

NAFTA 2.0 Is No Cause for Celebration

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While the full text of the [United States-Mexico-Canada Agreement](#) (USMCA) needs to be thoroughly analyzed, a preliminary review raises numerous concerns.

Mainstream media coverage this morning has focused on the implications of the deal on the automotive and dairy markets and to some extent the Chapter 19 dispute settlement provision.

Plainly stated, this agreement will not bring back well-paying jobs for auto workers in Detroit, it will hurt Canadian farmers (given U.S. exports of dairy into this country will increase), and the Chapter 19 dispute settlement provision is still a weak protection against unfairly imposed tariffs.

Furthermore, the key issues of climate change, Indigenous rights, and pharmacare are left unaddressed.

It's not surprising that the words "climate change" do not appear in the text, but that doesn't make that reality any less unacceptable. There is nothing in this agreement that constrains the power of Big Oil or that keeps carbon emissions from exceeding the 1.5 degrees Celsius limit.

Nor do the words "free, prior and informed consent" for Indigenous nations appear in the agreement. This fundamental right is ignored.

And the patents for transnational pharmaceutical corporations will be extended — for biologics from eight years to 10 years. That means more profit for Big Pharma corporations and higher drug prices for people.

What about specific language?

USMCA's environment chapter states,

"Each Party affirms its commitment to implement the multilateral environmental agreements to which it is a party."

Given Trump has already announced that the U.S. is withdrawing from the Paris Agreement, and the Trudeau government just bought a carbon-intensive pipeline, these words carry little meaning.

On Indigenous rights, the text states,

“The Parties recognize that the environment plays an important role in the economic, social and cultural well-being of Indigenous peoples and local communities, and acknowledge the importance of engaging with such groups in the long-term conservation of our environment.”

There is no reference to the United Nations Declaration on the Rights of Indigenous Peoples.

On pharmaceuticals with biologics, the text states,

“a Party shall ... provide effective market protection ... for a period of at least 10 years from the date of first marketing approval of that product...”

This two-year increase will serve only to profit Big Pharma and make pharmacare that much more expensive to implement.

On regulatory cooperation, the agreement says,

“The Parties are committed to expanding their cooperative relationship on environmental matters, recognizing it will help them achieve their shared environmental goals and objectives, including the development and improvement of environmental protection, practices, and technologies.”

Given both Trudeau and Trump support the dangerous practice of offshore oil and gas drilling, this language is pure spin.

This is not the “progressive” trade agreement that the Trudeau government had promised (even if that was also largely spin on its part).

We can celebrate the phasing out of the Chapter 11 investor-state provision, a controversial provision previously defended by Trudeau, and the energy proportionality provision, though the deal reportedly does not allow limiting exports or imports, but these are disciplines that should never have existed in the first place.

And now after months of the Trudeau government stating that it would not negotiate in public, we are left with a finalized text that it has a parliamentary majority, secured with just 39.47 per cent of the popular vote, to pass the USMCA as is.

The people of the United States, Mexico, Canada, Quebec and Indigenous nations have every right to expect better.

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