

**Question for written answer E-008584/2015  
to the Commission**

Rule 130

**Nessa Childers (S&D)**

Subject: ISDS versus failure to obtain a satisfactory outcome through the judiciary

With reference to the Commission's stated approach to prevent parallel proceedings from international investors seeking remedies under international trade treaties, could the Commission indicate why it does not contemplate a burden, on the investors' part, to effectively prove its inability to obtain legally satisfactory redress under the judicial system of the respective jurisdiction, prior to resorting to international arbitration?

Could the Commission further point to the provisions in EU and Member State law and jurisprudence that it and its negotiating counterparts deem so inadequate as to necessitate an arbitration forum to safeguard foreign investment?