

Thank you for your interest in this template article about the Korea FTA.

Please feel free to reprint this article in part or in its entirety, and to add or change any parts of your choosing. Attribution to the Oregon Fair Trade Campaign is welcome, but not necessary.

We ask that you please send a copy of your published article to info@oregonfairtrade.org or the Oregon Fair Trade Campaign, 310 SW 4th Ave #436, Portland, OR 97204.

The Korea FTA Could Undercut Oregon's Environmental Laws

In late June, President Obama announced plans to move forward with the Korea Free Trade Agreement. The pact was negotiated and signed by the Bush administration three years ago, but the Bush White House was never able to get it through Congress. The Korea FTA is getting attention for the affect it will have on job loss in Oregon and across the nation. What's less discussed is the role the pact could play in undercutting Oregon's environmental laws.

If enacted, the Korea FTA would grant South Korean firms operating in the United States special rights to challenge laws, regulations and even court decisions that negatively affect their profit-making potential. These challenges are heard by international tribunals in a process that completely circumvents the U.S. judicial system.

"Regulatory takings" cases that would be thrown out of any U.S. court are the norm in these types of tribunals, which have already been used to attack mining, fishing, toxics, clean air, endangered species and food safety policies under previous trade pacts. The proposed FTA provides foreign investors operating in the U.S. with extraordinary new privileges that simply do not exist for American firms or American citizens, and these special rights can be utilized even when the public interest policies being challenged apply equally to South Korean and domestic businesses.

Where the Korea FTA is different from most previous pacts that allow for investor-to-state disputes is that it is only the second such agreement signed by the United States with a capital-exporting nation that possesses significant investments in the U.S. (The only other is Canada under NAFTA.) Unlike enterprises from nations within the Central America Free Trade Agreement (CAFTA), for instance, large South Korean companies own businesses in literally hundreds of locations across the U.S.

In Oregon, South Korean investors have owned a semiconductor plant, an animal feed processor and a shipping company in recent years. These and other Korean-owned businesses would be granted new rights to attack Oregon's

environmental laws at their discretion were the Korea FTA to be enacted. The state could be forced to reverse its policies, and taxpayers could be forced to compensate business for any lost profits associated with simply obeying the law.

The proposed pact with South Korea is the largest free trade agreement since NAFTA itself, and represents a reversal of President Obama's campaign pledge to support a new model for international trade.

To protect the state's environment and its sovereignty, as well as its economy, we need to stop the Korea FTA now before it advances any further. In Oregon, the best way to do that is to put pressure on Senator Ron Wyden. Senator Wyden is chair of the Senate Trade Subcommittee, and will play a key role in determining whether the Korea trade deal moves forward as written or if it is sent back to the drawing board.

Please call Senator Wyden's office at (202) 224-5244 or (503) 326-7525 and leave a message letting him know you oppose the investor-to-state provisions within the Korea Free Trade Agreement. For more information, visit the Oregon Fair Trade Campaign website at www.oregonfairtrade.org.