

Chapter 4: CETA

This chapter is a bit tedious, because I'm not going to teach you a lot and I'm going to quote you gruesome sentences on the form, and indecent on the substance. They are taken from the CETA European treaty. A tip I suggest is to fly over or simply skip the AACC quotes first, as the content is summarized before or after. You may just go back to the quote if my summary seems implausible to you and you want to read it through with your own eyes.

But this chapter is important. In the previous chapter, I explained to you why our interest rate loan system was unethical and unhealthy. It can be difficult to grasp for some people, and for many it remains an abstraction. Namely, that they can hear that our economic system has unhealthy foundations, but these are only reasonings, perhaps speculative. We also have to make sure that it is in line with what we are experiencing, so that it is a reality. Well in this chapter, you will see that gangrene is real, visible and has reached the constitution of the European Union and Canada. And which is in the process of expanding to other areas with the preparation of free trade treaties between the European Union and these areas. Thus, the main thing that you will learn is that the political project of the European Union is a big lie that in reality establishes a financial dictatorship that deprives people of all justice. If this is already obvious to you, you can skip to the next chapter and come back to it later, when your mind is lighter. But many French people do not understand that the British have decided to leave the European Union. Some even believe that the question of Europe must not be discussed, and that has the consequence of accepting anything. They think that being alone outside the European Union is exposing oneself to great difficulties vis-à-vis the rest of the world. Perhaps, but you have to compare to what they are now exposed to. What some “pessimists” supposed, can now be read black and white in the CETA treaty. If you do not react to everything that was exposed previously in this work, life will become more and more painful and our civilization will die out in a while. And if, in this future, later archaeologists or people from elsewhere find this constitutional text, they will understand that it is not an asteroid that ended our civilization but our moral conscience: a civilization has chosen to organize according to predation, injustice and deception. As we understand, or understand, that Sodom and Gomorrah were doomed to disappear given their manners. The *Comprehensive Economic and Trade Agreement* (CETA) is a European constitutional treaty involving European Union and Canada. This is how the European Union presents it: “It will facilitate the export of goods and services, which will benefit citizens and businesses, both in the EU and in Canada. ”. However, an administrative decision to lower customs rates would be sufficient to achieve this objective. But, it seems necessary to have a treaty of 1057 pages to do that. Isn't that a bit suspicious? The European Union wants free trade everywhere. It is its

essence. But behind these words is the meaning that the strongest must have the absolute freedom to act as he pleases. He must be able to impose his choices without possible challenge. Victims or even the majority of the population must not be able to obstruct it. And that's what it says in the text, Chapter 8: Investment. Let's see concretely what this tedious text says:

At the beginning of the text, it is explained that a "Party" designates Canada or the European Union or its member states.

The article "8.4 Market access" decrees that the investor must be able to buy wherever he wants in the quantity he wants and that nothing should oppose it. But it is not expressed in this way where the meaning is obvious. CETA editors prefer to use reverse logic: there is everything that a "Party" cannot do so that the meaning does not appear obvious. It is therefore not very pleasant to read. The responsibility lies with the authors of CETA, but I want you to see for yourself:

"1. A Party shall not adopt or maintain with respect to market access through establishment by an investor of the other Party, on the basis of its entire territory or on the basis of the territory of a national, provincial, territorial, regional or local level of government, a measure that:

(a) imposes limitations on:

(i) the number of enterprises that may carry out a specific economic activity whether in the form of numerical quotas, monopolies, exclusive suppliers or the requirement of an economic needs test;

(ii) the total value of transactions or assets in the form of numerical quotas or the requirement of an economic needs test;

(iii) the total number of operations or the total quantity of output expressed in terms of designated numerical units in the form of quotas or the requirement of an economic needs test ⁽⁸⁾;

(iv) the participation of foreign capital in terms of maximum percentage limit on foreign shareholding or the total value of individual or aggregate foreign investment; or

(v) the total number of natural persons that may be employed in a particular sector or that an enterprise may employ and who are necessary for, and directly related to, the performance of economic activity in the form of numerical quotas or the requirement of an economic needs test; or

(b) restricts or requires specific types of legal entity or joint venture through which an enterprise may carry out an economic activity.

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You see, it's not pleasant, but can the authors clearly express their deep intentions? "I want everything, everywhere, all the time" is honest, but it is not politically correct. It is therefore necessary to find a way to obfuscate the content by making it boring in order to dissuade people from wanting to understand it. "Enlightened" speakers are there to comfort and tell us what is important. It's so much more convenient. Well, no, I'm going to bore you a bit by quoting this text to make you aware of the enormities therein.

So this article 8.4 establishes that a country, a nation, a state is reduced to a super market opened to investors by the mere fact that one is an investor. On which moral basis can one affirm this? Yet a country has a history, a culture, beliefs, legends, epics, choices, religions and people that make it unique and that there are usages and practices that must be respected, especially when one comes from abroad. It is also understandable that certain professions, communities, groups, regions, are protected or privileged in the framework of national cohesion and solidarity. We could call this basic civility. If you want to access someone else's resources, in a civilized world, you should ask for their consent. If the resident declines the request, we apologize for the inconvenience. And if the resident agrees to offer his or her location, we thank him or her for giving the opportunity to enrich ourselves and we can begin negotiations to find out how the benefits will be shared.

If you don't understand it, I will take the metaphor of a family and its housing. In the framework of a twinning agreement between a city A and a foreign city B, it was agreed that the administrative staff of city A would be able to come and stay in all the homes of the families in city B as if they were in a hotel. All accommodations and what is inside should be accessible to them. And conversely, all the administrative staff of city B could have access to the homes in city A and use them at their convenience, just like the families who live there. Do you still find this normal? Just because there is reciprocity between the administrative offices of city A and city B

does not mean that the agreement is fair. In fact, there is a huge injustice of the administration over the rest of the population.

Let's look at the rest, what does Article 8.5 say: " Performance requirements"? It states that the products or services resulting from investments must be independent of any local constraints. For example, it is not possible to require the use of local suppliers, even in part. The text is as follows:

"1. A Party shall not impose, or enforce the following requirements, or enforce a commitment or undertaking, in connection with the establishment, acquisition, expansion, conduct, operation, and management of any investments in its territory to:

- (a) export a given level or percentage of a good or service;

- (b) achieve a given level or percentage of domestic content;

- (c) purchase, use or accord a preference to a good produced or service provided in its territory, or to purchase a good or service from natural persons or enterprises in its territory;

- (d) relate the volume or value of imports to the volume or value of exports or to the amount of foreign exchange inflows associated with that investment;

- (e) restrict sales of a good or service in its territory that the investment produces or provides by relating those sales to the volume or value of its exports or foreign exchange earnings;

- (f) transfer technology, a production process or other proprietary knowledge to a natural person or enterprise in its territory; or

- (g) supply exclusively from the territory of the Party a good produced or a service provided by the investment to a specific regional or world market.

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Thus, to continue with the metaphor about the family, the administrative staff of the other city, who will later be called the intruder, might demand to eat on a table of a different height that he would bring from his city. He may require to eat in the middle of the night. He could also invite colleagues who have a more interesting conversation than guests who do not make the effort to speak his language. But if the hosts want to receive guests, the intruder must accept because you cannot impose the company of someone he does not want.

Perhaps you are beginning to find this unbalanced.

The same section then continues by stating that absolutely nothing can be demanded from an investor, even in exchange for compensation. The wording is as follows:

“2. A Party shall not condition the receipt or continued receipt of an advantage, in connection with the establishment, acquisition, expansion, management, conduct or operation of any investments in its territory, on compliance with any of the following requirements:

- (a) to achieve a given level or percentage of domestic content;

- (b) to purchase, use or accord a preference to a good produced in its territory, or to purchase a good from a producer in its territory;

- (c) to relate the volume or value of imports to the volume or value of exports or to the amount of foreign exchange inflows associated with that investment; or

- (d) to restrict sales of a good or service in its territory that the investment produces or provides by relating those sales to the volume or value of its exports or foreign exchange earnings.

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A community can give aid, that's fine, but it must limit itself to giving and possibly asking, but it is clear that this remains at the goodwill and discretion of the investor.

To continue the metaphor of the family, the intruder is happy to be given money so that he can tolerate guests that his hosts would like to receive. But he gives them his answer only after the money has been received. And under no circumstances does a refusal imply that he returns the money. In this spirit, in response to the request to have guests, the intruder accepts to receive money to select some (§3). It is clear that we are dealing with a despotic relationship where everything is a one-way.

You may be wondering why I insist so heavily on this treaty. But it is simply because it is our constitution. Everything described in it has a value greater than any law that could then be passed. It seems to me necessary that you should be aware of the gravity and the importance of this text.

Let's continue with Article 8.6 National Treatment. It requires that the foreign investor must be favored or at least receive the same treatment as local actors. I leave it to you to verify this:

“1. Each Party shall accord to an investor of the other Party and to a covered investment, treatment no less favourable than the treatment it accords, in like situations to its own investors and to their investments with respect to the establishment, acquisition, expansion, conduct, operation, management, maintenance, use, enjoyment and sale or disposal of their investments in its territory.

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To put it explicitly, the foreign investor must have the best share. No reason is given to justify such an injustice. One can therefore make some assumptions. Perhaps it is a compensation or a revenge for the fact that before, historical and local actors were privileged: what was called national preference? We can also see the idea that the weak at home must find harsher conditions than the strong who can come and invest his surpluses elsewhere. It should be noted that this is in the same morality as the idea that the person who has difficulty repaying a debt will pay more interest and will therefore be in even greater difficulty. Isn't this a legalization of the jungle law? The lion's share shall be the biggest one?

If we use the metaphor of the family home, then the intruder can claim the best of the house. The host's room for example. Or even the place in bed with the woman. Isn't this a case of gross abuse?

A normal reaction would be to throw the intruder back in his place. That is to say, to throw him out, using force if necessary. We then understand the following article "8.10 Treatment of investors and of covered investments" which calls for the protection of investors:

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1. Each Party shall accord in its territory to covered investments of the other Party and to investors with respect to their covered investments fair and equitable treatment and full protection and security

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Why is it necessary to write such evidence? Is it obvious that we are in a state of law where everyone has the right to protection? Why not also include tourists? It seems necessary to grant a special status to the investor. As if, by its action, it can provoke reactions that would endanger him. Perhaps, it is necessary to suggest to the investor to respect his hosts and to make sure that they also find their interest in his presence and his action. It would have been more balanced to put duties on the investor rather than letting him plunder and have to protect him. We can speak of financial colonialism. It is necessary to realize that the investor, in this treaty, is different from the rest of the actors of the nation. And this difference is superiority. Is this not contrary to the spirit of the Universal Declaration of Human Rights, cited in the preamble of this treaty, as well as to the French Constitution?

With such arrangements, it is inevitable that disputes will arise. Thus, it is also important for the authors of this text that the requirements imposed on States for investors are arbitrated along the lines of the previous articles. That is to say, to the detriment of all other requirements regarding the protection of the weak, equity, solidarity or any other humanity value. This flagrant and immoral imbalance is manifest in the functioning of arbitration. Thus the courts of justice, which could integrate other requirements than those of the return on investment, cannot be seized, or will be placed at a lower level.

We still see the imbalance because only the investor can file a complaint. It is in article 8.18 “Resolution of investment disputes between investors and states”, section “Scope”:

“1. an investor of a Party may submit to the Tribunal constituted under this Section a claim that the other Party has breached an obligation ”

Such roughness is in fact necessary because in this text there is no duty nor obligation from the investor. Therefore nobody is allowed to hold him accountable. Giving the possibility to complain against an investor would imply that the investor has duties, even if they are not listed in this text. Thus, through the chosen form of arbitration, you can once again see that the international investor is a separate status that has only rights and no duties.

Thus, to use the metaphor of the family home, the intruder can complain if the host does not want to leave his place in the marital bed, but the host cannot contest such a requirement. And if he does not accept, he will be condemned and will have to leave his place in the marital bed.

The following article 8.19 “Consultations” is not without irony, as it invites the parties involved in the dispute to reach an amicable agreement.

“1. A dispute should as far as possible be settled amicably. Such a settlement may be agreed at any time ”

The party that is attacked has nothing to negotiate since it has no rights over the investor but only duties towards him. Not submitting to the investor under such conditions is unreasonable. Indeed, the text has been designed so that there are no possible ambiguities. Thus, these words announce the color of what will happen if the victim does not submit. In the victim's interest, it is recommended to not challenge the order established by this treaty.

Let's see who will arbitrate: In article 8.27 "Constitution of the Tribunal", it is made clear that the members of the tribunal shall be specialists in international law and, if possible, specialists in international investment:

“4. The Members of the Tribunal shall possess the qualifications required in their respective countries for appointment to judicial office, or be jurists of recognised competence. They shall have demonstrated expertise in public international law. It is desirable that they have expertise in particular, in international investment law, in international trade law and the resolution of disputes arising under international investment or international trade agreements.”

This means that the arbitrations that are judged by this tribunal are rendered by people whose job it is to ensure that the letter of the law is applied and in no way the spirit of the law or justice. On the other hand, to be recognized specialists in international law and investment, this implies that these judges must be past, present and probably future employees of international investors or people working closely with international investors.

Now, back to the testimony of John Perkins, in his autobiographical book "Confessions of an economic hit man". He worked on behalf of international investors to convince the leaders of countries of the need to go into debt in order to develop their countries through international investments. He is therefore qualified to be a judge of this tribunal, especially since he worked in courts of law as a paid expert to argue the benefits of certain investments such as nuclear power plants and to minimize their negative impacts. His conscience reminded him to testify that he was an economic hit man. But he did so after his career. How many of the judges have, or will have, a conscious awareness of the reality of their actions. The caste of those who can complain is also the same or has control over those who can judge. This has nothing to do with justice. That is probably why this word is not associated with this court.

If you are still in doubt about the imbalance of this arbitration authority, it is written in Article 8.30 "Ethics" that a judge must not be tied to a government.

“The Members of the Tribunal shall be independent. They shall not be affiliated with any government ”

Thus, judges are necessarily in cahoots with investors who have only rights on the one hand, and no connection with a government that endorses their duties and obligations on the other hand. So here is the ethics of the authors of this text: the total domination of statefree surplus possessors over any other actor of the nation. But it is not enough to write the word ethics for one thing to be moral or right.

Thus, in the framework of our metaphor of a family home invested by an intruder, the man who would refuse his place in the marital bed, would be invited to negotiate with the intruder. For, if he persists in opposing the intruder, he would be judged by a court composed of experts in intrusion and domination, i.e. rapists and pimps. Yes, it

is written in the convention that the 2 cities have signed. But for this metaphor to remain coherent, it should be added that this convention had been written and proposed by the mafia, which also massively has infiltrated the administration of the 2 cities.

There is no recourse by a government at the international level, except to enforce the decision of the arbitration tribunal. This is article 8.42 "Role of the Parties".

“1. A Party shall not bring an international claim, in respect of a claim submitted pursuant to Article 8.23, unless the other Party has failed to abide by and comply with the award rendered in that dispute.”

Thus this court is the highest decision-making authority.

Turning now to a strategic point: Article 8.29 "Establishment of a multilateral investment tribunal and appellate mechanism". It is thus quickly and explicitly stated that the arbitration tribunal, the highest decision-making authority on investment matters, must transfer its jurisdiction to a third party body that it is only known that it will be international and that it will involve other actors...

“The Parties shall pursue with other trading partners the establishment of a multilateral investment tribunal and appellate mechanism for the resolution of investment disputes. Upon establishment of such a multilateral mechanism, the CETA Joint Committee shall adopt a decision providing that investment disputes under this Section will be decided pursuant to the multilateral mechanism and make appropriate transitional arrangements.”

This article is indicative of who will lead investment in the European Union and Canada. As we have seen, it is not the governments of Canada or the European Union, but international investors. This provides the legal framework for the multinational company or international investors to invest in Europe and Canada. There is a transfer of sovereignty to ... an opaque structure with no obligations, which does not depend on a nation to which accountability could be demanded. The dream or goal of the European Union is now realized: the paradise for financial assassins to operate legally, or the establishment of a gigantic colony for financial invaders to invest in. Where is the protection of the European Union against the other hostile actors of the world? The reality is that it is handing us over to them tied hand and foot.

One conjecture that can be made is that while the "independent" European Central Bank organizes the liquidity shortage in the euro zone, the other institutions (the commission, parliament, council) are passing this treaty to give carte blanche to investors that our representatives will beg to come and bring work and unlimited produced cash from the dollar zone. Europe is thus at the dawn of a colonization that it had not undergone since the Roman Empire.

Now, I would like to draw your attention to Article 1.9 "Rights and obligations relating to water". It is explicitly stated that water cannot be considered as a good or commodity like any other. States have the right to preserve it: Here is the wording of the treaty:

“1. The Parties recognise that water in its natural state, including water in lakes, rivers, reservoirs, aquifers and water basins, is not a good or a product.”

Thus, a limit to widespread commodification is set out.

What think of this article knowing Chapter 8 "Investment"? Should we be relieved that our country cannot be transformed into the Sahara by the greed of some? Should we be satisfied that some had the courage to put a limit to the omnipotence of international investors? Or should we see that the limit is written and therefore everything else is allowed?

Let's take our metaphor one last time, the convention between cities A and B stipulates that the intruder must respect the life of the guests. If a man prevents the intruder from killing his wife, the intruder, and only the intruder, i.e. the murderer, can file a complaint, but it will be rejected if the court composed of rapists and pimps recognizes that he has exceeded the limits set by the convention. He will then have as a penalty to pay the judge's salary. If the intruder has only raped the woman, the intruder will be recognized in his good right and the host will be condemned to compensate the rapist intruder and the judge.

I hope I have drawn your attention to the roughness of this treaty. I hope that the metaphor highlights the excess of male energy in this treaty, which manifests a domination in law of some over others just because they are stronger, or rather more cunning or richer. Balancing these energies with feminine energies could have universal momentum and support.

We must realize that this treaty has the value of a constitution. It will be very difficult to revoke it, because it will require unanimity of the countries. Moreover, it binds us with an external partner. Therefore, it cannot be denounced with immediate effect. It has a persistence of 20 years (Article 30.9 of the CETA: "the provisions of Chapter Eight (Investment) remain in force for a period of 20 years after the date of termination of this agreement, with regard to investments made before that date"). If you read the treaty of operation of the European Union, you will notice that everything is conditioned to the present and future treaties. The CETA is moreover formulated in the spirit of a constitution with the inclusion of a preamble which is normally supposed to give the context and the spirit of the text. As I have bothered to go through it, and in the light of the preceding explanations, here is a preamble that more sincerely reflects the context and spirit of this constituent text:

Proposed preamble:

"We, the caste of the greedy statefree, in order to establish our total domination, have whispered to your representatives this founding text in which we have only rights. In order to make you adopt this text and to dissuade you from reading it, we have flooded with administrative information the essential element: our treatment and that of our investments. The treatment of kings and the lion's share. We have taken care to list all the artifices of laws that have hindered our predation in the past all over the world. You will not be allowed to use them. As some of you will understand that we are abusing our liberty, we have set up an arbitration mechanism, ensuring that this text, which gives us all the rights, is respected to the letter. You only get what you deserve."

End of the proposed preamble.

I am aware that there is cynicism in this proposal, but this is what I feel when I read Chapter 8 on the one hand, and the overabundance of administrative details that have nothing to do with constituent elements on the other.

This text was written and validated by the European Union, including your elected representatives in the European Parliament, but also validated by the French Parliament and approved by the Constitutional Council of France, whose role is to guarantee respect for the constitution and the sovereignty of France. The latter has found nothing to complain about!?!

However, here is a very different point of view, one that highlights fundamental questions about this constitutional evolution. As discussed in the previous chapter, the interest-rate loan is a mechanism for the permanent transfer of wealth to the wealthy lenders. When wealth is no longer sufficiently accessible, the borrower can no longer repay under normal conditions and has to submit to actions that he would not otherwise have done. Like accepting underpaid work. Because he is indebted to the owner. He ends up becoming his slave. What free trade does is to put societies that respect people in competition with slaveholding societies. When free trade is enshrined in law, it prohibits any compensation that would rebalance the market. In this way, slave companies can produce at a lower cost than companies that respect people or the environment. To survive in a totally free market, without the support of the community, they will be inclined to adopt a slavery model. But this model of usury based on the mathematical law of exponential cannot continue indefinitely. There comes a time when slaves cannot give more than all their time to work. In order for the system to last, it is necessary to break this rent from the ownership of money, while keeping the labor force submissive. And this means is the asset. It is a title to something that brings money. Another name is investment. Since money no longer yields money on its own (the case of negative rates nowadays), the asset is very valuable because it yields money. So it starts to be worth a lot of money. But it becomes inaccessible for those who have no money or assets. The latter will only be able to borrow in proportion to his slave wage. A lifetime will not allow him to borrow to acquire or build an asset. On the other hand, the one who has a significant asset can borrow to buy other assets. The society will split itself between the owners of assets and the others. Small savers will be washed out. In order for this new system to take hold, it is strategic to sanctuarize the asset. It has to pay off structurally. It is therefore necessary to make sure that nothing will stand in the way of profitability, such as social laws, the emergence of competing assets financed by the community, the restriction of natural resources, the help of certain small non-slavery actors to expand in order to lower market prices, etc. For this, constituent laws are needed that cannot be easily modified. This is the role of the CETA: to provide a sanctuary for investment. Having control over an investment is becoming equivalent to having control over a fiefdom in the old regime (before the French Revolution). And this precious title of ownership will remain in the family, ensuring its durability. As in the nobility of the old regime. You must not take the risk of bothering investors bigger than you are, otherwise they will attack your markets and ruin your investment, which

will send your family into the misery with the people. Moreover, to simply avoid the attack of a big investor, it will be necessary to put oneself under the protection of another big investor, who will demand a commission in an allegiance contract, as there were taxes and tributes against protection in feudalism. Some, by their bravery or genius, may emerge but will not become princes or kings, the place provided for in this system is knightly, the first echelon. And the system must be served. In short, CETA restores the old regime. Burning the titles of nobility in 1789 was not enough to eradicate the idea of hereditary domination and submission. We did not return in 1788, at the end of feudalism, but in -10000, when men were going to begin to regroup and establish rules to face the law of the jungle, the law of the strongest.

The French and European system of democracy is bankrupt, and it is worth thinking about how it has come about. Perhaps the system is bad and needs to be changed, but perhaps it does indeed represent the nation. A nation with a weak morality. Is France still a people, or a mass of populaces as Victor Hugo understood it? "At all levels of society, everything that works, everything that thinks, everything that helps, everything that tends towards the good, the just and the true, is the people; at all levels of society, everything that languishes through voluntary stagnation, everything that ignores through laziness, everything that does evil knowingly, is the populace. Above: selfishness and idleness; below: envy and laziness: these are the vices of the populace. And, I repeat, we are populace at the top as well as at the bottom." Victor Hugo.

I am aware that reading this chapter will make more than one French, one European or even one Canadian person feel uncomfortable or even desperate. But, my goal is to bounce back, and it is first necessary to reconsider oneself and realize that we are falling. Take advantage of this chapter to understand that you cannot trust the political class and its system that we have inherited to deal with issues of the utmost importance such as nuclear risk management. Concrete ideas for hope and rebound are offered in subsequent chapters.