Cities seem increasingly present on the international scene, exercising what is sometimes labelled ‘local’ foreign relations. This manifests itself when, for example, cities take a public stand in relation to an issue of concern in another country or region. This poses a challenge from a legal perspective, because cities are usually conceived as legally powerless in foreign relations, for two main reasons. The first reason is that foreign relations are conventionally exercised by high-level executive officers of the State, in large part through what is called “the prerogative power”, on the basis of a unitary conception of state sovereignty. The second reason is that municipalities are conceived as mere creatures of statutes and their subordinated position has been consistently reaffirmed in judicial pronouncements, if only rhetorically. Within this framework, cities act under a delegating statute whose terms they cannot alter and statutes typically delegate them only powers of a ‘local’ nature. I will discuss whether recent developments in Canadian public law allow for the articulation of a legal basis for cities’ action in foreign relations.

GENEVIÈVE CARTIER is Professor of Law at the Faculty of Law of the Université de Sherbrooke, in Québec. She holds degrees from that university (LL.B), from the University of Cambridge (LL.M.) and from the University of Toronto (S.J.D.) Her main areas of research and teaching are administrative law and legal theory, but she is interested in public law generally. Over the last few years, her publications focused on the theme of administrative discretion and on the relationship between administrative law and the Canadian Charter of Rights and Freedoms. She was a member of the Advisory Council for the Law Commission of Canada, presided over both the Quebec and Canadian Association of Law Teachers and was Associate Dean for student affairs. From 2012 to 2015, she was full time Director of Research for the Quebec Commission of Inquiry on the awarding and management of public contracts in the construction industry (the “Charbonneau Commission”). She is presently engaged in a research project on the question of discretionary powers exercised under the royal prerogative.