

Question on Notice submitted by Mr Josh Wilson at JSCOT hearing on 2 August 2021

Mr Josh Wilson: Also, if you could take this on notice, I think it would be worth the committee having some kind of tabled summary of all of the consultations that occurred with respect to RCEP so that we can look at the forms those consultations took, whether they were seminars, direct consultations or roundtables, or whatever they were, and how they occurred over a period of time. Certainly, the evidence from DFAT was that consultations were early but also ongoing. I think it would be useful for us to see exactly what that meant.

Mr Baxter: I was having a bit of trouble hearing you, so I hope I picked up all of your questions. Just to clarify, my understanding is essentially that you are interested in our reaction to evidence provided to the committee that the level of consultation during the course of RCEP negotiations tended to be greater with larger businesses than with smaller businesses and civil society groups. And then you asked us to provide, on notice, a table of consultations that were undertaken during the RCEP negotiations. We can certainly put something together setting out the consultations that we undertook ...

Mr Josh Wilson: But, yes, certainly, if we could get that table on notice—and, in that table, I'd particularly like to know about sessions that were essentially facilitated. The reference here is to some sessions that were facilitated or hosted by corporations or large-business groups, where to some degree they're the ones who are providing facilities and putting out invitations and all of the rest of it, to which DFAT negotiators then come along and make themselves available. It would be really worth us knowing, or seeing at least, a distinction in the table between the things that DFAT itself has organised and the things that DFAT has been prepared to attend at the invitation of a corporate organisation that has otherwise put its resources into facilitating engagement for, presumably, its members.

Response

The public consultation and stakeholder engagement process for the Regional Comprehensive Economic Partnership Agreement (RCEP) commenced in 2012.

The Department of Foreign Affairs and Trade (DFAT) consulted widely and often with Australian stakeholders across sectors, states and territories and interest groups, including civil society and trade unions, throughout the RCEP negotiations. A non-exhaustive list of stakeholder consultations undertaken by DFAT in Australia is at Annex I. This list does not include phone or email contact with individual stakeholders on issues of interest to them, which occurred regularly since the launch of the negotiations in 2012.

At each of the RCEP negotiating rounds hosted by Australia, dedicated stakeholder consultation events were held, including the following:

- Brisbane – 24 September 2013
- Perth – 27 April 2017
- Melbourne – 30 June 2019

A list of Australian stakeholders who attended such events are at Annex II.

Australian stakeholders also travelled to stakeholder events to engage with negotiators at negotiating rounds hosted by other countries participating in RCEP negotiations.

Since the commencement of RCEP negotiations in 2012, DFAT has convened a biannual meeting of peak organisations (including civil society representatives) to provide an update on DFAT-led international trade negotiations and an opportunity for peak organisations' representatives to ask questions about, and comment on, the government's trade agenda. A list of organisations invited to attend the biannual meetings is at Annex III.

In addition, throughout the negotiations, DFAT received written submissions on RCEP from organisations listed in Annex IV.

DFAT also consulted with State and Territory Governments throughout the RCEP negotiations.

Annex I

Non-exhaustive list of DFAT stakeholder consultations on RCEP

Date	Form of Consultation	DFAT hosted/facilitated/attended
28 Nov 2012	DFAT biannual consultations with Peak Organisations, Canberra	DFAT hosted – see Annex III for list of organisations invited to the Peak Organisations meeting since 2012
26 June 2013	Meeting with AFTINET	DFAT hosted (Sydney office)
24 September 2013	Joint stakeholder discussion, in the margins of Round 2 in Brisbane, including brief presentations, followed by comments and questions.	DFAT hosted – see Annex II for list of organisations attended since 2012
12 June 2014	DFAT biannual consultations with Peak Organisations, Canberra	DFAT hosted – see Annex III for list of organisations invited to the Peak Organisations meeting since 2012
25 February 2015	Services and investment stakeholder roundtables in Melbourne, including on: education; mining and resources; engineering/ architecture/ transport/ infrastructure; health services	DFAT hosted (Melbourne office)
26 February 2015	Services and investment stakeholder consultations in Melbourne, including meetings with: CPA Australia; Allens Linklaters; ANZ; Minter Ellison; Asian Australian Lawyers Association	DFAT attended, except for the meeting with Asian Australian Lawyers Association, which was hosted at DFAT's Melbourne office
2 March 2015	Services and investment stakeholder roundtables in Sydney, including on: education (NSW universities and educational institutions, NSW state government agencies, Australian Federation of Travel Agents, Australia-India Business Council); mining, resources & energy (companies and business groups); and engineering/ architecture/transport /infrastructure service providers; health services (including Export Council of Australia)	DFAT hosted (Sydney office)
3 March 2015	Services and investment stakeholder consultations in Sydney, including	DFAT attended

Date	Form of Consultation	DFAT hosted/facilitated/ attended
	meetings with: Insurance Council Australia; Financial Services Council; Insurance Australia Group; HSBC; Commonwealth Bank; Westpac; Macquarie Bank	
5 March 2015	DFAT biannual consultations with Peak Organisations, Canberra	DFAT hosted – see Annex III for list of organisations invited to the Peak Organisations meeting since 2012
12 March 2015	Roundtables in Brisbane for state government and non-government stakeholders	DFAT hosted (Brisbane office)
23 July 2015	<p>Stakeholder joint consultations. Participants included: Chartered Accountant; Tourism Training Australia; Pacific Training Group; Australian Prudential Regulation Authority; Meat and Livestock Australia; Grain Growers Limited; Engineers Australia; Bombardier Transportation; NSW Business Chamber; Financial Services Council; Medecins Sans Frontiers; AFTINET; The Grail (women’s network); Baker and McKenzie; Export Council of Australia; NSW Dept. Premier and Cabinet; Centrotex (textiles); Sydney Airport; Aus. Medical Student Association; Australian Screen Directors; Telstra; Ausfilm; Media Entertainment and Arts Alliance; Insurance Council of Australia; Arrium Mining and Materials; Australia Screen Directors Authorship Collecting Society</p> <p>IP Consultations. Participants included: APRA AMCOS; Music Rights Australia; Australia Copyright Council; FICPI Australia; Copyright Agency; AFTINET; The Grail (women’s network); Medecins Sans Frontiers; Shelston IP; Australia Screen Directors Authorship collecting Society</p>	DFAT hosted (Sydney office)
24 July 2015	Stakeholder joint consultations. Participants included: Victorian Government Solicitor's Office; Australian Industry Group; Ego Pharmaceuticals;	DFAT hosted (Melbourne office)

Date	Form of Consultation	DFAT hosted/facilitated/attended
	<p>Institute of Public Accountants; University of Melbourne; Public Health Association of Australia (PHAA); Australian Dairy Products Federation; Australia-Indonesia Business Council; Dairy Australia; ACPET; Vic. Govt Dept. Econ. Development, Jobs, Transport; Vic. Employers' Ch. of Comm. and Industry (VECCI); Australia Arab Chamber of Commerce and Industry; McCabe Centre for Law and Cancer; PWC; Pitcher Partners Consulting; Export Council of Australia (and Gadens); VIC Dept. Of Premier and Cabinet; Swinburne University of Technology</p> <p>IP consultations. Participants: Dairy Australia; Davies Collison Cave Intellectual Property; Telstra; McCabe Centre for Law and Cancer; Law Council of Australia; PWC</p>	
1 September 2015	<p>Joint stakeholder consultations, including briefing followed by stakeholder questions and comments. Participants included: Australian Services Roundtable; AFTINET; Financial Services Council; Public Health Association of Australia; Australian Chamber of Commerce and Industry; Australian Pork Limited; Australian Food and Grocery Council; ACTU; Australian Nursing and Midwifery Council; Law Council of Australia; Minerals Council of Australia; Universities Australia; Winemakers' Federation of Australia; Australian Logistics Council; Australian Digital Alliance</p>	DFAT hosted (Canberra plus phone participants)
27 April 2016	<p>Stakeholder day in margins of Round 12 in Perth, including a general stakeholder briefing and discussion, a business engagement session on non-tariff measures, and stakeholder roundtables on intellectual property (IP), and on investor-state dispute settlement (ISDS)</p>	DFAT hosted – see Annex II for list of organisations attended since 2012
1 September 2016	DFAT biannual consultations with Peak Organisations, Canberra	DFAT hosted – see Annex III for list of organisations invited to the Peak

Date	Form of Consultation	DFAT hosted/facilitated/ attended
		Organisations meeting since 2012
30 November 2016	DFAT biannual consultations with Peak Organisations, Canberra	DFAT hosted – see Annex III for list of organisations invited to the Peak Organisations meeting since 2012
28 April 2017	DFAT biannual consultations with Peak Organisations, Canberra	DFAT hosted – see Annex III for list of organisations invited to the Peak Organisations meeting since 2012
11 October 2017	DFAT biannual consultations with Peak Organisations, Canberra	DFAT hosted – see Annex III for list of organisations invited to the Peak Organisations meeting since 2012
6 December 2017	Phone conference with AFTINET, ACTU, and public health experts	DFAT facilitated
24 April 2018	DFAT biannual consultations with Peak Organisations, Canberra	DFAT hosted – see Annex III for list of organisations invited to the Peak Organisations meeting since 2012
6 September 2018	Phone conference with AFTINET	DFAT facilitated
16 October 2018	DFAT biannual consultations with Peak Organisations, Canberra	DFAT hosted – see Annex III for list of organisations invited to the Peak Organisations meeting since 2012
6 June 2019	DFAT biannual consultations with Peak Organisations, Canberra	DFAT hosted – see Annex III for list of organisations invited to the Peak Organisations meeting since 2012
30 June 2019	Joint stakeholder briefing and consultations in the margins of Round 26, Melbourne.	DFAT hosted – see Annex II for list of organisations attended since 2012
11 December 2019	DFAT biannual consultations with Peak Organisations, Canberra	DFAT hosted – see Annex III for list of organisations invited to the Peak Organisations meeting since 2012

Date	Form of Consultation	DFAT hosted/facilitated/ attended
15 December 2020	DFAT biannual consultations with Peak Organisations, Canberra	DFAT hosted – see Annex III for list of organisations invited to the Peak Organisations meeting since 2012

Annex II

Organisations attending stakeholder events in margins of RCEP negotiating rounds hosted by Australia since 2012

ActionAID Australia (2019)
ActionAID Vietnam (2019)
Asialink Business
Asian Trade Centre
Australian Centre for Financial Studies
Australian Chamber of Commerce & Industry (ACCI)
Australian Council of Trade Unions (ACTU)
Australian Dairy Farmers Limited (2019)
Australian Digital Alliance
Australian Fair Trade and Investment Network (AFTINET)
Australian Fodder Industry Association Limited (2019)
Australian Food and Grocery Council
Australian Horticultural Exporters' and Importers' Association
Australia-India Business Council
Australia-Indonesia Business Council
Australian Institute of Architects
Australian Institute of Company Directors
Australia Korea Business Council WA
Australian Livestock Exporters' Council
Australian Manufacturing Workers Union (AMWU)
Australian Meat Industry Council
Australian National University
Australian Nursing and Midwifery Accreditation Council
Australian Nut Industry Council
Australian Pork Limited
Australian Services Roundtable
The Australian Industry Group
BlueScope Australia and New Zealand
Business Council of Australia (2019)
Cattle Council of Australia
Centre for Alcohol Policy Research (2019)
Chamber of Commerce and Industry WA
Chartered Accountants Australia and New Zealand
Chemistry Australia (2019)
Clean Energy Association of WA
Construction Forestry Maritime Mining & Energy Union (CFMMEU) (2019)
CPA Australia

Customs Brokers and Forwarders Council of Australia Ltd (2019)
Commons Foundations / Knowledge Commune (2019)
Community and Public Sector Union (CPSU) (2019)
Dairy Australia
East Asia Business Council (Malaysia and Thailand representatives)
Electrical Trades Union of Australia (2019)
Erskinomics Consulting Pty Limited
Export Council of Australia
Federal Chamber of Automotive Industries (FCAI)
Food and Beverage Importers Association of Australia
Friends of the Earth International (2019)
Gadens
GFG Alliance (2019)
Grain Growers Limited
Griffith Law School
Horticulture Innovation Australia Limited
ITS Global (2019)
Lavan Legal
Law Council of Australia
Manufacturers' Trade Alliance (2019)
Meat & Livestock Australia
Medecins Sans Frontieres (2019)
Mylan Australia (2019)
National Farmers' Federation
New Zealand International Business Forum
Perth USAsia Centre (2019)
Public Health Association of Australia
Public Services International (2019)
Rigby Cooke Lawyers (2019)
Queensland Trade and Investment
RMIT (ISDS expert) (2019)
ScreenWest
Stockbrokers Association of Australia
SunRice
Telstra
Third World Network (Malaysia) (2019)
University of Auckland (ISDS expert) (2019)
University of Melbourne (including legal, digital, and health experts)
University of Sydney (Intellectual property expert) (2019)
Victoria University (2019)
Winemakers' Federation of Australia
WoolProducers Australia (2019)
World Society for the Protection of Animals

Annex III

Peak Organisations Meetings

Hosted by DFAT, consultations on RCEP at meetings held since 2012

Stakeholders invited to or attending meetings

1	Business Council of Australia
2	Minerals Council of Australia
3	Export Council of Australia
4	European Australian Business Council
5	Australian Petroleum Production and Exploration Association
6	Australian Chamber of Commerce and Industry
7	Customs Brokers and Forwarders Council of Australia
8	Australian Services Roundtable
9	CPA Australia
10	Financial Services Council
11	National Farmers Federation
12	Australian Pork
13	Australian Forest Products Association
14	Australian Industry Group
15	Meat & Livestock Australia
16	Cattle Council of Australia
17	Red Meat Advisory Council
18	Sheep Producers Australia
19	Sheepmeat Council
20	Dairy Australia
21	Australian Wool Producers
22	Australian Dairy Farmers
23	Wine Australia
24	Australian Grape and Wine
25	Australian Beverages Council
26	GrainGrowers
27	Grains Industry Market Access Forum
28	SunRice
29	Australian Sugar Milling Council
30	Cane Growers
31	Seafood Industry Australia
32	Fisheries Research and Development Corporation
33	AusVeg
34	Australian Horticultural Exporters' and Importers' Association
35	Office of Horticultural Market Access
36	Horticulture Australia
37	Australian Food and Grocery Council

38	Citrus Australia
39	Australian Nut Industry Council
40	Australian Council of Wool Exporters and Processors
41	Australian Wool Innovation Ltd
42	Federal Chamber of Automotive Industries
43	Australian Local Government Association
44	Telstra
45	Global Trade Professionals Alliance
46	Institute for International Trade
47	Manufacturers Trade Alliance
48	Australian Aluminium Council
49	Fisheries Research and Development Corporation/Australian Seafood Industry
50	Australian Council of Trade Unions (ACTU)
51	Australian Manufacturers Workers Union
52	Media Entertainment & Arts Alliance
53	Australian Fair Trade and Investment Network (AFTINET)
54	Australian Digital Alliance
55	EU AUS Climate Business Network
56	Australian Local Government Association
57	Law Council of Australia
58	Financial Services Council
59	Universities Australia
60	TAFE Directors Australia
61	Infant Nutrition Council
62	Medicines Australia
63	Consult Australia
64	Carpet Institute of Australia
65	Standards Australia
66	Professions Australia
67	Australia Travel Careers Council
68	Universities Australia
69	Group of Eight
70	Australian Council for Private Education and Training
71	Sustainable Skills
72	Australian Computer Society
73	Australian Digital Alliance
74	Accord Australia
75	Australian Home Entertainment Distributors Association
76	Indigenous Network for Investment, Trade and Export (IGNITE)
77	Australian Consumers Federation
78	Australian Council for International Development
79	Public Health Association of Australia
80	Plastics and Chemical Industries Association
81	Australian Windows Association
82	Insurance Council of Australia
83	Council of Textile and Fashion Industries of Australia Limited
84	Pulse Australia
85	AIBC (Indonesia)
86	Australian Nursing and Midwifery Federation
87	Stockbrokers Association

88	Australian Logistics Council
89	Rigby Cooke Lawyers
90	Bluescope Steel
91	International Chamber of Commerce Australia
92	CGT Law (on behalf of Freight and Trade Alliance)
93	Freight and Trade Alliance/Peak shippers Association
94	Complementary Medicines Australia
95	Australian Fresh Produce Alliance

Annex IV

List of public stakeholder submissions received in relation to RCEP

Accord
ANZ Bank
Australian Chamber of Commerce and Industry - Documentary options for tariff reduction available to Australian Exporters per FTA
Australian Chamber of Commerce and Industry - Harmonising Administrative Procedures in PTA to Support Trade Facilitation
Australian Chamber of Commerce and Industry - Industry views on documentation in FTAs
Australian Council of Trade Unions
Australian Dairy Industry Council
Australian Fair Trade and Investment Network Ltd (2015)
Australian Fair Trade and Investment Network Ltd (2013)
Australian Red Meat & Livestock Industry
Australian Services Roundtable
Australian Dairy Industry (represented by the Australian Dairy Industry Council Inc. and Dairy Australia)
Hatch
International Trademark Association (INTA)
O'Donnell, Carol (2012)
O'Donnell, Carol (2013)
Public Health Association of Australia
PwC
Sarihusada Generasi Mahardika
Wine Australia
World Society for the Protection of Animals
Yum! Restaurants International