the High Representative announced the adoption of the 1996 Blocking Regulation (No 2271/96), meaning that European companies would not be subject to sanctions imposed by a third country. The discovery procedure has an extraterritorial impact that harms European companies' ability to remain competitive.

With this in mind, will the VP/HR state:

- whether she intends to extend the scope of the Blocking Regulation to cover the discovery procedure, and, more generally, any extraterritorial legislation that could sanction our businesses?
- what action will be needed for such an extension of the scope and in what timeframe it will be implemented?