

Sample CETA Resolution (updated November 2013)

The following updated CETA resolution builds on a 2010 resolution passed by the Union of British Columbia Municipalities and more than 50 other municipalities across Canada since then. It accounts for the new information we have about the Canada-EU deal and municipal governments, and emphasizes the need for local communities to have their say in whether CETA is in the public interest or not.

WHEREAS on October 18, 2013, the Canadian government announced it had concluded an “agreement in principle” with the European Union (EU) and is only months away from signing the proposed Comprehensive Economic and Trade Agreement (CETA);

WHEREAS the provincial governments were involved in negotiating CETA over the past four years;

WHEREAS for the first time in Canadian history a trade deal (CETA) will bind municipalities to international rules on how local governments spend public money despite the fact that municipalities were not principals during negotiations;

WHEREAS a technical briefing on the EU deal, tabled in the House of Commons on October 29, 2013 makes it clear that municipal governments and the wider M.U.S.H. sector (municipalities, universities, school boards and hospitals) will be largely covered by new international procurement rules that significantly reduce the freedom of these public bodies to use public spending as a tool for economic development, job creation, environmental protection and support for local farmers and small businesses;

WHEREAS this same technical briefing suggests that CETA procurement rules will cover “75-80 percent of procurement by major energy entities across Canada, with commitments by all provinces and territories with major energy-production and distribution capacity,” as well as “coverage of mass transit by all provinces and territories,” with some small and undefined exceptions for Ontario and Quebec;

WHEREAS coverage of transit and energy procurement appears to violate the fourth of seven principles for free and fair trade from the Federation of Canadian Municipalities, which states that: “There may be industries of strategic significance to a particular region, such as transit, or projects where considerations of quality, public benefit, environmental protection or business ethics means that a local government may wish to implement minimum Canadian-content levels;”

WHEREAS [the Municipality] already has an open and fair procurement policy, and it is not the international norm for municipal governments, or even most WTO member countries, to be covered by procurement agreements such as the one proposed in the CETA; and

WHEREAS other aspects of CETA related to municipally-delivered services and investment rules that could result in corporate lawsuits against municipal policy have not been disclosed in the federal government’s technical briefing on the EU deal;

THEREFORE BE IT RESOLVED that Council requests:

- The [Province/Territory] issue a clear, permanent exemption for [the Municipality] from the Canada-EU CETA, and that it otherwise protect the powers of municipalities, hospitals, school boards, utilities, universities and other sub-federal agencies to use public procurement as one of many tools to create local jobs, protect the environment, and support local development; and that
- The [Province/Territory] disclose to municipalities and the public its procurement, services and investment offers to the EU, explain the impacts CETA would have on municipal governance, and give M.U.S.H sector bodies the freedom to decide whether or not they will be bound by CETA provisions; and that
- This resolution be sent to the provincial and federal government ministers responsible for CETA negotiations, the [Provincial/Territorial Municipal Association], the Federation of Canadian Municipalities, the [Provincial/Territorial Hospital Association], the [Provincial/Territorial University Association] and the [Provincial/Territorial School Board Association], federations of labour, labour councils and unions representing workers in municipalities, provinces and territories and any other relevant bodies for consideration and circulation.