

Additional comments of the Australian Greens

1.1 The Foreign Affairs, Defence and Trade References Committee Inquiry into the Trans-Pacific Partnership Agreement (the TPP) received submissions from peak bodies and experts in trade. A substantial number of submissions raised concerns regarding the TPP.

1.2 While recognising some of the concerns raised by these experts, the majority committee report has fallen short of calling for a definitive and permanent rejection of the implementation of the TPP. Given that the United States of America have officially withdrawn from the TPP, it is both foolish and wasteful to pretend it can still be implemented in any meaningful way. The Greens contend that there is no point in Australia ratifying this Agreement or passing enacting legislation and that any attempts to resurrect the TPP will result in deeply flawed trade deals that do not advantage regular Australians. The Greens are strongly opposed to the ratification of the TPP, either now or at any time in the future, and recommend that the Government commit to formally and permanently ending Australia's involvement with the Agreement.

1.3 The Greens have serious concerns regarding the secrecy under which the TPP was negotiated over the course of six years and the failure of the government to conduct any independent assessments of the Agreement, despite serious concerns raised by the Productivity Commission. This deal was cobbled together behind closed doors. It was created by big business, for big business, and it is not surprising that such a process has been met with deep scepticism from the Australian public. The Greens believe that the archaic and secretive process of treaty negotiation needs to be overhauled, so that the Australian people can be at the centre of any future deals. The Greens recognise and welcome the comments made in the majority committee report relating to this issue, but feel they do not go far enough. Genuine reform of the process would enable community consultation regarding agreements while they are being negotiated and require Parliamentary confirmation of the full text of future agreements, not just their enabling legislation.

1.4 With regard to the TPP specifically, the Greens are deeply concerned by the stronger monopoly rights this Agreement would have secured for large multi-national pharmaceutical companies. These protected monopolies will delay patient access to cheaper medicines, such as those required to treat cancer, and drive up the cost to Australian consumers.

1.5 The Greens are further concerned that the TPP included rights for foreign companies to sue the Australian government in international tribunals if they can argue that a change in domestic law or policy at a national, state or local level will potentially 'harm' their investment, known as Investor-State Dispute Settlement (ISDS). The Greens note that the Productivity Commission have recommended that the Australian Government avoid the inclusion of ISDS provisions in any trade agreements that grant foreign investors in Australia substantive or procedural rights greater than those enjoyed by Australian investors.

1.6 The TPP also contains inadequate protection for labour rights and migrant workers in accordance with recognised international standards and deeply inadequate and enforceable environmental standards.

Conclusion

1.7 The Australian Greens do not support the ratification of the TPP, either now or at any time in the future and, given the United States withdrawal from the TPP, recommend that the Australian Government commit to formally and permanently ending Australia's involvement with the Agreement. The Greens are troubled by the secretive manner in which the TPP was negotiated and are deeply concerned regarding key components of the Agreement. These include the predicted increase in cost to Australians regarding essential pharmaceuticals, the ability for large multi-national corporations to sue Australian governments, poor labour rights protections and a lack of enforceable commitments to key international environmental agreements. This deal was negotiated to afford the greatest possible advantage to major, international corporations and was not designed to help regular Australians. Any moves towards ratifying the TPP would be counter to Australia's interests and should be opposed.

Recommendation 1

1.8 The Australian Greens recommend that no measures are taken towards Australia's acceptance or ratification of the TPP.

Recommendation 2

1.9 The Australian Greens recommend that the Australian Government commit to formally and permanently ending Australia's involvement with the TPP.

Recommendation 3

1.10 The Australian Greens recommend that legislation be passed, barring the Australian Government from signing the country up to international trade agreements that include ISDS clauses in future.

Recommendation 4

1.11 The Australian Greens recommend that the current trade agreement process is amended to allow for greater transparency, including independent assessments of proposed agreements, the opportunity for genuine community consultation during the negotiation phase and a final ratification process whereby Parliament votes on the whole text of agreements, rather than just implementing legislation.