



NEW SOUTH WALES NURSES AND MIDWIVES' ASSOCIATION
AUSTRALIAN NURSING AND MIDWIFERY FEDERATION NEW SOUTH WALES BRANCH



POSITION STATEMENT ON FAIR AND ETHICAL TRADE

Re-Endorsed by Annual Conference 2021

NSW Nurses and Midwives' Association
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Position Statement on Fair and Ethical Trade

THE NSW NURSES AND MIDWIVES' ASSOCIATION RECOGNISES THAT:

International trade is vital to Australia's long-term economic interests and can be a tool for economic growth, improved social conditions, environmental protection and adherence to human rights conventions and democratic values. Modern Free Trade and Investment Agreements/Treaties (FTAs) do not address these principles; they actively undermine them.

We note that FTAs seek to liberalise trade in services requiring signatories to increasingly open public services, which currently includes aged care and health care, to:

1. Overseas investment (increasing the number of foreign for-profit-providers);
2. Deregulation (how and where services are situated, staffing and skill mix levels, qualifications, where workers are sourced from);
3. Reduced government investment (government run services or subsidies for local providers) in competition to for-profit-providers, requiring government run services to be accessible to the market (privatisation); and,
4. Allow foreign investors to sue democratically elected governments if regulation hampers profits;

and that the above occur whilst undermining workers' rights, environmental protection, and data privacy protections.

Sustainable global development requires that governments retain the capacity to regulate labour, services, and markets in ways most appropriate for their particular economic circumstances. Various forms of public intervention and regulation have an important role to play in establishing fair and ethical trade.

THE NSW NURSES AND MIDWIVES' ASSOCIATION ADOPTS THE POSITION THAT:

- International trading arrangements must respect fair wages, safe working conditions, support collective labour rights, digital privacy, and sustainable environmental practices.
- Trade agreements should contain commitments to monitor, enforce and improve core labour rights.
- Any changes to the Pharmaceutical Benefits Scheme (PBS), or Pharmaceutical Advisory Board decision making processes, that reduce access to affordable medicines or extension of patent



rights or that delay availability of generic drugs are not acceptable and must be removed from existing FTAs.

- Trade agreements must be subject to democratic oversight and meaningful public consultation including a whole of government health, economic, and human rights impact assessment.
- Trade agreements should not include Investor State Dispute Settlement clauses (or similar) that allow corporations to sue Governments as such clauses undermine our democratic right to legislate in the interests of health, education, the environment and worker's rights to the sole benefit of private profit.
- Public services, including Aged Care and the State/Territory public health systems (however named), must be explicitly excluded from trade and investment agreements, ensuring that there is no requirement to deregulate.

REFERENCE:

1. [Defend our Jobs and Living Standards Against Attacks](#): Trade, ACTU Congress 2018.