



To: The Honourable Chrystia Freeland, Minister of Foreign Affairs
Global Affairs Canada
125 Sussex Drive Ottawa, Ontario, Canada
K1A 0G2

April 11, 2018

Dear Minister Freeland,

We represent civil society organizations and individual experts working directly with Canadians to ensure that their voices are heard and incorporated into the renegotiated North American Free Trade Agreement (NAFTA).

Today, we are formally asking you to proactively and transparently release all submissions you received as part of your NAFTA public consultation. We are concerned that Canadian voices are not being heard in the current NAFTA renegotiations. With the current negotiating text and government's negotiation priorities unavailable to the public and very limited participation of civil society groups in the negotiation rounds, the process remains obscure and inaccessible to the public.

Over 46,400 submissions have been received as part of your ongoing NAFTA public consultations. However, it remains to be seen what the government has done to incorporate this feedback into its negotiation priorities. Without having access to those or the negotiating text itself, it is impossible to tell whether the government's negotiations are indeed aligned with Canadians' best interests. Citizens have the right to the results of the consultation – and your plans to act on them.

Your office has told us that we are welcome to submit an Access to Information (ATI) request for the consultation submissions. We will do this if we must. But first, we are formally asking you to proactively and transparently release all submissions you received as part of your NAFTA public consultation as a part of the Open Government Initiative. The access to information system is a lengthy and time consuming process, and has long been criticized for its extensive wait times for results — if they are fully released at all. Unfortunately, we don't have time for waiting. NAFTA renegotiations have already been underway for months. We feel that your own proactivity in disclosing the results will not only expedite the process, but demonstrate your commitment to transparency and open government initiatives.

Your own government has already set a precedent for this. Canadian Heritage's 2016 consultation on [Canadian Content in a Digital World was made public](#) to demonstrate openness and transparency in that process. Public Safety Canada did the same with its Consultation on National Security [back in December 2016](#), thanks to the pressure of [30 leading civil society organizations and individuals and privacy experts](#) who demanded full transparency and the proactive release of the full, anonymized results.

Moreover, proactive disclosure of this information fits with best practices in open government and access to information obligations, which also provide a framework for ensuring disclosure does not adversely affect privacy or other legitimate interests of consultation participants. But most importantly, we believe that this would give Canadians assurance that their voices are being heard and that the government's commitment to progressive trade is legitimate.



Above all else, the results of the consultation must be released and made available to external, independent analysis before an agreement is signed. This issue matters deeply to Canadians. Over 18,000 have taken part in your consultations through OpenMedia's online tool alone and over 20,000 messages have been submitted via Leadnow specifically calling on Canada to negotiate Investor-State Dispute Settlement (ISDS) out of the deal. These make up a vast portion of the 46,400 submissions that your office has said to have received throughout this consultation period. Citizens, academics, experts, and advocacy organizations must be empowered to audit the full record of your consultation before an agreement is reached between countries.

The government has been heavily criticized for the secrecy in negotiating trade agreements like the TPP. Your government repeatedly has claimed commitment to ['progressive trade'](#) and that it's [working very hard to get a good deal for Canadians](#). But the only judges of whether it is ultimately good or not are Canadians themselves — and that can't happen without the transparency we are requesting.

Canadians are rightly questioning this government's commitment to act on their feedback to this trade agreement. We deserve a government that listens to its constituents. We urge you to make this commitment to transparency as a critical first step to restoring our trust.

We look forward to your response.

Sincerely,

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CWA Canada, The Media Union/SCA Canada, Le syndicate des Medias
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