



Committee Secretary  
Joint Standing Committee on Treaties  
PO Box 6021  
Parliament House  
Canberra ACT 2600

Via online submission

Dear Committee Secretary,

**RE: AUSTRALIA-UNITED KINGDOM FREE TRADE AGREEMENT**

Amazon Web Services (AWS) is the world's most comprehensive and broadly adopted cloud platform. AWS launched in Australia in 2011 and opened its Sydney Region in 2012. In the past decade, Amazon including AWS has invested AUD \$5.3 billion in local infrastructure and jobs across Australia. Our investment includes a workforce of more than 4,000, including 1,000 employees joining in the past year. These roles include high value AWS jobs such as machine learning scientists, sales and solutions architects, and data centre operators. In late 2020, we announced a second Australia AWS Region in Melbourne, which will offer our Australian customers a second onshore option when choosing where their data and workloads are hosted. This means they can run full primary and secondary sites that are geographically separated but still within the borders.

Amazon has announced investment in three renewable energy projects in Australia as part of our commitment to being 100% powered by renewable energy by 2025. Further projects in Australia are in final stages of consideration. Amazon's committed investment currently exceeds AUD\$200m. Two of the three announced projects are now operational and will generate 717,000 MWh of renewable energy annually, the equivalent to the annual electricity of almost 115,000 average Australian homes.

AWS provides digital training and skills development to thousands of Australians annually.

**Comments**

AWS congratulates the Australian Government for signing the Australia-United Kingdom Free Trade Agreement (A-UKFTA) with the Government of the United Kingdom on 17 December 2021. This agreement continues Australia's excellent track record of raising the bar in international trade policy.

We recognise the high standard commitments that were achieved in the Chapter on Digital Trade of the A-UKFTA. As the global economy emerges from the pandemic more interconnected and digitised, high standard digital trade commitments will enable Australian businesses' continued access to global digital markets and digital technologies, such as cloud computing services, and also support Australia's broader policy objectives to advance innovation and grow the digital economy.

In particular, we support strong, binding outcomes in the A-UKFTA that enable seamless and trusted cross-border data flows and prohibit data localisation. These are core commitments that underpin the digital economy and promote the competitiveness of Australian businesses engaged in digital trade, especially SMEs, as they do not have to duplicate data storage and processing resources to access international markets. We also further express our



support for A-UKFTA commitments that prohibit access to or disclosure of software source code as a condition for market access and prohibit customs duties on electronic transmissions. These protections and commitments contribute to an enabling environment for digital trade, and enhance Australia's attractiveness as an investment destination for businesses, especially digitally enabled companies and digital technology service suppliers.

AWS commends the inclusion of provisions in the A-UKFTA that promote trust in the use of digital technologies, including commitments that advocate for interoperability of personal information protection regimes and risk-based approaches to cybersecurity. We also support the inclusion of cooperation elements under the Chapters on Digital Trade and Innovation on a wide range of issues including data innovation, cybersecurity, digital inclusion, artificial intelligence and emerging technologies. AWS would like to express our interest in participating and contributing to cooperation activities under the A-UKFTA. In particular, we would be keen to collaborate with the Australian Government on the Strategic Innovation Dialogue envisioned under the Chapter on Innovation, including through sharing industry perspectives and interests.

We are disappointed that provisions related to the non-discriminatory treatment of digital product did not feature in the A-UKFTA. These commitments are not new and can be found in the Comprehensive and Progressive Trans-Pacific Partnership (CPTPP) and the Australia-Singapore Digital Economy Agreement. It is a fundamental trade commitment that helps guard against unfair trade-related measures predicated on the basis of origin, and an important safeguard against rising digital protectionism in the region. We hope that the Australian Government will consider its inclusion in future agreements.

In summary, AWS strongly supports the A-UKFTA and recommends that the Joint Standing Committee on Treaties support its ratification. Once in place, the A-UKFTA will set the benchmark for the Indo-Pacific and help shape the rules of the road for digital trade in the region. More broadly, it will also inform the plurilateral negotiations on digital trade at the World Trade Organisation, where Australia also plays a global leadership role as Co-Convener of the negotiations.

AWS looks forward to further collaboration and dialogue with the Australian Government as it continues to exercise leadership in the Indo-Pacific region, and globally, to advance international rule making for digital trade. If you require any clarification or further information in respect of this submission, please let me know.

Yours sincerely,



**Roger Somerville** [Redacted]  
Head of Public Policy, Australia and New Zealand  
Amazon Web Services