

**SENATE FOREIGN AFFAIRS, DEFENCE AND TRADE
REFERENCES COMMITTEE**

**INQUIRY INTO GENERAL AGREEMENT ON TRADE IN
SERVICES AND AUSTRALIA/US FREE TRADE AGREEMENT**

SUBMISSION

Submission No: 57

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Union Retired Members Association (AMWU
RMA)

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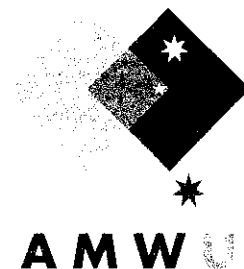
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Sydney Branch
Retired Metal Workers & Printers



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Senate Foreign Affairs,
Defence and Trade
References Committee
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SUBMISSION:
SECRET GATS TRADE NEGOTIATIONS TOTALLY
UNDEMOCRATIC.
17th March 2003

The Sydney Branch of the ***Amalgamated Manufacturing Workers Union Retired Members Association (AMWU RMA)*** wishes to make known its opposition to the highly secretive, undemocratic trade talks within which the Australian Federal government has participated, these talks being referred to as the *General Agreement on Trade in Services (GATS)*.

GATS is contrary to Australian Constitution.

We strongly contend that the GATS process transgresses (or proposes to transgress) the Australian Constitution at least in the following instances regarding services that State and Federal governments are required to provide as listed in part in Chapter 1, Part V – 51. “The Parliament shall, subject to this Constitution, have the power to make laws for the peace order and good government of the Commonwealth with respect to :-

(v) Postal, telegraphic, telephonic and other services:

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(viii) Quarantine:

(xxiii) Invalid and old age pensions:

(xxiiiA) The provision of maternity allowances, widows' pensions, child endowment, unemployment, pharmaceutical, sickness and hospital benefits, medical and dental services.....benefits to students:"

The above is only a partial list of the public services required by the Constitution to be delivered by government to its citizens. AMWU RMA contends that it is these very services which the secret GATS negotiations place in jeopardy without reference to the Parliament and the people of Australia.

Australian Sovereignty swept aside.

The current government's detestable participation in the secret GATS talks, in our perception, contravenes the sovereignty of all Australian citizens in many ways and in the most negative fashion.

The moguls of world capitalism, suitably camouflaged as GATS 'representatives', will expect Australia to remove 'Trade Barriers' otherwise known as Australian laws of a wide spread of description. Removal of these laws, which were originally designed for the benefits of Australian citizens will affect, oftentimes very negatively, a wide range of living standards for Australian citizens without those citizens having the opportunity to defend their rights and standards.

Sovereignty – the important ability to exclude pests etc.

Australia has long been quarantined from many exotic insect and animal infestations, human maladies and other biological and chemical pollutants e.g. G.M. foods and radioactive materials and wastes, we submit that these desirable outcomes are jeopardised by GATS demands.

Witness the global demands through the PANGAEA Corporation, to dump the entire balance of the world's nuclear wastes of the highest order here in Australia. On this critical issue, we pose the following question - what defence would Australia have in prohibiting this unwanted activity should these secret and undemocratic GATS negotiations demand it and be accepted secretly by our government?

Maybe the Australian quarantine system has had its failures, however Australia's environmental situation as protected by the successful portions of our quarantine laws is envied overseas. Continuing participation in the undemocratic GATS negotiations threatens this desirable Australian environmental outcome.

We perceive that the strident and unrepresentative demands of GATS negotiations will be instrumental in destroying our defences against the above mentioned intruders and maybe many others as yet unimagined. This, under threat of hideously expensive punitive legal action promoted under the auspices of GATS and unpopular corporate representatives untroubled by electoral pressures, scruples or principles.

We are of the opinion that quarantine transgressions as described would be contrary to the Australian Constitution as shown in “(viii) Quarantine” above.

‘Competition’ – a cruel hoax.

Any resulting GATS impelled influx of multinationals not necessarily representing any one nation or group of people with an identifiable national sovereignty, coupled with the expunging of local Laws, we contend, will result in highly concentrated global monopoly groups too powerful to be controlled by elected governments.

We contend that the above mentioned powerful, unscrupulous, immovable monopolies further empowered than usual by GATS agreements, are the exact antithesis to what the GATS proponents claim.

We are cynical of the claim that GATS agreements will create greater competition and therefore cheaper and better services as multinational companies, abusing cheap labour costs and standards, will simply continue to charge at pre-existing price levels and pocketing the difference labeling it profits.

We question the veracity of the creation of competition by way of GATS agreements. How can it be so when it is intended that transnational corporations enter into operations in this country with cheap labour costs and standards and TAX FREE – or at highly reduced tax rates against local public and other services compelled to adhere to tax laws and to decent labour standards? Something will be made to go and as always it appears that the most disadvantaged Australians will be made to pay through lower living standards.

It is excruciatingly obvious, and we strongly contend, that under the above described circumstances the local providers will be crushed out of existence taking with them all the local values, benefits, living and labour standards which usually accrue to Australians as a whole.

It is our most bitter contention that the result of the above and most likely GATS – impelled scenario, will be that massive profits, belted out of the various countries foolish enough to fall for this major scam called GATS, will fall into the hands of MULTINATIONALS. We interpret the term ‘multinational’ implying as it does, that no one nation – if any – will benefit from the strictures and even expungements of sovereignty and democracy.

We angrily submit that Australian governments participating in the GATS inspired ‘competition’ fraud will have the ultimate effect, amongst others, of bringing about the destruction of the Australian Tax Base and the attendant social services at the very time when social devastation created by multinationals will become rampant.

All Australian political adherents to GATS are condemned.

We are furthermore aware of, and decry, the original involvement of a Labor administration in bringing into effect the whole GATS malaise to begin with. We contend that this contravention of sovereignty in our opinion constitutes gross disloyalty AND TREASON to Australia and Australians, whether that government is the originator or the one who pursues it.

Lowest common denominator for labour & living standards.

We condemn the clear intention of GATS ideology (and the Federal government’s by association) of pursuing a reverse auction in relation to the importation of cheap, sweat labour to Australia.

We strongly contend that the dreadful labour conditions suffered in other countries by our unfortunate counterparts should be dealt with by improving their standards rather than to prolong their misery by using them as cheap labour alternatives to be used to drive down Australian citizens’ standard of living.

We submit that the only results of any GATS-inspired, ‘reverse auction’ for the cheapest and nastiest labour standards will be to perpetuate such low standard, slave labour for those already suffering these conditions. Such GATS demands will also destroy existing labour standards in the host country – in this case Australia. Finally, but most detestable, that the already sated, greedy corporations will be the only recipients of the resulting unconscionable one-way largesse.

Australians' well-being in hands of non-elected operators.

We are trenchantly opposed to the fact that in addition to the effect of surrendering Australia's sovereignty, our association is appalled that the decisions of individuals not elected by Australians will have such a drastic effect on the living standards of Australians.

We furthermore express utter detestation of the fact that GATS-inspired corrosion of living standards will, as time recedes, pass in an ever growing tide into the control of untrustworthy, undemocratic and totally non-elected hands of corporate puppets totally unknown to any of the involved democratic peoples including Australians.

Rich corporations the only beneficiaries.

We perceive that the demands emanating from the secretive GATS negotiations and the attempt to impose these upon the ordinary citizens of the globe through the secretive, collusive, undemocratic participation of individual governments i.e. the Australian Federal government, are pursued for no better reason than to facilitate trade and money-grubbing with no intention of deriving benefit to the ordinary citizens. Indeed in many cases including in Australia the reverse and very negative is the only possible outcome.

It is becoming increasingly obvious to us that such demands include the fragmentation, or worse, the total extinction of popular and socially necessary Public Services despite the fact that in Australia such demands are contrary to our Constitution as contended in our opening paragraphs.

The dismantling of socially necessary services will create a disaster devoid of social concern and humane compassion. We STRONGLY contend that GATS demands such as described above MUST be rejected if Australian Standards of living are not to plummet to the "lowest common denominator" as implicit within the "reverse auction" mentality.

Environmental Laws, Social needs will be debased.

Sydney AMWU RMA is also concerned at the negative outcomes foreseen as resulting from a number of GATS and other "trade talks" which debase environmental protection laws, civil rights, labour standards and indeed everyday living standards. This for no other apparent reason than to assuage corporate greed and global power than for any other worthy, humane aim.

We can foresee no other possible outcome for Australia than the above stated scenario should the obvious demands of GATS to denude Australia of much, if not all, socially necessary Public Enterprise for the benefit of those most advantaged by GATS – i.e. the rich and powerful – as represented by Corporations set up by, and for, those rich and powerful. This is why we consider the Federal government to be party to treason of its citizens and collusion with inappropriate interests.

Destruction of critical Public Services.

We are concerned that the current Federal government is displaying every sign that it will march along totally in step with ALL the corrosive GATS proposals regarding many of Australia's Constitutionally supported public services e.g. Health, Education, Communications, Transport etc. We furthermore are aghast that this collusion is carried out by the Federal government in SECRET negotiations and the fact of bypassing of Parliament and the popular right to REFUSE any unacceptable GATS negotiations.

PEOPLE should be in control not secret societies.

We adamantly contend that it is the people of Australia who must have the ultimate say as to whether, and how, their government will deliver socially popular services, not an aloof Cabinet almost totally excised from the populace. Particularly so as the said Cabinet is collusively acting at the behest of a "Secret Society", namely GATS, which conducts its nefarious affairs from within a country, namely Qatar, ruled by a repressive regime which protects, by its violent authority, the GATS negotiations from democratic and popular outcry.

We demand that the ultimate popular say should be expressed preferably through an appropriate plebiscite e.g. a Referendum on each individual GATS proposal. We maintain also that with the people resides the right to demand the Federal government's adherence to the Australian Constitution.

Federal governments – collusive and undemocratic.

We are convinced that Federal governments, particularly the current one, have/has acted collusively (with the revulsion this activity implies) with undeclared, unelected participants of GATS and other such 'trade' talks including bilateral talks.

We perceive that the current government is hell-bent to put into practice, without attracting the disapproval of voters, its scorched earth ideology

regarding publicly owned and publicly delivered, socially desirable services.

GATS – not the only undesirable.

We hereby state that GATS is not the only undesirable scam (of this nature) being perpetrated by the Australian government upon the people of Australia. We are equally as dismissive of other 'trade talks' prominent amongst which is the bi-lateral trade talks between Australia and the United States with regard to which we submit that all our above contentions are equally applicable.

It is laughable to believe that the comparatively minuscule Australian trade effort would achieve any real or equitable trade fairness in the face of the superpower's proven ego driven and voracious self interest supported by often alluded to strength. This is an already proven state of affairs as history already shows that the U.S. will brush aside any attempt at 'fair trade', applying massive tariffs and subsidies to its domestic rural industry and others.

We are particularly distressed by rumours that U.S. based Pharmaceutical companies are using the bi-lateral trade talks forum to press the Australian government into abandoning Australia's world renowned *Pharmaceutical Benefits Scheme* (PBS). This in preference to the voracious and destructive free market, 'sky's the limit' pricing system so desired by said U.S. based multinationals but so utterly cruel to humans in need as was proven in the case of HIV treatments to needy South Africans.

We perceive that the current government has already attempted to prepare Australians to accept the 'open slather' pricing desired by the aforesaid pharmaceutical companies. We believe that the Federal government has been perfidious in its representations to Australians as to why they sought to increase the so-called 'co-payment' for pharmaceuticals.

We rather suspect that in this perfidy the Federal government has attempted to insert a 'thin end of the wedge' which would later expand to such dimensions that abandonment of the PBS would be the only option thus surrendering to the pharmaceutical companies.

We therefore applaud the Senate in defeating the Federal government in its perfidious intentions regarding the PBS. We further urge the Senate, the only defender of Australian citizens from the Federal

government's known and undesirable extremes, to continue to defeat the Federal government in its known conservative extremities and its predilection toward the 'big end' of town and indeed the 'big end' of the world.

This Federal government must not be allowed to get away with this.

CONCLUSION:

We totally reject the current GATS negotiations.

Accordingly AMWU RMA, Sydney Branch, submits that:-

- The Federal government must be made to reject all existing GATS agreements;
- The Federal government must withdraw from all GATS negotiations;
- If GATS is to continue, then it must be made to do so openly with due popular restraint including rejection of its proposals if the popular wish so decides;
- All negotiations be debated in both houses of Parliament and be made public knowledge by government paid media outlets;
- Provision be made for popular veto e.g. Referendum – since no real trust exists between elected and electors on this matter.
- In the absence of progress as called upon above, then the Senate is called upon to attempt to act to ensure the interests of its Citizens by rejecting all current GATS agreements.
- Ultimately, in addition (or in the absence) to a democratic process, then that the Federal government be imposed upon to adhere to the Australian Constitution regarding all socially desirable Public Services and other matters relative to the Environment, Civil Rights, Industrial Justice and Living Standards.

Signed on behalf of
AMWU RMA, Sydney Branch

Tom Shiner
Branch Secretary

The above submission was authorised by a resolution of the ordinary meeting of Sydney Branch AMWU RMA held on Tuesday 11th March 2003.