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As Battle Over NAFTA Investor Protections Heats Up, Trilateral Coalition Delivers 400,000 Petitions Demanding Elimination of Corporate Rights and Tribunals

Investor-State Dispute Settlement Becomes Key Measure of Whether NAFTA Renegotiations Will Benefit Working People or Expand Corporate Power

WASHINGTON, D.C. – Growing public opposition to the expansive corporate privileges at the heart of the North American Free Trade Agreement (NAFTA) took center stage as the fourth round of NAFTA talks began today in Washington, D.C. U.S., Mexican and Canadian civil society organizations delivered more than 400,000 petitions demanding that NAFTA’s expansive corporate rights and protections and Investor-State Dispute Settlement (ISDS) be eliminated during renegotiations.

“If you want to know how trade deals like NAFTA have been rigged against working people and our communities, all you need to do is to look at the Investor-State Dispute Settlement process,” said Chris Shelton, president, Communications Workers of America.

“Americans want trade deals that will add new protections for our environment, create American jobs and raising wages, not another corporate giveaway by a phony populist like Trump, said CREDO political director Murshed Zaheed. “If Trump doesn’t use NAFTA renegotiation to eliminate the Investor State Dispute Settlement provision it will further expose his administration as craven crony capitalists masquerading as faux populists.”

“The Teamsters are North America’s supply chain union. With members in long-haul trucking and freight rail, air, at ports and in warehouses, as well as members in manufacturing and food processing, this union has a big stake in trade policy reform,” said Jim Hoffa, general president, Teamsters. “We will be monitoring the modernization of a flawed and failed NAFTA, and fighting to make sure that the new NAFTA works for working families.”

U.S. officials are expected to table a proposal on the controversial NAFTA investment chapter during this week’s negotiations. NAFTA’s investor protections and ISDS make it less risky and expensive for corporations to outsource jobs and empower them to attack domestic policies that protect public health and the environment by going before tribunals of three corporate lawyers who can order unlimited compensation to be paid to the corporations by taxpayers.

Last month, [more than 100 small business leaders sent a letter calling for elimination of ISDS in NAFTA](#). Organizations representing U.S. state legislatures and state attorneys general and hundreds of prominent economics and law professors [also have declared opposition](#) to ISDS, as has a group of Republican members of the U.S. House of Representatives. Conservative U.S. Supreme Court Chief Justice John Roberts [has warned about the threat of ISDS](#). But corporate interests are scrambling to defend the controversial regime they use to attack domestic laws and raid taxpayer funds.

While just 50 known ISDS cases were launched in the first three decades of this shadow legal system, corporations have launched more than 50 claims in each of the past six years. More than [\\$392 million in compensation](#) has already been paid out to corporations to date after NAFTA

ISDS attacks on oil, gas, water and timber policies, toxics bans, health and safety measures, and more. More than \$36 billion in NAFTA ISDS attacks are pending.

“People from the Yukon to the Yucatan are united in demanding an end to NAFTA’s corporate privileges that promote job outsourcing, lower wages and attacks on health safeguards,” said Lori Wallach, director of Public Citizen’s Global Trade Watch. “A NAFTA replacement deal that benefits people and the planet cannot grant corporations powers to skirt our laws and courts and demand unlimited taxpayer compensation from tribunals of corporate lawyers.”

“NAFTA is strewn with handouts to corporate polluters that must be eliminated, starting with the free pass for chronic job offshorers to attack air, water, and climate protections in tribunals of corporate lawyers,” said Ben Beachy, director of Sierra Club’s Responsible Trade Program. “Any NAFTA replacement must stop protecting multinational corporations and start protecting the workers and communities across North America who have endured decades of damage under this raw deal.”

“ISDS makes big corporations feel safer moving jobs around the globe to wherever workers are the most exploited and environmental regulations are the weakest, and it also puts democratically-enacted public interest laws in jeopardy both at home and abroad,” said Arthur Stamoulis, executive director of Citizens Trade Campaign. “While many changes are needed to make a NAFTA replacement deal work for working families and the planet, if trade negotiators maintain ISDS, we’ll know the NAFTA renegotiation has been hijacked by special interests intent on preserving corporate power.”

“ISDS effectively usurps democratic governance, and makes it impossible for elected governments to create policy that benefits ordinary citizens without the threat of a corporate lawsuit,” said Carli Stevenson, campaigner, Demand Progress. “As we fight to preserve the free and open internet in the United States, we stand with activists worldwide against attempts by any corporation to use trade agreements to make their profits sacrosanct and act against the interests of citizens, workers, and consumers. ISDS should not be a part of any trade agreement.”

“ISDS empowers mega-corporations to attack democratic values, human rights, and environmental protections and force governments to award their corruption and greed with unlimited payments of our tax dollars,” said Matt Nelson, Executive Director of Presente Action. “The reality is clear, forces pushing the ISDS have no loyalty to their governments or the people, only to their pipedreams to rule our public institutions like their own private castles.”

“Investor-State Dispute Settlement puts power in the hands of international tribunal that do not have the best interests of workers, public health, and the environment, but rather benefit corporations looking to make a profit or gain more power,” said Patrick Carolan, executive director, Franciscan Action Network. “This is not in line with Catholic Social Teaching and Franciscan values which emphasizes the need for just and fair laws for all people.”

“Big Pharma is already demanding more extensive provisions on intellectual property in NAFTA to extend their market monopolies on medicines even longer. At the same time, it’s also pushing to expand NAFTA’s investment chapter to include intellectual property claims. This would mean pharmaceutical giants could use the system of closed-door tribunals to try to overturn important, long-standing features of a country’s laws on patents or other aspects of intellectual property, in pursuit of yet more profits for the one of the most profitable industries in the world, said Richard Elliott, executive director, Canadian HIV/AIDS Legal Network.

Organizations involved include:

AFL-CIO	International Corporate Accountability Roundtable
Canadian HIV/AIDS Legal Network	International Labor Rights Forum
Center for International Environmental Law	Just Foreign Policy
Citizens Trade Campaign	Leadnow
Corporate Accountability International	Machinists Union
Council of Canadians	Maryknoll Office for Global Concerns
CREDO Action	Open Media
Communications Workers of America	Our Revolution
Daily Kos	People Demanding Action
Demand Progress	Presbyterian Church (U.S.)
Democracy for America	Presente Action
Derechos Digitales	Progressive Congress Action Fund
Food and Water Watch Action Fund	Public Citizen's Global Trade Watch
Franciscan Action Network	Sierra Club
Friends of the Earth	SumOfUS
Global Exchange	Teamsters
Good Jobs Nation	Trade Justice Network (Canada)
Institute for Agriculture and Trade Policy	United Church of Christ
Interfaith Workers Justice	United Electrical Workers