



Plenary sitting

B8-1220/2016

11.11.2016

MOTION FOR A RESOLUTION

pursuant to Rule 108(6) of the Rules of Procedure

seeking an opinion from the Court of Justice on the compatibility with the Treaties of the proposed agreement between Canada and the European Union on a Comprehensive Economic and Trade Agreement (CETA)
(2016/2981(RSP))

Jan Philipp Albrecht, Tiziana Beghin, Kostas Chrysogonos, Marian Harkin, Heidi Hautala, Anneli Jäätteenmäki, Georgi Pirinski, Evelyn Regner, Gabriele Zimmer, Helmut Scholz, Anne-Marie Mineur, Eleonora Forenza, Marisa Matias, Kostadinka Kuneva, Martina Anderson, Josu Juaristi Abaunz, Merja Kyllönen, Neoklis Sylikiotis, Malin Björk, Stefan Eck, Martina Michels, Kateřina Konečná, Barbara Spinelli, Marie-Christine Vergiat, Tania González Peñas, Paloma López Bermejo, Matt Carthy, Fabio Massimo Castaldo, Laura Ferrara, Isabella Adinolfi, Marco Affronte, Laura Agea, Marco Zullo, Eleonora Evi, Piernicola Pedicini, Rosa D'Amato, Dario Tamburrano, Ignazio Corrao, David Borrelli, Marco Valli, Marco Zanni, Daniela Aiuto, Benedek Jávor, Bas Eickhout, Julia Reda, Molly Scott Cato, Michael Cramer, Bodil Valero, Philippe Lamberts, Claude Turmes, Ska Keller, Linnéa Engström, Max Andersson, Florent Marcellesi, Yannick Jadot, Karima Delli, Pascal Durand, Eva Joly, Michèle Rivasi, José Bové, Jude Kirton-Darling, Julie Ward, Theresa Griffin, Maria Noichl, Agnes Jongerius, Karoline Graswander-Hainz, Emmanuel Maurel, Guillaume Balas, Ana Gomes, Dietmar Köster, Edouard Martin, Karin Kadenbach, Marc Tarabella, Elly Schlein, Sergio Gaetano Cofferati, Josef Weidenholzer, Hugues Bayet, Virginie Rozière,

Eugen Freund, Tibor Szanyi, Lucy Anderson, Anneliese Dodds, Ismail Ertug, Paul Tang, Afzal Khan, Pier Antonio Panzeri, Isabelle Thomas, Eric Andrieu, Maria Arena

European Parliament resolution seeking an opinion from the Court of Justice on the compatibility with the Treaties of the proposed agreement between Canada and the European Union on a Comprehensive Economic and Trade Agreement (CETA) (2016/2981(RSP))

The European Parliament,

- having regard to the proposed agreement between Canada and the European Union on a Comprehensive Economic and Trade Agreement (CETA),
 - having regard to the proposal for a Council decision on the conclusion of the Comprehensive Economic and Trade Agreement between Canada of the one part, and the European Union and its Member States, of the other part¹,
 - having regard to Article 218 of the Treaty on the Functioning of the European Union (TFEU), in particular paragraphs 6 and 11 thereof,
 - having regard to Rule 108(6) of its Rules of Procedure,
- A. whereas on 27 April 2009 the Council authorised the Commission to negotiate an Economic Integration Agreement with Canada on behalf of the European Union and its Member States;
- B. whereas on 12 September 2011, the Council adopted a Recommendation from the Commission on the modification of the negotiating directives for an Economic Integration Agreement with Canada in order to authorise the Commission to negotiate, on behalf of the Union, on investment;
- C. whereas negotiators finished the negotiations on CETA in August 2014, and completed the legal review on 29 February 2016;
- D. whereas the text of the agreement submitted to the Council to be concluded, signed and provisionally applied contains a chapter on investment (chapter eight), which includes, inter alia, a section on investment protection (Section D) and a section on the resolution of investment disputes between investors and states (Section F);
1. Takes the view that there is legal uncertainty as to whether the proposed agreement is compatible with the Treaties, in particular Article 19 of the Treaty on European Union as well as Articles 49, 54, 56, 267 and 340 of the Treaty on the Functioning of the European Union;
 2. Decides to seek an opinion from the Court of Justice on the compatibility of the proposed agreement with the Treaties;
 3. Instructs its President to take the necessary measures to obtain such an opinion from the

¹ COM(2016)0443.

Court of Justice and to forward this resolution, for information, to the Council and the Commission.