



BULLETIN October 2013

Inside this edition:

- [TPPA Seminar October 22, 12 noon, NSW Parliament House](#)
- [Trans-Pacific Partnership \(TPPA\) meeting in Bali, October 4-8](#)
- [Australian media coverage of the TPPA](#)
- [Australia's Coalition Government: What does this mean for trade?](#)
- [The campaign for a Fair Deal or No Deal in the TPPA gains momentum](#)
- [Ways you can support the campaign](#)
- [SMH: APEC summit wraps up with new commitments to free trade](#)

TPPA Seminar October 22 at NSW Parliament House

The Trans-Pacific Partnership Endgame: Corporate Rights or Peoples' Rights?

The US, Australia, New Zealand and nine other Pacific Rim countries have been negotiating the Trans-Pacific Partnership (TPPA) trade agreement for the last three years. The pressure is on to finish the negotiations this year. But the agreement is not mainly about trade.

The agenda is being driven by the US on behalf of its major industries, with proposals for investor rights to sue governments, higher medicine prices, less internet freedom and less Australian content in media. There is as yet no agreement for enforceable labour rights or environmental protections. The new Coalition Government policy is to negotiate on foreign investor rights to sue governments and to finish the agreement as quickly as possible. The danger is that vital policies will be traded away.

Expert speakers from a range of backgrounds will discuss the possible impacts of the Trans-Pacific Partnership Agreement (TPPA) on our lives, and what we can do to influence the outcome.

22nd October, 12-2pm
Macquarie Room - NSW Parliament
6 Macquarie Street, Sydney

Speakers:

- Dr Patricia Ranauld, AFTINET Convener, *TPPA End game: Corporate rights versus peoples' rights?*
- Isabel McIntosh, Lock the Gate, *Threats to Coal Seam Gas regulation*
- Andrew Dettmer, Australian Manufacturing Workers' Union, *Workers' Rights and Jobs*
- Jon Edwards, MSF (Doctors without Borders), *Access to medicines*

Free Entry - Please RSVP by October 21 to
campaign@aftinet.org.au



Trans-Pacific Partnership (TPPA) meeting in Bali, October 4-8

Report on TPPA ministerial meeting and leaders meeting, Bali in October, 4 - 8.

By Dr Patricia Ranald, Convenor of AFTINET

Ministers and leaders involved in the Trans-Pacific Partnership (TPPA) negotiations met on the fringes of the APEC meeting in Bali on October 4-8.

I was invited to speak at a seminar on the social impacts of TPPA and APEC at the Udayana University of Bali. The seminar was organised by broad coalition of Balinese students, academics, environment organisations, women's organisations and unions which are part of a national network under the banner of the Indonesian People's Alliance. There were also representatives from the Asia Pacific Research Network based in the Philippines, and the Asia Pacific Women's Network based in Bangkok. Both of these have Indonesian local affiliates. It was a good opportunity for AFTINET to make contact with Indonesian organisations. 200 people attended the seminar, and there was lively discussion.

The venue of the APEC meeting was under tight military security, and there was no opportunity for participation by community representatives. Only business organisations, government representatives and journalists received accreditation which enabled them to enter the venue.

Despite this, I was able to make contact with Australian and other journalists who were interested in hearing non-government community views about the TPPA. Apart from work around the seminar, I spent most of my time briefing journalists, writing media releases and doing interviews.

The meeting of TPPA leaders, which was to be chaired by US President Obama, was meant to announce substantial progress in dealing with the sticking points in the TPPA negotiations, and confirm the goal of finishing the negotiations by the end of the year. However, President Obama was unable to attend because the Republicans in the US Congress failed to endorse the annual budget, leading to a shutdown of the US government and layoff of hundreds of thousands of US government workers.

Obama's absence undoubtedly contributed to the fact that very little progress was made. But the major reason for lack of progress was that there are still deep disagreements with US proposals on stronger patents and higher prices for medicines, reducing the rights of governments to regulate medicine prices, giving foreign investors the right to sue governments over health and environmental policies, what kind of environmental protections should be in the agreement, and the regulation of state-owned enterprises. Detailed negotiations on market access for goods and services are still at an early stage..

The final statement which emerged from the TPPA leaders meeting was extremely bland, and failed to mention these ongoing disagreements, claiming that substantial progress had been made and reaffirming the goal of finishing by the end of the year. The Malaysian government and many commentators expressed serious doubts that this goal be achieved, as did AFTINET's [media release](#).

AFTINET's views were quoted by Australian media including on the ABC's current affairs program [Lateline](#), radio programs [PM](#) and [The World Today](#), [ABC News](#) and in the [Sydney Morning Herald](#).

We need to maximise the pressure on our government before the December meeting. If you have not already done so, **please** go to our website to [send a message to the Minister](#), and for resources and suggestions for other actions.

AFTINET is also stepping up our campaign **in the lead up** to the December meeting, with a [seminar on October 22](#), a speaker on ISDS at our AGM on November 16, a mass petition and a rally later in November (details to be announced soon).

Australian media coverage of the TPPA

We have recently seen a boost in media coverage of the Trans-Pacific Partnership Agreement (TPPA), with many sources airing our concerns. There has been a particular focus on investor-state dispute settlement (ISDS), which allows foreign companies to sue governments for damages if a policy could reduce the value of its investment.

Mainstream media

- *Sydney Morning Herald* '[APEC summit wraps up with new commitments to free trade](#)'
- ABC The World Today '[Doubts over progress of trade deal at APEC](#)'
- ABC News '[Trans-Pacific Partnership: Giant free-trade deal to link Asia-Pacific](#)'
- ABC Lateline (TV) [Trans Pacific Partnership could damage Australia](#)
- ABC QandA (TV) [Monday, October 14: Fireworks, Free Trade & Indigenous Issues](#)
- Channel 7 Sunrise (TV) '[The Price of Free Trade](#)'

Other

- Crikey, [Taking care of business: Abbott and the Trans-Pacific Partnership](#)
- The Global Mail, [Abbott: Open For Business — And Multinational Lawsuits](#)
- Pharmacy News, [Trans Pac deal threatens PBS](#)
- Australian Medical Journal, [Retaining our right to regulate alcohol warnings](#)

Australia's Coalition Government: What does this mean for trade?

Before the election, *The Australian Fair Trade and Investment Network* (AFTINET) assessed the trade policies of the major parties.

We identified a number of areas of concern in Coalition government trade policy, particularly their position on ISDS. According to the Coalition's Policy for Trade, they are "open to using investor-state dispute settlement (ISDS) clauses as part of Australia's negotiating position." If these clauses are included in any trade agreement it would open the way for foreign investors to sue our national, state and local governments over legislation in the public interest.

Additionally, we found that the Coalition had no specific policy position on labour rights, the environment, healthcare and access to affordable medicines, intellectual property, Australian cultural industries or transparency and democracy in trade negotiations.

The TPPA could threaten Australian policies in all of these areas with destructive consequences if the Coalition does not hold firm in these areas. A recent article published in the [New York Times](#) provides a good example about how the TPPA could affect access to medicines in Australia if US pharmaceutical companies succeed in using the agreement to prevent governments from regulating medicine prices. The article shows how longer patents and no price regulation in the US leads to prescription asthma medication costing \$250 a month in the US. Because of our current regulations, prescription medications in Australia cost a maximum of \$36.10.

The change in government has come at a time where negotiations towards the Trans-Pacific Partnership are in their end stages. It is vital that we step up our campaigning on all of these issues in the coming months to ensure that the Coalition government does not sign a bad deal for Australia and the other participating countries.

The campaign for a Fair Deal or No Deal in the TPPA gains momentum

The Trans-Pacific Partnership threatens to affect many aspects of life in Australia and the other participating countries. We've been working with a number of community groups on aspects as diverse as public health and coal seam gas.

Since the election, almost 2,000 individuals have sent [this letter](#) to the new Trade Minister Andrew Robb via our website, demanding that he reject a number of proposals in the TPPA including ISDS and clauses which would raise medicine prices or restrict our internet freedom.

More than 70 organisations including 54 regional groups ranging from Mirboo in Victoria, to the Cassowary Coast in North Queensland, to Walgett in NSW, in traditional areas of Coalition support, have endorsed a [letter](#) to Trade Minister Andrew Robb. The letter, co-signed by AFTINET and Lock the Gate, opposes foreign investor rights to sue governments for damages in international tribunals over environmental regulation of coal seam gas mining.

Additionally, more than 40 of our member organisations, including major unions, environmental groups and church organisations endorsed a letter to the new minister outlining the major areas of concern in the TPPA, representing millions of Australians. Prominent health groups have [written to](#) Tony Abbott and made a submission to DFAT about the effect of the TPPA on our Pharmaceutical Benefits Scheme and medicine prices. And we've seen increasing interest in the media and on social media.

There are some signs that the Coalition is listening. Despite the Coalition's policy to negotiate ISDS clauses on a case-by-case basis, a recent *Sydney Morning Herald* [article](#) reported Trade Minister Andrew Robb saying that the current negotiating position in relation to ISDS remains the same, indicating that it may not be included in the agreement. On a recent [QandA](#) program, Assistant Treasurer Arthur Sinodinos said when asked about ISDS in the context of the TPPA that he was "not sure what benefit there necessarily is from going down that route". He also said that while in Opposition the Coalition said it would negotiate ISDS, now it was in government it had access to all the negotiating information and was reviewing this in the light of the overall costs and benefits of the TPPA, and that people should "watch this space".

Despite these statements however, the Coalition trade policy and consistent statements make it clear that ISDS will be considered, including in the TPPA. This most likely means that they would be prepared to use it as a bargaining chip to trade off in exchange for other outcomes, such as more access to US agricultural markets.

Because of the secrecy of the negotiations, we will not know what is in the text until the agreement has been concluded. It is therefore essential that we build on all this momentum and keep campaigning against ISDS and for a fair deal or no deal in the TPPA.

Ways you can support the campaign

Distribute AFTINET's new leaflet and fact sheets

[Our website](#) has been updated to reflect the progress in the negotiations and each issue of concern within the TPPA. We have also published a number of new [fact sheets](#) which you can download and distribute.

We have developed a new general leaflet called 'The Trans-Pacific partnership: Corporate Power vs Peoples' Rights'. If you would like to order copies to distribute in your community or workplace, please contact campaign@aftinet.org.au.

Attend an event or hold your own

Our next event will be a public seminar to be held at NSW Parliament on Tuesday, October 22 at 12 noon. Titled '[The Trans-Pacific Partnership Endgame: Corporate Rights or People's Rights?](#)' it will involve a diverse array of speakers including a representative from anti-CSG group Lock the Gate.

AFTINET endeavours to provide public speakers and/or advocacy material to support you if you wish to hold your own community event or forum.

Start discussions on social media

We've been broadening our reach by using social media to generate public debate and discussion. Add us on [Facebook](#) and [Twitter](#) and help us share content about the TPPA.

Donate to support AFTINET

AFTINET is currently appealing to our members for funding to continue to step up our campaigning in the next few months. If you would like to make a donation you can [donate online via E-Give](#).

APEC summit wraps up with new commitments to free trade

Sydney Morning Herald, October 9, 2013

Michael Bachelard

Tony Abbott has acknowledged that his government needs to do a lot more work to sell the idea to Australians that a new, United States-sponsored free trade agreement is a good idea.

But after speaking with American secretary of state John Kerry at the tail end of the APEC meeting yesterday, Mr Abbott said he thought a deal could be done on the 12-nation Trans-Pacific Partnership agreement within the next three months.

The APEC summit in Indonesia wrapped up yesterday with new commitments to freeing trade in the region and building infrastructure.

Mr Abbott will visit the Bali bombing memorial in downtown Kuta on Wednesday morning, and then flies out to the another international conference, the East Asia Summit in neighbouring Brunei.

The Prime Minister declined to comment on his own success or otherwise at his first big international conference, saying: "I'm not in the business of big-noting myself and I'll let others judge, but certainly I've very much appreciated the chance to meet . . . with the significant leaders of our region."

Among his exchanges over two days was an apology to the Malaysian Prime Minister Najib Tun Razak for things said about his country during the political dispute over Labor's Malaysia Solution.

Mr Abbott also said he had confirmed with Papua New Guinea Prime Minister Peter O'Neill the "strength of our commitment to working together", after jarring the relationship with his suspicion of former Prime Minister Kevin Rudd's PNG solution.

Meanwhile, on the sidelines of APEC, wrangling continued into the third year over the "pluri-lateral" TPP trade pact, which some suspect is as much a projection of US foreign policy as a free trade agreement.

The proposed Trans-Pacific Partnership, which involves Australia among 12 nations representing 800 million people and 40 per cent of the global economy seeks to cut tariffs and non-tariff barriers. But it also contains a number of contentious elements from the US foreign policy wishlist including extended benefits for big pharma and copyright holders, the right of private businesses to sue governments over their policies, as well as environmental and labour safeguards.

A communique released late on Wednesday said the leaders of the 12 nations would push for an agreement by the end of the year. But deep divisions remain.

Mr Abbott said after his meeting with Mr Kerry that "there's a lot of painstaking negotiations still left", but if the TPP could be completed, it would "represent an historic trade breakthrough".

"Nevertheless, I think the public do need to get their head around the fact that we're talking . . . about this pluri-lateral agreement," Mr Abbott said.

Australian civil society groups are sceptical about the deal, with Dr Patricia Ranald from the Australian Fair Trade and Investment Network said "extreme US demands" would likely push out the timetable.

"The US wants to impose regulatory frameworks in the TPP which suit its largest industries and corporations, but tie the hands of other governments . . . and these are rightly being resisted," Dr Ranald said.

The fact that president Obama was not in the negotiating room cast a pall over proceedings. Despite this, Mr Kerry urged the TPP nations (which do not include China or the APEC host, Indonesia) to hasten towards a deal.

However, Malaysian Prime Minister Razak, who is inside the TPP tent, said on Monday that some of the areas encompassed by the proposal "impinge fundamentally the sovereign right of the country to make regulation and policy".

"That is a tricky part and that is why we ask for flexibility," he said.

And Chinese President Xi Jinping warned that the world should work together towards a "regional co-operation framework" and avoid the "spaghetti bowl effect" of different, overlapping agreements.

Read more: <http://www.smh.com.au/federal-politics/political-news/apec-summit-wraps-up-with-new-commitments-to-free-trade-20131009-2v6p4.html#ixzz2hIDFWYSx>