

# Trade accord carries health warning

Health professionals have published an open letter to Prime Minister John Key warning the Trans Pacific Partnership Agreement is a danger to health. **Mark Smith and Anne MacLennan** explain why they signed it.

**W**E ARE doctors – one a specialist surgeon, one a specialist in palliative medicine. We spend our days, and sometimes our nights, helping people who have serious illness, controlling pain and other symptoms, and supporting patients and their families to achieve the best possible quality of life.

We also have an ethical obligation to speak up when we see health and lives under threat. That's why we joined hundreds of doctors and others signing an open letter to the prime minister about a trade deal.

We've just changed the law on legal highs because of health risks.

But the law change for cigarette plain packaging because of health risks stalled because of a trade deal. Big Tobacco is using existing trade agreements against Australia because our neighbours have introduced plain packaging.

Big Tobacco has used this approach against Uruguay and Norway, too. Tobacco is much



**Trade deal:** As trade ministers strive to conclude the Trans-Pacific Partnership Agreement, some are concerned by the lack of information about the details.

Photo: REUTERS

more dangerous to health than legal highs but a trade deal is interfering with New Zealand doing the right thing to control cigarettes. Fossil fuel companies have a poor record of spills, disasters and environmental contamination, to say nothing of greenhouse gases. Big Oil also uses trade agreements to stop or

undermine safety regulations. They've already used trade agreements to bring more than 60 cases relating to oil, mining or gas with more pending. Our Parliamentary commissioner for the environment says more regulation is needed here for safety. If we need more regulation for health and safety, trade

agreements should not get in the way. We use many excellent medicines made by the pharmaceutical industry. Any industry needs a reasonable return for developing new vaccines, drugs or tests. Patents allow for that. However, a drug company is

using trade agreements to bring a case against the Canadian government for \$500 million after a court ruled that the health research evidence put forward by the company was too flimsy to continue monopoly patents. The company doesn't put forward any new health research backing claims that their product

is better than existing drugs. They argue instead that the trade deal entitles the investors to a return on investment, regardless of local law. New Zealand should not enter into trade deals that would give greater opportunities for that sort of behaviour from drug or other companies.

We should not extend patent monopoly or undermine Pharmacia as that would push up costs on an already squeezed health budget.

We should not give away the ability to control sales and marketing of drugs such as antibiotics when the World Health Organisation has warned of huge harm from indiscriminate use.

We're not experts on trade, but we are experts on health. It seems clear that trade deals can have incredibly far-reaching impacts if health is not fully and carefully considered when trade deals are negotiated.

That's our concern about the Trans Pacific Partnership Agreement (TPPA). We don't yet have an up-front commitment to safeguard health in trade negotiations and we don't know what New Zealand negotiators are giving away in concessions.

The only things we know are from "leaks", suggesting New Zealand negotiators are not standing up against Big Investors. As each of us goes about our days treating sick people, we need to be reassured that government policy is supporting our efforts by making good regulations to help keep people healthy and keep costs of treatment reasonable.

Our only reassurance can be the full release of the TPPA negotiating texts for public debate. Part of that is independent assessment of the implications for health.

The prime minister needs to be open with us, tell us what is going on and take advice from those of us who are experts in health.

■ Mark Smith is a general and bariatric surgeon in Invercargill. Anne MacLennan is a palliative medicine specialist in Wellington.