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**Media Release**

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## **Leaked TPP Environment Chapter weakness contrasts with foreign investor rights to sue against environmental regulation**

“The [leaked text](#) of the environment chapter and commentary document shows that the TPP is not delivering on earlier claims to commit governments to enforceable environmental standards, and prevent governments from gaining trade advantage through reducing such standards,” Dr Patricia Ranald, Convenor of the Australian Fair Trade and Investment Network said today.

“The leaked chapter and commentary show that most governments, including Australia, are supporting only weak obligations which are not enforceable through the government-to-government dispute processes in other chapters. There will be a consultation process which has no enforcement or penalty process. There are not even clear commitments that governments will enforce their own environmental laws and not reduce them,” said Dr Ranald.

“The weak and voluntary process contradicts US promises that the environment chapter would have enforceable standards,” said Dr Ranald.

“The weakness of the environment chapter is also in stark contrast with the US insistence on the right of foreign investors to sue governments for millions of dollars in international tribunals if they introduce new environmental regulation, known as ISDS,” said Dr Ranald.

“There have been many examples of foreign investors using ISDS in other trade agreements to sue governments for damages over environmental legislation. The US Lone Pine mining company is currently using an investor rights clause in the North American Free Trade Agreement to sue the Canadian Quebec government for \$250 million because it dared to conduct an environmental review of gas mining. If ISDS is included in the TPP, many Australian rural community groups fear similar action could be taken here following State Government environmental reviews and regulation of coal seam gas mining,” said Dr Ranald.

“Trade Minister Robb claims that environmental issues can be excluded from ISDS. But the same ‘exclusions’ in the Peru–US Free Trade Agreement and the US-Central America Free Trade Agreement did not stop the Renco lead mining company from suing the Peruvian government when they were required to clean up their lead pollution, nor the Pacific Rim Company from suing the El Salvador government because it refused a mining license for environmental reasons”, said Dr Ranald.

“The weak environment chapter and the inclusion of investor rights to sue shows that the TPP enhances corporate rights at the expense of the environment,” said Dr Ranald.

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