



MEDIA RELEASE

Monday, 12 May 2014

Negotiations put multinational profits before health, say health professionals

Embargoed until 12.01 am Monday 12 May 2014

More than 270 healthcare professionals from around New Zealand have signed an open letter to the Prime Minister published in the *Dominion Post* today, warning of the threat to New Zealanders' health from the Trans-Pacific Partnership Agreement (TPPA).

Leaked text of the TPPA chapter on investment contains major provisions saying that business interests can sue governments for billions of dollars if a country introduces a law and a foreign investor would lose substantial value or profits. These provisions in the trade agreements (called Investor State Dispute Settlement) apply irrespective of what the business is and say that government regulation must not get in the way of investors' profit.

"We all know smoking is dangerous, yet cigarette companies have used trade and investment agreements in other countries to aggressively defend their profits with expensive law suits over plain packaging laws," says Professor Alistair Woodward from the School of Population Health, University of Auckland.

Currently Australia is being sued because our neighbours have introduced cigarette plain packaging.

The World Health Organization has just warned about the major risks of antibiotic resistance worldwide and said that countries must take action. Countries everywhere need to change the controls on antibiotics, keeping use for serious infection. But the TPPA agreement says that can be liable to legal action if there is a loss of foreign investor profits.

Likewise, regulating fossil fuels to reduce climate change, a major threat to global health, will be very difficult. Threats of legal action are used to make governments back off adopting such laws. The leaked text shows there are no effective protections that put public policy considerations first.

"Too few people realise that the Trans-Pacific Partnership Agreement undermines New Zealand's ability to pass laws to protect our safety and health," says Associate Professor Papaarangi Reid, Head of Department, Te Kupenga Hauora Maori at the University of Auckland.

"Under the TPPA, passing laws to ban or control harmful substances that limit the profits of foreign investors means New Zealand taxpayers risk being sued for millions," she adds.

Dr Erik Monasterio, a Canterbury psychiatrist and author of the recent New Zealand Medical Journal TPPA article, says that this will have a chilling effect on governments who will be reluctant to regulate in contentious areas where industry resources are large.

“The ISDS may cripple the functions of PHARMAC’s independent advisory committees. Just the public release of their objective clinical advice is a risk [this is too obscure] when it conflicts with industry interests in pharmaceutical markets overseas,” he says.

Signatures for the open letter have flooded in over just a few days, coinciding with the latest meeting of TPPA negotiators in Vietnam from 12 to 15 May, followed by a meeting of ministers in Singapore on 19 to 20 May. Health professionals, from internationally respected professors to medical students at the start of their careers, expressed their alarm that this far-reaching agreement will allow foreign commercial interests to take precedence over New Zealanders’ health.

The full letter with all signatories is at <http://www.orataiao.org.nz/TPPA+letter>.

About the Trans-Pacific Partnership Agreement

The **TPPA** is a proposed trade agreement between New Zealand, Australia, Brunei, Canada, Chile, Japan, Peru, Mexico, Malaysia, Singapore, United States, and Vietnam. The TPPA is intended to enhance trade and investment among the TPP partner countries, promote innovation, economic growth and development, and support the creation and retention of jobs. It has been criticised globally by health professionals, internet freedom activists, environmentalists, organised labour, advocacy groups, and elected officials, in large part because of the proceedings' secrecy, the agreement's expansive scope, and controversial clauses in drafts leaked publicly.

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