



State Public Services Federation
Group

CPSU-SPSF Submission

to

the Department of Foreign Affairs and Trade

on

Pacific Agreement on Closer Economic Relations
(PACER Plus)

28 July 2009

Summary of the SPSF group position on international trade

The SPSF group supports the development of trading relationships with all countries and recognises the need for regulation of trade through the negotiation of international rules. We support the principle of multilateral trade negotiations provided these are conducted within a framework which is transparent, provides protection to weaker countries and is founded upon respect for democracy, human rights and environmental protection.

We believe that the following principles should underpin Australia's trading relations and agreements:

- Trade agreements should not undermine human rights and environmental protection, based on United Nations and International Labour Organisation standards,
- Trade agreements should not undermine the ability of governments to regulate in the public interest,
- Trade agreements should allow developing countries the flexibility to make laws and policies which will allow them to direct their own development,
- Trade negotiations should be undertaken through an open, democratic and transparent process which allows effective public consultation to take place,
- Australia's trade negotiations with developing countries should be consistent with Australia's development goals
- Before trade negotiations begin, comprehensive studies of the likely impacts should be undertaken and made public for debate and consultation. The issues studied should include the impacts on:
 - human rights and labour conditions
 - employment
 - environment
 - particular demographic groups, particular regions and particular industries
 - the ability of governments to regulate in the public interest
 - the ability of developing countries to direct their development.

Key Issues

The SPSF group welcomes the opportunity to contribute to the Department of Foreign Affairs and Trade's consultation process about a prospective trade and economic agreement between Australia, New Zealand and Forum Island Countries (PACER Plus).

The SPSF group endorses the comments put forward in the submission to DFAT about PACER Plus made on behalf of the Australian Fair Trade and Investment Network (AFTINET) of which the CPSU-SPSF is a member. We also reiterate our support for the '*2009 Statement to Pacific Island Forum Trade Ministers regarding deliberations on potential PACER-Plus negotiations*' (copies attached).

In addition to the positions put forward in these submissions and statements, the SPSF group would like to underline particular areas of concern for our union and its members:

- the importance of maintaining services in the public domain;
- the exclusion of migration and labour mobility from trade discussions

- and agreements;
- the inclusion of core labour standards in all trade agreements.

Public Services

The SPSF group is committed to the principles of a properly functioning public sector, both in Australia and for all our trading partners. There is a strong connection between the inability of governments to provide adequate services for its people and the decline into corruption, criminality and the inevitable breakdown of the state itself.

It is only governments which can deliver services in the public domain to guarantee fair and equitable access to all constituents including the poorest and the most marginalised of society. We are particularly concerned that under PACER Plus there is the potential for Pacific countries to experience such decreases in revenue that their governments will not be able to fund their services, utilities and infrastructure needs. Experience has demonstrated that this universal access will be threatened by private provision of these services.

Furthermore, we are concerned about the inclusion of services in any agreement which adopts the WTO GATS definition of public services

A service supplied in the exercise of governmental authority... which means any service which is supplied neither on a commercial basis, not in competition with one or more service suppliers.

We reject this definition which does not allow for the joint provision of many public and private services including education, health, water and correctional services as is the case in Australia.

We are also concerned about the possibility that trade agreements covering services in Pacific Island countries would be defined under the *negative list* system meaning laws and policies of a country could be affected by the agreement unless specifically listed as excluded. This places significant restrictions on governments to regulate their own services and is a departure from the *positive list* system of the WTO GATS agreement. A *positive list* agreement would enable Australian and Pacific Island governments to determine precisely which sectors to include thus protecting rights and responsibilities to regulate in their own interests.

Migration and Labour Mobility

Our position on labour mobility begins with the principle that people are not commodities and cannot be traded. There is no place for agreements about movement of natural persons and/or migration policy in trade agreements. Any policies governing labour mobility must remain in the jurisdiction of immigration policy.

We recognise that workers' remittances account for a large proportion of developing countries' revenue. However, we do not see this as a long-term solution which will contribute to the effective functioning of a country's social or economic development.

The long-standing, indeed permanent nature of signed free trade agreements means that they are inappropriate mechanisms for arrangements around temporary movement of labour and risk locking governments into agreements which may become redundant and even harmful over time.

Furthermore, we must recognise the lessons learned in Australia over the sometime abuse of the Temporary Business (Long Stay) Standard Business Sponsorship or Visa 457. Although the scheme was initially aimed at bringing skilled workers, it has often been misused by some employers as a source of cheap labour and sometimes with tragic consequences when proper and decent working conditions were ignored.

Core Labour Standards

We were pleased to see the recent release of the Joint Standing Committee on Foreign Affairs, Defence and Trade's report after its inquiry into Australia's relationship with ASEAN

(<http://www.aph.gov.au/house/committee/jfadt/asean1/report/Final%20Report.pdf>) and its recommendations:

Recommendation 7

The Committee recommends that the Commonwealth Government should use its influence with the Asian Development Bank to ensure that the adherence to core labour standards become a precondition for loans.

Recommendation 8

The Committee recommends that human rights, core labour standards, and the environment be pursued in future free trade agreements and, when existing free trade agreements which do not contain such issues are reviewed, these issues should be pursued.

Recommendation 9

The Committee recommends that when the Department of Foreign Affairs and Trade reports annually to the Parliament under Recommendation 2, progress with regard to human rights, core labour standards, and the environment be included.

The SPSF group welcomes this commitment to recognising core labour standards and look forward to these recommendations being translated into official policy and legislation.

CPSU-SPSF GROUP – Background Information

The CPSU is one of the largest public sector unions in Australia with more than 180,000 members. There are two "**Groups**" in the Union. The **SPSF Group** and the **PSU Group**.

The State Public Services Federation (SPSF Group) primarily represents employees of State Governments such as State Government Administration, Education, Agriculture and Natural Resources, or their agencies like Universities, Electricity Authorities, Roads and Traffic or Water Resources bodies. We have branches in all six states.

The PSU Group's members are generally employed by the Commonwealth Government or its agencies, such as Tax, CentreLink, Defence, Immigration, and a significant number of private Telecommunications and Call Centre operators.

What we do

Wages, salaries and conditions of work of members are mostly regulated by State awards and agreements made by judges or commissioners in State Industrial relations tribunals.

The Federal Union looks after nationwide industrial issues for Universities and also industrial matters that span more than one State. It handles industrial relations between other Federal unions and deals with other Peak Bodies, like the ACTU, on behalf of the rest of our Union Branches and the "Associated Bodies". Also, it coordinates any issues that interest more than one Branch. These can include training standards, rights of women members, health and safety and so on.

Union policy on issues relevant to all the State Branches is made by the Federal Council, the SPSF Group committee of management under the Workplace Relations Act.

The CPSU-SPSF group is affiliated to the international trade union global federation, PSI (Public Services International). The Federal Secretary is a member of the Executive of PSI and is Chair of the Oceania region.

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2009 Statement to Pacific Island Forum Trade Ministers regarding deliberations on potential PACER-Plus negotiations.

Statement from Pacific civil society organisations, churches and trade unions.

Overview:

In August 2008, Pacific NGOs, churches and trade unions expressed concerns about the push for free trade agreements in the Pacific and the grave risk that these agreements pose for our people¹. We reaffirm those concerns.

The Pacific Islands Countries (PICs) are under no obligation to conclude a reciprocal free trade agreement with Australia and New Zealand. Any change in the trade relations with Australia and New Zealand is likely to have a large impact on the smaller Pacific partners. A poorly designed free trade deal has the potential to undermine the sovereign authority and responsibilities of independent Pacific nations, the economic and social wellbeing of Pacific peoples, and our democratic right to determine our future.

This paper has been prepared for Pacific trade ministers and trade officials attending the 2009 Forum Trade Ministers' Meeting in Apia, Samoa from June 8th – 18th, 2009. It is understood that during this meeting Forum Trade Ministers will make recommendations regarding the timing of potential negotiations for a new trade arrangement among Forum Members (PACER-Plus), and regarding the design and composition of an Office of the Chief Trade Advisor (OCTA) – to assist FICs in the lead up to potential negotiations under PACER-Plus.

Key Demands:

1. ***PACER-Plus negotiations must not begin in 2009 – to allow for national consultations and independent research to take place. National consultations are the appropriate democratic process to determine whether negotiations should proceed (if at all) and how they should proceed.***

The Australian Government has made it clear that it intends to see the PACER-Plus negotiations launched at the Pacific Islands Forum Leaders' meeting in Cairns later this year. At the Samoa Forum Trade Ministers' Meeting, Australia will attempt to secure a political commitment to ensure that happens.

This, in our view, represents a clear and present danger to sovereign democratic processes that need to take place in each Pacific island country to properly evaluate a free trade agreement with Australia and New Zealand, so as to protect the economic and social wellbeing of its people. Being rushed into negotiations in 2009 in the absence of national consultations would pose a serious threat for Island economies and the well being of Pacific peoples.

At the Niue Forum Island Leaders' Meeting in 2008, Pacific leaders met

¹ 12-14 August, 2008. "Pacific Civil Society Organisations Statement on Trade Justice". Auckland, New Zealand. View statement on www.pang.org.fj

separately from Australia and New Zealand and issued a press release stressing the need for "careful preparations by Forum Island Countries (FICs), both individually and collectively, before consultations began with Australia and New Zealand"² and for the early appointment of a Chief Trade Advisor with adequate resourcing to assist the FICs in realising their shared objectives.

It is our view that a phased approach, as proposed in the draft road map put forward on behalf of the FICs by the Solomon Islands Government (with formal negotiations beginning only once certain milestones have been satisfactorily completed – including the establishment of country positions based on national-level research and consultations) is appropriate for the Pacific context. The draft road map tentatively suggests formal negotiations might begin in 2013. A phased approach based on national consultations would allow democratic processes to determine if and when PACER-negotiations should proceed, if at all.

Any attempt to shorten the phased approach must be resisted by the 14 Pacific Trade Ministers in Samoa. It is incumbent on all our Trade Ministers to maintain the cautious position adopted by our Leaders in 2008, stressing the need for careful preparations both individually and collectively, before negotiations can begin with Australia and New Zealand.

2. *Research regarding trade and development in the Pacific, including assessing the impact of trade liberalisation and the suitability of free trade agreements, should not be driven by Australia and NZ.*

Studies in relation to any new free trade agreement (FTA) between the PICs and Australia/NZ have to date been funded by Australia/NZ and have focussed narrowly on the 'benefits' of a new FTA and ways to overcome acknowledged costs – described as 'adjustment' costs. Studies relating to trade liberalisation in the Pacific should not in any way be directed by Australian and NZ governments because they have an intrinsic conflict of interest.

It is essential that research and assessment derives from experience in communities and business, not from theoretical models³. Research on Pacific trade and development options should be undertaken that draw on Pacific researchers and wide consultation within the PICs, including with parliamentarians, Pacific civil society organisations, trade unions and church organisations. Studies are required to assess the social impact of a new FTA and its implications for the Pacific's environment, natural resources, land and cultures, as well as for Pacific constitutions and legislation, and to assess the loss of policy space available to Pacific governments on signing a new FTA. Parallel studies are also required to assess potential alternatives to a WTO compatible FTA (with its acknowledged 'adjustment costs'). All of this research needs to be undertaken well before entering into negotiations with

² www.forumsec.org.fj/pages.cfm/newsroom/press-statements/2008/pacific-acp-leaders-committed-beneficial-epa-with-eu.html

³ For a discussion of difficulties inherent in using theoretical models to predict effects arising from new free trade agreements (such as increased trade volumes, tariff revenue losses, net welfare gains/losses etc) see: Rosenberg, B. 2009. Notes on *Research study on the benefits, challenges and ways forward for PACER-Plus – Appendix I: A Quantitative Analysis of the Potential Benefits and Costs of a PACER-Plus Agreement*. Notes commissioned by the Pacific Network on Globalisation (PANG). June 2009.

Australia and New Zealand. CSOs need to be centrally involved in framing and undertaking such research.

Research of this kind would enable Pacific governments and trade officials to make more considered decisions in relation to trade and development policy – and the suitability of new FTAs in the Pacific. Research findings will inform the national consultation process to assist countries in determining their national positions. Any attempt to shorten the phased approach must be resisted by the Island countries at the Samoa Forum Trade Ministers' Meeting. Ample time must be given to island countries to undertake independent research, including social impact assessment and national consultations, before any decision to begin formal negotiations with Australia and New Zealand.

3. *An adequate structure for trade negotiations must be established well before the Pacific Island Countries engage in any new trade negotiations with Australia/NZ.*

Pacific Island Country Trade Ministers have put forward a proposal for the establishment of an Office a Chief Trade Advisor (OCTA). This proposal was put forward during the 2008 Forum Trade Ministers' Meeting in the Cook Islands. It is envisaged that the OCTA, to be based in Port Vila, Vanuatu, would assist the PIC's to identify and advance their offensive and defensive positions in any potential FTA negotiations with Australia and NZ. This office would also help to coordinate Pacific negotiating strategies, and could build capacity of national trade officials within the region.

The response by Australia/NZ to the OCTA proposal has been dismal. Australia and New Zealand governments have indicated a willingness only to provide very limited funding (\$1M/ year for three years), and they want the remit of the Office to be reduced and capacity building and training elements to be removed. In addition A/NZ has rejected the FICs' proposal to seek other funders for the OCTA. This response clearly demonstrates A/NZ failure to recognise the depth of the issues and concerns expressed by FICs, and their determination to set the agenda regarding potential PACER-Plus negotiations.

The model for the OCTA proposed by A/NZ would in effect remove any capacity for the Office to meet the objectives set forth by Pacific Trade Ministers when they originally planned for the OCTA; namely, to assist FIC's in their preparations for PACER-Plus and during the negotiations. At the 2008 Forum Trade Ministers' Meeting, Ministers indicated that support from the OCTA would be important "if the shared objectives of all Forum members were to be realised"⁴ and that the OCTA, while under instruction from the FIC Trade Ministers, would be "the sole point of contact in negotiations with Australia and New Zealand". If FIC Ministers' agree to A/NZ conditions regarding the OCTA, there is a danger the OCTA will only perform a limited secretarial role during negotiations (facilitating meetings and the like).

At the heart of the Pacific's original OCTA proposal is a recognition by Island countries that extensive assistance will be required to assist FICs overcome the

⁴ www.forumsec.org.fj/pages.cfm/newsroom/press-statements/2008/pacific-acp-leaders-committed-beneficial-epa-with-eu.html

capacity constraints imposed both by the small size of their economies and governments and a corresponding lack of capacity for FICs to engage as fully as they might otherwise in any PACER-Plus process. In addition, Australia and NZ must take into account the fact that PICs are currently involved in other contentious FTA negotiations with the EU (EPA), and are negotiating a new trade agreement amongst themselves (PICTA Trade in Services).

We call on Australia and New Zealand to recognise that any negotiations should not be initiated until the completion of EPA and PICTA Trade in Services negotiations due to the countries' capacity constraints.

We urge island governments to maintain the cautious position articulated at the 2008 Niue Leaders' Meeting, namely to have in place a fully funded and functional OCTA to assist FICs to prepare for negotiations to begin in 2013 (subject to the outcome of national consultations). The size and function of the OCTA must be determined by the issues that island countries face and therefore funding should be used as required, and no limitations should be placed on the source of those funds.

4. Suspension of Fiji from the Pacific Islands Forum supports the need to delay the launch of PACER-Plus negotiations.

Commentators recognise Fiji as an important economic hub in the Pacific and in particular its vital role in inter-regional trade for countries such as Kiribati, Tuvalu and Tonga. Given Fiji's critical role in island economies, Pacific Island governments need to seriously question the validity of progressing any part of the PACER-Plus process without Fiji at the negotiating table. Fiji's suspension from the Pacific Islands Forum, in line with the Port Moresby Leader's decision of 2009, means its Ministers and officials cannot attend the meetings at which vital decisions affecting the economic life of Island countries will be made.

In addition, if the region agrees to launch PACER-Plus negotiations in 2009, this decision will prejudice the rights of Fiji businesses and citizens to engage in democratic processes regarding participation in PACER-Plus.

It is therefore inappropriate, and possibly illegal under PACER itself, to proceed without Fiji's full participation in all deliberations.

5. Impact of the global recession and financial crisis further supports the need to delay negotiations on PACER-Plus.

With the backdrop of financial, food and climate crises, policy space for future governments becomes an essential lens through which to assess the PACER-Plus framework. These ongoing crises starkly illustrate the pitfalls of an economically integrated world that lacks adequate checks and balances, and of economic policies that wrongly believe that the markets will get the prices right in any circumstances. The economic crisis has largely been precipitated by the reckless liberalisation of the financial sector, which governments would commit to continue through the financial services chapters of FTAs such as PACER-Plus.

This is particularly important given the Asia Development Bank's gloomy forecasts for Pacific economies as a result of recession in their major

neighbouring economies (Australia, New Zealand and the USA). The external slow down is predicted to affect tourist activity and the flow of remittances for island countries. Rapidly deteriorating economic conditions in Solomon Islands and expected contractions over 2009 in the Fiji Islands, Samoa, Palau and Tonga were highlighted in the first issue.⁵

Given the likely impacts of the global financial crisis, Pacific CSOs are of the view that this is not the time to be signing agreements that tie the hands of governments and remove the flexibilities that are essential to respond to domestic priorities. The negative impacts of the global recession on Pacific island countries would be deepened by the projected government revenue losses from PACER-Plus⁶ and the other 'adjustment costs'. We urge Pacific Governments to delay any commencement of negotiations at least until 2013, when the implications of the global recession and appropriate forms of regulation are better understood.

6. Discussions on the future trade relations between the Pacific Island Countries and Australia and New Zealand should be wide ranging and focus on utilising trade to reduce poverty. To this end, all alternatives to a WTO-compatible free trade agreement should be investigated.

The Pacific Islands Countries (PICs) are under no obligation to conclude a reciprocal free trade agreement with Australia and New Zealand. Any change in the trade relations with Australia and New Zealand is likely to have a large impact on the smaller partners, and so a thorough investigation of all alternatives should be undertaken.

In acknowledgment of the special and different circumstance of the PICs, and the fact that a majority of the PICs are not WTO Members, Australia and NZ should offer the region alternatives to a WTO-driven free trade agreement. Alternatives could include improvements to the status quo (SPARTECA) with a focus on overcoming the difficulties of the Pacific Island countries and their peoples in utilising their access to Australian and New Zealand markets to overcome poverty. In particular A/NZ should offer improvements in Rules of Origin requirements, remove trade barriers (including Australia's kava ban) and provide assistance with meeting necessary sanitary and phytosanitary rules in Australia and NZ. These are all initiatives that would expand Pacific export opportunities and can be undertaken without requiring a new FTA between Australia/ NZ and the PICs.

7. Labour mobility schemes should not be linked to PACER-Plus negotiations in any way.

It is not appropriate to situate temporary labour mobility schemes in FTAs. They have no place in such agreements primarily concerned with trade and subject to WTO trade rulings, further the current temporary migration scheme under the Subclass 457 visa was examined last year and it found that⁷; *...visa holders who are susceptible to exploitation are also reluctant to make*

⁵ ADB. 2009. "Pacific Economic Monitor". May 2009. View document: www.adb.org/pacmonitor

⁶ A report commissioned by the Pacific Islands Forum Secretariat, and completed by Washington-based consultants *Nathan Associates*, found that under PACER-Plus, Pacific countries stand to lose tens of millions of each year.

⁷ Visa Subclass 457 Integrity Review, Final Report, October 2008, pages 23-24.

any complaint which may put their employment at risk...concerns about exploitation are well-founded, particularly in relation to visa holders at the lower end of the salary scale."... It has been suggested that such behaviour is particularly prevalent where Subclass 457 visa holders make up a large percentage of the workforce at a workplace.

Therefore any expansion of temporary migration schemes into lower paid labourers classifications in horticulture are fertile ground for further exploitation. The low wages and poor working conditions offered by Australian and New Zealand's employers in horticulture have created their demands for seasonal work schemes that employ Pacific people.

The long term interests of the development of sustainable economies in PICs will not be served by their working age population being temporarily employed overseas in low wage seasonal work. Such wages may appear high from the PIC perspective and have the perverse effect of draining those with the highest qualifications from their actual vocation into such schemes with poor long-term outcomes outweighing any short term benefits.

Australian and New Zealand Governments should instead assist long term economic and social progress in PICs by committing funds to enhancing their skills base, economic and social infrastructure. The '*Pacific Partnerships for Development with Solomon Islands and Kiribati*' agreed by Australia with their Governments in January 2009 are a first step in this process and their extension to the whole of the Pacific peoples will bring far greater benefits than band aid solutions to help out low wage employers in Australian and New Zealand or the proposed Pacer-Plus negotiations.

8. Capacity building for Pacific Island Country trade officials should not be driven by Australia and NZ.

Pacific countries have widely acknowledged capacity constraints when it comes to engaging in free trade negotiations. The Australian government announced (in May 2008) funding for new training for Pacific trade officials – to enable them to better engage in free trade negotiations. This training is currently provided through a series of modules delivered by the Adelaide-based Institute for International Trade. The training "targets upcoming negotiators from all 14 Pacific Island Forum countries", who engage in relevant debates with "Australian trade negotiators who will be part of future PACER-Plus negotiations"⁸.

However, a clear conflict of interest arises when training programmes like these are directed by Australia and NZ. It is extremely unusual for trade officials to improve their negotiating capacity by discussing their national issues and concerns *with those they would then negotiate with!*

Trade officials from Pacific countries need independent and objective sources of information, training and capacity building in order to engage in trade negotiations with Australia and NZ. The OCTA is best placed to offer, or facilitate, independent training and capacity building for trade officials. In addition Pacific CSOs would be keen to be viewed as partners in designing and implementing, as well as benefiting from, any such programmes.

⁸ For more information regarding the Pacific Trade Training Modules see: www.iit.adelaide.edu.au/educ/develop/

9. Pacific Civil Society Organisations (CSOs) should be included in all aspects of trade and development policy creation, including consideration of any new FTAs, and during the negotiation of those FTAs.

In August 2007, at the Forum Trade Ministers' Meeting in Port Vila, Forum Trade Ministers after considering the Joint Baseline and Gap Analysis Report⁹ commissioned by the Pacific Islands Forum Secretariat, stressed that any PACER-Plus arrangement must be more than a simple trade agreement. They recalled the objectives of PACER for gradual trade and economic integration of the economies of FICs in a way that is fully supportive of sustainable development of FICs. The meeting also recognised the need for the private sector and other non-state actors (NSAs) to be involved from the beginning in both the development of policies and design of initiatives to remove barriers to trade.

We welcome the recognition for the need for NSAs to be involved. However, to date NSA involvement in both the development of trade policies and designing of initiatives has been virtually non-existent. Every effort must be made to ensure future involvement of NSAs, especially given the potential implications of any such free trade arrangements for Island economies and peoples.

Civil society organisations, including church organisations, trade unions, women's organisations, farmers' organisations, and organisations working on issues of livelihoods, gender, youth, health and education should be involved in the construction of trade policy in the Pacific Island countries. Governments in the region need to ensure that international trade is placed at the service of social development that is also ecologically sustainable. Pacific CSOs can play a key role in making sure that trade is placed at the service of those goals.

Free trade agreements, in particular, will have impacts in all areas that Pacific CSOs work in. CSOs should be consulted extensively when considering new free trade agreements, and in an ongoing manner throughout trade negotiations.

For our part, Pacific CSOs undertake to work collaboratively and with the aim of ensuring that trade agreements create real benefits for Pacific people.

This statement has been endorsed by:

Pacific Conference of Churches (PCC) Regional - Fiji
South Pacific and Oceanic Council of Trade Unions (SPOCTU) Regional - Tonga
Pacific Network on Globalisation (PANG) Regional - Fiji
The Centre for Environmental Law and Community Rights Inc (CELCOR), PNG
Friends of the Earth - PNG
Women's Action for Change (WAC) - Fiji
Ecumenical Centre for Research Education and Advocacy (ECCREA) - Fiji
Niue Association of NGOs, Niue
FSM Association of NGOs, Federated States of Micronesia
FSMWAN, FSM
Cook Islands Workers Association, Cook Islands
Ole Siosiomaga Inc (OLSSI) - Samoa
Samoa Umbrella NGOs (SUNGO) - Samoa

⁹ Nathan Associates. 2007. "Pacific Regional Trade and Economic Cooperation - Joint Baseline and Gap Analysis." Pacific Islands Forum Secretariat, November 2007.

**Statement of support for the Pacific
from New Zealand and Australian civil society
on PACER Plus trade negotiations**

As civil society organisations in Australia and New Zealand, we support the statement '2009 Statement to Pacific Island Forum Trade Ministers regarding deliberations on potential PACER-Plus negotiations' issued on 16th June 2009 by our Pacific civil society partners and allies, relating to the forthcoming Trade Ministers meeting to be held in Apia, Samoa on 17-18th June 2009. We affirm that any trade negotiations should be for the benefit of the Pacific people and contribute to their communities and their development opportunities.

Accordingly, we call on our governments to refrain from pushing for a commencement of negotiations on PACER Plus until the following conditions have been met:

- sufficient time for thorough national consultations in Pacific countries on when and if to negotiate, recognising that consultations may result in a decision not to negotiate
- time and support for nationally-driven research on the likely impacts and the Pacific's interests
- a framework that provides for a staged approach to any negotiations
- an adequate structure and staffing for regional negotiations established prior to the start of negotiations
- the full participation of a representative government of Fiji, when and if they choose to participate
- easing of the financial crisis that is currently severely impacting the Pacific
- a full investigation of potential alternative trade and economic agreements
- de-linking of negotiations from temporary labour mobility schemes
- resources provided for nationally-defined training and capacity building for trade officials and key stakeholders in the Pacific
- involvement of Civil Society Organisations as previously agreed by Pacific Forum Trade Ministers in 2008

Further details on these conditions are clearly articulated in the Pacific civil society statement.'

Signed:

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| • Oxfam New Zealand | • Construction Forestry Mining and Energy Union (Australia) |
| • ARENA | • Community and Public Sector Union – State Public Sector Federation (Australia) |
| • Council for International Development | • Sisters of Charity |
| • Christian World Service | • The Grail Global Justice Network |
| • Trade Aid | • National Assembly Uniting Church in Australia |
| • Pacific Institute of Resource Management | • Oxfam Australia |
| • Quaker Peace and Service Aotearoa New Zealand | • AFTINETY |
| • New Zealand Health and Education Trust | • AIDWATCH |
| • Pax Christi Aotearoa – New Zealand | • Fairwear |

