

RESOLUTION 1.13

STOP TTIP, TISA, CETA, TPP AND OTHER SIMILAR TRADE AND INVESTMENT AGREEMENTS

The Seventh World Congress of Education International meeting in Ottawa, Canada, from 22nd to 26th July 2015:

1. **Reaffirms** EI's longstanding opposition to multilateral, plurilateral, regional and bilateral trade agreements which seek to commercialise and privatise public services, including education.
2. **Expresses grave concerns** about the new wave of trade and investment agreements which are currently being negotiated by national governments and supra-national bodies such as the European Union (EU). These agreements include the EU-Canada Comprehensive Economic and Trade Agreement (CETA), the EU-US Transatlantic Trade and Investment Partnership (TTIP)¹, the Trans-Pacific Partnership (TPP) and the Trade in International Services Agreement (TISA), which involves 23 members of the World Trade Organisation (WTO) (including the EU as one).
3. **Believes** these trade and investment agreements will have far-reaching implications for the world economy, particularly as they are being promoted as benchmarks for future deals.
4. **Recognises** that developing countries are likely to be more adversely affected by rules of trade and investment agreements that limit and prevent the establishment and expansion of public services, including education.
5. **Condemns** the lack of transparency and proper democratic oversight and the fact that representatives from the poorest countries of the world are excluded completely from these negotiations.
6. **Recognises** that these agreements seek to go far beyond traditional tariff reductions by imposing constraints on what governments can do behind their national borders, including the promotion of regulatory coherence and convergence across countries irrespective of national priorities.
7. **Believes** these agreements pose direct threats to the provision of quality public services, including education, in particular through restricting governments' capacity to regulate in the public interest, encouraging further liberalisation of services and expanding the rights of multinational corporations.
8. **Further believes** that the application of corporate-dominated agreements will negate national legal sovereignty and undermine workers' rights and social and environmental standards.
9. **Remains unconvinced** by official claims that these trade and investment agreements will lead to more jobs and improved economic benefits for working people, and that any economic gains that do arise will be distributed unequally and be outweighed by the costs to working people and their families.
10. **The Seventh World Congress of Education International is particularly concerned about the following elements within trade and investment agreements:**

¹ In the United States the EU-US trade agreement is known as the Trans-Atlantic Free Trade Area (TAFTA) rather than TTIP.

- a. **Investor State Dispute Settlement (ISDS):** a business-friendly arbitration panel which would allow foreign corporations to sue sovereign states, where an action of an elected government or sub-central authority, or an entity exercising delegated authority such as a licensing and funding agency, taken in the public interest curtails the corporations' investor rights .
 - (i) Existing trade agreements' ISDS mechanisms that are routinely used and abused by multinational corporations to challenge legitimate public policies.
 - (ii) Potential for use of investor protections and ISDS to lock countries into neoliberal policies of privatisation, public-private partnerships, charter schools, voucher systems, student loan schemes and similar market models of public services, especially education.
 - (iii) The drain to taxpayers from paying foreign corporations large sums of public money as compensation in ISDS settlements, calculated by assessing the corporations' lost expected future profits.
- b. **'Negative list' approach:** all services including education, will be open to liberalisation unless a specific exclusion is entered for them by the parties involved.
- c. **'Ratchet clause':** a device to ensure parties automatically bind any autonomous liberalisation. This means that if a government were to experiment with liberalising the education sector in whole or in part, future governments would be unable to undo this without paying significant compensation.
- d. **Regulatory cooperation and coherence** – the establishment of new technocratic processes for policy making, overseen by regulatory bodies with power to monitor the implementation of regulatory commitments to criteria, processes and review, and to propose the development of future regulations.
- e. **Labour rights:** the failure to include effectively enforceable rules to protect and improve the rights of workers and employees – for example, a binding labour rights chapter based on ILO Core Conventions.

The Seventh World Congress of Education International:

11. **Welcomes** the contribution and support of national EI affiliates to campaigns on trade and investment agreements.
12. **Welcomes** the work done by EI, ETUCE and other EI regions to co-ordinate campaigns and lobbying on trade and investment agreements.
13. **Welcomes** the campaigning and lobbying done by EI, ETUCE and other EI regions to highlight the potential dangers posed by TTIP, CETA, TPP and TiSA to public education systems, while **noting** the difficulties in securing clear and unambiguous exemptions for education, particularly in relation to adult, higher and vocational education.
14. **Notes** the dangers of being presented with a *fait accompli* in the form of inadequate, unacceptable agreements that workers and citizens have had no chance of influencing or amending and where time will make it difficult to mobilise opposition.
15. **Recalls** that previous attempts to enshrine the investor rights of multinational corporations - for example, the Multilateral Agreement on Investment (MAI) in the late 1990s - were defeated partly as a result of popular pressure.

16. **Calls** on the EI Executive Board to adopt a clear position of principled opposition to TTIP, CETA, TPP, TiSA and other similar trade and investment agreements, and to the inclusion of ISDS in other agreements such as Bilateral Investment Treaties (BITs), whilst continuing to lobby and campaign for agreements that promote decent jobs and growth, protect quality public services and safeguard labour, consumer, environmental and health and safety standards.

Congress, furthermore, **mandates** the Executive Board:

17. To raise the awareness of EI members of the relevance, impact and importance of trade and investment agreements to the work of national organisations representing education workers.
18. To ensure that trade and investment agreements are a key part of the agenda for the EI task force or working group on Privatisation and Commercialisation of Education.
19. To work with global union federations, the International Trade Union Confederation (ITUC) and non-governmental organisations in campaigning against detrimental trade and investment agreements, including proposals emanating from the WTO.
20. To push for alternative trade and investment policies which fully respect states' obligations under international law and in their constitutions and domestic law to human rights, including the right to education, and that stimulate job-based growth, provide decent work, respect Indigenous peoples' rights, raise the living standards of all peoples, and ensure environmentally sustainable development.
21. To campaign to require that all pending and future trade agreements should be subject to a vigorous and transparent regime of scrutiny and consultation, ensuring that they are of benefit and acceptable to the millions of people affected by their content, in all countries covered by the agreement.