



March 10th, 2016

Submission to the Joint Standing Committee on Treaties

The Committee Secretary,
Joint Standing Committee on Treaties
Parliament House,
Canberra, ACT

Dear Secretary and Committee Members,

The Melbourne Unitarian Peace Memorial Church is deeply concerned about the impact that the Trans-Pacific Partnership Agreement (TPPA) will have on the welfare of Australian citizens and on the Sovereign rights of the Australian nation. We are firstly concerned that the TPPA has negligible value as an instrument of trade development, but more importantly, that it is by nature an aggressive legal instrument that severely limits the rights of our citizens and the sovereignty of our nation.

We can see no worthwhile economic outcome from accession to the requirements of this treaty. The World Bank has stated that the TPPA will have almost no net benefit for Australia's economy - a paltry 0.7% growth after 15 years, and we already have free trade agreements with all but three of the proposed TPPA member countries. The Australian Productivity Commission and the ACCC have each said that the TPPA gives foreign investors special rights to sue TPPA member governments over the enforcement or introduction of domestic laws and bestows increased monopoly rights on medicines and copyright at the expense of consumers.

Having examined the information now released about the TPPA we also conclude that the TPPA is far less about free trade than it is about restricting the ability of current and future governments in TPPA member states to legislate and regulate in the public interest where the protection of the public interest is deemed to be harmful to the profits of private corporations. The TPPA provides enormous freedom for corporations to determine our future which we believe will very rarely be aligned with the health, well-being and prosperity of the overwhelming majority of Australian citizens.

The Investor State Dispute Settlement provisions are a blatant attack on the democratic traditions in judicial process that are observed in most civilised and enlightened countries such as ours. The TPPA allows foreign corporations to ignore our domestic court system and sue governments in international tribunals which have no independent judiciary, no precedents and no appeals. The minimal changes in the draft agreement do nothing to alleviate the purposeful sweeping aside of democratic and juridical principles. While we obviously support, for example, the exclusion of tobacco regulation from this agreement this can hardly be lauded as a victory for the public good when so many other legislative safeguards for our health, our environment, our rights as workers, our rights as citizens and our rights as a nation are all laid open to attack.

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This is not a hypothetical issue - there are governments in many countries that are already falling victim to unconscionable predation through the exercise of the dispute clauses of existing Trade Agreements.

The TPPA grants stronger monopoly rights for pharmaceutical companies which will inevitably lead to higher prices for medicines. Australia is required to accede in the long term to up to 3 years of additional monopoly for biologic medicines, which could cost our Pharmaceutical Benefits Scheme hundreds of millions of additional dollars per year because of the additional delay in benefiting from the availability of cheaper 'generic' medicines. This will inevitably become an additional burden on the taxpayer or the unwell.

We also believe that copyright provisions for global media and IT companies will restrict future governments from responding not only to consumer rights but also to the rapidly changing impact of technologies that may demand public interest regulation.

Labour rights and environmental standards expected in a modern and civilised country such as ours have been virtually wiped out in the TPPA and the few that remain are clearly unenforceable in any realistic interpretation of that term. The removal of labour market testing for employment of temporary migrant workers will expose these workers to the sort of exploitation that we have recently seen in the 7-Eleven stores scandal, and further, removing the need to test if local workers are available to fill job vacancies will have a devastating effect on currently employed Australian workers and their families.

We strongly believe, as do large numbers of people in the other countries considering the ramifications of the TPPA with regard to their own circumstances, that the TPPA has been designed not as a mechanism to free up trade between participants, but as a legal and political construct to enhance the power of corporations over nations and that it is consequently impossible to argue genuinely that the TPPA is in the public interest of any participant nation.

Our church thanks the committee for the opportunity to comment on this matter and in so doing, we strongly urge you not to support the implementing legislation required to effect the treaty.

With thanks,

Peter Abrehart,
Chairperson,
Melbourne Unitarian Peace Memorial Church