

A Shadow Legal System for Corporations

Investor-State Dispute Settlement (ISDS) grants corporations shocking powers to attack the laws we rely on for a clean environment, financial stability, affordable medicines, safe food and decent jobs. The cases are decided by tribunals composed of three private attorneys, some of whom rotate between serving as “judges” and bringing cases against governments. The tribunalists are paid by the hour and are unaccountable to any court system or electorate. Under U.S. trade and investment pacts alone, corporations have already won more than \$3.6 billion in taxpayer money, with \$38 billion still pending.

ISDS grants foreign corporations shocking new powers to attack the laws we rely on for a clean environment, financial stability, affordable medicines, safe food and decent jobs. Under ISDS, these corporations can bypass domestic courts and directly “sue” governments before tribunals that exist outside of any domestic legal system. The tribunals can order governments to pay millions of our tax dollars to the corporations as compensation for laws that they find inconvenient. Tribunals are comprised of corporate attorneys and there is no outside appeal.

To attack these laws, ISDS gives transnational corporations special privileges – better treatment than local companies. Among the outrageous grounds foreign firms can assert to demand compensation under this system is that a change in government policy undermined their “expectations.” It does not matter if the change in law came in response to a major financial crisis or environmental catastrophe or emerging knowledge about a new health risk – or that it applies to domestic and foreign firms alike. Under ISDS, foreign firms can still demand compensation from us taxpayers.

www.ISDSCorporateAttacks.org