

Open Letter from Civil Society on the Free Trade Agreement Negotiations between Thailand and the United States of America

On 4-8 April, negotiations on the Free Trade Agreement (FTA) between Thai and the US will take place in Pattaya. This is the 3rd round of negotiations after 2 rounds in Hawaii. The US has submitted written demands from Thailand on many issues such as copyright protection, trademark protection and investment liberalization etc. In the third round of negotiations, the US side is expected to submit demands on the remaining issues. The most important is the issue of patents, in extending the period of patent protection beyond 20 years, in recognizing patents on all life forms, and in restricting the use of compulsory licensing. This is purely a demand to protect the business interests of US companies.

Civil society organizations, academics and individuals whose names are listed in the attachment to this letter have closely studied FTAs between the US and other countries, and call on the Thai government to halt the third round of negotiations in order to conduct a thorough review of the outstanding points and the negotiating position towards the FTA.

1. The issue of extending or strengthening intellectual property rights should be taken out of the FTA negotiations on the grounds that this agreement is more restrictive than the TRIPS agreement of the World Trade Organization (WTO). Also, granting monopoly rights on life forms under patent systems is a barrier to free trade. This will have a serious and widespread impact on the Thai people in terms of access to medicine, will make plant and animal species more expensive, will create the problem of a monopoly on the factors of agricultural production through reliance on patents on life forms, and so on. Moreover, Thailand already operates in accordance with the WTO agreement on intellectual property. There is no just reason for further intellectual property requirements under the FTA, especially with regard to extending patent protection and data exclusivity.

2. A referendum should be held on whether Thailand should sign the FTA with the US, since signing the FTA is an extremely important matter for Thailand and the lives and livelihoods of Thai people in all professions, both now and in the future. This referendum would be in line with the speech of the Prime Minister on the occasion of receiving the royal approval for his second administration.

3. A process should be established to ensure the broad participation of the people. This should involve the gathering of information, the expression of opinions, and decision-making. This will be of great benefit to the Thai negotiating team, who will have comprehensive information and recommendations for use in the negotiations. This will increase their negotiating power. The Thai preparations for earlier negotiations were the work of individuals from a restricted circle.

It is our sincere hope that the suggestions in this letter, which are made on a basis of protecting the common good, will be taken for consideration and put into concrete action.

Yours sincerely,

Weblink : <http://www.ftawatch.org/thaipeoplewantstopfta1.shtml>