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TPP puts corporate profits before people's lives, says Grandmothers Advocacy Network

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We are writing to express our opposition to the Trans-Pacific Partnership Agreement. We oppose this agreement—not because we are against free trade or trade agreements, nor because we are against business. What we oppose is a trade agreement that puts corporate profits before people's lives.

We have two major concerns with the TPP.

The first is the impact that it will have on access to medicines in low-income countries and in Canada because of provisions to expand and strengthen drug patents. Vulnerable populations worldwide rely on humanitarian organizations such as Médecins Sans Frontières (MSF) for life-saving drugs. MSF calls the TPP, "...the most harmful trade pact ever for access to medicines."

Canadians will also feel the impacts of reduced access to affordable, generic medicines. We already have high drug prices in Canada (third-highest among the seven countries looked at by the Patented Medicine Prices Review Board). Higher drug costs will cause a further drain on health-care budgets and increase public health-care costs for the taxpayer.

Our second major concern is in regards to the investor-state dispute settlement system. ISDS would allow corporations to sue sovereign states if they believe their future profits are threatened by domestic laws or regulations.

Simply put, the ISDS provisions in the TPP are unfair and undemocratic. Our experience with the ISDS under NAFTA should give us all pause. Canada has been the most sued country under NAFTA, with about 35 challenges to date and more than \$13-billion in claims. So far these claims have cost us more than \$280-million—plus the "chill" it creates on Canadian

governments regulating in the public interest in ways that might interfere with corporate interests and desired profits.

This is certainly a concern in the health context. Recently, the multinational pharmaceutical company Eli Lilly has launched an unprecedented \$500-million suit against Canada under NAFTA's ISDS provisions—this, after Canadian courts, applying long-settled principles of patent law, found two of its patents invalid because of overly broad claims. This is a novel attempt by a pharmaceutical company to expand NAFTA's ISDS chapter to cover claims based on intellectual property, something the text of NAFTA does not explicitly provide for. But the TPP would indeed explicitly expand the ISDS provisions to cover intellectual property claims, directly enabling this kind of suit against Canada and undermining our sovereign ability to set law and policy in this area in the public interest.

Do we intend to buy our way out of the coming TPP suits, as a “cost of doing business”?

Canada's return to the world stage as a responsible global citizen and our recent support for the UN's Sustainable Development Goals is simply not congruent with ratifying the TPP as it is. Rather, we should be raising our voices against an agreement that puts people at risk in the service of profits.

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