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## TPP Provisions Threaten Internet Freedom

The *Trans-Pacific Strategic Economic Partnership Agreement* (TPP) has been a magnet for controversy since its inception, largely due to the excessive secrecy in which it is being negotiated and rumours that its intellectual property provisions would threaten Internet freedom. Today, the Centre for Law and Democracy has released an Analysis which confirms that these fears are well founded and highlights the many proposals in the draft treaty which would harm freedom of expression online. The Analysis is based on a draft version of part of the TPP released by Wikileaks, said to be current as of the conclusion of the August round of talks.

*"Given the controversial nature of many provisions in the draft TPP, there is a clear need for far greater transparency and consultation in the negotiations,"* said Toby Mendel, Executive Director of CLD. *"People deserve to know if their elected officials are pushing to implement plans that are harmful to the Internet and freedom of expression."*

The more serious problems in the leaked draft include the following:

- Australia, Brunei, Mexico, New Zealand, Peru, Singapore and the United States want to force third party intermediaries to put in place highly problematical anti-piracy measures, including schemes to terminate access to users found to be infringing copyright, or risk liability for acts undertaken by their users.
- Australia, Mexico, Peru, Singapore and the United States are supporting measures which, under the guise of protecting digital locks, will broadly criminalise even legitimate circumvention tools.
- Australia, Chile, Mexico, Peru, Singapore and the United States want to extend already excessive copyright terms for an additional twenty to fifty years.

Negotiating States aim to finalise the treaty at the next round of negotiations in Singapore, which start on 7 December. CLD calls on those States to open up the process to the public, to be forthright with their citizens about their negotiating positions and to ensure that the final text respects the right to freedom of expression.

The Analysis is available at:

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