



International Treaty Examination of the Trans-Pacific Partnership Agreement

**Submission to the Foreign Affairs,
Defence and Trade Select
Committee**

March 2016



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New Zealand Public Service Association
Te Pūkenga Here Tikanga Mahi

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Introduction

The New Zealand Public Service Association Te Pūkenga Here Tikanga Mahi (the PSA) is the largest trade union in New Zealand with over 62,000 members. We are a democratic organisation representing members in the public service, the wider state sector (the district health boards, crown research institutes and other crown entities), state owned enterprises, local government, tertiary education institutions and non-governmental organisations working in the health, social services and community sectors.

The PSA has been advocating for strong, innovative and effective public and community services since our establishment in 1913. People join the PSA to negotiate their terms of employment collectively, to have a voice within their workplace and to have an independent public voice on the quality of public and community services and how they're delivered.

PSA submission

The very short timeframe for submissions means that this submission is brief and is unable to canvas the full range of issues raised by this matter. As the largest public sector union the PSA has a particular interest in the implications of the Trans-Pacific Partnership Agreement (TPPA) for state-owned enterprises; government procurement policy; and the future of Pharmac.

The PSA is an affiliate of the New Zealand Council of Trade Unions Te Kauae Kaimahi, which has made a substantial submission that we strongly support. We are aware of and support the submission of the Association of Salaried Medical Specialists with regard to the impact of the TPP on the healthcare of New Zealanders.

The PSA has been advocating for strong public and community services since the institution of the Public Service in 1912. Our aim in doing this is not merely to protect the jobs of our members, but because strong and effective public and community services play a central role in the success of our country, our communities and in positive life outcomes for all New Zealanders.

The PSA's policy position is that it supports fair trade agreements that:

- Are in the national interest of New Zealand
- Protect worker and union rights

- Exclude public services
- Respect the sovereignty of nations to regulate for local conditions, including for public health
- Respect the right of governments to use procurement for social, environmental and economic goals
- Do not allow for investor-to-state dispute resolution mechanisms, nor for challenges to legitimate public interest regulations.

The TPP fails to meet a number of these criteria.

It is difficult to decipher from the National Impact Assessment whether the TPP is in the national interests of New Zealand. The Assessment contains only a few paragraphs on the social and cultural impacts of the agreement. The statement that economic benefits are expected to trickle down to create social benefits is light. Very little effort appears to have gone into this section of the document. There is no attempt to quantify social or cultural impacts. And yet any social impacts, including safety, human rights, cultural, labour, employment and environmental impacts, will be of key concern to the majority of New Zealanders.

We support the CTU's call for the deletion of the Investor-State Dispute Settlement provisions from the TPPA. This process risks the undermining the ability of Parliament, and potentially local government, to act in the interests of New Zealanders when this is contrary to the interests of TPPA investors.

We share the CTU's concerns about the impact of Cross Border Trade in Services provisions on public services and on private provision of social services. The effects of the provisions relating to State Owned Enterprises are also of concern and potentially remove the ability of future governments to give SOEs public interest objectives.

The PSA calls on the government to postpone signing the TPPA until a more substantial and balanced impact assessment has been conducted with genuine opportunities public input.

We urge the Committee to recommend extending and opening the examination of this treaty to provide more genuine opportunities for public input. If the Committee extends the examination process then the PSA will consider contributing a more substantive submission.