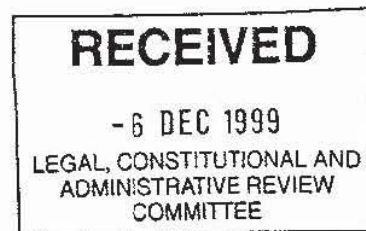


The Research Director
Legal, Constitutional and Administrative Review Committee
Parliament House
George Street
BRISBANE QLD 4000



J. P. Morris *Submission Not*

RE: The role of the Queensland Parliament in treaty making

In making this submission the underlying concern is that despite the improvements mooted in the 1996 Treaty reforms the public at large and politicians are still not aware of many of the treaties and their implications on the Australian way of life.

This concern became very real when on June 1, 1998, in the House of Representatives the member for Barton, Ron McClelland, complained.

"The lack of consultation was of real concern to the committee...the general Australian public and we as their representatives really did not become aware of the significance of the negotiations (MAI) until very late last year, and it was not until March this year that an actual text was made available on the Internet. That is something for very real concern."

Bear in mind that the MAI was due to be signed in May, just two months later.

Like many other Queenslanders I believe there is a need to be concerned about the open slather, drop all barriers approach sought in latter day trade treaties or through APEC to the World Trade Organisation meeting at Seattle as I write. We are still waiting for the "level playing field" to emerge. In the world of globalisation Australia is a small player compared to the USA, Japan, China and the European Union. The question that needs answering is: will Australia survive the onslaught? Will more and more corporate decisions about trade be made in distant board rooms impervious to the laws of the land and structured so as to avoid paying tax here?

As treaties can have an impact on our way of life the Australian people should be fully

informed not only of the benefits but of any real or possible downsides. They should be put under bipartisan microscopes. Usually if information does surface it has been vague, minimal and one-sided. Sometimes, it seems, the media is as much to blame as government for not stirring up debate.

Australian taxpayers pay the biggest share of the infrastructure in which big business functions. Average Australians pay for the roads, electricity and communications. We pay for our own education to win employment with corporations who contribute little or nothing to the education process. Yet we are stunned to find that in order to attract overseas corporations we not only offer all this, but we offer our working conditions, our own corporations and small business as sacrifices in the name of competition.

Proposal 2

Such dangerous treaties as the MAI need greater public airing than was given by JSCOT. The publicity generated only came through small groups becoming aware of the MAI when an Organisation for Economic Cooperation and Development (OECD) draft copy was leaked on to the Internet from Canada.

The only media, that gave the MAI any fair news coverage was ABC TV and Radio and SBS. They invited people to debate the proposed treaty on air. The Courier Mail, part of a huge multinational corporation published a full page editorial of the draft telling its readers why it was such a good idea for Australia. And if you disagreed you belonged to the "loony" left or right. A Senate Inquiry into the MAI gave a win to the "loonies". Hardly a debate with that sort of intimidating approach.

Such an important treaty deserved full page advertisements, in capital city and regional dailies throughout Australia.

The MAI, in the opinion of many highly respected economists and organisations such as the Harvard Law School USA considered the lowering of trade barriers to the degree

proposed as a threat to sovereignty. Many critics considered it to be a "Bill of Rights" for Multinationals while ignoring the rights of people and the environment in the host country.

The NSW Law Society Journal criticised the MAI because it gave corporations the ability to sue governments which made laws to benefit its citizens.

"The MAI is a treaty designed to give multinational corporations greater access to countries with minimum government interference." said the journal.

"Secrecy surrounding the Multilateral Agreement on Investment (MAI), the latest charter of corporate rights, has outraged citizens' groups in Australia and overseas, that the OECD date for signing the treaty has been postponed."

It was almost impossible to obtain a copy of the draft despite being told they were available. An SBS presenter had to get one from New Zealand to help her prepare her program.

Alexander Downer told Parliament, when questioned by the Opposition about the secrecy of the MAI, that if the opposition had any brains that they could have found it on the Internet. What Mr Downer neglected to say was that it was the Internet which exposed the MAI.

Internet usage has grown with some 58% of all Australians having Internet addresses. However, the Internet cannot publicise issues the way mass media does. The information is there if you know that it is available at any given time. The trick for most people is finding certain information if they know it is there. When people switch on their computers there are no headlines screaming out, "Look in the Treaties section of Federal Government for news affecting you!" or "Everything you need to know about the latest treaty!"

Even though it may cost money to set up a Queensland Treaty Committee it would go a long way to stopping such debacles as the MAI occurring again. If there is State Parliamentary debate maybe the State media might just publish it instead the political

muck-raking trivia it prints as news these days.

In this era of massive international trade with multinational corporations spreading their tentacles throughout the world and taking over and absorbing home grown corporations there needs to be greater awareness by all levels of government of the international obligations foisted on Queensland and other States. Local government, small business and trade unions should also be made aware so that they can consider the impact at a grass roots level.

The Western Australian proposal should, in my opinion, be adopted in full. It would ensure greater disclosure, at least to politicians, than has been the case so far.

Proposal 3

Treaties should be studied by a State parliamentary committee or an existing committee be conferred with specific treaty responsibilities.

Admittedly International treaties are the province of the Federal Government according to the Australian Constitution. However, this should not preclude State and Local Government, and other non-government organisations from perusing draft copies and having an input. Some treaties are straight-forward while others are more complicated and their effects far-reaching. It would not be envisaged that any State committee would be working full time but it would be required to look carefully at all of them and informing affected bodies of their contents.

To be more democratic there needs to be more involvement of other groups including non-government organisations, and more awareness through advertising than has been the case so far, even with the reforms. Government advertising is either a blast of small print or far too brief one liners. It is one area that could make better use of mass communication.

And finally, this gem from Sonoma University California. For 22 years Sonoma has conducted "Project Censored". Each year it releases the Top Twenty stories which

should have had mass media coverage but failed to see the light of day. The judging panel includes highly respected U.S. journalists and editors.

Top of the list for 1998 was "Secret International Trade Agreement undermines the sovereignty of nations." This was, of course, the MAI.

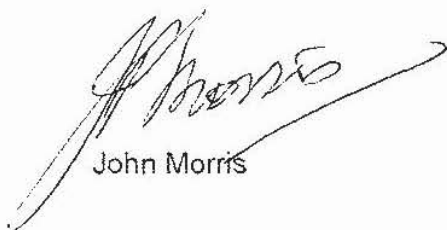
The report opened with, "Some developments in the course of history have such potential to impact nations and humans that it would be irresponsible to ignore them. Yet few mainstream organisations have reported on the Multilateral Agreement on Investment (MAI) which would set in place a vast series of protections for foreign investment.....This agreement has the potential to place profits ahead of human rights and social justice, and that is why our judges have named this story the No. 1 censored or under reported story of 1998."

This same conclusion could be applied to Australia and around the world. The media silence is not entirely the media's fault. Much of the blame must rest with governments who neglected to promote the MAI.

An Inter-parliamentary Working Group on Treaties would seem unnecessary unless it replaced the existing JSCOT which is represented by all political parties.

Thank you for the opportunity to have say. It is greatly appreciated.

Yours faithfully,



John Morris