

I am concerned about a number of elements of the Trans-Pacific Partnership Agreement (TPP) and some of the broad processes involved in its progress.

1. Overall processes

I find it anti-democratic to present to the Parliament of Australia a huge, and according to all concerned, important document, on a take it or leave it basis.

The secrecy involved in its negotiation should have alerted parliamentarians that the people of Australia would never have a decent chance to examine and comment on the document.

Equally lumping everything in one take it or leave it document makes it difficult for individuals to argue against elements of the agreement such as ISDS provisions while perhaps agreeing with a mutual reduction in tariffs to foster trade.

This process also favours vested interests in specific areas against the interest of the “commons” or the general populace. Vested interests can differentially benefit greatly while the problems are shared with the general populace.

The process should never have been accepted and must now be rejected.

2. Broad response

The broad thrust of the treaty seems to benefit corporations against people, shifts the balance in rights away from the individual, the general populace and their representatives in favour of multinational corporations.

While the benefits of the treaty are being touted and it is being presented as a good thing there are plenty of signs that it is no such thing.

a) there has been no reference to the Productivity Commission - why, what is the government afraid of?

b) A World Bank study has estimated that it will result in only 0.7% growth in the Australian economy after 15 years.

c) All of the major candidates in the US Presidential election campaign are opposed to it (while they are campaigning). What does that say about their perception of how the general populace sees the treaty.

d) There has been little evidence that trade treaties benefit the country and much evidence that

they do not. Why continue to sell away our control with so little evidence and analysis?

3. Specifics of the treaty

a) I am particularly concerned about the ISDS provisions in the treaty. Both major Australian political parties have in the past rejected ISDS but locked away in secret negotiations and vulnerable to lobbying they seemed to have capitulated and sold out the Parliament and the people. The very fact that we are having to make detailed separate provision for tobacco shows what effect these provisions can have on all areas of life. Tobacco was a battle fought decades ago yet here we are in 2016 dealing with the use of ISDS by tobacco companies. What does that say about all other areas of the economy, the environment and health where the battles are still being fought? Will we ever get to the truth about other issues where any action of government can be threatened by companies in secret tribunals.

b) I am concerned about the effect on working conditions of labour provisions in the TPP. We have seen the complete lack of decency shown by international corporations when finance markets are opened up to free international movement of money. Governments face major deficits because of the tax minimisation that has occurred and the market has proved highly inefficient and unstable freed of government oversight. What will happen to our working conditions if the international market in labour is opened up?

c) I am concerned about the restraints on creativity and trade threatened by the IP provisions of the TPP. The entertainment industry has shown their view of free trade by the farcical locking up of trade around the world in zones for DVDs for instance. This is a totally artificial restraint on trade and yet this so-called "Free" trade agreement will further entrench the exploitative controls major corporations hold over such trade. Governments and people can't have a say but major corporations can. This is highlighted for instance by the behaviour of Netflix in Australia. They have set up an Australian service, different to that available in the US for instance, with no technical reason but only so they and the IP holders can exploit the market for all its worth. Yet they refuse to collect GST because they say they are not an Australian entity. This is a brazen show of who has the power and it certainly isn't the Australian Parliament or people. To vote for the TPP is to further entrench their control over the industry and all creative output. No fairness or morality will be relevant, only money.

d) There can be arguments about the importance of IP in encouraging development. Pharmaceuticals (and music) could both illustrate that. But what has happened is that money rules, not decency, not human rights, not compassion, not creativity. Companies, scientists and artists deserve reward for effort and ideas but those rewards need to be commensurate with effort and based on fairness and within standards of human rights and development.

They need to take into account the public input of education and support for research on which the specific developments rely. They need to be subject to social discussion and decision. The TPP will lock away those discussions in tribunals because the people and parliaments will be powerless to intervene.

To support the TPP is to allow yourself, in your role as parliamentarian, and through you the Australian people, to be dismissed, insulted and exploited. I urge you to take control of the process and reject the TPP.

Thanking you