

EN

E-000345/2026

Answer given by Mr Šefčovič
on behalf of the European Commission
(7.4.2026)

The Commission proposal on a Reparations Loan to Ukraine¹ refers to the bilateral investment treaties between certain Member States and the Russian Federation. In the Commission's view, given the systematic disregard by the Russian Federation of internationally agreed norms, including with regard to its commitments concerning the protection of investments by investors from Member States in the territory of the Russian Federation, maintaining bilateral investment treaties between Member States and the Russian Federation is no longer consistent with the investment protection policy developed by the EU pursuant to Article 207 of the Treaty on the Functioning of the European Union².

While approval by the co-legislators of that proposal is still pending, the Commission expects Member States to continue closely coordinating with the Commission services regarding their bilateral investment treaties in the light of their obligations under EU law, including on issues related to their agreements with the Russian Federation.

In relation to claims against certain Member States based on their bilateral investment treaties with the Russian Federation, the EU has indeed ensured that the EU sanctions regime provides for procedural safeguards against any damages claims or arbitral disputes.

The responsible Commission services are analysing the complaints referred to by the Honourable Member.

¹ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:52025PC3502>.

² <https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:12012E/TXT:en:PDF>.