

Question for written answer E-004463/2017
to the Commission
Rule 130
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Subject: Consequences of the opinion issued by the Court of Justice regarding the free-trade agreement between the EU and Singapore

On 20 September 2013, the European Union and Singapore signed a free-trade agreement. The agreement is one of the first bilateral free-trade agreements known as 'new-generation agreements', which, alongside traditional provisions on reducing customs and non-tariff barriers in trading goods and services, also contain provisions on the protection of intellectual property and on investments, public contracts, competition and sustainability.

The Court of Justice recently issued an opinion to determine whether the European Union has exclusive jurisdiction to sign and execute the agreement in question by itself. In the Court's opinion, the agreement with Singapore in its present form cannot be executed solely by the EU, as some of its provisions concern competences shared between the Union and Member States.

It is the opinion of the Court that the Union does not have a sole competence only in regard to the two parts of the agreement, namely the field of investments other than direct investments and the regulations on resolving disputes between investors and states.

When negotiating further free-trade agreements (e.g. with Australia and New Zealand) and with a view to expediting the negotiation and ratification process and making them easier, is the Commission considering negotiating two agreements simultaneously, i.e. the main trade agreement and an auxiliary agreement regarding the resolution of disputes between the investor and the state and portfolio investments?