



māori
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Hon Murray McCully
Minister of Foreign Affairs
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Tēnā koe Murray

I hope this finds you well. I am writing to you to seek your support and a formal endorsement for a recent proposal tabled by the Malaysian Government at the recent round of Trans-Pacific Partnership trade talks in Brunei.

If New Zealand was to adopt a similar stance, in my mind, it would very likely provide the catalyst we need to confidently proceed with the stringent tobacco control measures I am working on, in order to protect the health and well-being of our citizens and our future generations.

The Malaysian proposal provides for a comprehensive 'carve out' of tobacco control measures from the TPP agreement, preventing tobacco giants and their allied supporting national entities from challenging such measures. The proposal would effectively shield governments from any state-to-state or investor-state challenge against tobacco control measures that they choose to implement. This means that the tobacco industry can no longer threaten or sue governments for taking legislative action in their own countries in an effort to protect their people. As you are aware, this is happening now in Australia, with the challenge in the World Trade Organisation and the investor-state case, both brought by tobacco giant Phillip Morris.

The Malaysian proposal takes an admirable step forward towards acknowledging the objectives of the World Health Organisation's Framework Convention on Tobacco Control, to which New Zealand and Malaysia are parties to.



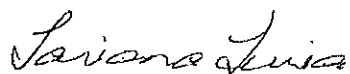
For your information, a proposal was also tabled by the United States during the TPP talks. The US proposal provides for a 'safe harbour' for tobacco-control regulations only, not legislation. It does not protect Governments from challenges from investors, only state to state disputes. In my view the proposal clearly does not go far enough.

Murray, I have also written to Hon Bill English in his capacity as Minister of Finance and Hon Tony Ryall as Minister of Health, as I consider this to be a very important issue as far as the success of New Zealand's future tobacco control policies is concerned.

I urge this Government to support the Malaysian Government's proposal. It is the most promising indication yet that governments have the ability and will to stand up to corporate giants for the protection of its people, particularly from the devastating social, financial, and personal harm caused by tobacco. We have a goal of making Aotearoa smoke free by 2025. A proposal like this one would contribute significantly toward the realisation of this goal.

I appreciate your time and I thank you for your attention to this matter.

Heoi anō



Hon Tariana Turia
Co-leader of the Māori Party