

FISMA/14368 - Meeting with Business Europe

Meeting date and place

Meeting held on 21/10/2021 10:00

Participating organisation(s) representative(s)

██████████ BUSINESSEUROPE Participant, Requester

Main issues discussed

Business Europe invited DG FISMA to up-date its members on the investment protection and facilitation initiative. They had contributed to several consultations on this initiative and were interested in the outcome of the Commission analysis and whether a legislative proposal would be put forward as announced in the CWP 2021.

DG FISMA explained that it had carried an in-depth analysis of stakeholder contributions and evidence, but the available data and findings did not support the case for a legislative intervention. There were investment protection issues identified, but the evidence was not sufficient to conclude that the issues were systematic and of an appropriate scale, so as to justify harmonization in this area in the single market. DG FISMA was therefore exploring how the benefits of existing EU mechanisms and tools could be maximized to address investment protection issues. DG FISMA was working in close cooperation with other Commission services for this purpose. For example, the Rule of law report was a relevant mechanism to address rule of law related business concerns. It would therefore be useful for businesses contribute to this process, in particular in the framework of the rule of law stakeholder consultation. The Commission would announce the way forward after finalizing its analysis in the coming months.

Business Europe expressed its disappointment in the level of ambition given their calls for a codification of substantive investment protection rules and a binding dispute resolution mechanism. It thanked DG FISMA for the explanations and seemed open to continue the dialogue on investment protection.

Directorate or unit

FISMA.E.4

Internal participants

██████████	FISMA E/4	██████████	Participant, Requested for
██████████	JUST A/2	██████████	Notetaker, Participant
██████████	FISMA E/4	██████████	Notetaker, Participant

Author(s) of minutes

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Validator and validation date

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