

**Question for written answer P-002713/2019  
to the Commission**  
Rule 138  
**Jörg Meuthen (ID)**

Subject: Further question to reply to question E-002294/2019 concerning a carbon border tax

I would like to express my thanks for Ms Malmström's reply of 11 September 2019, on behalf of the Commission, to question E-002294/2019. I had asked whether the Commission had carried out a legal appraisal as to whether such a tax, which would be an import barrier, would be compatible with the EU's existing free-trade agreements.

The reply stated that this question related to the mandate of the next Commission, which should therefore provide the response. However, my question concerned whether the Commission had carried out a legal appraisal on the compatibility of a potential carbon border tax with EU free-trade agreements and WTO rules in a general sense. The question is independent of the next Commission and must therefore, as a simple objective presentation of the legal situation, be answered by the present Commission, which after all considers itself the guardian of the Treaties. I find it hard to imagine that the Commission would not have undertaken a legal appraisal on the possible introduction of a carbon border tax, which I would regard as a serious omission.

Is it true that the Commission has not yet evaluated the legal compatibility of the carbon border tax with the EU's free-trade agreements?

If so, why has it not done so?

If not, why is it not willing to disclose the outcome of its evaluation?