



**THE HON DR CRAIG EMERSON MP**

**MINISTER FOR TRADE**

Mr Harvey Purse  
Australian Fair Trade & Investment Network  
Level 3, Suite 3B  
110 Kippax Street  
SURRY HILLS NSW 2010

**29 MAR 2011**

Dear Mr Purse

Thank you for your letters of 27 January 2011 and 15 February 2011 detailing your interests in the Trans-Pacific Partnership Agreement (TPP) negotiations and attaching the joint letter from civil society organizations.

Your letter covers a range of important issues in the TPP negotiations and I particularly welcome your input as part of the Government's ongoing consultation process.

I note the emphasis your letter places on transparency in free trade agreement negotiations. In my December 2010 speech to the Lowy Institute I made clear that transparency is one of the five Labor principles underpinning the Gillard Government's approach to trade policy. The Government is committed to continuously improving its engagement with stakeholders. Such input is invaluable in ensuring that our negotiators appreciate the breadth of interests in play and deliver outcomes which are truly in Australia's national interest.

While there is always room for fresh ideas and improvement, I disagree with your assertion that TPP negotiations are being pursued in an undemocratic manner. The Government has taken every opportunity to engage with stakeholders – regardless of whether they are corporate, civil society or private individuals. As with all other free trade agreement negotiations, we have called for written submissions and held meetings with stakeholders before commencing negotiations.

We have also held regular frank meetings and/or teleconferences in state and territory capitals to provide updates on progress of negotiations and to seek input. All written submissions are published on the Department of Foreign Affairs and Trade website ([www.dfat.gov.au](http://www.dfat.gov.au)) unless the author has declined permission to do so. Regular updates on the TPP negotiations are also posted on the Department's website after the conclusion of every negotiating round. I am encouraged by the high level of stakeholder engagement which is already occurring in these negotiations and am hopeful that this will continue.

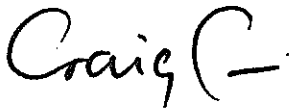
Your suggestion that draft negotiating text and position papers should be made public is understandable but problematic. First, this would only be possible if all parties agreed. Many negotiating parties would consider releasing text as a breach of confidence. Second, negotiating text really has no status until it is agreed by all parties. I am not convinced that exposing contested text, potentially including ambit claims, would assist informed public debate on the issues.

That said, I have instructed the negotiators to be as accessible and transparent as the negotiation process permits. I have instructed negotiators to provide candid and detailed information on negotiations and draft texts, to ensure stakeholders, including AFTINET, are well placed and sufficiently informed, to enable them to make revised submissions and representations on issues of concern as the negotiations develop.

The Government will continue to take every available opportunity to consult with stakeholders and is always open to receiving written submissions and meeting with interested parties. The Department of Foreign Affairs and Trade plans to conduct a further series of meetings and teleconferences in state and territory capitals in May 2011 and will be in contact with registered stakeholders to provide details. I would encourage you to continue to participate in this consultative process and to continue communicating with me and negotiators about the TPP negotiations.

Thank you for bringing your concerns to my attention and I trust this information is of assistance.

Yours sincerely

A handwritten signature in black ink that reads "Craig Emerson". The signature is written in a cursive style with a long horizontal stroke at the end.

Craig Emerson