

Leslie Shirreffs

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Foreign Affairs, Defence and Trade Committee
Department of the Senate
PO Box 6100
Parliament House
Canberra ACT 2600

Via email: fadt.sen@aph.gov.au

Dear Committee

Re: Proposed Trans-Pacific Partnership Agreement

I wish to make a submission to the Inquiry on the Trans-Pacific Partnership Agreement (TPP).

It is alarming that the Australian Government seeks to ratify this Agreement, putting the sovereignty of Australia at risk, and enabling foreign corporations to sue our duly elected government over changes to law or policy that may affect their profits, under investor-state dispute settlement procedures. It is of significant further concern that these lawsuits are conducted in secret tribunals, outside of the Australian legal and court system.

Given that one of the greatest economic threats facing our nation in future is from the impacts of climate change, and that commitments made to reduce Australia's carbon footprint have yet to be fully implemented to achieve this commitment, it concerns me that fossil fuel companies (and other corporations) could, through this Agreement, sue our government for taking action needed to protect our citizens.

Similarly, policies to protect water quality, water use, environmental protection – even increases to the minimum wage – risk being subject to lawsuits against our government, and therefore our citizens.

I am certain the Committee is well aware of the multiple lawsuits being conducted under similar provisions of trade agreements in other nations around the world on exactly these matters. The weak provisions in the TPP on these matters are not enforceable or sufficient to protect the rights of Australian employees or environmental standards, or the rights of duly elected governments to legislate on the public interest.

Further, through harsh intellectual property provisions, the TPP gives corporations, such as pharmaceutical companies, stronger monopoly rights, which will push up the prices of necessary and potentially life-saving medicines.

Provisions that would allow product labelling requirements to be lessened is also concerning, as a consumer with severe allergic reactions to some additives, and as a consumer who wishes to purchase ethical products that don't contain certain products, like palm oil.

The protection of workers rights is also weak in the TPP - indeed even the products of child or slave labour are not prohibited. The TPP would also allow increased numbers of temporary migrant workers, without testing if local workers are available, impacting on both local jobs for Australians and working conditions for temporary migrant workers.

There has been considerable coverage by economists about the benefits to Australia of the TPP – indeed the World Bank estimated the TPP will bring a meagre 0.7% of economic growth by 2030 in Australia, which is hardly an adequate trade-off for such an infringement on our sovereign rights. Even the Productivity Commission has been critical of the TPP provisions saying that they turn so-called free trade agreements into "preferential" agreements.

While trade agreements can have benefits for our nation, in its current form, the TPP is simply not in Australia's public interest and threatens our democracy. The secrecy with which negotiations and the drafting of the Agreement was conducted, yet in collaboration with select corporations, gives cause for even greater alarm.

I beseech the Senate Inquiry to protect Australia's interests and ensure that the TPP Agreement contain no clauses, provisions or requirements that limit the sovereignty of the Australian Parliament in introducing and implementing legislation or policy in relation to the environment, health care, workers rights and conditions, product labelling, privacy or any other matter that protects the interests of the Australian population.

This Agreement, in its present form will adversely impact everyday Australians, and should not be ratified until these issues are adequately addressed to protect our citizens and our governments' sovereign rights to act in the best interests of those citizens. In its current form, it is not a trade agreement at all, but a corporation interests manifesto.

Yours sincerely

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