



TPP-11 to Come into Force on December 30, 2018

An adaptation and expansion of the original Trans-Pacific Partnership, the new agreement requires ratification from all 11 member countries.

The Comprehensive and Progressive Agreement for Trans-Pacific Partnership ("TPP-11") will come into force on December 30, 2018. The agreement was signed in Santiago, Chile, on March 8, 2018, by the 11 participating countries: Australia, Brunei Darussalam, Canada, Chile, Japan, Malaysia, Mexico, New Zealand, Peru, Singapore, and Vietnam. Under the rules of the agreement, it will come into force on December 30, 2018, for the first six of those countries to have subsequently ratified the agreement: Australia, Canada, Japan, Mexico, New Zealand, and Singapore. For Vietnam, which was the seventh country to ratify, it will come into force on January 14, 2019. At the time of writing, the other five TPP-11 countries are yet to ratify, and for each of those countries, it will come into force 60 days after it ratifies.

TPP-11 is a regional free trade agreement aimed at increasing trade, furthering regional economic integration, and reaffirming sustainable development, among other stated aims. TPP-11 is recognized for its wide scope, in particular its coverage of trade in services, and for the standards it requires of member countries in areas such as environment and labor. TPP-11 represents a significant slice of the world economy, with TPP-11 countries having a combined population of 499 million people, representing 13.3 percent of world GDP and 14.4 percent of world trade (*source: Australian Department of Foreign Affairs and Trade*).

TPP-11 arose from the aftermath of its predecessor, the 12-member Trans-Pacific Partnership ("Original TPP"), which was signed in February 2016 but failed to achieve ratification after the United States withdrew from the group in January 2017. At the time of the United States' withdrawal, the future of the trading group was uncertain, but the remaining countries [continued negotiations](#) to achieve TPP-11.

The text of the TPP-11 agreement can be found on the website of the Australian Department of Foreign Affairs and Trade. It is itself a relatively short document; however, it incorporates by reference the provisions of the voluminous Original TPP, and the two documents should be read together. TPP-11 adopts changes to some of the mechanical provisions of the Original TPP, with respect to factors such as accession, withdrawal, and review. TPP-11 also contains a list of Original TPP provisions that are suspended from operation, including some significant provisions related to intellectual property. The suspended provisions will remain in that state until subsequent agreement and ratification by all TPP-11 parties.

Among a range of other topics, TPP-11 contains chapters covering market access (including tariffs), trade remedies, investment (including investor protection), financial services, business visas, electronic commerce, government procurement, state-owned enterprises, intellectual property, labour, environment, and anticorruption.

TPP-11 has been designed to facilitate additional countries joining the trading group. Indeed, the preamble to the agreement recognizes that the parties welcome the accession of other States to the agreement. The elephant in the room is whether the United States would ever

look to join, but that is not a precondition to the agreement and is a topic for another day.



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