



Written by [William F. Jasper](#) on June 11, 2015

## Leaked TPP Healthcare Text: Another Reason to Scuttle Secret Treaty

WikiLeaks [released another chapter](#) of the Trans-Pacific Partnership (TPP), the still-secret mega-treaty between the United States and 11 other Pacific Rim nations, on Wednesday, two days before a planned vote in the House of Representatives to give President Obama Trade Promotion Authority (TPA, also known as Fast Track).

The secret text, ironically (or cynically) titled “TPP Transparency Chapter Annex on Transparency and Procedural Fairness for Pharmaceutical Products and Medical Devices,” appears to confirm the charges of TPP critics who have characterized the treaty as a sellout to “Big Pharma,” the giant pharmaceutical companies.



Commenting on the leaked TPP texts, financial website [ZeroHedge.com](#) noted:

It is no secret that US healthcare corporations have been among, if not the biggest beneficiaries of Obamacare: by “socializing” costs and spreading the reimbursement pool over the entire population in the form of a tax, pharmaceutical companies have been able to boost medical product and service costs to unprecedented levels with the help of complicit insurance companies who have subsequently passed through these costs to the consumer, in the process sending the price of biotech and pharma stocks to levels not seen since the dot com bubble.

Now, thanks to the latest TPP text leak, ZeroHedge’s Tyler Durden comments, “it appears that ‘big pharma’ is once again pulling the strings, this time of the Trans Pacific Partnership.”

“In other words,” said ZeroHedge, “just like the narrowly-passed Obamacare was a gift for Big Pharma, so America’s legal drug dealers are now trying to go for another price boosting catalyst, one which however will involve not just the US but some 12 countries in the Asia-Pacific region. Worst of all, the negotiations for the next price increase are taking place in utmost secrecy where ‘American negotiators are still pressing participating governments to open the process that sets reimbursement rates for drugs and medical devices.’”

The WikiLeaks TPP release came as the Obama White House and Republican leaders in the House were engaged in a tag team effort to whip congressmen into supporting the TPA/Fast Track bill that had been [pushed through the Senate](#) on May 22, before the Memorial Day recess. At the time of this writing, it is still being hotly debated in Capitol Hill circles whether or not the TPA vote will take place on Friday, or whether House Speaker John Boehner will need to delay a vote until more support can be whipped up.

The *New York Times*, in a story on the leaked TPP healthcare annex, accented the Big Pharma-TPP connection, reporting:



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Pharmaceutical firms and their trade associations have filed by far more lobbying disclosure forms on the Pacific trade negotiations than any other industry, according to the watchdog Sunlight Foundation. More broadly, the pharmaceutical and health product industries have been the biggest spenders on lobbying, and drug company deal-making with the Obama administration and in Congress was instrumental in securing passage of the Affordable Care Act.

The *Times* further noted: “Public health professionals say pharmaceutical industry lobbying is meant to diminish the power of government health programs that trim reimbursement rates to global pharmaceutical giants. The newly leaked annex, dated Dec. 17, 2014, lists Medicare and the Centers for Medicare and Medicaid Services as falling under its strictures.”

Along with the release of the TPP Healthcare Annex, WikiLeaks also released two separate critical analyses of the documents, one by Professor Deborah Gleeson, School of Psychology and Public Health at La Trobe University in Australia (available [here](#)), and the other by Professor Jane Kelsey, Faculty of Law, University of Auckland, New Zealand (available [here](#)).

In a separate opinion column on the TPP annex for Australia’s ABC News on Wednesday, Dr. Gleeson summarized some of the concerns expressed in her more detailed analysis linked above. Among her concerns are that “pharmaceutical companies will be able to sue governments directly over their pharmaceutical policies in international tribunals using the investor-state dispute settlement mechanism (ISDS) —and the terms of the annex may bolster their claims.”

“This is the same type of legal avenue that tobacco giant Philip Morris is using to sue Australia over our plain packaging laws, and US pharmaceutical company Eli Lilly is using to sue Canada over its decisions on medicine patents,” Dr. Gleeson states.

The danger that ISDS tribunal poses is no small matter; as we have reported repeatedly in *The New American* (see [here](#), [here](#), and [here](#)). The sweeping nature of the TPP and its design as an evolving, “[living agreement](#)” guarantees constant conflicts that will end up in TPP and World Trade Organization courts. The decisions of those courts will then be used to demand that U.S. laws, and even the U.S. Constitution, must change in order to “harmonize” with global “rules and norms.”

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