

**Question for written answer E-007885/2016
to the Commission**

Rule 130

Ivan Jakovčić (ALDE) and Jozo Radoš (ALDE)

Subject: Proceedings against Croatia in a Washington tribunal (ICSID)

Some (foreign-owned) Croatian banks have instituted, and others intend to institute, proceedings against Croatia in the Washington-based International Centre for Settlement of Investment Disputes (ICSID) because of legal provisions on the conversion of loans in Swiss francs under bilateral investment protection agreements that Croatia has concluded with other Member States. The legal basis in this instance is bilateral agreements between Member States, but the EU single market is also involved. The Commission has previously instituted infringement proceedings against Member States on account of bilateral investment protection agreements which allow disputes to be settled in arbitration tribunals outside the EU; its aim was to ensure that any such disputes would be settled in the Court of Justice.

Is the Commission aware of the banks' proceedings against Croatia before the Washington tribunal intended to resolve conversion problems with Swiss franc loans? What steps are likely to be taken?