

Media Release embargoed till 1:00pm Friday 11th Dec. Wellington NZ.

TPPA Free and Action groups petition the Governor General – “Save our Democracy”

TPP Free Wellington today launched a petition calling the Governor General to Command the government to put the question of proceeding with the Trans Pacific Partnership Agreement (TPPA) to a binding referendum.

The Governor General is the appointed **Guardian** of our representative democracy.

The petition asserts that the Government has **no** democratic mandate for TPPA. The Government kept the text **secret** from voters at the last election.¹ Without information, we have **not** mandated our elected representatives.²

Treaty negotiations Minister Tim Groser in July 2012 stated: "trade agreements involve concessions over the sovereign rights of countries"³

The enormous and unprecedented **scale** of TPPA requires a **democratic** mandate.⁴

Once in force, withdrawal might be **impossible** in **practice**, so the deal could **not** be undone.⁵

The petition states as follows:

We, the UNDERSIGNED citizens and residents of Aotearoa New Zealand,
PETITION Your Excellency:

1. to COMMAND the Government to put the question of proceeding with, or withdrawal from TPPA to a BINDING REFERENDUM; and
2. to PROHIBIT the Government from signing any final agreement, or taking any

1 <https://tpplegal.wordpress.com/legal-challenge-to-secrecy/> A legal challenge has been launched to challenge the refusal of New Zealand's Trade Minister Tim Groser to release a range of documents on the TPPA requested by Professor Jane Kelsey under the Official Information Act.

2 It is necessary that the populace are provided with the facts prior to consent being attained in democratic practice. This is imperative in our form of representative democracy.

3 http://www.nzherald.co.nz/business/news/article.cfm?c_id=3&objectid=10817978

4 The people of New Zealand and the World opposed the earlier Multi-lateral Agreement on Investment (MAI). TPPA contains the MAI content and more, providing institutional corporate rights superior to environmental and human rights. Yesterday 10th Dec 2015 is the UN's Human Rights Day.

5 In effect the people of Aotearoa New Zealand are being told that their agent the government is entering a contract and the people have no say over the content, or whether it is entered. In all contracts the advice is 'buyer beware'.

binding treaty action UNLESS the People vote in favour; and

3. to REFUSE Assent to any enabling legislation UNLESS the People vote in favour.

Our petition requires that the Governor General use his Reserve Powers⁶ to protect the democracy.

The petition will be launched from the grounds of Parliament House at 1:00pm Friday 11th December. The organisers will present the Governor with early returns of the petition in January. We will continue gathering signatures leading up to the Government's intended TPPA signing in early February.

Democracy is not something the People can afford just to leave to politicians. We must be prepared to invoke the constitutional safeguards we have to protect it from them and their agendas.

Our object is to improve the democratic processes whereby key decisions are made about our future. It's our Constitution and we aim to use it to protect our interests and rights.

Yesterday the World celebrated Human Rights Day, which is observed every year on 10 December. It commemorates the day on which, in 1948, the United Nations General Assembly adopted the [Universal Declaration of Human Rights](#) which with the is the foundation stone of humane international law.

This year's Human Rights Day is devoted to the launch of a year-long campaign for the **50th anniversary of the two International Covenants on Human Rights**: the [International Covenant on Economic, Social and Cultural Rights](#) and the [International Covenant on Civil and Political Rights](#), which were adopted by the United Nations General Assembly on 16 December 1966.

The two Covenants, together with the Universal Declaration of Human Rights, form the International Bill of Human Rights, setting out the civil, political, cultural, economic, and social rights that are the birth right of all human beings.⁷

This petition directly to the Governor General might be seen as something of a last

⁶ <https://gg.govt.nz/role/powers.htm> '.. reserve powers are to dismiss a Prime Minister, to force a dissolution of Parliament and call new elections, to refuse a Prime Minister's request for an election, and to refuse assent to legislation. These powers to act without or even against ministerial advice are reserved for the most extreme situations and with the exception of the appointment of a Prime Minister following an election, no New Zealand Governor-General has ever needed to use them.' We live in interesting times.

⁷ <http://www.un.org/en/events/humanrightsday/>

ditch stand against TPPA, however, the Governor must acknowledge Article 1 of the International Covenant on Civil and Political Rights when considering it. Article 1 provides “All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.” New Zealand is a party to the Covenant, and also to its First Optional Protocol, which provides an avenue for complaint to the UN when there has been a breach of Article 1, and all “domestic remedies” have been “exhausted”.

There is no mandate for TPPA!

Ends.