

To:
The Members of the
German Bundestag, Berlin

Heidelberg, 27 May 2016

**CETA Free-Trade Agreement
Application to the Constitutional Court for Judicial Review**

Dear Members of the Bundestag,

The Alliance for Democracy (*Menschen für Demo-kratie*, see www.menschenfuerdemo-kratie.de) is a proponent of real, direct democracy. We look upon the proposed free-trade agreements TTIP and CETA with great concern. The investment protection provision in particular threatens democratic freedom and the rule of law. This is not only politically, but also constitutionally questionable.

In this respect, I refer to the expert report of the Research Service of the Bundestag (WD 3 3000 – 189/14 of 29 August 2014) and to the critical opinions of the Committee on the Economy and Energy of 13/03/2015 (official committee records 18(9)393). Furthermore, I am enclosing a legal opinion we commissioned from the law firm Kanzlei Jakob & Kollegen. The conclusion is clear: The proposed investment protection provision is unconstitutional.

The Bundestag has the responsibility and the possibility of initiating a constitutional review. CETA will have further consequences, not only for the economy but also for politics. Investment protection in CETA results in significant liability risks for Bundestag legislation. The freedom of the Bundestag will be curtailed.

Any Bundestag member may submit an application for judicial review with an emergency petition to the Constitutional Court. It would be a historic turning point if the German parliament were to oppose these free-trade agreements. Please take action to stop CETA in its current form.

Yours faithfully,

Attached

Legal opinion