

Party Policies

GREEN PARTY: Joint Statement on Trans-Pacific Partnership Agreement (Green Party of Aotearoa New Zealand, Australian Greens, Green Party of Canada) - Sunday, 19 Aug 2012.

As the Green parliamentary political parties of three nations whose governments are currently in the process of negotiating the Trans-Pacific Partnership Agreement (TPPA), we are issuing this joint statement to express our serious concern at the fundamentally undemocratic and non-transparent nature of the agreement.

Following the leaking of the draft investment chapter of the TPPA the Greens are extremely concerned that the TPPA agreement has the potential to undermine the ability of our governments to perform effectively. More than just another trade agreement, the TPPA provisions could hinder access to safe, affordable medicines, weaken local content rules for media, stifle high-tech innovation, and even restrict the ability of future governments to legislate for the good of public health and the environment.

We believe that the process should be transparent. This agreement has been negotiated behind closed doors with a level of secrecy that is completely unacceptable in a democratic society.

The Right To Set Our Own Laws

The governments of Australia, Canada and New Zealand traditionally have the right to set down their own laws for the good of public health, consumers, workers and the environment.

Leaked details of the TPPA reveal that, foreign investors and firms could sue Canada or New Zealand in a private international tribunal if their parliaments or local councils pass laws that reduce their profits or adversely affect their businesses. This could include laws such as:

- a requirement for large graphic warnings or plain packaging of cigarettes and other tobacco products (such as in Canada and Australia, and forthcoming in NZ);
- laws requiring labelling of genetically-modified food and drink (NZ); and
- retention of agricultural regulations such as Canada's supply management system for dairy, which aims to preserve farmers' livelihoods.

The current Australian government has indicated it will not agree to these clauses intended to protect multinational businesses from the impact of policy decisions, but New Zealand and Canada's leaders refuse to do the same (even after Canada was on the receiving end of costly lawsuits under NAFTA).

The End of a Free Internet

We believe the TPPA is being used to sneak in measures to bind its member countries to extensive and harsh laws on Internet use that wouldn't be acceptable at the domestic level - including harsher criminal penalties for minor, non-commercial copyright infringements, a 'take-down and ask questions later' approach to pages and content alleged to breach copyright, and the possibility of Internet providers having to disclose personal information to authorities without safeguards for privacy. The European Parliament voted 478-39 against the international ACTA treaty, which was trying to create similar standards. Now, the same type of regulation is being attempted under the TPPA.

More IP rights for the big players

The Intellectual Property Rights chapter of the TPPA was leaked in draft form in February 2011. We anticipate that unless a more moderate and balanced version is adopted, NZ, Canada and Australia's

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shoppers, schools and libraries would end up paying more for their books and DVD's because it would let copyright holders veto parallel importing. Small and medium-sized software and IT businesses would have their innovative visions stifled by constraining patent laws. Finally, large pharmaceutical companies could use the legislation to deny state drug-buying agencies like those in Australia and NZ access to reliable, low cost medicines.

Behind Closed Doors

Almost everything we have learnt about the TPPA's contents comes from leaked documents that the negotiators didn't want the public to see. No agreement this important should be finalised without the informed input of the ordinary people it will affect.

Yet while representatives of AT&T, Verizon, Cisco, major pharmaceutical companies and the Motion Picture Association of America have access to the text, democratically elected members of parliament, advocacy organisations for healthcare and the environment and ordinary citizens are being left out in the cold.

Governments, including the US, have opened up to the public in the past by releasing the draft text of agreements. In 2001, all nine chapters of the Free Trade Area of the Americas Agreement were released. At the time, this was called an 'important step' that would make the trade negotiation process 'more transparent and accessible'. If this was the standard for public accountability in 2001, it is disconcerting that similar standards are not in play in 2012.

Together, we Green Parties are declaring that we will only support a fair, genuinely progressive trade agreement that promotes sustainable development and the creation of new jobs alongside the protection of the environment and human rights (including freedom of association and the right to collective bargaining). We call on our current governments to remove the veil of secrecy surrounding this agreement and to open these negotiations to public input and comment.

<http://www.greens.org.nz/press-releases/joint-statement-trans-pacific-partnership-agreement-green-party-aotearoa-new-zealand>

NEW ZEALAND FIRST

TPP Negotiations Must Be Stopped Or It's Goodbye Sovereignty -
14 June 2012

New Zealand First is calling on the Government to put on hold the Trans-Pacific Partnership negotiations and ask New Zealanders what they think about handing over our sovereignty to foreign-owned companies.

Documents leaked today show that the National Government will agree to let foreign investors sue New Zealand for damages in private offshore tribunals if they feel new laws breach their rights.

Rt Hon Winston Peters says it would be catastrophic if National signs up to an agreement that gives litigious US firms power to sue New Zealand over domestic legislation, simply because they don't like it.

"National must withdraw from the next negotiation meeting on July 2 and launch a select committee inquiry so all New Zealanders can see the full proposal and comment on it.

"If National just blunders ahead and signs up to the agreement it will throw our whole law making process into turmoil.

The Great TPPA Education Drive - Adopt an MP! - continued.

“This – like the sale of our state owned assets – is yet another move by John Key to put our country into the hands of his big business chums from overseas,” says Mr Peters.

ABOUT PARTY

The Labour Party conference in November 2012 voted overwhelmingly to support two policy remits:

Remit 34: Trade Agreements

THAT Labour adjust its policy in relation to trade agreements, given the on-going negotiation of the Trans Pacific Partnership Agreement, by agreeing that from now on Labour will oppose initiatives and agreements that try to force international harmonisation of policy in areas like intellectual property, public services, pharmaceuticals, investor-state relations and so on, ON THE BASIS THAT such matters are rightly reserved for national decision in recognition of the sovereign right countries have, and should maintain, to organise their own societies and economies as they see fit, AND THAT attempts to globally over-regulate social and economic life through selective trade agreements outside the WTO and WIPO frameworks are usually aimed at imposing the demands of powerful countries on the rest of the world, and bring the whole system of global governance into disrepute. (Region 4)

Remit 35: Trans Pacific Partnership Agreement

THAT in light of the Labour Party’s strong commitment to both the benefits of international trade and New Zealand’s national sovereignty, and recognising the far-reaching implications for domestic policy of the proposed Trans Pacific Partnership Agreement, in which trade is only a small part, Labour will support signing such an agreement which:

- a) Provides substantially increased access for our agriculture exports to the US market;
- b) Does not undermine PHARMAC, raise the cost of medical treatments and medicines or threaten public health measures such as tobacco control;
- c) Does not give overseas investors or suppliers any greater rights than domestic investors and suppliers, such as Investor-State Dispute Settlement, or reduce our ability to control overseas investment or finance;
- d) Does not expand intellectual property rights and enforcement in excess of current law;
- e) Does not weaken our public services, require privatisation, hinder reversal of privatisations, or increase the commercialisation of government organisations;
- f) Does not reduce our flexibility to support local economic and industry development and encourage good employment and environmental practices;
- g) Contains enforceable labour clauses requiring adherence to core International Labour Organisation conventions and preventing reduction of labour rights for trade or investment advantage;
- h) Contains enforceable environmental clauses preventing reduction of environmental standards for trade or investment advantage;
- i) Has general exceptions to protect human rights, the environment, the Treaty of Waitangi, and New Zealand’s economic and financial stability;
- j) Had been negotiated with full public consultation including regular public releases of drafts of the text

of the agreement, and ratification being conditional on a full social, environmental and economic impact assessment including public submissions.



Full disclosure on TPPA, 17 November 2011

MANA leader Hone Harawira is calling on the government to release all details of the Trans Pacific Partnership Agreement (TPPA) which US president Barack Obama announced there had been preliminary agreement on.

Mr Harawira says MANA has consistently opposed the US led agreement between nine countries including NZ being negotiated in secret.

He says there is no reason for Deputy PM Bill English and Trade Minister Tim Groser, who have been in Hawaii at the APEC summit where President Obama made the announcement, to keep NZers in the dark any longer.

Mr Harawira says MANA is particularly concerned that the secret TPPA negotiations included measures which would:

- limit government's drug buying agency Pharmac's ability to negotiate lower prices with international drug companies
- determine which agencies, mechanisms and processes our government should use when deciding on domestic regulations
- further weaken our manufacturing base and lead to the closure of more NZ businesses
- lead to even greater pressure for wages to be lowered
- allow foreign investors to sue NZ in overseas courts if they disagreed with NZ government decisions
- contravene the principle of Maori sovereignty in the Treaty of Waitangi and the sovereignty of the NZ government itself

"I signalled my opposition in a strongly worded memo to my colleagues at the time, but the Maori Party supported it anyway" said Harawira. "It was just one of the many reasons I had to leave the Maori Party"

"Maori will never forget the devastating job losses caused by Rogernomics, and the TPPA will cause even more havoc in Maori communities already suffering massive unemployment rates.

"Do we really want to go through that again?"

Council of Trade Unions president Helen Kelly said New Zealanders must be shown the deal before was signed. Former Greens co-leader Jeanette Fitzsimmons said it would give away the freedom of our children to determine their own futures. Dr Gay Keating, National Executive Officer, Public Health Association of New Zealand said we should not be bullied into bad laws which would make for bad health and Andrew Campbell, Finsec Campaigns Director said it would straight-jacket us with the kind of laws which lead to the cowboy activities of the 1980's.