

Information and international trade



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Late August is the time of year when library and information associations and institutions gather in the international forum of the IFLA conference — this year in Boston. Another international forum of increasing significance and interest to the library and information sector is the World Trade Organisation, with the internationalisation of information through international trade treaties. As Steven Shrybman said in his paper at IFLA 2000 '...information, artistic works and other forms of cultural expression will now be treated as commodities'.

Regional or multilateral trade or free trade agreements are a further area of interest. After some domestic opposition the Australian Government withdrew its support for the OECD proposed Multilateral Investment Agreement (MIA), an agreement to allow international business investment rights to override local legislation. Brian Toohey writes in his article *Free trade with strings attached* (AFR 7–8 July 2001:24) that as part of his visit to meet with US President Bush in early September the Prime Minister hopes to announce agreement to negotiate a NAFTA-style free trade agreement between the United States and Australia. A NAFTA-style agreement would similarly provide for a foreign investor to be treated no differently from a local company, and allow individual investors to initiate a dispute which would be heard by an agreement tribunal rather than through local courts.

What concerns many library and information associations about these international trade based agreements is that their objectives to meet trade liberalisation can at times be at the expense of public policy. Publicly funded libraries and information services serve a public policy agenda that corrects the failure of free-markets to meet broader community goals such as universal access to information and literacy.

The World Trade Organisation (WTO) was established in the mid-1990s and assumed many of the conventions and agreements under the General Agreement on Trade and Tariffs (GATT) and the World Intellectual Property Organisation (WIPO). What changed with WTO is that it introduces an effective enforceable regime. Two agreements of importance to our sector are Trade Related Intellectual Property Rights (TRIPS) an international regime for the protection of intellectual property rights, and General Agreement on Trade and Services (GATS).

IFLA, the Canadian Library Association and the American Library Association received NGO status to attend the WTO Third Ministerial Conference in Seattle in 1999. This was also the first venue for large-scale demonstrations against globalisation. The NGO participation was kept removed from the main agenda and issues relating to our sector were not considered to be encompassed by the negotiations. The next international round of World Trade Organisation talks is in Qatar in November 2001 and apart from following progress of negotiations it will also be interesting to see how anti-globalisation demonstrations — themselves largely mobilised through public policy-supported free access to electronic information — are managed.

ALIA has had discussions with senior Trade representatives from the Department of Foreign Affairs and Trade (DFAT) involved in WTO policy. Our concerns are that the Australian government not commit to any clauses or treaties that explicitly or implicitly diminish Australian citizen's rights to access information through a publicly funded library and information service; and that this safety net should then not preclude any such service entering into competitive local or export markets for commercially based services. DFAT advises that 'there is no pressure on Australia to make commitments in the libraries, archives, museums and other cultural services' category in the current GATS negotiations, and no WTO member has tabled any negotiation proposal in this sector to date.

Australia has declined to list library services in its schedule of commitments. However, several other countries have done so including Japan and the USA. The fact that two of the world's most influential economic powers have listed library services suggests that other nations are likely to be pressed to follow suit. Trade agreements should ensure that publicly funded libraries are protected and included in any possible separate treaty that allows special consideration for cultural goods and services in international trade.

The Association has also written to Mark Vaile, Minister for Trade regarding the importance of recognising the depth of the cultural sector in the work of the WTO Advisory Group — the current representative is from the film industry. ALIA has provided a briefing to this representative and will continue to do so.

ALIA is monitoring developments in intellectual property (IP) rights and copyright through the work of its Copyright and Intellectual Property Advisory Group and the IFLA Copyright and other Legal Matters committee. The ongoing testing of legislation to cover copyright and IP, particularly in the digital environment, in various countries and within regional agreements indicates that there is much to be resolved, not least of which is prevailing jurisdictional rights. ■

Feedback to your Board of Directors

Do you have an idea, compliment or concern about *your* Association? Contact any director below on personal issues and ideas will be reviewed at each meeting of the Board.

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