



Global Nonviolent Action Database

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International campaign against the Multilateral Agreement on Investment 1996-98

1996

to: October

1998

Country: France

Country: Canada

Country: United States

Country: Malaysia

Country: Netherlands

Country: International

Goals:

Originally the goal was to expand the Multilateral Agreement on Investment (MAI) negotiations to include all relevant parties, including non-governmental organizations (NGOs) all over the world. This was in conjunction with education campaigns to spread awareness of the content of the draft agreement and the perceived problems with it. As time went on, the campaign shifted to a stance on non-cooperation, and the goal became to shut down the MAI negotiations altogether.

Methods

Methods in 1st segment:

- 003. Declarations by organizations and institutions
- 009. Leaflets, pamphlets, and books › e-mail chain

Methods in 2nd segment:

- 003. Declarations by organizations and institutions
- 009. Leaflets, pamphlets, and books › e-mail chain
- 013. Deputations
- 015. Group lobbying

Methods in 3rd segment:

- 003. Declarations by organizations and institutions
- 009. Leaflets, pamphlets, and books › e-mail chain
- 010. Newspapers and journals
- 013. Deputations
- 015. Group lobbying

Methods in 4th segment:

- 010. Newspapers and journals
- 013. Deputations
- 015. Group lobbying
- 152. Delay and cancellation of diplomatic events
- 154. Severance of diplomatic relations

Methods in 5th segment:

- 001. Public speeches
- 003. Declarations by organizations and institutions
- 013. Deputations
- 015. Group lobbying
- 172. Nonviolent obstruction

Methods in 6th segment:

- 120. Withholding or withdrawal of allegiance
- 126. Boycott of government departments, agencies, and other bodies
- 155. Withdrawal from international organizations

Additional methods (Timing Unknown):

- 007. Slogans, caricatures, and symbols
- 050. Teach-ins

Classifications

Classification:

Defense

Cluster:

Democracy

Economic Justice

Environment

Group characterization:

- Activists
- International Non-governmental organizations

Leaders, partners, allies, elites

Leaders:

Martin Kohr (Third World Network), Tony Clarke (Polaris Institute), Lori Wallach (Global Trade Watch)

Partners:

Other non-governmental organizations

External allies:

Not known

Involvement of social elites:

Noam Chomsky, linguist and political activist; France, the host of the negotiations, withdrew from the MAI negotiations

Joining/exiting order of social groups

Groups in 1st Segment:

- Global Trade Watch
- Polaris Institute
- Third World Network

Groups in 2nd Segment:

Groups in 3rd Segment:

Groups in 4th Segment:

Groups in 5th Segment:

- SaAMI

Groups in 6th Segment:

- France
- Oxfam
- Transnational National Institute and Ecoropa
- World Wildlife Foundation

Segment Length: 4 months

Opponent, Opponent Responses, and Violence

Opponents:

The Organization for Economic Cooperation and Development (OECD)

Nonviolent responses of opponent:

Not Known

Campaigner violence:

Not Known

Repressive Violence:

Not Known

Success Outcome

Success in achieving specific demands/goals:

6 points out of 6 points

Survival:

1 point out of 1 points

Growth:

3 points out of 3 points

Notes on outcomes:

Though the campaign achieved its stated goal, this did not eliminate the threat of draft agreements, comparable to the Multilateral Agreement on Investment (MAI), from being negotiated. Proponents of the MAI draft have been, and will continue to work on similar agreements.

In September of 1995, international negotiations began on a draft agreement called the Multilateral Agreement on Investment (MAI). The document was being negotiated by members of the Organization for Economic Cooperation and Development (OECD). The stated goals of the agreement were to establish a set of multilateral rules for foreign investment that would govern the process in a more structured, systematic way. Up until the draft, foreign investment agreements were established on a country-by-country bilateral basis. The main purpose of the agreement was to minimize state-based regulations on the ways that foreign corporations invest, to provide compensation to corporations for unfair investment conditions that result in a loss, and to provide access to international arbitration for disagreements falling under the agreement.

At the end of 1996, Martin Kohr, the director of the Third World Network, based in Malaysia, received a document that led him to believe that negotiations for the MAI might be happening at the OECD. Prior to this, there was little knowledge that MAI negotiations were taking place. Though Kohr did not know this at the time, France was in fact acting as the host nation for these negotiations. Kohr informed other non-governmental organizations (NGOs) of this information including Tony Clarke of the Polaris Institute in Canada. Clarke was able to obtain a leaked copy of the draft agreement, to which he added comments and analysis. He then proceeded to send the edited copy to NGOs all over the world through an established international email mailing list related to issues of globalization, called 'le forum international sur la globalisation.'

The problems that the campaign identified within the agreement related to a number of different issues. At its core, they considered the agreement to be a threat to the protection of human rights, labor rights, the environment, and lesser-developed nations. They identified the dangers of a 'race to the bottom'—an idea where countries are willing to lower labor and environmental standards so as to maximize the opportunities for foreign investors. Furthermore, the NGOs opposed the establishment of a body of laws that would give multinational corporations the power to carry out nearly unregulated financial interactions all over the world. The NGOs saw handing over such power to the corporations as an act that directly subverted national authority and threatened state sovereignty. Finally, they criticized the OECD as a group of representatives solely from wealthy, developed nations that were more susceptible to the influence of transnational corporate interests. The wide range of issues to which the MAI posed a threat meant that the type of groups that showed support for the opposition campaign was comparatively diverse. Through the digital distribution of these criticisms, solidarity grew and an international coalition of NGOs directly opposing the MAI and the OECD formed.

After information about the MAI was spread to the numerous NGOs, they began taking actions in their respective countries. In the United States, Public Citizen Global Trade Watch posted the draft on its website. Lori Wallach, the director of Global Trade Watch, became one of the leaders of the anti-MAI campaign. An attorney, she changed the language of the original legal documents into language that was more accessible and that could be distributed. In this position, Wallach played a crucial role as a provider of information and explanation.

At the beginning of the campaign, the coalition identified its sources of power as access to information and negotiators, and the ability to mobilize constituencies. It used existing networks, such as former anti-North American Free Trade Agreement (NAFTA) networks, to spread information and resources. Wallach called the campaign's strategy the 'Dracula Strategy,' based on the idea that if the MAI was just brought into the light, or the public's attention, that would be enough to kill it. The NGOs acknowledged the fact that they did not have any sort of leverage to bring to the negotiations, so they relied on rhetoric of their arguments in spreading their message. Initially, the NGOs focused on drawing in the people of their respective nations, drawing mass support and connecting to the citizen base, rather than directly lobbying politicians. Afterwards the campaign focused on three different sets of relations: towards citizens, towards decision-makers, and within the NGO network. They made sure to coordinate activities internationally, including summits, emails, and pressure on respective governments. Among citizens, the NGOs worked on spreading information about what the MAI said, and what the problems with it were. The main goal was to spread awareness and to form a large support base. Finally, once this base was established, the campaign turned towards the education of policy-makers. Many politicians did not know what the MAI or the OECD was, so the coalition worked to set up one-on-one meetings with politicians to inform them of the threats that the MAI posed.

The coalition was particularly critical of the fact that negotiations for the MAI were going on behind closed doors, and that all the relevant groups were not present. Prior to the campaign, NGOs were not considered to be a part of the negotiation process in

any legitimate way. However, after significant public pressure, the OECD posted a copy of the draft on their website. Furthermore, on October 27, 1997, the OECD hosted the first large-scale meeting between the OECD's negotiation group and representatives of the NGOs. Though the OECD reflected positively on the meeting, the NGOs feared that the OECD was only using the meeting as a ploy to restore the organization's credibility and ended up turning down the OECD's invitations for subsequent meetings.

Meanwhile, specific direct actions were taking place in the nations involved in the campaign. On May 25, 1998, at the Montreal Conference on Globalized Economies, hundreds of protesters created a nonviolent blockade with their bodies for a period of five hours. All in all, over a hundred people were arrested in the protest. The action was called Operation SalAMI and was focused on the presence of Donald Johnston, the director of OECD, at the conference. The protesters demanded that Canada withdraw from the MAI negotiations.

A few months later, in the face of mounting international pressure, the OECD held a seminar for representatives of business interests, labor rights, and other civil-society NGOs. A message was sent out among the NGO network that the seminar threatened to split the coalition, and only two NGOs ended up attending. In response, Susan George, the director of the Transnational Institute of the Netherlands, wrote a letter to the OECD under-secretary outlining the NGOs' issues with the seminar. She explained that transnational corporate interests had been a part of the negotiation process since the very beginning, but other relevant parties were kept in the dark and essentially had to force their way into negotiations two years later.

By October 1998, the anti-MAI campaign had been strong for almost two years. At this time, the international opposition from both the campaign and the press was still growing when on October 10, French Prime Minister Lionel Jospin, addressed the Assemblée Nationale. He announced that as the host nation for the MAI meetings, France planned to withdraw from the negotiations. Jospin had been persuaded by a report on the MAI drafted by Catherine Lalumiere, outlining the fundamental problems with the agreement, including its threat to national sovereignty. The withdrawal of France, as the host nation essentially froze negotiations and blocked the MAI's adoption based on OECD's consensus procedures. Unable to proceed any farther, the formal MAI negotiations hosted by the OECD were finished.

Research Notes

Influences:

The campaign inspired some protesters at the 'Battle of Seattle' demonstration in 1999 against economic liberalization (see "Protests against World Trade Organization, Seattle, United States, 1999"). (2)

Sources:

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Additional Notes:

Edited by Max Rennebohm (24/06/2011)

Name of researcher, and date dd/mm/yyyy:

Sachie Hopkins-Hayakawa, 13/02/2011

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