



EUROPEAN COMMISSION

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Dear Chair,

The Commission would like to thank the Národná Rada for its Opinion on the negotiations between the European Union and the United States for a Transatlantic Trade and Investment Partnership (TTIP) and the negotiations between the European Union and Canada for a Comprehensive Economic and Trade Agreement (CETA).

The Commission would like to highlight the importance of a responsible trade and investment policy as a powerful engine for growth and job creation. It is crucial for the EU to continue its role as a committed and reliable trade partner in the global system.

In this respect, it is also worth recalling that agreements in the field of trade policy can only come into force after adoption by the Council and the consent of the European Parliament. The Treaty on European Union, therefore, foresees full democratic control over the conclusion of such agreements by the EU. This notwithstanding, the Commission very much welcomes the debate in national – and regional – Parliaments throughout the EU, which – in accordance with the applicable national procedures – may also feed into the positions adopted by Member States' governments in the Council.

The legal nature of TTIP can only be determined once the ongoing negotiations have been concluded.

As regards CETA, in light of discussions in the June European Council and in order to foster a more consensual process towards its signature and national ratification, the Commission decided on 5 July 2016 to formally propose CETA as a mixed agreement and also proposed to apply the full agreement provisionally. This is despite and without prejudice to the Commission's own legal analysis that CETA falls under exclusive EU competence.

The Commission trusts that this important move will facilitate the discussion in Member States of what is widely acknowledged to be the EU's most far-reaching and progressive trade agreement to date, which would create new opportunities for growth and jobs. In particular, the Commission is counting on Slovakia in its role as Presidency of the Council of the European Union to facilitate the signature of the agreement at the EU-Canada Summit on 27 October 2016, as well as its timely provisional application after the approval by the Council, and taking into account any views of the European Parliament.

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Refraining from a provisional application of CETA would have consequences for EU citizens and enterprises, which would be deprived of years of export and job creation opportunities. CETA offers an opportunity to define a positive, forward-looking relationship with a like-minded partner, with whom we share history based on common values and interests. The timely adoption of CETA by the EU Institutions and its provisional application will also be an important signal, domestically and internationally, that the EU can deliver progressive and comprehensive free trade agreements without compromising on its standards.

Looking ahead, the Commission hopes that the European Court of Justice will clarify the EU competence to sign and ratify such free trade agreements so that Member States and the EU Institutions can operate more smoothly and in a consensual fashion.

The Commission hopes that these clarifications address the issues raised by the Národná Rada and looks forward to continuing the political dialogue in the future to ensure that trade policy responds to the challenges of our society and aspirations of our citizens for sustainable growth and jobs.

Yours faithfully,

*Frans Timmermans
First Vice-President*

*Cecilia Malmström
Member of the Commission*