

Sweden, Kommunal : blog regarding CETA

<http://blogg.kommunal.se/utredare/2016/07/20/nationell-beslutsratt-om-ceta-en-seger-for-demokratin/>

National discretion of CETA, a victory for democracy

Then came some time ago that we hoped but not known confident: Trade Commissioner Cecilia Malmström stated that each national parliament would have the opportunity to test whether they can accept the trade agreement between the EU and Canada - CETA, a victory for democracy. CETA agreement has for some years been negotiated in secret. This far-reaching trade will have impact on each Member State and therefore it was a welcome announcement that there is to be a democratic debate in the EU and member countries.

What, then, the trade union movement in Europe and Canada, together with civil society and even some politicians are against this agreement?

The agreement, as well as mega-agreement between the EU and the US TTIP it is not primarily about tariffs or trade procedures (simply declared customs bureaucracy). What we are worried from the Municipal perspective is an irreversible liberalization of public services, the risk of undermining the rules of public procurement and the right and obligation of the state, municipalities and county councils to make decisions about laws and regulations, but not to risk being challenged by investors profit.

1. The liberalization of public services Negotiators for the agreement ensures that public services should remain public if we want it. This is precisely the problem. The agreement is constructed in a way that means that the services, or activities, we want to exclude and retain in the public sector must be excluded already in negotiations. What will be liberalized now cannot be recovered in the future. If a future government decides to remove an exception, which is possible, it would in principle be impossible to get back the same exception.

2. The weakened procurement For just a short time ago we received an updated and improved European legislation on public procurement regulatory framework that is now awaiting the Swedish Parliament. It gives an opportunity to set social requirements such as collective agreements in a contract. With CETA we risking to back to square one with the obvious deficiencies in procurement rules which we have today.

Other effects of the proposed rules, according to a report from the European Federation of professional public servants EPSU is to exemptions for market access of public services deemed to be so inadequate that it can lead to difficulties in procurement. According to the rules, contracting authorities find it difficult to make demands on staffing in a tender where the procurement rules do not agree quantifiable requirements. Another area that can have a negative effect with regard to subsidization of medicines within the cost ceiling that can be seen as a quantitative restriction and thus violate trade rules.

3. Democracy. Although the agreement includes the possibility for investors to sue a state does not mean that the state's right and obligation to decide on new rules and laws disappear, but everything has its price. One of the ideas behind the system is that it should have a "chilling" effect on the legislature's

willingness to enact laws and regulations. Dispute settlement mechanism is probably the most controversial and criticized part of this Agreement.

In LO's Congress in June was made several good decisions concerning trade matters. The congress decided among other things to the LO actively work:

- Exclude public services regardless of their funding from CETA and other trade agreements in ongoing and future trade agreements.
- Ensuring the conditions for public procurement is not undermined
- Guarantee the right of states and the obligation to create the necessary rules

All the ingredients that Congress is not considered to belong in trade agreements included in CETA. It is now time for the labour movement to call the Swedish politicians and the government if they are prepared to review the implications of trade agreements.