

Joint Sign-on Letter of Civil Society Organisations to Trade Ministers of RCEP Negotiating Countries

- Updated version with further signatories from 29 Sep. letter-

16 October 2017

Dear Minister of Trade of RCEP Negotiating Countries,

The 20th round of the Regional Comprehensive Economic Partnership (RCEP) negotiations is taking place from 17-28 October 2017 in Songdo, Korea.¹ RCEP negotiations include chapters on goods, services, investment, intellectual property etc and the proposed provisions in these chapters affect the daily lives of the peoples of all sixteen countries² involved in these negotiations including their access to knowledge and affordable life-saving medicines, farmers' livelihoods, privacy, environmental protection and many other needed regulations.

The diverse communities who are affected by such an important negotiation need to know what is being proposed and have effective opportunities to express their views and concerns, and provide analysis and advice to the negotiators. Yet the RCEP negotiations take place behind closed doors, without releasing the negotiating texts, unlike at the World Trade Organization where many of the same issues are being negotiated (such as ecommerce rules, domestic regulation disciplines in services etc) and their negotiating proposals and consolidated texts are regularly released.³

Six of you – Australia, Brunei Darussalam, Malaysia, New Zealand, Singapore and Vietnam – have already recognised the importance of stakeholder engagement during the Trans-Pacific Partnership Agreement negotiations by including a stakeholder process as part of the negotiating rounds that you hosted. These consultations were with chapter negotiators and allowed each stakeholder to speak long enough to provide in depth technical analysis about the provisions being negotiated, such as the improved wording of equivalent provisions in other trade agreements. This was possible because each stakeholder was allowed to give 15 minute presentations with Powerpoints to the relevant chapter negotiators.⁴

We appreciate the RCEP civil society consultations held in the Perth, Auckland, Tangerang, Kobe, Manila and Hyderabad rounds. However, apart from in the Perth round, these consultations were with the Trade Negotiating Committee (TNC) and each civil society

¹ <http://dfat.gov.au/trade/agreements/rcep/Pages/regional-comprehensive-economic-partnership.aspx>

² Australia, Brunei Darussalam, Cambodia, China, India, Indonesia, Japan, Lao PDR, Malaysia, Myanmar, New Zealand, Philippines, Singapore, South Korea, Thailand, Viet Nam

³ E.g., see TN/S/36 from https://docs.wto.org/dol2fe/Pages/FE_Search/FE_S_S001.aspx for domestic regulation disciplines consolidated text.

⁴ Each chapter's stakeholder consultations were in a different room.

organisation could only speak for about three minutes. This limited the ability for civil society to provide analysis in enough depth, detail and technical specificity to be useful to negotiators.

We understand that commercial interests have been invited to share their views with you during previous RCEP rounds and have been given the opportunity to provide longer presentations to chapter specific negotiators.

We, therefore, call on you to allow civil society to speak for long enough with chapter negotiators in future RCEP rounds to be able to provide this in-depth analysis. In particular, in Incheon we would like to be able to meet with the intellectual property, investment, ecommerce, services and legal and institutional negotiators on 23 and 24 or 26 October 2017.

We also call on you to provide this effective opportunity for stakeholder interaction in all future rounds with advance notice of when and where they will be held, and release the working texts at the end of each round to allow a full assessment and informed debate to begin about the implications of RCEP, even at this late stage in the negotiations.

Yours sincerely,

1. AIDS Access Foundation (Thailand)
2. AP VYAVASAYA VRUTHIDARULA UNION-APVVU (India)
3. Asia Pacific Forum on Women, Law and Development (Regional)
4. Association of Physicians for Humanism, Association of Korea Doctors for Health Rights (South Korea)
5. Australian Council of Trade Unions (Australia)
6. Australian Fair Trade and Investment Network (Australia)
7. Bangladesh Centre for Human Rights and Development (Bangladesh)
8. Building and Wood Workers International (Philippines)
9. Cambodian Food and Service Workers' Federation, CFSWF (Cambodia)
10. Center for Health and Social Change, CHSC (South Korea)
11. Citizens' Coalition for Economic Justice (South Korea)
12. Community Initiatives for Development in Pakistan-CIDP (Pakistan)
13. Cooperating Committee of Trade Unions (Myanmar)
14. EMPOWER India (India)

15. Focus on the Global South (Regional)
16. Forum Against FTAs (India)
17. Foundation for Women (Thailand)
18. Friends of Earth Japan (Japan)
19. GCAP Sri Lanka Network (Sri Lanka)
20. IPLLeft (South Korea)
21. Indonesia for Global Justice (Indonesia)
22. Inspirator Muda Nusantara (Indonesia)
23. It's Our Future (New Zealand)
24. Kesatuan Nelayan Tradisional Indonesia/Indonesia Traditional Fisherfolk Union (Indonesia)
25. Knowledge Commune (South Korea)
26. Korea Dentists Association for Health Society, Solidarity for Worker's Health (South Korea)
27. Korea Federation for Environmental Movements (South Korea)
28. Korea Women's Associations United (South Korea)
29. Korean Confederation of Trade Unions (South Korea)
30. Korean Federation of Medical Groups for Health Rights (South Korea)
31. Korean Peasants League (South Korea)
32. Korean Progressive Network Jinbonet (South Korea)
33. Korean Pharmacists for Democratic Society (South Korea)
34. MINBYUN-Lawyers for a Democratic Society International Trade Committee (South Korea)
35. New Zealand Council of Trade Unions Te Kauae Kaimahi (New Zealand)
36. Open Net Korea (South Korea)
37. Pacific Asia Resource Center (Japan)
38. Participatory Research Action Network, PRAN (Bangladesh)
39. People Over Profit (Global)
40. People's Health Movement Australia (Australia)
41. Positive Malaysian Treatment Access & Advocacy Group, MTAAG+ (Malaysia)
42. Public Health and Welfare Organization (Malaysia)

43. Public Service International AP Regional Office (Regional)
44. SAHANIVASA (India)
45. Social Action for Change (Cambodia)
46. Social Watch Benin (Benin)
47. Solidaritas Perempuan | Women's Solidarity for Human Rights (Indonesia)
48. Sri Lanka United Nations Friendship Organisation, SUNFO (Sri Lanka)
49. Sustainable Development Youth Network of Sri Lanka, SDGYNSL (Sri Lanka)
50. Thai Network of People Living with HIV/AIDS (TNP+)
51. Universal Ministries of the King's College Corporation (USA & Thailand)
52. Viet Labor Movement (Vietnam)
53. WALHI – Friends of the Earth Indonesia (Indonesia)
54. Women's Network for Unity (Cambodia)
55. Worker's Information Center (Cambodia)