

Services trade leak threatens privacy, civil rights, data security

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?[Leaked US proposals](#) ^[1] in the Trade in the secret Services (TISA) negotiations include rules that would threaten privacy and civil rights protections for digital personal data? Dr Patricia Ranald, Coordinator of the Australian Fair Trade and Investment Network (AFTINET) said today.

?The proposals would allow cross-border movement and storage of data, and prohibit requirements that service suppliers site their servers within the country,? said Dr Ranald.?

TISA is being negotiated in secret among 23 parties including the US, Australia and the EU, who call themselves the ?Really Good Friends of Services?. This leak follows an earlier leak of the [TISA financial services](#) ^[2] chapter, which contained proposals which would limit the ability of governments to regulate financial services in the public interest.

A detailed [memorandum](#) ^[3] from legal experts shows that the US proposals represent the interests of its IT industry and other service industries to maximise data flows across borders, but would reduce consumers? rights to privacy and the ability of governments to regulate for consumer protection.

?US negotiator [Christine Bliss](#) ^[4] said in September 2014 that the US had made similar demands in the ongoing Trans-Pacific Partnership Agreement (TPPA) negotiations. We understand that Australian negotiators have objected to the proposals on data storage, but the secrecy of the TPP negotiations means the outcome is unknown? added Dr Ranald.

?The proposals would prevent national regulation of data storage and could result in the concentration of data storage in the US, the home of the largest global IT and other services companies. This means Australian data would be subject to US laws, including national security and surveillance laws. The Snowden revelations have shown widespread US data surveillance and spying by security agencies,? said Dr Ranald.

?There is currently a public debate about rules for data storage in Australia, and the extent to which such data should be available for use by both commercial entities and by government security agencies. These are crucial issues about privacy and civil rights which should be decided through open democratic and parliamentary debate, not secretly signed away in either the TPP or the TISA negotiations?, said Dr Ranald

?We call on the Australian and other governments to release the text of both TISA and the TPP, so that these proposals can be scrutinised and debated before these deals are done,? concluded Dr Ranald.

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Links

[1] <https://data.awp.is/filtrala/2014/12/17/19.html>

[2] <http://www.smh.com.au/federal-politics/political-news/secret-trade-negotiations-is-this-the-end-of-the-big-four-20140619-3ah39.html>

[3] <https://data.awp.is/data/filtrala/15/analysis.cleaned.pdf>

[4]

http://www.brookings.edu/~media/events/2014/09/25%20internet%20fracture/092514_internet%20fracture_transcript.pdf