

**Question for written answer E-003301/2013
to the Commission**

Rule 117

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Amelia Andersdotter (Verts/ALE), Malika Benarab-Attou (Verts/ALE), Judith Sargentini
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Subject: EU-US trade agreement and obligations under the International Covenant on Economic, Social and Cultural Rights (ICESCR)

The EU is obliged to respect, protect and fulfil the human rights enshrined in the International Covenant on Economic, Social and Cultural Rights (ICESCR). This obligation results from the constitutional traditions common to the Member States (Article 6(3) TEU), since all the Member States have ratified the ICESCR. The EU must desist from acts and omissions that create a real risk of nullifying or impairing the enjoyment of ICESCR rights (see also Case C-73/08, Bressol and Others).

The United States has signed but not ratified the ICESCR.

How will the Commission ensure, during the negotiation of the announced trade agreement with the US, that the ICESCR rights are respected, including everyone's right 'to take part freely in an active and informed way, and without discrimination, in any important decision-making process that may have an impact on his or her way of life and on his or her rights under article 15, paragraph 1 (a)'¹?

¹ Committee on Economic, Social and Cultural Rights, 2009, General comment No 21: 'Right of everyone to take part in cultural life (art. 15, para. 1 (a), of the International Covenant on Economic, Social and Cultural Rights)', E/C.12/GC/21, <http://www2.ohchr.org/english/bodies/cescr/comments.htm>