

Sustainable Development Goals Threatened by Secret TPP Trade Deal

By [Friends of the Earth International](#)

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ATLANTA, USA, October 2, 2015 — Trade ministers from 12 countries negotiating the gigantic 'Trans Pacific Partnership', which will set the economic rules for 40 percent of the world economy, are concluding today a secret meeting to finalise this trade deal which threatens global sustainable development.

Last week, global leaders from around the world committed to implement the UN Sustainable Development Goals, a new plan to address the global challenges of climate change, environmental degradation, poor health, and poverty.

Yet while the UN Goals were announced, secret trade negotiations were underway to advance the Trans Pacific Partnership, or TPP, and threatens to undermine the U.N. goals before they have even begun.

"The TPP would drive a race to the bottom in environmental protection. The TPP chapters on technical barriers to trade will threaten regulators' access to the tools needed to effectively regulate the roughly 85,000 chemicals in commerce needed to protect human health and our environment," said Sam Cossar-Gilbert Friends of the Earth International Economic Justice Resisting Neo-Liberalism Coordinator.

"Even very simple consumer sustainability measures like efficiency rating and food labelling on imported goods could be impossible under TPP, because labelling regulation can be deemed a barrier to trade," he added.

The UN Sustainable Development Goals consist of 17 goals and 169 specific targets.

Several UN goals and targets appear irreconcilable with the TPP trade deal.

They are listed in the background note below and online at http://webiva-downton.s3.amazonaws.com/877/34/5/6511/SDG_TPP_backgrounder.pdf

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BACKGROUND NOTE

Several UN goals and targets that appear irreconcilable with the TPP trade deal are:

Sustainable Development Goal 13: 'Take urgent action to combat climate change and its impacts.'

The Investor State Dispute Settlement (ISDS) mechanism included in the TPP investment chapter grants foreign investors access to a secret tribunal if they believe actions taken by a government will affect their future profits. This provision is a ticking time-bomb for climate policy, because many government policies needed to address global warming are subject to suits brought before international investment tribunals.

For example, in 2009 Vattenfall, the Swedish energy giant, launched a USD 1.9 billion ISDS case against Germany for its decision to delay a coal fired power station and impose stricter environmental standards. To avoid the potentially massive fine looming under ISDS, the government reached a settlement that involved removing additional environmental requirements, enabling the coal plant to begin operating in 2014. With the highest carbon content among fossil fuels, coal is a profound threat to the climate.

Other TPP chapters like the one covering trade in goods can be the basis for state-to-state suits challenging climate policies. Big fossil fuel companies strongly support the TPP because it would encourage a massive expansion of trade in oil, coal and liquefied natural gas across the Pacific. Specifically, the TPP would provide them with legal weapons to counter campaigns launched by climate activists to impose regulations and controls on U.S. fossil fuel exports to the region. The TPP would reinforce industry claim that controls on energy exports are illegal under international trade and investment law.

TPP provisions on market access and trade in goods, if modelled on the WTO General Agreement on Tariffs and Trade, might unnecessarily chill future legislative action on fossil fuel exports, if the claims of some industry lobbyists are accepted. Some apologists for fossil fuels argue that WTO (GATT) article XI:1 on "General Elimination of Quantitative Restrictions" prohibits restrictions on the export of products including fossil fuels, to another WTO member, other than duties, taxes or other charges.

Also, the TPP would with no doubt accelerate the already alarming surge in the number of international trade disputes related to renewable energy and climate policies, such as the WTO Appellate Body ruling in the Ontario "feed-in tariff" case. In that case Ontario's comprehensive program to promote renewable energy was successfully challenged under the WTO agreement related to allegedly discriminatory government purchasing policies.

Sustainable Development Target 12.4: 'By 2020, achieve the environmentally sound management of chemicals and all wastes throughout their life cycle, in accordance with agreed international frameworks, and significantly reduce their release to air, water and soil in order to minimize their adverse impacts on human health and the environment.'

Sustainable Development Target 3.9: 'By 2030, substantially reduce the number of deaths and illnesses from hazardous chemicals and air, water and soil pollution and contamination.'

It will be difficult to meet sustainable development target 12.4 on environmentally sound management of chemicals with the TPP chapter on Technical Barriers to Trade (TBT) which promises to thwart higher standards of chemicals regulation.

A growing body of scientific evidence is demonstrating that many chronic illnesses on the rise in the industrialized world are linked to exposure to toxic chemicals, including many cancers, learning disabilities, asthma, Alzheimer's and Parkinson's disease, and fertility problems. The effects on wildlife can be similarly profound. For example, synthetic chemicals are causing infertility in animals, from alligators, to polar bears, to some species of fish.

Global corporations seek to use this TPP chapter to undercut chemical safety standards. The goal of TPP negotiators is to include "TBT-plus" provisions in the TPP that are more restrictive than tough World Trade Organization standards. This call for "TBT-plus" is astounding given that several TBT challenges in the WTO paired with allegations of discrimination under the GATT agreement on Trade in Goods have succeeded in undermining important environmental and public health measures. According to the World Trade Organization, these so-called TBT standards, including those that apply to regulation of dangerous chemicals "involve significant costs for producers and exporters."

Sustainable Development Target 12.7: 'Promote public procurement practices that are sustainable, in accordance with national policies and priorities'

The TPP is also likely to be hard to reconcile with global commitment to act on Sustainable Development Target 12.7. While we do not know the details of the secret TPP text of the Chapter on public procurement, we do know that procurement chapters in free trade agreements generally restrict local purchasing preferences, endangering procurement rules that are intended to foster local production of clean energy are clearly at risk. The award of public contracts would generally have to be based on product cost and performance. This could restrict requirements for products to be made with recycled or organic materials or meet energy efficiency standards.

Sustainable Development Target 2.4: 'By 2030, ensure sustainable food production systems and implement resilient agricultural practices that increase productivity and production, that help maintain ecosystems, that strengthen capacity for adaptation to climate change, extreme weather, drought, flooding and other disasters and that progressively improve land and soil quality'

The record of past trade agreements strongly suggests that the TPP is likely to increase the volatility of agricultural markets, putting sustainable family farms at risk and increasing corporate control of markets and production practices. Under TPP rules, corporate confined animal feeding operations (CAFOs) can be expected to flourish all around the Pacific Rim, at the expense of rural communities whose air and water would be polluted.

It can be further expected that many family farmers will be reduced to working as contractors for global pork and poultry giants who own the animals while the farmer absorbs the production costs and risks. With the TPP, family farmers will suffer; global agribusiness giants will prosper; and the rural environment will be despoiled.

Sustainable Development Target 3.8: 'Achieve universal health coverage, including financial risk protection, access to quality essential health-care services and access to safe, effective, quality and affordable essential medicines and vaccines for all'.

The U.S. is making demands in TPP negotiations that would deny the seriously ill access to

affordable medicines and strengthen the monopoly pricing power of global pharmaceutical giants, by forcing changes in domestic laws related to patents, use of medical test data, and government purchasing of drugs for public health care programs. Of particular concern are provisions in the latest leaked draft the TPP chapter in intellectual property related to life saving medicines called “biologics.” Pharmaceutical companies would be granted monopoly pricing power for periods of up to 12 years, even if the drug is not patented.

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