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The Hon. Josh Wilson MP
Chair Joint Standing Committee on Treaties
Parliament House Canberra
May 31, 2024

Dear Mr Wilson,

Re: Submission to the Protocol on the Accession of the United Kingdom of Great Britain and Northern Ireland to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP) and associated side-letters

As you know, AFTINET has made a number of critical submissions on the CPTPP to JSCOT and DFAT.

We congratulate the government for implementing its policy to exclude Investor-State Dispute Settlement (ISDS) from new agreements by negotiating a CPTPP side letter with the UK government to exclude ISDS from applying to Australia and UK, similar to the side letter between Australia and New Zealand.

We attach our January 2024 submission to the DFAT three-year review of the CPTPP which outlines our criticisms of ISDS, which still applies between Australia and the other 8 CPTPP countries. The submission also detailed our criticisms of other aspects of the CPTPP. These include the possible reinstatement of suspended CPTPP clauses for longer medicine monopolies, the lack of full enforceability of labour and environmental standards, the lack of commitments on women's rights and Indigenous rights, the potential impacts on public interest regulation of trade-in-services rules and the removal of labour market testing in temporary worker provisions in the light of recent developments in migration policy. All of these issues impact on the ability to maintain high quality standards on human rights, access to medicines, labour rights and environmental standards, including measures to reduce carbon emissions and address other aspects of climate change. The submission makes recommendations about how the CPTPP should be changed to address these issues.

We note that the recent report of the Joint Standing Committee on Trade and Investment Growth recommended the legislation and implementation of government policy to review and remove ISDS from existing trade agreements, not to remove labour market testing for temporary workers in trade agreements, and to include fully enforceable labour rights and environmental standards, including commitments to reduce carbon emissions. We hope that the government will take the opportunity of the three-year review to implement its policy to remove ISDS provisions applying between Australia and the 9 other CPTPP countries, and to make the other changes outlined in the attached submission.

Yours sincerely



Dr Patricia Ranald, AFTINET Convener