



AFTINET
Australian Fair Trade
& Investment Network Ltd

AFTINET Ltd
Room 627, Level 6, 3 Smail Street
Broadway NSW 2007
Phone: 02 9212 7242
Fax: 02 9211 1407
Email: campaign@aftinet.org.au
ACN 097 603 131
ABN 83 659 681 462
www.aftinet.org.au

Media Release

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AUSFTA second anniversary shows damage to democratic policy on blood products and copyright

Dr Patricia Ranald from the Australian Fair Trade and Investment Network said today:

“As we approach January 1, the second anniversary of the Australia-US Free Trade Agreement, (AUSFTA) the latest trade figures again reveal an increased trade deficit, showing that the AUSFTA has delivered greater access for the US to Australian markets than vice versa.

But even more damaging have been the changes that this unfair trade deal has required to health and social policies like blood processing and copyright.

The AUSFTA required the Australian government to conduct a review of Australia’s national system of voluntary blood collection and processing, with a view to encouraging US companies to tender to supply this service. The government was actually legally compelled under the terms of the trade agreement to recommend competitive tendering of the service regardless of the outcome of the review.

This week the independent review of health experts reported after widespread consultation that the proposal would result in increased costs, reduction in security of supply and possible contamination of blood products, and that the current policy should be retained. But the Health Minister has ignored these findings, because his hands are tied by the trade agreement.

This is a clear example of last minute deals made in a trade agreement undermining the democratic policy process to the point of absurdity. Luckily state governments are joint parties to the legislation on blood services, and they can block any change. They are not bound to agree to the Ministers’ recommendation, and so they can actually decide the issue on the basis of the review findings and what is the best health policy for Australia.

We have had a similar debacle on copyright law. Australia was compelled by the USFTA to adopt aspects of US copyright law giving draconian rights to copyright holders at the expense of consumers, but without the safeguards for individual use available under the US judicial system. After a fierce public debate and some amendments, the result is a law that will still unfairly penalise some consumers and businesses, and will probably prove unworkable.

We do not need an unfair trade agreement that undermines democratic policy process and threatens health and other social policies. The government should give serious consideration to using the clause which allows either party to give six months’ notice of withdrawing from the agreement.”

Contact Patricia Ranald on 0419 695 841