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From: Cherre Hawkins [SMTP:chezza@altavista.com]
Sent: Friday, September 15, 2000 2:27 PM
To: jsct@aph.gov.au
Subject: Australia's relationship with the World Trade Organisation

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September 14 2000

The Committee Secretary
Joint Standing Committee on Treaties
Federal Government of Australia

Dear Committee Members

I submit my comments with respect to your inquiry into 'Australia's relationship with the World Trade Organisation'.

Firstly, please be aware that I am not a member of any political party or organization. I am an Australian citizen who as a Christian hold the belief that God expects me to live my life as a steward of the world in which I live. This stewardship is wide and varied but encompasses justice, environmental stewardship and responsibility of those in positions of power and acting on behalf of other people to always maintain high ethical and moral choices that are in the best interest of those they represent.

I make my submission in the belief that members of your committee seek to achieve the best outcome for Australians, one and all, and not for political point-scoring.

My comments address the individual points under examination:

- Opportunities for community involvement in developing Australia's negotiating positions on matters with the WTO;

My awareness of the joint standing committee's inquiry came through an on-campus talk presented by an S11 advocate. Perhaps, I missed the 'advertisement' in the newspapers!

As a regular newspaper reader, I am concerned that I missed such a notice. I would expect this information to be advertised in National, State, Local and Regional newspapers, therefore ensuring that a broad spectrum of the population is made aware.

The information I have gleaned would lead me to believe that the Australian Government does not actively seek the involvement of the community, or non-government organizations (NGO's) in developing negotiating positions with the WTO.

Personal experience of government community involvement (i.e. RFA's) left me with the impression that the government representatives' attitudes and persona were 'we have already made up our minds what we are doing, and we attend and tolerate these community forums as part of government policy only'. This was further evidenced when I received a "polite" response from my submission into the inquiry, but nothing changed.

I would further add, that the failure of the government to actively seek and include community involvement would indicate that they know their decisions are not in the best interest of those they represent; or they do not fully understand the broad spectra of what they are dealing with and rather than admit to this - become defensive and less open; or these representatives get caught up in the offerings and trappings of persuasive business-smart and savvy lobby operators.

- The transparency and accountability of WTO operations and decision making;

Any organization that operates within an environment where they make the rules and are the final authority, and is able to have supremacy over national legislation, is not good for Australia. If my understanding is correct, some of the WTO agreements could bind Australia to accepting standards lesser than those legislated where another member challenges an Australian law that could be interpreted as "prohibiting free trade".

Any involvement that Australian Government Representatives have with the WTO should include processes of transparency therefore ensuring the desires of the Australian public are clearly maintained. Perhaps it has been a specific strategy of the Government, at recent negotiations, to specifically involve business representatives and exclude NGO's to avoid the need for transparency!

- The effectiveness of the WTO's dispute settlement procedures and the ease of access to these procedures;

Any organization that can force a sovereign government to accept a product from another country against the nation's regulatory laws, and which holds a 'closed court', cannot be described as effective from a democratic view-point.

- Australia's capacity to undertake WTO advocacy

I interpret this point as "Australia's capacity to speak or support the World Trade Organisation".

Australia must be an advocate for its own people, not an organization that has no national interest.

Further, I find it difficult to accept my country representative's advocating the WTO where policies and actions imposed on national sovereignty of other countries or that exploit the disadvantage or developing countries go against our democratic and national ideal of 'giving a fair go'!

- The involvement of peak bodies, industry groups and external lawyers in conducting WTO disputes;

Nations are made up of people - each nation and its transition is unique. Reducing trade to technical and legalistic arguments that do not take in the whole picture of the nation, and then only the voices of business and industry have input and not the protectors of the environment and human justice (ie NGO's) - indicates a dispute system that only listens to those who agree with it. This is not democratic, and I stress that Australia is a democratic country and must expect democratic processes not only for itself but argue for it on behalf of those less able to defend themselves.

Committee members, I have run out of time in preparing this submission in full, and I ask that you accept my apologies for my failure to address all points.

However, please hear my voice as an Australian, that representatives from Australia involved in such international dealings must be representative of all Australians - business, union, environment, social justice and government. Australians, as a nation, should be provided with the facts (from all sides) to allow us to determine what parameters we, as a nation, are prepared to accept in a globalised trading world. I am a person of firm opinions and beliefs and I judge activities based on those, but I am able to consider the view "what is best for Australians, as a whole. In comparison, I have personally observed people (acting as representatives) being seduced by information and figures (and other trinkets!!) that when analysed does not stand up. Again, from the data that I have gleaned, it would appear that Australian representatives have not had the full facts and have not acted in the best interest of the Australian nation.

I am also concerned with backdooring or piggy-backing, achieving the ultimate outcome of WTO through agreements between nations that then tie other countries in, for example, the NZ and Singapore agreement that (it is alleged) will tie Australia in because of our agreements with NZ. [I know insufficient detail, just raise my concern]

Yours sincerely

Cherre Hawkins

