

EX16.2.2

Dear Ms. Pritchard:

I understand that the Council of Canadians is working with City of Toronto Council to review possible negative impacts of the pending Canada- EU Trade deal. As my colleagues in Toronto debate this issue, I thought it prudent to share the letter we have sent out following an approved City of Hamilton Council motion (attached). Our motion was prepared in consultation with our Federation of Canadian Municipalities (FCM), and Association of Municipalities of Ontario (AMO) Hamilton Council representatives to ensure we're on the same page with those organisations.

Should you or Council have any questions about Hamilton's approach please contact me.

Thanks,

Brian

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Brian McHattie, Councillor

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December 19, 2011

Federation of Canadian Municipalities
24 Clarence Street
Ottawa, ON K1N 5P3

Association of Municipalities of Ontario
200 University Avenue
Suite 801
Toronto, ON M5H 3C6

Dear Sirs:

City Council, at its meeting held on December 14, 2011, approved Item 49 of General Issues Committee Report 11-036, which reads as follows:

49. Canada – European Community Free Trade Agreement – Impact on City of Hamilton (Item 9.1)

WHEREAS the Canadian government is close to concluding negotiations with the European Union (EU) on a Comprehensive Economic and Trade Agreement (CETA), with participation from provinces and territories; and

WHEREAS the City of Hamilton recognizes the importance of trade to local, provincial/territorial and national economies but also the impact that trade agreements can have on the powers of local governments; and

WHEREAS in the CETA, Canada has exchanged an initial procurement offer with the EU (listing sub-federal entities that will be bound by the rules of the procurement chapter) that may include Hamilton and that would explicitly tie Hamilton to the terms and conditions of an international trade agreement; and

WHEREAS the EU is insisting on full access to procurement by municipalities, school boards, universities, hospitals, utilities and other provincial agencies, which could significantly reduce the freedom of these bodies to hire or source locally on public contracts, or to use public spending as a tool for economic development, environmental protection and support for local farmers and small businesses; and

WHEREAS procurement rules in the CETA combined with investment protections related to transit, water, electricity and other public services delivered locally may lock in privatization and make it prohibitively expensive to apply new regulations, to re-municipalize services, or create new municipal programs; and

WHEREAS Hamilton already has an open and fair procurement policy, and that it is not the international norm for municipal governments to be covered by procurement agreements such as the one proposed in the CETA; and

WHEREAS disputes by private firms against local policy decisions could be taken before private trade tribunals that lack transparency and have the authority to impose fines.

THEREFORE be it resolved:

- (a) That Council support the approaches being taken at the federal level by the Federation of Canadian Municipalities (and their guiding principles), and at the provincial level by the Association of Municipalities of Ontario;
- (b) That at the local government level, request that the Province of Ontario consider a clear, permanent exemption for the City of Hamilton from the Canada-EU CETA, and that it otherwise protect the powers of municipalities to use public procurement, services and investment as tools to create local jobs, protect the environment, and support local development;
- (c) That the Province of Ontario disclose its initial procurement, services and investment offers to the European Union (EU), explain the impacts the Canada-European Trade Agreement (CETA) would have on municipal governance, and give the Municipal, University, School and Hospital (MUSH) sector entities the freedom to decide whether or not they will be bound by the procurement, investment and regulatory rules in the agreement;
- (d) That this resolution be sent to the Association of Municipalities of Ontario, the Federation of Canadian Municipalities, area M.P.s, and M.P.P.s. and all municipalities with populations over 250,000.

In accordance with sub-section (d) above, this resolution is being forwarded to all parties noted therein.

Yours truly

Carolyn Biggs, Co-ordinator
Committee Services/Council/Budgets

c.c. See list attached

c,c, David Sweet, M.P., Ancaster/Dundas/Flamborough/Westdale
Dean Allison, M.P., Niagara West-Glanbrook
David Christopherson, M.P., Hamilton Centre
Wayne Marston, M.P., Hamilton Heat-Stoney Creek
Chris Charlton, M.P., Hamilton Mountain
Ted McMeekin, M.P.P., Ancaster/Dundas/Flamborough/Westdale
Andrea Horwath, M.P.P., Hamilton Centre
Tim Hudak, M.P.P., Niagara West-Glanbrook
Monique Taylor, M.P.P., Hamilton Mountain
Paul Miller, M.P.P., Hamilton East-Stoney Creek

Mayor Susan Fennell, City of Brampton
Mayor Carl Zehr, City of Kitchener
Mayor Joe Fontana, City of London
Mayor Hazel McCallion, City of Mississauga
Mayor Jim Watson, City of Ottawa
Mayor Rob Ford, City of Toronto
Mayor Eddie Francis, City of Windsor

Mayor Naheed Nenshi, City of Calgary
Mayor Stephen Mandel, City of Edmonton
Maire Marc Bureau, Ville de Gatineau
Mayor Peter J. Kelly, Halifax Regional Municipality
Maire Gilles Vaillancourt, City of Laval
Mayor Donald J. Atchison, City of Saskatoon
Mayor Dianne Watts, City of Surrey
Mayor Gregor Roberson, City of Vancouver
Mayor Sam Katz, City of Winnipeg
Mairesse Caroline St.-Hilaire, City of Longueuil
Maire Gerald Tremblay, City of Montreal
Maire Regis Labeaume, Quebec City

Regional Chair Gary Burroughs, Region of Niagara
Regional Chair Gary Carr, Region of Halton
Regional Chair Emil Kolb, Region of Peel
Regional Chair Ken Selling, Region of Waterloo
Regional Chair and CEO Bill Fisch, Region of York
Regional Chair Roger Anderson, Region of Durham