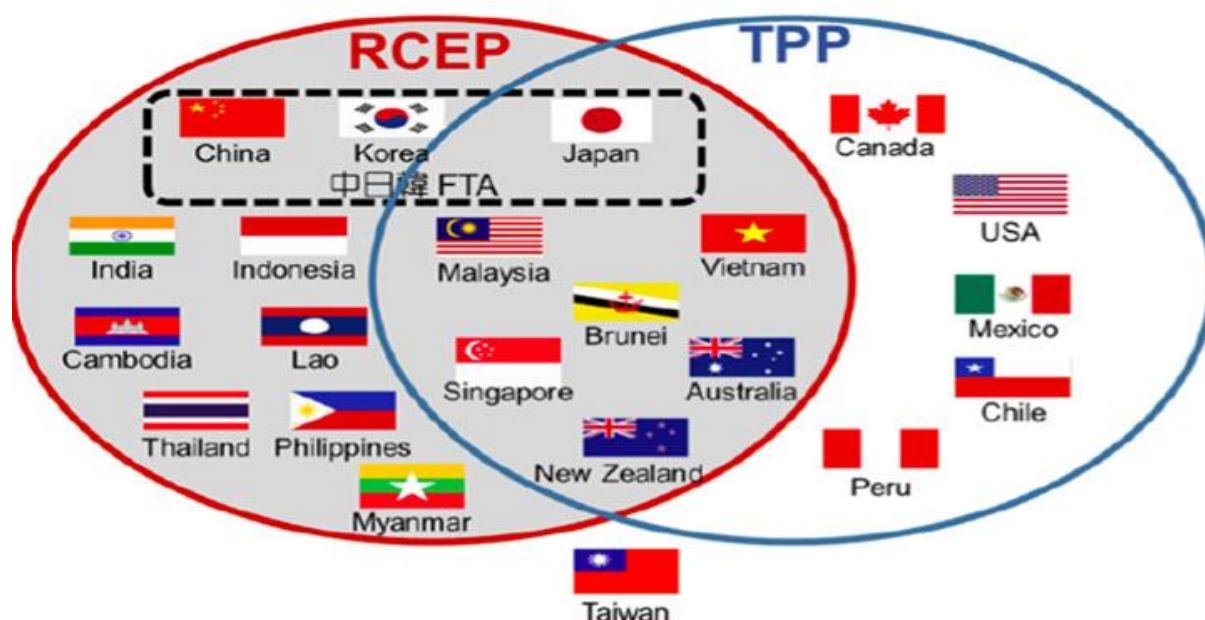


## Bulletin #88

# It's Our Future – Kiwis against the TPPA

9 June 2016

## Hold on - It's Double Trouble



### Current Situation

The TPPA is being pushed through the New Zealand Parliament despite the opposition of Labour, Greens and NZ First, and over half NZ's citizens. The Select Committee ignored democratic process to push through the initial stage and is now taking submissions on legislation. Since the government has a majority we will be unable to stop it going through, but we will be able to reject the TPPA at the next election, before it comes into force.

It is also possible that the TPPA may never come into force at all. Both Presidential candidates, Clinton and Trump, have declared they are opposed to the TPPA, a position supported by a growing majority of US citizens. Opposition movements are growing in Canada and Japan, and with an election coming up, the Australian Greens and some independents are against TPPA and the Australian Labor Party has said it will review the Investor State Dispute Settlement mechanism (without yet committing to reject the TPPA).

But it doesn't stop there. China is pushing for a parallel agreement, the Regional Comprehensive Economic Partnership (RCEP). Negotiations are coming to Auckland next week. See below for news and events!

## Take Action

**Double Trouble** - Come to exciting events! Hear the latest information on TPPA plus negotiations on another dangerous treaty, the Regional Comprehensive Economic Partnership (RCEP). Featuring:

- Jomo Kwame Sundaram – former senior UN official, winner of the Wassily Leontief Prize for Economics and researcher on the TPPA
- Sanya Reid Smith, senior researcher for the Third World Network, international expert on trade agreements
- Barry Coates, spokesperson for It's Our Future
- Dr. Jane Kelsey, Law Professor and leading commentator (Auckland)
- Dr. Josh Freeman, Doctors for Healthy Trade (Auckland)
- Greg Rzesniowiecki, TPP Free Wellington and local government campaigner (Wellington)

**Wellington meeting at 6pm on Thursday 16 June** at Massey University Museum Theatre, 10A01 Buckle St <https://www.facebook.com/events/1699661160297858/>

**Auckland meeting at 6.30pm on Friday 17 June** at St Matthew in the City <https://www.facebook.com/events/1036071006486196/>

Sign the [petition to the Governor-General](#). Following the handover of initial signatures on a petition to the Governor-General, a new [on-line petition](#) has been launched, calling for the Governor-General to require a binding referendum on the TPPA.

Declare your space a **TPPA Free Zone**. You can declare your home, neighbourhood, community centre, school, workplace, bike or car as a TPPA Free Zone. [Download](#) signs and materials, stickers and T-shirts, and join [Facebook](#) for ideas for action.

## Parliament

The government has introduced legislation into Parliament on the TPPA. Submissions are open and due by 22 July 2016 [http://www.parliament.nz/en-nz/pb/sc/make-submission/51SCFDT\\_SCF\\_00DBHOH\\_BILL68998\\_1/trans-pacific-partnership-agreement-amendment-bill](http://www.parliament.nz/en-nz/pb/sc/make-submission/51SCFDT_SCF_00DBHOH_BILL68998_1/trans-pacific-partnership-agreement-amendment-bill)

The First Reading of the legislation in Parliament had strong statements of opposition from Labour, Greens and New Zealand First. [http://www.parliament.nz/en-nz/pb/debates/debates/51HansD\\_20160512\\_00000016/trans-pacific-partnership-agreement-amendment-bill-%E2%80%94-first](http://www.parliament.nz/en-nz/pb/debates/debates/51HansD_20160512_00000016/trans-pacific-partnership-agreement-amendment-bill-%E2%80%94-first)

There were 6351 written submissions on the TPPA to the Select Committee in its initial hearings (which finished in May), and 255 people gave evidence. The vast majority of the submissions were against the TPPA, but the government's report ignored them. Strong statements against the TPPA were included in minority reports from Labour, Greens and NZ First (see the Committee [report](#)).

## Waitangi Tribunal

The Waitangi Tribunal judgement on the TPPA was widely seen as a victory by the government. The Tribunal ruled that the Crown did not breach the principles of the Treaty of Waitangi because the

Treaty exception is likely to operate in the TPPA substantially as intended and therefore can be said to offer a reasonable degree of protection to Maori interests. However, this is only part of the story. As Dr. Jane Kelsey explains in her [blog](#), the Tribunal also expressed concerns about the TPPA's impact on Maori, the risks from Investor-State Dispute Settlement and the lack of adequate consultation.

## **Regional Comprehensive Economic Partnership (RCEP)**

Negotiations on the RCEP, an even bigger international agreement than the TPPA (covering 48% of the world's economy), has been slow but now appear to be gearing up. The RCEP involves ten ASEAN member states and the six countries that have existing trade agreements with ASEAN; Australia, India, Japan, New Zealand, China and South Korea. New Zealand has a trade agreement with all the countries except India.

It was thought that the protections for ASEAN countries to retain policy flexibility may make the RCEP less threatening than the TPPA, but leaked documents give cause for concern. An analysis of the Intellectual Property Rights provisions raises similar concerns to the TPPA <http://www.madhyam.org.in/rcep-could-limit-access-to-medicines/>. A quick review of the investment chapter reveals that there are proposals to include many of the same problematic provisions as are in the TPPA, such as Investor State Dispute Settlement. Jane Kelsey is leading analysis of the implications for New Zealand of the intellectual property rights chapter and the investment chapter.

New Zealand will host the 13th round of the RCEP trade negotiations in Auckland from 12-18 June 2016 (probably in Sky City again). According to Trade Minister Todd McClay there will be "opportunities for stakeholders to present views." See details including a link to registration [here](#).

## **TPPA in Trouble in other countries**

### ***Canada***

Canada is waiting to see what happens in the US before they decide on ratifying the TPPA. Jim Ballislie, founder of Research-in-Motion, the maker of Blackberry mobile phones: "Canada has the most superficial innovation discourse that I've seen in the world. We take these articles of faith that more intellectual property enforcement is good. Free trade is always good. We have these false myths and orthodoxies that we just take on, unchallenged."

### ***US***

The US official analysis of the TPPA showed there was very little benefit to the US, and that is even before they considered the costs of the TPPA. This will further erode support in the US.

<http://itsourfuture.org.nz/economic-benefits-of-tppa-overstated/>

The major multinationals had pinned their hopes on the TPPA passing after the Presidential election, in the so-called 'lame duck' period, thereby escaping democratic accountability. Thankfully that now seems unlikely in the face of strong public opposition and a clear rejection of the TPPA by the Sanders, Trump and Clinton, who has strengthened her position against the TPPA and [opposes its passage in the lame duck period](#).

## **Funding the campaign**

We have launched a Give a Little page to fund the speaker tour that was held in February and to build up a fund for a big event later in the year. Please [donate generously](#).

## TPPA in the media

Key gets confronted about TPPA wherever he goes <http://www.stuff.co.nz/manawatu-standard/news/80491124/TPPA-housing-and-child-poverty-protesters-greet-John-Key-on-Palmerston-North-visit>

So why are we increasing copyright to 70 years? <http://alliance.org.nz/2016/05/15/why-does-anyone-want-a-70-year-copyright-term/#more-2785>

The TPPA is in looking very shaky in the US, and so is the parallel agreement between the US and EU – the trans-Atlantic Trade and Investment Partnership (TTIP) <https://www.theguardian.com/business/2016/may/03/ttip-has-been-kicked-into-the-long-grass-for-a-very-long-time>

The costs of medicines will rise under TPPA [http://commondreams.org/news/2016/04/12/think-medicine-expensive-now-public-health-groups-warn-tpps-gifts-big-pharma?utm\\_campaign=shareaholic&utm\\_medium=facebook&utm\\_source=socialnetwork](http://commondreams.org/news/2016/04/12/think-medicine-expensive-now-public-health-groups-warn-tpps-gifts-big-pharma?utm_campaign=shareaholic&utm_medium=facebook&utm_source=socialnetwork)

The story of how Australia took on big Tobacco and won, but only because Phillip Morris pretended to be headquartered in Hong Kong <http://www.smh.com.au/federal-politics/political-news/australia-versus-philip-morris-how-we-took-on-big-tobacco-and-won-20160517-gowwva.html#ixzz48unFT1sE>

Now the New Zealand government says that we may be able to progress with plain packaging for cigarettes on the basis that the TPPA makes an exception for tobacco control. [http://www.nzherald.co.nz/nz/news/article.cfm?c\\_id=1&objectid=11647642](http://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=11647642) We may be able to pass laws controlling smoking but what about all the other social issues, like controls on alcohol or sugar in our food and drinks or toxic chemicals?

## The Campaign continues...

Many activists have engaged in the Parliamentary processes – even though it is frustrating to see this government disrespecting democracy, it is important that we take our protest into Parliament and defend our democratic rights. Now we need to re-engage the public. There have been consultations with allied organisations and networks and with regional Its Our future groups around the date for a Day of Action in August. We hope to confirm a date soon, along with actions around local government elections.

It sometimes looks like we are losing. The government is pushing the TPPA through Parliament, and we can't stop them. But actually, we are winning the campaign. We have more than half of NZ citizens against the TPPA and major political parties – Labour, Greens and NZ First. We need to ensure that the next election is about whether or not this country will agree to the TPPA, and we need to ensure that the political parties against the TPPA win the election!

Kia kaha

Barry Coates

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