Question for written answer E-009211/2016
to the Commission
Rule 130
José Inácio Faria (ALDE)

Subject: Investor protection systems under international trade agreements (ISDS or ICS)

The inclusion of investor protection systems (ISDS or ICS) does not seem suited to relations between developed countries, given that those countries have functioning justice systems. Apart from the fact that the CETA sustainability impact study has come down against them, investor protection systems are one of the issues which has aroused the fiercest opposition to the agreement.

Why are they being included in CETA when there are doubts whether they fit in with the context of European and Canadian societies and, among legal practitioners, their appropriateness is being widely called into question from the legal and ethical point of view?

Given that companies have increasingly been suing countries because the latter have legislated in support of human health, the environment, or human rights, how does the Commission think that it can safeguard the sovereign national right to legislate for the common good?

Given the inequality underlying arrangements of this kind (when looking at big business as opposed to SMEs; foreign investors as opposed to national investors; and companies as opposed to civil society and states), does the Commission consider it ethically and financially acceptable (bearing in mind that public money is needed in order to maintain arbitration tribunals and recruit judges) to defend investor protection systems, confined as they are to serving specific interests of one sector of society – in essence large companies?