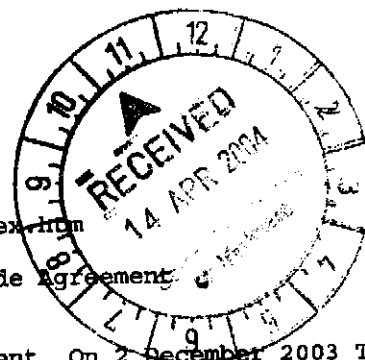


The Joint Standing Committee on Treaties

http://www.aph.gov.au/Senate/committee/freetrade_ctte/index.htm

I wish to oppose the Australia-United States Free Trade Agreement (AUSFTA) for three main reasons.



1st: The first is that it is not a "free" trade agreement. On 2 December 2003 Trade Minister the Hon. Mark Vaile wrote to me that "Reducing quota restrictions on beef, dairy and sugar imports into the US is a key priority for Australia in the negotiations." Since then, as everyone now knows, sugar was "sold out" by orders of another politician, and the draft now shows an 18-year phasing in on other products. With Mr Vaile's letter, the "Frequently Asked Questions" document mentioned "transition periods" of 5 to 10 years in the negotiations with Mexico under NAFTA and the FTA with Chile. So, Australia, the supposed "deputy sheriff" and "buddy" of the Bush administration, gets a worse deal than the countries in the Americas!

The AUSFTA is NOT "free."
Echoing Article XXIV of the GATT, the DFAT website states:
"The crucial test of an FTA or a customs union is that it must eliminate all tariffs and other restrictions on substantially all the trade in goods between its member countries"

2nd: Risk of being crushed by the giant economy: The huge US-international corporate structure, used to spending money like water, is already trying to beat down Australian industries by court actions. Some I am aware of include court cases claiming that a Perth teddy bear manufacturer was "using their designs" and infringing their name, Anchor Foods of Fremantle was asked to stop using the words "Koola" and "Jug" on a lime cordial, Harry Potter fashions was ordered to stop using that name, and various Australian ugg boot makers to stop using the word "ugg" in naming their products.

These legal demands were issued in spite of it being a matter of public record in Australia that these businesses had been using these names for years, under the protection of our laws.

The lawyers' threats were issued by Australian law firms acting for overseas corporations which most people had never heard of before these outrageous "kite-flying" letters arrived. These moves look as if they were designed to frighten off the smaller Australian firms who are providing goods in Australia, and potentially able to grow in this supposedly "competitive" world -- leaving the way open for the bigger firms to take over the market in this country and our possible export destinations.

The FTA will only add to this sort of persecution, because the companies' lawyers will find more and more supposed reasons to start legalistic-type complaints under the FTA organs and/or the WTO organs.

And our negotiators have given the US the right to put people onto boards and commissions that will be governing our business and government enterprises and activities. This smacks more of colonialism than the old colonial systems of the past European empires!

3rd: Investment policy thrown out the window. Similar to the discredited MAI, this AUSFTA proposes to break down any hope of resisting the sell-off of Australia's public and private assets to multinational corporations.

*** JOHN MASSAM.