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MEDIA RELEASE

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China FTA Inquiry reports show divisions between Coalition, ALP and Greens on labour rights, investor rights to sue governments

“The majority and dissenting [reports](#) of the Joint Standing Committee on Treaties on the China FTA show sharp divisions between the Coalition, ALP and Greens on issues of real community concern,” Dr Patricia Ranald, Coordinator of the Australian Fair Trade and Investment Network said today.

“The Coalition majority report praises the market access gains for selected farm products and services. It denies that the provisions to remove labour market testing for temporary migrant workers and to increase their numbers through Investment Facilitation Arrangements (IFAs) for projects over \$150 million will result in exploitation of those workers. It also supports the provisions to allow foreign investors to sue governments over domestic legislation, known as Investor-State Dispute Settlement (ISDS) and recommends speedy passage of the implementing legislation through Parliament,” said Dr Ranald.

“The ALP dissenting report argues that the China FTA will expand the numbers of temporary migrant workers without labour market testing and will reduce their rights, quoting evidence from migration expert [Dr Joanna Howe](#). It cites recent investigative reports by [Monash University](#) and [ABC Four Corners](#) reports, which have exposed the current exploitation of temporary migrant workers in agriculture, food processing, 7-Eleven convenience stores and other industries. The report opposes the inclusion of ISDS on the grounds that it could result in cases against environmental and other public interest regulation.”

“The ALP report recommends that the Migration Act be amended before the implementing legislation is passed to require that jobs for IFAs be advertised locally, to raise the minimum rate of pay for temporary migrant workers, to ensure skilled workers have the relevant license or registration, and to improve enforcement of regulation to prevent exploitation. These amendments would also apply to all future trade agreements,” said Dr Ranald.

“The Greens dissenting report contests the claimed economic benefits of the agreement, the temporary worker provisions and ISDS, and does not support the agreement. It argues that the implementing legislation should be delayed until the completion of an economic assessment by the Productivity Commission,” said Dr Ranald

“AFTINET’s [submission](#) to the inquiry argued that the China FTA is was concluded in haste, is unbalanced and there has been no separate study of its impact on the economy as a whole. It is clearly different from other trade agreements in increasing the numbers of temporary migrant workers and reducing their rights. We support amendments to the Migration Act which will protect workers’ rights in this and future trade agreements. We remain opposed to the inclusion of [ISDS](#), the lack of adequate regulation of quality and safety standards for imported food and other products, and note that there are no commitments to enforceable workers’ rights and environmental protections. Overall, the agreement is not in the national interest,” said Dr Ranald.

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