

Opinion from the Court of Justice on the compatibility with the Treaties of the proposed agreement between Canada and the EU on a Comprehensive Economic and Trade Agreement (CETA)

2016/2981(RSP) - 23/11/2016

The European Parliament rejected by 225 votes to 439, with 35 abstentions, a motion for a resolution pursuant to Rule 108(6) of the Rules of Procedure seeking an opinion from the Court of Justice on the compatibility with the Treaties of the proposed agreement between Canada and the European Union on a Comprehensive Economic and Trade Agreement (CETA).

Members at the origin of the draft resolution (89 in total) stated that the agreement submitted to the Council to be concluded, signed and provisionally applied contains a chapter on investment (chapter eight), which includes, inter alia, a section on investment protection (Section D) and a section on the resolution of investment disputes between investors and states (Section F).

The draft resolution suggested that the **Parliament seek an opinion from the Court of Justice on the compatibility of the proposed agreement with the Treaties.**

Members took the view that there is legal uncertainty as to whether the proposed agreement is compatible with the Treaties, in particular Article 19 of the Treaty on European Union as well as Articles 49, 54, 56, 267 and 340 of the Treaty on the Functioning of the European Union.