

Joint Standing Committee on Treaties
Inquiry hearing into RCEP Agreement

QUESTION ON NOTICE / Spoken

QoN 001 10 May 2021

Topic: JSCOT inquiry hearing into RCEP Agreement

Senator Janet Rice

Question

How many people have worked on RCEP, or are currently working on it both directly or indirectly in the department? How many staff in total? What proportion of the work has it taken up in the department's trade area over that period, and how many staff are working on trade? A rough estimate of the level of resources that has been put into the negotiation of RCEP over the years is sought?

Answer

The Regional Trade Agreements Division (RTD) was responsible for negotiating RCEP. At any given time during the RCEP negotiations, around 15-20 officers worked on RCEP. A number of these were also involved in other negotiations or processes at the time of working on RCEP. Officials were not limited to working on only these negotiations. Numbers of staff working on the various trade negotiations fluctuate depending on the pace and stage of each negotiation (including negotiations that occur under the built-in agenda of FTAs already in force) and operational requirements. At present, around 10 DFAT officers are working on RCEP associated with preparations for entry into force, but their work is not limited to RCEP.

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QoN 002 10 May 2021

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Senator Tim Ayres

Question

The recommendations of the aged-care royal commission set out a policy menu, basically, for government in aged care. Would you be able to review those and identify to the committee whether the entry into force of RCEP would constrain the government's policy options in relation to those recommendations?

Answer

RCEP's entry into force would not prevent or impair the implementation of any of the recommendations of the Royal Commission into Aged Care Quality and Safety (RCAC), including those RCAC recommendations referred to in the submission by the Australian Nursing and Midwifery Federation, NSW Branch, to the JSCOT inquiry into the RCEP Agreement.

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QoN 003 10 May 2021

Topic: JSCOT inquiry hearing into RCEP Agreement

Senator Tim Ayres

Question

The AMWU submission says RCEP would limit the Australian Government's options for future public ownership of assets that have been privatised. Is there any reason the committee should think that that is possible?

Answer

Nothing in the RCEP agreement, including the provisions referred to in paragraph four of the AMWU's submission to the JSCOT inquiry into RCEP, will narrow the Australian Government's options for future public ownership of previously privatised assets any further than is the case under Australia's existing free trade agreements.

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QoN 004 10 May 2021

Topic: JSCOT inquiry hearing into RCEP Agreement

Senator Janet Rice

Question

What were the negotiating positions of individual RCEP signatories on the inclusion in RCEP of provisions on human rights and labour?

Answer

The table below provides an indication of the practice of RCEP signatory states regarding the inclusion or otherwise of provisions on labour or social rights in their FTAs.

RCEP signatory states' practice regarding inclusion of labour or social rights provisions in FTAsⁱ

Country/Grouping	Trade agreements without specific labour or social rights provisions	Trade agreements with labour or social rights provisions in the body of the agreement ⁱⁱ	Trade agreements where labour or social rights provisions are in a side agreement
ASEAN	ASEAN-India (2010, covers trade in goods only) ASEAN-Australia-New Zealand (2009) ASEAN-Japan (2008) ASEAN-China (2002) ASEAN-Korea (2002) ASEAN Free Trade Area (1992)		
Brunei	ASEAN FTAs (as above) Brunei-Japan (2007)		
Cambodia	ASEAN FTAs		
Indonesia	ASEAN FTAs Indonesia-Japan (2007)		
Lao PDR	ASEAN FTAs		
Malaysia	ASEAN FTAs Australia-Malaysia (2013) Chile-Malaysia (2012) India-Malaysia (2011) Malaysia-New Zealand (2010) Japan-Malaysia (2005)	[CPTPP – Malaysia has signed but not ratified]	
Myanmar	ASEAN FTAs		
Philippines	ASEAN FTAs	Japan-Philippines (2006)	
Singapore	ASEAN FTAs China-Singapore (2008) Peru-Singapore (2008) Korea-Singapore (2005)	EU-Singapore (2019) CPTPP (2018) Singapore-US (2003)	P-4 Agreement (2005)

	India-Singapore (2005) Singapore-Australia (2003) Japan-Singapore (2002) New Zealand - Singapore (2000)		
Thailand	ASEAN FTAs Japan-Thailand (2007) Peru-Thailand (2005) Australia-Thailand (2004) India-Thailand (2004)		New Zealand-Thailand (2005)
Vietnam	ASEAN FTAs Korea-Vietnam (2015) Chile-Vietnam (2014) Japan-Vietnam (2008)	UK-Vietnam (2021) EU-Vietnam (2020) CPTPP (2019)	
Australia	Indonesia-Australia (2020) Australia- Hong Kong (2020) Australia-Japan (2015) Australia-China (2015) Australia-Malaysia (2013) ASEAN-Australia-New Zealand (2009) Australia-Thailand (2004) Singapore-Australia (2003) Australia-New Zealand (1982)	Peru-Australia (2020) CPTPP (2018) Australia-Korea (2014) Australia-Chile (2008) Australia-US (2004)	
China	China-Australia (2015) China-Korea (2015) China-Peru (2010) China-Chinese Taipei (2010) China-Singapore (2008) China-Hong Kong, China (2003) ASEAN-China (2002)	China-New Zealand (2008) Chile-China (2005)	China-New Zealand (2008) Chile-China (2005)

Japan	Australia-Japan (2015) Japan-Peru (2012) India-Japan (2011) ASEAN-Japan (2008) Japan-Vietnam (2008) Brunei-Japan (2007) Japan-Thailand (2007) Indonesia-Japan (2007) Japan-Malaysia (2005) Japan-Mexico (2004) Japan-Singapore (2002)	UK-Japan (2021) EU-Japan (2019) CPTPP (2018) Japan-Philippines (2006)	Chile-Japan (2007)
Korea	China-Korea (2015) Korea-Vietnam (2015) Korea-India (2010) Korea-Singapore (2005) Chile-Korea (2003) ASEAN-Korea (2002)	UK-Korea (2021) Korea- New Zealand (2015) Canada-Korea (2015) Australia-Korea (2014) Peru-Korea (2011) EU-Korea (2011) Korea-US (2007)	
New Zealand	Hong Kong-New Zealand (2011) Malaysia- New Zealand (2010) ASEAN-Australia-New Zealand (2009) New Zealand- Singapore (2000) Australia – New Zealand (1982)	CPTPP (2018) Korea- New Zealand (2015) Chinese Taipei – New Zealand (2013) China- New Zealand (2008)	China- New Zealand (2008) New Zealand-Thailand (2005) P-4 Agreement (2005)

ⁱ Data for APEC countries is from the APEC website <http://fta.apec.org/> unless otherwise indicated. Data for agreements involving non-APEC countries and for some recent agreements (e.g. CPTPP) is from the WTO website <http://rtais.wto.org> . The table includes FTAs between RCEP signatory states as well as between RCEP signatory states and some other economies (other APEC economies, India, EU, UK); it is not exhaustive but indicative of countries' practice.

ⁱⁱ Provisions on labour or social rights in trade agreements vary widely among agreements. Further information on provisions on labour or social rights in the relevant agreements can be found on the APEC website <http://fta.apec.org/>. The texts of the agreements can be found on the WTO website <http://rtais.wto.org> .

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Senator Janet Rice

Question

Through what other vehicles (other than RCEP) is Australia pursuing discussions with RCEP partner countries about applying pressure to the military dictatorship in Myanmar, including regarding any potential trade-related mechanisms in terms of trade with the junta in Myanmar?

Answer

Australia has been strong and consistent in expressing our serious concerns about the situation in Myanmar. The Government has raised these concerns on numerous occasions directly with Myanmar and with other RCEP signatories.

Australia has issued strong statements through multilateral fora including ASEAN, the United Nations Human Rights Council and General Assembly, G7, and the International Labour Organization. In February 2021 Australia also stated our concerns at the World Trade Organization, highlighting that instability in Myanmar will have a significant impact on international confidence and trade and investment.