



**AFTINET**  
Australian Fair Trade  
& Investment Network Ltd

Level 3, Suite 3B, 110 Kippax St  
Surry Hills, NSW, 2010  
Phone: 02 9212 7242  
Fax: 02 9211 1407  
Email: [campaign@aftinet.org.au](mailto:campaign@aftinet.org.au)  
ACN 097 603 131  
ABN 83 659 681 462  
[www.aftinet.org.au](http://www.aftinet.org.au)

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If you would like to contribute to the Bulletin, please contact us at [campaign@aftinet.org.au](mailto:campaign@aftinet.org.au)  
or Phone (02) 9212 7242 Fax (02) 9211 1407

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**1. FTA puts Australian television content out of focus**

Alex Farrar

The Age, June 10 2008

COMMUNICATIONS Minister Stephen Conroy has flagged an end to Foxtel's regulatory "holiday".

But if he hopes to increase the hours of local content broadcast on pay television, he may find his efforts hindered by Australia's free trade agreement with the United States.

Conroy is right in thinking that pay television's current obligations are akin to a "holiday". In particular, the sector enjoys very lenient local content regulation compared with free-to-air broadcasters. Free-to-air channels must make sure 55% of content broadcast between 6am and midnight is Australian. This quota includes mandatory levels of first-run drama and children's content.

By comparison, Foxtel is obliged only to ensure that 10% of its drama channels' total expenditure is spent on new Australian drama. It does not have to broadcast a certain number of hours of Australian content.

Foxtel's obligation is simpler to administer, and much cheaper to deliver. And because of the recently signed free trade agreement with the US, it is likely to stay that way.

During the negotiations, the US pushed hard for Australia's local content laws to be removed. When Australia retained them, it was heralded as a victory for Australian culture.

The reality is somewhat different. By freezing requirements at current levels, the agreement removes the Australian Government's ability to determine how best to regulate local content.

US television content is cheap. If an Australian channel wants to license US content, it pays from as little as a few hundred dollars an hour up to about \$70,000 an hour for top-rating, first-run drama programs.

New Australian drama can cost up to \$200,000 an hour (and much more for mini-series or telemovies). If 10% of a pay television drama channel's programming budget is spent on new Australian drama, it may only fill 3% or 4% of its broadcast hours.

Foxtel's local content regulations do not result in adequate levels of local content. Quite simply, the cultural objectives of the scheme are not being met.

The level of local content requirement imposed on a sector (such as free-to-air television and pay television) is supposed to be pegged to that sector's influence on community views, as well as its ability to withstand compliance costs.

Foxtel's obligations were drafted when pay television was newly established and unprofitable. Future reviews of the scheme were scheduled for when the industry was no longer in its infancy. One such review will take place this year.

Ordinarily, one may expect that this review would consider the possibility of changing Foxtel's obligation, forcing it to broadcast a certain number of hours of new, local content each year. After all, 31% of Australian households now subscribe to pay television, and the sector accounts for 21% of all television viewing in Australia. Foxtel is far from being a fledgling business.

Instead, owing to the trade agreement, the Government is now bound to retain the current local content scheme. This means Foxtel will continue to be subject to a requirement drafted during the infancy of pay television, and which does not deliver local content to pay television audiences.

So, if Conroy is to rethink Foxtel's local content requirements, what are his options?

The trade agreement permits marginal changes to the scheme in two ways; through extending the 10% requirement to arts, educational, children's and documentary formats, and by increasing the drama format's requirement to 20%. The impact of extending the requirement to additional formats would be minor, because most children's channels are already subject to the 10% drama requirement, and the arts, documentary and educational formats are niche.

Increasing the drama requirement to 20% requires US consent, which is unlikely to be given. The Motion Picture Association of America has indicated it will oppose any increase.

Regardless, neither option tackles the basic problem with the existing scheme: that expenditure requirements do not result in the broadcast of local content. The cultural objectives of local content cannot be achieved.

Thanks to the trade agreement, even if Conroy has the best intentions, he may find his hands tied.

*Alex Farrar is a practising lawyer undertaking a graduate diploma in communications law at Melbourne University. This article is based on an essay he wrote for a master's subject.*

## **2. One million people Vs US beef**

On 10 June 2008, Korean social movements resisting the re-opening of their country's borders to US beef under a bilateral deal signed by the two governments held a watershed

rally where they aimed to get one million people in the streets. At the core of this uprising, people are demanding the cancellation and total renegotiation of the 18 April US-Korea beef deal, which was secretly signed in order to push through the US-Korea FTA. People are concerned about the health and safety implications of US beef, but they are also expressing broader opposition to the undemocratic and neoliberal direction of Korea and calling on President Lee Myun-Bak to resign.

Candlelight rallies have been held almost daily since 2 May 2008, at times bringing together up to 200,000 people. First initiated by high school students, they attract all sectors of society now (and have been peaceful were it not for the violence unleashed by the riot police) in what has been dubbed an experience in real direct democracy.

Below are some resources in English to help people outside Korea follow what is happening there:

Martha Rosenberg, "Some downer cow with your kimchi? Meat wars with South Korea", Counter Punch, 15 May 2008  
[http://www.bilaterals.org/article.php3?id\\_article=12119](http://www.bilaterals.org/article.php3?id_article=12119)

Christine Ahn and GRAIN, "Food safety on the butcher's block", Foreign Policy in Focus, with addendum, 25 April 2008.  
[http://www.bilaterals.org/article.php3?id\\_article=11850](http://www.bilaterals.org/article.php3?id_article=11850)

Ronda Hauben, "South Korean gov't mishandled beef deal", OhMyNews, 8 June 2008.  
[http://english.ohmynews.com/ArticleView/article\\_view.asp?menu=A11100&no=382784&rel\\_no=1&back\\_url=](http://english.ohmynews.com/ArticleView/article_view.asp?menu=A11100&no=382784&rel_no=1&back_url=)

### **3. Real Food Crisis, Fake Solutions**

The cost of basic food staples is skyrocketing around the globe. Billions of people who live on less than \$2 a day are sliding into hunger and despair. Now more than ever, international entities and national governments must shift their agricultural policies toward sustainability, hunger prevention, and economic justice for farmers and farm workers. Below, we invite you to join the Oakland Institute and Grassroots International to help bring about real solutions by signing a petition to show solidarity with the world's hungry, or learning more about the roots of the current crisis.

#### [Sign the Petition: Free Trade is Not the Answer to the Food Crisis](#)

In response to the current food crisis, Grassroots International and the Oakland Institute are asking you to sign a petition demanding that the International Financial Institutions (World Bank, International Monetary Fund, and the World Trade Organization) not use the crisis to push through more failed free trade policies. Such policies have exacerbated hunger worldwide by allowing among other things rich countries to dump their agricultural products on poorer ones that can't compete. Our petition urges the UN and FAO to instead put pressure on countries to:

- Increase cash contributions for food aid geared towards local food purchasing in hard-hit countries
- Develop sustainable agriculture systems through genuine agrarian reforms
- End speculation on food as a commodity in global financial markets
- Be a part of real solutions.

Sign the petition at

[http://org2.democracyinaction.org/o/5123/t/2270/petition.jsp?petition\\_KEY=60](http://org2.democracyinaction.org/o/5123/t/2270/petition.jsp?petition_KEY=60)

For more information on the role of international financial institutions and the food crisis visit: [http://www.oaklandinstitute.org/pdfs/Food\\_Prices\\_Brief.pdf](http://www.oaklandinstitute.org/pdfs/Food_Prices_Brief.pdf)

#### **4. WTO Update**

On May 19 the chairs of the talks on both the agriculture and manufactured products handed down their new revised negotiating texts. Both texts have been met with significant concerns from developing countries.

The agriculture text has left a lot of room for negotiation on a range of issues. Most controversial has been the way that Special Products (SP) and the Special Safeguard Mechanism (SSM) have been included. Special Products are products that are important to food security for developing countries which are assigned extra protection through higher tariffs. The current SP proposals in the text are considered by many developing countries to be too restrictive in terms of their scope and application.

The SSM is a tool available to developing countries to respond to import surges or price fluctuations. What is currently included in the revised text is considered too watered down to have any impact. The G33 (a group of 40 developing countries) has called for a revised agriculture text or at the very least revised offers on SPs and SSM. It also reiterated that the wish of the WTO membership is for the substance of the negotiations to drive the process not deadlines.

The manufacturing text has also seen a negative response from developing countries. The current proposal for sliding scale cuts in tariffs for developing countries are considered too demanding and will still result in developing countries making higher tariff cuts than industrialised countries, something that goes against the Doha mandate of 'less than full reciprocity'. Developing countries are still calling for greater cuts in industrialised countries' manufacturing tariffs. The chair of negotiations has said that "all issues are still unresolved" and there are reports that negotiations have been suspended due to lack of progress.

A new Services report was released on May 26 that also included in the annex a draft services text. Whilst the report largely re-stated countries longstanding and well known positions, the draft text contained some controversial elements. One of those is the statement that services negotiations must be driven by the same level of ambition as agriculture and manufactured goods. This is at odds with developing countries, who see agriculture and manufactured goods as being the two areas of priority, with the others following after that. Another controversial aspect is that the Services text implies that any offer of new market access, in response to a request, will be considered binding on the country, even before the negotiations are concluded.

#### **5. Free Trade Agreement Update**

##### Chile/Australia FTA

Australia has concluded negotiations on the Australia/Chile FTA and is looking to sign the agreement at the end of June. The text is yet to be examined but according to DFAT there will be a removal of tariffs on almost all goods, a locking in of current levels of liberalisation on services and investment, an investor – state disputes mechanism, and a negative list for services. The text should be publicly available on June 17.

AFTINET is very concerned about this, as it represents the most aggressive FTA yet that Australia might sign, and because it is a move away from what the Government promised

during the election regarding independent assessment of the social, environmental, cultural and regional impacts of FTAs. So far there have been no assessments of such impacts for the FTA.

#### ASEAN/Australia FTA

The latest round of negotiations took place on June 2 – 8. The FTA appears to be close to concluding with Ministers hoping to sign the agreement at their August meeting. Australia currently has included in its negotiations an agreement on movement of workers but this will reflect what already previously exists for the Singapore and Thailand FTAs. Australia however has been pushing for the inclusion of an Investor – State Disputes Process within any FTA, which AFTINET strongly opposes.

#### China/Australia FTA

Australia's Treasurer has announced that the next round of negotiations between Australia and China would begin on June 16. This come after an decision to return to the negotiation table after talks broke down due to lack of progress.

#### US/Australia FTA

Trade Minister Crean announced on June 3 that future bilateral talks with the US will now be held under the framework of the Australia – US Ministerial Trade Talks.

According to the media release from Crean "AUSMINTT provides the Australian government with the opportunity to engage with the US on a broad range of trade policy issues central to our trade and economic interests. This includes building on the Australia-US FTA (AUSFTA), working together in pursuit of our regional trade interests, including APEC - which the US will host in 2011 - and importantly at this time, working to achieve a successful outcome to the Doha Development Round."

### **6. STOP THE NT INTERVENTION: National Day of Action - 12pm Saturday June 21st @ State Library**

Aboriginal Control of Aboriginal Affairs

- Repeal all "NT intervention" legislation
- Restore the Racial Discrimination Act
- Fund infrastructure and community controlled services
- Sign and implement the UN Declaration on the Rights of Indigenous Peoples

June 21 will mark one year since the Howard Government announced the NT intervention. Far from improving child welfare, the intervention has created a new wave of dispossession and is compounding social problems.

The Racial Discrimination Act has been suspended, land taken over and business managers imposed on communities.

The universal quarantining of welfare payments, the closure of many Community Employment Development Projects (CDEP) and the compulsory acquisition of Aboriginal property has forced thousands of people from their communities into urban centres.

Rallies will be held in Melbourne, Sydney, Alice Springs, Darwin, Perth, Brisbane, Wollongong and Adelaide.

ENDORSEMENTS:

Rally endorsed by the national conference called by the Aboriginal Rights Coalition on Sunday May 25 in Sydney attended by over 200 people. Support from Aboriginal leaders and activists includes: Barbara Shaw (Mt Nancy town camp, Alice Springs), Lyall Cooper (President of Bagot community, Darwin), Harry Nelson (President, Yuendumu community council), June Mills (Long-grass association, Darwin), Pat Eatock, Brian Butler, Shireen Malamoo, Millie Ingram, Pastor Ray Minniecon, Mitch, Peta Ridgeway, Heidi Norman, Shane Phillips

Supportive organisations include: Maritime Union of Australia (MUA NSW & NT), Construction Forestry Mining and Energy Union (CFMEU), Railway Tram and Bus Union (RBTU NT), Australian Services Union (ASU NT), Top End Aboriginal Conservation Alliance, Australians for Native Title and Reconciliation (ANTaR NSW & NT), Indigenous Social Justice Association, Alliance for Indigenous Self Determination Melbourne, Intervention Rollback Action Group (Alice Springs), Aboriginal Rights Coalition (Darwin, Sydney, Brisbane and Perth), Australian Young Labor Left, Friends of the Earth, LASNET, ASEN, University of Melbourne Student Union, Swinburne Student Union, Latrobe SRC, Socialist Alternative, Socialist Alliance, Union Solidarity.

## **7. Public Services Day June 23**

The UN General Assembly on 20 December 2002, designated 23 June as Public Service Day. It encourages member states to organise special events on that day to highlight the vital contribution of public administration workers around the world. This day is of course particularly important for Public Services International (PSI) and its affiliates.

PSI is planning to mark 23 June by a call to action for increased funding for development, to ensure adequate resources to promote quality public services. PSI will also call for unions to urge civil society and governments to resist the policies of the WTO and regional and bilateral trade agreements that weaken the capacity of the public sector and reduce the tariff revenues that are an essential element of funding public services in many developing countries. PSI will issue a media release and a background article on 23 June. For 23 June, affiliates are also invited to mark the day by media events or other activities to launch the PSI quality public services promotional materials, and to call on governments to meet their commitments under the Millennium Development Goals through increasing funding to essential public services.

PSI will be sending out a copy of its new quality public services resource. It's a useful folder containing posters, stickers, a leaflet about the campaign and the PSI global policy and strategic objectives. The documents are also available on the PSI website ([www.world-psi.org](http://www.world-psi.org)). If you wish to reproduce them, please inform PSI.

If you wish to have extra copies of the materials, please contact PSI. It would also be very useful to hear what your union will plan for 23 June. Please contact [communications@world-psi.org](mailto:communications@world-psi.org).

## **8. Inspiractivism in Canberra – July 12<sup>th</sup> and 19<sup>th</sup>**

The SEARCH Foundation is initiating an exciting new training program for young activists interested and engaged in left/progressive social change. The dates of the training are Saturday July 12th and Saturday July 19th.

The training sessions will consist of an inter-generational dialogue and exchange with veteran activists who will share their experiences, knowledge and ideas with younger

activists. This will be done through exploring case studies of previous Australian campaigns and social movements and analysing the successes/failures of these campaigns. Political education will be a key component of the trainings with an emphasis on exploring theoretical perspectives and key vision and values which run across all progressive social movements. Particular skills sharing sessions will also take place, focused on how to organise campaigns and develop strategy and tactics.

The veteran activists participating for this training are Meredith Burgmann (Anti-apartheid), Brian Aarons (Freedom Rides) and Sonia Laverty (Equal pay for women).

For more information contact Celine on [celinem@search.org.au](mailto:celinem@search.org.au) or (02) 9211 4164.