

I am writing to express my objection to the proposed US-Australia FTA in its present form.

While I am not in principle opposed to a free trade agreement with any other nation, I believe such agreements should be developed with input from all duly elected parliamentary representatives, not just the current sitting government. An agreement of such lasting effect on the nation's future should be developed in a consultative way, so that the nation's citizens have the opportunity to take part. The values of Australians should not be overridden by the values of its ruling politicians. True compromise can only be reached by a transparent process able to be influenced by an alternative point of view during the negotiations.

With regard to the existing proposed FTA, the areas I am particularly concerned with are as follows:

Removal of quarantine barriers. While it is possible that quarantine laws may be abused to generate artificial barriers to trade, other nations must recognise the genuinely unique ecosystem of Australia, and that anything which may threaten its well-being will have significant, irreversible impacts on both the Australian agriculture and tourism industries. Any removal of barriers should at the same time be accompanied by some other mechanism to ensure an equivalent level of protection (such as a certification system), even though it is possible that this would also be seen as a barrier to free trade.

Changes to copyright laws. The extension of copyright from 50 years since the author's death to 70 years from the author's death will have significant adverse effects on the arts industry (especially in terms of performances) and the education industry. Australia is currently going through a difficult period in both of these areas, and erosion of access in these areas will only make things worse. 50 years is the agreed international standard, and allows creativity and freedom of expression while still protecting the author's rights. It is more in Australia's interest to keep the existing level and allow sooner dissemination of Australian cultural views and values, and hence enhance our impact on the international stage. A more protectionist stance for such a small nation will only harm this process.

Changes to PBS. Australia's Pharmaceutical Benefits Scheme is widely envied throughout the world as a leader in its field. It is one of the main ways Australia provides egalitarian health services, and should not be undermined. If drug companies are concerned that the cost of developing new drugs is not taken into consideration by the PBS, this raises serious concerns about the efficiency of the industry, not the transparency of the listing process. It is in no-one's best interest that money is spent in effect marking time (with new drugs that are no better than existing ones) rather than advancing.

Public services. While a nation's people are rarely happy with the compromise necessary for public service levels to be affordable, there are basic services which should remain in the nation's hands, as this represents social policy as much as tradeable services. I believe a national debate should be held on what the Australian people believe to be basic services and service levels, and this should be used as a benchmark for future negotiations. Since such levels and services are likely to change in future, services should be specifically nominated as open to trade, rather than the existing proposition where services must be specifically opted out. Australia should learn from the problems associated with fragmented infrastructure and services encountered elsewhere in the world, not be an experiment itself - our nation is simply too small to recover gracefully from expensive mistakes.

I am especially concerned at the opportunity this FTA provides to the US to shape Australian social policy. At a time when we are still struggling to create and maintain a

sense of national identity, we should not be giving up sovereignty in such a fundamental sphere. If the Australian government is no longer able to make decisions without having to protect a foreign nation's commercial interests, we will be giving up a freedom which is at the heart of our nation. Australia is uniquely positioned, both culturally and geographically, and our interests will never coincide precisely in every respect with another nation's. We should not concede our ability to set our own social policy and thus preserve our own cultural values.

On a personal note, I am also concerned at the lack of commitment to its own stated values indicated by the US stance. If a nation were truly committed to free trade and free market capitalisation, it would not object to those activities that would enhance these freedoms. For example, free market capitalism is based on the premise that the consumer is fully informed. Therefore, I would expect producers to be happy to label their products with as much information as possible, in order to inform the consumer, not complain that this is a prohibitive cost which is a barrier to trade. It is up to the producer to convince the consumer of the value of their product, not conceal the facts from them. The compromise of these values by the US government seems to indicate that its people do not share them, and hence does not augur well that the principle, as well as the letter, of the agreement will be adhered to.

I therefore recommend that the Committee find the Senate should NOT pass the legislation enabling this Free Trade Agreement.

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