

The drastic consequences of Trade agreements with Investor State Dispute Settlement Clauses

In addition to the **direct** threats from unconventional gas and coal mining to our land, water and future existence on this, the driest continent on earth, there is another truly insidious threat that could see the diminishment of Australian Sovereignty and our federal government's ability to regulate in the interests of the public and our environment.

This insane threat comes from something called Investor State Dispute Settlement Clauses or ISDSs, which, when included in Trade Agreements, will give foreign corporations or investors the right to sue our government for millions or even billions if, they claim a local, state or domestic law harms their profits.

Previous governments have wisely been opposed to inclusion of ISDSs but the Abbott government has included these provisions in the free trade agreement with Korea signed last year and it is negotiating ISDSs on a 'case-by-case' basis in the Transpacific Partnership Agreement which includes the US, Australia and 10 other countries. Negotiations are secret, and the agenda is being driven by the US on behalf of its global corporations.

US, Aus, NZ,
Canada,
Mexico, Peru,
chile,
Singapore,
Brunei,
Malaysia,
Japan.

Currently, the US Lone Pine energy company is using ISDS provisions in NAFTA to sue the provincial government of Quebec for \$250 million because it suspended shale gas mining to conduct an environmental study.

The Philip Morris Tobacco Company is currently using ISDS provisions to sue the Australian government over the plain packaging legislation. Even if the government wins the case, it will cost millions in legal fees.

As the number of investor state dispute settlement cases lodged increases each year, more and more countries are questioning the system and many are withdrawing from agreements containing ISDSs.

If Australia signs the Trans-Pacific Partnership Agreement with Investor State Dispute Settlement clauses it will take away our rights to protect the Australian environment, our health and way of life.

The Australian people need to make sure that this Government does not sign the TPPA with ISDS clauses.

Free Trade does not mean fair trade!

For further information and to find out what you can do go to:

aftinet.org.au Australian Fair Trade & Investment Network.

For info

The WTO aims to liberalise international trade in goods and services, through removing tariffs, restricting or removing government regulation, and by increasing intellectual property rights. The WTO has attracted widespread criticism and protest for the neo-liberal free market policies that it promotes, along with the World Bank and the International Monetary Fund. The neo-liberal model of development has encouraged the growth of free trade zones in developing countries, based on poor working conditions and low environmental standards, promoting a race to the bottom to attract investors. AFTINET believes that the WTO should develop a fair multilateral trade system which enables governments to regulate in the public interest, gives real recognition to the needs of developing countries and is based on United Nations agreements on human rights, labour rights and the environment