

IP out of TAFTA

Civil Society Declaration

Last year, millions of Americans told their government not to undermine the open internet. We sent the SOPA and PIPA bills down to defeat.

Soon after, hundreds of thousands of people took to the streets of Europe to protest against ACTA, a secretive trade agreement that would have violated our rights online and chilled generic drug competition.

Meanwhile, leaked trade texts revealed US and EU threats to access to affordable medicines, which significantly disrupted trade talks in India and the Pacific.

On February 13, the US President Barack Obama, the European Council President Herman Van Rompuy, and the European Commission President José Manuel Barroso announced the official launch of negotiations of a Transatlantic Free Trade Agreement (TAFTA)—also touted as the Transatlantic Trade and Investment Partnership, or TTIP.

We, the undersigned, are internet freedom and public health groups, activists, and other public interest leaders dedicated to the rights of all people to access cultural and educational resources and affordable medicines, to enjoy a free and open internet, and to benefit from open and needs-driven innovation.

First, we insist that the European Union and United States release, in timely and ongoing fashion, any and all negotiating or pre-negotiation texts. We believe that secretive “trade” negotiations are absolutely unacceptable forums for devising binding rules that change national non-trade laws.

Second, we insist that the proposed TAFTA exclude any provisions related to patents, copyright, trademarks, data protection, geographical indications, or other forms of so-called “intellectual property”. Such provisions could impede our rights to health, culture, and free expression and otherwise affect our daily lives.

Past trade agreements negotiated by the US and EU have significantly increased the privileges of multinational corporations at the expense of society in general. Provisions in these agreements can, among many other concerns, limit free speech, constrain access to educational materials such as textbooks and academic journals, and, in the case of medicines, raise healthcare costs and contribute to preventable suffering and death.

Unless “intellectual property” is excluded from these talks, we fear that the outcome will be an agreement that inflicts the worst of both regimes’ rules on the other party. From a democratic perspective, we believe that important rules governing technology, health, and culture should be debated in the US Congress, the European Parliament, national parliaments, and other transparent forums where all stakeholders can be heard—not in closed negotiations that give privileged access to corporate insiders.

The TAFTA negotiations must not lead to a rewriting of patent and copyright rules in a way that tilts the balance even further away from the interests of citizens.