

ACTU-NZCTU-TUC Statement on UK trade talks

As talks are now underway between our countries on future trade deals, workers in the UK, Australia and New Zealand are united in calling for a deal that supports a recovery from the COVID-19 pandemic that supports decent work and social wellbeing in all countries we trade with.

Throughout the negotiations, our governments must consult trade unions on the text of trade negotiations to ensure they attain the objectives of promoting decent work and protecting high standards of employment, environment, safety and public services.

Our governments must conduct independent assessments of the impact of any agreement on employment and decent work, public health and other public services, and the environment. If the projected social, economic or environmental impacts are damaging, then a trade deal should not be pursued.

Negotiations must be transparent, with proposals and draft texts released publicly for consultation before a deal is reached.

To guarantee these goals, any trade deal involving our countries must:

- ensure governments can take all necessary actions to access and manufacture sufficient and affordable medical supplies, including equipment, medicines and vaccines, to fight the COVID-19 pandemic;
- ensure governments can reduce vulnerabilities to international supply chains and promote sustainable international supply chains founded on Decent Work;
- contain enforceable commitments to ratify and respect International Labour Organisation core conventions on labour rights, prevent weakening of labour rights and conditions being used to gain advantage in trade, and commit to improving conditions of work;
- ensure safeguards to allow governments to maintain skills testing requirements for industries and professions and domestic labour market testing processes;
- ensure the rights of migrant workers are respected by ensuring any 'Mode 4' and labour provisions contain effectively enforceable obligations for workers' rights to be promoted and respected;
- protect the right of governments to use public procurement and state-owned enterprises to support economic development, improve working conditions and pursue social and environmental objectives;
- protect all public services by completely excluding all public services including such as health, education and transport; opening public services up to global market forces will not benefit our communities who rely on universal, quality public services that must be run for public benefit – not private profit;
- protect the ability of governments to regulate services in the public interest;
- exclude all cultural sectors;

- protect the ability of governments to regulate our tax systems and financial services to promote strong public services, reduced inequality, sustainable growth and decent work;
- protect the right of governments to establish and maintain policies necessary to protect consumers and workers through data integrity, security and privacy measures, and prevent the misuse of data for any form of discrimination;
- protect the right of governments to regulate the cross-border flow of data, require companies to have a local presence, access source code and algorithms and maintain privacy and consumer protections to protect public health and prevent discrimination;
- exclude all kinds of special courts for foreign investors such as Investor-State Dispute Settlement (ISDS) or the Investment Court System (ICS), which allow foreign investors to sue governments for actions that threaten their profits;
- exclude extensions of patent protection or data exclusivity periods for pharmaceutical drugs;
- commit parties to support and implement the Paris Agreement and policies to support Just Transition; and
- expand cooperation to combat unfair trade practices including strong antidumping and countervailing duty provisions, and prevent circumvention and evasion of action taken.

It is in the interests of all workers that the UK secures a deal with the EU that locks in a high standard of rights. Without this guarantee, the door will be opened for standards to be lowered significantly in the UK which will pressure for standards to be lowered across the world, given the interconnected nature of the economy. The trade priority must therefore be for the UK to negotiate a good deal with the EU to ensure ongoing protection of rights, jobs, public services and peace in Northern Ireland.

To protect jobs, it is crucial the UK retains as much barrier free and tariff free trade as possible with the EU. And, as a minimum, the rights of UK workers must at least keep pace with those of their EU workers.

We are concerned that the UK government has expressed support for the Comprehensive and Progressive Trans-Pacific Partnership (CPTPP), to which Australia and New Zealand are a party. CPTPP is a bad deal for workers. CPTPP contains countries such as Vietnam and Brunei where fundamental ILO standards are not respected. It is therefore very worrying that CPTPP does not contain mechanisms to adequately protect and enforce labour rights. The deal also poses threats to public services, opens the door to increased exploitation of migrant workers, and contains ISDS provisions that allow big business to sue governments for changing domestic policies.

Australian Council of Trade Unions (ACTU)
New Zealand Council of Trade Unions (NZCTU)
Trades Union Congress (TUC)

