

Is CETA moving forward in spite of challenges?

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The big question!

- Will CETA ever see the light of day?



To mix or not to mix?

- To mix for political and expediency reasons
 - Unanimous vote in the Council of the EU
 - Majority vote in the EP (consent)
 - Vote by member state parliaments
- Not to mix for legal reasons
 - QMV in the Council of the EU
 - Majority vote in the EP (consent)

Obstacles to ratification

- Veto in the Council
 - Bulgaria and Romania?
- Negative vote by a member state's parliament(s)
 - Austria, Belgium, Germany?

If no to free trade with Canada, then who the “heck” with?



Scope of CETA's provisional application?

- Approximately 95% of the agreement would apply
- Carve-outs
 - Investment (chap. 8)
 - Investment protection (ISDS)
 - Financial services (chap. 13)
 - Portfolio investments
 - Investment disputes
 - International maritime transport services (chap. 14)
 - Canada would not mind
- The ECJ may ultimately decide what is provisional and what is not

Brexit

- No impact until the UK leaves the EU
 - Good for Canada
- When the UK leaves the EU, then it is no longer party to CETA
 - Bad for Canada
- Canada and UK must sign a new FTA asap after the UK leaves the EU
 - Copy and paste CETA?

Next step: implementation

- Adoption of concrete (i.e., practical) rules, standards and procedures for business to take advantage of CETA provisions
 - E.g., mobility of professionals, technicians and businesspeople; product certification; customs and trade facilitation
- Requires lots of cooperation and coordination
 - Canada: federal and provincial
 - EU: supranational, national and subnational

THANK YOU!