

Growth and Social Justice via Fair Trade

1. Congress agrees that international trade, based on the principles of fair trade, can be a tool for raising living standards because it has the capacity to support:
 - a) Economic growth;
 - b) Employment growth;
 - c) Improved social protections;
 - d) Implementation of core labour rights;
 - e) Sustainable environmental standards;
 - f) Adherence to human rights conventions and democratic values.
2. Congress agrees that trade is vital to Australia's long-term economic interests and the social welfare of its citizens. Congress further acknowledges the role that trade has played in enhancing Australia's economic performance since the 1980s, as well as the role of Australia's trading relationships with Asia in minimising the effects of the global financial crisis and economic downturn in Australia.
3. Congress notes with concern that trade liberalisation does not benefit all countries equitably. Trade has important social and political dimensions and implications, in particular, when trade agreements allow unfettered access to land, resources, markets and labour there are real social costs including the inequitable distribution of benefits.
4. Sustainable development requires governments to retain the capacity to regulate labour, product and capital markets in ways most appropriate to their particular economic circumstances. There is no one-size-fits-all model of trade. Various forms of public intervention and regulation have a potentially valuable role to play.
5. Congress acknowledges that the World Trade Organisation is in urgent need of comprehensive reform if the impasse reflected in the failure of the Doha round is to be addressed. Nevertheless, Congress calls on the Australian Government to primarily pursue its trade objectives through multilateral rather than bilateral and regional agreements.

6. Multilateral trade negotiations open to all countries have the potential for greater involvement of low-income countries, greater transparency in global trade rules, and for more equitable distribution of benefits.
7. APEC is a forum where key economies in the global economy discuss trade issues and economic integration. While an APEC Business Advisory Council was established in 1995, issues of employment, workers' rights and labour rights are absent from the APEC agenda. We call on the Australian Government to show leadership in APEC on the establishment of a Labour Forum to bring a worker's perspective to the APEC agenda.
8. Congress does not support international trade on the basis of poverty wages, dangerous working conditions, the repression of collective organisation and labour rights, and environmental destruction including imperilling domestic flora and fauna through unfettered and untested importation on non-native organic, animal, primary produce or manufactured food products.
9. Congress calls for trade agreements to contain a specific labour rights chapter that provides for the improved conditions of workers by requiring signatories to adopt and effectively enforce fundamental labour and human rights. At a minimum, trade agreements should:
 - a) Clearly demonstrate that a commitment to implement core labour rights, as articulated in core ILO conventions on rights at work, is a fundamental and integrated part of the agreement;
 - b) Include a commitment by parties to not weaken but to improve labour rights;
 - c) Provide for this obligation to labour rights to be monitored and enforced, including a role for trade unions; and
 - d) Include procedures for alleged breaches of core labour rights and settling disputes.
10. Congress calls on the Australian Government to fully implement ALP policy which calls for the inclusion of enforceable labour rights in all trade agreements including the current Trans Pacific Partnership Agreement negotiations.
11. Trade in people is not acceptable. Congress therefore opposes any trade agreement which seeks to regulate the number of migrants to Australia. Migration must remain entirely a matter for immigration policy.
12. Trade agreements should be explicitly designed to reinforce and build upon domestic industrial policy priorities, the pursuit of a full-employment economy and a fairer and sustainable Australia. To this end trade agreements should:
 - a) Retain or enhance the autonomy of government in Australia to design and implement policies in the following areas: the regulation of financial institutions and international financial transactions; climate change;

government procurement; import regulation, quarantine and inspection regulations, biodiversity, food quality and security; media content and the cultural industries; public ownership; public services; foreign ownership; research and development; transportation services; Indigenous affairs; organisations and enterprises; the provision and regulation of essential services such as health, education, water, electricity, telecoms and postal services; the movement and employment of temporary migrant workers;

- b) Exclude provisions that provide foreign corporations with disproportionate power to seek redress and claims for compensation for actual harm or potential imminent harm resulting from changes in local, state or federal government policy and regulation;
 - c) Protect access to affordable medicines by preserving Australia's Pharmaceutical Benefits Scheme; and
 - d) Provide for strong environmental standards and commitment to not reduce standards to promote investment or trade.
13. Congress notes that Australia's Pharmaceutical Benefits Scheme (PBS) plays a vitally important role in providing access to affordable medicines for Australian workers and their families. Congress therefore expresses its strong opposition to proposals in the Trans-Pacific Partnership Agreement negotiations which would reduce the rights of governments to regulate for affordable medicines through schemes like the PBS. Congress calls on the Australian Government to keep its commitment to preserve its rights to regulate for affordable medicine prices through the PBS.
14. Congress notes that the Australian and New Zealand Governments are pursuing a free trade agreement with the Pacific Island states. The ACTU will work with the NZCTU and the trade union councils of the Pacific Island States on the implications of these negotiations.
15. Congress supports the following initiatives:
- a) Comprehensive impact assessments of existing trade agreements, including the impact on employment and wages, to inform future trade negotiations;
 - b) Meaningful civil society engagement in trade negotiations including;
 - i. regular and substantive consultation during and between negotiating rounds;
 - ii. the public release of draft texts, proposals and request for review and comment.
 - c) All future proposed trade agreements must be open to full and meaningful parliamentary oversight and democratic approval prior to being signed. This should involve:

- i. Parliamentary debate on final draft text prior to Executive decision to sign the agreement;
 - ii. Independent and comprehensive socio-economic analysis of the potential national, sectoral and regional impact of trade agreements including the gender dimension of projected changes before they are signed;
 - iii. Community education and engagement on trade negotiations including on the assumptions that have been used to model the impacts of proposed trade agreements - particularly where they relate to topics such as wages, employment and investment.
16. Congress agrees the dumping of goods into Australian markets can cause significant material injury to our industries. It also undermines public confidence in our trade policy and the international trading system. Congress therefore welcomes the measures announced by the Federal Government in 2011 to improve the efficiency and effectiveness of Australia's anti-dumping regime.