

Dear Sir/Madam

Any "Free Trade Agreement" entered into by Governments should be able to, at least, achieve a state of no significant disadvantage. It is questionable whether or not the present FTA with the USA does in fact achieve that, let alone achieve the Government's previously stated aims for said treaty.

Among other aims, the Government stated that it would never sign a deal with the USA without improving access to American markets for the Australian sugar industry. That aim was jettisoned in the final throes of negotiation. The Government also stated to the agricultural industries that it would not accept long phase in periods. Despite this, the beef industry will have to wait 18 years before it gains the so called benefits of the treaty and even they are hedged with US qualifications. Agricultural industries have not been served as well as their proportion of our export industry would suggest.

As for the Pharmaceutical Benefits Scheme it is difficult to be assured that its *raison d'etre*, as one of the world's better schemes for the delivery of affordable pharmaceuticals, has been preserved. There would appear too much influence able to be asserted by the USA and by definition the US Pharmaceutical industry, which has not had a history of being concerned about efficient and affordable public health but more about preserving a considerable profit stream. The Australian Government's stated aim, before the FTA was finalized, was that the PBS was not negotiable.

I am also mindful of the following. The Department of Foreign Affairs and Trade submitted in April 2003 " The Government has made it clear many times that cultural policy objectives will be taken into account in trade negotiations. A high priority is placed on these objectives and Australia has taken a strong stand on WTO negotiations on their legitimacy, setting out, to the broad support of the membership, the value the Australian Government places on the freedom to have in place measures to pursue these objectives through policy interventions, AND TO ADAPT THESE MEASURES AS CIRCUMSTANCES CHANGE" (emphasis added) Despite the cultural reservation which forms part of the Singapore/Australia FTA, and despite the aims stated above, it would seem that the FTA with the USA was not seriously concerned with cultural policy. If anything it has achieved nearly all the aims of the Motion Picture Association of the USA. What appears to have been "negotiated" is Ralph Ives' (Chief Negotiator for the USA) aim of "Standstill" Leaving aside whether or not this should be an acceptable model, "Standstill" preserves all support, quota requirements, subsidies etc with no opportunity to review or change (except downwards with no opportunity to reinstate) and to include roughly only such technologies as are currently covered.

For years the US Government has acknowledged the trade benefits which Hollywood has developed through its exposure of America, and its way of life, to the world. It seems apparent that the Australian Government, through the FTA doesn't see the advantage of maximizing Australian audio visual impact on the rest of the world. In order for this to happen, Australia needs to be free to develop, invest in and regulate its own industry FOR THE BENEFIT OF AUSTRALIANS. Where culture is concerned, this FTA seems more concerned with benefits to the MPA of USA.

No trade agreement which denies or encumbers the Government's right and duty to legislate for the benefit of its citizens should even be countenanced. The Australian people deserve to be able to see and hear themselves, their stories, their take on the News via the available and any NEW technology. An FTA which provides for a diminution of Quota but not an increase, which excludes New Media ( E-cinema, 3-G telephony to mention two) which contains ambiguities which could allow the USA to challenge some aspects of Public Broadcasting, which requires Australia to consult with the USA before it can regulate television in Australia, is neither Free nor Fair.

As such, it is not a treaty in the best interests of all Australians

Peter Stratford