

Joint Standing Committee on Treaties
Parliament House
CANBERRA ACT 2600
jsct@aph.gov.au

Submission on the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (TPP-11)

I urge the Committee NOT to endorse the legislation to implement the terms of this treaty for the reasons that follow.

1. The Government has given very little time to members of this Committee, or the public, to digest the 30 chapters and 6000 pages of legally binding rules this treaty incorporates.
2. It maintains the chapter that gives special rights to foreign investors to sue governments in secret tribunals over changes to domestic laws which are passed in the public interest (ISDS clauses).

Since my previous submission to JSCOT on the TPP, more deleterious results of such clauses have been noted, such as the award in November 2017 against the Government of Peru in the claim by a Canadian mining company over the protection of Indigenous Land Rights.

The National Interest Analysis attached to the TPP-11 shows the extent of Australian mining interests in Peru. I do not wish to see Australian companies emboldened to ignore the International Labor Organization Convention on Indigenous Peoples. Nor would I wish other TPP-11 investor companies to be similarly emboldened to ignore the rights of Australia's First Nations peoples.

3. Similar to my previous objections to the TPP, this CPTPP (TPP-11) maintains some dubious clauses as they relate to workers' rights, and environmental laws.

While I am pleased to see the carve out of Australia's world-leading laws relating to regulation of tobacco control, doubts remain over the clauses relating to intellectual property on monopoly control of medicines and biologics.

I do not believe the implementation of the TPP-11 is in Australia's national interest.

(Dr) V R Rutnam
Avoca Beach NSW
7 April 2018