

Question for written answer E-015503/2015
to the Commission
Rule 130
Dubravka Šuica (PPE)

Subject: Work of the arbitral tribunal in the absence of one of the parties

On 17 November the Commission stated that it was not in a position to put forward ways of resolving the dispute between the two countries concerned. It had on various occasions expressed its full support for the settlement procedure and was encouraging the parties to find a solution through dialogue. The Commission also stressed that a final ruling by the arbitral tribunal was important for the smooth and effective application of EU law in the future.

Earlier this year, in July, the Permanent Court of Arbitration started the procedure for terminating the Arbitration Agreement because Slovenia had fundamentally breached its provisions. In addition, Ljubljana was informed in a note that Croatia was withdrawing from the agreement and the arbitration procedure, which it believes to be irremediably compromised; in support of that view Croatia has invoked the Vienna Convention on the Law of Treaties.

Can the arbitral tribunal go on working despite the fact that one of the parties, namely Croatia, refuses to endorse the continuation of its work (the Croatian Parliament is unanimously agreed on that point) and is opposed to the appointment of new members to serve in the tribunal?