

Australian sacrifices in Australia–United States Free Trade Agreement

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LIBRARY AND INFORMATION SERVICES

Readers, researchers, students and users of library and information services will pay more to read and/or to copy information if the intellectual property provisions of the Australia–United States Free Trade Agreement (AUSFTA) are adopted into Australian law.

The agreement extends the term of copyright protection, and lays the groundwork for closing off free access to information delivered by digital technology.

In the United States, civil liberties lawyers, academics and librarians are already providing evidence of the costs of the extension of the copyright term (agreed to by Congress to benefit the US movie and publishing industries) as an extra \$US300 million.

Australian library, school and university budgets will face increases in the cost of information access.

Increases in patent protection to satisfy powerful US pharmaceutical lobbyists will delay the development of cheaper generic drugs. So, yes, Australians will still have a Pharmaceutical Benefits Scheme, but the costs of the scheme will increase or the addition of new medications will be curtailed — or both.

As a service to library and information users in Library and Information Week, librarians and library technicians may draw on ALIA information to alert Australians to the dangers of adopting the copyright provisions and the cultural services provisions in the Australia–United States Free Trade Agreement.

The AUSFTA is available at http://www.dfat.gov.au/trade/negotiations/us_fta/text/index.html.

Use the guide to get to the subject you are interested in, but always then go to the full-text.

Comment by ALIA is available from the home page of our website by searching for 'trade agreement' in the search box on <http://alia.org.au>.

Don't support extension of the copyright term

Extension of the term of copyright to death of the author plus 70 years puts works published in 2004 out of the public domain for up to 150 years. This adds costs to providing information for students, researchers and library users and it closes off opportunities for further creativity and innovation.

Do support the public domain

By rewarding copyright owners for a limited time and then releasing information into the public domain, copyright has traditionally supported creativity and innovation. All creativity is based on the creations of the past.

Don't support stricter rules for private copying from your computer

Latest reports on peer-to-peer music swapping show that it has not reduced the profits of recording companies. Guess what, people who swap music files also buy CDs or have CDs bought for them. Just as people who go to libraries, still buy books.

The free trade agreement imposes harsher penalties for home copying. Americans have some protection under 'fair use' principles. Australians do not. You could find your computer being taken away if someone reports you for downloading too much music.

As for privacy, forget it. Under the AUSFTA a copyright owner who 'alleges' a breach of copyright can compel your Internet Service Provider to release information about your computer use. And you may not even be guilty. Under present Australian law a court has to give permission for this invasion of privacy.

Do support a sensible approach to digital information access

If you buy a book, you expect to be able to read it, lend it or give it away. Digital information is no different. Sure digital information is easier to copy and send, but it is very much cheaper than hard copy to produce and supply.

Support Australian film and television

The AUSFTA restricts the ability of our government to set local content rules for television. For example, an Australian government will only be able to fix a maximum Australian content standard of ten per cent for children's programs and documentaries on pay television, the lowest standard of any developed country.

The terms of the agreement open up the potential for the ABC, SBS, the Australian Film Commission and the Film Finance Corporation to be challenged by the US government on behalf of US film and television industries, because they impede the free flow of Hollywood films.

We must not close off our right to tell and hear our own stories on any media.

Why don't we follow Canada?

Canada has been negotiating trade agreements with the United States for twenty years.

They insist that Canadian programs must have fifty per cent of pay television. And they have not extended their term of copyright either, despite US pressure.

Ask your federal member of parliament and senators to support Australian libraries, Australian education and Australian creators in any Australia–United States free trade agreement.