



AFTINET
Australian Fair Trade
& Investment Network

BULLETIN December 2014

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[Thanks for your support and Happy New Year!](#)

This has been incredibly busy year! We have few resources and without your support we could not achieve so much. This edition summarises our campaigns and asks for your continuing support in 2015.

Have a good break, Merry Christmas and happy New Year!

[TPP misses yet another deadline: campaign continues in 2015](#)

The TPP negotiations between Australia, the US, Japan and nine other Pacific Rim countries missed another deadline in November and are now expected to continue into 2015. The [strong campaign in the US](#) has prevented the US Congress from granting “fast track” by giving up its rights to approve the text and only being able to vote yes or no. The Republican victory in the November elections does not mean that fast-track will be passed, as many [Republicans](#) as well as Democrats will oppose it.

We know from leaked documents and industry reports that pharmaceutical companies want increased delays before we can access cheaper generic medicines, media companies want longer copyright payments and restrictions on the Internet and tobacco companies want to prevent stronger public health labelling. They all want the right to sue governments over changes to domestic legislation known as Investor-State Dispute Settlement (ISDS). These cases are growing in number, and include the French company Veolia suing the Egyptian Government over a [rise in the minimum wage](#). These proposals are not about free trade but about increased monopoly rights which [undermine democracy](#) and could prevent future governments from regulating to protect public health, the environment and workers’ rights.

With your support this year we have spoken at over 50 public meetings and rallies, given it over 100 media interviews and sent thousands of social media messages. Our campaigning has made a difference. The TPP negotiations have missed several deadlines and entered their fifth year because social movements in Australia and other TPP countries, including the US have pressured governments to resist these proposals. We held [protests](#) at the TPP negotiations and Ministers’ meetings in Canberra and Sydney in October, which received widespread [media coverage](#) and participated in an [International Day of Action](#) in November. We also spoke at a seminar and carried our stop TPP banner at the [G20 meeting](#) in Brisbane on November 13-15. We need your support to continue the campaign in 2015.

[Government announces China Free Trade Agreement](#)

The Australian and Chinese governments started negotiating a free trade agreement in 2005. On November 17, 2014, they announced they had reached agreement in principle on key issues and would finalise and sign the text early in 2015. The text will remain secret until after Cabinet approves it for signing, and cannot be changed by Parliament, which will only vote on the implementing legislation. There has been much positive publicity about access to Chinese markets for Australian agriculture and services, but not about the negatives.

The government's [summary](#) shows that it has allowed more temporary labour for projects worth more than \$150 million and has agreed to ISDS. [Union](#) and [industry groups](#) are concerned about the impact of the agreement on local employment. [AFTINET](#) also opposes allowing Chinese companies to sue our governments over domestic legislation. We want the full text of the agreement to be released before it is signed so there can be public and parliamentary debate about these issues.

[Foreign investor rights to sue governments over domestic legislation \(ISDS\)](#)

This year we have campaigned strongly against ISDS in the TPP, the Korea FTA and the China FTA. Our campaigning helped send thousands of message to the Trade Minister and to establish two Senate inquiries which focussed on ISDS, one on a Greens Bill to ban ISDS in all trade agreements, and one initiated by the ALP on the Korea FTA. These inquiries have educated politicians and held them accountable. Over 11.000 people wrote letters and submissions. There were articles in the [Sydney Morning Herald](#), [the Drum](#) and an excellent [ABC Radio National Background Briefing](#) program

[Pacer-Plus negotiations slowed as Fiji re-joins and civil society calls for suspension of talks](#)

PACER-Plus negotiations between Australia, New Zealand and 14 Pacific Island Countries were held from December 8-12 in Fiji. The rent elections in Fiji mean that Fiji is now taking an active role in the negotiations, rather than being an observer. The Fiji government has indicated it may not accept what has been negotiated so far, which may slow the negotiations. AFTINET believes that Pacific Island countries have little to gain and much to lose from a free trade agreement. The main sticking points remain labour mobility and development assistance from the Australia and NZ side, while Pacific Island sensitivities include reducing tariffs and trade rules on investment and services, especially where these may affect employment and customary land ownership. China and India are also becoming more active in PI and visited after the G20.

A [letter signed by civil society groups](#) calling for suspension of talks was sent to governments. PANG has also produced a leaflet on how trade agreements could undermine custom land tenure.

It now appears that negotiations will continue through 2015 with the aim of completion in 2016.

[Senate Inquiry into Trade Agreement Process: submissions due February 27 2015](#)

AFTINET has long campaigned for changes to [Australia's Trade Agreement Process](#) for greater transparency and democratic accountability. Currently the negotiating texts are secret, and Cabinet authorises the signing of the final text before it becomes public. This is reviewed by a parliamentary committee which cannot change the text.

Parliament only votes on the implementing legislation. We want much better public consultation before and during negotiations, public release of draft texts and the release of the final text for public and parliamentary debate before the decision is made to sign them. Our campaigning has now produced some results, with the ALP and Greens referring the Commonwealth's treaty processes to a [Senate Inquiry](#).

The closing date for submissions is **27 February 2015 and the committee will report by 18 June 2015**.

The [terms of reference](#) are broad enough to enable us to raise our issues of concern. It is important that the committee receive as many submissions as possible to ensure that it holds public hearings and maximises the public debate. AFTINET will prepare some points for use in submissions.

Submissions should be sent to Foreign Affairs, Defence and Trade Committee fadt.sen@aph.gov.au

[Australia to join the WTO voluntary Government Procurement Agreement: submissions due January 30, 2015](#)

The Australian government announced in November that it would begin the process to join the World Trade Organisation voluntary [Government Procurement Agreement or GPA](#). This agreement has been in place since 1994, but only 48 of 160 WTO members have joined it. The agreement commits governments to treat international companies as if they were local companies in government procurement processes and to have no preference for local content. Most governments want to retain the flexibility to have rules for local content in government procurement, as part of the encouragement of local industry development.

The government is saying that now is the time for Australia to join because China is in the process of joining, and this would give Australian companies access to the Chinese government procurement market. This may be a forlorn hope, given the experience of the US Australia free trade agreement procurement chapter. Australia committed to open up all Federal and State government procurement, with some specific exceptions, especially at the State government level. The US had many more exceptions at Federal government level and only 33 of 50 states are part of the agreement. Australian companies have found it extremely difficult to actually gain contracts in the US.

We are concerned that the negotiations with the 48 other countries, including the US and the EU, will result in pressure to weaken current exemptions in Australia's bilateral trade agreements, including exemptions for indigenous services, small and medium

sized enterprises, defence, audio-visual services and other specific services and industries. AFTINET will be making a submission to express our concerns.