

Stronger Copyright monopolies on the Internet

Copyright law is meant to maintain a balance between the right of creators to a reasonable income through payments for the use of their work, and the rights of consumers to fair use of information.

Most copyright is now held by corporations, which lobby for trade agreements to extend their rights.

Community campaigning has removed some of the worst proposals, but the text still locks in strong specific legal rights for copyright holders and criminalisation of copyright breaches, with much vaguer references to fair use provisions for consumers.

These detailed specific rights for copyright holders could prevent governments from introducing future reforms to improve consumer rights or to respond to technological change.



Join the campaign to STOP the TPP

The Australian Fair Trade and Investment Network is a national network of individuals and community groups which campaigns for fair trade based on human rights, labour rights, and environmental sustainability.

We are calling for independent studies on the economic, environmental and health impacts of the TPP before Parliament votes on the implementing legislation. Without these, the Senate should vote NO to the TPP legislation.

Use our [website](http://www.aftinet.org.au) to:

- send a message to your local MP and Senators
- talk to your local MP or Senator
- come to an event or action
- discuss the TPP with friends, relatives and work-mates or hold a local meeting
- become an [AFTINET member](#) or supporter
- [donate](#) to support the campaign
- follow us on [Facebook](#) and Twitter @AFTINET.



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Trans-Pacific Partnership: CRUNCH TIME in PARLIAMENT

The secretly-negotiated TPP trade agreement between the US, Australia, and ten other countries was released in November 2015. Parliament will soon vote on the implementing legislation. The TPP reduces our democratic rights and increases the rights of global corporations, locking in:

- special rights for global corporations to sue governments over health, environment and public interest laws
- stronger monopolies for pharmaceutical companies to charge higher prices for medicines
- stronger rights for copyright holders at the expense of internet users
- weak and ineffective labour rights and environmental standards

Strong community opposition in many TPP countries - including the USA - means there is still a chance to stop the TPP from going ahead. Since the Coalition Government in Australia does not have a majority in the Senate, the TPP legislation could still be voted down.

Parliament will vote on the TPP implementing legislation after parliamentary inquiries beginning in February 2016.

We are calling for independent studies on the economic and social impacts of the TPP before the implementing legislation is voted on. Without these, the Senate should say NO!



Tell ALP, Independent and Greens Senators to say NO to the TPP!



The TPP allows foreign investors to sue our governments

The TPP includes rights for foreign investors to sue governments for millions of dollars in international tribunals if they can argue that a change in domestic law or policy at national, state or local level will 'harm' their investment, known as Investor-State Dispute Settlement (ISDS).

The tribunals consist of investment lawyers who can continue to be practicing lawyers, with obvious conflicts of interest. Australia's High Court [Chief Justice](#) and other [legal experts](#) have said that ISDS is not a fair legal system because it has no independent judges, no precedents and no appeals. [Increasing numbers of cases](#) against [health](#), [environment](#) and even [minimum wage](#) laws show that ISDS can threaten democratic rights to regulate.

Public health campaigning has resulted in a specific TPP clause to exclude future tobacco regulation from ISDS cases. This is a victory and should prevent future cases like the Philip Morris case against our plain packaging law. But the need for the specific exclusion of tobacco regulation shows that the general "safeguards" for other public interest laws are [weak](#) and will not prevent corporations from bringing cases.

There are many recent ISDS cases against health, environment and other public interest regulation. The US pharmaceutical company [Eli Lilly](#) is currently suing the Canadian

government over a court decision which refused a patent for a medicine which was not more medically effective than existing medicines. The US [Lone Pine](#) mining company is suing the Canadian government because the Québec provincial government introduced environmental regulation of gas mining. The French [Veolia](#) company is suing the Egyptian government over a contract dispute in which they are claiming compensation for a rise in the minimum wage.

Stronger monopolies on medicines mean higher future prices

Pharmaceutical companies already have 20 years of patents for monopoly higher prices on new medicines before cheaper versions become available.

The TPP will provide stronger monopoly rights for the costly biologic medicines used to treat cancer and other serious diseases. [Doctors without Borders](#) (MSF) says the TPP will delay access to lower-priced medicines for millions of people, especially in developing countries.

Australian law on biologic monopolies will not change immediately, but the text requires "other measures" which would "deliver a comparable market outcome," and requires a future review which could result in up to three extra years of monopoly.

Each year of delay in the availability of cheaper biologic medicines would cost the Australian government [hundreds of millions of dollars](#), creating pressure for higher prices at the chemist.

No real protection for labour rights or migrant workers

Despite promises that the TPP would contain enforceable labour rights, governments only commit to implementing their own labour laws, not recognised international standards, and the products of forced and child labour are not banned.



Complaints can only be made if there is a "sustained or recurring" violation of labour rights in a manner affecting trade or investment, meaning public sector workers and others in non-traded sectors are not covered.

The enforcement process requires lengthy consultation and has not been effective in other agreements with similar clauses.

The TPP also removes labour market testing for temporary migrant workers from five TPP countries, meaning there's no requirement to test if Australian workers are available.

This will create more exploitation of vulnerable workers as seen in [7-Eleven stores](#) and [other industries](#).

Environmental standards not enforceable

The TPP was supposed to include enforceable commitments by governments to at least seven international environment agreements. But the text mentions only four, and only one - on trade in endangered species - has clearly enforceable commitments.

There is no mention of climate change. Global corporations could use ISDS to sue governments for taking action against climate change.