



AUSTRALIAN LIVESTOCK  
EXPORTERS COUNCIL



AUSTRALIAN LOT FEEDERS' ASSOCIATION



Australian  
Meat Industry  
Council



CATTLE  
AUSTRALIA



Goat Industry Council of Australia



## RED MEAT ADVISORY COUNCIL

Joint Standing Committee on Trade and Investment Growth  
inquiry into the Australian Government's approach to  
negotiating trade and investment agreements

SEPTEMBER 2023



## TABLE OF CONTENTS

<b>Introduction</b> .....	3
<b>Overarching position</b> .....	3
<b>Red meat industry position on trade policy</b> .....	4
<b>Red meat industry trade policy objectives</b> .....	5
<b>Specific comments on relevant terms of reference</b> .....	5
(a) How the Australian Government develops a negotiating mandate and framework which factors in whole of government priorities .....	5
(b) How the priorities for, States and Territory Governments, businesses, workers and other relevant stakeholders are considered and incorporated into a negotiating mandate .....	6
(c) The consultation process undertaken with interested parties, including representatives of industry and workers throughout the process .....	7
(d) The steps taken to ensure transparency and parliamentary oversight .....	8
(e) How the economic, social and environmental impacts of an agreement are considered and acted upon .....	8
(f) The steps taken to ensure agreements protect and advance Australia's national interests, including the ability to regulate in the public interest .....	10
(g) The steps taken to ensure agreements protect and advance Australia's cultural interests.....	11
(h) Whether agreements appropriately ensure First Nations Australians can participate and benefit in trade .....	11
(i) How the Australian approach compares with other, similar countries .....	11
(j) How the process could be appropriately legislated to enshrine this approach in law .....	12
<b>Red meat industry concerns about activist groups</b> .....	12
<b>Conclusion</b> .....	13

## Introduction

The Red Meat Advisory Council (RMAC) and its members welcome the opportunity to provide a submission to the Joint Standing Committee on Trade and Investment Growth inquiry into *the Australian Government's approach to negotiating trade and investment agreements*, which draws on industry's experience as an active participant in trade negotiations over many decades.

RMAC is Australia's only policy leadership and advisory forum made up of producers, lot feeders, processors, manufacturers, retailers and livestock exporters, representing the entire red meat supply chain from paddock to plate. RMAC members are the following prescribed industry representative bodies under the *Australian Meat and Live-stock Industry Act 1997* (AMLI Act):

- Australian Livestock Exporters' Council,
- Australian Lot Feeders' Association,
- Australian Meat Industry Council,
- Cattle Australia,
- Goat Industry Council of Australia, and
- Sheep Producers Australia

Australia's red meat and livestock industry is comprised of more than 76,000 businesses and collectively services 25 million Australians and over 100 export destinations every day with safe, high quality and nutritious red meat. Approximately 434,000 people are employed in the industry, representing 1.6% of Australia's key industry total employment, and 41% of Australia's direct employment in agricultural production<sup>1</sup>.

### Overarching position

- *The Australian Government's approach to negotiating trade agreements is broadly endorsed.*
- *Whilst the approach has continued to evolve, the current level of government consultation, accessibility, collaboration and transparency is seen as 'just about right'.*
- *Whilst industry appreciates negotiations involve trading partners with undoubtedly differing objectives and policy settings, the Australian Government should continue to maintain the highest level of reform ambition – and continue to ensure negotiations and their timeframes are driven by outcomes and deliverables rather than self-imposed political deadlines.*
- *A strong working relationship and trust between Australian trade officials and red meat industry representatives has been engendered (the red meat industry being proactive in this regard) – and is seen as essential in order to reap mutual industry and Australian economy benefits from trade and investment agreements.*
- *While the majority of Australia's key export markets are now covered by preferential trade agreements, future trade reform / negotiation focus must continue on alleviating the challenging technical (non-tariff) barriers to trade – which have the impact of hampering export market potential and imposing additional costs on supply chains.*
- *Further work is required to address the impact of activist groups that seek to (unfairly and/or unjustly) undermine Australian agriculture's reputation in trade negotiations and operate directly against Australia's national interest as an agricultural exporting nation.*

---

<sup>1</sup> [The State of Industry Report 2022 \(MLA\)](#)

## Red meat industry position on trade policy

Australia's, and specifically the red meat industry's prosperity, is highly dependent on international trade. Access to overseas markets is critical not only for the export of produce and underpinning our domestic industries, but also for the sourcing of inputs, technology and capital equipment. These trade transfers are paramount for business efficiency.

This efficiency can only be derived by Australia embracing trade and, where necessary, trade liberalisation – with numerous economic research entities clearly pointing to the fact that liberalised trading regimes promote higher economic growth, investment, jobs and improved standards of living.

Fostering liberalisation through international fora that promote open trade should remain an Australian Government priority. In so doing, pursuit of the three key pillars of trade negotiation reform via multilateral (World Trade Organisation [WTO]), bilateral (free trade agreement) and regional partnerships / alliances, must continue to be actively pursued.

The multilateral process, despite its shortcomings, has preserved and enhanced Australia's economic interests. In so doing, WTO negotiations concluded to date have produced direct benefits for the red meat sector by reducing a number of border protection measures – primarily through tariff reductions as well as transparency of trading partners' technical barriers to trade. The WTO has also proved invaluable via the rules that govern trade and in settling trade disputes, which has directly assisted in keeping some of our key markets open or via reinstating lost access.

The WTO rules governing trade also include important provisions on Sanitary and Phytosanitary (SPS) regulations. Contemporary trade problems are increasingly characterised by the unreasonable application of SPS conditions – with some imposing significant ongoing costs and / or preventing access in a number of export markets.

The WTO process provides the best opportunity to fix many of the structural problems associated with market access - specifically domestic support measures and export subsidies, which litter world trade. Clear examples include the pressure the multilateral arena has exerted on the European Union (EU) in reforming its Common Agriculture Policy and on the United States (US) in relation to the Farm Bill. In many cases distortions in agriculture can only be addressed multilaterally, and the need for significant reform will only increase as the world strives towards efficient and effective resource use required for global sustainability and food security.

The multilateral process, however, needs to be supplemented by closer ties with strategically important trading partners – and the red meat industry has been strongly supportive of the Government's initiatives on the bilateral front.

Free trade agreement negotiations to date have generated new or enhanced trade flows for the red meat industry. These have been realised by not only by addressing economic market access issues (tariffs or quotas), but also by tackling behind the border technical barriers (certification, labelling, systems recognition) as well as establishing a formal consultative process between the parties -such as SPS and TBT Committees - to facilitate ongoing improvements to technical terms of trade.

In pursuing bilateral deals our position is simple. An FTA must be comprehensive, WTO-consistent, secure free access for Australian red meat without perpetual quotas, tariffs or safeguards and deliver the outcomes in the shortest possible timeframe. And the Government's FTA report card to date has delivered.

Regional trade agreements are also worthy of pursuit. Although perhaps more difficult to secure given the diverse economic status of the membership, alliances such as ASEAN, RCEP and CPTPP have delivered significant reform benefits and trade integration / harmonisation amongst some of the Australian red meat industry's closest trading partners.

Overall, the Australian red meat industry is highly supportive of the continuation of a three-pronged multilateral, bilateral and regional approach to trade negotiations – as well as the ongoing review / upgrading of completed agreements in order to ensure that the potential benefits are actually realised.

## Red meat industry trade policy objectives

In light of the above position, the Australian red meat industry invests in a co-funded (producer levy and processor contribution) market access program.

This program actively engages with Australia's trade negotiation officials and Ministerial representatives in a coordinated / collaborative effort in seeking to:

- defend existing favourable market access conditions in overseas markets;
- position industry for multilateral, FTA and regional trade reform initiatives / negotiations; and
- alleviate the impact of non-tariff barriers.

Via Red Meat 2030<sup>2</sup>, which outlines industry's shared vision and direction over the next decade, our key success factors in respect of market access include:

- trade agreements have delivered preferential access in a majority of Australia's red meat export markets; and
- non-tariff trade barriers have been reduced by \$1 billion by 2030 compared to a 2020 baseline.

Industry's ongoing trade interface / insights sit behind the following comments on the Australian Government's approach to negotiating trade agreements.

## Specific comments on relevant terms of reference

### (a) How the Australian Government develops a negotiating mandate and framework which factors in whole of government priorities

- Industry understands that the Department of Foreign Affairs and Trade (DFAT), as the lead government trade authority, drives a whole-of-government approach (as indicated in its 2022-23 Corporate Plan) in developing a negotiating mandate.
- Via our interface with DFAT it is apparent that other relevant federal and state government departments are consulted (especially the Department of Agriculture, Fisheries and Forestry (DAFF) in relation to technical barriers) to ensure a whole-of-government perspective has been encapsulated - and this is subsequently meshed with input provided by / gleaned from commercial stakeholders.
- The government's negotiating team also includes experts in the topics being negotiated from across government departments – for example DFAT and DAFF officials working side by side on agricultural / food issues.

---

<sup>2</sup> [Red Meat 2030](#)

- From a red meat industry perspective our engagement with government is primarily via DFAT and DAFF officials - although depending on the market / issue, other federal departments (such as the Department of Climate Change, Energy, the Environment and Water and the Department of Industry, Science and Resources) have been engaged.
- The detailed methodology for how DFAT conducts the mandate consultation process with other relevant government departments / agencies is best outlined by these entities.
- Noting some trading partners provide a publicly available outline of their agreement negotiating mandate – such as the EU's 'Negotiating Directives' for the A-EU FTA and the 'Summary of negotiating aims and approach' Australia similarly made public – we see value in similar published high-level outlines of the Australian Government's negotiating mandate once it is determined.
- The above practice would provide transparency for the goals of the agreement, provide industry with more certainty around the negotiation of the agreement should there be a change in government, and also be an opportunity to put down firm public markers regarding Australia's national interests in relation to the agreement from the outset of negotiations.

### **(b) How the priorities for, States and Territory Governments, businesses, workers and other relevant stakeholders are considered and incorporated into a negotiating mandate**

- The Government's current approach via direct and close industry engagement, which is seen as essential, has served the red meat industry well.
- Essentially the decision to enter into a negotiation should be made only after identifying Australia's strategic goals and risks.
- This involves not only the various Government departments collaborating in defining these goals / risks but also close engagement / consultation with stakeholders as to their commercial insights and perceived opportunities, as well as cross referencing similar with the potential counterpart negotiating party.
- In defining a potential trade negotiation mandate the following (not exclusive) procedures have been pursued - which DFAT / DAFF are a necessary party and help facilitate:
  - Red meat industry representatives proactively engage government (on an ongoing basis) as to current and future trade reform priorities.
  - This involves / necessitates industry canvassing its own stakeholders as to priorities as well as undertaking sector (economic) modelling / quantification as to the benefits of trade reform / non-tariff barrier alleviation – which in turn is subsequently relayed to government.
  - It also involves drawing heavily on industry's export market insights / research, identification of existing trade barriers, competitor access positions, and any foreign policy overlay that may influence negotiation direction / progress – which is also provided to government as appropriate.
  - In liaising with government, industry ensures it is clear as to what is achievable / deliverable (maintaining a high level of ambition) and appraises the likely costs and benefits.
  - Once defined, strategies are subsequently determined as to preferred method for achieving the desired outcome i.e. trade reform initiative(s) to be pursued within a potential negotiation.
  - As trade agreements are also in Australia's national interest, broader outreach is undertaken by various government departments to elicit multi-sector feedback.
  - When considering a trade agreement, feasibility studies (or scoping exercises), which have been conducted in the past, are strongly endorsed.

- In eliciting participation / a response, public submissions on feasibility studies have been requested so that all issues are canvassed – and this is viewed as an essential component in defining the objectives and ensuring industry positions / concerns are amplified.
- This is often supplemented by a series of public consultations (various capital cities / regional centres as required) to further clarify concerns or opportunities – industry representatives actively participating and gleaning insights on other issues not necessarily at the forefront of red meat's focus.
- Once interested stakeholders are canvassed, and all feedback collated, Australian officials prepare a mandate i.e. a statement setting out the government's objectives and priorities in entering a negotiation.
- Prior publishing of a proposed mandate for comment is highly recommended – and it is subsequently seen as a useful cross reference to the consultation process i.e. to ensure that industry's broad objectives have been acknowledged and encapsulated.
- The mandate is viewed by industry as a useful tool to facilitate a strategic approach to negotiations and is often referred to as the negotiations proceed i.e. it is useful in strengthening oversight as to progress and providing transparency around the ultimate goals of any agreement.

### (c) The consultation process undertaken with interested parties, including representatives of industry and workers throughout the process

- Ongoing consultation throughout the negotiating process is largely dependent on the proactiveness and level of engagement sought by stakeholders.
- In the red meat industry's experience, DFAT and DAFF doors are always open, as are those of the relevant Ministers and their offices.
- Following the commencement of negotiations, the red meat industry assigns dedicated resources to:
  - prepare and lodge supplementary submissions and correspondence.
  - liaise on an ongoing basis with the lead negotiator and negotiating staff to ensure industry priorities are acknowledged and acted on / pursued.
  - respond in a timely manner to any negotiator requests for further information / insights / advice.
  - seek updates and provide feedback on negotiation progress – specifically but not confined to before and after each negotiating round.
  - invite Australia's negotiators to address industry stakeholders (readily accepted by DFAT & DAFF).
  - attend and participate in government organised public consultations, addresses, conferences, updates on negotiation progress.
  - liaise with Australia's trade officials in-market (via officials based in Australia's Embassies, Consulates and Missions) to elicit an understanding of counterpart negotiating positions, to glean any sensitivities, and to conduct joint co-ordinated trade reform advocacy.
  - whilst not at the negotiating table, industry representatives have attended negotiating rounds during the majority of trade negotiations to date – which has the advantage of hearing firsthand of developments and facilitating immediate input / feedback as required / requested.
  - industry representatives, as invited participants on business delegations, have also accompanied Australian Ministers and trade officials to conduct counterpart trade advocacy – an interface which is highly valued and should be continued.

- Despite the red meat industry's position to obtain trade liberalisation with the least complicated outcomes as possible, necessarily industry and commercial advice is needed to ensure agreement terms can be operationalised, and result in meaningful outcomes that boost trade. Having assigned dedicated staff resources for many years to the trade reform consultation process, the red meat industry has hopefully added this commercial value to the government effort – in the same way as a 'Trusted Advisor' might provide input into trade reform outcomes.

#### (d) The steps taken to ensure transparency and parliamentary oversight

- There has been considerable development over the past decade or so as to how trade agreements are negotiated.
- The previous 'secretive approach' to which some stakeholders referred (and some still do) involved negotiations largely behind closed doors.
- This was a common and widely accepted practice globally – especially given the multifaceted nature of trade negotiations, the sensitivities and confidentiality involved and the potential trade-offs ('negotiating coin') at stake.
- However, this approach has evolved – driven by an increasing public interest / demand for more open negotiations; the interest in trade as it now covers more economic, social and environmental dimensions; and the advancement of technology and information.
- Government has also committed to be as transparent as possible – although not all information during the course of a negotiation is available to the public as confidentiality may on occasion be appropriate and required.
- The red meat industry is accepting of this process – as totally open negotiations may compromise beneficial outcomes – especially as another foreign government / stakeholder base is involved.
- Ideally transparency involves providing the opportunity for businesses / interested parties to participate in a meaningful way – a feature which currently exists and a feature the red meat industry values and avails itself of.
- Public participation in trade negotiations via confidential closed-door engagement on specific sector developments is a feasible option – albeit potentially time consuming from a government perspective and dependent on the wishes of the other negotiating parties.
- The formal Joint Standing Committee on Treaties scrutiny process to report and review all treaty actions and as applied to trade and investment agreements remains sound and effective. The process allows for stakeholders to provide their views in support or against agreements, and in many cases has provided an avenue for the red meat industry to advocate for agreements which support the red meat sector and Australian jobs and prosperity.

#### (e) How the economic, social and environmental impacts of an agreement are considered and acted upon

##### **Economic**

- Economic impacts i.e. the benefits secured by a trade agreement primarily through market access improvements, are the key area of interest for the Australian red meat industry.
- Industry identifies (then subsequently specifies to government) which tariffs and / or quotas should be reformed, plus ascertains if any trade restrictive non-tariff barriers are present for specific markets and seeks to also have these alleviated - the later either incorporated in a formal trade negotiation or pursued via a specific technical alleviation initiative.



- This is coupled with collating insights into future market demand drivers (i.e. market potential), reviewing existing sectoral research, analysing competitor positions (i.e. existing preferences which may be placing our sector at a competitive disadvantage) and ascertaining from commercial participants any additional specific trade facilitation issues / impediments.
- The potential impacts / benefits of an outcome are often then quantified by industry utilising its proprietary global meat industry trade flow model - or in the case of non-tariff / technical barriers, supplementary impact analysis to identify the opportunity cost / lost value.
- This material / data / input in turn forms the basis of industry's market access request – which is formally submitted (on a confidential basis) to the Australian negotiating team(s) and followed up regularly during the course of the negotiations / discussions.
- Via close collaboration with Australia's trade officials, counterpart positions / offers are subsequently scrutinised, and input provided into potential revisions / pathways forward.
- The Australian red meat industry is highly appreciative of this approach – which involves a close working relationship with DFAT, DAFF and the respective ministers' offices in advancing trade reform.
- It is only through an industry-Government collaborative effort that benefits can be realised – a model which has assisted the red meat industry secure and maximise the economic benefits emanating from all trade agreements (multilateral, regional, bilateral and technical) conducted to date.

## Social

- Social aspects or standards in trade agreements have generally manifested around labour – both in terms of protections and the movement of natural persons.
- These can be / are brought forward by a range of interested parties during the consultation process and are also often of interest to the counterpart country – and hence affirming obligations as members of the International Labour Organization, for example, are also often on the trade agenda.
- As a major employer, the red meat industry has a keen interest in these aspects of an agreement: with a significant footprint in rural, regional and urban Australia, there is a potential social and economic impacts of these aspects of trade negotiations.
- In the Comprehensive and Progressive Trans-Pacific Partnership (CPTPP) agreement and the recent Australia- United Kingdom FTA (A-UK FTA) for example, there is a chapter on labour that locks in high domestic protections for Australian workers, the encouragement of good business practice and corporate responsibility, and an agreement to advance ambition to tackle forced labour and modern slavery.
- Further, the New Zealand - EU FTA (concluded on 30 June 2022) has labour provisions included in the chapter entitled “Trade and Sustainable Development” - and the Australia-EU FTA (under negotiation) is likely to contain similar.
- Shortages of labour in meat processing is an ongoing challenge and requires access to offshore staff (via 457 visa holders i.e. skilled workers) which trade agreements can help facilitate.
- The Australian red meat industry is therefore supportive of trade agreements that include labour provisions which link compliance to economic consequences i.e. ensuring skilled worker availability as well as the provision of frameworks for dialogue, cooperation, and/or monitoring of labour issues.
- Regarding other social matters, the Australian red meat industry is wary of including these items into treaty-level international agreements without careful regard to the potential impacts, and right of the Australian Government to regulate, as well as delegate to commercial arrangements where appropriate.

- This is particularly the case in areas such as animal welfare, where we would support a similar approach as is taken with regard to SPS as well as biosecurity matters. While there is scope for and support for cooperation provisions in trade agreements, standards and commitments on these highly technical and important areas are best left to processes outside of trade and investment agreements. This is because these measures should be focused on science, risk assessments and outcomes rather than traded or negotiated as part of an international agreement.

### Environmental

- Potential environmental impacts of a trade agreement are similarly highlighted by both interested domestic parties during the consultation process and the counterpart party on the basis of input received from their stakeholders.
- Environmental provisions are becoming a significant feature of the trade negotiation agenda – with some parties advocating that trade should be predicated on solid environmental credentials – coupled with potential penalties for non-compliance.
- The ground-breaking CPTPP and the A-UK FTA both support high levels of environmental protection - in Australia and respective member countries.
- The A-UK FTA for example, promotes the effective enforcement of domestic environmental laws and lays the foundations for Australia and the UK to work together to address a range of trade-related environmental challenges, including climate change, transitioning to low emissions economies, overfishing and illegal wildlife trade.
- Further, the A-UK FTA recognises that international environmental agreements, including the Paris Agreement, play an important role in protecting the environment, and that implementation of these agreements is critical for them to be effective.
- The Australian red meat industry is generally supportive of trade agreements that lay foundation for negotiating parties to work together to address a range of trade-related environmental challenges via workshops, collaborative projects, technical assistance and information exchange.
- That said, in so doing, any agreement must ensure that the private sector is consulted / engaged in any proposed collaborative initiatives – especially as the actual approach will need to recognise any existing investment (in this case the red meat industry's Carbon Neutral 2030 initiative) and that implementation may need to differ given nuances of production systems.

### (f) The steps taken to ensure agreements protect and advance Australia's national interests, including the ability to regulate in the public interest

- The Australian red meat industry supports carve-outs in trade and investment agreements that protect Australia's right to regulate key areas of public interest. In particular, biosecurity and animal welfare underpin Australia's red meat industry's success and viability, and Australia's international agreements should not adversely impact the ability for the Australian Government to regulate in these areas in way that is most appropriate for Australia, its people and communities, and its national interests.
- Application of provisions such as investor-state dispute settlement or commitments to align these areas rather than delegating to existing science and risk-based regulatory development processes creates unnecessary risk for the industry.
- In addition to this, Australian negotiators should be informed and be pro-active in advocating for Australia's systems, standards and world-leading regulatory approaches to clearly articulate their need and defend them against vested interests that may seek to use international agreements to change them.

- Should the Government consider including aspects that may impact the ability for Australia to set its own regulations and standards, the red meat industry would expect that it is closely engaged and consulted in these decision-making processes to ensure risks are appropriately understood and considered.

### (g) The steps taken to ensure agreements protect and advance Australia's cultural interests

- For more than 200 years, Australian farmers have been passing their knowledge down from generation to generation, creating a proud and prosperous meat and livestock industry. The associated 'way of life', however, is under increasing threat from vested interests who may seek to use international agreements to force unreasonable change. Unjustified intervention has no place in influencing trade agreement outcomes and must not be incorporated.
- To the contrary, with the vast majority of the red meat and livestock industry workforce located in rural and regional areas, beneficial trade outcomes will continue to support vibrant and thriving rural communities and the intertwined cultural fabric.
- Pastoralism is also the predominant economic activity across the northern Australian indigenous estate. Congruous with an increasing global and domestic growth in demand for Indigenous food offerings, Australian indigenous red meat producers are uniquely positioned to participate in this growing opportunity which they are increasingly interested in exploring via trade agreement initiatives.

### (h) Whether agreements appropriately ensure First Nations Australians can participate and benefit in trade

- The red meat industry via the pastoral and processing sector has numerous First Nations Australians in its workforce.
- As previously indicated our sector is highly trade dependent, so beneficial trade outcomes support the ongoing prosperity of the industry - thereby supporting jobs and the economic well-being of regional / indigenous communities throughout Australia.
- By inference, the FTAs Australia has successfully negotiated to date and which have added tremendous sectoral value, have in turn been beneficial to First Nations employees.
- Industry is also familiar with DFAT's First Nations Foreign Policy Agenda and Austrade's First Nations trade and investment work which supports First Nations businesses in their global trade ambitions.
- It is the red meat industry's understanding that First Nations Australians will be specifically recognised in any Australia-European Union Free Trade Agreement.

### (i) How the Australian approach compares with other, similar countries

- In the red meat industry's experience, other countries (i.e. the US, UK and NZ) follow a similar, albeit nuanced, approach.
- Stakeholder engagement is universal, and similar consultation processes appear to be in place.
- That said, there are likely to be varying degrees as to the level of consultation, transparency and associated confidentiality:
  - o in recent public hearings associated with the A-UK FTA, for example, a lack of consultation / involvement was voiced by UK stakeholders;
  - o differing levels of transparency are also apparent from our interaction with other country stakeholders who have indicated a relatively lower level of knowledge of negotiation progress; and

- o confidentiality also varies – given there have been various public leaks on negotiation offers, which have at times worked in Australia's favour.
- The red meat industry is concerned about some countries seeming to adopt a political expediency approach to concluding trade negotiations – the recent EU-NZ FTA being a case in point:
  - o the NZ red meat sector labelled these negotiations (concluded 1 July 2022), a 'disappointing outcome', a 'poor quality trade deal' and 'a missed opportunity'.
  - o it appears the agreement was concluded in order to coincide with a meeting of the respective leaders – rather than exhausting the negotiations to ensure the agreed negotiation objectives were addressed and adequate outcomes secured.
- It is critical that the Australian Government avoids going down a similar path – and that appropriate time and resources be allocated to all negotiations especially if there is a need to work through highly sensitive, potentially politically charged and at times challenging / complex technical issues – which is often the space the red meat industry find itself in.
- An additional observation is that the EU's approach to trade agreements is overly bureaucratic and too open for influence by stakeholders that are not in scope for trade or investment agreements. While in part attributable to the EU's specific circumstances in regard to representing 27 member states, the transparency and consultation mechanisms can at time provide niche interests an enhanced voice and influence beyond the negotiating mandate.

#### (j) How the process could be appropriately legislated to enshrine this approach in law

- All negotiations differ regarding potential issues, strategies to be pursued, complexity and desired outcomes - whether it be via WTO, bilateral, regional, plurilateral or technical (non-tariff barrier) fora.
- As such, legislating the process may present challenges – as well as potentially restricting flexibility / necessary updates.
- An alternative could be to adopt a set of guidelines or best-practice principles for trade negotiations.
- Such principles, which would be non-binding, and tailored to each agreement, should be constructed to help guide the negotiation of high-quality, ambitious and trade liberalising agreements.
- Stakeholders with an interest in trade negotiations, especially those with more ad-hoc engagement, would therefore be appraised of the framework / process.
- The purpose of a principles-based approach would also be to prompt negotiators on the best practice approach to including certain provisions in an agreement.

### Red meat industry concerns about activist groups

It is it incredibly frustrating for the red meat industry to observe activist groups operating directly against our national interest as an agricultural exporting nation. These groups have sought to undermine Australian agriculture's reputation internationally through their recent interventions associated with the United Kingdom and European Union free trade agreement negotiations. They generally present self-serving representations of the state of animal welfare or other sustainability matters in Australia that are not reflective of the reality or broader community views about agriculture and or our production systems.

Australian negotiators should be informed and pro-active in advocating for Australia's systems, standards and world-leading regulatory approaches to clearly articulate their need and defend them

against any vested interests that may seek to use international agreements to change them.

The Australian Government also needs to address the significant influence wielded by some stakeholders that are not in scope for trade or investment agreements or at least consider how they can minimise the impact of the groups that seek to (unfairly and/or unjustly) undermine Australia's position in trade negotiations.

While it is recognised that all voices have the right to be heard, consideration should be given as to how they are incorporated in public consultation forums, etc. – with such fora at times being overshadowed by unconstructive dialogue and ill-informed contributions – thereby giving these participants a veneer of legitimacy that is deemed unwarranted or excessive.

## Conclusion

RMAC and its members appreciate the opportunity to make this submission to the Joint Standing Committee on Trade and Investment Growth inquiry into the Australian Government's approach to negotiating trade and investment agreements and would welcome the opportunity to engage further on the content.

---

**Alastair James**  
**Chief Executive Officer**  
**Red Meat Advisory Council**

On behalf of:



AUSTRALIAN LIVESTOCK  
EXPORTERS COUNCIL



AUSTRALIAN LOT FEEDERS' ASSOCIATION



Australian  
Meat Industry  
Council



CATTLE  
AUSTRALIA



Goat Industry Council of Australia

