

AUSTRALIAN COUNCIL FOR THE DEFENCE OF GOVERNMENT SCHOOLS

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Trans-Pacific Trade Deal

And Attempts to Privatisise Public Education. The Fat Lady has yet to Sing.

Andrew Robb, Liberal Party member for the Division of Goldstein in the House of Representatives, as well as the Minister for Trade and Investment has announced his retirement from Parliament at the next election. He has been responsible for attempting to drag Australia into the Trans-Pacific Partnership which may well have very deleterious effects both all those who are not sitting securely at the top of the US corporate pyramid.

Robb has dragged our government into the TPP with the absolute minimum of transparency. Who knows what the TPP means, except that it threatens national sovereignty and opens up our education and health systems to corporate governance and profiteering. In other worlds-privatisation of our nation's public future.

Republicans criticise a titular head in the UK without any power, while real power and our national future is being negotiated with faceless profiteers and oligarchs at the centre of the US empire.

After six years of secret negotiations, the 6000 page text of the TPP was released on November 5, 2015, but was still subject to "legal scrubbing". The scrubbed text was only released last week, with not enough time to check it before the ceremony to be held in New Zealand on 4 February.

BUT the fat lady has yet to sing. There is time for consideration in both the US Congress and our Parliament They have to vote on its ratification. It can be stopped.

What is in the TPP?

The Australian public and even our parliamentarians have been kept in the dark. So what can we establish at this stage.

According to Dr Patricia Ranald, convener of the Australian Fair Trade and Investment Network (<http://www.smh.com.au/comment/transpacific-partnership-faces-a-rocky-road-through-parliament-20160202-gmjij8.html#ixzz3zoAUIHNb>)

We do know that US corporate interests had been furiously lobbying to get last-minute changes. The US 2015 Senate report which criticised this secret and undemocratic process was called Blind Agreement.

And, after many requests, we do know that the TPP text is likely to be tabled in the Australian Parliament soon, and examined by parliamentary committees over several months before Parliament votes on the implementing legislation.

We also know that the TPP will have almost no economic benefits for Australia, because we already have free trade agreements with nine of the twelve Pacific Rim TPP countries. A World Bank study has estimated that it will result in a minuscule 0.7% increase in Australian GDP after 15 years.

President Obama has said the TPP allows the US to "write the rules for the region." But what benefits US corporate interests is not necessarily in the interests of the majority in the US, let alone in other countries.

We also know that the TPP gives foreign investors the right to sue governments over future public interest regulation, known as Investor-State Dispute Settlement. The Trans-Canada company announced in January that it is using ISDS provisions in the North American Free Trade Agreement to sue the US government for \$15 billion because it decided not to proceed with the controversial Keystone tar sands pipeline for environmental reasons.

Nobel prize-winning economist Joseph Stiglitz argues that ISDS could be used to undermine regulation required to stabilise financial markets, and undermine regulation to combat climate change pledged by governments in the long-awaited Paris agreement.

Evaluations by public health experts and Doctors without Borders (MSF) show that the TPP also extends and locks in monopoly rights for global pharmaceutical corporations to delay cheaper versions of costly biologic drugs. Copyright experts argue that it locks in copyright monopolies for global media and IT companies which criminalise copyright breaches and restrict future governments from responding to consumer rights and changing technologies. The Productivity Commission and the ACCC have condemned these extensions of monopolies under the guise of free trade.

Strong popular opposition to the TPP in the US has resulted in both Democrat and Republican presidential candidates condemning the TPP. Key Congress members have predicted that Congress will not vote on the TPP implementing legislation until after the presidential elections in November, and that they will seek further concessions from other governments through what is known as the certification process.

This process enables the US Congress to vet other countries' implementing legislation to see if it meets US interests. If not, US demands that the legislation be changed before final ratification. A recent study revealed how this worked in the US-Australia FTA in 2004.

After the Australian Parliament had passed the implementing legislation, the US government demanded further changes to copyright law in November 2004 when the two governments were about to exchange formal letters for the ratification of the agreement, saying the agreement would not be ratified without the changes. The Howard government gave in to this blackmail and agreed to push through additional legislation.

It would be foolish for the Australian Parliament to rush to approve implementing legislation before the US Congress has done so, as it may then face demands for further concessions.

We must hold the majority in the Senate accountable to scrutinise all these issues and demand independent evaluations of the economic, health and environmental impacts of the TPP to judge if it is in the public interest. If it is not, the Senate should block the implementing legislation.

Dr. Ranald's analysis is very useful for those interested in climate change and health issues. But what implications does the TOPP have for education?

Given the recent tragedy confronting students, teachers and parents in the privatisation of the TAFE sector by unscrupulous private corporations, public education supporters should be very concerned indeed.

The AEU and NSW Teachers federation have already reacted at

<https://www.nswtf.org.au/news/2016/02/04/together-we-can-demand-greater-scrutiny-trans-pacific-trade-deal.html>

Concerned that the Trans-Pacific Partnership trade agreement will directly affect members, students and their families, the NSW Teachers Federation is calling on all ALP, Greens and Independent MPs not to support the implementing legislation in the absence of independent assessments of the agreement.

Federation supports the Australian Fair Trade and Investment Network's letter to non-government MPs, which says parliament should not vote on the implementing legislation until an independent assessment has been conducted on the impacts of the trade agreement on education, health, environment, human rights and labour rights, and the economic implications of the agreement. There are concerns about the extension of medicine and copyright monopolies, plus government vulnerability to lawsuits from foreign corporations.

Australian Fair Trade and Investment Network convenor Pat Ranald said the Productivity Commission, Australian Competition and Consumer Commission, public health, environment and other experts have called for independent assessments of the agreement before consideration of the legislation.

Dr Ranald wrote for an opinion piece in the [Sydney Morning Herald](#) (February 2): "[US] President Obama has said the TPP allows the US to 'write the rules for the region'. But what

benefits US corporate interests is not necessarily in the interests of the majority in the US, let alone in other countries."

The Australian Education Union, together with the National Tertiary Education Union and Independent Education Union, last week wrote to Trade Minister Andrew Robb expressing concern that that "the implementation of the TPP will fundamentally limit the capacity of Australian governments to protect and preserve the quality of education in Australia".

AEU Federal President Correna Haythorpe said to protect the public interest, it is necessary for Australian governments to be able to legislate without fear of paying compensation to foreign corporations.

"The Australian Government does not have the mandate to sign and commit existing and future generations of Australians to these kinds of binding legal obligations," said Ms Haythorpe.

"Becoming a signatory to the most controversial and comprehensive regional agreement that has been negotiated in the Asia-Pacific region without a plebiscite or an election illustrates the Australian Government's contempt for democratic accountability."

Education International General Secretary Fred van Leeuwen said this week: "Governments must be reminded that education is a human right and a public good, and that they have a responsibility to enforce and uphold these principles."

"The TPP partner governments are signing up to legally binding and enforceable trade rules that lock-in the level of liberalisation and thereby prevent governments from bringing education back to the public sector in the future," he also said.

Education International is concerned about the potential impacts of the Trans-Pacific Partnership for the education sector, as there is no explicit exclusion of education, which exposes the sector to greater risks of privatisation and commercialisation and threatens free, public, high-quality education.

Members are urged to contact their local MP and Senators and ask them to vote no to the legislation, given the absence of a "proper, unbiased study". For more information visit the Australian Fair Trade and Investment Network's website at <http://aftinet.org.au/cms/>.

History may not treat Mr. Robb as kindly as he might wish. Perhaps he should go earlier rather than later. See <http://www.macrobusiness.com.au/2016/02/what-is-andrew-robb-trying-to-hide/>

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