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*Photo: Caelie Fromton*

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Sharan Burrow, ITUC General Secretary, said “The peoples of the TPP countries are being told to accept a trade deal that risks jobs, public services and democratic rights. There has been no public consultation, but business interests were given an inside track in the negotiations and their influence is written all over the agreement.”

“Trade between countries is essential, but this deal hands extensive and unacceptable rights and privileges to multinational corporations to protect their own investments at the expense of the basic principles of democracy. It fails to protect workers and it fails to protect the environment.”

The agreement enshrines the notorious Investor–State Dispute Settlement mechanism, which allows companies to sue governments in business–dominated tribunals when they deem that government decisions affect their investments or potential profits.

“Business will rule itself, and be able to wield a big stick over governments, while workers are left out in the cold. It’s no wonder that people in countries across the world reject lop-sided agreements like the TPP,” said Burrow.

At the beginning of the negotiation process, [unions in the TPP countries proposed a labour chapter that would garner their support if adopted](#). The actual TPP labour chapter, while including minor concessions to the unions’ concerns, fails to include the most critical amendments that workers in TPP countries had proposed. It does not refer directly to ILO Conventions. The labour chapter still relies on a state-state dispute mechanism which relies entirely on the discretion of TPP governments to prosecute claims against one another; this stands in stark contrast to the investor-state mechanisms available to corporations. In the US, such labour cases have taken several years, with the Guatemala case still not completed after seven years. Enhanced protections for migrant workers were omitted from the TPP, just as a crisis in migrant workers’ rights is unfolding globally. Proposed mechanisms to enhance industrial relations transnationally were also left out.

“We are deeply disappointed that governments again failed to negotiate strong labour protections which workers could be confident would be respected and enforced. Multinational corporations are the clear winners, at the expense of working people and environmental sustainability,” added Burrow.

Trade unions have serious questions on a range of other aspects of the agreement. Privatisation is locked-in in many areas, and governments’ right to maintain or introduce laws and regulations are constrained by a “regulatory coherence” chapter. Prices of medicines will increase and the production of generic and affordable drugs will be blocked due to the TPP provisions for extended pharmaceutical patents, protection of test data and market protection for patented drugs.

National data protection rules can now be challenged, and unregulated transfer of personal data across borders is permitted, increasing the probability of abusive use of the internet by giant corporations. New rules in financial services will allow big financial institutions to expand their market share, in direct contradiction to efforts to avoid the “too big to fail” financial conglomerates which drove the global financial crisis and forced governments to use taxpayer funds for bailouts.

The TPP development chapter contains statements but no action – a committee without power will be set up, and provisions in other chapters have explicit priority over any development goals.

“Governments have been able to keep most of this secret, but now that the agreement is public, everyone can see that it is little more than a series of gifts to the top end of town. Politicians are going to have a very hard time getting the public to accept this bad deal,” said Burrow.