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23 August 2019

Committee Secretary  
Joint Standing Committee on Treaties  
PO Box 6021  
Parliament House  
Canberra ACT 2600  
email: [jsct@aph.gov.au](mailto:jsct@aph.gov.au)

cc: Senator Simon Birmingham  
Minister for Trade, Tourism and Investment  
email: [Senator.Birmingham@aph.gov.au](mailto:Senator.Birmingham@aph.gov.au)

## **RE: Australia-Hong Kong Free Trade Agreement (A-HKFTA)**

Committee Members

The National Tertiary Education Union (NTEU) represents the industrial and professional interest of over 27,000 members working in tertiary education and research. As you will be aware education is now Australia's third largest export earner with education-related overseas earnings valued at over \$A37billion.

From the NTEU's point of view the Australia-Hong Kong Free Trade Agreement (A-HKFTA) suffers from many of the same issues that we have raised in relation to other free trade agreements, including those raised in our submission to the Comprehensive Progressive Trans-Pacific Partnership (CPTPP) or TPP-11 in April 2018.

In summary our major concerns relate to:

1. the inclusion of Investor-State Dispute Settlement (ISDS) provisions,
2. the potential impact of the trade in services chapter on essential and public services including the funding and regulation of education,
3. the lack of independent evaluation of the economic and social impacts of the agreement, and
4. no commitments to international human and labour rights, laws or environmental standards.

In this regard the NTEU supports the position put forward by the Australian Fair Trade and Investment Network (AFTINET) to this inquiry.

The reason for writing to you is not only to endorse the recommendations in AFTINET's submission but to emphasise the fact that the text of the proposed agreement does not require any commitments to human or labour rights. This omission is particularly troubling, especially given recent reports in relation to the treatment of citizens, including trade union members,

exercising their basic human right to peacefully protest against proposed extradition/rendition laws and in support of universal suffrage.

The NTEU's concerns about these issues and our commitment and support for the citizens and workers of Hong Kong are outlined in a NTEU National Executive motion passed on 17 August 2019, the text of which is attached for your information.

Under these circumstances the NTEU is calling on the Australian government to suspend all negotiations in relation to the A-HKFTA:

- a) until the current situation in Hong Kong has been resolved, and
- b) the text of A-HKFTA is amended to include specific provisions committing both parties to uphold internationally recognised human and labour rights.

If you have any additional questions please contact me ([abarnes@nteu.org.au](mailto:abarnes@nteu.org.au)).

Thank you.

Dr Alison Barnes

NTEU National President

23 August 2019

***Attachment***

***NTEU National Executive Motion***

The National Executive of the NTEU condemns the ongoing violations of basic human rights during the protests occurring in Hong Kong.

NTEU stands in solidarity with our comrades of the Hong Kong Confederation of Trade Unions (HKCTU) and supports their demands for the Hong Kong Government to uphold freedom of assembly and free speech, for the release of arrested protesters, and an independent inquiry into human rights abuses by police.

NTEU condemns violence and intimidation and stands with those seeking to protect freedom of expression and freedom of assembly whether that be in Hong Kong or on campuses. Critical debate on campuses and in the broader community is a vital component of civil society.

NTEU National Executive is concerned at the influence that is being exerted on Australian campuses by external funders including government, non-government, and commercial entities, whether foreign or domestic. As a vital component of a free and open society Universities must jealously guard their institutional independence and not compromise the core principles of institutional autonomy and academic and intellectual freedom.

***NTEU National Executive 17 August 2019***