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The Director
Submissions for AUSFTA Joint Committee Meeting
Department of Foreign Affairs and Trade
Canberra

Email: us_fta@dfat.gov.au

Dear Sir/Madam

The Australian Fair Trade and Investment Network welcomes the opportunity to make a brief submission to the Joint Committee Meeting (JCM) review of the AUSFTA.

As summarised on the DFAT website “JCMs allow the Australian and United States governments to jointly review the operation of the Agreement and identify opportunities to further strengthen our trade relationship. While these meetings generally do not review the text of the FTA, they allow both countries to conduct a ‘health check’ of the FTA.”

The review is apparently conducted behind closed doors, and it is not clear whether the results of the review will be made public. We would welcome the publication of such results.

The AUSFTA provoked a very vigorous community debate before it was signed in 2004 and implemented in 2005. The agreement provided very limited market access for Australian manufactured and agricultural exports into the US. However, it required changes to many areas of Australian regulation, identified by US interests as barriers to trade. These included extension of monopolies on copyright from 50 to 70 years, and other changes which favoured copyright holders over consumers, reductions in the regulation of Australian content in new forms of audio-visual media and limits on the regulation of essential services like energy and water services. It also required limits on local content in government procurement and the establishment of joint committees to review policies in relation to the pricing of medicines, quarantine, and food labelling.

Over the last year the 10th anniversary of the implementation of the agreement has prompted a number of academic peer-reviewed studies which evaluated the outcomes of the AUSFTA. They conclude that the economic benefits of the agreement were oversold and have in fact been minimal or negative. They also conclude that the agreement has also placed negative limitations on the development of a range of public interest regulation, including copyright regulation, medicine patent regulation and government procurement. (Productivity Commission 2015, Armstrong, 2016, *The Conversation*, 2015, the *Australian Journal of International affairs*, 2016).

These studies are listed below.

We urge those conducting the review to read them and take them into account in the review process, and hope they will inform future trade negotiations.

Productivity Commission (2015) *Trade and Assistance Review 2013-14*, June, found January 19, 2016 at
<http://www.pc.gov.au/research/recurring/trade-assistance/2013-14>

A series of articles in *The Conversation*

<https://theconversation.com/au/topics/free-trade-scorecard>

Shiro Armstrong *The economic impact of the Australia–United States free trade agreement*
AJRC Working Paper 01/2015 January 2015

Australian Journal of International Affairs Volume 69, Issue 5, 2015

Special Issue: Australian Trade Policy: A Decade on from the Australia-US Free Trade Agreement

<http://www.tandfonline.com/doi/full/10.1080/10357718.2015.1048784>

Yours sincerely

A handwritten signature in black ink that reads "P M Ranald". The letters are cursive and fluidly connected.

Dr Patricia Ranald
Convenor, Australian Fair Trade and Investment Network