

**From:** UTRATA Marta (TRADE-EXT)  
**Sent:** 19 November 2012 12:19  
**To:** TRADE LIST B2; SCHLEGELMILCH Rupert (TRADE); CAVARERO Elisabeth (TRADE); BROWN Colin (TRADE); VON WALTER Andre (TRADE); DUEERKOP Marco (TRADE); IRUARRIZAGA DIEZ Ignacio (TRADE)  
**Subject:** Flash: Business Europe Market Access Working Group, investment (14/11/2012)

On 14 November 2012 L. Rubinacci and I participated in the Business Europe Market Access Working Group, to provide an update on investment.

In the first place we updated BE on the legislative process for the regulation establishing transitional arrangements for BITs of MS, indicating that it is close to final adoption and that after its entry into force we would be faced with an extensive amount of work aimed to authorise investment negotiations at MS' level, as well as for the financial liability regulation, stressing that it solely deals with the division of financial responsibility between the EU and MS and has no impact on business.

Afterwards, we debriefed BE on other investment priorities, such as on-going investment negotiations with Canada, India and Singapore, forthcoming negotiations with EuroMed countries (Morocco, Tunisia, Jordan and Egypt), as well as prospective negotiations with Japan and China. We stressed that with China

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On Canada, Singapore and India we informed that the investment protection negotiations started later than the rest, as we received the mandates only last September

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Addressing particular question from BE (

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BE member from Germany enquired about

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There was also an interest to learn about the options for international arbitration and the relationship between the entry into force of the financial liability regulation and FTAs.

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We reminded about the COM commitment to ensure that discussion on the financial liability regulation will be well advanced and that it must be in force by the time the first European FTA comes into force.

L. Rubinacci, M. Utrata