
CETA's Dispute Settlement Mechanism Compatible With EU Law—A Closer Look at the CJEU's Opinion

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Is the Court of Justice Opinion 1/17, in response to Belgium's concerns over the compatibility of the Comprehensive Economic Trade Agreement (CETA) Tribunals and EU law, a further step towards investor-state dispute settlement (ISDS) reform? Georg Adler and Ole Jensen, both at WilmerHale, consider the opinion and assess what it means for investment treaty arbitration practitioners.


Excerpt: On 30 October 2016, Canada, the EU and its Member States signed CETA. CETA is a so-called 'new generation' free trade agreement, which means that, in addition to the classical provisions on the reduction of customs duties and of non-tariff barriers to trade in goods and services, it contains rules relating to investment, public procurement, competition, intellectual property rights and sustainable development.

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